

SDATAT's 5th Legislative Newsletter February 12, 2010

The Legislature has now completed five weeks (20 Legislative Days) and the session is slightly more than half over. Next week is the final week for Committees in the house of origin to move bills to the floor (by Feb 19). The last day for members of the house of origin to "smoke out" (require delivery of) a bill from a committee by a one-third (1/3) vote of the members is Feb. 22, 2010. The final day for a bill to pass the house of origin is Feb. 23, 2010.

SDATAT LEGISLATIVE DAY at the Capitol was a success as Board members and spouses dished out over 16 gallons of SDSU ice cream for sundaes. The meeting of the Board members and Governor was informative and pleasant as Board members discussed issues of importance to small towns and townships- mainly funding, flooding and other road and bridge issues. The assistance and support of Board members during hearings on Friday was very much appreciated. Legislators like to see and hear from their local elected officials.

STATUS OF SDATAT'S BILLS:

SB 1 - An Act to increase certain registration fees and taxes for use of motor vehicles on the public highways was killed in the Senate Transportation Committee on Feb. 1 based on a lack of support on the Senate floor at the time. The last day for the Committee to take action to remove it from the table and send it to the Senate floor is Feb. 19. The last day for the full Senate to "smoke it out" of Committee by a 1/3 vote is Feb. 22. It is not known if any further action will take place.

SB 130 - An Act to revise certain provisions concerning the township road system" had a hearing on Friday morning in the Senate Transportation Committee. It was approved by a vote of 4-3, and will be on the Senate floor for a vote on Tuesday (February 16th). The main concerns of the Committee members were related to the road vacating process and a fear that townships would vacate all of the roads they didn't want. Minnehaha County Commissioners opposed the bill, based on an on-going lawsuit involving Wayne Township and a rural housing development over road maintenance on the development's access road. Our chances of getting the bill approved will be enhanced if you would contact your Senator this weekend by attending a cracker barrel session, e-mailing them or calling them while they are home. They don't come back into session until Tuesday morning. So "CONTACT YOUR SENATOR" this weekend and ASK THEM TO SUPPORT SB 130.

HB 1147 – An Act to allow townships the ability to provide certain health, life and disability income insurance benefit was defeated on the House floor on Feb. 3. A new version has been drafted which would allow only group life insurance to be available for township officers and group life, health and disability income to be available for full and half-time employees. The goal is to "hoghouse" this language onto a bill with a similar title that has previously been killed in committee. An attempt to place our revised language onto HB 1174 failed in House Local Government Committee on Feb. 9 when Rep. Rounds was unable to get support to remove HB 1174 from the table for the purpose of amending it. We are still working on it.

HB 1166- An Act to clarify the locations where the local boards of equalization may meet, giving the decision to the board as to where to meet was unanimously approved in the House. It is now scheduled for hearing in Senate Local Government Committee on Feb. 17th, 2010 at 10am.

HB 1262- An Act to adjust motor vehicle registration fees was introduced in the House on Feb. 3 and is scheduled for a hearing in the House Transportation committee on Feb. 18, 2010 at 10 am.

ACTION ON OTHER BILLS OF INTEREST TO SDATAT:

HB 1046 - An Act to revise certain provisions for the procurement of goods and services for governmental agencies was tabled in House State Affairs Committee on Feb. 3."

HB 1093 - An Act to revise the open meeting requirement to permit the use of teleconferencing for rule-making and other purposes was amended and unanimously passed within the House State Affairs committee. On Feb. 12, 2010-the floor of the House deferred to another day.

HB 1113 – An Act to specify certain animal species for animal damage control has not been scheduled for a hearing. SD Game, Fish and Parks oppose it.

HB 1128 – An Act to revise certain provisions concerning fire protection services provided through township funding was amended and unanimously passed the House. It has now been referred to the Senate Local Government.

HB 1193- An Act to allow certain local governments to participate in the state health insurance plan was deferred to the 41st day in the House Commerce committee.

HB 1195 – An Act to provide for certain overweight permits during the time of seasonal vehicle weight restrictions was tabled in the House Transportation committee.

HB 1196- An Act to establish a certain distance from the municipality's corporate limits in which the municipality has planning and zoning authority was deferred to the 41st day by the House Local Government committee.

HB 1214 – An Act to allow for the acquisition of the fee ownership of highway right-of way land for certain local governments was amended in the House Local Government Committee to include Townships.

HB 1239- An Act to establish certain procedures for counties to follow when requiring landowners to cut and remove grass, weeds, and brush from the road right-of-way was amended and passed the House. It has now been referred to the Senate Local Government Committee.

HB 1262 - An Act to adjust certain registration fees for the use of motor vehicles on the public highways. This is the House Bill that may be used and amended to provide for a vehicle registration fee increase if it is determined that sufficient support exists among the House members." It has been scheduled for a hearing in the House Transportation committee on Feb. 18th at 10 am.

SB 58 – An Act to revise certain real property taxes for small renewable energy facilities was amended and passed by the Senate. It has now been referred to the House State Affairs.

SB 78- An Act to revise the total amount of revenue payable to municipalities and townships from taxes on real property was amended in Committee to include townships. Passed the Senate on Feb. 3, and was referred to the committee on House Taxation

SB 104 – An Act to revise certain provisions regarding disclosure of public information and public meetings was referred to Senate State Affairs. No action has been taken.

SB 133- An Act to revise certain procedures for handling complaints regarding open meeting requirements is scheduled for a hearing with the Senate Local Government committee on Feb. 17th, 2010 at 10 am.

SB 147 - An Act to establish a legislative policy to biannually review the highway needs and adjust the highway user fees was referred to Senate Transportation committee. No action has been taken.

SB 155- An Act to provide for the promulgation and adoption of administrative rules with a substantial financial impact upon political subdivisions of state government was amended with the sum of \$10,000 as the financial hardship determination. It was passed by the Senate Local Government and will now be debated on the Senate Floor February 17th at 10 am. We have already expressed that this amount is still significantly too high as it would cause extreme financial hardship to most small towns and townships. We will lobby against having a set amount designated.

SB 160- An Act to allow certain local governments to participate in the state health insurance plan was heard in the Senate Health and Human Services committee and deferred to February 19, 2010 at 7:45 am.

SB 161- An Act to impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill and referred to Senate State Affairs. No action taken.

SB 171- An Act to create an additional classification of real property and provide for its assessment and to revise certain provisions concerning the taxation of such property was deferred by the Senate Taxation committee to the 41st Legislative Day.

SB 180- An Act to clarify certain statutes prohibiting political subdivisions from restricting firearms and is scheduled for a hearing in the Senate State Affairs for Feb. 17th, 2010 at 10 am.

SB 182 - An Act to provide for the annual adjustment of certain fuel tax rates. This bill would increase the gas tax each year by the CPI - the same index factor as applied to property tax was deferred by the Senate Transportation committee to the 41st Day.

SB 184- An Act to revise certain provisions concerning the taxes imposed by water development districts and the formation of water development districts is scheduled for a hearing by the Senate Taxation Committee on February 17th, 2010 at 10 am.

CALENDAR OF EVENTS

FEBRUARY

- 16 McCook Co Township Mtg. 1:30pm-
Courthouse, Salem
- 16 Hamlin Co Township Meeting 1:30 pm-
Courthouse, Hayti, SD
- 16 Beadle Co. Township Meeting 1 pm
Courthouse, Huron, SD
- 18 Charles Mix Co Township Mtg
12:30 pm- 4-H Bld., Lake Andes
- 19 Sanborn Township Mtg
1:30 pm-4H Bldg Forestburg, SD
- Grant County Township Mtg.
1 pm Courthouse, Milbank, SD
- 23 **Township Year-end Meeting (Required
by law SDCL 8-5-1)**

MARCH

- 1 SDATAT Membership payments due
- 2 **Township Annual Meetings
(Required by law SDCL 8-3-1)**
- 4 Brookings County Township Mtg.
12 noon
- 5 Spink County Township Mtg. 1pm-
Courthouse, Redfield, SD
- 8 Clay County Township Mtg.
7 pm Public Safety, Vermillion
- 9 Union County Township Mtg. 1:30 pm
Courthouse in Elkpoint, SD
- 11 **Deadline for property assessment
appeals**
- 11 Miner County Township Mtg. 7 pm-
Courthouse Basement Howard, SD
- 11 Lake County Township Mtg. 6 pm
- 15 **Local Boards of Equalization
Meet SDCL 10-11-13**
- 18 Kingsbury County Township Mtg. at
12 noon, 4 H Bldg. in Desmet, SD
- 30 **Township Board of Supervisor Mtg.
SDCL 8-5-1**

SB 192 - An Act to modify distributions from the wind energy tax fund by allocating more money to townships when wind farms are built along township roads. It would allocate the wind energy tax based on a ratio of miles of township roads to miles of county roads. It unanimously passed the Senate Taxation committee and will now go to the Senate floor on Tuesday, Feb.16th, 2010.

IT IS CRITICAL TO CONTACT YOUR SENATORS BEFORE THIS TUESDAY ON SB 130 AND SB 192.

It is expected that action will move quickly during upcoming weeks. If you have any questions or comments on any legislation, please feel free to contact the SDATAT Office at (605) 353-1439 or Dick Howard at (605) 222-7700.

In addition to contacting your legislator when they are at home, you may contact them in Pierre by e-mail, telephone or letter. Addresses and phone numbers are provided below.

IMPORTANT CONTACT INFORMATION

To Track Legislation <http://legis.state.sd.us>

TO Contact Legislators

Email

<http://legis.state.sd.us/email/legislatoremail.aspx>
Select legislator's name from drop down box

Write

Senator or Representative
500 E Capitol Ave
Pierre SD 57501

Call

Senate Lobby 605 773 3821
House Lobby 605 773 3851

To contact the SDATAT Lobbyist- Dick Howard,
Call the Lobbyist Desk at 605 224 5030 or
Call Dick at 605 222-7700.