



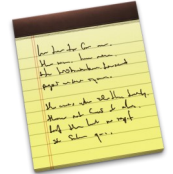
LEGISLATIVE UPDATE

February 12, 2016

Spring #4



2016 LEGISLATIVE NOTES



By Richard Howard,
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The Legislature has passed the half-way mark of the Session with February 11th being L.D. 20 out of 37 Legislative Days in the main run of the Session. Also, important deadlines are fast approaching with February 23rd being the final day for a bill to pass the Committee in the House of Origin and February 24th being the final day to pass the House of Origin.

Action has started on the Governor's education funding package. HB 1182, which increases the State sales and use taxes by 1/2 cent was passed

by the House Appropriations Committee on February 8th by a vote of 9-0 and was being debated on the House Floor on February 10th when a procedural move deferred the bill with a pending amendment. It is now scheduled for further debate on February 16th. SB 132, which would revise certain procedures regarding education funding is scheduled for Hearing in the House State Affairs Committee on February 16th. A lot of work remains to be done on the education funding package.

STATUS OF SDATAT BILLS

HB 1137 - An act to revise the distribution of registration fees from noncommercial gross weight vehicles.

1/28/16 - First read in House and referred to House Transportation.

2/16/16 - Expected to be scheduled for a Hearing in the House Transportation Committee.

Major work centered on HB 1137. As discussed in last week's Legislative Update, the bill proposes to redistribute the Vehicle Registration Fees collected on Non-Commercial Gross Weight Vehicles (Farm Trucks). The bill as drafted would distribute 65% of

the fees to the County Road and Bridge Fund and 35% to the Township Special Fund. This proposed distribution has drawn opposition from the municipalities, which would receive no funding from this category of vehicle and would lose approximately \$2.5 million per year. The proposal has also drawn some opposition from counties which would be reduced by \$340,000 out of approximately \$67 million per year total funding that counties receive from vehicle registration fees. At week's end negotiations were ongoing to reduce the opposition to the bill. Time is becoming important on this bill as it is now being scheduled for a hearing in the

House Transportation Committee on February 18th; the next to the last available committee day to pass the House Transportation Committee, and then to be approved by the full House by the February 24th deadline.

Your Legislators are home now for a 4 day weekend. They will return to Pierre for work on Tuesday, February 16th. This is a very good and timely weekend to contact them and identify the problems of the huge increases in your truck registration fees and the need to improve and replace small structures (less than 20 feet in length) and large culverts (54 inch diameter and larger). Remind them that these large registration fee increases were justified based on the damages caused to local roads by larger farm equipment and heavier trucks. These funds should be used for that purpose. Therefore, ask them to support HB 1137. It is especially important to contact members of the House Transportation Com-

mittee, which will consider the bill at 10 a.m. on Thursday, February 18th in Room 413 of the Capital. The members are listed below. You are also invited to attend the hearing.

House Transportation Committee Members
Include Representatives:

Jim Bolin, Mary Duvall (Vice Chair), Dennis Feickert, Dan Kaiser, Nancy Rasmussen, Tim Rounds, James Schaefer, Lee Schoenbeck, Dean Schrempp, Jim Stalzer, Wayne Steinhauer, Mike Verchio (Chair), Dick Werner.

HB 1178 - An Act to authorize townships to regulate off-road vehicle travel in the ditches of township roads.

2/2/16 - First Reading House

2/3/16 - Referred to House Local Government

2/4/16 - Withdrawn by the Prime Sponsor with concurrence of the SDATAT Board.

OTHER BILLS OF INTEREST

HB 1106 - An Act to exempt certain trees from requirements related to the removal of vegetation and debris from township road rights-of-way and to extend general immunity from certain civil liability for trees located in the township road right-of-way.

1/26/16 - First read in House and referred to House Local Government

2/4/16 - Local Government Deferred to the 41st legislative day, Passed, YEAS 9, NAYS 4

HB 1109 - An Act to exempt from liability persons who voluntarily maintain certain no maintenance roads.

1/26/16 - First read in House and referred to House Judiciary

2/4/16 - Withdrawn at the Request of the Prime Sponsor. "Following discussions and negotiations with SDATAT.

HB 1131 - An Act to direct certain vehicle registration fees to counties with unorganized territory.

1/27/16 - First read in House and referred to House Local Government.

2/11/16 - Local Government Deferred to the 41st legislative day, Passed, YEAS 7, NAYS 6



Reminder: New Tax Levy Available for Road and Bridge Projects.

Last year's Legislature considered the new levy for Township road and bridge repair and replacement, contained in SB1, to be a significant portion of the funding package for Townships. They attempted to make it easy for Townships to approve the additional levy by vote at the Annual Meeting in lieu of needing to go through the opt-out process (the opt-out process is still available, if desired).

As you are aware, we are trying to get a larger share of the registration fees on your farm trucks and also working to get the

Transportation Commission to approve a State-funded grant program to improve small structures and large culverts on Township roads.

It is expected that Legislators may be monitoring the use of this new funding mechanism for Townships to help themselves to increase their road and bridge budgets. Therefore, if you have projects that need to be done, you may want to consider additional funding through this process at your Annual Meeting. Below are details for using this levy.

NEW TAX LEVY FOR SECONDARY ROAD CAPITAL IMPROVEMENT FUND

- Allows for up to \$.50/thousand levy for road and bridge improvement
 - In addition to current levies
- Must be approved each year (Does not carry over from year to year. Does not get growth + cpi.)
- Can only be passed at the Annual Meeting
- Any resident, registered voter in attendance of the meeting may vote on the issue. (Is not referable to a vote. If taxpayers want to vote against it, they must attend the meeting.)
- Clerk must inform County Auditor if levy is passed and provide meeting minutes showing vote outcome

10-12-28.2. Authorization of tax levy for secondary road capital improvement fund. The voters of an organized civil township at the annual township meeting may authorize an annual property tax levy not to exceed fifty cents per thousand dollars of the taxable valuation of the township for the secondary road capital improvement fund for projects and purposes as defined in § 31-13-3.1. The secondary road capital improvement tax levy authorized by this section is in addition to the levies authorized in §§ 10-12-28 and 31-13-22. Any tax levy imposed pursuant to this section is exempt from the tax limitations imposed on a township pursuant to chapter 10-13.

91st SOUTH DAKOTA LEGISLATIVE SESSION CALENDAR

2016 ♦ 38 Legislative Days



Please refer to the Joint Rules, Chapter 17 for complete information on page 2

	Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat	
January 2016	3	4	5	6	7	8	9	
	10	11	12 Session Opens 12 Noon (CST) State of the State L.D. 1	13 State of the Judiciary L.D. 2	14 State of the Tribes L.D. 3	15	16	L.D. 4
	17	18 <i>Martin Luther King Jr. Day</i>	19 Executive orders filed (Constitution, Art. IV, Sec. 8) L.D. 5	20 L.D. 6	21 <i>Jt. Memorial Service</i> 3:00 pm L.D. 7	22 Concurrent Resolution limited introduction deadline (J.R. 6B-3) L.D. 8	23	L.D. 8
	24	25	26	27	28 Last day for unlimited bill & joint resolution introduction (J.R. 6B-3) Must be at the front desk TWO HOURS prior to session. L.D. 12	29	30	L.D. 9
February 2016	Jan 31	Feb 1	2 All bill drafts with sponsors due back in LRC L.D. 13	3 L.D. 14	4 Last day for introduction of individual bills and joint resolutions Must be at the front desk TWO HOURS prior to session. L.D. 15	5 Last day for introduction of committee bills and joint resolutions Must be at the front desk TWO HOURS prior to session. L.D. 16	6	L.D. 16
	7	8	9	10 Last day for JCA selection of general fund revenue targets (J.R. 7-11.1) L.D. 19	11	12	13	L.D. 17
	14	15 <i>Presidents Day</i>	16	17	18	19	20	L.D. 18
	21	22 Last day to use J.R. 5-17 L.D. 25	23 Last day to move required delivery of bills or resolutions by a committee to the house of origin L.D. 26	24 Last day to pass bills or joint resolutions by the house of origin Last day for introduction of concurrent resolutions and commemorations L.D. 27	25	26	27	L.D. 21
								L.D. 22
March 2016	Feb 28	Feb 29	Mar 1 Last day for an appropriations committee to move required delivery of special appropriation bills to house of origin L.D. 30	2 Last day for house of origin to pass special appropriation bills delivered by an appropriations committee L.D. 31	3 J.R. 5-13 in effect L.D. 32	4	5	L.D. 23
	6	7 Last day to move required delivery of bills or resolutions by a committee to the second house L.D. 33	8 Last day for a bill or joint resolution to pass both houses L.D. 34	9 Reserved for concurrences or conference committees L.D. 35	10 Reserved for concurrences or conference committees L.D. 36	11	12	L.D. 24
	13	14	15	16	17	18	19	L.D. 25
	20	21	22	23	24	25	26	L.D. 26
	27	28	29 Reserved for consideration of gubernatorial vetoes L.D. 38	30	31			L.D. 27
	<i>Easter</i>							

TOWNSHIP CALENDAR

February 15 - President's Day

February 18 - Last Day to Advertise for Twp Annual Meeting (SDCL 8-3-1)

February 22 - Post notice 24 hrs prior to Feb 24th Meeting

February 23 - Required Township Mtg

March 1 - Required Township Annual Meeting (SDCL 8-3-1)

March 15 - Regular Twp Mtg for equalizing the assessment of property in your township

March 29 - Regular township meeting of the "newly" elected township officials.

Reminder - any required meeting may be rescheduled for the following Tuesday at the same time and place, due to inclement weather, without additional publication. Be sure that you have the reschedule date in the initial agenda and publications. (SDCL 8-3-1)

More information and detailed sample agendas available at: www.sdtownships.com

IMPORTANT CONTACT INFORMATION

To Track Legislation

<http://legis.sd.gov/>

To Listen To Committees Live:

http://legis.sd.gov/Legislative_Session/Committees/default.aspx?Session=2014

Address: Legislative Research Council

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Staff Fax: (605) 773-4576

Legislator Fax (Session Only): (605) 773-6806

Fax a Message (to a specific legislator) - 605 773 6806

