



# LEGISLATIVE UPDATE

March 13, 2015

Spring #8

## 2015 LEGISLATIVE NOTES

By Richard Howard

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**SB 1 PASSED!** - after a couple of hectic days of Conference Committee meetings, negotiations, lobbying, compromise and amendments. SB 1 was the first bill introduced and the last bill to pass during the session (except for the General Appropriations Bill). It passed at 6:15 p.m. on Friday, the 13th, the 38th L.D., the last day of the main run of the 2015 session.

The major result of the bill is significant funding increases for both State and local government roads and bridges through increases in the traditional highway user fees: gas tax, motor vehicle excise tax and vehicle registration fees. The State will receive an increase in the gas tax of 6 cents per gallon and an increase from 3% to 4% in the motor vehicle excise tax. Local governments will receive a 20% across the board increase in vehicle registration fees and a 10% increase in non-commercial gross weight vehicle (farm truck) fees in 2015 and an additional increase of 10% in 2016.

Overall the State will receive an increase of approximately \$68 million per year. Local governments will receive approximately \$18 million per year; however, the State has agreed to provide additional funding to local governments from the State Highway Fund.

The bill also contains additional local funding provisions as described below.:

1. Creates a Local Bridge Improvement Grant Fund which will be funded with a combination of State, Federal and local funds.
2. Authorizes counties to increase the wheel tax up to \$5 per wheel on a maximum of 12 wheels per vehicle.
3. Authorizes township voters to adopt to a levy of up to 50 cents per \$1000 valuation (outside the property tax limitation) for roads and bridges.
4. Authorizes counties to levy up to \$1.20 per \$1000 valuation (based on the total valuation of the county) subject to referendum and with certain limitations.

SB 1 also contains an emergency clause which specifies that the increases will be effective April 1, 2015. More details on the funding increases will be provided in the next report.

### On SDATAT's Other Bills:

**HB 1121** was signed by the Governor on March 11th.

**HB 1122** was signed by the Governor on March 13th.

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*"Based on the results identified in this report, it appears that SDATAT had a highly successful session. Thank you to all that contributed to and supported SDATAT's legislative progress!"*



# OTHER BILLS OF INTEREST



**SB 3 - An act to provide for mediation of certain drainage disputes.**

2/17/15 - Agriculture and Natural Resources Do Pass Amended, Passed, YEAS 8, NAYS 0.

2/25/15 - Senate Do Pass Amended, Passed, YEAS 32, NAYS 2

2/26/15 - First read in House and referred to House Agriculture and Natural Resources

3/5/15 - House of Representatives Do Pass Amended, Passed, YEAS 67, NAYS 1.

3/6/15 - Signed by President

3/6/15 - Signed by Speaker

3/10/15 - Delivered to the Governor

**SB 5 - An act to revise certain provisions concerning the assessment and taxation of real property.**

1/23/15 - Taxation Do Pass, Passed, Yeas 7, Nays 0

1/26/15 - Senate Do Pass, Passed, Yeas 35, Nays 0

1/27/15 - First read in the House and referred to House Taxation.

2/26/15 - Taxation Do Pass, Passed, YEAS 14, NAYS 0.

2/26/15 - Placed on consent, Passed

2/27/15 - House of Representatives Do Pass, Passed, YEAS 62, NAYS 0

3/3/15 - Signed by the President

3/4/15 - Signed by Speaker

3/11/15 - Signed by the Governor

**SB 81 - An act to require persons convicted of driving a vehicle while under influence of alcohol, drugs, or intoxicants to pay certain costs to the county.**

2/9/15 - Local Government Do Pass, Passed, YEAS 5, NAYS 0

2/10/15 - Senate Do Pass, Passed YEAS 30 NAYS 3

2/11/15 - First read in House and referred to House Local Government

2/26/15 - Local Government Do Pass, Passed, YEAS 12, NAYS 0

2/27/15 - House of Representatives Deferred to another day, Passed

3/3/15 - House of Representatives Do Pass, Passed, YEAS 54, NAYS 13

3/4/15 - Signed by President

3/5/15 - Signed by Speaker

3/11/15 - Signed by Governor

**SB 129 - An act to revise provisions relating to trespass associated with hunting, fishing, or trapping.**

2/10/15 - Agriculture and Natural Resources Do Pass, Passed, YEAS 8, NAYS 0

2/11/15 - Senate Do Pass, Failed, YEAS 12, NAYS 21

**SB 135 - An act to authorize municipalities to impose an additional sales and use tax for a limited period of time for a specified use.**

1/28/15 - First read in Senate and referred to Senate State Affairs.

2/4/15 - State Affairs Do Pass Amended, Passed, YEAS 6, NAYS 2

2/9/15 - Senate Do Pass Amended, Passed, YEAS 19, NAYS 14.

2/10/15 - First read in House and referred to House Taxation

2/25/15 - Referred to House State Affairs, Passed

3/6/15 - State Affairs Deferred to the 41st legislative day, Passed, YEAS 7, NAYS 6.

3/9/15 - Recalled from Committee, Passed

# OTHER BILLS UPDATE CONTINUED

3/9/15 - State Affairs Do Pass, Failed, YEAS 5, NAYS

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3/9/15 - State Affairs Do Not Pass, Passed, YEAS 7, NAYS 5.

3/10/15 - Placed on calendar, Failed, YEAS 33, NAYS 33

3/10/15 - Intent to reconsider

3/10/15 - No motion to reconsider.

**SB 180 - An act to revise certain provisions regarding the production tax for wind energy facilities.**

2/3/15 - First read in Senate and referred to Senate Commerce and Energy.

2/12 15 A hearing was held, testimony was taken and the bill was held over for further discussion. I testified regarding concerns for decreases on township revenues. The bill has continued to be deferred as the energy companies have worked on preparing an acceptable amendment to the bill.

2/24/15 - Commerce and Energy Do Pass Amended, Passed, YEAS 7, NAYS 0.

2/25/15 - Senate Do Pass Amended, Passed, YEAS 32, NAYS 2

2/26/15 - First read in House and referred to House Taxation

3/5/15 - Taxation Motion to amend, Passed Amendment 180fb

3/5 15 - Taxation Do Pass Amended, Passed, YEAS 14, NAYS 0.

3/5/15 - Taxation Title amended, Passed

3/10/15 - House of Representatives Do Pass Amended, Passed, YEAS 64, NAYS 4

3/11/15 - Senate Concurred in amendments, Passed, YEAS 32, NAYS 1.

3/12/15 - Signed by President

3/13/15 - Signed by Speaker

3/13/15 - Delivered to Governor

3/13/15 - Signed by Governor

**SB 185 - An act to increase the motor vehicle excise tax rate and to dedicate a portion of the revenue to the local government highway and bridge fund.**

2/3/15 - First read in Senate and referred to Senate Transportation.

2/20/15 - Transportation Motion to amend, Passed

2/20/15 - Transportation Tabled, Passed, YEAS 4, NAYS 0

## HOUSE BILLS:

**HB 1083 - An act to require reimbursement to certain entities for fire suppression and extinguishment costs.**

1/23/15 - First read in House and referred to House Judiciary

1/30/15 - Judiciary Do Pass Amended, Passed, YEAS 12, NAYS 0.

2/5/15 - House of Representatives Do Pass Amended, Passed, YEAS 56, NAYS 11.

2/6/15 - First read in Senate and referred to Senate Local Government

2/18/15 - Deferred by Chair. The bill as passed by the House was totally unacceptable to SDATAT and others. The sponsors are working to develop an acceptable amendment. SDATAT proposed an amendment to protect township residents but that was rejected by the sponsors.

3/4/15 - Local Government Motion to amend, Passed, YEAS 5, NAYS 2.

3/4/15 - Local Government Do Pass Amended,

## HOUSE BILLS CONTINUED:

Failed, YEAS 2, NAYS 5.

3/4/15 - Local Government Deferred to the 41st legislative day, Passed, YEAS 4, NAYS 3.

**HB 1135 - An act to expand certain bonding provisions regarding local government officials and employees.**

2/6/15 - House of Representatives Do Pass, Passed, YEAS 61, NAYS 0.

2/9/15 - First read in Senate and referred to Senate Local Government

2/25/15 - Local Government Do Pass, Passed, YEAS 7, NAYS 0.

2/25/15 - Placed on consent, Passed

2/26/15 - Senate Do Pass, Passed, YEAS 34, NAYS 0.

2/27/15 - Signed by Speaker

3/3/15 - Signed by President

3/11/15 - Signed by Governor

**HB 1152 - An act to limit the terms of certain conservation easements.**

1/28/15 - First read in House and referred to House Agriculture and Natural Resources

2/3/15 - Agriculture and Natural Resources Deferred to the 41st legislative day, Passed, YEAS 7, NAYS 6.

**HB 1201 - An act to revise certain provisions regarding planning and zoning.**

2/4/15 - Referred to House Local Government .

2/19/15 - Local Government Do Pass, Passed, YEAS 10, NAYS 3.

2/25/15 - House of Representatives Do Pass Amended, Passed, YEAS 52, NAYS 17

2/26/15 - First read in Senate and referred to Senate Agriculture and Natural Resources

3/3/15 - Agriculture and Natural Resources Do Pass, Passed, YEAS 7, NAYS 2

3/4/15 - Senate Motion to amend, Passed

3/4/15 - Senate Do Pass Amended, Passed, YEAS 22, NAYS 11.

3/6/15 - House of Representatives Concurred in amendments, Passed, YEAS 50, NAYS 12

3/9/15 - Signed by Speaker

3/10/15 - Signed by President

3/13/15 - Signed by Governor

**HB 1227 - An act to authorize counties to impose sales and use taxes.**

2/3/15 - First read in House.

2/4/15 - Referred to House Taxation.

2/19/15 - Taxation Do Pass, Passed, YEAS 9, NAYS 6.

2/25/15 - House of Representatives Do Pass, Failed, YEAS 32, NAYS 37.



## Important Upcoming Meeting:

**March 31(NOTE CORRECTED DATE)**– Regular township meeting of the “newly” elected township officials