



# SDATAT's LEGISLATIVE NEWSLETTER

January 27, 2012

Spring #1

## LEGISLATIVE NOTES



### 87th Legislative Session

By Richard Howard

The 2012 Legislative session began on January 10, 2012, with the Governor's State of the State Address. The Legislative process became compacted when the Legislature took off the days of January 17 and January 18 in honor of Governor Janklow's services. This resulted in the Session calendar being shortened from 35 days to 33 days.

As of today 469 bills have been introduced: 274 House Bills and 195 Senate Bills. January 26 was the final day to introduce individual bills and January 30 is the final day to introduce committee bills, so it is not expected that many more bills will be introduced.

The following three (3) SDATAT bills were introduced during the week:

**SB 95** – An Act to modify distributions from the Wind Energy Tax Fund (Scheduled for a hearing in the Senate Taxation Committee on February 8).

**SB 102** – An Act to clarify the procedures for the apportionment of funds among townships (This bill would define a township's miles of maintained roads to include both full maintenance and minimum maintenance of roads for apportionment of license plate fees. (Scheduled for a hearing in the Senate Local Government Committee on January 30).

**SB 116** – An Act to revise certain provisions relating to the township road system. (This bill defines the township road system. Scheduled for a hearing in the Senate Transportation Committee on February 8)

**ACTION REQUESTED:** Resolutions of support for the SDATAT bills were passed by the Association membership at the SDATAT Annual Conference; therefore, you are encouraged to contact your Legislators and ask them to support our bills in Committee and on the floor in advance.

Another bill which would directly affect townships is:

**SB 101** – An Act to authorize counties and townships to borrow money using promissory notes. (The Board could not reach a consensus on supporting this bill, so the intent is to amend townships out of the bill. (Scheduled for hearing in the Senate Local Government Committee on January 30).

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It is expected that action will move quickly during upcoming weeks. If you have 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 Legislators when they are at home, you may contact them in Pierre by e-mail, telephone, or letter. Addresses of phone numbers are provided on page 4.

Other bills of interest to SDATAT that were introduced include:

### HOUSE BILLS:

**HB 1003:** An Act to revise the limitation on the increases and decreases that may be made to the total taxable value of cropland and non-cropland.(Scheduled for Hearing on 1/31/12)

# **BILLS OF INTEREST (Cont.)**

**HB 1074:** An Act to exempt certain counties from restrictions relating to the taking of muskrat. (First read in the House and referred to House Agriculture and Natural Resources on 1/20/12)

**HB 1087:** An Act to limit the terms of certain conservation easements. (First read in House and referred on 1/20/12 to House Agriculture and Natural Resources H.J. 68)

**HB 1094:** An Act to require the filing of certain documents relating to the vacation, location, or changing of highways with the register of deeds. (1/26/12 – Local Gov't Do Pass, Passed. H.J. 215)

**HB 1104:** An Act to define the responsibility of the Department of Transportation regarding portions of certain intersecting county and township highways located within the right-of-way of the state highway system. (1/26/12 – Transportation deferred to the 41st legislative day.)

**HB 1117:** An Act to provide for the taking of muskrats by shooting under certain conditions. (1/23/12 – First read in House and referred to House Agriculture and Natural Resources. H.J. 143)

**HB 1122:** An Act to revise certain provisions relating to the vacation, change, or location of highways. (Scheduled for hearing on 1/31/12)

**HB 1131:** An Act to revise certain provisions relating to the posting of public notice for meetings of public bodies. (1/23/12 – First read in House and referred to House Local Government H.J. 146)

**HB 1154:** An Act to revise certain provisions concerning the construction of roads outside the road district. (1/26/12 – Transportation Do Pass Amended, Passed)

**HB 1163:** (An act to allow subdivisions of government to operate as organizations formed under §58-18-52)

**HB 1184:** An Act to permit public bodies to keep minutes of executive session and to restrict who may review the minutes. (1/23/12 – First read in House and referred to House Local Government H.J. 157)

**HB 1237:** An Act to assess agricultural land based on its actual use. (1/25/12 – First read in House and referred to House Taxation H.J. 199)

**HB 1240:** An Act to separately classify, assess, and tax agricultural land that is leased for certain purposes that restrict the use of the land. (First read in House and referred to House Taxation H.J. 200)

**HB 1241:** An Act to require township board approval for certain utility facilities located near township roads. (1/25/12 – First read in House and referred to House Local Government H.J. 200)

**HB 1243:** An Act to require that notice be provided before certain drainage activities are undertaken. (1/26/12 – First read in House and referred to House Local Government H.J. 217)

**HB 1250:** An Act to permit counties and townships to levy a capital improvement property tax for highways, secondary roads, bridges, and culverts. (1/26/12 – First read in House and referred to House Local Government H.J. 218)

## **SENATE BILLS:**

**SB 22:** An Act to revise certain provision regarding the vacation or the change of location of county and township highways on school and public lands. (Scheduled for hearing in the Senate Transportation Committee on 1/30/12)

**SB 40:** An Act to permit a county to authorize temporary fencing within rights-of-way subject to its jurisdiction. (1/20/12 – Local Government deferred to the 41<sup>st</sup> legislative day. S.J. 91)

**SB 150** – An Act to authorize counties and townships to permit fencing within the rights-of-way of certain minimum maintenance roads. (1/25/12 – First read in Senate and referred to Senate Agriculture and Natural Resources S.J. 171)

**SB 160** – An Act to create the North Central Water Development District, to provide for the appointment of the board of directors, to establish certain property tax levy limitations, and to revise the boundaries of the James River Water Development District. (1/25/12 – First read in Senate and referred to Senate Agriculture and Natural Resources S.J. 173)

**SB 161** - An Act to revise certain provisions concerning public meetings held by teleconference or video conference. (1/25/12 – First read in Senate and referred to Senate State Affairs S.J. 173)

**SB 169** – An Act to create certain watershed districts. (1/25/12 – First read in Senate and referred to Senate Agriculture and Natural Resources S.J. 175)

## **2012 CALENDAR**

***FEBRUARY 8TH - LEGISLATIVE DAY -***  
*Pierre, SD - Please Plan to*  
*Attend!*

***FEBRUARY 10TH - McCook Co.***  
*Township Meeting - 1:30 p.m. - Salem, SD*

***FEBRUARY 14TH - Beadle Co. Township***  
*Meeting - 1:00 p.m. - Courthouse, Huron,*  
*SD*

***FEBRUARY 21ST - Hamlin Co. Township***  
*Meeting - 1:30 p.m. - 4-H Grounds, Hayti*  
*Sanborn Co. Township Meeting – 1:30 p.m.*  
*– 4-H Building, Forestburg, SD*

***FEBRUARY 28TH - Regular Township***  
*Meeting as Required by SDCL 8-5-1*

***MARCH 6TH - Annual Township Meeting***  
*as Required by SDCL 8-3-1*

***MARCH 7TH - Union Co. Township***  
*Meeting - 1:30 – Elkpoint*

***MARCH 8TH - Brookings Co. Township***  
*Meeting - 11 a.m. Equalization Mtg*  
*1 p.m. County Mtg. – Swiftel*

***MARCH 9TH - Spink Co. Township***  
*Meeting - 1:00 p.m.*

***MARCH 13TH - Lake Co. Township***  
*Meeting - Eat @ 6 p.m. - Mtg at 6:30 -*  
*Nikki's in Madison*

***MARCH 15TH - Clay Co. Township***  
*Meeting - 7 p.m. – Vermillion*

## IMPORTANT CONTACT INFORMATION

### To Track Legislation

<http://legis.state.sd.us>

### To Listen To Committees Live:

<http://legis.state.sd.us/sessions/2011/CommitteeMenu.aspx>

### Contact legislators:

#### Email:

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

#### Write

500 E Capitol Ave  
Pierre, SD 57501

#### Call

Senate Lobby  
House Lobby

605 773 3821  
605 773 3851

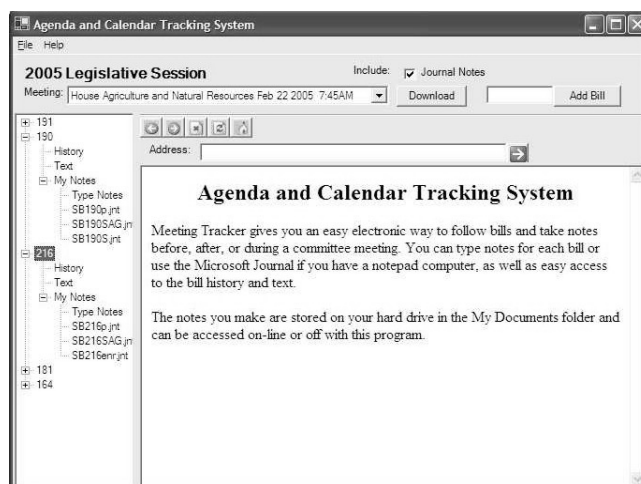
#### Fax a Message (to a specific legislator)

605 773 6806

## Track Bills Quickly and Easily:

### Agenda and Calendar Tracking System (ACTS)

Available at: <http://legis.state.sd.us/acts/index.htm>



**Brought to you by:** South Dakota Association of Towns & Townships, PO Box 903, Huron, SD 57350,  
605-353-1439, Website: <http://www.sdtownships.com>