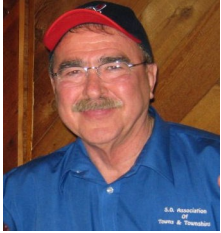




LEGISLATIVE UPDATE

January 30, 2015

Spring #2



2015 LEGISLATIVE NOTES

By Richard Howard,
SDATAT Lobbyist/Transportation Consultant

As of today (Legislative Day 13), 369 bills have been introduced: 194 House bills and 175 Senate bills. February 3rd is the final day to introduce individual bills and February 4th is the final day to introduce committee bills, so it not expected that many more bills will be introduced.

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

HB 1121 – An Act to authorize township boards to establish speed zones on township roads.

HB 1122 – Act to authorize township boards to designate certain roads as no maintenance roads.

SB 103 – An Act to authorize townships to levy a capital improvement property tax for secondary roads, bridges, and culverts.

HB 1121 and 1122 are scheduled for a hearing in the House Local Government Committee on Thursday, Feb. 5th

The Governor’s Highway Funding Bill (HB 1131) was introduced on January 28, and is scheduled for hearing in House Transportation on Tuesday, February 3rd. HB 1131 (which would increase Transportation funding by \$50 million in the first year) joins SB 1 (which would increase Transportation funding by \$100 million) as being the primary Transportation funding bills of the Session. However, as listed below, several other bills deal

with the issue:

SB 148 – An Act to increase the tax on certain motor fuels to finance improvements on the public highways and bridges.

SB149 – An Act to revise certain provisions regarding the maximum wheel tax that may be imposed by a county.

SB 150 – An Act to require certain motor vehicles to pay an additional registration fee.

SB 151 – An Act to revise the distribution of the revenue from petroleum release compensation and tank inspection fees.

It is also expected that several amendments will be offered to HB 1131 as it goes through the process. It is also expected that action will move quickly during the upcoming

weeks.

In addition, several other bills have been introduced that may be of interest to SDATAT: SB 2, SB 3, SB 5, SB 79, SB 83, SB 94, SB 129 and SB 135, along with HB 1075, HB 1106 and HB 1152 .

As stated last week, it is important to contact your local Legislators and give them examples of need that you have on your Township’s roads, bridges and culverts.

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YOU’RE INVITED to join us for SDATAT Legislative Day at the Capital, Wednesday, February 4. Call the office for more details. 605-353-1439

SENATE BILLS UPDATE

SB 1 - An act to finance improvements on the public highways and bridges by establishing or increasing the motor vehicle excise tax, taxes on fuel, motor vehicle registration fees, and wheel taxes, to provide for the distribution of certain revenue, and to establish certain state and local planning and reporting requirements concerning the condition of public highways and bridges.

1/13/15 - First read in Senate and referred to Senate State Affairs.

SB 103 - An act to authorize townships to levy a capital improvement property tax for secondary roads, bridges, and culverts.

1/27/15 - First read in Senate

1/29/15 - Referred to Senate State Affairs

SB 148 - increase the tax on certain motor fuels to finance improvements on the public highways and bridges.

1/28/15 - First read in Senate

1/29/15 - Referred to Senate State Affairs

SB 150 - An Act to require certain motor vehicles to pay an additional registration fee.

1/28/15 - First read in Senate

1/29/15 - Referred to Senate State Affairs

SB 151 - An Act to revise the distribution of the revenue from petroleum release compensation and tank inspection fees.

1/28/15 - First read in Senate

1/29/15 - Referred to Senate State Affairs



HOUSE BILLS OF INTEREST

HB 1121 - An Act to authorize township boards to establish speed zones on township roads.

1/27/15 - First read in House and referred to House Local Government

HB 1122 - An Act to authorize township boards to designate certain roads as no maintenance roads.

1/27/15 - First Read in House and referred to House Local Government.

OTHER BILLS OF INTEREST

SB 2 - An act to provide for the establishment of river basin natural resource districts and to repeal certain provisions regarding county drainage management.

1/13/15 - First read in Senate and referred to Senate Agriculture and Natural Resources.

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

1/13/15 - First read in Senate and referred to Senate Agriculture and Natural Resources

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

1/13/15 - First read in Senate and referred to Senate Taxation

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.

SB 79 - An act to revise certain provisions concerning the manner in which county wheel taxes are imposed.

OTHER BILLS UPDATE CONTINUED

1/22/15 - First read in Senate and referred to Senate Transportation

1/28/15 - Transportation Deferred to the 41st legislative day, Passed, Yeas 5, Nays 2

SB 83 - An act to authorize a board of county commissioners to designate certain section line roads and secondary roads as no maintenance and to revise certain provisions to vacate, change, or locate a highway by a board of county commissioners.

1/23/15 - First read in Senate and referred to Senate Local Government

1/26/15 - Withdrawn at the Request of the Prime Sponsor

SB 94 - An act to establish a license fee for electric-powered motorcycles.

1/27/15 - First read in Senate and referred to Senate Transportation.

2/4/15 - Scheduled for hearing.

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

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

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 - Scheduled for hearing.

HB 1075 - An act to provide for off-road vehicle trails, to establish a fund to create and maintain the trails, and to provide a penalty therefor.

1/23/15 - Withdrawn at the Request of the Prime Sponsor

HB 1106 - An act to establish the rights of municipal, county, or township officers in certain decision-making processes.

1/26/15 - First read in House and referred to House Local Government

1/29/15 - Local Government Do Pass, Passed, Yeas 13, Nays 0.

1/30/15 - House of Representatives Deferred to another day, Passed

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 - Scheduled for hearing.

Partial Glossary of Legislative Terms

ACT--a bill passed by the Legislature.

ACTION--disposition of any question before the Legislature.

ADJOURNMENT--termination of a meeting; occurs at the close of each legislative day upon completion of business, with the hour and day of the next meeting set prior to adjournment.

ADOPTION--approval or acceptance; usually applied to amendments or resolutions.

AMENDMENT--any alteration made or proposed in a bill, motion, or clause thereof by adding, changing, substituting, or omitting.

ANNOTATION--the official annotations are the compilation of histories of sections of the statutes, interpretative notes, court decisions and attorney general's opinions. They are published following each section of the South Dakota Codified Laws.

HOUSE BILL 1131 AND SENATE BILL 1 COMPARISON GUIDE

House Bill 1131

	State	Local
Increase from 3 % to 4%	\$ 27.20	
Increase 2 cents per gallon each year	\$ 13.00	
Increase 10%		\$ 7.40
Increase 2 cents per gallon each year	\$ 0.75	
Vehicles over 20,000 pounds to 70% of commercial rates		\$ 2.50

Senate Bill 1

	State	Local
Increase from 3% to 4%	\$ 27.20	
2.5 per cent annual increase until FY 2026	\$ 3.58	
Increase 10%		\$ 7.40
Increase 2 cents per gallon each year until FY 2022	\$ 0.75	
Vehicles over 54,000 pounds to 100% commercial rates.		\$ 4.00
3% wholesale tax on average cost per gallon to \$2.50 average cost floor	\$ 48.75	
7 cents per gallon		\$ 9.10
New fees for electric (\$80) and hybrid (\$40)	\$ 0.19	
Allow wheel tax on actual number of wheels up to 12		\$ 0.40
Beginning in 2020 50% to highway fund		

Vehicle Excise Tax

Motor Fuel Tax

Vehicle Registration Fees

Ethyl Alcohol

Lg Non-Commercial Vehicle Reg.

Wholesale Fuel Tax

Dyed Diesel Fuel

Electric/Hybrid Vehicles

Wheel Tax

Tank Inspection Fee

Subtotal by jurisdiction: \$ 80.47 \$ 20.90

Total First Year Impact \$ 101.37

Subtotal by jurisdiction: \$ 40.95 \$ 9.90

Total First Year Impact \$ 50.85

\$15 million per year

Local Bridge Grant Program

22.4 million per year

\$7 million from increased registration fees plus \$2 million from state highway fund added to existing \$5 million local bridge funding.

\$10 million from increased registration fees and 70% of dyed diesel tax added to existing \$6 million local bridge funding.

Note: All figures provided are in millions of dollars

2015 LEGISLATIVE SESSION WORD FIND

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RESOLUTIONS	HOUSE	PROPOSED	VALUATION	VETOES
CONDITION	GOVERNMENT	SPEED	SENATOR	CULVERTS
SESSION	ROADS	ADOPTED	GOVERNOR	LEGISLATIVE
TAXATION	BRIDGES	BILLS	LOCAL	DEBATED
TRANSPORTATION	FUNDING	SENATE	NEEDS	
ZONES	MILLION	REPRESENTATIVE	CONTROL	



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Word Find Answer Key:

Effective Ways to Contact Your Legislator

To make the best impression, use these tips:

- **Do Your Homework.** Understand your issue and make sure it's a legitimate state concern. Don't contact a state legislator about federal or local issues, but instead, focus on issues where a legislator actually has influence and impact. Whenever possible, cite a specific bill or law as the focus of your communication. The more specific you are, the more impact you will have.
- **Use Personal Experience.** To address a problem with state government or a possible solution, describe in your own words how this problem affects you and how the solution might help resolve your concerns. If there are possible negative ramifications to your approach, it's best to tell the legislator of those potential problems before the legislator is asked to help resolve the issue. Don't surprise your legislator by giving him or her only half the story.
- **As Much as Possible, Be Timely.** Follow the news media and check the LRC website at: <http://legis.state.sd.us/> often so you understand when the Legislature is in session and when it is likely that issues will be addressed. The most effective communication is one which arrives early in the legislative process, preferably at the committee level where most of the work is done on legislation.
- **Never Threaten.** There is no quicker way to ensure your opinion will not count than to threaten legislators with reprisal if they do not vote the way you wish them to vote.
- **Choose the Best Way to Reach a Legislator.** Use common sense as to which method is most appropriate:
- **Write a letter or email.** This is generally the preferred means of communication. When you write a letter, you provide a written documentation to which the legislator can refer as he or she tries to

address your problem. Generally, people are more complete and thorough in writing down their thoughts, views or questions. Letters reach legislators when they have time to carefully review them and reflect on their content. A letter to your own district legislator is more effective than contacting legislators from other parts of the state.

- **Visit your legislator at the Capitol.** "Township Legislative Day" is the best time to make an impact, but if you are not able to come on that day, most legislators are at the Capitol a portion of the week, typically Tuesday through Friday. Contact a legislator's office directly to set up an appointment in the Capitol. Or, it's possible the legislator has office hours locally where you can contact him or her face-to-face, in most cases, legislators will be willing to meet with constituents, provided you have flexibility to a time and meeting place.
- **Visit your legislator at home!** It's fine to travel to Pierre to meet at the Capitol, but you can also – and probably more easily – schedule a meeting in their district office, at a local coffee shop, or at a restaurant.
- **Use the telephone.** Generally, there are three ways to contact your legislator by phone: calling directly to the legislator's office, or contacting the legislator's home or home office. Except in cases of extreme urgency, calls should be directed to the legislator's office. Direct communication with the office is probably the quickest way to get attention to an issue. Home phone calls are discouraged, because of time constraints on a legislator as well as the likelihood that the legislator will not be home when you call.
- **Use e-mail.** Email is useful for scheduling and providing information, but don't use it as a substi

(Cont. from Previous Pg)

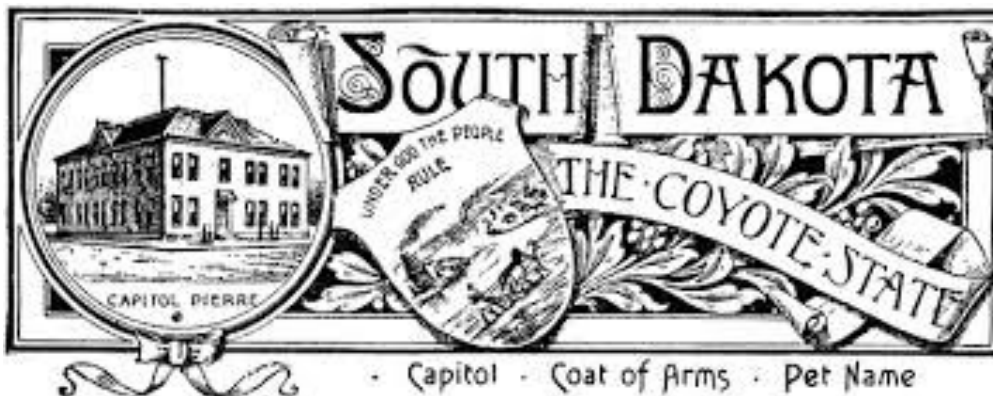
tute for a real conversation.

- **Ask the Legislator for a Response.** If it is appropriate, ask for a specific action as well. For example, if a bill is coming up for a hearing, ask a legislator to try to attend the hearing and share his or her thoughts concerning the topic. If you know the bill will be voted on by the full Legislature, ask the legislator to drop you a line telling you how he or she voted. If the legislator fails to respond, follow up with another communication.
- **Reward Good Work.** Say, "thank you." If the legislator really makes a special effort on your behalf, try to recognize that by attending a campaign fundraiser, writing a letter to the local newspaper editor praising the legislator for his or her good work, sending a thank you note or giving a legislator appropriate recognition before a group.
- **Use the Legislator's Staff.** Every state legislator

has staff. These are full-time or part-time state employees who generally work on constituent questions with state agencies and who also work on legislation. In most cases, a contact with a staff member is as effective as a direct contact with a legislator.

- **Maintain a Relationship.** The best way to get a legislator's attention is to be a friend. It's especially helpful if you contact your legislator from time-to-time with a good word or some update on your township or personal ventures, rather than just contacting your legislator when you have troubles.

Remember, Legislators are human. Each legislator is one out of dozens of decision makers. You should not expect a legislator to perform miracles. Also, remember that legislators have many demands on their time and attention. Be considerate of the legislator's family and personal time. Most of all, treat your own legislator as you would like to be treated.




****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*******

DUE TO HIGHER POSTAGE RATES AND OUR DESIRE TO KEEP MEMEBERSHIP FEES LOW WE WILL BE KEEPING OUR MAILING OF THE LEGISLATIVE NEWSLETTER TO JUST OUR FIRST AND LAST ISSUES. WE WILL CONTINUE TO EMAIL AND POST TO OUR WEBSITE WEEKLY. IF YOU WOULD LIKE TO BE PUT ON OUR EMAIL LIST PLEASE CONTACT US AT: 605-353-1439 OR EMAIL: sdtstaff@sdtownships.com

****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*****NOTICE*******

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

90th LEGISLATIVE SESSION DEADLINES

2015  39 Legislative Days

Legislative day	Calendar Date	Deadline
L.D. 1	January 13	Session Opens—12 Noon (CST)
L.D. 5	January 20	Executive orders filed (Constitution, Art. IV, Sec. 8)
L.D. 8	January 23	Concurrent Resolution limited introduction deadline (J.R. 6B-3)
L.D. 11	January 28	Last day for unlimited bill & joint resolution introduction (J.R. 6B-3) <i>Must be at the front desk TWO HOURS prior to session</i>
L.D. 13	January 30	All bill drafts with sponsors due back in LRC by 5 PM
L.D. 14	February 3	Final day to introduce individual bills and joint resolutions (Chapter 17) <i>Must be at the front desk TWO HOURS prior to session</i>
L.D. 15	February 4	Final day to introduce committee bills and joint resolutions (Chapter 17) <i>Must be at the front desk TWO HOURS prior to session</i>
L.D. 25	February 20	Last day to use J.R. 5-17 (Chapter 17)
L.D. 26	February 24	Last day to move required delivery of bills or joint resolutions in the house of origin (Chapter 17)
L.D. 27	February 25	Last day for a bill or joint resolution to pass the house of origin Last day for introduction of concurrent resolutions and commemorations (Chapter 17)
L.D. 33	March 6	J.R. 5-13 in effect (Chapter 17)
L.D. 34	March 9	Last day to move required delivery of bills or resolutions in the second house (Chapter 17)
L.D. 35	March 10	Last day for a bill or joint resolution to pass both houses (Chapter 17)
L.D. 36	March 11	Reserved for concurrences or conference committees (Chapter 17)
L.D. 37	March 12	Reserved for concurrences or conference committees (Chapter 17)
L.D. 38	March 13	Reserved for concurrences or conference committees (Chapter 17)
L.D. 39	March 30	Reserved for consideration of gubernatorial vetoes (Chapter 17)

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

Capitol Building, 3rd Floor - 500 East Capitol Avenue
Pierre, SD 57501-5070



Phone: (605) 773-3251 **Staff Fax:** (605) 773-4576

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

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