

SDFB Legislative Update – Week 3

The really big news from the session in week #3 is the Governor's news conference at the Black Hills Stock Show on Friday morning. Governor Noem will announce support for a bill to streamline the county zoning and appeals process. This is a follow up to the Governor's State of the State address with a theme of "South Dakota is Open for Business".

SDFB President Scott VanderWal made favorable comments at the news conference, which was attended by many rural leaders from across the state.

The bill is not in the LRC system yet, but some of the highlights include:

- Further clarifying the present law
- Making Conditional Use Permits a majority vote
- Improving the appeals process and its timeline
- Requiring a bond for appellants
- Allowing the court to award attorney's fees and damages against unsuccessful appellants
- Keeping local zoning decisions local

Animal agriculture facilities, utility projects, power plants, wind farms, mining and other rural SD business projects will share benefits. We will let you know when the bill is in the LRC system and we have a bill number.

The pace has picked up, committees are in full bill hearing mode and agendas and calendars are becoming more full. As of Friday morning, there are 365 bills in the system; 204 were added in the first four days of this third week.

TAX INCREASES

Two bills were heard in the Senate Tax Committee, proposing tax increases to be used for local government.

SB 67 is a bill to take the limits off of capital outlay taxes for the 27 sparse school districts in the state. This cap was initially placed in law in 2016 in conjunction with the Blue Ribbon Task Force report that revised and increased K-12 funding. In the years from 2003 until 2015, capital outlay taxes paid increased 9 percent per year and capital outlay taxes paid on ag land increased as much as 14 percent to 16 percent for a number of those years. The SD Department of Education testified that SB 67 would open taxpayers in those 27 districts to tax increases of up to nearly \$16 million annually. South Dakota Farm Bureau testified against SB 67. It was sent to the 41st day. (By law, there can only be 40 legislative days in any session so that in essence kills the bill.)

SB 68 authorized counties to enact a 1 percent bed, board and booze tax to be used by the county. SB 68 was tabled 5 to 2. The bill may have provided some relief for a handful of counties, but it would not have provided additional revenues in most counties.

AG LAND ASSESSMENT

HB 1006, is a bill to authorize the S.D. Secretary of Revenue to contract with entities in addition to SDSU for the purpose of gathering the best data to make accurate assessments of ag land. The bill passed the House Tax Committee 12-0 and passed the House 66 to 1. The Ag Land Task Force recommended 1006. SDFB testified for passage.

HB 1007, a bill to require directors of equalization to document any adjustments made to ag land valuations, passed the House Tax Committee 12-0 and was sent to the House. SDFB testified in favor. Present law allows for adjustment factors listed in statute but does not require any written record of what, why and how the adjustment was made. There are eight factors listed in the law that can be used at the present time.

BALED FEED TRANSPORTATION

HB 1084, a bill to raise the maximum height of baled feed being hauled by commercial truckers, passed House Transportation Committee 13 to 0 and was sent to the House floor. The bill raises the present height of 14 feet 3 inches to 15 feet, changes the term hay to feed and contains an emergency clause so it will go into effect when signed by the Governor. The House will consider 1084 next week. SDFB testified in favor of passage.

The SDFB bill tracker now has 51 bills. I am sure more will be added in the coming week.

Farm Bureau Day at the Capitol will be February 10-11. Check the website for more details and plan to attend.

Be sure to view the SDFB Bill Tracking list, which can be found at this link:

<https://www.sdfbf.org/Policy-Advocacy/State-Legislative>

Feel free to contact me with any questions or concerns during session.

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Helpful Links:

View the SDFB bill-tracker list here:

<https://www.sdfbf.org/Policy-Advocacy/State-Legislative>

View the details on any bill by clicking this link and typing in the bill number:

http://sdlegislature.gov/Legislative_Session/Bills/Default.aspx?Session=2020

Find contact information for the Legislators here:

<http://sdlegislature.gov/Legislators/ContactLegislator.aspx?Session=2020>