



2017 Legislative Session Post Session Review

Slides are available: www.sdchamber.biz

The Session by the Numbers

• Senate	178 bills	17 resolutions etc	195 - total
• House	<u>211 bills</u>	<u>17 resolutions etc</u>	<u>228 - total</u>
• Totals	389 (+1)*	34	423

<u>Sn/Hs</u>	<u>Bills</u>	<u>Passed</u>	<u>%</u>	<u>Notes</u>
• Senate	178	104	58.4%	2 - veto
• House	211	114	54.0%	3 - veto
• Total	389	218	56.0%	5 - veto

Senate Vetoes – 2 regular

House Vetoes – 3 regular

*Added SB 179 on Veto Day

All vetoes sustained



Looking Back - Number of Bills

<u>Year</u>	<u>Senate</u>	<u>House</u>	<u>Total</u>	<u>Pass</u>
• 2017	178	211	389	56%
• 2016	172	247	419	58%
• 2015	193	236	429	61%
• 2014	188	261	449	55%
• 2013	242	250	492	53%
• 2012	197	274	471	54%
• 2011	202	256	458	47%
• 2010	169	278	447	51%
• 2009	203	301	504	54%
• 2008	205	326	531	52%
• 2007	219	313	532	56%

The Vetoes

- HB 1072 – “Constitutional Conceal Carry”
- HB 1156 – Concealed pistol in Capitol
- HB 1149 – Tax on telecommunications
- SB 33 – State aid formula/special education
- SB 164 – Juvenile probationers/commitment



Initiative/Referendum Reform

SB 67 – Signature Requirements

- Currently
 - Initiative/Ref
 - 5% Gov. votes – 13,871
 - Referendum has 90 days
 - Initiative Amend
 - 10% Gov. votes – 27,741
- Constitution
 - Initiative/Ref - Not more than 5% of qualified electors
 - 27,000
 - Amendment – same as above
- **Tabled at request of sponsor**

SB 59 – Delay Effective Date

- Currently
 - Initiatives pass become law after vote is canvassed
 - A week after Election Day
- SB 59 – Initiatives become law on July 1st.
 - Same date as laws passed by the legislature
- **Senate – 28 – 7**
- **House – 53 - 14**

Initiative/Referendum Reform

SB 77 – Fiscal Note

- Ballot measure having an impact of revenue or costs has a fiscal note
 - Attached to petitions
 - Published on ballot
 - 50 word summary
- **Senate: 27 – 5**
- **House: 47 - 21**

HB 1130 – Public Comment

- Creates a 30 day comment period before signatures
- Creates a public hearing – before signatures
- Summary of comments made available to proponents
- **House: 37 – 32**
- **Senate: 7 – 28 Failed**

Initiative/Referendum Reform

HB 1074 – Limit Out-of-State Money

- For ballot measures:
 - Out-of-state organizations limited to \$100,000
 - In state organizations – registered w/SOS for 4 years.
 - Previously was a ratio limit of out-of-state money
- **House: 50 – 18**
- **Sen St Aff – Tabled 6 - 1**

HB 1200 – List donors

- Any group giving more than \$25,000 to ballot measure must list top 50 donors
 - Excludes corporations
 - Excludes 501-C-3 groups
 - Donations less \$5,000
- **House: 42 – 24**
- **Sn Jud: deferred 5-2**

Initiative/Referendum Reform

SJR 2

Require 2/3rds vote legislature

- Constitutional Amendments
- Since 2004 election
 - 4 of 16 failed 2/3rds
 - Roulette/Keno/Craps
 - Secret ballot union votes
 - Definition of marriage
 - Services for schools
 - Fewer amendments?
 - More motions to reconsider?

Constitutional Amend 60% vote

- **Since 1990 – 23 amendments**
- **Only 9 got 60%**
 - Balanced Budget – 64.4%
 - Secret Ballot for Union Votes – 79.1%
 - Cement Plant Sale - 78.8%
 - Cement Plant Trust Fund – 72.5%
 - Quali.for Governor/Lt Governor – 60.1%
 - Education Funds – 63.1%
 - 2/3rds Vote of Legis/Tax Increase – 74.3%
 - Term Limits – 63.5%
- **Not getting 60%** - Amend R; Marsy's Law; Farm Ownership; Def of Marriage; Roulette/Keno
- **Senate: 19 – 15 reconsidered**
- **Hs St Aff – Tabled/Sponsor Req**

And Finally – HB 1141

- Legislative Task Force to Consider Revisions to Initiative/Referendum Process
 - Passed the House: 39 – 29
 - Passed the Senate: 28 – 7
 - House concur with Senate amend: 46 - 19



Initiative Measure 22

- New ethics commission
 - Outside budget, executive branch, legislature
- Greatly reduced contribution limits
- Limited gifts to \$100 including compensation for family members and meals/gatherings
- \$5 million year to fund campaigns
 - \$54 million of democracy credits

The Repeal of IM-22

HB 1069

- Passed the House: 54 – 13
- Passed the Senate: 27 – 8
- Emergency Clause –
 - 2/3rds vote
 - Effective when signed – No referral
- No Democrat voted for HB 1069

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IM-22 Inspired New Laws

- HB 1052 – Whistleblower protection
- HB 1076 – Accountability Board
- HB 1170 – Conflict of interests
- SB 27 – Conflicts made a felony
- SB 151 – Gov't misconduct procedures

IM-22 Inspired New Laws

- HB 1072 – Gift Limits
- SB 54 – Campaign limits and reporting
- SB 131 – Lobbying waiting period to 2 yrs
- SB 171 – Legislative task force on accountability



The Tiff Over TIFs

- Tax increment financing districts
 - Taxes on base value remains same
 - Taxes on increased value – provide improvements
- School taxes of the “increment” redistributed
 - Local TIF – \$\$ spread w/in school district
 - Economic devel – spread statewide – state aid
- State has certified value since the start

The Tiff Over TIFs

- Question about housing – mostly resolved
 - Workforce housing – first time home buyer
- Question about Retail – mostly resolved
 - Jobs, strengthen draw, collect taxes
- Questions about costs/how structured
 - Privately financed include costs not included in public bonds
 - Interest rates

HB 1097 – Unemployment Insurance

- New control for level of trust fund
 - Based on ratio of fund level and highest claims
 - Rate reduction
- Reduction of Rate
 - By 0.005% or \$7.50/Employee
- New Fee
 - Of 0.002% or \$3.00/employee
 - Replace reduced Federal money
 - UI staff never been part of budget
- **HB 1049 – Health expanded to PAs & NPs**

Property Taxes

School General Fund Levies

Payable 2017

- Agriculture - \$1.56.8/\$1K
- Homes - \$3.68.7/\$1K
- Comm - \$7.63.0/\$1K

Payable 2018

- Agriculture - \$1.50.7 -3.9%
 - Money for SDSU Lab
- Homes - \$3.37.2 -8.5%
- Comm - \$6.97.8 -8.5%



Property Taxes

School General Fund Levies

- 2018 School general fund taxes on a property with \$500,000 taxable value:
- Agriculture = \$753 (down from \$784)
- House = \$1,686 (down from \$1,843)
- Comm = \$3,489 (down from \$3,815)
 - *Normal “Cutler/Gabriel” value adjustment*
 - *Offset by increased values*
 - *State taking larger share of school gen fund*
 - *Money from tax increase not used for salaries*

Miscellaneous

- SB 36 – Remitting sales tax earlier
 - Forms due on 20th (was the 23rd)
 - Payment due on 25th (was second to last day)
 - Of month after tax collected – no penalties
 - South Dakota Retailers
- HB 1106 – Leased Residential Property
- SB 66 – Buffer Zone to protect waterways
- HB 1058 – Healthcare providers/insurance

More Miscellaneous

- HB 1093 – Definition UI & WC as applied
 - Organizations under religious exemption
- Two contentious cultural issues
 - SCR 15 – Refugees/Resolution on Pres. speech
 - SB 115 – Transgender locker-room bill



Workforce Regulations

- Accommodations for pregnant/Breastfeeding
- Paid sick leave – 1 hr./30 hours of work
- Paid maternity leave



SB 65 – Board of Technical Education

- Made possible by Amendment R
 - Clear not part of Board of Regents
- Board of nine members
 - Most from industries that hire graduates
 - Four of positions – names from the institutes
 - Executive Director – from within DOE
 - Same authority as State Board of Education



- Thank You