The 2013 South Dakota Legislative Session wrapped up in March. With regard to planning and zoning bills, the session was relatively quiet this year. No legislation was passed which will significantly affect planning and zoning in our communities. The bill that was most commonly inquired about at this office was a bill which would have set minimum application requirements for counties requiring drainage permits, Senate Bill 179. After numerous opportunities for public comment in committee, the bill was eventually amended, and ultimately defeated in the last meeting of the Local Government Committee. An indirect result of the bill and testimony was the near dissolution and eventual renewal of a state watershed task force which was established in the 2012 legislative session. The task force met twice in 2012, and will meet again in 2013. The next meeting is in Mitchell on April 22.

Other bills introduced did not make it out of committee either. Two bills which would have altered the funding of tax increment financing districts were defeated (SB 129 and HB 1229). One bill, if passed, would have made it illegal for communities to require sprinklers as a condition of subdividing property (SB 93). HB 1190, if passed, would have raised interesting questions on the ability to enforce many provisions of zoning ordinances for communities throughout the state.

The South Dakota Planner’s Association did not endorse any bills in 2013. Discussions are already under way on a few topics for 2014. Those discussions, along with testimony heard regarding the bills described above will likely fuel the planning and zoning legislation of 2014.
At the end of the 2013 session, the Legislature passed Senate Bill 235. This bipartisan bill known as "Building South Dakota" will provide broad economic development opportunities for communities of all sizes throughout South Dakota. The legislation provides tax incentives for new projects costing more than $20 million as well as targeted increases in funding for education, infrastructure and housing which will help boost economic growth.

The Building South Dakota fund will be financed by an initial allocation of $7,000,000 and by placing the contractor's excise tax on projects exceeding $2,000,000 combined with 25% of the unclaimed property in FY 2015 and 50% of the unclaimed property in FY 2016 and thereafter into the fund.

The Building South Dakota Fund will consist of several sub-funds: 25% shall be dedicated to local infrastructure and improvement fund; 15% into the economic development partnership fund; 30% into workforce education fund; 25% into housing opportunity fund; and 5% into revolving economic development fund for the purpose of making grants to projects that have a total project cost of less than twenty million dollars.

The Local Infrastructure Fund will provide funding to construct or reconstruct infrastructure for the purpose of serving an economic development project. Funds from the Economic Development Partnership Fund may be used for new staff, or to elevate existing part-time staff and for equipment and training needs for the purpose of developing or expanding local, community, and economic development programs. The board may also award funds from the Economic Development Partnership Fund to commence or replenish a local revolving loan fund for the purpose of developing or expanding housing, community, and economic development programs. Any funds awarded under the Economic Development Partnership Fund shall be provided on a matching basis. The funds awarded to a recipient for staffing may be distributed over a four year period with 40% being distributed in the first year, 30% in the second year, 20% in the third year, and 10% in the fourth year.

The Workforce Education fund will provide dollars to (1) fund the State's share of the limited English proficiency adjustment; (2) provide grants for the purposes of providing secondary career and technical education programs; and (3) provide additional one-time funding to school districts.

Funds from the Housing Opportunity Fund will be used for the purpose of preserving and expanding sustainable, affordable, and safe housing that is targeted to low and moderate income families and individuals in South Dakota.

Currently various State departments are in the process of writing and promulgating rules for the effective implementation of these programs.

The Workforce Education fund will provide dollars to (1) fund approved trail projects. The first is the Transportation Alternatives Program (TAP). The TAP redefines the former Transportation Enhancement activities and consolidates these eligibilities with the Safe Routes to School, Scenic Byways and Recreation Trails Programs.

Approximately $2.1 million is available through a competitive grant program administered by SDDOT. Each grant will be for a maximum of $400,000 in federal funds. SDDOT may approve a larger amount for phased projects. There is a minimum of $50,000 for infrastructure projects. There is a 18.05% local match requirement for each project.

A description of the community served by the hospital came from a recently conducted demographic and market analysis of the hospital's service area. Community input was gathered through paper and on-line surveys, and over 150 responses were received. The survey responses were used to create a listing and description of the healthcare needs of the community. The hospital then used those findings to develop an implementation strategy to address the healthcare needs of the community.

Three years from now, in 2016, the hospital will review the impacts of the implementation strategy and conduct another Community Health Needs Assessment to determine the healthcare needs of the community at that time.