

Committee: House Committee on Appropriations Thursday, February 17, 2022 8:00 AM

Roll Call

Present: Rep. Duba, Rep. Haugaard, Rep. Mills, Rep. Mulally, Rep. Fitzgerald,
Rep. May, Rep. Howard, and Rep. Karr

Excused: Rep. Gross

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Howard

HB 1038 : establish an opioid trust fund and to declare an emergency.

Presented by: Charles McGuigan, Office of the Attorney General (Handout(s) 1. Exhibit E, List of Opioid Remediation Uses)

Proponents: Laura Ringling, Department of Social Services (Handout(s) 2. Amendment B to HB1038)
Jacob Parsons, South Dakota Association of Healthcare Organizations, Sioux Falls

MOTION: AMEND HB 1038

1038B

On the Introduced bill, delete everything after the enacting clause and insert:

"

Section 1. That chapter 34-20B be amended with a NEW SECTION:

The opioid abatement and remediation fund is established in the state treasury. Money received from the following sources may be deposited into the fund:

- (1) Money received by the state pursuant to settlements or judgments relating to opioids;
- (2) Direct appropriations from the general fund;
- (3) Any gifts, bequests, or donations; and
- (4) Interest earned on money in the fund established under this section shall be credited to the fund.

All money in the opioid abatement and remediation fund may only be used for purposes relating to opioid abuse treatment, prevention, and recovery programs and must be appropriated through the normal budget process. Expenditures of the state from the fund must be assigned to the Department of Social Services.

Section 2. Money received from the National Settlement Agreement involving Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson and a Bankruptcy Resolution concerning Purdue Pharma, L.P. entered into by the State and the Participating Local Governments must be divided with 70% allocated to the State and 30% allocated directly to participating local government subdivisions in proportions based on the opioid negotiation class model to be used only for purposes relating to opioid abuse treatment, prevention, and recovery programs.

Section 3. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval. "

Moved by: Duba

Second by: Karr

Action: Prevailed by voice vote

MOTION: AMEND HB 1038

1038D

On the previously adopted amendment (1038B), On page 1, line 8, after "opioids;" delete "(2) Direct appropriations from the general fund;"

On the previously adopted amendment (1038B), On page 1, line 9, delete "(3)" and insert "(2)"

On the previously adopted amendment (1038B), On page 1, line 10, delete "(4)" and insert "(3)"

Moved by: Mulally

Second by: Mills

Action: Prevailed by voice vote

MOTION: DO PASS HB 1038 AS AMENDED

Moved by: Duba

Second by: Mills

Action: Prevailed by roll call vote (6-1-2-0)

Voting Yes: Duba, Mills, Mulally, Fitzgerald, May, and Karr

Voting No: Howard

Excused: Gross and Haugaard

HB 1137 : make an appropriation for high performance computing and data storage systems at South Dakota State University and to declare an emergency.

Presented by: Representative Larry Tidemann, District 7

Proponents: Barry Dunn, South Dakota State University, Brookings (Handout(s) 3. HB1137 High-Performance Computing)

Jim Rankin, South Dakota School of Mines, Rapid City

Brian Maher, Board of Regents

Heather Forney, Board of Regents

David Overby, South Dakota State University, Brookings

MOTION: AMEND HB 1137

1137A

On page 1, line 11, of the Introduced bill, after "members." delete "Section 2. The Board of Regents may accept, transfer, and expend any funds obtained for the purposes authorized in this Act from federal sources, donations, revenues, or any other external sources, all of which comprise a special fund for the benefitted project."

Moved by: Mulally

Second by: Mills

Action: Prevailed by voice vote

MOTION: DO PASS HB 1137 AS AMENDED

Moved by: Mills

Second by: May

Action: Prevailed by roll call vote (6-0-3-0)

Voting Yes: Duba, Mills, Mulally, Fitzgerald, May, and Howard

Excused: Gross, Haugaard, and Karr

HB 1243 : make an appropriation to the Board of Regents for a cost-of-living increase and to declare an emergency.

Presented by: Representative Larry Tidemann, District 7

Proponents: Anna Grace Shane, South Dakota State University Students' Association, Brookings
Heather Forney, Board of Regents

Opponents: Hallie Getz, Bureau of Finance and Management

MOTION: DEFER HB 1243 TO THE 41ST LEGISLATIVE DAY

Moved by: Mulally

Second by: Fitzgerald

Action: Prevailed by roll call vote (5-0-4-0)

Voting Yes: Mills, Mulally, Fitzgerald, May, and Howard

Excused: Duba, Gross, Haugaard, and Karr

HB 1244 : make an appropriation to develop and create a residency program for psychologists and to declare an emergency.

Presented by: Representative Larry Tidemann, District 7

Proponents: Deb Fischer-Clemens, Avera Health, Sioux Falls
Terry Dosch, South Dakota Council of Community Behavioral Health, Pierre
Jacob Parsons, South Dakota Association of Healthcare Organizations, Sioux Falls

MOTION: AMEND HB 1244

1244B

On page 1, line 4, of the House Health and Human Services Engrossed bill, delete "\$275,000" and insert "\$175,000"

Moved by: Mills

Second by: Mulally

Action: Prevailed by voice vote

MOTION: DEFER HB 1244 TO THE 41ST LEGISLATIVE DAY

Moved by: Howard

Second by: Mulally

Action: Prevailed by roll call vote (6-2-1-0)

Voting Yes: Haugaard, Mulally, Fitzgerald, May, Howard, and Karr

Voting No: Duba and Mills

Excused: Gross

HB 1101 : make an appropriation for the construction of a new public safety regional jail near Deadwood and to declare an emergency.

Presented by: Representative Mary Fitzgerald, District 31

Proponents: Senator Timothy Johns, District 31
Michael Gouloff, self, remote
Brian Dean, self, remote

Opponents: Brandy Miesner, Bureau of Finance and Management

MOTION: AMEND HB 1101

1101A

On page 1, line 4, of the Introduced bill, after "moneys " delete "and appropriated the sum of \$10,000,000 in federal fund expenditure authority for the expenditure of American Rescue Plan Act Capital Projects Fund moneys "

Moved by: Haugaard

Second by: May

Action: Prevailed by voice vote

THE CHAIR DEFERRED HB 1101

THE CHAIR DEFERRED HB 1132

HB 1288 : make an appropriation for the planning, renovation, and equipping of the North East Regional Jail Facility in Brown County and to declare an emergency.

Presented by: Representative Carl Perry, District 3 (Handout(s) 4. Letters from various county Sheriffs, Auditors, and Commissioners)

Proponents: Mike Wiese, County Commissioner, Aberdeen (Handout(s) 5. Building proposed for jail.)

Representative Kaleb Weis, District 2
Senator Al Novstrup, District 3
Julie M Johnson, Brown County, Aberdeen
Representative Drew Dennert, District 3

Opponents: Brandy Miesner, Bureau of Finance and Management

MOTION: AMEND HB 1288

1288A

On page 1, line 5, of the Introduced bill, after "appropriated " insert "from the general fund "

On page 1, line 5, of the Introduced bill, delete " \$30,000,000" and insert " \$2,250,000"

On page 1, line 5, of the Introduced bill, after "\$30,000,000 " delete "in federal fund expenditure authority for the expenditure of American Rescue Plan Act Capital Projects Fund moneys "

On page 1, line 14, of the Introduced bill, after "a" insert " one-to-one"

On page 1, line 14, of the Introduced bill, after "project" delete " as determined by the grantee"

Moved by: Mulally

Second by: Mills

Action: Prevailed by voice vote

THE CHAIR DEFERRED HB 1288

HB 1281 : make an appropriation for matching funds to enhance research in manufacturing processes having lunar application and planetary use in tribal housing development and to declare an emergency.

Presented by: Representative Rocky Blare, District 21

Proponents: Ross B Garelick Bell, CCST - Crow Creek Sioux Tribe, Fort Thompson
(Handout(s) 7. HB1281 Additive Manufacturing Research Activity)

Opponents: Lara Williams, Bureau of Finance and Management

MOTION: DO PASS HB 1281

Moved by: Duba

Second by: May

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER HB 1281 TO THE 41ST LEGISLATIVE DAY

Moved by: Mulally

Second by: Mills

Action: Failed by roll call vote (4-2-3-0)

Voting Yes: Mills, Mulally, Fitzgerald, and Howard

Voting No: Duba and May

Excused: Gross, Haugaard, and Karr

Revert to previous motion

MOTION: DO PASS HB 1281

Moved by: Duba

Second by: May

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: TO TABLE HB 1281

Moved by: Howard

Second by: Mills

Action: Prevailed by roll call vote (5-1-3-0)

Voting Yes: Mills, Mulally, Fitzgerald, May, and Howard

Voting No: Duba

Excused: Gross, Haugaard, and Karr

HB 1306 : make an appropriation to rural access infrastructure funds and to declare an emergency.

Presented by: Representative Caleb Finck, District 21 (Handout(s) 6. RAIF Appropriation Bill)

Proponents: Roger Tellinghuisen, South Dakota Association of County Commissioners, Pierre
Kody R. Kyriss, South Dakota Association of Towns and Townships, Huron

MOTION: AMEND HB 1306

1306B

On page 1, line 5, of the House Transportation Engrossed bill, delete " three" and insert " five"

On page 1, line 6, of the House Transportation Engrossed bill, after "2024," delete " and"

On page 1, line 6, of the House Transportation Engrossed bill, after "2025," insert " 2026, and 2027,"

Moved by: Mulally

Second by: May

Action: Prevailed by voice vote

MOTION: DO PASS HB 1306 AS AMENDED

Moved by: Mulally

Second by: Fitzgerald

Action: Prevailed by roll call vote (6-0-3-0)

Voting Yes: Duba, Mills, Mulally, Fitzgerald, May, and Howard

Excused: Gross, Haugaard, and Karr

HB 1320 : appropriate funds to reconstruct Custer West Dam and to declare an emergency.

Opponents: Lara Williams, Bureau of Finance and Management

THE CHAIR DEFERRED HB 1320 UNTIL TUESDAY, FEBRUARY 22ND 2022

Representative Howard Passed the gavel to Representative Haugaard.

HB 1327 : reduce certain gross receipts tax rates and a use tax rate, and to repeal a conditional reduction of certain gross receipts tax rates.

Presented by: Representative Taffy Howard, District 33 (Handout(s) 8. Reduce Sales Tax)

Proponents: Lisa Nolen, Americans For Prosperity, Remote

Opponents: Wade Pogany, Associated School Boards of South Dakota, Pierre
Sandra Waltman, South Dakota Education Association, Pierre
Jennifer Stalley, South Dakota Nurses Association, Sioux Falls

MOTION: DO PASS HB 1327

Moved by: May

Second by: Mills

Action: Prevailed by roll call vote (6-1-2-0)

Voting Yes: Haugaard, Mills, Mulally, Fitzgerald, May, and Howard

Voting No: Duba

Excused: Gross and Karr

HB 1339 : make an appropriation to provide contingency funds for unanticipated costs and to declare an emergency.

Presented by: Representative Taffy Howard, District 33

Opponents: Morgan Gruebele, Bureau of Finance and Management

MOTION: AMEND HB 1339

1339A

On page 1, line 4, of the Introduced bill, delete " \$1" and insert " \$2,100,000,000"

On page 1, line 4, of the Introduced bill, after "authority" insert " for the expenditure of Infrastructure Investment and Jobs Act moneys, public law 117-58"

Moved by: Mills

Second by: Fitzgerald

Action: Prevailed by voice vote

MOTION: DO PASS HB 1339 AS AMENDED

Moved by: Mulally

Second by: May

Action: Prevailed by roll call vote (6-1-2-0)

Voting Yes: Haugaard, Mills, Mulally, Fitzgerald, May, and Howard

Voting No: Duba

Excused: Gross and Karr

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 16TH

Moved by: Duba

Second by: Mulally

Action: Prevailed by voice vote

MOTION: ADJOURN

Moved by: Howard

Second by: May

Action: Prevailed by voice vote

Leonard Chick, Committee Secretary

/s/ CHRIS KARR
Chris Karr, Chair