

Committee: Senate Taxation

Friday, February 03, 2023 10:00 AM

Roll Call

Present: Sen. Bordeaux, Sen. Klumb, Sen. Novstrup, Sen. Herman Otten,
Sen. Schoenfish, Sen. Brent "B.R." Hoffman, and Sen. Stalzer

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Stalzer

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 01ST

Moved by: Klumb
Second by: Novstrup
Action: Prevailed by voice vote

HB 1072 : subject lithium to severance tax.

Presented by: Representative Kirk Chaffee
Proponents: Brett Koenecke, self, Custer SD
Eric Erickson, South Dakota Association of County Commissioners, Pierre
Paul Lepisto, SD Division of the Izaak Walton League of America, Pierre
Opponents: Jason Evans, Department of Revenue
Kwinn Neff, South Dakota Mineral Industries Association, Rapid City
Others: Mike Lees, Dept. of Agriculture and Natural Resources

MOTION: DEFER HB 1072 TO THE 41ST LEGISLATIVE DAY

Moved by: Klumb
Second by: Brent "B.R." Hoffman
Action: Prevailed by Majority Members Elect (4-2-1-0)

Voting Yes: Klumb, Novstrup, Brent "B.R." Hoffman, and Stalzer

Voting No: Herman Otten and Schoenfish

Excused: Bordeaux

SB 138 : provide for the distribution of tax revenue from certain sales occurring on fairgrounds.

Presented by: Senator Al Novstrup
Proponents: Rachael Kippley, Brown County Fair, Aberdeen
Craig Matson, South Dakota Association of County Commissioners, Pierre
Scott Deal, Stanley County Fair, Fort Pierre SD
Opponents: Alison Jares, Department of Revenue
David Reiss, South Dakota Municipal League, Fort Pierre

MOTION: DEFER SB 138 TO THE 41ST LEGISLATIVE DAY

Moved by: Brent "B.R." Hoffman
Second by: Schoenfish

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: REFER SB 138 TO SENATE COMMITTEE ON APPROPRIATIONS DO PASS

Moved by: Novstrup

Second by: Klumb

Action: Prevailed by Majority Members Present (4-2-1-0)

Voting Yes: Klumb, Novstrup, Herman Otten, and Stalzer

Voting No: Schoenfish and Brent "B.R." Hoffman

Excused: Bordeaux

SB 131 : remove certain limitations on property tax levy increases.

Presented by: Senator Al Novstrup

Proponents: Eric Erickson, South Dakota Association of County Commissioners, Pierre (Handout(s) 1, 2)

Dianna Miller, Large School Group (Aberdeen), Aberdeen

Wade Pogany, Associated School Boards of South Dakota, Pierre

Rob L. Monson, School Administrators of South Dakota, Pierre

Opponents: Michael Houdyshell, Department of Revenue

Matthew M. Bogue, South Dakota Farm Bureau Federation, Huron

Nathan Sanderson, South Dakota Retailers Association, Pierre

MOTION: AMEND SB 131

131A

On page 6, line 33, of the Introduced bill, after "10-12-36." delete "Section 16. That § 46A-3E-1 be REPEALED:

"

On page 7, line 1, of the Introduced bill, after "REPEALED:" delete "A water development district board of directors may levy taxes, not to exceed thirty cents per thousand dollars of taxable valuation in the district, for accomplishment of the purposes of chapters 46A-3A to 46A-3E, inclusive, and chapters 46A-1 and 46A-2. If an area is included in more than one water development district, that area's tax levy payable to each of the water development districts shall be determined by multiplying the greater of the overlapping water development districts' levies by each water development district's taxing fraction. Each water development district's taxing fraction is determined by dividing that water development district's proposed tax levy for the overlapped area by the sum of all water development districts' levies for the overlapped area. Any water development district for which boundaries are revised under §§ 46A-3A-2 to 46A-3A-7. 1, inclusive, is not considered a new taxing district. If any water development district levied a tax pursuant to chapter 10-13 in a manner used by a new taxing district for taxes payable in 2010, such water development district shall revert to the amount of revenue payable to the district for taxes payable in 2009 including any excess levy approved pursuant to § 10-13-36 before July 1, 2002. The water development district may adjust the maximum amount of revenue payable for property taxes based on the growth and index factor for each year thereafter. Any excess levy approved by the water development district pursuant to § 10-13-36 before July 1, 2002, is null and void."

Moved by: Klumb

Second by: Herman Otten
Action: Prevailed by voice vote

MOTION: DO PASS SB 131

Moved by: Novstrup
Second by: Klumb
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DEFER SB 131 TO THE 41ST LEGISLATIVE DAY

Moved by: Herman Otten
Second by: Brent "B.R." Hoffman
Action: Prevailed by Majority Members Elect (5-1-1-0)

Voting Yes: Klumb, Herman Otten, Schoenfish, Brent "B.R." Hoffman, and Stalzer

Voting No: Novstrup

Excused: Bordeaux

THE CHAIR DEFERRED SJR 503 UNTIL WEDNESDAY, FEBRUARY 08TH 2023

MOTION: ADJOURN

Moved by: Herman Otten
Second by: Klumb
Action: Prevailed by voice vote

Mary Stewart, Committee Secretary

/s/ JIM STALZER
Jim Stalzer, Chair