

Committee: House Committee on Appropriations

Tuesday, February 21, 2023 8:00 AM

Roll Call

Present: Rep. Duba, Rep. Karr, Rep. Kassin, Rep. Koth, Rep. Krull, Rep. Mills,  
Rep. Ernie Otten, Rep. Venhuizen, and Rep. Derby

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Representative Derby**

**MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 16<sup>TH</sup>**

Moved by: Duba  
Second by: Kassin  
Action: Prevailed by voice vote

**HB 1137 : 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 Chris Karr (Handout(s) 1, 2)  
Proponents: Keith Moore, Americans for Prosperity, Sioux Falls  
Nathan Sanderson, South Dakota Retailers Association, Pierre  
Opponents: Jim Terwilliger, Bureau of Finance and Management  
Cathy Brechtelsbauer, self, Sioux Falls (Handout(s) 3)

**MOTION: AMEND HB 1137**

1137A

On page 1, line 6, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 1, line 11, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 2, line 4, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 2, line 10, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 2, line 17, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 3, line 5, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 3, line 16, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 3, line 20, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 3, line 27, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 4, line 12, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 4, line 14, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 4, line 19, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 4, line 28, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 5, line 17, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 5, line 20, of the Introduced bill, after "one-half " insert "and two-tenths "  
On page 5, line 28, of the Introduced bill, after "one-half " insert "and two-tenths "

Moved by: Venhuizen  
Second by: Ernie Otten  
Action: Prevailed by voice vote

**MOTION: DO PASS HB 1137 AS AMENDED**

Moved by: Ernie Otten  
Second by: Krull  
Action: Prevailed by Majority Members Elect (8-1-0-0)

Voting Yes: Karr, Kassin, Koth, Krull, Mills, Ernie Otten, Venhuizen, and Derby

Voting No: Duba

**HB 1075 : lower the state sales tax rate and the state use tax rate on food to zero percent.**

Presented by: Representative Mary J. Fitzgerald (Handout(s) 4)

Proponents: Governor Kristi Noem, Governor of South Dakota, Pierre  
Lieutenant Governor Larry Rhoden, Lieutenant Governor of South Dakota, Pierre, SD  
Jim Terwilliger, Bureau of Finance and Management  
Senator John Wiik  
Sister Kathleen Bierne, Presentation Sisters of Aberdeen  
Cathy Brechtelsbauer, self, Sioux Falls (Handout(s) 5)  
Megan EisenVos, Self, Sioux Falls, SD  
Charlene Lund, Self, Pierre, SD  
Chase Jensen, Dakota Rural Action, Brookings

Opponents: Nathan Sanderson, South Dakota Retailers Association, Pierre  
David Reiss, South Dakota Municipal League, Fort Pierre  
William M. Van Camp, South Dakota Coalition for Responsible Taxation, Pierre  
Kevin Killer, Rosebud Sioux Tribe  
Alli Moran, Cheyenne River Sioux Tribe

**MOTION: DEFER HB 1075 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Ernie Otten

Second by: Koth

Action: Prevailed by Majority Members Elect (8-1-0-0)

Voting Yes: Duba, Karr, Kassin, Koth, Krull, Ernie Otten, Venhuizen, and Derby

Voting No: Mills

**HB 1043 : make an exemption from certain property taxation for owner-occupied single-family dwellings.**

Presented by: Representative Trish Ladner

Proponents: Nathan Sanderson, South Dakota Retailers Association, Pierre  
Matt Krogman, South Dakota Association of Realtors, Pierre

Opponents: Jim Terwilliger, Bureau of Finance and Management

**MOTION: DEFER HB 1043 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Mills

Second by: Kassin

Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Duba, Karr, Kassin, Koth, Krull, Mills, Ernie Otten, Venhuizen, and Derby

**HB 1167 : annually adjust the rate for community-based providers to one hundred percent of methodology.**

Presented by: Representative Chris Karr

**MOTION: DEFER HB 1167 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Venhuizen  
Second by: Ernie Otten  
Action: Failed by Majority Members Elect

**MOTION: SUBSTITUTE MOTION: DO PASS HB 1167**

Moved by: Duba  
Second by: Krull  
Action: Prevailed by Majority Members Elect (5-4-0-0)

Voting Yes: Duba, Karr, Kassin, Krull, and Mills

Voting No: Koth, Ernie Otten, Venhuizen, and Derby

**HB 1195 : continue enhanced and transitional rates for community services and support providers.**

Presented by: Representative Brian Mulder

**MOTION: DEFER HB 1195 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Venhuizen  
Second by: Koth  
Action: Prevailed by Majority Members Elect (5-4-0-0)

Voting Yes: Koth, Mills, Ernie Otten, Venhuizen, and Derby

Voting No: Duba, Karr, Kassin, and Krull

**MOTION: SUBSTITUTE MOTION: DO PASS HB 1195**

Moved by: Duba  
Second by: Karr  
Action: Failed by Majority Members Elect (4-5-0-0)

Voting Yes: Duba, Karr, Kassin, and Krull

Voting No: Koth, Mills, Ernie Otten, Venhuizen, and Derby

**Revert to previous motion**

**MOTION: ADJOURN**

Moved by: Venhuizen  
Second by: Kassin

Action:       Prevailed by voice vote

Leonard Chick, Committee Secretary

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/s/ MIKE DERBY  
Mike Derby, Chair