

Minutes: Senate Committee on Appropriations

Tuesday, February 18, 2025 8:00 AM

Roll Call

Present: Sen. Miskimins, Sen. Vilhauer, Sen. Carley, Sen. Voita, Sen. Howard, Sen. Foster, Sen. Zikmund, Sen. Lapka, and Sen. Otten

The meeting was called to order by Senator Otten

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 03RD

Moved by: Vilhauer
Second by: Howard
Action: Prevailed by voice vote

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 10TH

Moved by: Howard
Second by: Voita
Action: Prevailed by voice vote

THE CHAIR DEFERRED SB 142 AND 145

SB 26 : reduce employer contribution rates and increase the administrative fee rate for reemployment assistance.

Presented by: Marcia Hultman, Secretary, Department of Labor and Regulation
Proponents: Nathan Sanderson, South Dakota Retailers Association, Pierre
David Owen, South Dakota Chamber of Commerce & Industry, Pierre
Deb Mortenson, Associated General Contractors of South Dakota, Pierre
Julie M. Johnson, SoDak SHRM, Sioux Falls
Garth Wadsworth, Elevate Rapid City, Rapid City

MOTION: DO PASS SB 26

Moved by: Vilhauer
Second by: Howard
Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Miskimins, Vilhauer, Carley, Voita, Howard, Foster, Zikmund, Lapka, and Otten

SB 28 : revise provisions relating to licensing fees and license renewal dates for the practice of barbering and to declare an emergency.

Presented by: Jodi Aumer, Board of Barber Examiners, Aberdeen
Proponents: Donnie Joseph, Self, Rapid City

MOTION: DO PASS SB 28

Moved by: Miskimins
Second by: Lapka
Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Miskimins, Vilhauer, Carley, Voita, Howard, Foster, Zikmund, Lapka, and Otten

SB 54 : revise the distribution of revenue from the cigarette tax.

Presented by: Jim Terwilliger, Commissioner, Bureau of Finance and Management
Opponents: Jennifer Stalley, American Cancer Society Cancer Action Network, Pierre
Others: Beth Dokken, Department of Health

MOTION: AMEND SB 54

54B

On page 1, line 5, of the Senate Health and Human Services Engrossed bill, delete " three" and insert " two"

On page 1, line 9, of the Senate Health and Human Services Engrossed bill, delete " thirty-three" and insert " thirty-two"

Moved by: Otten
Second by: Howard
Action: Prevailed by voice vote

MOTION: DO PASS SB 54 AS AMENDED

Moved by: Howard
Second by: Vilhauer
Action: Prevailed by Majority Members Elect (5-3-1-0)

Voting Yes: Vilhauer, Voita, Howard, Lapka, and Otten

Voting No: Miskimins, Carley, and Foster

Excused: Zikmund

SB 86 : expand eligibility for the rural recruitment assistance program to include chiropractors and optometrists.

Presented by: Deb Mortenson, South Dakota Optometric Society, Pierre
Deb Mortenson, South Dakota Chiropractors Association, Pierre
Proponents: Brett Hoffman, South Dakota Health Care Association, Sioux Falls
Julie Johnson, Self, Aberdeen
Opponents: Emily Kiel, Department of Health
Yolanda Sung, Bureau of Finance and Management

MOTION: TO TABLE SB 86

Moved by: Howard
Second by: Voita
Action: Prevailed by Majority Members Elect (8-1-0-0)

Voting Yes: Miskimins, Vilhauer, Carley, Voita, Howard, Zikmund, Lapka, and Otten

Voting No: Foster

SB 155 : reduce the amount of net receipts of unclaimed property deposited into the general fund.

Presented by: Senator Taffy Howard (Handout(s) 1)

Proponents: Lieutenant Governor Tony Venhuizen
Representative Chris Kassin
Josh Haeder, South Dakota Treasurer
Nathan Sanderson, South Dakota Retailers Association, Pierre
Jim Terwilliger, Commissioner, Bureau of Finance and Management

MOTION: AMEND SB 155

155A

On page 1, after line 3, of the Introduced bill, insert: "

Section 1. That § 43-41B-24 be AMENDED:

43-41B-24. Except as otherwise provided by this section, the administrator shall promptly deposit in the general fund ~~of this state~~ all moneys received under this chapter, including the proceeds from the sale of abandoned property under § 43-41B-23, not to exceed the general fund contribution limit, as defined in section 3 of this Act, in a fiscal year.

The administrator shall ~~retain~~ maintain in a separate ~~trust~~ unclaimed property operating fund an amount not more than five hundred thousand dollars from which the administrator must make prompt payment of claims duly allowed. Before making the deposit, the administrator must record the name and last known address of each person appearing from the holders' reports to be entitled to the property and the name and last known address of each insured person or annuitant and beneficiary, and with respect to each policy or contract listed in the report of an insurance company, its number, the name of the company, and the amount due. The record must be available for public inspection at all reasonable business hours."

On page 1, after line 3, of the Introduced bill, insert: "

Section 2. That § 43-41B-24.1 be AMENDED:

43-41B-24.1. Money in the unclaimed property ~~trust~~ operating fund for the payment of claims and costs incurred in examining records of holders of property and in collecting the property from those holders is continuously appropriated. Expenditures for claims and costs incurred in examining records of holders of property and in collecting the property from those holders must be paid upon warrants drawn by the state auditor pursuant to vouchers authorized by the state treasurer. All moneys paid out by the state treasurer for claims and costs incurred in examining records of holders of property and in collecting the property from those holders under chapter 43-41B must be set forth in an informational budget as described in § 4-7-7.2 and be annually reviewed by the Legislature."

On page 1, after line 3, of the Introduced bill, insert: "

Section 3. That a NEW SECTION be added to chapter 43-41B:

For purposes of § 43-41B-24, "general fund contribution limit" means an amount equal to the cost of operational expenses for the Unclaimed Property Division in each of the following fiscal years plus:

- (1) For fiscal year 2026, \$61,384,827;
- (2) For fiscal year 2027, \$58,000,000;
- (3) For fiscal year 2028, \$54,000,000.
- (4) For fiscal year 2029, \$50,000,000.
- (5) For fiscal year 2030, \$46,000,000.
- (6) For fiscal year 2031, \$42,000,000.
- (7) For fiscal year 2032, \$38,000,000.
- (8) For fiscal year 2033, \$34,000,000.
- (9) For fiscal year 2034, \$30,000,000; and
- (10) For fiscal year 2035 and each fiscal year thereafter, \$25,000,000. "

On page 1, line 7, of the Introduced bill, delete " 2" and insert " 3"

On page 1, line 10, of the Introduced bill, delete " 2" and insert " 5"

On page 1, line 10, of the Introduced bill, delete "Expenditures" and insert "Interest earnings"

On page 1, line 11, of the Introduced bill, delete " 2" and insert " 5"

On page 1, line 11, of the Introduced bill, after "Act" insert " or expended by special appropriation"

On page 1, line 11, of the Introduced bill, after "Act." insert " Moneys comprising the principal amount in the trust fund for unclaimed property may not be appropriated by the general appropriations act or by special appropriation. "

On page 1, line 13, of the Introduced bill, delete "Upon the conclusion of" and insert "Beginning in"

On page 1, line 13, of the Introduced bill, after "2026" insert " and each fiscal year thereafter"

On page 1, line 13, of the Introduced bill, after "paying " insert "from the unclaimed operating fund "

On page 1, line 15, of the Introduced bill, delete " a maximum of sixty-two million dollars" and insert " the general fund contribution limit, as established in section 3 of this Act"

On page 1, line 17, of the Introduced bill, after "dollars." delete "Upon the conclusion of fiscal year 2027, and upon the conclusion of each fiscal year thereafter, the maximum amount of net receipts that the state treasurer shall deposit into the general fund, in accordance with this Act, is reduced by ten million dollars annually, until the maximum amount of net receipts deposited into the general fund equals zero.

"

On page 1, line 21, of the Introduced bill, delete " maximum deposit requirements of this section" and insert " general fund contribution limit as defined in section 3 of this Act,"

On page 1, line 25, of the Introduced bill, delete " 2028" and insert " 2031"

Moved by: Carley

Second by: Voita

Action: Prevailed by voice vote

MOTION: DO PASS SB 155 AS AMENDED

Moved by: Carley

Second by: Foster

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

Voting Yes: Miskimins, Vilhauer, Carley, Voita, Howard, Foster, Zikmund, Lapka, and Otten

MOTION: ADJOURN

Moved by: Howard
Second by: Voita
Action: Prevailed by voice vote

Joey Knofczynski, Committee Secretary

/s/ ERNIE OTTEN
Ernie Otten, Chair