

Committee: House Taxation

Tuesday, January 24, 2023 8:00 AM

Roll Call

Present: Rep. Aylward, Rep. DeGroot, Rep. Jamison, Rep. Phil Jensen, Rep. Massie, Rep. May, Rep. Perry, Rep. Sue Peterson, Rep. Pinnow, Rep. Pourier, Rep. Randolph, Rep. Olson, and Rep. Chaffee

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Olson

MOTION: TO APPROVE THE MINUTES OF THURSDAY, JANUARY 19TH

Moved by: Phil Jensen
Second by: Perry
Action: Prevailed by voice vote

HB 1072 : include lithium and pegmatite as energy minerals subject to severance tax and set the distribution of proceeds therefrom.

Presented by: Representative Kirk Chaffee (Handout(s) 1)
Proponents: Jim Lintz, Chairman, Custer County Commission
Lilias Jarding, Black Hills Clean Water Alliance, Rapid City
Senator Julie Frye-Mueller
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
Others: Mike Lees, Dept. of Agriculture and Nat Resources

MOTION: AMEND HB 1072

1072B

On page 1, line 1, of the Introduced bill, after "lithium" delete " and pegmatite"
On page 1, line 1, of the Introduced bill, after "as" insert " an"
On page 1, line 1, of the Introduced bill, delete " minerals" and insert " mineral"
On page 1, line 7, of the Introduced bill, after "lithium," delete " pegmatite,"
On page 2, line 9, of the Introduced bill, after "lithium" delete " and pegmatite,"
On page 2, after line 14, of the Introduced bill, insert: "

Section 4. That chapter 10-39A be amended with a NEW SECTION:

The taxable value of severed and saved lithium-bearing material is the sales price per pound of the content of lithium contained in the severed and saved lithium ore, regardless of the form in which the product is actually disposed of. However, if the severed and saved lithium ore is not sold, the taxable value is the market value of the lithium in such material."

Moved by: Perry
Second by: May
Action: Prevailed by voice vote

MOTION: DEFER HB 1072 TO THE 41ST LEGISLATIVE DAY

Moved by: Jamison
Second by: Aylward

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS HB 1072 AS AMENDED

Moved by: Perry

Second by: May

Action: Prevailed by Majority Members Elect (8-5-0-0)

Voting Yes: DeGroot, Massie, May, Perry, Pinnow, Pourier, Olson, and Chaffee

Voting No: Aylward, Jamison, Phil Jensen, Sue Peterson, and Randolph

SB 26 : transfer a property tax relief program, to change income requirements for certain property tax relief programs, and to index certain income schedules to inflation.

Presented by: Representative Trish Ladner

Proponents: Senator Jack Kolbeck

Erik Nelson, AARP South Dakota, Sioux Falls

MOTION: DO PASS SB 26

Moved by: Sue Peterson

Second by: Chaffee

Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Aylward, DeGroot, Jamison, Phil Jensen, Massie, May, Perry, Sue Peterson, Pinnow, Pourier, Randolph, Olson, and Chaffee

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 26 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 29 : revise certain references to the Internal Revenue Code.

Presented by: Jason Evans, Department of Revenue

MOTION: DO PASS SB 29

Moved by: Perry

Second by: May

Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Aylward, DeGroot, Jamison, Phil Jensen, Massie, May, Perry, Sue Peterson, Pinnow, Pourier, Randolph, Olson, and Chaffee

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 29 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

MOTION: ADJOURN

Moved by: Phil Jensen

Second by: Perry

Action: Prevailed by voice vote

Janelle Toman, Committee Secretary

/s/ KIRK CHAFFEE
Kirk Chaffee, Chair