

Committee: House Commerce and Energy

Monday, February 12, 2024 10:00 AM

Roll Call

Present: Rep. Arlint, Rep. Bahmuller, Rep. Callies, Rep. Donnell, Rep. Duffy, Rep. Krohmer, Rep. Mulally, Rep. Nelson, Rep. Pinnow, Rep. Schneider, Rep. Shorma, Rep. Perry, and Rep. Weisgram

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Weisgram

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 07TH

Moved by: Krohmer
Second by: Schneider
Action: Prevailed by voice vote

HB 1246 : establish a pre-condemnation process and to require reclamation and restoration of property damaged by condemnation.

Presented by: Representative Marty Overweg

MOTION: TO TABLE HB 1246

Moved by: Nelson
Second by: Krohmer
Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Arlint, Bahmuller, Callies, Donnell, Duffy, Krohmer, Mulally, Nelson, Pinnow, Schneider, Shorma, Perry, and Weisgram

HB 1258 : provide that a company transporting hydrogen, by pipeline, is not a common carrier.

Presented by: Representative Brandei Schaeffbauer

MOTION: TO TABLE HB 1258

Moved by: Krohmer
Second by: Perry
Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Arlint, Bahmuller, Callies, Donnell, Duffy, Krohmer, Mulally, Nelson, Pinnow, Schneider, Shorma, Perry, and Weisgram

HB 1219 : prohibit the exercise of eminent domain for the construction of pipelines carrying carbon oxide.

Presented by: Representative Jon Hansen (Handout(s) 1)
Proponents: Amanda Radke, self, Mitchell
Mark Lapka, Self, Leola
Representative John Mills (Handout(s) 2)

John Schutte, Self, Canton
Jeremiah M. Murphy, Landowners for Eminent Domain Reform, Omaha, NE
Jeremiah M. Murphy, South Dakota Stockgrowers Association, Rapid City
Mitch Richter, South Dakota Farmers Union, Huron
Opponents: Trevor Jones, Summit Carbon Solutions, Ames, IA (Handout(s) 3)
Steve Willard, South Dakota Electric Utility Companies, Pierre
Matthew McCaulley, South Dakota Ethanol Producers Association, Onida
(Handout(s) 4,5)
Samuel J. Nelson, GEVO INC, Centennial, CO
William M. Van Camp, Glacial Lakes Energy, LLC, Watertown
William M. Van Camp, Redfield Energy LLC
William M. Van Camp, Dakota Ethanol LLC, Wentworth
William M. Van Camp, Ringneck Energy, Onida
David Owen, South Dakota Chamber of Commerce & Industry, Pierre
Mitch Rave, Greater Sioux Falls Chamber of Commerce, Sioux Falls

MOTION: DO PASS HB 1219

Moved by: Krohmer
Second by: Mulally
Action: Failed by Majority Members Elect (6-7-0-0)

Voting Yes: Bahmuller, Donnell, Krohmer, Mulally, Nelson, and Perry

Voting No: Arlint, Callies, Duffy, Pinnow, Schneider, Shorma, and Weisgram

MOTION: DEFER HB 1219 TO THE 41ST LEGISLATIVE DAY

Moved by: Shorma
Second by: Duffy
Action: Prevailed by Majority Members Elect (7-6-0-0)

Voting Yes: Arlint, Callies, Duffy, Pinnow, Schneider, Shorma, and Weisgram

Voting No: Bahmuller, Donnell, Krohmer, Mulally, Nelson, and Perry

Chairman Weisgram recessed House Commerce and Energy committee to be reconvened at 3:00 or 15 following House adjournment today in Room 414.

Chairman Weisgram reconvened House Commerce and Energy Committee.

HB 1243 : extend deadlines for action by the Public Utilities Commission upon the request of any party.

Presented by: Representative Karla Lems (Handout(s) 6)
Proponents: Joy Hohn, Self, Hartford (Handout(s) 7)
Jeremiah M. Murphy, Landowners for Eminent Domain Reform, Omaha, NE
Jeremiah M. Murphy, South Dakota Stockgrowers Association, Rapid City
Guy W Larson, South Dakota Chapter of Sierra Club, Vermillion
Linda Dansman Nickels, self, Hartford (Handout(s) 8)
John Schmidt, Self, Woonsocket (Handout(s) 9)
Mitch Richter, South Dakota Farmers Union, Huron
Anthony Ventura, self, Hudson

Opponents: Chase Jensen, Dakota Rural Action, Brookings
Steve Willard, South Dakota Electric Utility Companies, Pierre
Brett Koenecke, Avangrid Renewables LLC, Portland, OR
William M. Van Camp, NextEra Energy Resources, Juno Beach, FL
Darla Pollman Rogers, South Dakota Rural Electric Association, Pierre

MOTION: DO PASS HB 1243

Moved by: Krohmer
Second by: Mulally
Action: Failed by Majority Members Elect (5-8-0-0)

Voting Yes: Donnell, Krohmer, Mulally, Nelson, and Perry

Voting No: Arlint, Bahmuller, Callies, Duffy, Pinnow, Schneider, Shorma, and Weisgram

MOTION: DEFER HB 1243 TO THE 41ST LEGISLATIVE DAY

Moved by: Schneider
Second by: Duffy
Action: Prevailed by Majority Members Elect (8-5-0-0)

Voting Yes: Arlint, Bahmuller, Callies, Duffy, Pinnow, Schneider, Shorma, and Weisgram

Voting No: Donnell, Krohmer, Mulally, Nelson, and Perry

HB 1256 : establish percentage requirements for voluntary agreements governing pipeline construction prior to the filing of a petition for condemnation.

Presented by: Representative John Sjaarda
Proponents: Jeremiah M. Murphy, Landowners for Eminent Domain Reform, Omaha, NE
Jeremiah M. Murphy, South Dakota Stockgrowers Association, Rapid City
Chase Jensen, Dakota Rural Action, Brookings
Anthony Ventura, self, Hudson
Joy Hohn, Self, Hartford
Guy W Larson, South Dakota Chapter of Sierra Club, Vermillion
Chuck Dubbe, self, Hartford
Opponents: John Schmidt, Self, Woonsocket
William M. Van Camp, Ringneck Energy, Onida
Justin Bell, Summit Carbon Solutions, Ames, IA
Pamela A. Bonrud, NorthWestern Energy, Sioux Falls
Samuel J. Nelson, Missouri River Energy Services, Sioux Falls

MOTION: DO PASS HB 1256

Moved by: Krohmer
Second by: Mulally
Action: Failed by Majority Members Elect (4-9-0-0)

Voting Yes: Donnell, Krohmer, Mulally, and Perry

Voting No: Arlint, Bahmuller, Callies, Duffy, Nelson, Pinnow, Schneider, Shorma, and Weisgram

MOTION: DEFER HB 1256 TO THE 41ST LEGISLATIVE DAY

Moved by: Arlint

Second by: Pinnow

Action: Prevailed by Majority Members Elect (9-4-0-0)

Voting Yes: Arlint, Bahmuller, Callies, Duffy, Nelson, Pinnow, Schneider, Shorma, and Weisgram

Voting No: Donnell, Krohmer, Mulally, and Perry

MOTION: ADJOURN

Moved by: Nelson

Second by: Perry

Action: Prevailed by voice vote

Jean Denton, Committee Secretary

/s/ MIKE WEISGRAM
Mike Weisgram, Chair