

Committee: Senate Commerce and Energy

Thursday, February 29, 2024 10:00 AM

Roll Call

Present: Sen. Crabtree, Sen. Hoffman, Sen. Johnson, Sen. Kolbeck (Steve),
Sen. Nesiba, Sen. Schoenbeck, Sen. Stalzer, Sen. Beal, and Sen. Wheeler

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Wheeler

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 22ND

Moved by: Nesiba
Second by: Beal
Action: Prevailed by voice vote

HB 1233 : amend requirements for a cosmetology apprenticeship.

Presented by: Representative Scott Moore
Proponents: Trinity Martin, Self, Aberdeen, SD
Savannah Thorne, Self, Brookings
Trish Bates, Self, Mitchell
Tyler Evins, Department of Labor and Regulation

MOTION: DO PASS HB 1233

Moved by: Hoffman
Second by: Crabtree
Action: Prevailed by Majority Members Elect (9-0-0-0)

Voting Yes: Crabtree, Hoffman, Johnson, Kolbeck (Steve), Nesiba, Schoenbeck, Stalzer,
Beal, and Wheeler

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1233 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1203 : clarify references to the court in a condemnation proceeding.

Presented by: Senator Erin Tobin
Proponents: Jeremiah M. Murphy, Landowners for Eminent Domain Reform, Omaha, NE
Joy Hohn, Self, Hartford
Chase Jensen, Dakota Rural Action, Brookings
Carol Kapperman, Self, Hartford, SD
Betty Strom, Self, Sioux Falls
Opponents: Brett Koenecke, Summit Carbon Solutions, Ames, IA

MOTION: AMEND HB 1203

1203A

On page 1, line 10, of the Introduced bill, remove the overstrikes from ", all as determined by the court"

Moved by: Nesiba

Second by: Beal

Action: Failed by voice vote

MOTION: DEFER HB 1203 TO THE 41ST LEGISLATIVE DAY

Moved by: Kolbeck (Steve)

Second by: Schoenbeck

Action: Prevailed by Majority Members Elect (6-3-0-0)

Voting Yes: Crabtree, Johnson, Kolbeck (Steve), Schoenbeck, Stalzer, and Wheeler

Voting No: Hoffman, Nesiba, and Beal

HB 1185 : amend provisions regarding entry on private property for examination and survey of a project requiring a siting permit.

Presented by: Senator Casey Crabtree

Proponents: Jason Alan Glodt, South Dakota Ag Alliance, Pierre
Jason Alan Glodt, South Dakota Landowner and Outfitter Alliance, Pierre
Brett Koenecke, Summit Carbon Solutions, Ames, IA
Steve Willard, South Dakota Electric Utility Companies, Pierre

Opponents: Jeremiah M. Murphy, Landowners for Eminent Domain Reform, Omaha, NE

MOTION: AMEND HB 1185

1185E

On page 2, line 1, of the House Commerce and Energy Engrossed bill, after "a" delete " one-time"

On page 2, line 1, of the House Commerce and Energy Engrossed bill, remove the overstrikes from ", or"

On page 2, line 1, of the House Commerce and Energy Engrossed bill, after "or" delete " prior to entry, in the amount of five hundred dollars as compensation for entering the owner's property and"

On page 2, line 2, of the House Commerce and Energy Engrossed bill, remove the overstrikes from " sufficient security"

On page 2, line 3, of the House Commerce and Energy Engrossed bill, remove the overstrikes from the comma

On page 2, line 3, of the House Commerce and Energy Engrossed bill, after "payment," delete " of additional compensation"

On page 2, line 4, of the House Commerce and Energy Engrossed bill, after "entry" insert ". If the project is for construction of a pipeline for the transmission of carbon dioxide, in addition to the foregoing, the person must make a one-time payment to the owner, prior to entry, in the amount of five hundred dollars as compensation for entering the owner's property"

On page 2, line 11, of the House Commerce and Energy Engrossed bill, after "law" insert ". For the purpose of this section, the term "examination" means an inspection of a property to obtain general information which is not a matter of public record. For the purpose of this section, the term "survey" means a more detailed, comprehensive, or invasive investigation of a property"

Moved by: Schoenbeck
Second by: Kolbeck (Steve)
Action: Prevailed by voice vote

MOTION: DO PASS HB 1185 AS AMENDED

Moved by: Schoenbeck
Second by: Kolbeck (Steve)
Action: Prevailed by Majority Members Elect (8-1-0-0)

Voting Yes: Crabtree, Johnson, Kolbeck (Steve), Nesiba, Schoenbeck, Stalzer, Beal, and Wheeler

Voting No: Hoffman

HB 1186 : define the requirements for granting a carbon pipeline easement.

Presented by: Senator Casey Crabtree
Proponents: Brett Koenecke, Summit Carbon Solutions, Ames, IA
Opponents: Jeremiah M. Murphy, Landowners for Eminent Domain Reform, Omaha, NE
Joy Hohn, Self, Hartford
Chase Jensen, Dakota Rural Action, Brookings
Betty Strom, Self, Sioux Falls
Carol Kapperman, Self, Hartford, SD

MOTION: AMEND HB 1186

1186G

On page 1, line 15, of the House Commerce and Energy Engrossed bill, after "granted."
delete "Any carbon pipeline easement runs with the land benefited and
burdened and terminates upon the conditions stated in the easement, except
that the term of any such easement may not exceed fifty years. "

On page 1, line 20, of the House Commerce and Energy Engrossed bill, after "easement."
delete " In addition to an initial payment for the easement, payments
associated with the granting or continuance of any carbon pipeline easement
must be made on an annual basis to the owner of record of the real property
and must include a payment of at least one dollar per linear foot of carbon
pipeline on the property, payable each year the pipeline is engaged in actual
transportation of carbon dioxide."

Moved by: Schoenbeck
Second by: Stalzer
Action: Prevailed by voice vote

MOTION: DO PASS HB 1186 AS AMENDED

Moved by: Schoenbeck
Second by: Crabtree
Action: Prevailed by Majority Members Elect (7-2-0-0)

Voting Yes: Crabtree, Johnson, Kolbeck (Steve), Schoenbeck, Stalzer, Beal, and Wheeler

Voting No: Hoffman and Nesiba

MOTION: ADJOURN

Moved by: Kolbeck (Steve)
Second by: Beal
Action: Prevailed by voice vote

Susan Gullickson, Committee Secretary

/s/ DAVID WHEELER
David Wheeler, Chair