



2025 South Dakota Legislature

House Concurrent Resolution 6004

Introduced by: **Representative Mulally**

1 **A CONCURRENT RESOLUTION, Affirming the state's rejection of carbon dioxide**
2 **pipelines and urging President Donald Trump to avoid interfering with the**
3 **Summit Carbon Solutions carbon dioxide pipeline through exercise of federal**
4 **eminent domain powers.**

5 WHEREAS, South Dakotans oppose federal overreach and prefer state and local
6 government to be free from federal intervention; and

7 WHEREAS, the voters of this state have rejected legislative attempts to expedite the
8 approval of the Summit Carbon Solutions carbon dioxide pipeline project by voting against
9 Referred Law 21 by fifty-nine and two-fifths percent of the vote in November 2024; and

10 WHEREAS, the House of Representatives of the One Hundredth Legislature of the State of
11 South Dakota passed House Bill 1052, with a vote of 49-19, to prohibit the exercise of eminent
12 domain for a pipeline that carries carbon oxide; and

13 WHEREAS, U.S. Const. amend. V prohibits the taking of private property for public use
14 without just compensation; and

15 WHEREAS, South Dakotans generally oppose federal policies associated with the Green
16 New Deal and federal tax dollars being used to promote the policies; and

17 WHEREAS, corporations within the energy sector are capitalizing on the false premise of
18 a looming climate apocalypse by introducing carbon capture and sequestration projects into
19 South Dakota and North Dakota, which contemplate the use of eminent domain to acquire
20 land across various states, affecting numerous landowners and communities; and

21 WHEREAS, the affected landowners and communities have expressed strong opposition to
22 the use of eminent domain, arguing that it unjustly benefits a private entity at the expense
23 of the affected landowners' property rights and local autonomy, demonstrating that there is

1 a need for greater transparency, community involvement, and rigorous environmental and
2 safety assessments in the planning and implementation of large-scale infrastructure projects;
3 and

4 WHEREAS, there are substantial unanswered questions about the environmental benefits,
5 associated risks, and long-term viability of carbon capture and sequestration projects; and

6 WHEREAS, the use of federal tax credits, including any tax credit available pursuant to 26
7 U.S.C. § 45Q (January 1, 2025), is a boondoggle wasting federal taxpayer dollars, which only
8 adds to the national spending and debt crisis; and

9 WHEREAS, President Donald Trump received sixty-one and fifty-three one-hundredths
10 percent of the vote in this state in the 2016 presidential election; and

11 WHEREAS, President Donald Trump received sixty-one and seventy-seven one-
12 hundredths percent of the vote in this state in the 2020 presidential election; and

13 WHEREAS, President Donald Trump received sixty-three and forty-three one-hundredths
14 percent of the vote in this state in the 2024 presidential election;

15 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the One
16 Hundredth Legislature of the State of South Dakota, the Senate concurring therein, that the
17 South Dakota Legislature condemns the use of eminent domain for carbon dioxide pipelines
18 and calls for an immediate halt to any use of eminent domain for carbon capture and
19 sequestration projects; and

20 BE IT FURTHER RESOLVED, that the South Dakota Legislature urges relevant
21 governmental bodies to seek alternative solutions that do not infringe upon the property rights
22 of individuals, that respect environmental and safety concerns, and that involve meaningful
23 consultation and consent from affected communities; and

24 BE IT FURTHER RESOLVED, that the South Dakota Legislature opposes the use of state
25 moneys to educate the public on benefits of carbon capture and sequestration that are
26 contrary to the will and interests of private property owners; and

27 BE IT FURTHER RESOLVED, that the South Dakota Legislature opposes the fascism of
28 mutually beneficial partnerships between government and private energy corporations
29 created under the pretext of climate change; and

1 BE IT FURTHER RESOLVED, that the South Dakota Legislature supports legislation that
2 prevents the infringement of individual property rights without just compensation and
3 provides legislative oversight of administrative rules that carry the force and effect of law;
4 and

5 BE IT FURTHER RESOLVED, that the South Dakota Legislature urges President Donald
6 Trump to resist pressure to exercise federal eminent domain power in states and localities
7 that have voted against the use of eminent domain for carbon capture and sequestration and
8 any other Green New Deal project, even if the project benefits traditional energy companies.