

Minutes: House Commerce and Energy

Wednesday, February 12, 2025 10:00 AM

Roll Call

Present: Rep. Aylward, Rep. Duffy, Rep. Greenfield, Rep. Kayser, Rep. Nolz,  
Rep. Peterson (Drew), Rep. Schwans, Rep. Shorma, Rep. Uhre-Balk,  
Rep. Weisgram, Rep. Bahmuller, and Rep. Lems  
Excused: Rep. Mulally

**The meeting was called to order by Representative Lems**

**MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 10<sup>TH</sup>**

Moved by: Kayser  
Second by: Bahmuller  
Action: Prevailed by voice vote

**SB 25 : clarify the Plumbing Commission's rulemaking authority to set standards for plumbing and plumbing systems.**

Presented by: Mandy Nielsen, Plumbing Commission, Pierre

**MOTION: AMEND SB 25**

25L

On the previously adopted amendment (25I), On page 2, line 1, after "from" delete " adopting or"

On the previously adopted amendment (25I), On page 2, line 1, after "any" delete " other"

On the previously adopted amendment (25I), On page 2, line 1, after "code" insert " other than the Uniform Plumbing Code"

Moved by: Shorma  
Second by: Aylward  
Action: Prevailed by voice vote

**MOTION: DO PASS SB 25 AS AMENDED**

Moved by: Bahmuller  
Second by: Weisgram  
Action: Prevailed by Majority Members Elect (10-0-3-0)

Voting Yes: Aylward, Duffy, Kayser, Nolz, Peterson (Drew), Shorma, Uhre-Balk, Weisgram, Bahmuller, and Lems

Excused: Greenfield, Mulally, and Schwans

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 25 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**HB 1249 : protect landowners from the use of deception, fraud, harassment, intimidation, misrepresentation, or threat, in acquiring easements for linear infrastructure.**

Presented by: Representative Kaley Nolz (Handout(s) 1)

Proponents: Craig Schaunaman, Self, Aberdeen

Bruce Mack, Self, Leola

Mike Klipfel, self, Leola

Senator Joy Hohn

Janet Hedges, self, Aberdeen

Wendy Schulz, self, Watertown

Leroy Braun, self, Mellette

Chase Jensen, Dakota Rural Action, Brookings

Opponents: Steve Willard, South Dakota Electric Utility Companies, Pierre

Darla Pollman Rogers, South Dakota Rural Electric Association, Pierre

Samuel J. Nelson, Missouri River Energy Services, Sioux Falls

Samuel J. Nelson, South Dakota Municipal League, Fort Pierre

William M. Van Camp, NextEra Energy Resources, Juno Beach, FL

Drew Duncan, Heartland Consumers Power District, Madison

Justin Bell, Summit Carbon Solutions, Ames, IA

Lindsey Riter-Rapp, South Dakota Association of Rural Water Systems,

Madison

**MOTION: AMEND HB 1249**

1249A

On page 1, line 2, of the Introduced bill, delete " for linear infrastructure" and insert " or easement options"

On page 1, line 6, of the Introduced bill, after "person" delete " employed by a public utility or by any private entity"

On page 1, line 6, of the Introduced bill, delete " easements" and insert " an easement"

On page 1, line 7, of the Introduced bill, delete " options for linear infrastructure" and insert " option"

On page 1, line 9, of the Introduced bill, after "option" delete " for the linear infrastructure"

On page 1, line 13, of the Introduced bill, after "easement" insert " or easement option"

On page 1, line 16, of the Introduced bill, delete " the" and insert " any executed"

On page 1, line 17, of the Introduced bill, delete " utility or non-public entity" and insert " party"

On page 1, line 18, of the Introduced bill, after "retain" insert " some or all of"

On page 1, line 18, of the Introduced bill, after "compensation" insert " paid for any executed easement or easement option"

On page 1, line 18, of the Introduced bill, after "compensation;" delete " or"

On page 1, line 19, of the Introduced bill, after "the" insert " greatest"

On page 1, line 19, of the Introduced bill, delete " involved" and insert " offered or the amount paid for the easement or easement option"

On page 1, line 20, of the Introduced bill, after "compensatory" insert " ;

(4) Issue an injunction against the offending party;

(5) In all subsequent negotiations for an easement or easement option:

(a) Require that the offending party communicate with the landowner through counsel;

(b) Appoint counsel to represent the landowner, if necessary; and

(c) Order the offending party to pay the landowner's legal fees; and

(6) Prohibit the person who engaged in deception, fraud, harassment, intimidation, misrepresentation, or threat from engaging with any third party in a negotiation or transaction to acquire an easement or easement option for a specified period of time or permanently"

On page 1, line 23, of the Introduced bill, after "a" delete " public"

On page 1, line 23, of the Introduced bill, after "utility" insert ", as defined in § 49-41B-2, or an employee or agent of the utility"

On page 1, line 23, of the Introduced bill, after "encouraged, " insert "engaged, "

On page 2, line 6, of the Introduced bill, after "landowner." delete "For purposes of this section, "linear infrastructure" means man-made structures that extend linearly across the landscape, including pipelines, railways, roads, and transmission lines."

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

On page 2, line 12, of the Introduced bill, delete " the" and insert " this"

Moved by: Bahmuller  
Second by: Schwans  
Action: Prevailed by voice vote

**THE CHAIR DEFERRED HB 1249 UNTIL FRIDAY, FEBRUARY 21<sup>ST</sup> 2025**

**HB 1253 : provide for the refinancing of certain mortgages on properties affected by declared disasters.**

Presented by: Representative Kathy Rice

**MOTION: TO TABLE HB 1253**

Moved by: Greenfield  
Second by: Peterson (Drew)  
Action: Prevailed by Majority Members Elect (11-0-2-0)

Voting Yes: Aylward, Duffy, Greenfield, Kayser, Peterson (Drew), Schwans, Shorma, Uhre-Balk, Weisgram, Bahmuller, and Lems

Excused: Mulally and Nolz

**SB 47 : clarify eligibility for licensure as a video lottery operator.**

Presented by: Norman Lingle, Department of Revenue

**MOTION: DO PASS SB 47**

Moved by: Peterson (Drew)  
Second by: Bahmuller  
Action: Prevailed by Majority Members Elect (11-0-2-0)

Voting Yes: Aylward, Duffy, Greenfield, Kayser, Peterson (Drew), Schwans, Shorma, Uhre-Balk, Weisgram, Bahmuller, and Lems

Excused: Mulally and Nolz

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 47 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**MOTION:    ADJOURN**

Moved by:    Bahmuller  
Second by:   Uhre-Balk  
Action:        Prevailed by voice vote

Jean Denton, Committee Secretary

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/s/ KARLA J. LEMS  
Karla J. Lems, Chair