



Hon. Jason Isaac

CEO, American Energy Institute
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March 2, 2025

Chairman Jim Mehlhaff
Vice Chair Carl Perry
Members of the Senate State Affairs Committee
South Dakota State Legislature
1014 W. Capitol Ave.
Pierre, SD 57501

Subject: Written Testimony in Support of HB 1052 – Protecting Private Property Rights from Eminent Domain for Carbon Capture Pipelines

Dear Chairman Mehlhaff, Vice Chair Perry, and Members of the Committee,

As the CEO of the **American Energy Institute**, a free-market trade organization that represents **American energy companies unapologetically committed to free markets and opposed to political agendas like those rooted in the discriminatory practice of ESG**, I write today to **strongly support HB 1052**. This legislation is a crucial step in **defending private property rights** against the abuse of eminent domain for politically driven carbon capture and sequestration (CCS) projects.

The **right to private property** is one of the foundational principles of the United States, and it should never be sacrificed for **government-subsidized corporate welfare** disguised as environmental policy. **HB 1052 is about more than carbon pipelines—it's about preventing an egregious overreach that would allow government-backed companies to trample landowners' rights to advance an unproven, taxpayer-funded industry.**

Carbon capture is not a market-driven innovation—it is a product of government intervention. Without federal subsidies like the **45Q tax credit**, CCS projects would **never be financially viable** because there is no genuine demand for capturing and sequestering carbon dioxide. The reality is that **CO₂ is not a pollutant**—it is essential to life on Earth, and the demonization of this natural compound has led to costly, ineffective policies that threaten energy reliability, economic growth, and property rights.



As I have frequently warned, **the push for decarbonization is not about science or sound economics—it's about control.** Allowing private land to be seized under the banner of “climate action” sets a dangerous precedent, one that would **empower special interests and unelected bureaucrats at the expense of American farmers, ranchers, and energy producers.**

HB 1052 rightly ensures that the **government cannot weaponize eminent domain to force landowners into compliance with politically motivated schemes.** South Dakota has the opportunity to **stand for free markets, protect its citizens from crony capitalism, and reaffirm that property rights are not for sale to the highest bidder in Washington, D.C.**

For too long, American energy policy has been dictated by **top-down mandates, taxpayer-funded subsidies, and ESG-driven corporate agendas that enrich a few at the expense of many.** South Dakota can be a leader in rejecting these failed policies and restoring **common sense and free-market principles** to the energy debate.

I urge the Senate State Affairs Committee to **pass HB 1052** and send a clear message that **South Dakota will not tolerate the abuse of eminent domain for politically manufactured industries.** Thank you for your leadership on this critical issue.

Sincerely,

A handwritten signature in black ink that reads 'Jason Isaac'. The signature is written in a cursive, flowing style.

Hon. Jason Isaac

CEO, American Energy Institute

The American Energy Institute exists to inform policymakers and the general public about the benefits of affordable and reliable energy, how it promotes economic freedom, and how it advances the human condition.

The Honorable Jason Isaac is the Founder and CEO of the American Energy Institute. Before launching the Institute, he was elected four times as the State Representative for Hays and Blanco counties in the Texas Hill Country, where he served on the Energy Resources and Environmental Regulation committees, among others.