

HCS HB 2033 -- EMINENT DOMAIN

SPONSOR: Hansen

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 9 to 4. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 5 to 3.

The following is a summary of the House Committee Substitute for HCS HB 2033.

The bill specifies that no private entity has the power of eminent domain for the purposes of constructing above-ground merchant lines. This restriction will not apply to any rural electric cooperatives.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this bill will create guidelines related to eminent domain and will not impact cooperatives. Supporters of this bill are mostly concerned that the Grain Belt Express Project will negatively impact eight counties within Missouri and 700 property owners. The project would be disruptive to the agriculture industry and roads, and harmful to the environment. More specifically, supporters said that the Grain Belt Express Project would eliminate all of the corn crops within the route of the project.

Proponents also said that some landowners, on the route of the Grain Belt Express Project, have already sold their property to avoid any nuisance. Those property owners have had difficulties finding insurance to cover their property. Proponents do not believe that Missouri needs private enterprises as an energy source because Missouri has a surplus of energy capacity that will last for at least 19 years.

Supporters also testified that the right of eminent domain should not be given to a private entity. Proponents also said that neighboring states have already updated their eminent domain laws and Missouri should restore the integrity of eminent domain.

Supporters stated that cooperatives will not have to go through the same regulations as utility companies.

Testifying for the bill were Representative Hansen; Missouri

Cattlemen's Association; Missouri Farm Bureau; Marilyn O'Bannon; Wiley Hibbard, Ralls County; Donald W Shaw; and the Missouri Landowners Alliance.

OPPONENTS: Those who oppose the bill say that this bill is an additional unnecessary regulation that will further delay the completion of the Grain Belt Express Project. The estimated savings to Missouri municipal utilities is approximately \$13 million annually, if the project would be completed. The savings for local municipalities will help local Boards of Public Works maintain stable electric rates resulting in direct savings to current customers, while aiding the ability to attract new customers through economic development. The Missouri Public Service Commission already approved the Grain Belt Express Project at least six years ago.

Opponents also testified that the construction of the Grain Belt Express will create over 1,500 construction jobs for Missourians and will be of no cost to taxpayers. This project will help grow local economies, especially in the rural areas of Missouri. Opponents of this bill said that the project will help pay for schools, libraries, and other public programs. The enterprise governing the Grain Belt Express Project said that they have already spent \$1 million on land easements and that they are not seeking ownerships of the properties that will be impacted by the project, they are simply interested in purchasing easements.

Testifying against the bill were Stephen White; John Richard Tregnago; John Fletcher, Central Missouri Agriservice LLC; American Federation of Labor and Congress of Industrial Organizations; Missouri Association of Municipal Utilities; Eric B Patterson, City of Harrisonville; Rodney Bourne, Rolla Municipal Utilities; and Invenergy LLC.

OTHERS: Available for informational purposes were the Missouri Public Service Commission and the Missouri Electric Cooperatives.

This bill is similar to SCS HB 1062 (2019).