



Mike Derby

House of Representatives District HD-034

Republican

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View Online

This legislator voted constitutionally on **33%** of the votes shown below.

CPH: Estimated cost per household.

★ Pro-liberty ✗ Anti-liberty ? Did not Vote CPH Vote

1. SB144 Airport Grants (Passed 55 to 15 on March 6, 2024). Appropriates \$10,000,000 from the general fund to the Aeronautics Commission for grants aimed at enhancing airport terminal infrastructure projects, including airport expansion. **\$28** **Yes** ✗

2. HB1219 Reject Eminent Domain (Rejected 32 to 36 on 2/20/2024). Prohibits companies from using eminent domain to construct pipelines primarily for transporting carbon oxide for geological storage or sequestration. **No** ✗

3. HB1178 Prohibit Drag Shows on Campus (Passed 62 to 7 on 2/29/2024). Prohibits the Board of Regents or any institution under its control from using state resources for drag shows or other "obscene live conduct" on college campuses. **Yes** ★

4. SB115 Prohibit Guaranteed Income Programs (Passed 64 to 5 on 2/26/2024). Prohibits counties, townships, and municipalities in South Dakota from establishing ordinances, orders, or rules that implement a guaranteed income program. **Yes** ★

5. HB1186 Pipeline Easements (Passed 41 to 29 on 3/6/2024). Forces landowners to grant a right-of-way for carbon dioxide pipelines, putting their property at risk, disguising it as "property rights." **Yes** ✗

6. SB201 Carbon-Capture Pipeline (Passed 39 to 31 on 3/6/2024). Facilitates the construction of carbon-capture pipelines that threaten property rights, permits state authorities to override local ordinances regulating the pipelines for safety or economic reasons, and fails to impose restrictions on eminent domain. **Yes** ✗



SOUTH DAKOTA LEGISLATIVE

SCORECARD

BASED ON THE U.S. CONSTITUTION

Rep. Mike Derby

Lifetime Score: 33%

SD Scorecard 2024

2024 Regular Session Score

The Legislative Scorecard is a nationwide educational program of The John Birch Society. Its purpose is to create an informed electorate on how state legislators are voting. The Scorecard is nonpartisan; it does not promote any candidate or political party. Bills are selected for their constitutional implications and cost to the taxpayers.

Please share this Scorecard in your district to inform people about your legislator's record on key votes.

U.S. Constitution, Amendment I --- 11 C.F.R. §114(4)(c)(4) --- 616 F.2d 45 (2d Cir. 1980)

The following scorecard lists several key votes in the South Dakota Legislature in 2024 and ranks state representatives and senators based on their fidelity to (U.S.) constitutional and limited-government principles.



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The Constitution

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Bill Descriptions for the Votes that Affect You

1. Airport Grants

SB144 appropriates \$10,000,000 from the general fund to the Aeronautics Commission for grants aimed at enhancing airport terminal infrastructure projects, including expansion and meeting future capacity needs at public airports.

The South Dakota State House of Representatives passed SB144 on March 6, 2024 by a vote of 55 to 15. We have assigned pluses to the nays because funding for airport terminal infrastructure projects should not be the government's responsibility. Government-issued grants often give the government or bureaucracy the authority to choose winners and losers, leading to an expansion of government and increased interference in the private sector.

2. Reject Eminent Domain

HB1219 prohibits companies from using eminent domain to construct pipelines primarily for transporting carbon oxide for geological storage or sequestration.

The South Dakota State House of Representatives rejected to place HB1219 on the calendar by a vote of 32 to 36. We have assigned pluses to the ayes because eminent domain for private corporations violates the U.S. Constitution, specifically the Fifth and Fourteenth Amendments. The Fifth Amendment explicitly states, "nor shall private property be taken for public use, without just compensation." Furthermore, the Fourteenth Amendment declares, "nor shall any State deprive any person of life, liberty, or property, without due process of law."

3. Prohibit Drag Shows on Campus

HB1178 prohibits the Board of Regents or any institution under its control from using state resources for drag shows or other "obscene live conduct" on college campuses.

The South Dakota State House of Representatives passed HB1178 on February 29, 2024 by a vote of 62 to 7. We have assigned pluses to the ayes because taxpayer dollars should not go toward programs with a strong leftist agenda.

4. Prohibit Guaranteed Income Programs

SB115 prohibits counties, townships, and municipalities in South Dakota from establishing ordinances, orders, or rules that implement a guaranteed income program.

The South Dakota State House of Representatives passed SB115 on February 26, 2024 by a vote of 64 to 5. We have assigned pluses to the ayes because the concept of a "guaranteed income" (i.e., 'universal basic income') relies on the immoral and anti-constitutional act of government-imposed theft disguised as taxation, which takes from citizens the wages they have rightfully earned. This manifestly socialist wealth-redistribution scheme violates both the Bill of Rights and the 14th Amendment, which were intended to protect against undue deprivation or disparagement of a person's "property" and provide "equal protection of the laws" for all Americans.

5. Pipeline Easements

HB1186 establishes that a carbon pipeline easement is a right granted by a landowner for transmitting carbon dioxide by pipeline. The easement must be in writing, recorded, and filed with the county's register of deeds. The easement is valid for up to ninety-nine years and becomes void if business operations do not start within five years of recording. Any mortgages or encumbrances on the easement are the easement holder's responsibility and do not affect the landowner.

The South Dakota State House of Representatives passed HB1186 on March 6, 2024 by a vote of 41 to 29. We have assigned pluses to the nays because, while this bill sounds like it protects property owners, it still allows eminent domain for carbon-capture pipelines where easements will be in place for 99 years or more. Additionally, these carbon-capture pipelines have direct ties to the United Nation's Agenda 2030 and the disingenuous environmental movement and states should reject these unconstitutional acts at all costs.

6. Carbon-Capture Pipeline

SB201 facilitates the construction of carbon-capture pipelines that threaten property rights, permits state authorities to override local ordinances regulating the pipelines for safety or economic reasons, and fails to impose restrictions on eminent domain.

The South Dakota State House of Representatives passed SB201 on March 6, 2024 by a vote of 39 to 31. We have assigned pluses to the nays because state governments should not implement any aspect of the UN's Agenda 2030, as it is unconstitutional and undermines state sovereignty. Additionally, this legislation advances the Marxist climate-change agenda and threatens property rights.