

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

400N0382

## SENATE ENGROSSED NO. **SB 58** - 01/17/2007

Introduced by: The Committee on State Affairs at the request of the Department of Tourism  
and State Development

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the South Dakota  
2 Energy Infrastructure Authority.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 1-16I-2 be amended to read as follows:

5 1-16I-2. The South Dakota Energy Infrastructure Authority is created as a body corporate  
6 and politic to diversify and expand the state's economy by developing in this state the energy  
7 production facilities and the energy transmission facilities necessary to produce and transport  
8 energy to markets within the state and outside of the state.

9 Section 2. That § 1-16I-5 be amended to read as follows:

10 1-16I-5. In order to finance energy transmission facilities as authorized pursuant to this  
11 chapter, the authority may issue and have outstanding bonds to finance such facilities in an  
12 amount not to exceed one billion dollars. However, no bonds may be issued until the issuance  
13 of the bonds is specifically approved by an act of the Legislature. The authority shall have  
14 contracts sufficient to justify the issuance of bonds.

15 Section 3. That § 1-16I-6 be amended to read as follows:



1 1-16I-6. The authority shall:

2 (1) Meet with any interested owner of transmission lines in South Dakota and any  
3 interested generator and distributor of electricity to consumers in South Dakota by  
4 August first each year to understand the generation of electricity in South Dakota and  
5 the transmission enhancements needed for the transmission of electricity to, from,  
6 and within South Dakota, and to analyze how the authority could proactively assist  
7 in developing the generation and transmission infrastructure;

8 (2) Report its findings and make recommendations to the Governor, the Legislature, and  
9 the South Dakota congressional delegation by December first of each year concerning  
10 what the private sector, the state, and the federal government can do to create and  
11 enhance the generation of electricity in South Dakota and the transmission of  
12 electricity to, from, and within South Dakota. The report due December 1, ~~2005~~  
13 2007, shall address and quantify market opportunities for the development, use in-  
14 state, and export of South Dakota's enormous wind power resource, including, as  
15 appropriate, the export of South Dakota's enormous wind power resource;

16 (3) Annually evaluate state laws and rules affecting electric generation and electric  
17 transmission and make recommendations to the Governor and the Legislature for  
18 improvements ~~by December first of each year~~;

19 (4) Annually evaluate federal laws and rules affecting electric generation and electric  
20 transmission and make recommendations to the South Dakota congressional  
21 delegation for improvements by December first of each year;

22 (5) Identify opportunities where owners of transmission lines in South Dakota and  
23 generators and distributors of electricity to consumers in South Dakota can cooperate  
24 to improve and increase electric transmission in South Dakota and communicate

1 those opportunities to owners, generators, and distributors of electricity in South  
2 Dakota;

3 (6) Assist any entity that wants to build new or upgrade existing electric transmission  
4 facilities to, from, and within South Dakota by helping the entity develop a business  
5 plan and identify financing options; and

6 (7) Assist other state transmission authorities and any federal or regional entity wanting  
7 to build new or upgrade existing transmission facilities to deliver electricity to, from,  
8 and within South Dakota.

9 Section 4. That § 1-16I-9 be amended to read as follows:

10 1-16I-9. Members of the board shall receive compensation for the performance of their  
11 duties as established by the Legislature in accordance with § 4-7-10.4 from the funds of the  
12 authority. Members may be reimbursed at rates established by the ~~Bureau of Personnel~~ Board  
13 of Finance for necessary expenses, including travel and lodging expenses, incurred in  
14 connection with the performance of their duties as members.

15 Section 5. That § 1-16I-12 be amended to read as follows:

16 1-16I-12. The board shall meet on the call of the chair, upon the written request of ~~four~~ three  
17 members of the board, or upon the request of the executive director.

18 Section 6. That § 1-16I-13 be amended to read as follows:

19 1-16I-13. A majority of the members of the board constitute a quorum for the transaction  
20 of business. All official acts of the authority shall require the affirmative vote of at least ~~four~~  
21 three members of the board at a meeting of the board at which the members casting those  
22 affirmative votes are present.