

AN ACT

ENTITLED, An Act to revise certain provisions regarding the South Dakota Energy Infrastructure Authority.

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

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

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

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

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

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

1-16I-6. The authority shall:

- (1) Meet with any interested owner of transmission lines in South Dakota and any interested generator and distributor of electricity to consumers in South Dakota by August first each year to understand the generation of electricity in South Dakota and the transmission enhancements needed for the transmission of electricity to, from, and within South Dakota, and to analyze how the authority could proactively assist in developing the generation and transmission infrastructure;
- (2) Report its findings and make recommendations to the Governor, the Legislature, and the

South Dakota congressional delegation by December first of each year concerning what the private sector, the state, and the federal government can do to create and enhance the generation of electricity in South Dakota and the transmission of electricity to, from, and within South Dakota. The report due December 1, 2007, shall address and quantify market opportunities for the development, use in-state, and, including, as appropriate, the export of South Dakota's enormous wind power resource;

- (3) Annually evaluate state laws and rules affecting electric generation and electric transmission and make recommendations to the Governor and the Legislature for improvements;
- (4) Annually evaluate federal laws and rules affecting electric generation and electric transmission and make recommendations to the South Dakota congressional delegation for improvements by December first of each year;
- (5) Identify opportunities where owners of transmission lines in South Dakota and generators and distributors of electricity to consumers in South Dakota can cooperate to improve and increase electric transmission in South Dakota and communicate those opportunities to owners, generators, and distributors of electricity in South Dakota;
- (6) Assist any entity that wants to build new or upgrade existing electric transmission facilities to, from, and within South Dakota by helping the entity develop a business plan and identify financing options; and
- (7) Assist other state transmission authorities and any federal or regional entity wanting to build new or upgrade existing transmission facilities to deliver electricity to, from, and within South Dakota.

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

1-16I-9. Members of the board shall receive compensation for the performance of their duties

as established by the Legislature in accordance with § 4-7-10.4 from the funds of the authority. Members may be reimbursed at rates established by the Board of Finance for necessary expenses, including travel and lodging expenses, incurred in connection with the performance of their duties as members.

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

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

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

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

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I certify that the attached Act originated in the

SENATE as Bill No. 58

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 58

File No. _____

Chapter No. _____

Received at this Executive Office this ____ day of _____,

20__ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____, A.D., 20__

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State