

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

400L0782

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1260** - 02/11/2005

Introduced by: The Committee on State Affairs at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to create the South Dakota Electric Transmission  
2 Assistance Authority.

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

4 Section 1. Terms used in this Act mean:

5 (1) "Authority," the South Dakota Electric Transmission Assistance Authority created  
6 by this Act;

7 (2) Board," the board of directors of the authority.

8 Section 2. The authority is created and has a five-member board of directors. The Governor  
9 shall appoint the board members and not all members of the board may be of the same political  
10 party. The members of the initial board shall be appointed for staggered terms with two  
11 members for terms of one year each and the other members for terms of two, three, and four  
12 years, respectively, as designated at the time of appointment. Thereafter all members shall be  
13 appointed for four year terms. Members of the board may serve more than one term. The  
14 members shall elect from the membership a chair, vice-chair, and secretary. A majority of  
15 persons appointed and serving as members shall be qualified voters of the State of South Dakota



1 and a majority of members shall possess special knowledge in the field of electric power or  
2 energy transmission or generation. The board members shall receive per diem set pursuant to  
3 § 4-7-10.4 and expenses at the same rate as other state employees while engaged in their official  
4 duties.

5 Section 3. The authority shall:

- 6 (1) Meet with all willing owners of transmission lines in South Dakota and all willing  
7 generators and distributors of electricity to consumers in South Dakota by August  
8 first each year to understand transmission enhancements needed for the transmission  
9 of electricity to, from, and within South Dakota, and to analyze how the authority  
10 could proactively assist in developing transmission infrastructure;
- 11 (2) Report its findings and make recommendations to the Governor, the Legislature, and  
12 the South Dakota congressional delegation by December first of each year concerning  
13 what the private sector, the state, and the federal government can do to create and  
14 enhance the transmission of electricity to, from, and within South Dakota. The report  
15 due December 1, 2005, shall address and quantify market opportunities for the  
16 development, use in-state, and export of South Dakota's enormous wind power  
17 resource;
- 18 (3) Annually evaluate state laws and rules affecting electric transmission and make  
19 recommendations to the Governor and the Legislature for improvements by  
20 December first of each year;
- 21 (4) Annually evaluate federal laws and rules affecting electric transmission and make  
22 recommendations to the South Dakota congressional delegation for improvements  
23 by December first of each year;
- 24 (5) Identify opportunities where owners of transmission lines in South Dakota and

1 generators and distributors of electricity to consumers in South Dakota can cooperate  
2 to improve and increase electric transmission in South Dakota and communicate  
3 those opportunities to owners, generators, and distributors of electricity in South  
4 Dakota;

5 (6) Assist any entity or group of entities who wish to create or enhance electric  
6 transmission to, from, and within South Dakota by helping them develop a business  
7 plan and identify financing options; and

8 (7) Assist the electric transmission authorities of other states and any other federal or  
9 regional entity wanting to create additional transmission or enhance current  
10 transmission of electricity to, from, and within South Dakota.

11 Section 4. The authority shall be administered by the Department of Tourism and State  
12 Development.