

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

264L0557

SENATE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1139** -

02/24/2005

Introduced by: Representatives McLaughlin, Buckingham, Cutler, Fryslie, Halverson, Hanks, Murschel, Pederson (Gordon), and Rave and Senators Sutton (Dan), Bartling, Broderick, Hundstad, Koetzle, McCracken, Moore, Peterson (Jim), and Schoenbeck

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to energy conservation
2 measures.

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

4 Section 1. That § 1-33B-2 be amended to read as follows:

5 1-33B-2. For the purposes of this chapter, the term[—], energy conservation measure[—], means
6 a training program or facility alteration intended to reduce either energy consumption or
7 operating costs, or both, or increase operating revenues through the generation of energy,
8 renewable energy, or improved metering technology, including the following:

- 9 (1) Insulation of the building or any structure associated with the building;
10 (2) Window or door replacement, weather stripping, or modifications that reduce energy
11 consumption;
12 (3) Automated or computerized energy control systems;
13 (4) Replacement or modification to increase the energy efficiency of the lighting,



1 heating, air conditioning, or ventilating systems;

2 (5) Energy recovery or cogeneration systems;

3 (6) Repair or maintenance items, when included in energy efficiency improvements of
4 the building, if overall measures meet the ~~ten-year~~ fifteen-year payback as provided
5 in § 1-33B-7; ~~and~~

6 (7) Energy source conversions which provide either operational or energy cost savings,
7 or both; and

8 (8) Other energy or utility-related improvements in facilities, systems, or technology that
9 improve energy or metering efficiency or increase operating revenues through the
10 generation of energy, renewable energy, or improved metering technology.

11 Nothing in this section addresses the relationship between an electric utility and its customer
12 under a proposed energy exchange contract, where the customer seeks status as a qualifying
13 facility under the Public Utility Regulatory Policies Act of 1978, as defined by 18 CFR Part 292,
14 Subpart B, as it existed on January 1, 2005.