

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

258R0361

SENATE BILL NO. 95

Introduced by: Senators Kloucek, Ahlers, Bartling, Bradford, Garnos, Hanson (Gary), Heidepriem, Jerstad, Maher, Merchant, Miles, Peterson, and Turbak Berry and Representatives Frerichs, Blake, Elliott, Engels, Feickert, Gibson, Hoffman, Hunhoff (Bernie), Kirschman, Lange, Lederman, Lucas, Schrempp, Solberg, Sorenson, Thompson, Vanderlinde, and Wismer

1 FOR AN ACT ENTITLED, An Act to establish a grant program to fund certain energy
2 efficiency projects.

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

4 Section 1. That chapter 1-33B be amended by adding thereto a NEW SECTION to read as
5 follows:

6 There is created within the energy conservation loan special revenue fund in § 1-33B-18 the
7 energy efficiency subfund. The purpose of the subfund created by this section is to establish a
8 grant program for energy efficiency projects.

9 Section 2. That chapter 1-33B be amended by adding thereto a NEW SECTION to read as
10 follows:

11 The department shall annually designate three hundred thousand dollars of the money in the
12 energy conservation loan special revenue fund to the energy efficiency subfund. The department
13 shall award grants from the subfund for energy efficiency projects that are no less than one



1 thousand dollars but no more than fifty thousand dollars.

2 Section 3. That chapter 1-33B be amended by adding thereto a NEW SECTION to read as
3 follows:

4 The department shall establish a grant program with the objective of assisting communities
5 and nonprofit organizations to implement projects intended to reduce energy consumption and
6 make communities more sustainable and energy efficient. Any municipality, county, or
7 nonprofit organization involved with energy efficiency or conservation efforts may submit an
8 application to the program. At least fifty percent of the total cost of the project shall be funded
9 by the applicant. The match may consist of cash or in-kind services, which shall be documented
10 in the application. The department shall adopt rules pursuant to § 1-33B-15 to establish
11 eligibility and approval criteria for the grant program. The projects funded through the grant
12 program shall encourage partnerships between public and private sector groups and develop
13 collaboration and community involvement in energy efficiency efforts. A project is eligible for
14 funding if it meets one or more of the following criteria:

- 15 (1) Promotes the installation of a renewable energy system by any homeowner or small
16 business;
- 17 (2) Develops a community energy saving plan;
- 18 (3) Publicizes energy savings opportunities in the community;
- 19 (4) Focuses on education programs for elementary and secondary students related to
20 increasing community energy efficiency efforts;
- 21 (5) Creates a community or regional energy efficiency alliance; or
- 22 (6) Develops low cost energy efficiency public awareness campaign, highlighting
23 strategies and success stories.

24 The department shall establish an application and approval process that results in the

1 awarding of any approved grant within a three month period following receipt by the department
2 of an application. The department shall prepare an annual report summarizing the operation of
3 the program, and shall submit the report by January first each year to the joint committee on
4 appropriations.

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

6 1-33B-1. Terms used in this chapter mean:

7 (1) "Department," the Department of Tourism and Economic Development;

8 (2) "Governmental unit," state government or any political subdivision of the state;

9 ~~(2)~~(3) "Guaranteed energy savings contract," a contract for measures which provides that
10 either energy or operational cost savings, or both, are guaranteed to the extent
11 necessary to make payments for the measures recommended in the contract;

12 ~~(3)~~(4) "Qualified provider," a person, business, or state agency experienced in the design,
13 implementation, or installation of energy conservation measures who can
14 demonstrate the financial capabilities of completing the obligations stipulated in a
15 guaranteed energy savings contract.