AN ACT

ENTITLED, An Act to provide for the creation of a renewable electricity and recycled energy renewable energy credit system by the Public Utilities Commission.

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

Section 1. That chapter 49-34A be amended by adding thereto a NEW SECTION to read as follows:

For the purposes of this Act, renewable electricity and recycled energy include electricity generated from facilities using one or more of the following sources:

(1) Wind that uses wind as the source of energy to produce electricity;

(2) Solar that uses the sun as the source of energy to produce electricity;

(3) Hydroelectric that uses water as the source of energy to produce electricity, with a capacity of less than sixty megawatts;

(4) Hydrogen that is generated from one of the sources listed in this section;

(5) Biomass that uses agricultural crops and agricultural wastes and residues, wood and wood wastes and residues, animal and other degradable organic wastes, or landfill gas as the fuel to produce electricity;

(6) Geothermal that uses energy contained in heat that continuously flows outward from the earth as the source of energy to produce electricity; and

(7) Recycled energy systems that produce electricity from currently unused waste heat resulting from combustion or other processes and which do not use an additional combustion process. The term does not include any system whose primary purpose is the generation of electricity.

Section 2. That chapter 49-34A be amended by adding thereto a NEW SECTION to read as follows:

The commission may establish, or allow participation in, a system of renewable energy credits for electricity generated from renewable electricity or recycled energy. A renewable energy credit system shall track, record, and verify the trading of credits for electricity generated from renewable electricity and recycled energy sources among electric generators, utilities, and other interested entities within the state and with similar entities in other states. This Act applies to any provider of electricity that generates electricity from renewable electricity or recycled energy.

Section 3. That chapter 49-34A be amended by adding thereto a NEW SECTION to read as follows:

The commission may promulgate rules pursuant to chapter 1-26 concerning:

(1) Requirements for tracking, recording, and verifying the trading of renewable energy credits;

(2) Requirements for compliance with a renewable energy credit system;

(3) Requirements for certification of renewable energy credits;

(4) Requirements for participation in a regional system that relates to renewable energy credits; and

(5) Requirements regarding the eligibility of a provider of electricity generated from renewable electricity or recycled energy to participate in the system.

An Act to provide for the creation of a renewable electricity and recycled energy renewable energy credit system by the Public Utilities Commission.

I certify that the attached Act originated in the

HOUSE as Bill No. 1016

Karen Gerdes
Chief Clerk

Speaker of the House

Attest:

Karen Gerdes
Chief Clerk

President of the Senate

Attest:

Patricia Adam
Secretary of the Senate

House Bill No. 1016
File No. ____
Chapter No. _____

Received at this Executive Office this 24th day of February, 2006 at 9:20 A.M.

By Jean Blow
for the Governor

The attached Act is hereby approved this 28th day of February, A.D., 2006

M. Michael Rounds
Governor

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

Filed March 1, 2006 at 9:58 o'clock A M.

Secretary of State

By
Asst. Secretary of State