

## **Local Review Committee Duties Pursuant to SDCL Chapter 49-41B**

**SDCL 49-41B-6.** Designation of affected area by commission after notification of intent filed-- Local review committee designated, composition. Within thirty days after the filing of the notification of intent to apply for a permit for the construction of an energy conversion facility or AC/DC conversion facility, the Public Utilities Commission shall designate the affected area and a local review committee composed of:

- (1) The chair of the tribal council of each affected reservation;
- (2) The president of the board of education of each affected school district;
- (3) The chair of the county commissioners of each affected county;
- (4) The mayor of each affected municipality; and
- (5) A representative of the applicant utility designated by the utilities.

**Source:** SL 1977, ch 390, § 10; SL 2006, ch 242, § 3.

**SDCL 49-41B-7.** Assessment by local review committee--Factors included. The local review committee shall meet to assess the extent of the potential social and economic effect to be generated by the proposed facility, to assess the affected area's capacity to absorb those effects at various stages of construction, and formulate mitigation measures. The assessment of the local review committee shall include but not be limited to consideration of the temporary and permanent alternatives in the following areas:

- (1) Housing supplies;
- (2) Educational facilities and manpower;
- (3) Waste supply and distribution;
- (4) Waste water treatment and collection;
- (5) Solid waste disposal and collection;
- (6) Law enforcement;
- (7) Transportation;
- (8) Fire protection;
- (9) Health;
- (10) Recreation;
- (11) Government;
- (12) Energy.

**Source:** SL 1977, ch 390, § 12.

**SDCL 49-41B-8.** Employment of personnel by committee--Expenses--Information furnished by commission. The local review committee may employ such persons as determined by the Public Utilities Commission which may be required to carry out the provisions of § 49-41B-7 and the expenses of said staff shall be paid from the initial filing fee. The commission shall furnish copies of the application to the members of the local review committee and all other information which the commission determines that the committee should receive.

Source: SL 1977, ch 390, § 14.

**SDCL 49-41B-9.** Financing of committee expenses. Expense payments and other authorized payments to members of the local review committee for their service on the committee shall be financed by the unit of government or utility which they represent.

Source: SL 1977, ch 390, § 11.

**SDCL 49-41B-10.** Final report of committee. Within seven months after the application is filed the local review committee shall file a final report with the Public Utilities Commission which includes the recommendations of the committee as to mitigation measures and minority reports.

Source: SL 1977, ch 390, § 13.

**49-41B-20.** Final report heard by commission at final hearing--Decision on application--Adoption of committee's report. The final report shall be heard by the Public Utilities Commission at the final hearing wherein the commission makes its decision on the application for a permit. The local review committee report may be adopted in whole or in part, at the discretion of the commission.

**Source:** SL 1977, ch 390, § 13.