

Fifty-ninth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO.**

Introduced by

Representative Nelson

1 A BILL for an Act to create and enact a new section to chapter 49-02 of the North Dakota  
2 Century Code, relating to a renewable energy credit trading and tracking system by the public  
3 service commission.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 49-02 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Renewable energy credit trading and tracking system.** Notwithstanding any other  
8 provision of law, the commission, by rule or order, may establish a program for tradeable credits  
9 for electricity generated by an eligible energy technology. In establishing this program, the  
10 commission shall implement a system that constrains or limits the cost of credits, taking care to  
11 ensure that the system does not undermine the market for those credits. The commission may  
12 facilitate the trading of renewable energy credits between states. This section applies to all  
13 public utilities, including electric cooperatives and municipal electric utilities. As used in this  
14 section, eligible energy technology includes solar; wind; hydroelectric with a capacity of less  
15 than sixty megawatts; hydrogen, provided that after January 1, 2010, the hydrogen must be  
16 generated from the resources listed in this section; or biomass, which includes an energy  
17 recovery facility used to capture the heat value of mixed municipal solid waste or refuse-derived  
18 fuel from mixed municipal solid waste as a primary fuel.