

Introduced by

Representatives Nelson, Delmore, Klein, Svedjan

Senators Bercier, Trenbeath

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

8 Notwithstanding any other provision of law, the commission by rule may establish or participate  
9 in a program to track, record, and verify electricity generated from renewable and recycled heat  
10 sources. The program must track, record, and verify the trading of credits for electricity  
11 generated from renewable and recycled heat sources among electric generators, utilities, and  
12 other interested entities within this state and with similar entities in other states. This section  
13 applies to all public utilities, electric cooperatives, and municipal electric utilities.

14 **SECTION 2.** A new section to chapter 49-02 of the North Dakota Century Code is  
15 created and enacted as follows:

16 **Renewable electricity and recycled energy defined.** As used in section 1 of this Act,  
17 renewable electricity and recycled energy include electricity generated from facilities using the  
18 following sources:

- 19 1. Solar, using the sun as the source of energy for producing electricity.
- 20 2. Wind, using the wind as the source of energy for producing electricity.
- 21 3. Biomass, using agricultural crops and agricultural wastes and residues, wood and  
22 wood wastes and residues, animal wastes, and landfill gas as the fuel to produce  
23 electricity.
- 24 4. Hydroelectric, using water as the source of energy to produce electricity.

- 1           5.    Geothermal, using energy contained in heat that continuously flows outward from
- 2               the earth as the source of energy to produce electricity.
- 3           6.    Hydrogen, provided that the hydrogen is generated from a source listed in this
- 4               section.
- 5           7.    Recycled energy systems producing electricity from currently unused waste heat
- 6               resulting from combustion or other processes into electricity and which do not use
- 7               an additional combustion process. The term does not include any system whose
- 8               primary purpose is the generation of electricity.

9           **SECTION 3.** A new section to chapter 49-02 of the North Dakota Century Code is  
10 created and enacted as follows:

11           **Qualifying for renewable electricity and recycled energy credits.** For purposes of  
12 qualifying for renewable electricity and recycled energy credits, electricity must be generated  
13 from a source identified in section 2 of this Act.