

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1449

Introduced by

Representative DeKrey

A BILL for an Act to create and enact a new subdivision to subsection 1 of section 49-22-08 of the North Dakota Century Code, relating to an application for siting an energy conversion facility; and to amend and reenact section 49-02-27 of the North Dakota Century Code, relating to the decommissioning of wind energy conversion facilities.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 49-02-27 of the North Dakota Century Code is amended and reenacted as follows:

**~~49-02-27. Power of commission to establish rules to decommission~~
Decommissioning of wind energy conversion facilities.**

1. The commission may adopt rules governing the decommissioning of commercial wind energy conversion facilities. The rules may address:
 - ~~1-~~ a. The anticipated life of the project;
 - ~~2-~~ b. The estimated decommissioning costs in current dollars;
 - ~~3-~~ c. The method and schedule for updating the costs of the decommissioning and restoration;
 - ~~4-~~ d. The method of ensuring that funds will be available for decommissioning and restoration; and
 - ~~5-~~ e. The anticipated manner in which the project will be decommissioned and the site restored.
2. The facility owner or operator of a commercial wind energy facility shall record the location of any portion of the facility remaining after decommissioning with the county recorder in the county in which any remaining portion of the facility is located. The facility includes any cables, foundations, buildings, or other ancillary equipment associated with the facility.

1 **SECTION 2.** A new subdivision to subsection 1 of section 49-22-08 of the North Dakota
2 Century Code is created and enacted as follows:
3 A statement explaining the manner in which an energy conversion facility will
4 inform affected subsurface mineral owners.