Fifty-seventh Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 9, 2001

HOUSE BILL NO. 1221 (Representatives Severson, Brandenburg, Devlin, Disrud) (Senators Kroeplin, Wanzek)

AN ACT to amend and reenact subdivision b of subsection 1 of section 57-39.2-04.2 and subdivision b of subsection 1 of section 57-40.2-04.2 of the North Dakota Century Code, relating to sales and use tax exemptions for certain wind-powered electrical generating facilities; to provide an effective date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subdivision b of subsection 1 of section 57-39.2-04.2 of the North Dakota Century Code is amended and reenacted as follows:

- b. "Power plant" means an:
 - (1) An electrical generating plant, together with and all additions thereto to the plant, which processes or converts lignite from its natural form into electrical power and which has at least one single electrical energy generation unit with a capacity of one hundred twenty thousand kilowatts or more.
 - (2) A wind-powered electrical generating facility, on which construction is completed before January 1, 2011, and all additions to the facility, which provides electrical power through wind generation and which has at least one single electrical energy generation unit with a nameplate capacity of one hundred kilowatts or more.

SECTION 2. AMENDMENT. Subdivision b of subsection 1 of section 57-40.2-04.2 of the North Dakota Century Code is amended and reenacted as follows:

- b. "Power plant" means an:
 - (1) An electrical generating plant, together with and all additions thereto to the plant, which processes or converts lignite from its natural form into electrical power and which has at least one single electrical energy generation unit with a capacity of one hundred twenty thousand kilowatts or more.
 - (2) A wind-powered electrical generating facility, on which construction is completed before January 1, 2011, and all additions to the facility, which provides electrical power through wind generation and which has at least one single electrical energy generation unit with a nameplate capacity of one hundred kilowatts or more.

SECTION 3. EFFECTIVE DATE. This Act is effective for taxable events occurring after June 30, 2001.

SECTION 4. EMERGENCY. This Act is declared to be an emergency measure.

	Speaker of the House				President of the Senate			
Chief Clerk of the House				Secretary of the Senate				
Legislative	Assembly	of North Dak	ota and is know	vn on the	e of Representati records of that boo presentatives vote	dy as Ho	use Bill No. 1221	
Vote:	Yeas	98	Nays	0	Absent	0		
	Speaker of the House				Chief Clerk of the House			
This certifi	es that two	thirds of the	members-elect	of the Ser	nate voted in favor	of said	aw.	
Vote:	Yeas	45	Nays	0	Absent	4		
President of the Senate				Secretary of the Senate				
Received by the Governor at M. on							_, 2001.	
Approved at M. on							_, 2001.	
				G	overnor			
Filed in this office this day of							_, 2001,	
at	o'clock _	M.						
				S	ecretary of State			