

FIRST ENGROSSMENT
with Senate Amendments

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1449

Introduced by

Representative DeKrey

1 A BILL for an Act to amend and reenact section 49-02-27 of the North Dakota Century Code,
2 relating to the decommissioning of wind energy conversion facilities.

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

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

6 **49-02-27. ~~Power of commission to establish rules to decommission~~**

7 **Decommissioning of wind energy conversion facilities.**

8 1. The commission may adopt rules governing the decommissioning of commercial
9 wind energy conversion facilities. The rules may address:

10 ~~1.~~ a. The anticipated life of the project;

11 ~~2.~~ b. The estimated decommissioning costs in current dollars;

12 ~~3.~~ c. The method and schedule for updating the costs of the decommissioning and
13 restoration;

14 ~~4.~~ d. The method of ensuring that funds will be available for decommissioning and
15 restoration; and

16 ~~5.~~ e. The anticipated manner in which the project will be decommissioned and the
17 site restored.

18 2. The facility owner or operator of a commercial wind energy facility shall record the
19 location of any portion of underground foundation not removed during
20 decommissioning with the county recorder in the county in which any such
21 underground foundation is located.