

Sixty-ninth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1211**

Introduced by

Representatives Monson, Beltz, Hagert, Nelson, Vigesaa, Weisz

Senators Klein, Lemm, Myrdal, Wanzek

1 A BILL for an Act to amend and reenact sections 49-02-26, 49-02-29, and 49-02-31 of the North  
2 Dakota Century Code, relating to renewable electricity and recycled energy credits; and to  
3 repeal section 49-02-30 of the North Dakota Century Code, relating to energy from hydroelectric  
4 facilities.

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

6 **SECTION 1. AMENDMENT.** Section 49-02-26 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **49-02-26. Qualifying for renewable electricity and recycled energy credits –Exception**  
9 **for certain hydroelectric facilities.**

10 ~~Except as otherwise provided in this section, for~~For purposes of qualifying for renewable  
11 electricity and recycled energy credits, electricity must be generated from a source identified in  
12 section 49-02-25. ~~For electricity generated from hydroelectric facilities, the hydroelectric facility~~  
13 ~~must have an inservice date of January 1, 2007, or later, or be new hydroelectric generation~~  
14 ~~obtained from repowering or efficiency improvements to hydroelectric facilities existing on~~  
15 ~~August 1, 2007.~~

16 **SECTION 2. AMENDMENT.** Section 49-02-29 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18 **49-02-29. Qualifying for renewable electricity and recycled energy objective.**

19 For purposes of qualifying for the renewable electricity and recycled energy objective  
20 contained in section 49-02-28, electricity, ~~except for electricity generated from a hydroelectric~~  
21 ~~facility with an inservice date before January 1, 2007, and electricity that is not obtained from~~  
22 ~~repowering or efficiency improvements to a hydropower facility existing on August 1, 2007,~~  
23 ~~regardless of the source's inservice date,~~ qualifies for meeting the statewide objective provided

1 that the source meets the requirements of the North Dakota public service commission's rules  
2 for tracking, recording, and verifying renewable energy certificates.

3 **SECTION 3. AMENDMENT.** Section 49-02-31 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5 **49-02-31. Purchase and retirement of renewable energy and recycled energy**  
6 **certificates to meet the objective.**

7 A portion or all of the renewable energy and recycled energy objective may be met by the  
8 purchase and retirement of renewable energy and recycled energy certificates representing  
9 credits from qualified sources and facilities as ~~defined~~described in ~~sections~~section 49-02-26 and  
10 49-02-30. Renewable energy and recycled energy certificates do not need to be acquired from  
11 an in-state facility.

12 **SECTION 4. REPEAL.** Section 49-02-30 of the North Dakota Century Code is repealed.