

PROPOSED NEW FORMAT FOR AMENDMENT INSTRUCTIONS

CURRENT AMENDMENT INSTRUCTIONS

23.8034.01001
Title.02000

Adopted by the House Energy and Natural Resources Committee
January 19, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1090

Page 1, line 1, after "23.1-08-04" insert "and subsection 2 of section 23.1-08-08"

Page 1, line 2, after "residuals" insert "and disposal of wind turbine blades"

Page 1, after line 16, insert:

"SECTION 2. AMENDMENT. Subsection 2 of section 23.1-08-08 of the North Dakota Century Code is amended and reenacted as follows:

2. Except as provided in subsection 3, a person may not place in municipal waste or discard or dispose of in a landfill lead-acid batteries, used motor oil, wind turbine blades, or major appliances."

Page 1, line 17, replace "This" with "Section 1 of this"

Renumber accordingly

Page No. 1 23.8034.01001

MARKED UP VERSION

23.8034.01001

Sixty-eighth Legislative Assembly of North Dakota

HOUSE BILL NO. 1090

Introduced by

Energy and Natural Resources Committee

(At the request of the Department of Environmental Quality)

1 A BILL for an Act to amend and reenact section 23.1-08-04 and subsection 2 of section
2 23.1-08-08 of the North Dakota Century Code, relating to coal combustion residuals and
3 disposal of wind turbine blades; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 23.1-08-04 of the North Dakota Century Code is
6 amended and reenacted as follows:
7 **23.1-08-04. Coal combustion residuals - Present use and disposal deemed**
8 **acceptable.**
9 Notwithstanding any other provision of law, the legislative assembly deems the present use
10 and disposal of coal combustion residuals to be acceptable and that present regulation allows
11 for the beneficial use of coal combustion residuals in concrete, for other construction
12 applications, and for other innovative uses and allows for safe disposal without coal combustion
13 residuals being regulated as a hazardous waste. For purposes of regulating coal combustion
14 residuals, the term "ground water" means water below the land surface in a zone of saturation.
15 If a federal law or regulation is adopted pertaining to the use and disposal of coal combustion
16 residuals, this section does not prohibit the state from seeking state primacy of the federal
17 program.

18 **SECTION 2. AMENDMENT.** Subsection 2 of section 23.1-08-08 of the North Dakota
19 Century Code is amended and reenacted as follows:
20 2. Except as provided in subsection 3, a person may not place in municipal waste or
21 discard or dispose of in a landfill lead-acid batteries, used motor oil, wind turbine
22 blades, or major appliances.

23 **SECTION 3. EMERGENCY.** This Section 1 of this Act is declared to be an emergency
24 measure.

Page No. 1 23.8034.01001

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23.1-08-08 of the North Dakota Century Code, relating to coal combustion residuals and
disposal of wind turbine blades; and to declare an emergency.

SECTION 2. AMENDMENT. Subsection 2 of section 23.1-08-08 of the North Dakota Century Code is amended and reenacted as follows:

2. Except as provided in subsection 3, a person may not place in municipal waste or discard or dispose of in a landfill lead-acid batteries, used motor oil, wind turbine blades, or major appliances.

SECTION 3. EMERGENCY. This Section 1 of this Act is declared to be an emergency measure.

Page No. 1 23.8034.01001

CURRENT JOURNAL LAYOUT

REPORT OF STANDING COMMITTEE

HB 1090: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1090 was placed on the Sixth order on the calendar.

Page 1, line 1, after "23.1-08-04" insert "and subsection 2 of section 23.1-08-08"

Page 1, line 2, after "residuals" insert "and disposal of wind turbine blades"

Page 1, after line 16, insert:

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Page 1, line 17, replace "This" with "Section 1 of this"

Re-number accordingly

PROPOSED NEW JOURNAL LAYOUT

REPORT OF STANDING COMMITTEE

HB 1090: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS (23.8034.01001) AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1090 was placed on the Sixth order on the Calendar.

A BILL for an Act to amend and reenact section 23.1-08-04 and subsection 2 of section 23.1-08-08 of the North Dakota Century Code, relating to coal combustion residuals and disposal of wind turbine blades; and to declare an emergency.

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2. Except as provided in subsection 3, a person may not place in municipal waste or discard or dispose of in a landfill lead-acid batteries, used motor oil, wind turbine blades, or major appliances.

SECTION 3. EMERGENCY. ~~This~~Section 1 of this Act is declared to be an emergency measure.

CURRENT LEAD-IN LANGUAGE

REPORT OF STANDING COMMITTEE

HB 1158: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1158 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 3 of section 15.1-27-02, sections 15.1-27-04.1 and 15.1-27-04.2,

PROPOSED NEW LEAD-IN LANGUAGE

REPORT OF STANDING COMMITTEE

HB 1158: Finance and Taxation Committee (Sen. Kannianen, Chairman) recommends **AMENDMENTS (23.0351.02009) AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1158 was placed on the Sixth order on the Calendar. This bill affects workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 3 of section 15.1-27-02, sections 15.1-27-04.1 and 15.1-27-04.2

SENATE AMENDMENTS TO HOUSE BILL NO. 1158

In lieu of the amendments adopted by the Senate as printed on page 1076-1095 of the Senate Journal, House Bill No. 1158 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 3 of section 15.1-27-02, sections 15.1-27-04.1 and 15.1-27-04.2,

SENATE AMENDMENTS TO HOUSE BILL NO. 1158

In place of the amendments (23.0351.02009) adopted by the Senate, House Bill No. 1158 is amended (23.0351.02010) as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 3 of section 15.1-27-02, sections 15.1-27-04.1 and 15.1-27-04.2

REPORT OF CONFERENCE COMMITTEE

HB 1052, as engrossed: Your conference committee (Sens. Kessel, Larsen, Klein and Reps. Koppelman, Dakane, D. Ruby) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1389, adopt further amendments as follows, and place HB 1052 on the Seventh order:

REPORT OF CONFERENCE COMMITTEE

HB 1052, as engrossed: Your conference committee (Sens. Kessel, Larsen, Klein and Reps. Koppelman, Dakane, D. Ruby) recommends that, in place of the amendments (23.8094.02001) adopted by the Senate, HB 1052 be amended (23.8094.02002) as follows and placed on the Seventh order: