

PROPOSED AMENDMENTS TO SENATE BILL NO. 2313

- Page 1, line 1, replace "subdivision to subsection 1 of section 49-22-08" with "section to chapter 4-01"
- Page 1, line 2, remove "application requirements for certificates of site and"
- Page 1, line 3, replace "corridor compatibility for energy conversion facilities; and" with "a wind energy restoration and reclamation oversight program;"
- Page 1, line 4, replace "49-02-27" with "49-02-34"
- Page 1, line 5, remove "the decommissioning of commercial wind energy"
- Page 1, line 6, replace "conversion facilities" with "annual reports on meeting renewable and recycled energy objectives"
- Page 1, line 6, after the second "facilities" insert "; and to provide for application"
- Page 1, after line 7 insert:

"**SECTION 1.** A new section to chapter 4-01 of the North Dakota Century Code is created and enacted as follows:

**Wind energy restoration and reclamation oversight program.**

1. The agricultural commissioner shall establish a program that provides technical assistance and support to property owners on wind property restoration and followup support to property owners on wind property reclamation.
2. The agricultural commissioner may contract for ombudsmen for purposes of being a resource for technical assistance and followup on wind property issues. The ombudsmen may not investigate or assist in any easement negotiations.
3. The program may provide technical education, support, and outreach on wind-related matters in coordination with other entities.
4. The agricultural commissioner may contract with local individuals, deemed trustworthy by property owners, to be ombudsmen. The agricultural commissioner is not subject to chapter 54-44.4 when contracting for the services of ombudsmen."

Page 1, line 14, replace "decommissioning" with "full reclamation"

Page 1, remove lines 22 and 23

Page 2, remove lines 1 through 31

Page 3, replace lines 1 through 13 with:

"**SECTION 3. AMENDMENT.** Section 49-02-34 of the North Dakota Century Code is amended and reenacted as follows:

**49-02-34. Public reporting on progress toward meeting the renewable energy and recycled energy objective.**

Commencing on June 30, 2009, retail providers shall report annually on the provider's previous calendar year's energy sales. This report must include information regarding qualifying electricity delivered and renewable energy and recycled energy certificates purchased and retired as a percentage of annual retail sales and a brief narrative report that describes steps taken to meet the objective over time and identifies any challenges or barriers encountered in meeting the objective. ~~The last annual report must be made on June 30, 2016.~~ Retail providers shall report to the public service commission, which shall make data and narrative reports publicly available and accessible electronically on the internet. Distribution cooperatives may aggregate their reporting through generation and transmission cooperatives and municipal utilities may aggregate their reporting through a municipal power agency."

Page 3, line 29, remove "The following geographical areas must be excluded in the consideration of a site for a"

Page 3, remove line 30

Page 3, line 31, remove "a."

Page 3, line 31, remove the underscored colon

Page 4, remove lines 1 through 9

Page 4, line 10, replace "(6) Two" with "one and one-tenth"

Page 4, line 11, after "landowner" insert "and three times the height of the turbine from any quarter section of property containing an occupied residence of a nonparticipating landowner, must be excluded in the consideration of a site for a wind energy conversion area"

Page 4, replace lines 18 through 25 with:

**"SECTION 5. APPLICATION.** Section 4 of this Act applies only to projects that have applied for a certificate of site compatibility after December 31, 2017."

Re-number accordingly