

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1221

Introduced by

Representatives Severson, Brandenburg, Devlin, Disrud

Senators Kroepelin, Wanzek

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

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

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

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

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

- 21 b. "Power plant" means ~~an~~:
 - 22 (1) An electrical generating plant, together with and all additions thereto to
23 the plant, which processes or converts lignite from its natural form into
24 electrical power and which has at least one single electrical energy

1 generation unit with a capacity of one hundred twenty thousand
2 kilowatts or more.

3 (2) A wind-powered electrical generating facility, on which construction is
4 completed before January 1, 2011, and all additions to the facility,
5 which provides electrical power through wind generation and which has
6 at least one single electrical energy generation unit with a nameplate
7 capacity of one hundred kilowatts or more.

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

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