

Sixty-first
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3044

Introduced by

Representatives Mueller, DeKrey, Kaldor

Senators Horne, Triplett, Wardner

1 A concurrent resolution directing the Legislative Council to study the allocation of wind rights.

2 **WHEREAS**, defining wind rights and establishing a connection between wind rights and
3 the surface estate would provide all stakeholders consistency and stability in the development
4 of wind power; and

5 **WHEREAS**, noise and visual disturbances created by wind towers are issues that are
6 best addressed at the beginning stages of a wind farm and in a consistent manner; and

7 **WHEREAS**, consistent spacing between wind turbines and from property boundaries
8 provides for fair allocation of wind resources while respecting property rights; and

9 **WHEREAS**, other rights as to natural resources, for example, oil and gas, which are
10 connected with real property, are allocated in relation to the surface rights and not on a
11 first-come, first-served basis;

12 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
13 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

14 That the Legislative Council study the allocation of wind rights; and

15 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
16 recommendations, together with any legislation required to implement the recommendations, to
17 the Sixty-second Legislative Assembly.