

HOUSE BILL NO. 1509

Introduced by

Representatives Nelson, DeKrey, Mueller

Senators Andrist, Klein, Triplett

1 A BILL for an Act to create and enact a new section to chapter 17-04 of the North Dakota
2 Century Code, relating to a code of conduct for wind energy leases.

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

4 **SECTION 1.** A new section to chapter 17-04 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Code of conduct for wind energy leases.**

- 7 1. The public service commission shall adopt rules establishing a code of conduct for
8 wind lessees which specifies standards of conduct in wind energy lease
9 negotiations and includes basic terms for wind energy leases.
- 10 2. A wind energy rights lessee shall file a pledge with the commission whether the
11 lessee agrees to follow the code of conduct. A wind energy rights lessee shall
12 provide a copy of the code of conduct to any person with whom the lessee
13 discusses or negotiates the lease of wind energy rights at least two business days
14 before entering any lease. The first visible page of the code of conduct must
15 contain a statement in bold twenty-point type that states either "The lessee does
16 not follow the code of conduct" or "The lessee follows the code of conduct", as the
17 case may be. A wind energy rights lessee that provides a pledge to the
18 commission or represents to a lessor that the lessee follows the code of conduct
19 and who does not follow the code of conduct has made a misrepresentation of a
20 material fact in a subsequent lease.