

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2244

Introduced by

Senators Erbele, Andrist, Wardner

Representatives Kempenich, Monson, Wikenheiser

1 A BILL for an Act to provide for the development and operation of wind turbines by public
2 school districts; to create and enact a new subsection to section 15.1-09-33 of the North
3 Dakota Century Code, relating to the powers of school boards; and to amend and reenact
4 subsection 5 of section 15.1-36-01 and subsection 4 of section 21-03-06 of the North Dakota
5 Century Code, relating to school construction projects and school district bonds.

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

7 **SECTION 1.** A new subsection to section 15.1-09-33 of the North Dakota Century
8 Code is created and enacted as follows:

9 Develop, construct, and operate wind turbines.

10 **SECTION 2. AMENDMENT.** Subsection 5 of section 15.1-36-01 of the North Dakota
11 Century Code is amended and reenacted as follows:

12 5. For purposes of this chapter, "facility" includes a public school parking lot, public
13 school athletic complex, wind turbine, or any other improvement to real property
14 owned by the school district.

15 **SECTION 3. AMENDMENT.** Subsection 4 of section 21-03-06 of the North Dakota
16 Century Code is amended and reenacted as follows:

17 4. By ~~any~~ a public school district, or the school district of the city of Fargo, to
18 purchase, erect, enlarge, and improve school buildings and teacherages, to
19 acquire sites therefor and for playgrounds, to furnish and equip the same with
20 heat, light, and ventilation or other necessary apparatus, to develop, construct, and
21 operate wind turbines, to pay advance rentals to the state school construction
22 fund, and ~~also~~ to purchase schoolbus equipment which must meet the standards
23 ~~set up~~ established by the ~~state~~ superintendent of public instruction and the director
24 of the department of transportation.

- 1 **SECTION 4. School district wind turbines - Joint powers agreements.**
- 2 Notwithstanding any other law, school districts may enter joint powers agreements to develop,
- 3 construct, and operate wind turbines within the participating school districts.