

1.1 A bill for an act

1.2 relating to energy; authorizing school boards to form business entity solely for
1.3 wind energy project; amending Minnesota Statutes 2008, section 123B.02,
1.4 subdivision 21.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 123B.02, subdivision 21, is amended to
1.7 read:

1.8 Subd. 21. **Wind energy conversion system.** The board, or more than one board
1.9 acting jointly under the authority granted by section 471.59, may construct, acquire,
1.10 own in whole or in part, operate, and sell and retain and spend the payment received
1.11 from selling energy from a wind energy conversion system, as defined in section
1.12 216C.06, subdivision 19. ~~The~~ An individual school board's share of the installed
1.13 capacity of the wind energy conversion systems authorized by this subdivision must not
1.14 exceed 3.3 megawatts of nameplate capacity, provided that if more than one board is
1.15 acting jointly, each board may have a separate share of no more than 3.3 megawatts of
1.16 nameplate capacity. A board owning, operating, or selling energy from a wind energy
1.17 conversion system must integrate information about wind energy conversion systems in its
1.18 educational programming. The board, or more than one board acting jointly under the
1.19 authority granted by section 471.59, may be a limited partner in a partnership, a member
1.20 of a limited liability company, or a shareholder in a corporation, established for the sole
1.21 purpose of constructing, acquiring, owning in whole or in part, financing, or operating a
1.22 wind energy conversion system for the benefit of the district or districts in accordance
1.23 with this section. A board individually, or acting jointly, or an entity of which a board is a
1.24 limited partner, member, or shareholder, may not sell, transmit, or distribute the electrical

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2.1 energy at retail or provide for end use of the electrical energy at an off-site facility of the
2.2 board or entity. Nothing in this subdivision modifies the exclusive service territories or
2.3 exclusive right to serve as provided in sections 216B.37 to 216B.43.

2.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.