

March 13, 2009

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1509

Page 1, line 2, after "leases" insert "; to provide a contingent effective date; and to declare an emergency"

Page 1, line 8, remove "Must be written in a clear and coherent manner using words with common"

Page 1, remove lines 9 and 10

Page 1, line 11, remove "b."

Page 1, line 23, replace "c." with "b." and replace "five" with "ten"

Page 2, line 1, replace "d." with "c."

Page 2, line 3, replace "e." with "d."

Page 2, line 4, after the underscored period insert "When a wind energy facility is being constructed and when it is completed, the property owner must make accommodations to the developer, owner, or operator of the facility for the facility's business operations to allow the construction and operation of the wind energy facility."

Page 2, line 5, replace "f." with "e."

Page 2, line 7, replace "g." with "f."

Page 2, line 11, replace "h." with "g."

Page 2, line 14, replace "i." with "h."

Page 2, line 17, replace "j." with "i."

Page 2, line 18, after "years" insert ", unless the property owner receives the normal lease payments that would have occurred if the turbine had been operating during that time. For the purposes of this subdivision, the term "normal lease payments" means payments at least equal to the periodic payments received by the property owner in the last calendar year that the turbine was in full operation"

Page 2, line 19, replace "k." with "j."

Page 2, line 22, replace "l." with "k."

Page 2, line 25, replace "property" with "general liability" and replace "on the" with "relating to events occurring on the wind energy facility project site. At minimum, the insurance must"

Page 2, line 26, remove "facility and" and remove the second "and"

Page 2, line 27, remove "waive subrogation actions against the property owner"

Page 3, replace lines 4 through 7 with:

"SECTION 2. CONTINGENT EFFECTIVE DATE. Subdivision h of subsection 1 of section 1 of this Act becomes effective if Senate Bill No. 2245 as enacted by the sixty-first legislative assembly does not become effective.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly