

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3561

Page _____ Section _____ Lines _____
Of the printed Bill

Of the Engrossed Bill

By deleting Section 1 and inserting in lieu thereof a new Section 1 to read as follows: (INSERT ATTACHED);

On page 3, line 21 by inserting after the capitalized word "The" the word "Corporation";

On page 4, line 1 by striking the word "submit" and inserting in lieu thereof the word "send";

On page 4, lines 3-4 by deleting the words "and the Military Strategic Planning Commission";

On page 4, line 4 by inserting after the word "the" the word "Corporation"; On page 4, lines 5-6 by deleting the words "The Military Strategic Planning Commission shall notify local base commanders upon the filing.";

On page 4, line 9 by striking the word "submitted" and inserting in lieu thereof the word "sent";

On page 4, line 11, by inserting after the capitalized letter "B." the following language: "Within thirty (30) days of submitting the notification to the Corporation Commission, as provided for in subsection A of this section, the owner of the wind energy facility shall cause a copy of the notification to be submitted to the Oklahoma Strategic Military Planning Commission. The Oklahoma Strategic Military Planning Commission shall notify local base commanders upon receipt of the notification. The Oklahoma Strategic Military Planning Commission shall submit a letter to the Military Aviation and Installation Assurance Siting Clearinghouse outlining potential areas of impact, as provided in Section 160.20 of this title, within thirty (30) days of receipt of the notification. The letter from the Oklahoma Strategic Military Planning Commission shall be filed with the Corporation Commission."; and by relettering subsequent subsections;

On page 8, lines 10-11 by striking the words "with the Commission; and

On page 8, line 12 by inserting after the word "penalty" the words "from the Corporation Commission"

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Charles Ortega

Adopted: _____

Reading Clerk

1 "SECTION 1. AMENDATORY Section 2, Chapter 92, O.S.L.
2 2015, as amended by Section 2, Chapter 45, O.S.L. 2017 (17 O.S.
3 Supp. 2017, Section 160.20), is amended to read as follows:

4 Section 160.20. A. After ~~the effective date of this act~~ August
5 21, 2015, no wind energy facility may be constructed if the base of
6 any tower is located at a distance of less than:

7 1. One and one-half (1 1/2) nautical miles from the center line
8 of any runway located on:

9 a. a public-use airport as defined in Section 120.2 of
10 Title 3 of the Oklahoma Statutes, or

11 b. an airport owned by a municipality;

12 2. One and one-half (1 1/2) nautical miles from any public
13 school which is a part of a public school district; or

14 3. One and one-half (1 1/2) nautical miles from a hospital.

15 B. Attestation of compliance with the setback requirements in
16 this section shall be included in any reports required by the
17 Corporation Commission. Disputes arising under this section shall
18 fall under the exclusive jurisdiction of the district courts.

19 C. After the effective date of this act, construction or
20 operation of a proposed wind energy facility or proposed wind energy
21 facility expansion shall not encroach upon or otherwise have a
22 significant adverse impact on the mission, training or operations of
23 any military installation or branch of military as determined by the
24 Military Aviation and Installation Assurance Siting Clearinghouse

1 and the Federal Aviation Administration. Areas of impact include,
2 but are not limited to, military training routes, drop zones,
3 approaches to runways and bombing ranges. No wind energy facility
4 may be constructed or expanded unless an active Determination of No
5 Hazard from the Federal Aviation Administration or an approved
6 mitigation plan is obtained from the Military Aviation and
7 Installation Assurance Siting Clearinghouse.

8 1. The Determination of No Hazard or mitigation plan shall be
9 filed with the Corporation Commission.

10 2. The requirements established by this subsection shall not
11 prohibit a wind energy facility construction or wind energy facility
12 expansion if those facilities or facility expansions obtain a
13 written Determination of No Hazard or mitigation plan on or before
14 the effective date of this act.

15 3. The Corporation Commission shall promulgate rules and
16 regulations for the implementation of the provisions of this
17 section."

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