

HOUSE BILL NO. HB0048

Placement of wind energy facilities.

Sponsored by: Representative(s) Cannady

A BILL

for

1 AN ACT relating to wind energy siting; prohibiting the
2 placement of wind energy facilities and equipment as
3 specified; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 35-1-107 is created to read:

8

9 **35-1-107. Placement of wind energy facilities and**
10 **equipment.**

11

12 (a) Unless constructed or permitted, if required,
13 prior to March 31, 2011, no collector system nor any
14 equipment or facility used for the commercial generation of
15 electricity from wind shall be constructed or permitted for
16 construction within one (1) mile of any:

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1 (i) City, county or state park;

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3 (ii) Church;

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5 (iii) Cemetery;

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7 (iv) Public school;

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9 (v) Historic landmark or historic site; or

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11 (vi) Native American religious ground, as
12 designated by the department of state parks and cultural
13 resources or its designee.

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15 (b) For purposes of this section, "collector system"
16 means as defined in W.S. 35-12-102(a)(xiv).

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18 **Section 2.** W.S. 18-5-502 by creating new subsection
19 (e) and 35-12-106(a) are amended to read:

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21 **18-5-502. County regulation of wind energy projects;**
22 **exceptions.**

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1 (e) No wind energy facility shall be permitted or
2 constructed in violation of W.S. 35-1-107.

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4 **35-12-106. Permit from council required prior to**
5 **commencing construction of facility; electronic permitting;**
6 **amendments; exceptions.**

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8 (a) Subject to W.S. 35-1-107, no person shall
9 commence to construct a facility, as defined in this
10 chapter, in this state without first obtaining a permit for
11 that facility from the council. Any facility, for which a
12 permit is required, shall be constructed, operated and
13 maintained in conformity with the permit and any terms,
14 conditions and modifications contained in the permit. A
15 permit may only be issued pursuant to this chapter or
16 pursuant to the provisions of W.S. 18-5-501 through
17 18-5-513 for facilities referred to the council.

18
19 **Section 3.** This act is effective immediately upon
20 completion of all acts necessary for a bill to become law
21 as provided by Article 4, Section 8 of the Wyoming
22 Constitution.

23

24

(END)