

[TO SUBSTITUTE BILL No. 1]

Page 2-line 8 After "by creating" delete "a".

Page 2-line 9 Delete "subparagraph (G)" and insert
"subparagraphs (G) and (H)".

Page 3-line 5 Strike "contiguous".

Page 3-lines 13 through 15 Delete entirely and insert:

"(v) "Facility" includes:

(A) A wind energy facility or a solar energy facility unless the context clearly indicates otherwise;

(B) A wind energy facility or a solar energy facility planned for construction and siting or whose ownership or business structure is organized in a way to circumvent the definition of "facility" or the requirements of this article while engaging in conduct that otherwise would be subject to the requirements of this article. A facility that meets the definition of this subparagraph shall comply with all requirements of this article before locating, erecting, constructing, reconstructing or enlarging the facility."

Page 3-line 20 Delete "contiguous".

Page 19-after line 17 Insert:

"(H) Any facility that would meet the definition of subparagraphs (E) or (G) of this paragraph but is planned for construction and siting or has its ownership or business structure organized in a way to circumvent the definition of "industrial facility" or "facility" or the requirements of this chapter while engaging in conduct that otherwise would be subject to the requirements of this article. A facility that meets the definition of this chapter shall comply with all requirements applicable to facilities defined by subparagraphs (E) and (G) of this paragraph." PERKINS