

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1507/1dn  
MDK:wlj:md

March 1, 2011

Sen. Lasee:

Please note the following about this bill, which is based on changes to Special Session SB-9 that were discussed with Jon Kruse and David Lovell at our meeting on February 24, 2011:

1. I revised s. 196.378 (4g) (am) to create new setback requirements. Regarding the setback requirement for buildings, I don't think it is necessary to define the term "building," unless there are certain buildings that you want to exclude. Also note I don't think it is necessary to refer to residences, as I think the term "building" encompasses residences.
2. I revised s. 196.378 (4g) (b) to require that the restrictions under the PSC's rules must provide reasonable protection from health effects, including health effects from noise and shadow flicker. Is that okay?
3. Section 196.378 (4g) (c) 5. is revised to allow termination of an agreement within 10 working days after entering into the agreement or after receiving the brochure, whichever is later.
4. Although we did not discuss at the meeting, I changed the initial applicability provision to refer to large wind energy systems for which construction commences on the effective date of the bill. Special Session SB-9 referred to systems for which *design or* construction commences on the effective date. However, because construction will always occur after design, the reference to design is not necessary. Please contact me if you want me to elaborate.

If you have any questions or additional drafting instructions, please contact me.

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