

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED HOUSE BILL NO. 1378**

Introduced by

Representatives Johnston, Headland, Kiefert, Simons

Senator Clemens

1 A BILL for an Act to create and enact a new section to chapter 49-22 of the North Dakota
2 Century Code, relating to light-mitigating technology systems on wind energy conversion
3 facilities.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 49-22 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Light-mitigating technology system - Rules.**

- 8 1. The commission shall adopt rules by January 1, 2019, relating to the implementation
9 of light-mitigating technology systems on wind energy conversion facilities. The rules
10 must be consistent with the federal aviation administration regulations [14 CFR 1.1 et
11 seq.] and must include service and maintenance requirements, safety standards, and
12 lighting system requirements.
- 13 2. By December 31, 2019, every wind energy conversion facility for which the
14 commission issued a certificate of site compatibility after June 5, 2016, must be
15 equipped with a functioning light-mitigating technology system that complies with rules
16 adopted by the commission.
- 17 3. By December 31, 2021, every wind energy conversion facility for which the
18 commission issued a certificate of site compatibility before June 5, 2016, must be
19 equipped with a functioning light-mitigating technology system that complies with the
20 rules adopted by the commission. After public hearing, the commission may grant an
21 extension of time based on technical or economic feasibility considerations.
- 22 4. Any costs associated with the implementation, operation, and maintenance of light-
23 mitigating technology systems is the sole responsibility of the wind energy conversion
24 facility owner.