

**FIRST ENGROSSMENT
with Senate 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 which must
10 include service and maintenance requirements and safety standards and lighting
11 system requirements, and which are consistent with the federal aviation administration
12 regulations [14 CFR 1.1 et seq.].
- 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. The commission shall require the installation of light-mitigating technology systems
18 that comply with rules adopted by the commission as soon as technically feasible and
19 if economically feasible for wind energy conversion facilities for which a certificate of
20 site compatibility was issued before June 5, 2016.
- 21 4. Any costs associated with the implementation, operation, and maintenance of
22 light-mitigating technology systems is the sole responsibility of the wind energy
23 conversion facility owner.