

1.1 ..... moves to amend H.F. No. 2110, the delete everything amendment  
1.2 (H2110DE4), as follows:

1.3 Page 49, before line 21, insert:

1.4 "Subdivision 1. State building energy conservation loan account. Notwithstanding  
1.5 Minnesota Statutes, section 116C.779, subdivision 1, paragraph (j), \$249,000 in fiscal year  
1.6 2022 and \$137,000 in fiscal year 2023 are appropriated from the renewable development  
1.7 account to the commissioner of administration for software and administrative costs  
1.8 associated with the state building energy conservation improvement revolving loan program  
1.9 under Minnesota Statutes, section 16B.87. The base in fiscal years 2024 and 2025 is  
1.10 \$117,000."

1.11 Renumber the subdivisions in sequence

1.12 Page 52, line 28, delete "18" and insert "19"

1.13 Page 53, after line 5, insert:

1.14 "(3) the commissioner of commerce, or the commissioner's designee;"

1.15 Renumber the clauses in sequence

1.16 Page 55, line 11, delete "advisory"

1.17 Page 57, line 29, after "include" insert ", as nonvoting, ex officio members,"

1.18 Page 59, lines 29 and 31, before the semicolon, insert ", as a nonvoting ex officio  
1.19 member"

1.20 Page 115, line 13, delete the second "or"

1.21 Page 115, line 14, delete everything before "to"

1.22 Page 117, line 10, delete "the task"

- 2.1 Page 117, line 11, delete "force of"
- 2.2 Page 117, line 12, delete everything after the comma
- 2.3 Page 117, line 13, delete everything before the second "the" and before "for" insert "may
- 2.4 obligate up to \$50,000"
- 2.5 Page 124, delete line 13
- 2.6 Page 124, line 16, delete the period and insert "; and"
- 2.7 Page 124, after line 16, insert:
- 2.8 "(9) is the result of extensive outreach efforts to stakeholders and communities that bear
- 2.9 a disproportionate health burden from pollution from transportation or from the production
- 2.10 and transportation of transportation fuels."
- 2.11 Page 126, line 11, after "a" insert "preliminary report on a"
- 2.12 Page 126, line 15, after the period, insert "The preliminary report must identify statutory
- 2.13 changes required for this purpose."
- 2.14 Page 126, line 17, before "Climate" insert "final" and after "Plan" insert "is due August
- 2.15 1, 2022, and" and delete "statutory changes or"
- 2.16 Page 127, before line 17, insert:
- 2.17 "Subdivision 1. Buy clean, buy fair. \$176,000 in fiscal year 2022 and \$40,000 in fiscal
- 2.18 year 2023 are appropriated from the general fund to the commissioner of administration for
- 2.19 costs of establishing maximum global warming potential standards for certain construction
- 2.20 materials and the pilot program for vendors under Minnesota Statutes, section 16B.312.
- 2.21 The base in fiscal year 2024 is \$40,000, and the base in fiscal year 2025 is \$90,000. The
- 2.22 base in fiscal year 2026 is \$0."
- 2.23 Renumber the subdivisions in sequence
- 2.24 Page 130, after line 7, insert:
- 2.25 "(b) This subdivision does not apply to a licensed dealer selling new electric vehicles
- 2.26 of a manufacturer's own brand, but who is not operating under a franchise agreement with
- 2.27 the manufacturer."
- 2.28 Page 130, line 8, delete "(b)" and insert "(c)"
- 2.29 Page 135, line 21, delete "(b)" and insert "(c)"
- 2.30 Page 139, line 5, after "Agency" insert ", administration,"

3.1 Page 140, line 26, delete "2" and insert "11, subdivision 8,"

3.2 Page 142, line 14, after "in" insert "a county some portion of which is within"

3.3 Page 142, line 20, after the second "in" insert "a county some portion of which is within"

3.4 Page 143, before line 3, insert:

3.5 "Section 1. Minnesota Statutes 2020, section 216B.164, is amended by adding a subdivision  
3.6 to read:

3.7 Subd. 12. **Customer's access to electricity usage data.** A utility shall provide a  
3.8 customer's electricity usage data to the customer within ten days of receipt of a request from  
3.9 the customer that is accompanied by evidence that the energy usage data is relevant to the  
3.10 interconnection of a qualifying facility on behalf of the customer. For the purposes of this  
3.11 subdivision, "electricity usage data" includes but is not limited to the total amount of  
3.12 electricity used by a customer monthly, usage by time period if the customer operates under  
3.13 a tariff where costs vary by time-of-use, and usage data that is used to calculate a customer's  
3.14 demand charge.

3.15 **EFFECTIVE DATE.** This section is effective the day following final enactment."

3.16 Page 149, line 18, delete "public"

3.17 Page 150, lines 2 and 6, delete "public"

3.18 Page 151, line 14, delete "under this section"

3.19 Page 153, after line 15, insert:

3.20 "Sec. 2. **[500.216] LIMITS ON CERTAIN RESIDENTIAL SOLAR ENERGY**  
3.21 **SYSTEMS PROHIBITED.**

3.22 Subdivision 1. **General rule.** A private entity may not prohibit or refuse to permit  
3.23 installation, maintenance, or use of a roof-mounted solar energy system by the owner of a  
3.24 single-family dwelling notwithstanding any covenant, restriction, or condition contained in  
3.25 a deed, security instrument, homeowners association document, or any other instrument  
3.26 affecting the transfer, sale of, or an interest in real property, except as provided in this  
3.27 section.

3.28 Subd. 2. **Applicability.** This section applies to single-family detached dwellings whose  
3.29 owner is the sole owner of the entire building in which the dwelling is located, and who is  
3.30 solely responsible for the maintenance, repair, replacement, and insurance of the entire  
3.31 building.

4.1 Subd. 3. **Definitions.** (a) The definitions in this subdivision apply to this section.

4.2 (b) "Private entity" means a homeowners association, community association, or other  
4.3 association that is subject to a homeowners association document.

4.4 (c) "Homeowners association document" means a document containing the declaration,  
4.5 articles of incorporation, bylaws, or rules and regulations of:

4.6 (1) a common interest community, as defined in section 515B.1-103, regardless of  
4.7 whether the common interest community is subject to chapter 515B; and

4.8 (2) a residential community that is not a common interest community.

4.9 (d) "Solar energy system" has the meaning given in section 216C.06, subdivision 17.

4.10 Subd. 4. **Allowable conditions.** (a) This section does not prohibit a private entity from  
4.11 requiring that:

4.12 (1) a licensed contractor install a solar energy system;

4.13 (2) a roof-mounted solar energy system not extend above the peak of a pitched roof or  
4.14 beyond the edge of the roof;

4.15 (3) the owner or installer of a solar energy system indemnify or reimburse the private  
4.16 entity or its members for loss or damage caused by the installation, maintenance, use, repair,  
4.17 or removal of a solar energy system;

4.18 (4) the owner and each successive owner of a solar energy system list the private entity  
4.19 as a certificate holder on the homeowner's insurance policy; or

4.20 (5) the owner and each successive owner of a solar energy system be responsible for  
4.21 removing the system if reasonably necessary for the repair, maintenance, or replacement  
4.22 of common elements or limited common elements, as defined in section 515B.1-103.

4.23 (b) A private entity may impose other reasonable restrictions on the installation,  
4.24 maintenance, or use of solar energy systems, provided that those restrictions do not decrease  
4.25 the projected generation of energy by a solar energy system by more than 20 percent or  
4.26 increase its cost by more than (1) 20 percent, for a solar water heater, or (2) \$2,000, for a  
4.27 solar photovoltaic system, compared with the generation of energy and the cost of labor  
4.28 and materials certified by the designer or installer of the solar energy system as originally  
4.29 proposed without the restrictions. A private entity may obtain an alternative bid and design  
4.30 from a solar energy system designer or installer for the purposes of this paragraph.

4.31 (c) A solar energy system must meet applicable standards and requirements imposed by  
4.32 the state and by governmental units, as defined in section 462.384.

5.1 (d) A solar energy system for heating water must be certified by the Solar Rating  
5.2 Certification Corporation (SRCC) or an equivalent certification agency. A solar energy  
5.3 system for producing electricity must meet all applicable safety and performance standards  
5.4 established by the National Electrical Code, the Institute of Electrical and Electronics  
5.5 Engineers, and accredited testing laboratories, including, but not limited to, Underwriters  
5.6 Laboratories and, where applicable, rules of the Public Utilities Commission regarding  
5.7 safety and reliability.

5.8 (e) If approval by a private entity is required for the installation or use of a solar energy  
5.9 system, the application for approval must be processed and approved in the same manner  
5.10 as an application for approval of an architectural modification to the property, and must not  
5.11 be willfully avoided or delayed.

5.12 (f) An application for approval must be made in writing and must contain certification  
5.13 that the applicant will meet any conditions required by a private entity under subdivision  
5.14 4. An application must include a copy of the interconnection application submitted to the  
5.15 applicable electric utility.

5.16 (g) A private entity shall approve or deny an application in writing. If an application is  
5.17 not denied in writing within 60 days from the date of receipt of the application, the application  
5.18 is deemed approved unless the delay is the result of a reasonable request for additional  
5.19 information. If a private entity receives an incomplete application that it determines prevents  
5.20 it from reaching a decision to approve or disapprove the application, a new 60-day limit  
5.21 begins only if the private entity sends written notice to the applicant, within 15 business  
5.22 days of receiving the incomplete application, informing the applicant what additional  
5.23 information is required.

5.24 Sec. 3. Minnesota Statutes 2020, section 515.07, is amended to read:

5.25 **515.07 COMPLIANCE WITH COVENANTS, BYLAWS, AND RULES.**

5.26 Each apartment owner shall comply strictly with the bylaws and with the administrative  
5.27 rules adopted pursuant thereto, as either of the same may be lawfully amended from time  
5.28 to time, and with the covenants, conditions, and restrictions set forth in the declaration or  
5.29 in the owner's deed to the apartment. Failure to comply with any of the same shall be ground  
5.30 for an action to recover sums due, for damages or injunctive relief or both maintainable by  
5.31 the manager or board of directors on behalf of the association of apartment owners or, in a  
5.32 proper case, by an aggrieved apartment owner. This chapter is subject to ~~section~~ sections  
5.33 500.215 and 500.216.

6.1 Sec. 4. Minnesota Statutes 2020, section 515B.2-103, is amended to read:

6.2 **515B.2-103 CONSTRUCTION AND VALIDITY OF DECLARATION AND**  
6.3 **BYLAWS.**

6.4 (a) All provisions of the declaration and bylaws are severable.

6.5 (b) The rule against perpetuities may not be applied to defeat any provision of the  
6.6 declaration or this chapter, or any instrument executed pursuant to the declaration or this  
6.7 chapter.

6.8 (c) In the event of a conflict between the provisions of the declaration and the bylaws,  
6.9 the declaration prevails except to the extent that the declaration is inconsistent with this  
6.10 chapter.

6.11 (d) The declaration and bylaws must comply with ~~section~~ sections 500.215 and 500.216.

6.12 Sec. 5. Minnesota Statutes 2020, section 515B.3-102, is amended to read:

6.13 **515B.3-102 POWERS OF UNIT OWNERS' ASSOCIATION.**

6.14 (a) Except as provided in subsections (b), (c), (d), and (e), and subject to the provisions  
6.15 of the declaration or bylaws, the association shall have the power to:

6.16 (1) adopt, amend and revoke rules and regulations not inconsistent with the articles of  
6.17 incorporation, bylaws and declaration, as follows: (i) regulating the use of the common  
6.18 elements; (ii) regulating the use of the units, and conduct of unit occupants, which may  
6.19 jeopardize the health, safety or welfare of other occupants, which involves noise or other  
6.20 disturbing activity, or which may damage the common elements or other units; (iii) regulating  
6.21 or prohibiting animals; (iv) regulating changes in the appearance of the common elements  
6.22 and conduct which may damage the common interest community; (v) regulating the exterior  
6.23 appearance of the common interest community, including, for example, balconies and patios,  
6.24 window treatments, and signs and other displays, regardless of whether inside a unit; (vi)  
6.25 implementing the articles of incorporation, declaration and bylaws, and exercising the  
6.26 powers granted by this section; and (vii) otherwise facilitating the operation of the common  
6.27 interest community;

6.28 (2) adopt and amend budgets for revenues, expenditures and reserves, and levy and  
6.29 collect assessments for common expenses from unit owners;

6.30 (3) hire and discharge managing agents and other employees, agents, and independent  
6.31 contractors;

7.1 (4) institute, defend, or intervene in litigation or administrative proceedings (i) in its  
7.2 own name on behalf of itself or two or more unit owners on matters affecting the common  
7.3 elements or other matters affecting the common interest community or, (ii) with the consent  
7.4 of the owners of the affected units on matters affecting only those units;

7.5 (5) make contracts and incur liabilities;

7.6 (6) regulate the use, maintenance, repair, replacement, and modification of the common  
7.7 elements and the units;

7.8 (7) cause improvements to be made as a part of the common elements, and, in the case  
7.9 of a cooperative, the units;

7.10 (8) acquire, hold, encumber, and convey in its own name any right, title, or interest to  
7.11 real estate or personal property, but (i) common elements in a condominium or planned  
7.12 community may be conveyed or subjected to a security interest only pursuant to section  
7.13 515B.3-112, or (ii) part of a cooperative may be conveyed, or all or part of a cooperative  
7.14 may be subjected to a security interest, only pursuant to section 515B.3-112;

7.15 (9) grant or amend easements for public utilities, public rights-of-way or other public  
7.16 purposes, and cable television or other communications, through, over or under the common  
7.17 elements; grant or amend easements, leases, or licenses to unit owners for purposes authorized  
7.18 by the declaration; and, subject to approval by a vote of unit owners other than declarant  
7.19 or its affiliates, grant or amend other easements, leases, and licenses through, over or under  
7.20 the common elements;

7.21 (10) impose and receive any payments, fees, or charges for the use, rental, or operation  
7.22 of the common elements, other than limited common elements, and for services provided  
7.23 to unit owners;

7.24 (11) impose interest and late charges for late payment of assessments and, after notice  
7.25 and an opportunity to be heard before the board or a committee appointed by it, levy  
7.26 reasonable fines for violations of the declaration, bylaws, and rules and regulations of the  
7.27 association;

7.28 (12) impose reasonable charges for the review, preparation and recordation of  
7.29 amendments to the declaration, resale certificates required by section 515B.4-107, statements  
7.30 of unpaid assessments, or furnishing copies of association records;

7.31 (13) provide for the indemnification of its officers and directors, and maintain directors'  
7.32 and officers' liability insurance;

8.1 (14) provide for reasonable procedures governing the conduct of meetings and election  
8.2 of directors;

8.3 (15) exercise any other powers conferred by law, or by the declaration, articles of  
8.4 incorporation or bylaws; and

8.5 (16) exercise any other powers necessary and proper for the governance and operation  
8.6 of the association.

8.7 (b) Notwithstanding subsection (a) the declaration or bylaws may not impose limitations  
8.8 on the power of the association to deal with the declarant which are more restrictive than  
8.9 the limitations imposed on the power of the association to deal with other persons.

8.10 (c) Notwithstanding subsection (a), powers exercised under this section must comply  
8.11 with ~~section~~ sections 500.215 and 500.216.

8.12 (d) Notwithstanding subsection (a)(4) or any other provision of this chapter, the  
8.13 association, before instituting litigation or arbitration involving construction defect claims  
8.14 against a development party, shall:

8.15 (1) mail or deliver written notice of the anticipated commencement of the action to each  
8.16 unit owner at the addresses, if any, established for notices to owners in the declaration and,  
8.17 if the declaration does not state how notices are to be given to owners, to the owner's last  
8.18 known address. The notice shall specify the nature of the construction defect claims to be  
8.19 alleged, the relief sought, and the manner in which the association proposes to fund the cost  
8.20 of pursuing the construction defect claims; and

8.21 (2) obtain the approval of owners of units to which a majority of the total votes in the  
8.22 association are allocated. Votes allocated to units owned by the declarant, an affiliate of the  
8.23 declarant, or a mortgagee who obtained ownership of the unit through a foreclosure sale  
8.24 are excluded. The association may obtain the required approval by a vote at an annual or  
8.25 special meeting of the members or, if authorized by the statute under which the association  
8.26 is created and taken in compliance with that statute, by a vote of the members taken by  
8.27 electronic means or mailed ballots. If the association holds a meeting and voting by electronic  
8.28 means or mailed ballots is authorized by that statute, the association shall also provide for  
8.29 voting by those methods. Section 515B.3-110(c) applies to votes taken by electronic means  
8.30 or mailed ballots, except that the votes must be used in combination with the vote taken at  
8.31 a meeting and are not in lieu of holding a meeting, if a meeting is held, and are considered  
8.32 for purposes of determining whether a quorum was present. Proxies may not be used for a  
8.33 vote taken under this paragraph unless the unit owner executes the proxy after receipt of  
8.34 the notice required under subsection (d)(1) and the proxy expressly references this notice.



9.1 (e) The association may intervene in a litigation or arbitration involving a construction  
9.2 defect claim or assert a construction defect claim as a counterclaim, crossclaim, or third-party  
9.3 claim before complying with subsections (d)(1) and (d)(2) but the association's complaint  
9.4 in an intervention, counterclaim, crossclaim, or third-party claim shall be dismissed without  
9.5 prejudice unless the association has complied with the requirements of subsection (d) within  
9.6 90 days of the association's commencement of the complaint in an intervention or the  
9.7 assertion of the counterclaim, crossclaim, or third-party claim."

9.8 Page 154, line 22, delete "\$1,564,000" and insert "\$1,737,000"

9.9 Page 154, line 28, delete everything after the first period and insert "The base in fiscal  
9.10 year 2024 is \$388,000."

9.11 Page 155, line 13, after the period, insert "This appropriation is available until June 30,  
9.12 2023."

9.13 Page 155, line 14, before "Notwithstanding" insert "(a)"

9.14 Page 155, line 17, after "commerce" insert "for transfer to the commissioner of  
9.15 administration"

9.16 Page 155, line 19, delete everything after the period

9.17 Page 155, delete lines 20 to 22 and insert:

9.18 "(b) Notwithstanding Minnesota Statutes, section 116C.779, subdivision 1, paragraph  
9.19 (j), \$59,000 in fiscal year 2022 and \$38,000 in fiscal year 2023 are appropriated from the  
9.20 renewable development account to the commissioner of administration for costs of  
9.21 administering the installation of solar photovoltaic devices on state-owned buildings that  
9.22 are located within the retail electric service area of the public utility subject to Minnesota  
9.23 Statutes, section 116C.779, subdivision 1."

9.24 Page 155, delete subdivision 5

9.25 Renumber the subdivisions in sequence

9.26 Page 156, line 3, delete "and \$46,000 in fiscal year 2023 are" and insert "is"

9.27 Page 156, line 5, delete "These are" and insert "This is a onetime appropriation."

9.28 Page 156, delete line 6

9.29 Page 157, delete section 2

9.30 Page 171, line 3, delete "9" and insert "9a"

9.31 Page 177, after line 17, insert:

10.1 "Sec. 16. Minnesota Statutes 2020, section 216E.03, subdivision 7, is amended to read:

10.2 Subd. 7. **Considerations in designating sites and routes.** (a) The commission's site  
10.3 and route permit determinations must be guided by the state's goals to conserve resources,  
10.4 minimize environmental impacts, minimize human settlement and other land use conflicts,  
10.5 and ensure the state's electric energy security through efficient, cost-effective power supply  
10.6 and electric transmission infrastructure.

10.7 (b) To facilitate the study, research, evaluation, and designation of sites and routes, the  
10.8 commission shall be guided by, but not limited to, the following considerations:

10.9 (1) evaluation of research and investigations relating to the effects on land, water and  
10.10 air resources of large electric power generating plants and high-voltage transmission lines  
10.11 and the effects of water and air discharges and electric and magnetic fields resulting from  
10.12 such facilities on public health and welfare, vegetation, animals, materials and aesthetic  
10.13 values, including baseline studies, predictive modeling, and evaluation of new or improved  
10.14 methods for minimizing adverse impacts of water and air discharges and other matters  
10.15 pertaining to the effects of power plants on the water and air environment;

10.16 (2) environmental evaluation of sites and routes proposed for future development and  
10.17 expansion and their relationship to the land, water, air and human resources of the state;

10.18 (3) evaluation of the effects of new electric power generation and transmission  
10.19 technologies and systems related to power plants designed to minimize adverse environmental  
10.20 effects;

10.21 (4) evaluation of the potential for beneficial uses of waste energy from proposed large  
10.22 electric power generating plants;

10.23 (5) analysis of the direct and indirect economic impact of proposed sites and routes  
10.24 including, but not limited to, productive agricultural land lost or impaired;

10.25 (6) evaluation of adverse direct and indirect environmental effects that cannot be avoided  
10.26 should the proposed site and route be accepted;

10.27 (7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant  
10.28 to subdivisions 1 and 2;

10.29 (8) evaluation of potential routes that would use or parallel existing railroad and highway  
10.30 rights-of-way;

10.31 (9) evaluation of governmental survey lines and other natural division lines of agricultural  
10.32 land so as to minimize interference with agricultural operations;

11.1 (10) evaluation of the future needs for additional high-voltage transmission lines in the  
11.2 same general area as any proposed route, and the advisability of ordering the construction  
11.3 of structures capable of expansion in transmission capacity through multiple circuiting or  
11.4 design modifications;

11.5 (11) evaluation of irreversible and irretrievable commitments of resources should the  
11.6 proposed site or route be approved; ~~and~~

11.7 (12) when appropriate, consideration of problems raised by other state and federal  
11.8 agencies and local entities;

11.9 (13) evaluation of the benefits of the proposed facility with respect to the protection and  
11.10 enhancement of environmental quality, and to the reliability of state and regional energy  
11.11 supplies; and

11.12 (14) evaluation of the impact of the proposed project on socioeconomic factors.

11.13 (c) If the commission's rules are substantially similar to existing regulations of a federal  
11.14 agency to which the utility in the state is subject, the federal regulations must be applied by  
11.15 the commission.

11.16 (d) No site or route shall be designated which violates state agency rules.

11.17 (e) The commission must make specific findings that it has considered locating a route  
11.18 for a high-voltage transmission line on an existing high-voltage transmission route and the  
11.19 use of parallel existing highway right-of-way and, to the extent those are not used for the  
11.20 route, the commission must state the reasons.

11.21 **EFFECTIVE DATE.** This section is effective the day following final enactment."

11.22 Page 178, after line 25, insert:

11.23 "Sec. 5. **[216F.084] WIND TURBINE LIGHTING SYSTEMS.**

11.24 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
11.25 the meanings given.

11.26 (b) "Duration" means the length of time during which the lights of a wind turbine lighting  
11.27 system are lit.

11.28 (c) "Intensity" means the brightness of a wind turbine lighting system's lights.

11.29 (d) "Light-mitigating technology" means a sensor-based system that reduces the duration  
11.30 or intensity of wind turbine lighting systems by:

12.1 (1) using radio frequency or other sensors to detect aircraft approaching one or more  
12.2 wind turbines, or detecting visibility conditions at turbine sites; and

12.3 (2) automatically activating appropriate obstruction lights until the lights are no longer  
12.4 needed by the aircraft and are turned off or dimmed.

12.5 A light-mitigating technology may include an audio feature that transmits an audible warning  
12.6 message to provide a pilot additional information regarding a wind turbine the aircraft is  
12.7 approaching.

12.8 (e) "Repowering project" has the meaning given in section 216B.243, subdivision 8,  
12.9 paragraph (b).

12.10 (f) "Wind turbine lighting system" means a system of lights installed on an LWECS that  
12.11 meets the applicable Federal Aviation Administration requirements.

12.12 Subd. 2. **Application.** This section applies to an LWECS issued a site permit or site  
12.13 permit amendment, including a site permit amendment for an LWECS repowering project,  
12.14 by the commission under section 216F.04 or by a county under section 216F.08, provided  
12.15 that the application for a site permit or permit amendment is filed after July 1, 2021.

12.16 Subd. 3. **Required lighting system.** (a) An LWECS subject to this section must be  
12.17 equipped with a light-mitigating technology that meets the requirements established in  
12.18 Chapter 14 of the Federal Aviation Administration's Advisory Circular 70/760-1, Obstruction  
12.19 Marking and Lighting, as updated, unless the Federal Aviation Administration, after  
12.20 reviewing the LWECS site plan, rejects the use of the light-mitigating technology for the  
12.21 LWECS. A light-mitigating technology installed on a wind turbine in Minnesota must be  
12.22 purchased from a vendor approved by the Federal Aviation Administration.

12.23 (b) If the Federal Aviation Administration, after reviewing the LWECS site plan, rejects  
12.24 the use of a light-mitigating technology for the LWECS under paragraph (a), the LWECS  
12.25 must be equipped with a wind turbine lighting system that minimizes the duration or intensity  
12.26 of the lighting system while maintaining full compliance with the lighting standards  
12.27 established in Chapter 13 of the Federal Aviation Administration's Advisory Circular  
12.28 70/760-1, Obstruction Marking and Lighting, as updated.

12.29 Subd. 4. **Exemptions.** (a) The Public Utilities Commission or a county that has assumed  
12.30 permitting authority under section 216F.08 must grant an owner of an LWECS an exemption  
12.31 from the provisions of subdivision 3, paragraph (a), if the Federal Aviation Administration  
12.32 denies the owner's application to equip an LWECS with a light-mitigating technology.

13.1 (b) The Public Utilities Commission or a county that has assumed permitting authority  
13.2 under section 216F.08 must grant an owner of an LWECS an exemption from or an extension  
13.3 of time to comply with the provisions of subdivision 3, paragraph (a), if, after notice and  
13.4 public hearing, the owner of the LWECS demonstrates to the satisfaction of the commission  
13.5 or county that:

13.6 (1) equipping an LWECS with a light-mitigating technology is technically infeasible;

13.7 (2) equipping an LWECS with a light-mitigating technology imposes a significant  
13.8 financial burden on the permittee; or

13.9 (3) a vendor approved by the Federal Aviation Administration cannot deliver a  
13.10 light-mitigating technology to the LWECS owner in a reasonable amount of time.

13.11 **EFFECTIVE DATE.** This section is effective the day following final enactment."

13.12 Page 182, after line 28, insert:

13.13 "Subd. 4. **Participant compensation.** (a) \$30,000 in fiscal year 2022 and \$30,000 in  
13.14 fiscal year 2023 are appropriated from the general fund to the commissioner of commerce  
13.15 for the purpose of addressing participant compensation issues in Public Utilities Commission  
13.16 proceedings, as described in Minnesota Statutes, section 216B.631.

13.17 (b) \$28,000 in fiscal year 2022 and \$28,000 in fiscal year 2023 are appropriated from  
13.18 the general fund to the Public Utilities Commission for the purpose of addressing participant  
13.19 compensation issues under Minnesota Statutes, section 216B.631."

13.20 Renumber the subdivisions in sequence

13.21 Page 183, line 26, delete "\$7,923,000" and insert "\$8,073,000" and delete "\$8,052,000"  
13.22 and insert "\$8,202,000"

13.23 Renumber the sections in sequence and correct internal references