

Hall of the House of Representatives

89th General Assembly - Regular Session, 2013

Amendment Form

Subtitle of House Bill No. 1568

THE ARKANSAS NIGHTTIME ENVIRONMENT PROTECTION ACT.

Amendment No. 1 to House Bill No. 1568

Amend House Bill No. 1568 as originally introduced:

Page 3, delete line 2 and substitute the following:

(2) "Excessive cost" means the cost to replace and operate a conforming replacement fixture that is at least one and one-half (1 1/2) times more expensive than a nonconforming fixture;

(3) "Fixture" means a complete lighting unit, including without

AND

Page 3, line 6, delete "(3)" and substitute "(4)"

AND

Page 3, line 10, delete "(4)" and substitute "(5)"

AND

Page 3, line 12, delete "(5)" and substitute "(6)"

AND

Page 3, line 14, delete "(6)" and substitute "(7)"

AND

Page 3, line 15, delete "(7)" and substitute "(8)"

AND

Page 3, line 17, delete "(8)" and substitute "(9)"

AND

Page 3, line 19, delete "(9)" and substitute "(10)"



AND

Page 3, line 21, delete "(10)" and substitute "(11)"

AND

Page 3, line 25, delete "(11)" and substitute "(12)"

AND

Page 3 line 26, delete "used for" and substitute "used or is used for"

AND

Page 3, line 28, delete "(12)" and substitute "(13)"

AND

Page 5, line 35, delete "designee that" and substitute "designee or body of jurisdiction or a designee"

AND

Page 6, line 7, delete "chapter shall" and substitute "chapter that is illuminated shall"

AND

Page 6 line 32, delete "(d)" and substitute "(d)(1)"

AND

Page 7, delete line 2 and substitute the following:
"savings of using the fixtures.

(2) Each electric utility shall submit a review of its outdoor lighting fee schedule to the Arkansas Public Service Commission at least one (1) time every three (3) years during the first ten-year period after the effective date of this act."

AND

Page 7, delete line 22 and substitute the following:
"section.

(i) Any entity that installs new or replacement street or outdoor lighting on behalf of an agency, public corporation, county, or municipal subdivision of this state or that will become the responsibility of an agency, public corporation, county, or municipal subdivision of this state shall comply with subsection (a) of this section.

(j) Unless preempted by federal law or a waiver is granted by the Arkansas Aviation and Aerospace Commission to address safety concerns, only red lights shall be used during the nighttime hours on elevated objects for aircraft avoidance lights on structures built after the effective date of

this act."

AND

Page 8, delete lines 20 and 21 and substitute the following:

"(6)(A) The lighting is for a municipality, a public or private state correction, detention, mental health facility, kindergarten through grade twelve (K-12) school, college, or university."

AND

Page 8, delete lines 26 and 27 and substitute the following:

"regarding becoming compliant with this chapter, the agency director, an elected official, or a body responsible for the fixture may waive the"

AND

Page 8, delete lines 32 through 34 and substitute the following:

"(B) The ruling may be appealed by a citizen of the state to the agency director, an elected official, or a body responsible for the fixture; and"

AND

Page 9, delete line 12 and substitute the following:

"This chapter shall be enforced by:"

AND

Page 9, delete lines 25 through 36

AND

Page 10, delete lines 1 through 8

The Amendment was read _____
By: Representative S. Meeks
MGF/CWW - 04-02-2013 12:10:43
MGF588

Chief Clerk