

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred
3 Senate Bill No. 292 entitled “An act relating to siting of energy facilities”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 30 V.S.A. § 248(b)(12) is added to read:

8 (12) with respect to an in-state facility, will not have a detrimental effect
9 on the value of properties not used for the facility. In issuing a certificate of
10 public good, the Board may require that the property owner be compensated
11 for the amount of any reduction in the property’s fair market value due to the
12 construction of the facility.

13 (A) After construction of an in-state facility subject to a certificate of
14 public good issued under this section, the owner of property not used for the
15 facility shall have the right to petition the Board for a determination that the
16 facility reduces the fair market value of the property, notwithstanding any
17 finding by the Board to the contrary in issuing the certificate, and the Board
18 shall have authority to require the certificate holder to compensate the owner
19 for the amount of the reduced property value, if any.

20 (B) The Board shall base its determinations under this subdivision
21 (12) on evidence supplied by qualified witnesses and in accordance with such
22 rules and procedures as it may adopt. In making these determinations, the

1 Board shall consider but not be bound by determinations of fair market value
2 made in accordance with a methodology allowed under 32 V.S.A. part 2
3 (property taxation).

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2014.

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9 (Committee vote: _____)

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11

Senator [surname]

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FOR THE COMMITTEE