

CHAPTER 232
SB 179 – FINAL VERSION

29May2013... 1698h

2013 SESSION

13-0937
01/04

SENATE BILL **179**

AN ACT clarifying the definition of “renewable generation facility” for purposes of payments in lieu of property tax payments and allowing certain facilities that combust municipal waste for energy to make payments in lieu of property tax payments.

SPONSORS: Sen. Larsen, Dist 15

COMMITTEE: Ways and Means

AMENDED ANALYSIS

This bill clarifies the definition of “renewable generation facility” for purposes of payments in lieu of property tax payments and allows certain facilities that combust municipal waste for energy to make payments in lieu of property tax payments.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT clarifying the definition of “renewable generation facility” for purposes of payments in lieu of property tax payments and allowing certain facilities that combust municipal waste for energy to make payments in lieu of property tax payments.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 232:1 Definition of Renewable Generation Facility. Amend RSA 72:73 to read as follows:

2 72:73 Definition of Renewable Generation Facility. In this subdivision, “renewable generation
3 facility” means a facility which produces electric energy for resale solely by the use, as a primary
4 energy source, of [~~renewable energy as defined in RSA 374-F:3, V(f)(3)] **geothermal energy, tidal**
5 **or wave energy, wind energy, solar thermal energy, photovoltaic energy, landfill gas**
6 **energy, hydro energy, biomass energy, energy generated from bio-oil, bio synthetic gas, and**
7 **biodiesel as defined in RSA 362-A:1-a, I, I-a, and I-b**, including the land, all rights, easements,
8 and other interests thereto, and all dams, buildings, structures, and other improvements situated
9 thereon which are necessary or incidental to the production of power at the facility.~~

10 232:2 Facilities That Combust Municipal Waste for Energy; Payments in Lieu of Property
11 Taxes. A facility that combusts municipal waste for energy, constructed prior to July 16, 2009,
12 where mercury emissions are reduced to an emission rate of 0.028 milligrams per dry standard cubic
13 meter or less corrected to 7 percent oxygen by volume on a dry basis, or at least 85 percent control
14 efficiency, may make payments in lieu of taxes in accordance with RSA 72:74.

15 232:3 Effective Date. This act shall take effect 60 days after its passage.

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17 Approved: July 15, 2013

18 Effective Date: September 13, 2013