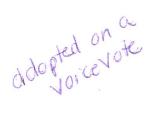
Sen. Larsen, Dist. 15 January 25, 2012 2012-0373s 01/09



Floor Amendment to HB 648

1	Amend the title of the bill by replacing it with the following:	
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3 4 5 6 7 8 9	AN ACT	relative to eminent domain by public utilities and establishing a commission to investigate the procedural rights of the landowner when a petition is presented to the public utilities commission by a utility seeking eminent domain, develop a framework for the state to provide use rights to transmission developers on state owned rights-of-way, develop policies to encourage burying such lines where practicable, and establish a structure for payment.
10	Amend the bill by replacing all after section 5 with the following:	
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12	6 New Section; Commission Established. Amend RSA 371 by inserting after section 16 the	
13	following new section:	
14	371:16-a Commission Established.	
15	I. There is established a commission to investigate the procedural rights of the landowner	
16	when a petition is presented to the public utilities commission by a utility seeking eminent domain,	
17	develop a framework for the state to provide use rights to transmission developers on state owned	
18	rights-of-way, develop policies to encourage burying such lines where practicable, and establish a	
19	structure for payment.	
20	II. The m	embers of the commission shall be as follows:
21		aree members of the senate, appointed by the president of the senate.
22	(b) T	hree members of the house of representatives, appointed by the speaker of the
23	house of represen	tatives.
24	(c) Th	e commissioner of the department of transportation, or designee.
25	(d) O	ne commissioner of the public utilities commission, or designee, appointed by the
26	chairperson of the	commission.
27	(e) On	ne member of the office of energy and planning, appointed by the governor.
28	III. Legisl	ative members of the commission shall receive mileage at the legislative rate when
29	attending to the d	uties of the commission.
30	IV. The c	ommission shall investigate the procedures available and potentially available to
31	landowners for ob-	taining a hearing when their land is the subject of a petition filed with the public
32	utilities commission by a utility seeking to take such property. The commission shall also develop a	
33	framework for the state to provide use rights to transmission developers, formulate policies which in	
34	so far as practicable, encourage the burying of transmission lines along state rights-of-way and base	

Floor Amendment to HB 648 - Page 2 -

- V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Five members of the commission shall constitute a quorum.
- VI. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2012.
- 7 Repeal. RSA 371:16-a, relative to the commission to develop a framework for the state to formulate policies relative to transmission developers, is repealed.
- 11 8 Effective Date.

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payments on a percent of profitability.

- I. Sections 1 through 5 of this act shall take effect 60 days after its passage.
- II. Section 7 of this act shall take effect November 1, 2012.
- 14 III. The remainder of this act shall take effect upon its passage.

Floor Amendment to HB 648 - Page 3 -

2012-0373s

AMENDED ANALYSIS

This bill modifies certain requirements pertaining to the taking of land or property rights by a utility. This bill also establishes a commission to investigate procedures for obtaining a hearing for landowners whose property is being considered for eminent domain, develop a framework to provide use rights to transmission developers on state owned rights-of-way, develop policies to encourage burying such lines where practicable, and establish a structure for payment.