

Wind-related legislation still shifting

Hanger's bill for Highland amended

BY ANNE ADAMS • STAFF WRITER

RICHMOND — Highland County's legislative proposal to stabilize tax revenue from Highland New Wind Development's proposed wind utility has taken another turn, for better or worse depending on one's perspective.

Sen. Emmett Hanger introduced a bill in the Senate that would allow localities to tax wind energy facilities at \$5,000 per turbine annually. That bill (SB 404) passed the Senate in January.

On the House side, however, Highland's representative Del. Chris Saxman didn't think the proposal was good state policy, and asked Hanger to amend it Tuesday morning. "I didn't think (the bill's) language was going to pass the House, and frankly, it's not a good policy to set," he told *The Recorder* this week. "You can't set tax policy (based) on one locality; you can't have a cap."

Saxman proposed amending the bill to allow localities to set the tax rate on wind utili-

ties at whatever they want. "That leaves it up to each locality," he said. "You can't set the tax rate because of a 'potential deal' in one place. Some other locality might need a lot more money than that."

The bill is being revived by Hanger, and the Senate will need to review the amendments made to it before it comes to a vote.

The amended version states localities can tax wind energy facilities higher than the local real estate tax rate, but no higher than the personal property tax rate. In Highland, the current personal property tax rate is \$1.50 per \$100 value.

County administrator Roberta Lambert said Wednesday she wasn't sure yet how to interpret the changes, and the county didn't know yet how the State Corporation Commission might value Highland New Wind Development LLC's equipment. "I can't say what this will mean yet," Lambert said.

"That (amended) bill will likely pass in that form, if the Senate passes the amendments,"

Saxman said. He expected the bill to come to a vote this week, but it was passed by for a vote by the end of Wednesday.

Hanger could not be reached for comment by press time this week.

As for the Virginia Energy Plan, introduced by Sen. Frank Wagner, Saxman's House version has been rolled into one offered by Del. L. Scott Lingamfelter (HB 1153), where it has been left in appropriations.

The bill is in a House subcommittee of commerce and labor, and continues to change as amendments are added and sections deleted.

Saxman says some amendments have been made to it with regard to current litigation surrounding Highland's wind plant proposal, "mostly just to clarify language where projects are entangled in previously filed lawsuits," Saxman said.

Sen. Margaret Whipple's bill on renewable portfolio standards has been continued to next session.