

H.577

An act relating to voter approval of electricity purchases by municipalities and electric cooperatives

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 30 V.S.A. § 2924 is amended to read:

§ 2924. APPROVAL BY VOTERS OF MUNICIPALITY

(a) With respect to matters not subject to section 248 of this title, ~~before~~ a municipal department established under this chapter or local charter ~~may~~ shall obtain the approval of the voters of the municipality before in any way:

(1) ~~purchase~~ purchasing electric capacity or energy from outside the state, ~~for a period exceeding five years, that represents more than one percent of its historic peak demand, or~~ State:

(A) for a period exceeding five years, that represents more than three percent of its historic peak demand, unless the purchase is from a plant that produces electricity from renewable energy; or

(B) for a period exceeding ten years, that represents more than ten percent of its historic peak demand, if the purchase is from a plant that produces electricity from renewable energy;

(2) ~~invest~~ investing in an electric generation or transmission facility located outside this ~~state~~ State; or

(3) ~~begin~~ beginning site preparation for or construction of an electric generation facility within the ~~state~~ State, or an electric transmission facility within the ~~state which~~ State that is designed for immediate or eventual operation at any voltage or ~~exercise~~ exercising the right of eminent domain in connection with site preparation for or construction of any such transmission or generation facility, except for the replacement of existing facilities with equivalent facilities in the usual course of business;

(b) ~~that~~ A municipal department shall obtain the approval required by subsection (a) of this section by a vote of a majority of the voters of the municipality voting upon the question at a duly warned annual or special meeting to be held for that purpose. Prior to the meeting, ~~a~~ the municipal department may provide to the voters an assessment of any risks and benefits of the proposed action.

(c) In this section, "plant" and "renewable energy" have the same meaning as in section 8002 of this title.

Sec. 2. 30 V.S.A. § 3044 is amended to read:

§ 3044. APPROVAL BY MEMBERS OF COOPERATIVE

(a) With respect to matters not subject to section 248 of this title, ~~before~~ a cooperative established under this chapter ~~may~~ shall obtain the approval of the voters of the cooperative before in any way:

(1) ~~purchase~~ purchasing electric capacity or energy from outside the state, for a period ~~exceeding five years, that represents more than one percent~~ of its historic peak demand, or State:

(A) for a period exceeding five years, that represents more than three percent of its historic peak demand, unless the purchase is from a plant that produces electricity from renewable energy; or

(B) for a period exceeding ten years, that represents more than ten percent of its historic peak demand, if the purchase is from a plant that produces electricity from renewable energy;

(2) ~~invest~~ investing in an electric generation or transmission facility located outside this ~~state~~ State; or

(3) ~~begin~~ beginning site preparation for or construction of an electric generation facility within the ~~state~~ State, or an electric transmission facility within the ~~state which~~ State that is designed for immediate or eventual operation at any voltage or ~~exercise~~ exercising the right of eminent domain in connection with site preparation for or construction of any such transmission or generation facility, except for the replacement of existing facilities with equivalent facilities in the usual course of business,.

(b) ~~that~~ A cooperative shall obtain the approval required by subsection (a) of this section by a vote of a majority of the voters of the cooperative voting upon the question at a duly warned annual or special meeting to be held for

that purpose. Prior to the meeting, a the cooperative may provide to the voters an assessment of any risks and benefits of the proposed action.

(c) In this section, “plant” and “renewable energy” have the same meaning as in section 8002 of this title.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2016.