

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred House
3 Bill No. 40 entitled “An act relating to establishing a renewable energy
4 standard and energy transformation program” respectfully reports that it has
5 considered the same and recommends that the Senate propose to the House that
6 the bill be amended as follows:

7 First: In Sec. 2, 30 V.S.A. § 8004, in subsection (a), by striking out the last
8 sentence, and inserting in lieu thereof:

9 A retail electricity provider may meet ~~this requirement~~ the required amounts
10 of renewable energy through eligible ~~new~~ tradeable renewable energy credits
11 that it owns and retires, ~~new~~ eligible renewable energy resources with
12 ~~renewable energy credits~~ environmental attributes still attached, or a
13 combination of those credits and resources.

14 Second: In Sec. 2, 30 V.S.A. § 8004, by striking out subsection (b) and
15 inserting in lieu thereof a new subsection (b) to read:

16 (~~a~~)(b) Rules. The Board shall ~~provide, by order or rule,~~ adopt the
17 regulations and procedures rules that are necessary to allow the Board and the
18 Department to implement and supervise further the implementation and
19 maintenance of a ~~renewable portfolio standard~~ the RESET program.

1 Third: In Sec. 3, 30 V.S.A. § 8005, in subdivision (a)(3), in subdivision
2 (D), in the first sentence, by striking out “or procedures”, and in subdivision
3 (F), by striking out each occurrence of “or procedures”.

4 Fourth: In Sec. 3, 30 V.S.A. § 8005, in subdivision (a)(3)(E), after
5 subdivision (ii), by inserting a subdivision (iii) to read:

6 (iii) To meet the requirements of this subdivision (3), one or more
7 retail electricity providers may jointly propose with an energy efficiency entity
8 appointed under subdivision 209(d)(2) of this title an energy transformation
9 project or group of such projects. The proposal shall include standards of
10 measuring performance and methods to allocate savings and reductions in
11 fossil fuel consumption and greenhouse gas emissions among each
12 participating provider and efficiency entity.

13 Fifth: In Sec. 3, 30 V.S.A. § 8005, in subdivision (a)(3)(F), by striking out
14 subdivision (viii) and inserting in lieu thereof a new subdivision (viii) to read:

15 (viii) To ensure that, if an energy transformation project will
16 increase the use of electric energy, the project incorporates best practices for
17 demand management, uses technologies appropriate for Vermont, and
18 encourages the installation of the technologies in buildings that meet minimum
19 energy performance standards.

20 Sixth: In Sec. 3, 30 V.S.A. § 8005, in subdivision (a)(3)(G)(i), by striking
21 out “strict”.

1 Seventh: In Sec. 3, 30 V.S.A. § 8005, in subdivision (d)(1), by striking out
2 “of Portland, Maine”.

3 Eighth: In Sec. 4, 30 V.S.A. § 8005a, in subdivision (k)(3), in the last
4 sentence, after “purchasing power” by striking out “from” and inserting in lieu
5 thereof generated by.

6 Ninth: In Sec. 6, 30 V.S.A. § 8005b, by striking out subsection (b) and
7 inserting in lieu thereof a new subsection (b) to read:

8 (b) The annual report under this section shall include at least each of the
9 following:

10 (1) An assessment of the costs and benefits of the RESET Program
11 based on the most current available data, including rate and economic impacts,
12 customer savings, technology deployment, greenhouse gas emission reductions
13 actually achieved, fuel price stability, and effect on transmission and
14 distribution upgrade costs, and any recommended changes based on this
15 assessment.

16 (2) Projections, looking at least 10 years ahead, of the impacts of the
17 RESET Program. The Department shall employ an economic model to make
18 these projections and shall consider at least three scenarios based on high,
19 mid-range, and low energy price forecasts. The Department shall project, for
20 the State, the RESET Program’s impact in each of the following areas: electric
21 utility rates; total energy consumption; electric energy consumption; fossil fuel

1 consumption; and greenhouse gas emissions. The report shall compare the
2 amount or level in each of these areas with and without the Program.

3 (3) An assessment of whether the requirements of the RESET
4 Program have been met to date, and any recommended changes needed to
5 achieve those requirements.

6 Tenth: In Sec. 6, 30 V.S.A. § 8005b, in subsection (c), by striking out
7 subdivision (8) and by renumbering the remaining subdivision to be
8 numerically correct.

9 Eleventh: By striking out Sec. 8 (Public Service Board rulemaking) and
10 inserting in lieu thereof a new Sec. 8 to read:

11 Sec. 8. PUBLIC SERVICE BOARD IMPLEMENTATION

12 (a) Commencement. On or before August 31, 2015, the Public Service
13 Board (the Board) shall commence a proceeding to implement Secs. 2 (sales of
14 electric energy; RESET Program), 3 (RESET Program categories), and 7
15 (tradeable renewable energy credits) of this act.

16 (b) Notice; comment; workshop. The proceeding shall include one or more
17 workshops to solicit the input of potentially affected parties and the public.

18 The Board shall provide notice of the workshops on its website and directly to
19 the Department, Vermont's retail electricity providers, Renewable Energy
20 Vermont, business organizations such as Associated Industries of Vermont,
21 environmental and consumer advocacy organizations such as the Vermont

1 Natural Resources Council and the Vermont Public Interest Research Group,
2 and to any other person that requests direct notice or to whom the Board may
3 consider direct notice appropriate. The Board also shall provide an
4 opportunity for submission of written comments, which the notice shall
5 include.

6 (c) Procedures; order. On or before July 1, 2016, the Board shall by order
7 adopt initial procedures to implement Secs. 2, 3, and 7 of this act to take effect
8 on January 1, 2017.

9 (d) On or before July 1, 2017, the Board shall commence rulemaking to
10 implement Secs. 2, 3, and 7 of this act. The Board shall finally adopt these
11 rules within eight months of commencing rulemaking, unless this period is
12 extended by the Legislative Committee on Administrative Rules under
13 3 V.S.A. § 843.

14 (e) Assistance. The Board and the Department of Public Service may
15 retain experts and other personnel to assist them with the proceedings and
16 rulemaking under this section and allocate the costs of these personnel to the
17 electric distribution utilities in accordance with the process under 30 V.S.A.
18 § 21.

19 Twelfth: In Sec. 12, 30 V.S.A. § 8010(c), in subdivision (2)(F), by striking
20 out the third sentence and inserting in lieu thereof:

1 For example, a monthly credit amount may be higher if taken over 10 years
2 and lower if taken over 20 years.

3 Thirteenth: By striking out Sec. 14a in its entirety and inserting in lieu
4 thereof [Deleted.]

5 Fourteenth: By striking out Sec. 14b in its entirety and inserting lieu
6 thereof a new Sec. 14b to read:

7 Sec. 14b. JOINT ENERGY COMMITTEE; RECOMMENDATION

8 (a) On or before February 15, 2016, the Joint Energy Committee under
9 2 V.S.A. chapter 17 shall submit a recommendation to the House Committee
10 on Commerce and Economic Development, Senate Committee on Finance,
11 House Committee on Ways and Means, and House and Senate Committees on
12 Natural Resources and Energy on:

13 (1) what revisions, if any, the Committee recommends that the General
14 Assembly enact with respect to the statutes applicable to energy efficiency
15 entities appointed and charges imposed under 30 V.S.A. § 209(d);

16 (2) what legislation, if any, the Committee recommends that the General
17 Assembly enact to clarify or alter the relationship of energy efficiency entities
18 and charges under 30 V.S.A. § 209(d) with the energy transformation category
19 adopted under Sec. 3 of this act, 30 V.S.A. § 8005(a); and

1 (3) what legislation, if any, the Committee recommends that the General
2 Assembly enact regarding the adoption by municipalities of setback and
3 screening requirements for solar electric generation.

4 (b) Prior to submitting its recommendation under this section, the Joint
5 Energy Committee shall offer an opportunity for comment by affected State
6 agencies; utilities; appointed energy efficiency entities; advocates for business,
7 consumer, and environmental interests; and members of the public.

8 (c) For the purpose of this section, the Joint Energy Committee:

9 (1) may meet no more than four times during adjournment without prior
10 approval of the Speaker of the House and the President Pro Tempore of the
11 Senate; and

12 (2) shall have the administrative, technical, and professional assistance
13 of the Office of Legislative Council and the Joint Fiscal Office.

14 (d) A bill or amendment during the 2016 session to adopt legislation
15 regarding the issues to be addressed by the Joint Energy Committee under this
16 section this act shall be in order.

17 Fifteenth: In Sec. 19, 30 V.S.A. § 248(b), by striking out subdivision (9)
18 and inserting a new subdivision (9) to read:

19 (9) with respect to a waste to energy facility;

1 (A) is included in a solid waste management plan adopted pursuant to
2 24 V.S.A. § 2202a, which is consistent with the State Solid Waste
3 Management Plan; and

4 (B) is included in a solid waste management plan adopted pursuant to
5 24 V.S.A. § 2202a for the municipality and solid waste district from which
6 1,000 tons or more per year of the waste is to originate, if that municipality or
7 district owns an operating facility that already beneficially uses a portion of the
8 waste;

9 Sixteenth: In Sec. 21, 30 V.S.A. § 8001(b), by striking out “and
10 procedures” and inserting in lieu thereof ~~and procedures~~.

11 Seventeenth: After Sec. 26, by inserting a reader assistance and Secs. 26a
12 and 26b to read:

13 * * * Solar Plants; Municipal Setback and Screening Requirements * * *

14 Sec. 26a. 24 V.S.A. § 4414(15) is added to read:

15 (15) Solar plants; setbacks; screening. Notwithstanding any contrary
16 provision of section 4413 of this title or 30 V.S.A. chapter 5 or 89, a
17 municipality may adopt bylaws that require a plant that generates electricity
18 from solar energy to comply with setback and screening requirements. These
19 requirements shall not prohibit or have the effect of prohibiting the installation
20 of such a plant and shall not have the effect of interfering with its intended
21 functional use. In this section, “plant” shall have the same meaning as in

1 30 V.S.A. § 8002 and “screening” includes landscaping, vegetation, fencing,
2 and topographic features.

3 Sec. 26b. REPORT; TOWN ADOPTION OF SOLAR SETBACKS,
4 SCREENING

5 (a) On or before January 15, 2018, the Commissioner of Housing and
6 Community Development (the Commissioner) shall submit a report to the
7 House and Senate Committees on Natural Resources and Energy that:

8 (1) identifies the municipalities that have adopted setback or screening
9 requirements, or both, pursuant to Sec. 26a of this act, 24 V.S.A § 4414(15);

10 (2) summarizes these adopted setback and screening requirements; and

11 (3) provides the number of applications made under 24 V.S.A.
12 § 4414(15) and itemizes their disposition and status.

13 (b) Each municipality adopting a bylaw under 24 V.S.A. § 4414(15) shall
14 provide the Commissioner, on request, with information needed to complete
15 the report required by this section.

16 Eighteenth: By striking out Sec. 28 (effective dates), and inserting in lieu
17 thereof a new Sec. 28 to read:

18 Sec. 28. EFFECTIVE DATES

19 (a) This section and Secs. 8 (Public Service Board rulemaking),
20 10 (Forests, Parks and Recreation rulemaking), 14b (joint energy committee;
21 recommendation), 18 (net metering pilot project), and 27 (severability) shall

1 take effect on passage. Notwithstanding 1 V.S.A. § 214, Sec. 18 shall apply to
2 facilities for which an application for a certificate of public good is pending as
3 of its effective date.

4 (b) Secs. 1 through 7, 9, 11, 13, 14, 15 through 17, 19, 20, and 21 through
5 26 shall take effect on July 1, 2015. Sec. 11 (net metering systems;
6 environmental attributes) shall not apply to complete applications filed prior to
7 its effective date.

8 (c) Secs. 26a (solar setbacks and screening) and 26b (report) shall take
9 effect on July 1, 2016.

10 (d) Sec. 12 (net metering systems; environmental attributes) shall amend
11 30 V.S.A. § 8010 as added effective January 1, 2017 by 2014 Acts and
12 Resolves No. 99, Sec. 4. Sec. 12 shall take effect on January 2, 2017, except
13 that, notwithstanding 1 V.S.A. § 214, the section shall apply to the Public
14 Service Board process under 2014 Acts and Resolves No. 99, Sec. 5. Sec. 12
15 shall not affect a net metering system for which a complete application was
16 filed before January 1, 2017.

17
18 (Committee vote: _____)

19 _____

20 Senator _____

21 FOR THE COMMITTEE

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred House
3 Bill No. 40 entitled “An act relating to establishing a renewable energy
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13 combination of those credits and resources.

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15 inserting in lieu thereof a new subsection (b) to read:

16 (~~a~~)(b) Rules. The Board shall ~~provide, by order or rule,~~ adopt the
17 regulations and procedures rules that are necessary to allow the Board and the
18 Department to implement and supervise further the implementation and
19 maintenance of a ~~renewable portfolio standard~~ the RESET program.

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2 (D), in the first sentence, by striking out “or procedures”, and in subdivision
3 (F), by striking out each occurrence of “or procedures”.

4 Fourth: In Sec. 3, 30 V.S.A. § 8005, in subdivision (a)(3)(E), after
5 subdivision (ii), by inserting a subdivision (iii) to read:

6 (iii) To meet the requirements of this subdivision (3), one or more
7 retail electricity providers may jointly propose with an energy efficiency entity
8 appointed under subdivision 209(d)(2) of this title an energy transformation
9 project or group of such projects. The proposal shall include standards of
10 measuring performance and methods to allocate savings and reductions in
11 fossil fuel consumption and greenhouse gas emissions among each
12 participating provider and efficiency entity.

13 Fifth: In Sec. 3, 30 V.S.A. § 8005, in subdivision (a)(3)(F), by striking out
14 subdivision (viii) and inserting in lieu thereof a new subdivision (viii) to read:

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16 increase the use of electric energy, the project incorporates best practices for
17 demand management, uses technologies appropriate for Vermont, and
18 encourages the installation of the technologies in buildings that meet minimum
19 energy performance standards.

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21 out “strict”.

1 Seventh: In Sec. 3, 30 V.S.A. § 8005, in subdivision (d)(1), by striking out
2 “of Portland, Maine”.

3 Eighth: In Sec. 4, 30 V.S.A. § 8005a, in subdivision (k)(3), in the last
4 sentence, after “purchasing power” by striking out “from” and inserting in lieu
5 thereof generated by.

6 Ninth: In Sec. 6, 30 V.S.A. § 8005b, by striking out subsection (b) and
7 inserting in lieu thereof a new subsection (b) to read:

8 (b) The annual report under this section shall include at least each of the
9 following:

10 (1) An assessment of the costs and benefits of the RESET Program
11 based on the most current available data, including rate and economic impacts,
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13 actually achieved, fuel price stability, and effect on transmission and
14 distribution upgrade costs, and any recommended changes based on this
15 assessment.

16 (2) Projections, looking at least 10 years ahead, of the impacts of the
17 RESET Program. The Department shall employ an economic model to make
18 these projections and shall consider at least three scenarios based on high,
19 mid-range, and low energy price forecasts. The Department shall project, for
20 the State, the RESET Program’s impact in each of the following areas: electric
21 utility rates; total energy consumption; electric energy consumption; fossil fuel

1 consumption; and greenhouse gas emissions. The report shall compare the
2 amount or level in each of these areas with and without the Program.

3 (3) An assessment of whether the requirements of the RESET
4 Program have been met to date, and any recommended changes needed to
5 achieve those requirements.

6 Tenth: In Sec. 6, 30 V.S.A. § 8005b, in subsection (c), by striking out
7 subdivision (8) and by renumbering the remaining subdivision to be
8 numerically correct.

9 Eleventh: By striking out Sec. 8 (Public Service Board rulemaking) and
10 inserting in lieu thereof a new Sec. 8 to read:

11 Sec. 8. PUBLIC SERVICE BOARD IMPLEMENTATION

12 (a) Commencement. On or before August 31, 2015, the Public Service
13 Board (the Board) shall commence a proceeding to implement Secs. 2 (sales of
14 electric energy; RESET Program), 3 (RESET Program categories), and 7
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17 workshops to solicit the input of potentially affected parties and the public.

18 The Board shall provide notice of the workshops on its website and directly to
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2 and to any other person that requests direct notice or to whom the Board may
3 consider direct notice appropriate. The Board also shall provide an
4 opportunity for submission of written comments, which the notice shall
5 include.

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7 adopt initial procedures to implement Secs. 2, 3, and 7 of this act to take effect
8 on January 1, 2017.

9 (d) On or before July 1, 2017, the Board shall commence rulemaking to
10 implement Secs. 2, 3, and 7 of this act. The Board shall finally adopt these
11 rules within eight months of commencing rulemaking, unless this period is
12 extended by the Legislative Committee on Administrative Rules under
13 3 V.S.A. § 843.

14 (e) Assistance. The Board and the Department of Public Service may
15 retain experts and other personnel to assist them with the proceedings and
16 rulemaking under this section and allocate the costs of these personnel to the
17 electric distribution utilities in accordance with the process under 30 V.S.A.
18 § 21.

19 Twelfth: In Sec. 12, 30 V.S.A. § 8010(c), in subdivision (2)(F), by striking
20 out the third sentence and inserting in lieu thereof:

1 For example, a monthly credit amount may be higher if taken over 10 years
2 and lower if taken over 20 years.

3 Thirteenth: By striking out Sec. 14a in its entirety and inserting in lieu
4 thereof [Deleted.]

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8 (a) On or before February 15, 2016, the Joint Energy Committee under
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12 Natural Resources and Energy on:

13 (1) what revisions, if any, the Committee recommends that the General
14 Assembly enact with respect to the statutes applicable to energy efficiency
15 entities appointed and charges imposed under 30 V.S.A. § 209(d);

16 (2) what legislation, if any, the Committee recommends that the General
17 Assembly enact to clarify or alter the relationship of energy efficiency entities
18 and charges under 30 V.S.A. § 209(d) with the energy transformation category
19 adopted under Sec. 3 of this act, 30 V.S.A. § 8005(a); and

1 (3) what legislation, if any, the Committee recommends that the General
2 Assembly enact regarding the adoption by municipalities of setback and
3 screening requirements for solar electric generation.

4 (b) Prior to submitting its recommendation under this section, the Joint
5 Energy Committee shall offer an opportunity for comment by affected State
6 agencies; utilities; appointed energy efficiency entities; advocates for business,
7 consumer, and environmental interests; and members of the public.

8 (c) For the purpose of this section, the Joint Energy Committee:

9 (1) may meet no more than four times during adjournment without prior
10 approval of the Speaker of the House and the President Pro Tempore of the
11 Senate; and

12 (2) shall have the administrative, technical, and professional assistance
13 of the Office of Legislative Council and the Joint Fiscal Office.

14 (d) A bill or amendment during the 2016 session to adopt legislation
15 regarding the issues to be addressed by the Joint Energy Committee under this
16 section this act shall be in order.

17 Fifteenth: In Sec. 19, 30 V.S.A. § 248(b), by striking out subdivision (9)
18 and inserting a new subdivision (9) to read:

19 (9) with respect to a waste to energy facility;

1 (A) is included in a solid waste management plan adopted pursuant to
2 24 V.S.A. § 2202a, which is consistent with the State Solid Waste
3 Management Plan; and

4 (B) is included in a solid waste management plan adopted pursuant to
5 24 V.S.A. § 2202a for the municipality and solid waste district from which
6 1,000 tons or more per year of the waste is to originate, if that municipality or
7 district owns an operating facility that already beneficially uses a portion of the
8 waste;

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11 Sec. 8. PUBLIC SERVICE BOARD IMPLEMENTATION

12 (a) Commencement. On or before August 31, 2015, the Public Service
13 Board (the Board) shall commence a proceeding to implement Secs. 2 (sales of
14 electric energy; RESET Program), 3 (RESET Program categories), and 7
15 (tradeable renewable energy credits) of this act.

16 (b) Notice; comment; workshop. The proceeding shall include one or more
17 workshops to solicit the input of potentially affected parties and the public.

18 The Board shall provide notice of the workshops on its website and directly to
19 the Department, Vermont's retail electricity providers, Renewable Energy
20 Vermont, business organizations such as Associated Industries of Vermont,
21 environmental and consumer advocacy organizations such as the Vermont

1 Natural Resources Council and the Vermont Public Interest Research Group,
2 and to any other person that requests direct notice or to whom the Board may
3 consider direct notice appropriate. The Board also shall provide an
4 opportunity for submission of written comments, which the notice shall
5 include.

6 (c) Procedures; order. On or before July 1, 2016, the Board shall by order
7 adopt initial procedures to implement Secs. 2, 3, and 7 of this act to take effect
8 on January 1, 2017.

9 (d) On or before July 1, 2017, the Board shall commence rulemaking to
10 implement Secs. 2, 3, and 7 of this act. The Board shall finally adopt these
11 rules within eight months of commencing rulemaking, unless this period is
12 extended by the Legislative Committee on Administrative Rules under
13 3 V.S.A. § 843.

14 (e) Assistance. The Board and the Department of Public Service may
15 retain experts and other personnel to assist them with the proceedings and
16 rulemaking under this section and allocate the costs of these personnel to the
17 electric distribution utilities in accordance with the process under 30 V.S.A.
18 § 21.

19 Twelfth: In Sec. 12, 30 V.S.A. § 8010(c), in subdivision (2)(F), by striking
20 out the third sentence and inserting in lieu thereof:

1 For example, a monthly credit amount may be higher if taken over 10 years
2 and lower if taken over 20 years.

3 Thirteenth: By striking out Sec. 14a in its entirety and inserting in lieu
4 thereof [Deleted.]

5 Fourteenth: By striking out Sec. 14b in its entirety and inserting lieu
6 thereof a new Sec. 14b to read:

7 Sec. 14b. JOINT ENERGY COMMITTEE; RECOMMENDATION

8 (a) On or before February 15, 2016, the Joint Energy Committee under
9 2 V.S.A. chapter 17 shall submit a recommendation to the House Committee
10 on Commerce and Economic Development, Senate Committee on Finance,
11 House Committee on Ways and Means, and House and Senate Committees on
12 Natural Resources and Energy on:

13 (1) what revisions, if any, the Committee recommends that the General
14 Assembly enact with respect to the statutes applicable to energy efficiency
15 entities appointed and charges imposed under 30 V.S.A. § 209(d);

16 (2) what legislation, if any, the Committee recommends that the General
17 Assembly enact to clarify or alter the relationship of energy efficiency entities
18 and charges under 30 V.S.A. § 209(d) with the energy transformation category
19 adopted under Sec. 3 of this act, 30 V.S.A. § 8005(a); and

1 (3) what legislation, if any, the Committee recommends that the General
2 Assembly enact regarding the adoption by municipalities of setback and
3 screening requirements for solar electric generation.

4 (b) Prior to submitting its recommendation under this section, the Joint
5 Energy Committee shall offer an opportunity for comment by affected State
6 agencies; utilities; appointed energy efficiency entities; advocates for business,
7 consumer, and environmental interests; and members of the public.

8 (c) For the purpose of this section, the Joint Energy Committee:

9 (1) may meet no more than four times during adjournment without prior
10 approval of the Speaker of the House and the President Pro Tempore of the
11 Senate; and

12 (2) shall have the administrative, technical, and professional assistance
13 of the Office of Legislative Council and the Joint Fiscal Office.

14 (d) A bill or amendment during the 2016 session to adopt legislation
15 regarding the issues to be addressed by the Joint Energy Committee under this
16 section this act shall be in order.

17 Fifteenth: In Sec. 19, 30 V.S.A. § 248(b), by striking out subdivision (9)
18 and inserting a new subdivision (9) to read:

19 (9) with respect to a waste to energy facility;

1 (A) is included in a solid waste management plan adopted pursuant to
2 24 V.S.A. § 2202a, which is consistent with the State Solid Waste
3 Management Plan; and

4 (B) is included in a solid waste management plan adopted pursuant to
5 24 V.S.A. § 2202a for the municipality and solid waste district from which
6 1,000 tons or more per year of the waste is to originate, if that municipality or
7 district owns an operating facility that already beneficially uses a portion of the
8 waste;

9 Sixteenth: In Sec. 21, 30 V.S.A. § 8001(b), by striking out “and
10 procedures” and inserting in lieu thereof ~~and procedures~~.

11 Seventeenth: After Sec. 26, by inserting a reader assistance and Secs. 26a
12 and 26b to read:

13 * * * Solar Plants; Municipal Setback and Screening Requirements * * *

14 Sec. 26a. 24 V.S.A. § 4414(15) is added to read:

15 (15) Solar plants; setbacks; screening. Notwithstanding any contrary
16 provision of section 4413 of this title or 30 V.S.A. chapter 5 or 89, a
17 municipality may adopt bylaws that require a plant that generates electricity
18 from solar energy to comply with setback and screening requirements. These
19 requirements shall not prohibit or have the effect of prohibiting the installation
20 of such a plant and shall not have the effect of interfering with its intended
21 functional use. In this section, “plant” shall have the same meaning as in

1 30 V.S.A. § 8002 and “screening” includes landscaping, vegetation, fencing,
2 and topographic features.

3 Sec. 26b. REPORT; TOWN ADOPTION OF SOLAR SETBACKS,
4 SCREENING

5 (a) On or before January 15, 2018, the Commissioner of Housing and
6 Community Development (the Commissioner) shall submit a report to the
7 House and Senate Committees on Natural Resources and Energy that:

8 (1) identifies the municipalities that have adopted setback or screening
9 requirements, or both, pursuant to Sec. 26a of this act, 24 V.S.A § 4414(15);

10 (2) summarizes these adopted setback and screening requirements; and

11 (3) provides the number of applications made under 24 V.S.A.
12 § 4414(15) and itemizes their disposition and status.

13 (b) Each municipality adopting a bylaw under 24 V.S.A. § 4414(15) shall
14 provide the Commissioner, on request, with information needed to complete
15 the report required by this section.

16 Eighteenth: By striking out Sec. 28 (effective dates), and inserting in lieu
17 thereof a new Sec. 28 to read:

18 Sec. 28. EFFECTIVE DATES

19 (a) This section and Secs. 8 (Public Service Board rulemaking),
20 10 (Forests, Parks and Recreation rulemaking), 14b (joint energy committee;
21 recommendation), 18 (net metering pilot project), and 27 (severability) shall

1 take effect on passage. Notwithstanding 1 V.S.A. § 214, Sec. 18 shall apply to
2 facilities for which an application for a certificate of public good is pending as
3 of its effective date.

4 (b) Secs. 1 through 7, 9, 11, 13, 14, 15 through 17, 19, 20, and 21 through
5 26 shall take effect on July 1, 2015. Sec. 11 (net metering systems;
6 environmental attributes) shall not apply to complete applications filed prior to
7 its effective date.

8 (c) Secs. 26a (solar setbacks and screening) and 26b (report) shall take
9 effect on July 1, 2016.

10 (d) Sec. 12 (net metering systems; environmental attributes) shall amend
11 30 V.S.A. § 8010 as added effective January 1, 2017 by 2014 Acts and
12 Resolves No. 99, Sec. 4. Sec. 12 shall take effect on January 2, 2017, except
13 that, notwithstanding 1 V.S.A. § 214, the section shall apply to the Public
14 Service Board process under 2014 Acts and Resolves No. 99, Sec. 5. Sec. 12
15 shall not affect a net metering system for which a complete application was
16 filed before January 1, 2017.

17
18 (Committee vote: _____)

19 _____

20 Senator _____

21 FOR THE COMMITTEE