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H.316

Introduced by Representatives Sullivan of Burlington, Bartholomew of  
Hartland, Burke of Brattleboro, Cina of Burlington, Deen of  
Westminster, Forguites of Springfield, Head of South  
Burlington, Kitzmiller of Montpelier, LaLonde of South  
Burlington, McCormack of Burlington, McCullough of  
Williston, Mrowicki of Putney, O’Sullivan of Burlington,  
Squirrell of Underhill, Townsend of South Burlington, and  
Walz of Barre City

Referred to Committee on

Date:

Subject: Conservation and development; energy; natural resources; renewable  
energy; 90 percent goal

Statement of purpose of bill as introduced: This bill proposes to establish a  
statutory goal that, by 2050, 90 percent of Vermont’s total energy consumption  
be from renewable energy. It also proposes to establish additional supporting  
goals and to require State plans that affect energy to recommend measures to  
achieve these goals.

An act relating to renewable energy goals for Vermont’s total energy  
consumption

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

2 \* \* \* Designation \* \* \*

3 Sec. 1. DESIGNATION OF ACT

4 This act shall be referred to as the Consolidated Clean Energy Planning and  
5 Economic Opportunity Act.

6 \* \* \* 90 by 2050 Goal \* \* \*

7 Sec. 2. 10 V.S.A. § 580 is amended to read:

8 § 580. ~~25 BY 25~~ 90 BY 2050 STATE GOAL

9 (a) 90 by 2050 goal. It is a goal of the State, by the year 2050, that  
10 90 percent of all energy consumed in Vermont be renewable energy.

11 (b) Supporting goals. The State establishes the following additional goals  
12 in support of subsection (a) of this section:

13 (1) by the year 2025, to:

14 (A) reduce the total energy consumed in Vermont by 15 percent  
15 below the total energy consumed in the State in 2015;

16 (B) produce 25 percent of the energy consumed within the State  
17 through the use of renewable energy sources, particularly from Vermont's  
18 farms and forests; and

19 (C) ensure that each of the following in the State is from renewable  
20 energy:

1                   (i) 10 percent of all energy consumed for transportation  
2                   purposes; and

3                   (ii) 30 percent of all energy consumed in buildings, including  
4                   heating and cooling;

5                   (2) by the year 2035, to supply 40 percent of all energy consumed in  
6                   Vermont from renewable energy; and

7                   (3) by the year 2050, to reduce the total energy consumed in Vermont  
8                   by at least one-third below the total energy consumed in the State in 2015.

9                   (c) Renewable Energy Standard. The requirements of the Renewable  
10                  Energy Standard set forth in 30 V.S.A. §§ 8004 and 8005 are incorporated in  
11                  support of achieving subsection (a) of this section.

12                  (d) State planning and implementation. Each of the following shall plan  
13                  for the achievement of the goals of this section, recommend specific  
14                  implementation measures to demonstrate incremental progress to achieve these  
15                  goals, and report on the progress made and actions taken to achieve the goals:

16                  (1) each State Comprehensive Energy Plan and Plan update issued by  
17                  the Commissioner of Public Service pursuant to 30 V.S.A. § 202b;

18                  (2) each long-range transportation systems plan and annual  
19                  transportation program developed by the Secretary of Transportation pursuant  
20                  to 19 V.S.A. chapter 1; and

1           (3) each State agency energy plan adopted by the Secretary of  
2           Administration pursuant to 3 V.S.A. § 2291.

3           ~~(b)~~(e) Agriculture; forestry; plan. By no later than On or before  
4           January 15, ~~2009~~ 2018, the Secretary of Agriculture, Food and Markets, in  
5           consultation with the Commissioner of Public Service and the Commissioner  
6           of Forests, Parks and Recreation, shall present to the Senate Committees on  
7           Agriculture and on Natural Resources and Energy and the House Committees  
8           on Agriculture and Forestry and on Energy and Technology of the General  
9           Assembly a plan for attaining this the goal set forth in subdivision (b)(1)(B) of  
10          this section. This plan may be submitted as an update to a previously filed  
11          plan to achieve the same goal. Plan Following this 2018 submittal, plan  
12          updates shall be presented no less frequently than every ~~three years~~ third  
13          January 15 thereafter through 2024, and a progress report shall be due annually  
14          on January 15, with the final progress report due on January 15, 2025. The  
15          provisions of 2 V.S.A. § 20(d) shall not apply to the plans and reports required  
16          by this subsection.

17          ~~(e) By no later than January 15, 2009, the Department of Public Service~~  
18          ~~shall present to the legislative committees on Natural Resources and Energy an~~  
19          ~~updated comprehensive energy plan which shall give due consideration to the~~  
20          ~~public engagement process required under 30 V.S.A. § 254 and under 2006~~  
21          ~~Acts and Resolves No. 208, Sec. 2. By that time, the Department of Public~~

1 ~~Service shall incorporate plans adopted under this section into the state~~  
2 ~~comprehensive energy plan adopted under 30 V.S.A. § 202b.~~

3 (f) Stationary sources. Under authority of this chapter, the Secretary of  
4 Natural Resources shall encourage or require stationary sources of air  
5 contaminants to increase the efficiency of their energy consumption or use  
6 renewable energy, or both, if such increase or use will reduce the source's  
7 emissions of air contaminants, including greenhouse gases, and is not  
8 inconsistent with the Clean Air Act, 42 U.S.C. chapter 85.

9 (g) Action; coordination.

10 (1) The following shall take action to implement this section and  
11 coordinate in its implementation:

12 (A) the Secretaries of Administration; of Agriculture, Food and  
13 Markets; of Natural Resources; and of Transportation; and

14 (B) the Commissioners of Buildings and General Services and of  
15 Public Service.

16 (2) These secretaries and commissioners may use a body established by  
17 Executive Order, such as a climate cabinet, to accomplish the coordination  
18 required by this subsection, provided that each of them is a member of the  
19 body.

20 (h) Definition. In this section, "renewable energy" has the same meaning  
21 as under 30 V.S.A. § 8002.

1           \* \* \* Amendments to Planning and Efficiency Statutes \* \* \*

2       Sec. 3. 24 V.S.A. § 4352(c) is amended to read:

3           (c) Enhanced energy planning; requirements. To obtain an affirmative  
4       determination of energy compliance under this section, a plan must:

5   \* \* \*

6           (3) be consistent with the following, with consistency determined in the  
7       manner described under subdivision 4302(f)(1) of this title:

8                    (A) Vermont's greenhouse gas reduction goals under 10 V.S.A.  
9       § 578(a);

10                   (B) Vermont's ~~25 by 25~~ 90 by 2050 goal for renewable energy under  
11       10 V.S.A. § 580 and the supporting goals set forth in that section;

12                   (C) Vermont's building efficiency goals under 10 V.S.A. § 581;

13                   (D) State energy policy under 30 V.S.A. § 202a and the  
14       recommendations for regional and municipal energy planning pertaining to the  
15       efficient use of energy and the siting and development of renewable energy  
16       resources contained in the State energy plans adopted pursuant to 30 V.S.A.  
17        §§ 202 and 202b (State energy plans); and

18                   (E) the distributed renewable generation and energy transformation  
19       categories of resources to meet the requirements of the Renewable Energy  
20       Standard under 30 V.S.A. §§ 8004 and 8005; and

21   \* \* \*

1 Sec. 4. 30 V.S.A. § 202b is amended to read:

2 § 202b. STATE COMPREHENSIVE ENERGY PLAN

3 (a) The Department of Public Service, in conjunction with other State  
4 agencies designated by the Governor, shall prepare a State Comprehensive  
5 Energy Plan covering at least a 20-year period. The Plan shall seek to  
6 implement the State energy policy set forth in section 202a of this title and to  
7 achieve the goals set forth in 10 V.S.A. § 580, and shall be consistent with the  
8 relevant goals of 24 V.S.A. § 4302. The Plan shall include:

9 (1) a comprehensive analysis and projections regarding the use, cost,  
10 supply, and environmental effects of all forms of energy resources used within  
11 Vermont;

12 (2) the content required by 10 V.S.A. § 580;

13 (3) recommendations for State implementation actions, regulation,  
14 legislation, and other public and private action to carry out the Comprehensive  
15 Energy Plan; and

16 ~~(3)~~(4) recommendations for regional and municipal energy planning and  
17 standards for issuing a determination of energy compliance pursuant to  
18 24 V.S.A. § 4352.

19 \* \* \*

1 Sec. 5. 30 V.S.A. § 209(f) is amended to read:

2 (f) Goals and criteria; all energy efficiency programs. With respect to all  
3 energy efficiency programs approved under this section, the Board shall:

4 \* \* \*

5 (15) Ensure that the energy efficiency programs implemented under this  
6 section are designed to make continuous and proportional progress toward  
7 attaining the goals established in 10 V.S.A. § 580 for reduction in energy use,  
8 and toward the overall State building efficiency goals established by 10 V.S.A.  
9 § 581, by promoting all forms of energy end-use efficiency and comprehensive  
10 sustainable building design.

11 Sec. 6. 30 V.S.A. § 218c is amended to read:

12 § 218c. LEAST-COST INTEGRATED PLANNING

13 \* \* \*

14 (b) Each regulated electric or gas company shall prepare and implement a  
15 least-cost integrated plan for the provision of energy services to its Vermont  
16 customers. At least every third year on a schedule directed by the Public  
17 Service Board, each such company shall submit a proposed plan to the  
18 Department of Public Service and the Public Service Board. The Board, after  
19 notice and opportunity for hearing, may approve a company's least-cost  
20 integrated plan if it determines that the company's plan complies with the



1 requirements of subdivision (a)(1) of this section and of sections 8004 and  
2 8005 of this title and the goals of 10 V.S.A. § 580.

3 \* \* \*

4 Sec. 7. 19 V.S.A. § 10b is amended to read:

5 § 10b. STATEMENT OF POLICY; GENERAL

6 (a) The Agency shall be the responsible agency of the State for the  
7 development of transportation policy. It shall develop a mission statement to  
8 reflect:

9 (1) that State transportation policy shall be to encompass, coordinate,  
10 and integrate all modes of transportation and to consider “complete streets”  
11 principles, which are principles of safety and accommodation of all  
12 transportation system users, regardless of age, ability, or modal preference; and

13 (2) the need for transportation projects that will improve the State’s  
14 economic infrastructure and advance the goals set forth in 10 V.S.A. § 580, as  
15 well as the use of resources in efficient, coordinated, integrated, cost-effective,  
16 and environmentally sound ways.

17 (b) The Agency shall coordinate planning and education efforts with those  
18 of the Vermont Climate Change Oversight Committee and those of local and  
19 regional planning entities:

20 (1) to ~~assure~~ ensure that the transportation system as a whole is  
21 integrated, that access to the transportation system as a whole is integrated, and

1 that statewide, local, and regional conservation and efficiency opportunities  
2 and practices are integrated; and

3 (2) to support employer or local or regional government-led  
4 conservation, efficiency, rideshare, and bicycle programs and other innovative  
5 transportation advances, especially employer-based incentives.

6 (c) In developing the State's annual Transportation Program, the Agency  
7 shall, consistent with the planning goals listed in 24 V.S.A. § 4302 as amended  
8 by 1988 Acts and Resolves No. 200 and with appropriate consideration to  
9 local, regional, and State agency plans:

10 (1) Develop or incorporate designs that provide integrated, safe, and  
11 efficient transportation and that are consistent with the goals set forth in  
12 10 V.S.A. § 580.

13 \* \* \*

14 Sec. 8. 19 V.S.A. § 10i is amended to read:

15 § 10i. TRANSPORTATION PLANNING PROCESS

16 (a) Long-range systems plan. The ~~agency~~ Agency shall establish and  
17 implement a planning process through the adoption of a long-range  
18 multi-modal systems plan integrating all modes of transportation. The  
19 long-range multi-modal systems plan shall be based upon ~~agency~~ Agency  
20 transportation policy developed under section 10b of this title, other policies  
21 approved by the ~~legislature~~ General Assembly such as the goals set forth in

1 10 V.S.A. § 580, agency goals, mission, and objectives, and demographic and  
2 travel forecasts, design standards, performance criteria, and funding  
3 availability. The long-range systems plan shall be developed with participation  
4 of the public, local, and regional governmental entities, and pursuant to the  
5 planning goals and processes set forth in 1988 Acts and Resolves No. 200 of  
6 ~~the Acts of the 1987 Adj. Sess. (1988).~~ The plan shall contain the content  
7 required by 10 V.S.A. § 580.

8 \* \* \*

9 (c) Transportation program. The transportation program shall be developed  
10 in a fiscally responsible manner to accomplish the following objectives:

11 (1) ~~Managing~~ managing, maintaining, and improving the ~~state's~~ State's  
12 existing transportation infrastructure to provide capacity, safety, and flexibility  
13 in the most cost-effective and efficient manner;

14 (2) ~~Developing~~ developing an integrated transportation system that  
15 provides Vermonters with transportation choices;

16 (3) ~~Strengthening~~ strengthening the economy, protecting the quality of  
17 the natural environment, and improving Vermonters' quality of life; and

18 (4) achieving the goals of 10 V.S.A. § 580.

19 \* \* \*

1 Sec. 9. 3 V.S.A. § 2291 is amended to read:

2 § 2291. STATE AGENCY ENERGY PLAN

3 \* \* \*

4 (c) The Secretary of Administration with the cooperation of the  
5 Commissioners of Public Service and of Buildings and General Services shall  
6 develop and oversee the implementation of a State Agency Energy Plan for  
7 State government. The Plan shall be adopted by June 30, 2005, modified as  
8 necessary, and readopted by the Secretary on or before January 15, 2010 and  
9 each sixth year subsequent to 2010. The Plan shall contain the content  
10 required by 10 V.S.A. § 580. The Plan shall accomplish the following  
11 objectives and requirements:

12 (1) To conserve resources, save energy, and reduce pollution. The Plan  
13 shall devise strategies to identify to the greatest extent feasible all opportunities  
14 for conservation of resources through environmentally and economically sound  
15 infrastructure development, purchasing, and fleet management, and  
16 investments in renewable energy and energy efficiency available to the State  
17 which are cost effective on a life-cycle cost basis.

18 (2) To ensure that the State's own energy consumption meets the  
19 percentage goals set forth in 10 V.S.A. § 580.

20 (3) To consider State policies and operations that affect energy use.



1

\* \* \* Effective Date \* \* \*

2

Sec. 10. EFFECTIVE DATE

3

This act shall take effect on July 1, 2017.