

(ii) If a provider's general residential service tariff does include inclining block rates, the provider's residential rate shall be a blend of the provider's general residential service inclining block rates that is determined by adding together all of the revenues to the provider during the most recent calendar year from kWh sold under those block rates and dividing the sum by the total kWh sold by the company at those rates during the same year.

(B) "Existing net metering system" means a net metering system for which a complete application was filed with the Board before January 1, 2017.

(C) "Nonbypassable charge" means a charge on the bill of a retail electricity provider that a customer must pay whether or not the customer engages in net metering. Only the following shall be nonbypassable charges under this subsection (f):

(i) the customer charge;

(ii) the energy efficiency charge pursuant to subdivision 209(d)(3) of this title;

(iii) the energy assistance program charge pursuant to subsection 218(e) of this title;

(iv) a charge for on-bill financing not related to a net metering system; and

(v) an equipment rental charge.

Second: After its reader assistance, by striking out Sec. 9 in its entirety and inserting in lieu thereof a new Sec. 9 to read:

Sec. 9. EFFECTIVE DATES; APPLICABILITY

(a) This act shall take effect on passage.

(b) Notwithstanding 1 V.S.A. § 214 and any contrary provision of 2014 Acts and Resolves No. 99, Sec. 10(f), Secs. 7 and 7a shall apply to:

(1) existing net metering systems as defined in Sec. 7a;

(2) net metering systems for which complete applications were or are filed on or after January 1, 2017; and

(3) net metering rules of the Public Service Board adopted on or after January 1, 2017.

Amendment to Senate proposal of amendment to H. 411 to be offered by Senator Rodgers before Third Reading

Senator Rodgers moves that the Senate proposal of amendment be further amended after Sec. 8 by inserting four new sections to be numbered Secs. 9, 10, 11, and 12 and reader assistances thereto to read:

* * * Determination of Energy Compliance; Regional Plans; Renewable
Technologies * * *

Sec. 9. 24 V.S.A. § 4352(a) is amended to read:

(a) Regional plan. A regional planning commission may submit its adopted regional plan to the Commissioner of Public Service appointed under 30 V.S.A. § 1 for a determination of energy compliance. The Commissioner shall issue an affirmative determination on finding that the regional plan meets the requirements of subsection (c) of this section ~~and allows for the siting in the region of all types of renewable generation technologies.~~

* * * Determination of Energy Compliance; Transportation Planning * * *

Sec. 10. 24 V.S.A. § 4352(c) is amended to read:

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

(1) in the case of a regional plan, include the energy element as described in subdivision 4348a(a)(3) of this title;

(2) in the case of a municipal plan, include an energy element that has the same components as described in subdivision 4348a(a)(3) of this title for a regional plan other than transportation and be confirmed under section 4350 of this title;

* * *

* * * Substantial Deference for Five Years * * *

Sec. 11. 30 V.S.A. § 248(b)(1) is amended to read:

(1) With respect to an in-state facility, will not unduly interfere with the orderly development of the region with due consideration having been given to the recommendations of the municipal and regional planning commissions, the recommendations of the municipal legislative bodies, and the land conservation measures contained in the plan of any affected municipality. However:

* * *

(C) With respect to an in-state electric generation facility, the Board shall give substantial deference to the land conservation measures and specific policies contained in a duly adopted regional and municipal plan that has received an affirmative determination of energy compliance under 24 V.S.A. § 4352. In this subdivision (C), “substantial deference” means that a land conservation measure or specific policy shall be applied in accordance with its terms unless there is a clear and convincing demonstration that other factors affecting the general good of the State outweigh the application of the measure

or policy. The term shall not include consideration of whether the determination of energy compliance should or should not have been affirmative under 24 V.S.A. § 4352.

(D) With respect to an application for an electric generation facility filed before July 1, 2023, the Board shall give substantial deference as defined in subdivision (C) of this subdivision (1) to the recommendations of the municipal and regional planning commissions, the recommendations of the municipal legislative bodies, and the land conservation measures contained in the plan of any affected municipality. This subdivision (D) shall apply regardless of whether the duly adopted plan of the municipality or region has obtained an affirmative determination of energy compliance pursuant to 24 V.S.A. § 4352.

Sec. 12. PROSPECTIVE REPEAL

30 V.S.A. § 248(b)(1)(D) is repealed effective on July 1, 2023.

And by renumbering the remaining section to be numerically correct.

H. 510.

An act relating to the cost share for State agricultural water quality financial assistance grants.

Second Reading

Favorable

H. 312.

An act relating to retirement and pensions.

Reported favorably by Senator Ayer for the Committee on Government Operations.

(Committee vote: 5-0-0)

(For House amendments, see House Journal of March 22, 2017, page 486.)

House Proposal of Amendment

S. 61

An act relating to offenders with mental illness.

The House proposes to the Senate to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 4820(5) is added to read:

(5) When a person who is found to be incompetent to stand trial pursuant to subdivision (2) of this section, the court shall appoint counsel from