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S.51

Introduced by Senators Bray, Ayer, Balint, Campion, Lyons, McCormack, and
Pearson

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

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

* * * Designation * * *

Sec. 1. DESIGNATION OF ACT

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

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

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

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

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

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

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

17 ~~(b)~~(e) Agriculture; forestry; plan. By no later than On or before
18 January 15, 2009 2018, the Secretary of Agriculture, Food and Markets, in
19 consultation with the Commissioner of Public Service and the Commissioner
20 of Forests, Parks and Recreation, shall present to the Senate Committees on
21 Agriculture and on Natural Resources and Energy and the House Committees

1 on Agriculture and Forestry and on Energy and Technology of the General
2 Assembly a plan for attaining ~~this~~ the goal set forth in subdivision (b)(1)(B) of
3 this section. This plan may be submitted as an update to a previously filed
4 plan to achieve the same goal. ~~Plan~~ Following this 2018 submittal, plan
5 updates shall be presented no less frequently than every ~~three years~~ third
6 January 15 thereafter through 2024, and a progress report shall be due annually
7 on January 15, with the final progress report due on January 15, 2025. The
8 provisions of 2 V.S.A. § 20(d) shall not apply to the plans and reports required
9 by this subsection.

10 ~~(e) By no later than January 15, 2009, the Department of Public Service~~
11 ~~shall present to the legislative committees on Natural Resources and Energy an~~
12 ~~updated comprehensive energy plan which shall give due consideration to the~~
13 ~~public engagement process required under 30 V.S.A. § 254 and under 2006~~
14 ~~Acts and Resolves No. 208, Sec. 2. By that time, the Department of Public~~
15 ~~Service shall incorporate plans adopted under this section into the state~~
16 ~~comprehensive energy plan adopted under 30 V.S.A. § 202b.~~

17 (f) Stationary sources. Under authority of this chapter, the Secretary of
18 Natural Resources shall encourage or require stationary sources of air
19 contaminants to increase the efficiency of their energy consumption or use
20 renewable energy, or both, if such increase or use will reduce the source's

1 emissions of air contaminants, including greenhouse gases, and is not
2 inconsistent with the Clean Air Act, 42 U.S.C. chapter 85.

3 (g) Action; coordination.

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

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

8 (B) the Commissioners of Buildings and General Services and of
9 Public Service.

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

14 (h) Definition. In this section, “renewable energy” has the same meaning
15 as under 30 V.S.A. § 8002.

16 * * * Amendments to Planning and Efficiency Statutes * * *

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

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

20 * * *

1 implement the State energy policy set forth in section 202a of this title and to
2 achieve the goals set forth in 10 V.S.A. § 580, and shall be consistent with the
3 relevant goals of 24 V.S.A. § 4302. The Plan shall include:

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

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

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

11 ~~(3)~~(4) recommendations for regional and municipal energy planning and
12 standards for issuing a determination of energy compliance pursuant to
13 24 V.S.A. § 4352.

14 * * *

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

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

18 * * *

19 (15) Ensure that the energy efficiency programs implemented under this
20 section are designed to make continuous and proportional progress toward
21 attaining the goals established in 10 V.S.A. § 580 for reduction in energy use,

1 and toward the overall State building efficiency goals established by 10 V.S.A.
2 § 581, by promoting all forms of energy end-use efficiency and comprehensive
3 sustainable building design.

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

5 § 218c. LEAST-COST INTEGRATED PLANNING

6 * * *

7 (b) Each regulated electric or gas company shall prepare and implement a
8 least-cost integrated plan for the provision of energy services to its Vermont
9 customers. At least every third year on a schedule directed by the Public
10 Service Board, each such company shall submit a proposed plan to the
11 Department of Public Service and the Public Service Board. The Board, after
12 notice and opportunity for hearing, may approve a company's least-cost
13 integrated plan if it determines that the company's plan complies with the
14 requirements of subdivision (a)(1) of this section and of sections 8004 and
15 8005 of this title and the goals of 10 V.S.A. § 580.

16 * * *

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

18 § 10b. STATEMENT OF POLICY; GENERAL

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

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

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

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

12 (1) to ~~assure~~ ensure that the transportation system as a whole is
13 integrated, that access to the transportation system as a whole is integrated, and
14 that statewide, local, and regional conservation and efficiency opportunities
15 and practices are integrated; and

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

19 (c) In developing the State’s annual Transportation Program, the Agency
20 shall, consistent with the planning goals listed in 24 V.S.A. § 4302 as amended

1 by 1988 Acts and Resolves No. 200 and with appropriate consideration to
2 local, regional, and State agency plans:

3 (1) Develop or incorporate designs that provide integrated, safe, and
4 efficient transportation and that are consistent with the goals set forth in
5 10 V.S.A. § 580.

6 * * *

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

8 § 10i. TRANSPORTATION PLANNING PROCESS

9 (a) Long-range systems plan. The ~~agency~~ Agency shall establish and
10 implement a planning process through the adoption of a long-range
11 multi-modal systems plan integrating all modes of transportation. The
12 long-range multi-modal systems plan shall be based upon ~~agency~~ Agency
13 transportation policy developed under section 10b of this title, other policies
14 approved by the ~~legislature~~ General Assembly such as the goals set forth in
15 10 V.S.A. § 580, agency goals, mission, and objectives, and demographic and
16 travel forecasts, design standards, performance criteria, and funding
17 availability. The long-range systems plan shall be developed with participation
18 of the public, local, and regional governmental entities, and pursuant to the
19 planning goals and processes set forth in 1988 Acts and Resolves No. 200 of
20 the Acts of the 1987 Adj. Sess. (1988). The plan shall contain the content
21 required by 10 V.S.A. § 580.

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

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

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

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

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

* * *

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

§ 2291. STATE AGENCY ENERGY PLAN

* * *

(c) The Secretary of Administration with the cooperation of the Commissioners of Public Service and of Buildings and General Services shall develop and oversee the implementation of a State Agency Energy Plan for State government. The Plan shall be adopted by June 30, 2005, modified as necessary, and readopted by the Secretary on or before January 15, 2010 and each sixth year subsequent to 2010. The Plan shall contain the content

1 required by 10 V.S.A. § 580. The Plan shall accomplish the following
2 objectives and requirements:

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

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

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

12 ~~(3)~~(4) To devise a strategy to implement or acquire all prudent
13 opportunities and investments in as prompt and efficient a manner as possible.

14 ~~(4)~~(5) To include appropriate provisions for monitoring resource and
15 energy use and evaluating the impact of measures undertaken.

16 ~~(5)~~(6) To identify education, management, and other relevant policy
17 changes that are a part of the implementation strategy.

18 ~~(6)~~(7) To devise a strategy to reduce greenhouse gas emissions. The
19 Plan shall include steps to encourage more efficient trip planning, to reduce the
20 average fuel consumption of the State fleet, to encourage alternatives to
21 solo-commuting State employees for commuting and job-related travel, and to

1 incorporate conventional hybrid, plug-in hybrid, and battery electric vehicles
2 into the State fleet if cost-effective on a life-cycle basis.

3 ~~(7)~~(8) To provide, where feasible, for the installation of renewable
4 energy systems including solar energy systems, which shall include equipment
5 or building design features, or both, designed to attain the optimal mix of
6 minimizing solar gain in the summer and maximizing solar gain during the
7 winter, as part of the new construction or major renovation of any State
8 building. The cost of implementation and installation will be identified as part
9 of the budget process presented to the General Assembly.

10 * * *

11 * * * Effective Date * * *

12 Sec. 10. EFFECTIVE DATE

13 This act shall take effect on July 1, 2017.