

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

19
20

H.87

Introduced by Representatives Yantachka of Charlotte, Bartholomew of
Hartland, Briglin of Thetford, Burke of Brattleboro, Campbell
of St. Johnsbury, Cina of Burlington, Colburn of Burlington,
Cordes of Lincoln, Haas of Rochester, Hooper of Randolph,
LaLonde of South Burlington, McCormack of Burlington, Patt
of Worcester, Sullivan of Burlington, and White of Hartford

Referred to Committee on

Date:

Subject: Air pollution; motor vehicles; economic development

Statement of purpose of bill as introduced: In connection with Mitigation
Trust monies that may be allocated to Vermont under the Volkswagen diesel
litigation settlement, this bill proposes to require the designated beneficiary for
Vermont to allocate the monies to maximize environmental benefits and
economic development in the State and consider issuing a request for proposal
for an administrator, or giving authority to the State's existing electric
efficiency utility, to design and implement the State's plan for expenditure of
the monies.

An act relating to the Volkswagen diesel litigation settlement and
Mitigation Trust monies

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

2 Sec. 1. LEGISLATIVE FINDINGS

3 The General Assembly finds that:

4 (1) Transportation is one of the most costly household expenses for
5 Vermonters, and the transportation sector is the most significant contributor to
6 Vermont's greenhouse gas emissions. Vermont's Comprehensive Energy Plan
7 has established goals to lessen emissions in the transportation sector, including
8 by expanding electric vehicle use.

9 (2) In using Environmental Mitigation Trust monies that may be
10 allocated to Vermont under the Volkswagen diesel litigation settlement,
11 Vermont has an opportunity to reduce and mitigate the environmental impacts
12 of the transportation sector while advancing economic activity in the State.

13 (3) The approximately \$18.7 million in Environmental Mitigation Trust
14 monies allocated to Vermont will offer the State the opportunity to transform
15 its transportation sector comprehensively.

16 Sec. 2. VOLKSWAGEN DIESEL LITIGATION SETTLEMENT;

17 USE OF MITIGATION TRUST MONIES

18 (a) As used in this section:

19 (1) "Appendix D-2" means Appendix D-2 to the Environmental
20 Mitigation Trust, entitled "Eligible Mitigation Actions and Mitigation Action
21 Expenditures."

1 (2) “Environmental Mitigation Trust” means the Environmental
2 Mitigation Trust Agreement for State Beneficiaries filed on October 2, 2017 in
3 *In re: Volkswagen “Clean Diesel” Marketing, Sales Practices, and Products*
4 *Liability Litigation*, 3:16-CV-00295-CRB, MDL No. 2672 CRB (JSC) (N.D.
5 Cal.).

6 (b) The Secretary of Natural Resources shall administer Environmental
7 Mitigation Trust monies pursuant to 10 V.S.A. § 554(15) and, over the course
8 of administering those monies, shall:

9 (1) dedicate at least 15 percent of the monies to the purchase of light
10 duty electric vehicle supply equipment and associated allowable administrative
11 costs in accordance with Appendix D-2; and

12 (2) dedicate the remainder of the monies to the replacement of mobile
13 sources that consume fossil fuel with all-electric mobile sources or the
14 repowering of mobile sources that consume fossil fuels with all-electric
15 engines, or both, and associated allowable administrative costs. The
16 expenditures shall be in accordance with the requirements of Appendix D-2.

17 Sec. 3. EFFECTIVE DATE

18 This act shall take effect on passage.