

1 H.395

2 Introduced by Representatives Masland of Thetford, Anthony of Barre City,
3 and Campbell of St. Johnsbury

4 Referred to Committee on

5 Date:

6 Subject: Public service; energy; renewable energy; hydroelectric power

7 Statement of purpose of bill as introduced: This bill proposes to reduce the
8 amount of energy from large hydroelectric plants that is considered renewable
9 by 10 percent per year until none of that energy is considered renewable
10 energy.

11 An act relating to energy generated by large hydroelectric plants

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

13 Sec. 1. 30 V.S.A. § 8002 is amended to read:

14 § 8002. DEFINITIONS

15 As used in this chapter:

16 * * *

17 (21) “Renewable energy” means energy produced using a technology
18 that relies on a resource that is being consumed at a harvest rate at or below its
19 natural regeneration rate.

1 (A) For purposes of this subdivision (21), methane gas and other
2 flammable gases produced by the decay of sewage treatment plant wastes or
3 landfill wastes and anaerobic digestion of agricultural products, byproducts, or
4 wastes, or of food wastes shall be considered renewable energy resources, but
5 no other form of solid waste, other than silvicultural waste, shall be considered
6 renewable.

7 (B) For purposes of this subdivision (21), no form of nuclear fuel
8 shall be considered renewable.

9 (C) The only portion of electricity produced by a system of
10 generating resources that shall be considered renewable is that portion
11 generated by a technology that qualifies as renewable under this subdivision
12 (21).

13 (D) The Commission by rule may add technologies or technology
14 categories to the definition of “renewable energy,” provided that technologies
15 using the following fuels shall not be considered renewable energy supplies:
16 coal, oil, propane, and natural gas.

17 (E) In this chapter, renewable energy refers to either “existing
18 renewable energy” or “new renewable energy.”

19 (F) Energy from a hydroelectric renewable energy generation plant
20 with a capacity greater than 200 MW shall be considered renewable.
21 However, beginning on January 1, 2024, the amount of energy that may be

1 used to meet the obligations of section 8005 of this title shall, annually,
2 decrease by 10 percent from the amount sold or used in 2023.

3 * * *

4 Sec. 2. 30 V.S.A. § 8002 is amended to read:

5 § 8002. DEFINITIONS

6 As used in this chapter:

7 * * *

8 (21) “Renewable energy” means energy produced using a technology
9 that relies on a resource that is being consumed at a harvest rate at or below its
10 natural regeneration rate.

11 (A) For purposes of this subdivision (21), methane gas and other
12 flammable gases produced by the decay of sewage treatment plant wastes or
13 landfill wastes and anaerobic digestion of agricultural products, byproducts, or
14 wastes, or of food wastes shall be considered renewable energy resources, but
15 no other form of solid waste, other than silvicultural waste, shall be considered
16 renewable.

17 (B) For purposes of this subdivision (21), no form of nuclear fuel
18 shall be considered renewable.

19 (C) The only portion of electricity produced by a system of
20 generating resources that shall be considered renewable is that portion

1 generated by a technology that qualifies as renewable under this subdivision
2 (21).

3 (D) The Commission by rule may add technologies or technology
4 categories to the definition of “renewable energy,” provided that technologies
5 using the following fuels shall not be considered renewable energy supplies:
6 coal, oil, propane, and natural gas.

7 (E) In this chapter, renewable energy refers to either “existing
8 renewable energy” or “new renewable energy.”

9 (F) Energy from a hydroelectric renewable energy generation plant
10 with a capacity greater than 200 MW shall not be considered renewable.
11 ~~However, beginning on January 1, 2024, the amount of energy that may be~~
12 ~~used to meet the obligations of section 8005 of this title shall, annually,~~
13 ~~decrease by 10 percent from the amount sold or used in 2023.~~

14 * * *

15 Sec. 3. EFFECTIVE DATES

16 (a) This section and Sec. 1 (30 V.S.A. § 8002) shall take effect on July 1,
17 2023.

18 (b) Sec. 2 (30 V.S.A. § 8002) shall take effect on July 1, 2034.