



2017 - 2018 Vermont Legislation Impacting Energy, Climate, & Business
Updated 6-2017

Bill #	Lead Sponsor	Highlight Summary	Effective Date
<u>S.34</u>	Sen. Sirotkin	Directs the Governor’s Development Cabinet to review State incentive programs to cross-promote relevant State policies, including renewable energy policies.	Sec. 7 (environmental permitting), Jan 1, 2018 All others: July 1, 2017
<u>S.52</u>	Sen. Lyons	Alters Public Service Board proceedings based on recommendations of the Access to Public Service Board Working Group. Changes the Board’s name to the Vermont Public Utility Commission. Requires reports on energy storage, Standard Offer, and PUC transparency. Expands DPS enforcement authority.	Current Law
<u>S.135</u>	Senate Committee on Economic Development, Housing and General Affairs	Proposes a variety of economic development proposals, including creating the Vermont Employment Growth Incentive Program, the Green Mountain Secure Retirement Plan, a minimum wage study committee, and others.	Current Law
<u>H.411 / Act 42</u>	Rep. Gardner	Adopts current federal lighting standards into Vermont statute, and adopts federal lighting standards scheduled to go into effect on Jan. 1 2020 into Vermont statute. Expands the Public Service Board to regulatory authority on pre-existing net metering systems so that after 10 years of a pre-existing system’s interconnection, the PSB may apply the same rules governing bill credits that it applies to net metering systems for which applications were filed on or after January 1, 2017 (Sen. Bray amendment).	Current Law
<u>H.424 / Act 47</u>	Rep. Sheldon	Creates a 6-member legislative commission to review and make recommendations on improving the effectiveness and efficiency of Act 250 by December 15, 2018.	Current Law

Energy Bills Pending, Did Not Pass Both Chambers

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
<u>S.21</u>	Solar	Sen. Ayer	Creates a committee to make recommendations requiring the installation of solar on or at large buildings that are heated or cooled	S. Natural Resources and Energy	In Committee

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
<u>S.32</u>	State procurement	Sen. Lyons	Requires the Secretary of Administration to include climate change considerations from Executive Order 03-75 in the State procurement process	S. Government Operations, S. Institutions	Passed S. Government Operations, referred to S. Institutions
<u>S.43</u>	Conservation and development; soil	Sen. Champion	Adds support for soil management practices that increase carbon sequestration to definition of “energy transformation projects” in Sec. 3. 30 V.S.A. § 8002	S. Natural Resources and Energy	In Committee
<u>S.51</u>	Renewable energy	Sen. Bray	Establishes in statute the 90% total renewable energy goal. Also establishes supporting goals, and requires State plans that affect energy to recommend measures to achieve the goals	S. Natural Resources and Energy	In Committee
<u>H.316</u>	Conservation and development; energy; natural resources; renewable energy; 90 percent goal	Rep. Sullivan	Proposes to establish a statutory goal that, by 2050, 90 percent of Vermont’s total energy consumption be from renewable energy. Also establishes additional supporting goals and requires State plans to meet these goals.	H. Energy and Technology	In Committee
<u>S.63</u>	Energy; conservation and development; land use; Act 250; meteorological stations	Sen. Rogers	Proposes to move siting jurisdiction for temporary meteorological stations to 10 V.S.A. chapter 151(Act 250) and to enable local regulation of these stations	S. Natural Resources and Energy	In committee, discussed & not progressing
<u>H.338</u>	Energy; conservation and development;	Rep. Lefebvre	Proposes to move siting jurisdiction for temporary meteorological stations to 10 V.S.A. chapter 151(Act 250) and to enable local regulation of these stations	H. Natural Resources, Fish & Wildlife	In Committee

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
	land use; Act 250; meteorological stations				
S.106	Conservation and development; natural resources; land use; Act 250; energy; electric generation	Sen. Rodgers	Proposes to place electric generation facilities under the jurisdiction of Act 250, and to allow municipal land use regulation of electric generation facilities.	S. Finance	In committee
S.115	Energy; public service; electric generation and transmission; facility; siting; curtailment	Sen. Rodgers	Prohibit the Public Service Board from issuing a certificate of public good for new electric generation, other than net metering systems, that will connect to a transmission line if existing generation connected to the line has been subject to curtailment by the Independent System Operator of New England.	S. Finance	In Committee
S.118	Energy; public service; real property; building energy labeling and benchmarking	Sen. Bray	Requires the disclosure of informational materials related to energy use when a single-family dwelling is sold. Also allows the owner of a multiunit building to obtain anonymized aggregated data on the building's energy use for the purpose of energy benchmarking or labeling.	S. Finance, S. Natural Resources and Energy	In Committee – S. Finance
S.137	Commerce and trade; workforce development	Senator Ashe	Proposes to create a Department of Labor and Workforce Development, require a Memorandum of Understanding among workforce education and training providers in State government and create an Apprenticeship and Youth Mentoring Program.	S. Economic Development, Housing, and General Affairs	In Committee

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
<u>H.39</u>	Stormwater; permitting threshold	Rep. Sheldon	Lowers the threshold when a State operational stormwater permit is required from construction or redevelopment of one acre of impervious surface to construction or redevelopment of one-half of an acre or more of impervious surface	H. Natural Resources, Fish & Wildlife, H. Ways and Means	Referred to H. Ways and Means per Rule 35(a)
<u>H.87</u>	Energy; siting; municipal and regional plans	Rep. Sullivan	Requires in energy siting cases that the Public Service Board presume that municipal and regional plans and recommendations are valid and reasonable and to place the burden of persuasion on the party asking the Board to decide the case differently from those plans and recommendations	H. Energy and Technology	In Committee
<u>H.92</u>	Hydro	Rep. Deen	Requires a person who owns legal title to a dam register the dam with the Department of Environmental Conservation	H. Natural Resources, Fish & Wildlife, H. Ways and Means	In Committee – Passed H. Natural Resources & referred to H. Ways & Means
<u>H.193</u>	Electric lines, liability	Rep. Till	Requires the Public Service Board to adopt rules to ensure that a customer is not liable for damage to a customer-owned, underground electric service line caused by third party excavation activities.	H. Energy and Technology	In Committee
<u>H.209</u>	Land use; natural resources; Act 250; permit process; appeals	Rep. Dickinson	Proposes to reform various land use and environmental permit processes, including requiring applicants to demonstrate that their projects “will not have an undue adverse effect on the scenic or natural beauty or aesthetics of the municipality” under Act 250	H. Natural Resources, Fish & Wildlife	In Committee
<u>H.227</u>	Utilities, alternative regulation	Rep. Browning	Repeals statute permitting alternative forms of regulation for an electric or natural gas company	H. Energy and Technology	In Committee
<u>H.251</u>	Conservation and	Rep. Browning	Requires that a certificate of public good may be issued for a wind generation facility	H. Energy and Technology	In Committee

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
	development; energy; fish and wildlife; wind generation;		exceeding 500 kilowatts only if the applicant demonstrates the proposed location does not drain into waters that provide habitat for native eastern brook trout or are managed as fisheries for wild brown trout.		
H.273	Conservation and development; air pollution; climate change; energy; greenhouse gases; cap and trade	Rep. Burke	Proposes to enable Vermont to participate in a multijurisdictional cap and trade program for greenhouse gas emissions caused by transportation, heating, cooling, and ventilation.	H. Natural Resources, Fish & Wildlife	In Committee
H.322	Public Service Board	Rep. Masland	Proposes to change the name of the Public Service Board to the Public Utility Commission	H. Energy and Technology	In Committee – concept already included in S. 52 which passed.
H.337	Conservation and development; agriculture; air quality; methane digesters; fees	Rep Smith	Exempts anaerobic digesters of agricultural products from air contaminant source fees.	H. Agriculture and Forestry	In Committee
H.357	Taxation; biomass; advanced wood boilers	Rep. Helm	Exempts indoor commercial and residential advanced wood boilers from the sales and use tax	H. Ways and Means	In Committee
H.359	Natural resources; land use; public service; local	Rep. Olson	Allows a municipality to fully regulate the siting of solar and wind electric generation under its land use bylaws, if the municipality makes a payment into the Clean	H. Energy and Technology	In Committee

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
	zoning; Clean Energy Development Fund		Energy Development Fund based on its share of the electrical energy to be obtained from distributed renewable generation under the Renewable Energy Standard. Further, the Clean Energy Development Fund shall only use those contributions to support installation of distributed renewable generation in that municipality for three years.		
<u>H.360</u>	Municipal bylaws; electric generation	Rep. Gamache	Permits municipalities to adopt bylaws regulating electric generation facilities	H. Energy and Technology	In Committee
<u>H.362</u>	Conservation and development; natural resources; land use; energy; telecommunications; utility poles	Rep. Van Wick	Proposes to exempt new or replacement utility poles less than 50 feet tall within a highway right of way from Act 250	H. Natural Resources, Fish & Wildlife	In Committee
<u>H.394</u>	carbon tax; cap and trade; study	Rep. Burke	Requires the Joint Fiscal Office to study the costs and benefits to Vermont of carbon pricing and cap and trade models to reduce greenhouse gas emissions	H. Natural Resources, Fish & Wildlife	In Committee
<u>H.395</u>	Net metering	Rep. Buckholz	Restores the rights of preexisting net metering systems (application filed before January 1 2017) to the bill credit structure in existence prior to January 1, 2017.	H. Energy and Technology	In Committee
<u>H.396</u>	Net metering, renewable energy credits	Rep. Chesnut-Tangerman	Proposes to create an option to allow net metering customers to retain and retire the renewable energy credits (RECs) from their renewable energy generation. Also reduces electricity providers' required amount of distributed renewable generation based on	H. Energy and Technology	In Committee

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
			the amount which the providers' net metering customers retain and retire RECs		
H.398	Economic development	Rep. Burke	Provides \$300,000 in funding to the Vermont Climate Economy Business Accelerator Program to grow entrepreneurial opportunities and provide a network for businesses whose products and services aim to mitigate or adapt to the impacts of climate change.	H. Commerce and Economic Development	In Committee
H.410	Commerce and trade; energy efficiency standards	Rep. Gardner	Amends Vermont's energy efficiency standards to add the following products not currently covered by federal energy efficiency standards: computers and monitors; "high CRI" linear fluorescent lamps; deep dimming fluorescent ballasts; faucets, urinals, and water closets; portable electric spas; commercial hot food holding cabinets; and water dispensers.	H. Energy and Technology	In Committee
H.413	Taxation and finance; income tax, weatherization, rental	Rep. Ode	Proposes to provide a tax credit for the weatherization to reduce total energy expenditures of rental units rented to tenants receiving federal or state housing assistance.	H. General, Housing, and Military Affairs	In Committee
H.420	Solar siting, natural resources, certificate of public good	Rep. Sheldon	Requires the Secretary of Natural Resources to adopt site management practices to be employed by solar sites with a generation capacity that is greater than 15 kilowatts and located in an undeveloped area. Further, a vegetation management plan for native perennial vegetation and foraging habitat shall be a requirement for a project to receive a Certificate of Public Good.	H. Energy and Technology	In Committee – anticipate more discussion in 2018
H.421	Conservation	Rep. Ode	Amends 24 V.S.A. § 4472 to allow the	H. Judiciary	In Committee

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
	and development; land use; local bylaws		Environmental Division to hear statutory challenges to the validity of a local land use bylaw or municipal plan.		
H.431	Utilities; electric; grid; cyber attack; manual backup	Rep. McCormack	Requires all electric utilities to take measures to ensure the safety of the electrical power grid in the event of a cyber attack or an electromagnetic pulse attack or severe solar storm, including the installation of a manual control backup system.	H. Energy and Technology	In Committee
H.444	Environmental enforcement, law enforcement officers	Rep. Noyes	Provides law enforcement authority to Agency of Natural Resources environmental enforcement officers.	H. Judiciary	In Committee
H.449	Workforce development; career technical education	Rep. O'Sullivan	Directs the Agency of Education to design programs and conduct a pilot project to expand career pathways for high-skill, high-demand occupations.	H. Education	In Committee – Incorporated into S.135, which passed
H.459	Economic development; municipalities	Rep. Conquest	Allows municipalities to form rural economic development infrastructure districts empowered to plan, finance, own, and operate infrastructure, including renewable energy	H. Commerce and Economic Development	In Committee
H.487	Air pollution; motor vehicles; Electric Vehicles, VW Settlement economic development	Rep. Burke	Requires the designated Beneficiary for Vermont to allocate funds from the VW diesel litigation settlement Mitigation Trust Fund to transform the public transportation and school bus markets, expand electric vehicle infrastructure, and electrify medium and heavy trucks.	H. Transportation, H. Energy and Technology	In Committee
H.501	Energy; electricity	Rep. Sibia	Requires the Department of Public Service to develop policy recommendations and targets	H. Energy and Technology	In Committee – Incorporated into

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
	storage		for the installation and increase of electricity storage capacity connected to the Vermont transmission and distribution system, particularly for the storage of electricity from intermittent sources		S.52, which passed.
H.528	Taxation; income taxes; corporate tax; carbon fee	Rep. Donovan	Changes tax provisions to double the Earned Income Tax Credit, lower the income tax rate for low income Vermonters, exempt businesses lower than \$400,000 from corporate income tax, and provides replacement revenue for these changes by imposing a fee on corporations that distribute fossil fuels that emit carbon pollution.	H. Ways and Means	In Committee
H.530	Commerce and trade, economic development	Rep. Christie	Directs the Center for Community Engagement at Castleton University to convene the “Business Incubator and Accelerator Conference,” which annually shall be designed to facilitate networking, collaboration, and the exchange of ideas among business professionals.	H. Commerce and Economic Development	In Committee
H.531	Energy, carbon fees	Rep. Gonzalez	Proposes that Vermont consumers and businesses pay a fee when purchasing fossil fuels, and that the revenue collected from individuals and businesses be returned to individuals on an equal and quarterly basis in the form of dividend checks or direct deposits	H. Natural Resources, Fish and Wildlife	In Committee
H.532	Taxation; statewide education property taxes	Rep. LaLonde	Proposes to decrease statewide education property tax rates by replacing Education Fund revenue raised through property taxes with revenue raised through a fee on carbon dioxide pollution	H. Ways and Means	In Committee
H.533	Sales and use tax; carbon fee	Rep. Copeland-	Proposes to eliminate Vermont’s sales and use tax by reducing the tax by one percent	H. Ways and Means	In Committee

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
		Hanzas	each year, for six years, while imposing a fee on corporations distributing fossil fuels that emit carbon dioxide pollution. The fee would be increased over a six-year period to replace the revenue forgone from the elimination of the sales and use tax, in a revenue-neutral manner.		

Other Bills of Interest

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
S.41	Corporate income taxation	Sen. Ashe	Disallows corporate income tax deductions for the payment of compensatory and punitive damages to a government	S. Finance	In Committee
S.85	Commerce, government operations	Sen. Pearson	Proposes to direct the Secretary of State and government partners to design a system to simplify interactions with small businesses and Vermonters starting new businesses.	S. Economic Development, Housing, and General Affairs	In Committee
H.45	Conservation and development; Act 250	Rep. Potter	Amends the settlement patterns criterion of Act 250 (10 V.S.A. chapter 151), known as Criterion 9L.	H. Natural Resources, Fish & Wildlife	In Committee
H.95	Property transfer tax; water	Rep. Dickinson	Redirects 13% of the property transfer tax from the Vermont Housing and Conservation Board to the Clean Water Fund for the 20 years	H. Natural Resources, Fish & Wildlife	In Committee
H.110	Taxation	Rep. Scheuerman	Excludes capital gains reinvested in Vermont from Vermont's income tax	H. Ways and Means	In Committee
H.233	Conservation and development;	Rep. Sheldon	Proposes to amend the criteria and jurisdiction of Act 250 to protect forest resources in order to support the forest economy, water quality, and	H. Agriculture and Forestry, H. Natural Resources, Fish &	Passed House

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
	land use; Act 250; forest fragmentation; working forests; habitat connectivity		habitat.	Wildlife	
H.244	Environmental health; schools	Rep. Townsend	Requires each school or school district in the State to develop, adopt, and ensure the enforcement of an environmental health plan for each school. The Commissioner of Health shall adopt by rule minimum requirements for inclusion in a school environmental health plan, including sound levels.	H. Committee on Education	In Committee
H.288	Commerce and trade, construction contracts	Rep. Marcotte	Proposes to prohibit the retention of any amount of payment due and owing for materials delivered for a construction project.	H. Committee on Commerce and Economic Development	In Committee
H.289	Conservation and development	Rep. Sullivan	Proposes to establish a registry for conservation rights and interests, including trail easements.	H. Committee on Natural Resources, Fish & Wildlife	In Committee
H.321	Conservation and development; Act 250	Rep. Conquest	Clarifies Act 250 jurisdiction over the construction of improvements when the construction involves land in a so-called “10-acre town” and land in a “one-acre town.”	H. Committee on Natural Resources, Fish & Wildlife	In Committee
H.344	Airports; zoning	Rep. Savage	Amends the definition of “airport hazard area” to encompass a zone within 10 nautical miles of any public airport. Prohibits construction or alteration of projects at or above 100 feet from ground level, or any projects that could interfere with radar within those areas.	H. Committee on Transportation	In Committee
H.430	Agriculture	Rep Sheldon	Requires the Secretary of Agriculture, Food and Markets to establish a regenerative agriculture program.	H. Agriculture and Forestry	In Committee
H.442	Commerce and trade,	Rep. Masland	Proposes to establish the Pathways to Prosperity in Vermont	H. Commerce and Economic	In Committee

Bill #	Subject(s)	Lead Sponsor	Bill Summary	Committee(s)	Status
	economic development			Development	
H.453	Commerce and trade, economic development	Rep. McFaun	Proposes to provide economic and tax incentives to businesses that locate in “Tax Free VT” areas to promote economic development throughout Vermont	H. Commerce and Economic Development	In Committee
H.454	Waste, economic development	Rep. Cina	Establishes a committee to study how Vermont can begin to transition to a zero-waste economy.	H. Commerce and Economic Development	In Committee
H.455	Education, career technical education	Rep. Stuart	Extends career technical education programming to students in grades 9 through 12, provides additional salary assistance funding to school districts that operate a career technical center, and creates a Career Technical Education Study 14 Committee.	H. Education	In Committee
H.473	Government Operations; State procurement	Rep. Pugh	Requires the Secretary of Administration to include considerations for socially responsible businesses in the State procurement process.	H. Government Operations	In Committee
S.101	Conservation and development; forestry; judiciary	Sen. Rodgers	Exempts certain forestry operations from liability as a public or private nuisance if practices are conducted in compliance with the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont as adopted by the Commissioner	S. Judiciary	In Committee