

1 S.206

2 Introduced by Senators Miller, Carris and Mullin

3 Referred to Committee on

4 Date:

5 Subject: Economic development; job growth; programs; funding

6 Statement of purpose: This bill proposes to provide funding and support for
7 programs that facilitate job growth in the state of Vermont, primarily through
8 the reallocation of existing resources and disbursements of federal stimulus
9 monies.

10 An act relating to Vermont's entrepreneurial economy and job growth

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

12 * * * ARRA Money for Entrepreneur's Seed Capital Fund * * *

13 Sec. 1. ARRA APPROPRIATION FOR ENTREPRENEURS' SEED

14 CAPITAL FUND

15 In fiscal year 2011, \$3,000,000.00 from the state fiscal stabilization funds
16 available under the American Recovery and Reinvestment Act of 2009, Pub.L.
17 No. 111-5, shall be disbursed to the entrepreneurs' seed capital fund
18 established under chapter 14A of Title 10.

1 *** Reallocation of ARRA Funds in the Clean Energy Development Fund:
2 Regional Development Corporations; Seed Capital Fund ***

3 Sec. 2. 10 V.S.A. § 6523 is amended to read:

4 § 6523. VERMONT CLEAN ENERGY DEVELOPMENT FUND

5 ***

6 (h) ARRA funds. All ARRA funds placed in the clean energy development
7 fund shall be disbursed, administered, and accounted for in a manner that
8 ensures rapid deployment of the funds and is consistent with all applicable
9 requirements of ARRA, including requirements for administration of funds
10 received and for timeliness, energy savings, matching, transparency, and
11 accountability. These funds shall be maintained in a separate account
12 specifically restricted to ARRA funds within the clean energy development
13 fund. These funds shall be for the following categories listed in this
14 subsection, provided that no single project directly or indirectly receives a
15 grant in more than one of these categories. The clean energy development
16 board shall have discretion to use non-ARRA moneys within the fund to
17 support all or a portion of these categories and shall direct any ARRA moneys
18 for which non-ARRA moneys have been substituted to the support of other
19 eligible projects, programs, or activities under ARRA and this section.

20 ***

1 (7)(A) \$880,000.00 to the 11 regional planning commissions
2 (\$80,000.00 to each such commission) to conduct energy efficiency and energy
3 conservation activities that are eligible under the EECBG program.

4 (B) \$800,000 to the regional development corporations to be divided
5 equally among those corporations to conduct ARRA-eligible activities that
6 support development of clean energy resources and renewable energy-related
7 job creation.

8 (C) \$2 million to the entrepreneurs' seed capital fund created under
9 10 V.S.A. § 291 to conduct ARRA-eligible activities related to clean energy
10 resources or emerging energy efficient technologies.

11 (8) Concerning the funds authorized for use in subdivisions (4)-(7) of
12 this subsection:

13 (A) To the extent permissible under ARRA, up to five percent may
14 be spent for administration of the funds received.

15 (B) In the event that the clean energy development board determines
16 that a recipient of such funds has insufficient eligible projects, programs, or
17 activities to fully utilize the authorized funds, the clean energy development
18 board shall have discretion to reallocate the balance to other eligible projects,
19 programs, or activities under this section.

20 * * *

1 * * * SPEED Program: Standard Offers * * *

2 Sec. 3. 30 V.S.A. § 8005 is amended to read:

3 § 8005. SUSTAINABLY PRICED ENERGY ENTERPRISE

4 DEVELOPMENT (SPEED) PROGRAM

5 * * *

6 (b) The SPEED program shall be established, by rule, order, or contract, by
7 the public service board by January 1, 2007. As part of the SPEED program,
8 the public service board may, and in the case of subdivisions (1), (2), and (5)
9 of this subsection shall:

10 * * *

11 (2) No later than September 30, 2009, put into effect, on behalf of all
12 Vermont retail electricity providers, standard offers for qualifying SPEED
13 resources with a plant capacity of 2.2 MW or less. These standard offers shall
14 be available until the cumulative plant capacity of all such resources
15 ~~commissioned in the state~~ that have accepted a standard offer under this
16 subdivision (2) equals or exceeds 50 MW; provided, however, that capacity
17 within this amount shall be reallocated to other eligible resources if a plant that
18 accepts a standard offer ultimately is not commissioned and that a plant owned
19 and operated by a Vermont retail electricity provider shall count toward this
20 50-MW ceiling amount if the plant has a plant capacity of 2.2 MW or less and
21 is commissioned on or after September 30, 2009. The term of a standard offer

1 required by this subdivision (2) shall be 10 to 20 years, except that the term of
2 a standard offer for a plant using solar power shall be 10 to 25 years. The price
3 paid to a plant owner under a standard offer required by this subdivision shall
4 include an amount for each kilowatt-hour (kWh) generated that shall be set as
5 follows:

6 * * *

7 (g) With respect to executed contracts for standard offers under this
8 section:

9 (1) Such a contract shall be transferable. The contract transferee shall
10 notify the SPEED facilitator of the contract transfer within 30 days of transfer.

11 (2) The SPEED facilitator shall distribute the electricity purchased and
12 any associated costs to the Vermont retail electricity providers based on their
13 pro rata share of total Vermont retail kWh sales for the previous calendar year,
14 and the Vermont retail electricity providers shall accept and pay the SPEED
15 facilitator for those costs. For the purpose of this subdivision, a Vermont retail
16 electricity provider shall receive a credit toward its share of those costs for any
17 plant with a plant capacity of 2.2 MW or less that it owns or operates and that
18 is commissioned on or after September 30, 2009. The amount of such credit
19 shall be the amount that the plant owner otherwise would be eligible to receive,
20 if the owner were not a retail electricity provider, under a standard offer in
21 effect at the time of commissioning. The amount of any such credit shall be

1 redistributed to the Vermont retail electricity providers on a basis such that all
2 providers pay for a proportionate volume of plant capacity ~~up to the 50 MW~~
3 ~~ceiling for~~ subject to standard offer contracts ~~stated in subdivision (b)(2) of~~
4 under this section.

5 * * *

6 (n) On or before January 15, 2011 and every ~~second~~ January 15 afterward,
7 the board shall report to the house and senate committees on natural resources
8 and energy concerning the status of the standard offer program under this
9 section. In its report, the board at a minimum shall:

10 (1) Assess the progress made toward attaining the cumulative statewide
11 capacity ~~ceiling~~ amount stated in subdivision (b)(2) of this section and any
12 additional standard offer capacity amount that the board may authorize.

13 (2) If that ~~cumulative statewide capacity ceiling~~ amount has not been
14 met, identify the barriers to attaining that ~~ceiling~~ amount and detail the board's
15 recommendations for overcoming such barriers.

16 (3) If that ~~cumulative statewide capacity~~ amount has been met or is
17 likely to be met within a year of the date of the board's report, recommend
18 whether the standard offer program under this section should continue and, if
19 so, whether additional capacity amounts should be offered and whether there
20 should be any modifications to the program, including its pricing criteria.

1 (o) On or before October 31, 2010, the board shall conduct and complete
2 an analysis and report on whether to allow the standard offer under this section
3 to be provided for 50 MW of cumulative plant capacity in addition to the
4 amount required under subdivision (b)(2) of this section. If the board's
5 decision is affirmative, the board shall have full authority to proceed with
6 providing the standard offer for such additional 50 MW of capacity in
7 accordance with this section. Regardless of whether the board's decision is
8 affirmative, the report and analysis under this section shall include the prices
9 that would be offered for such additional 50 MW of plant capacity in
10 accordance with subdivision (b)(2)(B) of this section. The analysis and report
11 shall be submitted to the house and senate committees on natural resources and
12 energy, the senate committees on finance and on economic development,
13 housing and general affairs, and the house committee on commerce and
14 economic development.

15 * * * CDBG Economic Development Projects * * *

16 Sec. 4. COMMUNITY DEVELOPMENT BLOCK GRANTS; SET-ASIDE
17 FOR ECONOMIC DEVELOPMENT PROJECTS

18 To ensure that the Vermont community development program board and the
19 secretary of commerce and community development give equal priority to
20 affordable housing and economic development projects under the community
21 development block grant (CDBG) program authorized by Title I of the federal

1 Housing and Community Development Act of 1974, as amended, 42 U.S.C.
2 § 5301 et seq., at least 45 percent of available funds shall be set aside for
3 economic development projects.

4 * * * Training Program for Start-Up Companies * * *

5 Sec. 5. 10 V.S.A. § 543(f) is amended to read:

6 (f) Awards. Based on guidelines set by the council, the commissioner of
7 labor shall make awards to the following:

8 (1) Training Programs. Public, private, and nonprofit entities for
9 existing or new innovative training programs. There shall be a preference for
10 programs that include training for newly created or vacant positions. Awards
11 may be made to programs that retrain incumbent workers. Awards under this
12 subdivision shall be made to programs or projects that do all the following:

13 (A) offer innovative programs of intensive, student-centric,
14 competency-based education, training, apprenticeship, mentoring, or any
15 combination of these;

16 (B) address the needs of workers who are unemployed,
17 underemployed, or are at risk of becoming unemployed due to changing
18 workplace demands by increasing productivity and developing new skills for
19 incumbent workers;

20 (C) lead to jobs paying at least 200 percent of the current minimum
21 wage or at least 150 percent if benefits are included; this requirement may be

1 waived when warranted based on regional or occupational wages or economic
2 reality;

3 (D) require a measurable investment from involved employers;

4 (E) do not duplicate, supplant, or replace other available programs
5 funded with public money;

6 (F) articulate clear goals and demonstrate readily accountable,
7 reportable, and measurable results;

8 (G) demonstrate an integrated connection between training and
9 specific employment opportunities, including an effort and consideration by
10 participating employers to hire those who successfully complete a training
11 program.

12 * * *

13 (3) Start-up Company Training Program. Newly created public, private,
14 and nonprofit entities that are in a phase of development and research for
15 markets. Awards to programs shall be consistent with the requirements under
16 subdivision (1) of this subsection except that the commissioner may waive the
17 requirements of subdivisions (1)(C) and (D) and may modify any of the other
18 requirements, in order to accelerate the growth of startup companies and
19 encourage and support a skilled workforce in innovative fields.

1 * * * Farm-to-Plate Investment Program * * *

2 Sec. 6. 10 V.S.A. § 330(f) is added to read:

3 (f) In fiscal year 2011, the amount of \$100,000.00 shall be appropriated
4 from the state fiscal stabilization funds available under the American Recovery
5 and Reinvestment Act of 2009, Pub.L. No. 111-5, to the farm-to-plate
6 investment program established under this section to support entities that will
7 enhance the production, storage, processing, and distribution infrastructure of
8 the Vermont food system. These funds shall be competitively awarded by the
9 program director in the form of grants for projects that are ready to implement
10 their business plans or expand their existing operations to provide additional
11 capacity and services within the food system.

12 * * * Downtown and Village Center Tax Credits * * *

13 Sec. 7. 32 V.S.A. § 5930ee is amended to read:

14 § 5930ee. LIMITATIONS

15 Beginning in fiscal year 2010 and thereafter, the state board may award tax
16 credits to all qualified applicants under this subchapter, provided that:

17 (1) The total amount of tax credits awarded annually, together with sales
18 tax reallocated under section 9819 of this title, does not exceed \$1,700,000.00,
19 except in fiscal year 2011, when the total amount of tax credits awarded may
20 reach \$1,800,000.00.

21 * * *