

1 S.52

2 Representative Lippert of Hinesburg moves that the House propose to the
3 Senate that the bill be amended as follows:

4 First: After Sec. 13, by inserting Sec. 13a to read:

5 * * * In-person Citizens' Access to Public Service Board Hearings * * *

6 Sec. 13a. 30 V.S.A. § 11 is amended to read:

7 § 11. PLEADINGS; RULES OF PRACTICE; HEARINGS; FINDINGS OF
8 FACT

9 * * *

10 (b) The Board shall allow all members of the public to attend each of its
11 hearings unless the hearing is for the sole purpose of considering information
12 to be treated as confidential pursuant to a protective order duly adopted by the
13 Board.

14 (1) The Board shall make all reasonable efforts to ensure that the
15 location of each hearing is sufficient to accommodate all members of the
16 public seeking to attend.

17 (2) The Board shall ensure that the public may safely attend the hearing,
18 including obtaining such resources as may be necessary to fulfill this
19 obligation.

20 (c) The Board shall hear all matters within its jurisdiction, and make its
21 findings of fact. It shall state its rulings of law when they are excepted to.

1 Upon appeal to the Supreme Court, its findings of fact shall be accepted unless
2 clearly erroneous.

3 Second: After Sec. 25, by inserting Sec. 25a to read:

4 * * * Open Meeting Law; Public Service Board * * *

5 Sec. 25a. REPORT; OPEN MEETING LAW; PUBLIC SERVICE BOARD

6 (a) On or before December 15, 2017, the Attorney General shall submit a
7 report on the exemption of the Public Service Board from the Vermont Open
8 Meeting Law, 1 V.S.A. § 312(e). The report shall evaluate whether the Board
9 should continue to have a complete exemption from the Open Meeting Law or
10 whether its exemption should be limited, as with other administrative boards,
11 to the Board’s deliberations in connection with quasi-judicial proceedings.
12 The report shall set out the reasons favoring and disfavoring each of these
13 outcomes and provide the Attorney’s General recommendation.

14 (b) The report described in subsection (a) shall be submitted to the House
15 and Senate Committees on Government Operations, the House Committee on
16 Energy and Technology, and the Senate Committees on Finance and on
17 Natural Resources and Energy.

18 Third: In Sec 26, effective dates, in the first sentence, by striking out “25”
19 and inserting in lieu thereof “25a”