

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Energy and Technology to which was referred House  
3 Bill No. 411 entitled “An act relating to Vermont’s energy efficiency standards  
4 for appliances and equipment” respectfully reports that it has considered the  
5 same and recommends that the bill be amended by striking out all after the  
6 enacting clause and inserting in lieu thereof the following:

7 Sec. 1. **PURPOSE**

8 **The purpose of this act is to adopt currently effective federal appliance**  
9 **and lighting efficiency standards so that the same standards will be in**  
10 **place in Vermont should the federal standards be repealed or voided. The**  
11 **act also adopts federal standards for general service lighting that have**  
12 **been adopted by the U.S. Department of Energy and are scheduled to**  
13 **come into effect on January 1, 2020, again so that the same standards will**  
14 **be in place in Vermont should the federal standards be prevented from**  
15 **taking effect. The act does not adopt standards for other products or**  
16 **standards for a product that are different from the federal standards.**

17 Sec. 2. 9 V.S.A. § 2793 is amended to read:

18 § 2793. DEFINITIONS

19 As used in this chapter:

20 \* \* \*

1           (15) “General service lamp” has the same meaning as set forth in the  
2           action published at 82 Fed. Reg. 7276, 7321-22 (January 19, 2017) and  
3           modified by the action published at 82 Fed. Reg. 7322, 7333 (January 19,  
4           2017).

5           Sec. 3. 9 V.S.A. § 2794 is amended to read:

6           § 2794. SCOPE

7           (a) The provisions of this chapter apply to the following types of new  
8           products sold, offered for sale, or installed in the State:

9                   (1) Medium voltage dry-type distribution transformers.

10                   (2) Metal halide lamp fixtures.

11                   (3) Residential furnaces and residential boilers.

12                   (4) Single-voltage external AC to DC power supplies.

13                   (5) State-regulated incandescent reflector lamps.

14                   (6) General service lamps.

15                   (7) Each other product for which the Commissioner is required to adopt  
16                   an efficiency or water conservation standard by rule pursuant to section 2795  
17                   of this title.

18                   (8) Any other product that may be designated by the Commissioner in  
19                   accordance with section 2797 of this title.

20           (b) The provisions of this chapter do not apply to:

1 (1) New products manufactured in the State and sold outside the State  
2 and the equipment used in manufacturing those products.

3 (2) New products manufactured outside the State and sold at wholesale  
4 inside the State for final retail sale and installation outside the State.

5 (3) Products installed in mobile manufactured homes at the time of  
6 construction.

7 (4) Products designed expressly for installation and use in recreational  
8 vehicles.

9 Sec. 4. 9 V.S.A. § 2795 is amended to read:

10 § 2795. EFFICIENCY AND WATER CONSERVATION STANDARDS

11 ~~Not later than June 1, 2007, the~~ The Commissioner shall adopt rules in  
12 accordance with the provisions of 3 V.S.A. chapter 25 establishing minimum  
13 efficiency standards for the types of new products set forth in section 2794 of  
14 this title. The rules shall provide for the following minimum efficiency  
15 standards for products sold or installed in this State:

16 \* \* \*

17 (6) In the rules, the Commissioner shall adopt minimum efficiency and  
18 water conservation standards for each product that is subject to a standard  
19 under 10 C.F.R. §§ 430 and 431 as those provisions existed on January 19,  
20 2017. The minimum standard and the testing protocol for each product shall  
21 be the same as adopted in those sections of the Code of Federal Regulations.



1           (3) When a standard adopted pursuant to this chapter becomes  
2           enforceable under this subsection, a person shall not sell or offer for sale in the  
3           State a new product subject to the standard unless the efficiency or water  
4           conservation of the new product meets or exceeds the requirements set forth in  
5           the standard.

6           Sec. 6. RULE ADOPTION; SCHEDULE; REPORT

7           (a) Rule adoption; schedule.

8           (1) On or before August 1, 2017, the Commissioner of Public Service  
9           shall file with the Secretary of State proposed rules to effect Sec. 2 of this act.

10          (2) On or before April 1, 2018, the Commissioner shall finally adopt  
11          these rules, unless the Legislative Committee on Administrative Rules extends  
12          this date pursuant to 3 V.S.A. § 843(c).

13          (b) Reports.

14          (1) On or before December 15, 2017, the Commissioner of Public  
15          Service shall file a progress report on the rulemaking required by this act. The  
16          report shall attach the proposed rules as filed with the Secretary of State.

17          (2) On or before December 15, 2018, the Commissioner of Public  
18          Service shall file a further progress report on the rulemaking required by this  
19          act. The report shall attach the rules as finally adopted by the Commissioner.

20          Sec. 7. EFFECTIVE DATE

21          This act shall take effect on passage.

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(Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

FOR THE COMMITTEE

DRAFT