

1 TO THE HONORABLE SENATE:

2 The Committee on Appropriations to which was referred House Bill  
3 No. 715 entitled “An act relating to the Clean Heat Standard” respectfully  
4 reports that it has considered the same and recommends that the Senate  
5 propose to the House that the bill be amended as follows:

6 First: In Sec. 2, 30 V.S.A. chapter 94, by adding a new section 8129 to read  
7 as follows:

8 § 8129. RULEMAKING AUTHORITY

9 Notwithstanding any other provision of law to the contrary, the Commission  
10 shall not file proposed rules with the Secretary of State or issue any orders  
11 implementing the Clean Heat Standard without specific authorization enacted  
12 by the General Assembly.

13 Second: In Sec. 3, Public Utility Commission implementation, in  
14 subsection (a), by striking out subdivision (2) in its entirety and inserting in  
15 lieu thereof the following:

16 (2) On or before October 1, 2023, the Commission shall submit to the  
17 General Assembly an interim report on the development of the Clean Heat  
18 Standard.

19 Third: In Sec. 3, Public Utility Commission implementation, by striking  
20 out subsection (f) in its entirety and by inserting in lieu thereof the following:

1        (f) Final rules.

2            (1) On or before January 15, 2024, the Commission shall submit to the  
3        General Assembly final proposed rules to implement the Clean Heat Standard.  
4        The Commission shall not file the final proposed rules with the Secretary of  
5        State until specific authorization is enacted by the General Assembly to do so.

6            (2) Notwithstanding 3 V.S.A. §§ 820, 831, 836–840, and 841(a), upon  
7        affirmative authorization is enacted by the General Assembly authorizing the  
8        adoption of rules implementing the Clean Heat Standard, the Commission shall  
9        file, as the final proposed rule, the rules implementing the Clean Heat Standard  
10       approved by the General Assembly with the Secretary of State and Legislative  
11       Committee on Administrative Rules pursuant to 3 V.S.A. § 841. The filing  
12       shall include everything that is required under 3 V.S.A. §§ 838(a)(1)–(5), (8)–  
13       (13), (15), and (16) and 841(b)(1).

14           (3) The review, adoption, and effect of the rules implementing the Clean  
15       Heat Standard shall be governed by 3 V.S.A. §§ 841(c); 842, exclusive of  
16       subdivision (b)(4); 843; 845; and 846, exclusive of subdivision (a)(3).

17           (4) Once adopted and effective, any amendments to the rules  
18       implementing the Clean Heat Standard shall be made in accordance with the  
19       Administrative Procedure Act, 3 V.S.A. chapter 25.

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

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Senator \_\_\_\_\_

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FOR THE COMMITTEE