

1 TO THE HONORABLE SENATE:

2 The Committee on Appropriations to which was referred Senate Bill No. 5  
3 entitled “An act relating to affordably meeting the mandated greenhouse gas  
4 reductions for the thermal sector through electrification, decarbonization,  
5 efficiency, and weatherization measures” respectfully reports that it has  
6 considered the same and recommends that the report of the Committee on  
7 Natural Resources and Energy be amended as follows:

8 First: In Sec. 3, 30 V.S.A. chapter 94, by inserting a new section to be  
9 section 8131 to read as follows:

10 § 8131. RULEMAKING AUTHORITY

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

15 Second: In Sec. 6, Public Utility Commission implementation, by striking  
16 out subsection (f) in its entirety and inserting in lieu thereof a new subsection  
17 (f) to read as follows:

18 (f) Final rules.

19 (1) On or before January 15, 2025, the Commission shall submit to the  
20 General Assembly final proposed rules to implement the Clean Heat Standard.

1 The Commission shall not file the final proposed rules with the Secretary of  
2 State until specific authorization is enacted by the General Assembly to do so.

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

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

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

17 Third: In Sec. 3, 30 V.S.A. chapter 94, in section 8121, by inserting a new  
18 sentence after the second sentence to read as follows:

19 The Clean Heat Standard shall, to the greatest extent possible, maximize the  
20 use of available federal funds to deliver clean heat measures.

1        Fourth: In Sec. 3, 30 V.S.A. chapter 94, in section 8124, in subdivision  
2        (a)(2), following “in plain terms”, by inserting with translation services  
3        available

4        Fifth: In Sec. 3, 30 V.S.A. chapter 94, in section 8124, in subsection (d), by  
5        inserting a new subdivision (7) to read as follows:

6                (7) Customer income data collected shall be kept confidential by the  
7        Commission, the Department of Public Service, the obligated parties and any  
8        entity that delivers clean heat measures.

9        Sixth: In Sec. 3, 30 V.S.A. chapter 94, in section 8124, in subdivision  
10        (f)(2), by striking out the word “three” and inserting in lieu thereof the word  
11        four

12        Seventh: In Sec. 3, 30 V.S.A. chapter 94, in section 8127, in  
13        subdivision (1)(2), by inserting a new sentence after the first sentence to read as  
14        follows:

15                Customer income data collected shall be kept confidential by the  
16        Commission, the Department of Public Service, the obligated parties and any  
17        entity that delivers clean heat measures.

18        Eighth: In Sec. 6, Public Utility Commission implementation, in subsection  
19        (c), by striking out subdivision (4) in its entirety and inserting in lieu thereof a  
20        new subdivision (4) to read as follows:

