



Written by [James Murphy](#) on May 1, 2023

Vermont Governor Vows to Veto Confusing Climate Legislation

On Friday, Vermont Governor Phil Scott, a Republican, announced that he will veto the state's [Affordable Heat Act](#), also known as S5. The bill is designed to address so-called climate change by reducing the state's greenhouse gas emissions from the thermal sector, and would be administered by the state's Public Utility Commission.

According to Scott, the new legislation would "financially punish" Vermont's low-income energy consumers and give an unelected utility commission too much power to design a new energy system without government scrutiny.



AP Images
Phil Scott

"From the start of this conversation, I have clearly, and repeatedly, said I agree we need to reduce our greenhouse gas emissions, including in the thermal sector. However, I strongly believe the right approach is to help people make the transition, not financially punish those who cannot afford to do so," Scott said in a [statement](#). "Unfortunately, the Super Majority in the Legislature decided to take a completely different approach by giving an unelected commission, the Public Utility Commission (PUC), the power to design and adopt a system — without guaranteeing the details and costs will be debated transparently through the normal legislative process, in full view of their constituents."

Vermont's Democratic supermajority has the votes to override a veto, but an override is not a certainty. Although a similar bill passed last year, an override failed in the state's House of Representatives.

To address concerns of some that the bill is not fully developed and the costs not truly known, the newest version calls for a legislative "check-back" to review the bill and the costs associated with it prior to moving forward. The check-back would occur in January 2025, prior to the majority of the legislation moving forward.

Scott was not impressed with the "check-back" provision.

"When I resisted the Legislature's original approach to the bill, they inserted a 'check back' provision, saying it satisfied my concerns. It does not. Some claimed the bill is essentially a study. It is not," the governor said.

"As recently as Thursday's debate on the Senate floor, Senators from both parties have called the check back in the bill contradictory and confusing. Even Democratic senators who voted for the bill acknowledged the check back is a 'leap of faith,' meaning a future Legislature could interpret the language much differently and only pass legislation that rubber stamps the rules and insulates themselves from the tough policy conversations, including details and costs. I believe it is irresponsible to move forward on a policy with such enormous consequences based on a 'leap of faith,'" he continued. Certain aspects of the bill's implementation would begin long before the legislative check-back,



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bringing into question the transparency of the legislation.

“I have said if the Legislature truly intended for this policy to be transparently debated in a future legislative session, it would be crystal clear, in plain language, and there wouldn’t be this much confusion and contradiction,” the governor concluded.

But House Speaker Jill Krowinski [disagrees](#), and has accused Scott of spreading misinformation about the bill:

The rulemaking process and future legislative debate will give Vermonters multiple venues and additional opportunities to share feedback, ask questions, and help shape the final product. This bill will not only help Vermont mitigate the impact of climate change in our state, but it will also lower costs and keep prices at a consistent level, allowing Vermonters to afford to heat their homes.

But even climate-hysteric groups are not sure that the bill properly addresses their concerns regarding emissions, particularly its reliance on biofuels as an emissions-reduction strategy.

“We don’t see the carbon intensity classifications for biofuels as sufficient for reducing the environmental and economic harms from liquid biofuels and so-called Renewable Natural Gas or RNG,” [said](#) Andrea Stander of 350Vermont, a climate advocacy group in the state.

According to 350Vermont, the new legislation might actually lead to an increase in emissions due to the use of biofuels, destroy ecosystems and farmlands with the production of those biofuels, and put the greatest burden on “Indigenous, Black and Brown and other vulnerable communities.”

So, in its haste to get climate legislation passed, the Vermont Legislature has produced a rushed, confusing, and truly unfinished bill to address climate change, and no one truly knows the final costs associated with it.

Sounds a lot like the climate movement itself: a lot of people willing to throw money at a problem that no one is truly certain even exists.



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