

# House Concurrent Resolution No. 5

## 96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (150).

0685L.011

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### AN ACT

Relating to disapproval under Article IV, Section 8 of the Missouri Constitution the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 regarding the Electric Utility Renewable Energy Standard Requirements.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

**WHEREAS**, the Public Service Commission filed a proposed amendment for 4 CSR 240-20.100 on January 8, 2010, and filed the order of rulemaking with the Joint Committee on Administrative Rules on June 2, 2010, and filed an amendment order or rulemaking with the Joint Committee on Administrative Rules on July 1, 2010; and

**WHEREAS**, the Joint Committee on Administrative Rules held hearings on June 24, June 30, and July 1, 2010, and has found 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2 lacking in compliance with the provisions of Chapter 536, RSMo:

**NOW, THEREFORE, BE IT RESOLVED** that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby finds that the Public Service Commission has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of section 536.014, RSMo; and

**BE IT FURTHER RESOLVED** that the General Assembly, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, Electric Utility Renewable Energy Standard Requirements; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed amendment to 4 CSR 240-20.100(2)(A) and 4 CSR 240-20.100(2)(B)2, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the

27 Ninety-sixth General Assembly, First Regular Session, after veto by the Governor as provided  
28 in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and  
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30 **BE IT FURTHER RESOLVED** that this resolution be sent to the Governor for his  
31 approval or rejection pursuant to the Missouri Constitution.

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