1	TO THE HOUSE OF REPRESENTATIVES:
2	The Committee on Government Operations and Military Affairs to which
3	was referred Senate Bill No. 220 entitled "An act relating to Vermont's public
4	libraries" respectfully reports that it has considered the same and recommends
5	that the House propose to the Senate that the bill be amended by striking out all
6	after the enacting clause and inserting in lieu thereof the following:
7	* * * Library Policies; Selection and Retention of Library Materials * * *
8	Sec. 1. 22 V.S.A. § 67 is amended to read:
9	§ 67. PUBLIC LIBRARIES; STATEMENT OF POLICY; USE OF
10	FACILITIES AND RESOURCES
11	***
12	(c) To ensure that Vermont libraries protect and promote the principles of
13	free speech, inquiry, discovery, and public accommodation, it is necessary that
14	the trustees, managers, or directors of free public libraries adopt policies that
15	comply with the First Amendment to the U.S. Constitution and State and
16	federal civil rights and antidiscrimination laws.
17	Sec. 2. 22 V.S.A. § 69 is added to read:
18	§ 69. PUBLIC LIBRARIES; SELECTION AND RECONSIDERATION OF
19	LIBRARY MATERIALS
20	A public library shall adopt a library material selection policy and
21	procedures for the reconsideration and retention of library materials that

1	complies with the First Amendment to the U.S. Constitution, the Civil Rights	
2	Act of 1964, State laws prohibiting discrimination in places of public	
3	accommodation, and that reflect Vermont's diverse people and history,	
4	including diversity of race, ethnicity, sex, gender identity, sexual orientation,	
5	disability status, religion, and political beliefs. A public library may adopt as	
6	its policy a model policy adopted by the Department of Libraries pursuant to	
7	section 606 of this title.	
8	* * * Confidentiality of Library Records; Minors * * *	
9	Sec. 3. 22 V.S.A. § 172 is amended to read:	
10	§ 172. LIBRARY RECORD CONFIDENTIALITY; EXEMPTIONS	
11	* * *	
12	(b) Unless authorized by other provisions of law, the library's officers,	
13	employees, and volunteers shall not disclose the records except:	
14	* * *	
15	(4) to custodial parents or guardians of patrons under age 16 12 years of	
16	age; or	
17	* * *	
18	* * * Public Safety * * *	
19	Sec. 4. 13 V.S.A. § 1702 is amended to read:	
20	§ 1702. CRIMINAL THREATENING	
21	* * *	

1	(d) A person who violates subsection (a) of this section by making a threat	
2	that places any person in reasonable apprehension that death, serious bodily	
3	injury, or sexual assault will occur at a public or private school; postsecondary	
4	education institution; public library; place of worship; polling place during	
5	election activities; the Vermont State House; or any federal, State, or municipal	
6	building shall be imprisoned not more than two years or fined not more than	
7	\$2,000.00, or both.	
8	* * *	
9	(h) As used in this section:	
10	* * *	
11	(12) "Public library" means a public library as defined in 22 V.S.A.	
12	<u>§ 101.</u>	
13	* * *	
14	* * * Library Governance * * *	
15	Sec. 5. 22 V.S.A. § 105 is amended to read:	
16	§ 105. GENERAL POWERS	
17	(a) The trustees, managers, or directors shall:	
18	(1) elect the officers of the corporation from their number and have the	
19	control and management of the affairs, finances, and property of the	
20	corporation ;	
21	(2) adopt bylaws and policies governing the operation of the library;	

1	(3) establish a library budget;
2	(4) hold regular meetings; and
3	(5) ensure compliance with the terms of any funding, grants, or
4	bequests.
5	(b) The Trustees, managers, or directors may:
6	(1) accept donations and, in their discretion, hold the donations in the
7	form in which they are given for the purposes of science, literature, and art
8	germane to the objects and purposes of the corporation. They may,; and
9	(2) in their discretion, receive by loan books, manuscripts, works of art,
10	and other library materials and hold or circulate them under the conditions
11	specified by the owners.
12	Sec. 6. 22 V.S.A. § 143 is amended to read:
13	§ 143. TRUSTEES
14	(a) Unless a municipality which that has established or shall establish a
15	public library votes at its annual meeting to elect a board of trustees, the
16	governing body of the municipality shall appoint the trustees. The
17	appointment or election of the trustees shall continue in effect until changed at
18	an annual meeting of the municipality. When trustees are first chosen, they
19	shall be elected or appointed for staggered terms.
20	(b) The board shall consist of not less fewer than five trustees who shall
21	have full power to:

1	(1) manage the public library, make and any property that shall come
2	into the hands of the municipality by gift, purchase, devise, or bequest for the
3	use and benefit of the library;
4	(2) adopt bylaws, and policies governing the operation of the library;
5	(3) elect officers, establish a library policy and receive, control and
6	manage property which shall come into the hands of the municipality by gift,
7	purchase, devise or bequest for the use and benefit of the library;
8	(4) establish a library budget for consideration by the legislative body of
9	the municipality for inclusion in the municipality's budget;
10	(5) hold regular meetings; and
11	(6) ensure compliance with the terms of any funding, grants, or
12	<u>bequests</u> .
13	(c) The board may appoint a director for the efficient administration and
14	conduct of the library. A library director shall be under the supervision and
15	control of the library board of trustees.
16	(b) When trustees are first chosen, they shall be elected or appointed for
17	staggered terms.
18	* * * Department of Libraries * * *
19	Sec. 7. 22 V.S.A. § 606 is amended to read:
20	§ 606. OTHER DUTIES AND FUNCTIONS

1	The Department, in addition to the functions specified in section 605 of this
2	title:
3	* * *
4	(5) May Shall provide a continuing education program for a Certificate
5	in Public Librarianship. The Department shall conduct seminars, workshops,
6	and other programs to increase the professional competence of librarians in the
7	State.
8	* * *
9	(8) Shall be the primary access point for State information, and provide
10	advice on State information technology policy.
11	(9) May develop and adopt model policies for free public libraries
12	concerning displays, meeting room use, patron behavior, internet use, library
13	materials selection, and other relevant topics, as well as procedures for the
14	reconsideration and retention of library materials, to ensure substantive
15	compliance with the First Amendment to the U.S. Constitution, the Civil
16	Rights Act of 1964, and Vermont laws prohibiting discrimination in places of
17	public accommodation.
18	(10) Shall adopt a material selection policy and procedures for
19	reconsideration and retention that reflect Vermont's diverse people and history.
20	including diversity of race, ethnicity, sex, gender identity, sexual orientation,
21	disability status, religion, and political beliefs.

1	(11) May develop best practices and guidelines for public libraries and
2	library service levels.
3	* * * School Library Material Selection * * *
4	Sec. 7a. 16 V.S.A. § 1624 is added to read:
5	§ 1624. SCHOOL LIBRARY MATERIAL SELECTION POLICY
6	(a) Each school board and each approved independent school shall develop,
7	adopt, ensure the enforcement of, and make available in the manner described
8	under subdivision 563(1) of this title a library material selection policy and
9	procedures for the reconsideration and retention of materials. The policy and
10	procedures shall affirm the importance of intellectual freedom and be guided
11	by the First Amendment to the U.S. Constitution, the Civil Rights Act of 1964,
12	Vermont laws prohibiting discrimination in places of public accommodation,
13	the American Library Association's Freedom to Read Statement, Vermont's
14	Freedom to Read Statement, and reflect Vermont's diverse people and history,
15	including diversity of race, ethnicity, sex, gender identity, sexual orientation,
16	disability status, religion, and political beliefs.
17	(b) In order to ensure a student's First Amendment rights are protected and
18	all students' identities are affirmed and dignity respected, the policy and
19	procedures required under subsection (a) of this section shall prohibit the
20	removal of school library materials for the following reasons:
21	(1) partisan approval or disapproval;

1	(2) the author's race, nationality, gender identity, sexual orientation,	
2	political views, or religious views;	
3	(3) school board members' or members of the public's discomfort,	
4	personal morality, political views, or religious views;	
5	(4) the author's point of view concerning the problems and issues of our	
6	time, whether international, national, or local;	
7	(5) the race, nationality, gender identity, sexual orientation, political	
8	views, or religious views of the protagonist or other characters; or	
9	(6) content related to sexual health that addresses physical, mental,	
10	emotional, or social dimensions of human sexuality, including puberty, sex,	
11	and relationships.	
12	(c) The policy and procedures required under subsection (a) of this	
13	section shall ensure that school library staff are responsible for curating and	
14	developing collections that provide students with access to a wide array of	
15	materials that are relevant to students' research, independent reading interests,	
16	and educational needs, as well as ensuring such materials are tailored to the	
17	cognitive and emotional levels of the children served by the school.	
18	* * * Effective Dates * * *	
19	Sec. 8. EFFECTIVE DATES	

1	(a) Secs. 2 (22 V.S.A. § 69; public librario	es; selection and reconsideration
2	of library materials) and 7a (16 V.S.A. § 162	4; school library material
3	selection policy) shall take effect on July 1, 2025.	
4	(b) Sec. 7 (22 V.S.A. § 606; Dept. of Libraries; other duties and functions)	
5	shall take effect on January 1, 2025.	
6	(c) This section and all other sections of this act shall take effect on July 1,	
7	<u>2024.</u>	
8		
9		
10		
11		
12		
13		
14	(Committee vote:)	
15		
16		Representative
17		FOR THE COMMITTEE