

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred Senate Bill No. 220
3 entitled “An act relating to Vermont’s public libraries” respectfully reports that
4 it has considered the same and recommends that the bill be amended by
5 striking out all after the enacting clause and inserting in lieu thereof the
6 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 policy for the selection and reconsideration of
21 library materials that complies with the First Amendment to the U.S.

1 Constitution, the Civil Rights Act of 1964, and State laws prohibiting
2 discrimination in places of public accommodation. A public library may adopt
3 as its policy a model policy adopted by the Department of Libraries pursuant to
4 section 606 of this title.

5 Sec. 3. 22 V.S.A. § 606 is amended to read:

6 § 606. OTHER DUTIES AND FUNCTIONS

7 The Department, in addition to the functions specified in section 605 of this
8 title:

9 * * *

10 (9) May develop and adopt model policies for free public libraries
11 concerning collection development, display, meeting room use, patron
12 behavior, internet use, materials reconsideration, and other relevant topics to
13 ensure substantive compliance with the First Amendment to the U.S.
14 Constitution and Vermont laws prohibiting discrimination.

15 * * * Confidentiality of Library Records; Minors * * *

16 Sec. 4. 22 V.S.A. § 172 is amended to read:

17 § 172. LIBRARY RECORD CONFIDENTIALITY; EXEMPTIONS

18 * * *

19 (b) Unless authorized by other provisions of law, the library's officers,
20 employees, and volunteers shall not disclose the records except:

21 * * *

1 (4) to custodial parents or guardians of patrons under ~~age 16~~ 12 years of
2 age; or

3 * * *

4 * * * Library Consultant; Positions * * *

5 Sec. 5. LIBRARY CONSULTANT POSITIONS; AGENCY OF
6 EDUCATION AND DEPARTMENT OF LIBRARIES

7 (a) One full-time, classified position is created in the Agency of Education
8 for the purpose of establishing a School Library Consultant, who shall
9 coordinate with the Department of Libraries to assist school libraries.

10 (b) Two full-time, classified Library Consultant positions are created in the
11 Department of Libraries to assist with the duties and functions of the
12 Department established by this act.

13 * * * Training and Education for Library Staff * * *

14 Sec. 6. 22 V.S.A. § 606 is amended to read:

15 § 606. OTHER DUTIES AND FUNCTIONS

16 The Department, in addition to the functions specified in section 605 of this
17 title:

18 * * *

19 (5) ~~May~~ Shall provide a continuing education program for a Certificate
20 in Public Librarianship. The Department shall conduct seminars, workshops,

1 and other programs to increase the professional competence of librarians in the
2 State.

3 * * *

4 * * * Public Safety * * *

5 Sec. 7. 13 V.S.A. § 1702 is amended to read:

6 § 1702. CRIMINAL THREATENING

7 * * *

8 (d) A person who violates subsection (a) of this section by making a threat
9 that places any person in reasonable apprehension that death, serious bodily
10 injury, or sexual assault will occur at a public or private school; postsecondary
11 education institution; public library; place of worship; polling place during
12 election activities; the Vermont State House; or any federal, State, or municipal
13 building shall be imprisoned not more than two years or fined not more than
14 \$2,000.00, or both.

15 * * *

16 (h) As used in this section:

17 * * *

18 (12) “Public library” means a public library as defined in 22 V.S.A.

19 § 101.

20 * * *

1 Sec. 8. 13 V.S.A. § 4004 is amended to read:

2 § 4004. POSSESSION OF DANGEROUS OR DEADLY WEAPON IN A
3 SCHOOL BUS ~~OR~~, SCHOOL BUILDING, PUBLIC LIBRARY, OR
4 ON SCHOOL PROPERTY

5 (a) No person shall knowingly possess a firearm or a dangerous or deadly
6 weapon while within a school building, public library, or on a school bus. A
7 person who violates this section shall, for the first offense, be imprisoned for
8 not more than one year or fined not more than \$1,000.00, or both, and for a
9 second or subsequent offense shall be imprisoned for not more than three years
10 or fined not more than \$5,000.00, or both.

11 (b) No person shall knowingly possess a firearm or a dangerous or deadly
12 weapon on any school property or public library property with the intent to
13 injure another person. A person who violates this section shall, for the first
14 offense, be imprisoned for not more than three years or fined not more than
15 \$1,000.00, or both, and for a second or subsequent offense shall be imprisoned
16 for not more than five years or fined not more than \$5,000.00, or both.

17 (c) This section shall not apply to:

18 * * *

19 (3) Possession and use of firearms or dangerous or deadly weapons if
20 the governing body, trustees, managers, or directors of a public library

1 authorize possession or use for specific occasions or for instructional or other
2 specific purposes.

3 (d) As used in this section:

4 * * *

5 (6) “Public library” means a public library as defined in 22 V.S.A.
6 § 101.

7 (7) “Public library property” means any property owned by a public
8 library.

9 * * *

10 * * * Library Governance * * *

11 Sec. 9. 22 V.S.A. § 105 is amended to read:

12 § 105. GENERAL POWERS

13 (a) The trustees, managers, or directors shall:

14 (1) elect the officers of the corporation from their number and have the
15 control and management of the affairs, finances, and property of the
16 corporation;

17 (2) adopt bylaws and policies governing the operation of the library;

18 (3) establish a library budget;

19 (4) hold regular meetings; and

20 (5) ensure compliance with the terms of any funding, grants, or
21 bequests.

1 **(b) The Trustees, managers, or directors** may:

2 **(1)** accept donations and, in their discretion, hold the donations in the
3 form in which they are given for the purposes of science, literature, and art
4 germane to the objects and purposes of the corporation. ~~They may;~~ and

5 **(2)** in their discretion, receive by loan books, manuscripts, works of art,
6 and other library materials and hold or circulate them under the conditions
7 specified by the owners.

8 Sec. 10. 22 V.S.A. § 141 is amended to read:

9 § 141. ESTABLISHMENT AND MAINTENANCE

10 (a) A municipality may establish and maintain public libraries for the use
11 of its residents ~~public libraries~~.

12 (b) A municipality may provide library services to the residents of other
13 municipalities, upon terms to be agreed upon, and may annually contract with
14 a library or library corporation to furnish library materials to its residents free
15 of charge ~~and~~. A municipality may appropriate money for ~~that purpose~~ the
16 purposes described in this subsection and may annually appropriate money for
17 the maintenance, care, increase, and support of a library held in trust for the
18 residents of the municipality.

1 Sec. 11. 22 V.S.A. § 142 is amended to read:

2 § 142. APPROPRIATIONS

3 A municipality establishing and maintaining a library or contracting for
4 library services ~~may~~ shall appropriate money as necessary for suitable facilities
5 and for the foundation of a public library ~~and~~. At the annual municipal
6 meeting, the municipality shall vote to appropriate money annually for the
7 maintenance, care, and increase of the library in an amount voted at its annual
8 meeting.

9 Sec. 12. 22 V.S.A. § 143 is amended to read:

10 § 143. TRUSTEES

11 (a) Unless a municipality ~~which~~ that has established or shall establish a
12 public library votes at its annual meeting to elect a board of trustees, the
13 governing body of the municipality shall appoint the trustees. The
14 appointment or election of the trustees shall continue in effect until changed at
15 an annual meeting of the municipality. When trustees are first chosen, they
16 shall be elected or appointed for staggered terms.

17 (b) The board shall consist of not less than five trustees who shall have full
18 power to:

19 (1) manage the public library, ~~make~~ and any property that shall come
20 into the hands of the municipality by gift, purchase, devise, or bequest for the
21 use and benefit of the library;

1 policy that reflects diversity of race, ethnicity, sex, gender identity, sexual
2 orientation, and disability status, and Vermont’s diverse people and history.

3 * * *

4 (10) May develop best practices and guidelines for public libraries and
5 library service levels.

6 * * * Appropriations * * *

7 Sec. 14. APPROPRIATIONS

8 The following sums are appropriated from the General Fund in fiscal year
9 2025:

10 (1) \$275,000.00 to the Department of Libraries to support the programs
11 and services established by this act.

12 (2) \$225,000.00 to the Department of Libraries to support the two
13 Library Consultant positions created in Sec. 5 of this act.

14 (3) \$112,500.00 to the Agency of Education for the School Library
15 Consultant position created in Sec. 5 of this act.

16 * * * Effective Date * * *

17 Sec. 15. EFFECTIVE DATE

18 This act shall take effect on July 1, 2024.

19
20
21 (Committee vote: _____)

1

2

Senator _____

3

FOR THE COMMITTEE