

No. 91. An act relating to technical corrections for the 2026 legislative session.

(H.927)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 2 V.S.A. § 601(a) is amended to read:

(a) There is created a the Joint Carbon Emissions Reduction Committee whose membership shall be appointed each biennial session of the General Assembly. The Committee shall consist of five Representatives not all from the same political party, at least one from the Committees on Appropriations, on Commerce and Economic Development, on Energy and Digital Infrastructure, on Environment, and on Transportation, to be appointed by the Speaker of the House, and five members of the Senate not all from the same political party, at least one from the Committees on Appropriations, on Finance, on Natural Resources and Energy, and on Transportation, to be appointed by the Committee on Committees.

Sec. 2. 3 V.S.A. § 14 is amended to read:

§ 14. FEDERAL HIGHWAY SAFETY ACT; POWERS OF GOVERNOR
AND POLITICAL SUBDIVISION

* * *

(b) The Governor shall provide for the receipt, allocation, and disbursement of federal monies received pursuant to this section, in accordance with such State and federal laws ~~and~~, regulations, and rules as may be applicable.

(c) Towns, cities, emergency medical services districts, municipalities, and other political subdivisions are authorized to administer local highway safety programs approved by the Governor as part of the State's Highway Safety Program, and to receive funds available for the foregoing purposes subject to applicable laws ~~and~~, regulations, and rules and the approval of the Governor.

Sec. 3. 3 V.S.A. § 18 is amended to read:

§ 18. SPOUSE ABUSE PROGRAMS; ELIGIBILITY

* * *

(e) ~~Duties and functions of the Center.~~

(1) The Center shall adopt rules under chapter 25 of this title pursuant to which interested local programs may apply for funding. Any local agency or organization may apply to participate.

(2) The Center shall establish minimum standards for eligibility for State funds awarded through the provisions of this section.

Sec. 4. 3 V.S.A. § 21 is amended to read:

§ 21. SEXUAL ASSAULT VICTIMS PROGRAM

* * *

(e) ~~Duties and functions of the Center.~~

(1) The Center shall adopt rules under chapter 25 of this title pursuant to which interested local programs may apply for funding. Any local agency or organization may apply to participate.

(2) The Center shall establish minimum standards for eligibility for State funds awarded through the provisions of this section.

Sec. 5. 3 V.S.A. § 330 is amended to read:

§ 330. VERMONT INTERNSHIP PROGRAM

(a) Program creation. ~~A~~ The Vermont Internship Program is created:

* * *

(f) Rights of Vermont Internship Program members.

* * *

(5) Notwithstanding any provision to the contrary in ~~sections 455 et seq.~~ chapter 16 of this title, upon completion of a State employment commitment described in subdivision (2) of this subsection, such employee shall receive State employment retirement credit for all Vermont Internship Program time.

* * *

Sec. 6. 3 V.S.A. § 123 is amended to read:

§ 123. DUTIES OF OFFICE

(a) The Office shall provide administrative, secretarial, financial, investigatory, inspection, and legal services to the boards. The services provided by the Office shall include:

* * *

(9) Standardizing, to the extent feasible and with the advice of the boards, all applications, licenses, and other related forms and procedures, and

adopting uniform procedural rules governing the investigatory and disciplinary process for all boards set forth in section 122 of this ~~chapter~~ subchapter.

* * *

(g)(1) The Office shall establish uniform procedures applicable to all of the professions and boards set forth in section 122 of this ~~chapter~~ subchapter, providing for:

* * *

Sec. 7. 3 V.S.A. § 343 is amended to read:

§ 343. PRIVATIZATION CONTRACTS; PROCEDURE

* * *

(c)(1) Before an agency may renew a privatization contract for the first time, the Auditor of Accounts shall review the privatization contract analyzing whether it is achieving:

(A) the 10 percent cost-savings requirement set forth in subdivision (a)(2) of this section; and

(B) the performance measures incorporated into the contract as required under subdivision (b)(1) of this section.

(2) If the Auditor of Accounts finds that a privatization contract has not achieved the cost savings required under subdivision (a)(2) of this section or complied with performance measures required under subdivision (b)(1) of this section, the Auditor of Accounts shall file a report with the agency ~~and~~ the House Committee on Government Operations and Military Affairs, and the

Senate ~~Committees~~ Committee on Government Operations, and the agency shall review whether to renew the privatization contract or perform the work with State employees.

Sec. 8. 3 V.S.A. § 459 is amended to read:

§ 459. NORMAL AND EARLY RETIREMENT

(a) Normal retirement.

* * *

(3) Application submission. Where application for a retirement allowance is required, the member shall apply in writing to the Retirement Board not later than 90 days, or longer for cause shown, after the date upon which the retirement allowance is to begin.

* * *

(b) Normal retirement allowance.

(1) Upon normal retirement, a Group A member shall receive a normal retirement allowance that shall be equal to 50 percent of the member's average final compensation; provided, however, that if the member has not completed 30 years of creditable service at retirement, ~~or, if earlier, the date of attainment of such age as may be applicable under the provisions of subdivision (a)(4) of this section,~~ the member's allowance shall be multiplied by the ratio that the number of the member's years of creditable service at retirement, or such earlier date, bears to 30.

(2)(A) Upon normal retirement, a Group C member shall receive a normal retirement allowance that shall be equal to 50 percent of the member's average final compensation; provided, however, that if the member has not completed 20 years of creditable service at retirement, ~~or, if earlier, the date of attainment of such age as may be applicable under the provisions of subdivision (a)(4) of this section,~~ the member's allowance shall be multiplied by the ratio that the number of the member's years of creditable service at retirement, or such earlier date, bears to 20.

* * *

(5)(A) Until January 1, 1995, upon normal retirement, a Group F member shall receive a normal retirement allowance that shall be equal to ~~1 1/4~~ one and one-fourth of a percent of ~~his or her~~ the member's average final compensation times years of creditable service. On and after January 1, 1995, upon normal retirement, a Group F member shall receive a normal retirement allowance equal to ~~1 1/4~~ one and one-fourth of a percent of the member's average final compensation times years of membership service prior to January 1, 1991, plus a pension that when added to an annuity shall be equal to ~~1 2/3~~ one and two-thirds of a percent of the member's average final compensation times years of membership service on and after January 1, 1991. The maximum retirement allowance shall be 50 percent of average final compensation.

(B) A Group F member first included in the membership of the system on or after July 1, 2008, upon normal retirement, shall receive a normal

retirement allowance equal to ~~1²/₃~~ one and two-thirds of a percent of the member's average final compensation times years of membership service. The maximum retirement allowance shall be 60 percent of average final compensation.

* * *

(d) Early retirement allowance.

* * *

(4)(A) Upon early retirement, a Group G member who was previously a Group F member first included in the membership of the System on or before June 30, 2008, and who elected to transfer into Group G pursuant to the terms set by the Board, shall receive an early retirement allowance that shall be equal to the normal retirement allowance reduced by the lesser of (i) one-half of one percent for each month equal to the difference between the 240 months and the member's months of creditable service, or (ii) an amount that shall be the actuarial equivalent of the normal retirement allowance computed under subsection (b) of this section.

(B) Upon early retirement, a Group G member who was previously a Group F member first included in the membership of the System on or after July 1, 2008, and who elected to transfer into Group G pursuant to the terms set by the Board, shall receive an early retirement allowance that shall be equal to the normal retirement allowance reduced by the lesser of five-ninths of one

percent for each month equal to the difference between the 240 months and the member's months of creditable service; ~~or.~~

(C) Upon early retirement, all Group G members other than those specified in ~~subdivision~~ subdivisions (A) and (B) of this subdivision (d)(4) shall receive an early retirement allowance that shall be equal to the normal retirement allowance reduced by an amount that shall be the actuarial equivalent of the normal retirement allowance computed under subsection (b) of this section.

* * *

Sec. 9. 3 V.S.A. § 468 is amended to read:

§ 468. OPTIONAL BENEFITS

(a) Until the first payment on account of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable to the member after retirement into a retirement allowance that is its actuarial equivalent, in accordance with one of the optional forms described in this section.

(1) Option 1. A reduced retirement allowance payable during the member's life, with the provision that at the member's death a lump sum equal in amount to the difference between the member's accumulated contributions at the time of retirement and the sum of the annuity payments actually made to the member during ~~his or her~~ the member's lifetime shall be paid to such person, if any, as the member has nominated by written designation duly

acknowledged and filed with the Retirement Board; or, in the absence of a written designation of beneficiary or when the designated beneficiary is deceased, the residual amount payable as a result of the death of the member after retirement shall be payable as follows:

~~(2)~~(A) In the case of an open estate, to the administrator or executor.

(B) In the case of a closed estate and the deceased member's account is valued at less than \$1,000.00, in accordance with the Probate Division of the Superior Court decree of distribution.

(C) In the absence of an open estate or Probate Division of the Superior Court decree of distribution, and the deceased member's account is valued at less than \$1,000.00, to the surviving spouse of the deceased owner, or, if there is no surviving spouse, then to the next of kin according to 14 V.S.A. § ~~551~~ 314.

(D) In all other cases, a probate estate shall be opened by the claimant, or other interested party, in order to determine the appropriate distribution of the proceeds of the deceased member's account. When an estate is opened solely to distribute the proceeds of a deceased member's account under this section, the Probate Division of the Superior Court may waive any filing fees.

(2) [Repealed.]

* * *

(b) Any member who elects to receive a retirement allowance under the provisions of option 3 or 4 may elect to receive a benefit further reduced actuarially as prescribed by the Board with the added provision that on the basis of stipulations contained in a plan-approved domestic relations order or if the retired member survives the member's nominated beneficiary, the retirement allowance that would have been payable during the member's life computed pursuant to section 459, 460, or 461 of this title, whichever is applicable, shall be paid to the retired member during the remainder of the member's lifetime. If a member does not make an election as to the form of ~~his or her~~ the member's retirement allowance, the member shall receive ~~his or her~~ the member's retirement allowance computed pursuant to section 459, 460, or 461 of this title, whichever is applicable.

Sec. 10. 3 V.S.A. § 531 is amended to read:

§ 531. DEFINITIONS

As used in this chapter:

* * *

(3) "Covered employer" means a person, entity, or subsidiary engaged in a business, industry, profession, trade, or other enterprise in the State, whether for profit or not for profit, that does not currently offer to an employee, or is within a control group that maintains or contributes to, a specified tax-favored retirement plan. If an employer does not maintain a specified tax-favored retirement plan for a portion of a calendar year ending ~~on~~

in or after ~~the effective date of this chapter~~ 2023 but does adopt such a plan for the remainder of that calendar year, the employer is not a covered employer for the remainder of ~~the~~ that year. A covered employer does not include:

(A) the federal government, the State or any other state, any county or municipal corporation, or any of the State's or any other state's units or instrumentalities; or

(B) any employer that has only been in business during the current calendar year.

* * *

Sec. 11. 3 V.S.A. § 533 is amended to read:

§ 533. DUTIES OF THE STATE TREASURER

In carrying out the purposes of this chapter, the Treasurer:

* * *

(7) Shall evaluate the need for, and procure if necessary, insurance against any loss in connection with the property, assets, or activities of the Program as well as establish procedures for abandoned accounts pursuant to 27 V.S.A. chapter ~~13~~ 18.

* * *

(10) ~~Discharge~~ Shall discharge the Treasurer's duties as fiduciary with respect to the Program solely in the interest of the Participants as follows: for the exclusive purpose of providing benefits to Participants and defraying reasonable expenses of administering the Program and with the care, skill,

prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with those matters would use in the conduct of an enterprise of a like character and with like aims.

Sec. 12. 3 V.S.A. chapter 19 is amended to read:

CHAPTER 19. SOCIAL SECURITY FOR STATE AND MUNICIPAL
EMPLOYEES

* * *

§ 572. DEFINITIONS

For the purposes of this chapter:

* * *

(2) “Employment” means any service performed by any employee in the employ of the State, or any political subdivision thereof, for such employer, except:

~~(1)(A) service~~ Service that in the absence of an agreement entered into under this chapter would constitute “employment” as defined in the Social Security Act; ~~or.~~

~~(2)(B) service~~ Service that under the Social Security Act may not be included in an agreement between the State and the Secretary of Health and Human Services entered into under this chapter. Service that under the Social Security Act may be included in an agreement only upon certification by the Governor in accordance with Section 218(d)(3) or 218(d)(7) of that Act shall be included in the term “employment” if and when the Governor issues, with

respect to such service, a certificate to the Secretary of Health and Human Services pursuant to subsection 578(b) of this title.

* * *

(5) “Secretary of Health and Human Services” includes any individual to whom the Secretary of Health and Human Services has delegated any of ~~his~~ ~~or her~~ the Secretary’s functions under the Social Security Act with respect to coverage under such ~~act~~ Act of employees of states and their political subdivisions, and with respect to any action taken prior to April 11, 1953, includes the Federal Security Administrator and any individual to whom such Administrator had delegated any such function.

* * *

§ 573. FEDERAL-STATE AGREEMENT; INTERSTATE
INSTRUMENTALITIES

(a) The State agency, with the approval of the Governor, is hereby authorized to enter on behalf of the State into an agreement with the Secretary of Health and Human Services, consistent with the terms and provisions of this chapter, for the purpose of extending the benefits of the federal Old Age and Survivors Insurance System to employees of the State or any political subdivision thereof with respect to services specified in such agreement that constitute “employment” as defined in section 572 of this title. Such agreement may contain such provisions relating to coverage, benefits, contributions, effective date, modification, and termination of the agreement,

administration, and other appropriate provisions as the State agency and Secretary of Health and Human Services shall agree upon, but, except as may be otherwise required by or under the Social Security Act as to the services to be covered, such agreement shall provide in effect that:

* * *

(5) All services that ~~(A)~~ constitute employment as defined in section 572 of this title; ~~(B)~~, are performed in the employ of a political subdivision of the State; and ~~(C)~~ are covered by a plan that is in conformity with the terms of the agreement and has been approved by the State agency under section 575 of this title; shall be covered by the agreement;

(6) As modified, the agreement shall include all services described in either subdivision (4) or subdivision (5) of this subsection and performed by individuals to whom Section 218(c)(3)(C) of the Social Security Act is applicable, and shall provide that the service of any such individual shall not continue to be covered by the agreement in case ~~he or she~~ the individual thereafter becomes eligible to be a member of a Retirement System except as provided by subdivision (7) ~~hereof~~ of this subsection; and

* * *

(b)(1) Any instrumentality jointly created by this State and any other state or states is hereby authorized, upon the granting of like authority by such other state or states;

~~(1)~~(A) to enter an agreement with the Secretary of Health and Human Services whereby the benefits of the federal Old Age and Survivors Insurance System shall be extended to employees of such instrumentality;

~~(2)~~(B) to require its employees to pay ~~(and for that purpose to deduct from their wages)~~, contributions equal to the amounts that they would be required to pay under subsection 574(a) of this title if they were covered by an agreement made pursuant to subsection (a) of this section; and

~~(3)~~(C) to make payments to the Secretary of the Treasury in accordance with such agreement, including payments from its own funds, and otherwise to comply with such agreements.

(2) Such agreement shall, to the extent practicable, be consistent with the terms and provisions of subsection (a) of this section and other provisions of this chapter.

§ 574. CONTRIBUTIONS BY STATE EMPLOYEES

(a) Every employee of the State whose services are covered by an agreement entered into under section 573 of this title shall be required to pay for the period of such coverage, into the Contribution Fund established by section 576 of this title, contributions, with respect to wages as defined in section 572 of this title, equal to the amount of the employee tax that would be imposed by the federal Insurance Contributions Act if such services constituted employment within the meaning of that Act. Such liability shall arise in

consideration of the employee's retention in the service of the State, or ~~his or~~
~~her~~ the employee's entry upon such service, after April 26, 1951.

* * *

§ 575. PLANS FOR COVERAGE OF EMPLOYEES OF POLITICAL
SUBDIVISIONS

* * *

(c)(1) Each political subdivision as to which a plan has been approved under this section is authorized to and shall pay into the Contribution Fund, with respect to wages, at such time or times as the State agency may by rule prescribe, contributions in the amounts and at the rates specified in the applicable agreement entered into by the State agency under section 573 of this title.

(2) Each political subdivision required to make payments under subdivision (1) of this subsection is authorized, in consideration of the employee's retention in, or entry upon, employment after April 26, 1951, to impose upon each of its employees, as to services that are covered by an approved plan, a contribution with respect to ~~his or her~~ the employee's wages as defined in section 572 of this title, not exceeding the amount of the employee tax that would be imposed by the federal Insurance Contributions Act if such services constituted employment within the meaning of that Act, and to deduct the amount of such contribution from ~~his or her~~ the employee's wages as and when paid. Contributions so collected shall be paid into the

Contribution Fund in partial discharge of the liability of such political subdivision or instrumentality under subdivision (1) of this subsection. Failure to deduct such contribution shall not relieve the employee or employer of liability therefor.

* * *

§ 576. CONTRIBUTION FUND

(a) There is hereby established a special fund to be known as the Contribution Fund.

(b) ~~Such~~ The Fund shall consist of and there shall be deposited in ~~such~~ the Fund:

(1) all contributions, interest, and penalties collected under sections 574 and 575 of this title;

(2) all monies appropriated thereto under this chapter;

(3) any property or securities and earnings thereof acquired through the use of monies belonging to the Fund;

(4) interest earned upon any monies in the Fund; and

(5) all sums recovered upon the bond of the custodian or otherwise for losses sustained by the Fund and all other monies received for the Fund from any other source.

(c) All monies in the Fund shall be mingled and undivided. Subject to the provisions of this chapter, the State agency is vested with full power, authority, and jurisdiction over the Fund, including all monies and property or securities

belonging thereto, and may perform any and all acts, whether or not specifically designated, that are necessary to the administration thereof and are consistent with the provisions of this chapter.

~~(b)~~(d) The Contribution Fund shall be ~~established and~~ held separate and apart from any other funds or monies of the State and shall be used and administered exclusively for the purpose of this chapter. Withdrawals from ~~such~~ the Fund shall be made ~~for, and~~ solely for:

(1) payment of amounts required to be paid to the Secretary of the Treasury pursuant to an agreement entered into under section 573 of this title;

(2) payment of refunds provided for in subsection 574(c) of this title;
and

(3) refunds of overpayments, not otherwise adjustable, made by a political subdivision or instrumentality.

~~(e)~~(e) From the Contribution Fund the custodian of the Fund shall pay to the Secretary of the Treasury such amounts and at such time or times as is provided under the terms of the agreement entered into under section 573 of this title and the Social Security Act.

~~(f)~~(f) The ~~Treasurer of the State~~ Treasurer shall be ex officio treasurer and custodian of the Contribution Fund and shall administer such fund in accordance with the provisions of this chapter. The State Treasurer may appoint a director and other assistants as ~~he or she~~ the Treasurer may deem

necessary to administer this chapter and fix their salaries, under the provisions of section 310 of this title, with the approval of the Governor.

~~(e)~~(g) There are hereby authorized to be appropriated annually to the Contribution Fund, in addition to the contributions collected and paid into the Contribution Fund under sections 574 and 575 of this title, to be available for the purposes of subsections ~~(b)~~(d) and ~~(e)~~(e) of this section until expended, such additional sums as are found to be necessary in order to make the payments to the Secretary of the Treasury that the State is obligated to make pursuant to an agreement entered into under section 573 of this title.

* * *

§ 578. REFERENDA AND CERTIFICATION

(a) The Governor is empowered to authorize a referendum in accordance with the requirements of Section 218(d)(3) of the Social Security Act or to authorize a vote to be held according to Section 218(d)(6)(C) and Section 218(d)(7) of the Social Security Act on the question of whether service in positions covered by a retirement system established by the State or by a political subdivision thereof should be excluded from or included under an agreement under this chapter, and to designate an agency or individual to supervise the conduct of such referendum or vote. Where a vote is held according to Sections 218(d)(6)(C) and 218(d)(7) of the Social Security Act, the Retirement System shall be divided into two parts. One part, Part A, shall be composed of the positions of members who in such vote have expressed a

desire to have their services in such positions included under the agreement and of the positions of all individuals who become members of such System after the agreement is extended to include the service of those members who have expressed a desire to be covered under the Social Security Act, ~~and the~~. The other part, Part B, shall be composed of the positions of members who have not expressed a desire in such vote to have their services included under the agreement and the positions of any individual who was ineligible to be a member of such retirement system on August 1, 1956, or, if later, on the day ~~he~~ ~~or she~~ the individual first occupied such position. The notice of referendum required by Section 218(d)(3)(C) of the Social Security Act or the notice of the vote required by Section 218(d)(7)(B) of the Social Security Act shall contain or shall be accompanied by a statement, in such form and such detail as the agency or individual designated to supervise the conduct of the referendum or the vote shall deem necessary and sufficient to inform individuals to whom such notice is given of the rights that will accrue to them and their dependents and survivors, and the liabilities to which they will be subject, if their services are included under an agreement under this chapter.

(b) Upon receiving evidence satisfactory to ~~him or her~~ the Governor that with respect to any such referendum or any such vote the conditions specified in Section 218(d)(3) or in Section 218(d)(7), respectively, of the Social Security Act have been met, the Governor shall so certify to the Secretary of Health and Human Services.

* * *

§ 579. WARRANT FOR STATE'S SHARE OF CONTRIBUTION

(a) Employees not members of a retirement system. The Commissioner of Finance and Management is hereby directed to issue ~~his or her~~ a warrant in favor of the Vermont State Treasurer, agent, for the amounts necessary to pay the State's share of the contribution due the federal government as the result of such agreement being made applicable to the services of employees of the State who are not members of a State retirement system. The contribution of the State to cover members whose salaries are paid from other than the General Fund appropriation shall be paid from the department appropriation from which such members' salaries are paid. It is further directed that after July 1, 1957, these amounts be charged back to the individual departmental appropriations.

(b) Members of Vermont Employees' Retirement System. The Commissioner of Finance and Management is hereby directed to issue ~~his or her~~ a warrant in favor of the Vermont State Treasurer, agent, for the amounts necessary to pay the employer's share of the old age and survivors insurance tax due the federal government as the result of the coverage agreement authorized by this chapter being extended to employees of the State who are members of the Vermont Employees' Retirement System. It is further directed that after July 1, 1957, this tax be charged back to the individual departmental appropriations.

(c) Members of Vermont State Retirement System. The Commissioner of Finance and Management is hereby directed to issue ~~his or her~~ a warrant in favor of the Vermont State Treasurer, agent, for the amounts necessary to pay the employer's share of the old age and survivors insurance tax due the federal government as the result of the coverage agreement authorized by this chapter being extended to employees of the State who are members of the Vermont State Retirement System and who were not subject to the provisions of subsection (b) of this section as in effect on June 30, 1972. It is further directed that after July 1, 1972, this tax be charged back to the individual departmental appropriations.

Sec. 13. 3 V.S.A. § 941 is amended to read:

§ 941. UNIT DETERMINATION, CERTIFICATION, AND
REPRESENTATION

* * *

(e)(1) Whenever, on the basis of a petition pursuant to subdivision (d)(1) of this section or a hearing pursuant to subdivision (d)(2) of this section, the Board finds substantial interest among employees in forming a bargaining unit or being represented for purposes of collective bargaining, a secret ballot election shall be conducted by the Board not more than 23 business days after the petition is filed with the Board except as otherwise provided pursuant to subdivision (4) of this subsection and subdivision (g)(4) of this section.

* * *

(3)(A) The employer shall file with the Board and the other parties a list of the employees in the bargaining unit within two business days after the Board determines that a secret ballot election shall be conducted.

* * *

(D) The list shall be:

(i) kept confidential by the Board and all of the parties; and

(ii) shall be exempt from copying and inspection under the Public Records Act.

* * *

Sec. 14. 3 V.S.A. § 2222 is amended to read:

§ 2222. POWERS AND DUTIES; BUDGET AND REPORT

(a) In addition to the duties expressly set forth elsewhere by law, the Secretary shall:

* * *

(2) With the approval of the Governor, issue general policy statements and general rules ~~and regulations~~ applicable to the Executive Branch of the State government to implement executive orders or legislative mandate.

* * *

(5) Have access to and the right to inspect all lands, buildings, and installations owned or leased by the State, under such ~~regulations~~ rules as the Governor may approve.

* * *

Sec. 15. 3 V.S.A. § 2253 is amended to read:

§ 2253. PERMISSIVE DUTIES; APPROVAL OF SECRETARY

Each commissioner may, with the approval of the Secretary:

(1) Transfer classified positions within or between divisions subject only to State laws and ~~regulations~~ rules.

* * *

Sec. 16. 3 V.S.A. § 2453 is amended to read:

§ 2453. PERMISSIVE DUTIES; APPROVAL OF SECRETARY

* * *

(9) Organize, reorganize, transfer, or abolish divisions; and staff function sections within the department. This authority shall not extend to divisions or other bodies created by law.

Sec. 17. 3 V.S.A. § 2511 is amended to read:

§ 2511. DEFINITIONS

* * *

(4) “Qualified period” means a period of five years after the initial grant of a benefit or a time period set forth in any agreement executed by the State subsequent to ~~the effective date of this subchapter~~ July 1, 1994.

Sec. 18. 3 V.S.A. § 2516 is amended to read:

§ 2516. CONTRACT PROVISIONS

All contracts or grant awards conferring benefits to businesses after ~~the effective date of this subchapter~~ July 1, 1994, shall contain a provision

notifying the business of the recapture provisions provided in this section and the qualified period for that business under that contract.

Sec. 19. 3 V.S.A. § 2822(i) is amended to read:

(i) The Secretary shall not process an application for which the applicable fee has not been paid unless the Secretary specifies that the fee may be paid at a different time or unless the person applying for the permit is exempt from the permit fee requirements pursuant to 32 V.S.A. § 710. Municipalities shall be exempt from the payment of fees under this section except for those fees prescribed in subdivisions (j)(1), (7), (8), ~~(14)~~, and (15) of this section for which a municipality may recover its costs by charging a user fee to those who use the permitted services. Municipalities shall pay fees prescribed in subdivisions (j)(2), (10), (11), (12), and (26), except that a municipality shall also be exempt from those fees for stormwater systems prescribed in subdivisions (j)(2)(A)(iii)(I), (II), or (IV) and (j)(2)(B)(iv)(I), (II), or (V) of this section for which a municipality has assumed full legal responsibility under 10 V.S.A. § 1264.

Sec. 20. 3 V.S.A. § 2854(a) is amended to read:

(a) A director shall administer each division within the Agency. The commissioners, with the approval of the Secretary, shall appoint the directors for divisions that are part of a department, and the Secretary shall appoint any other directors. All directors shall be appointed subject to the ~~provisions of section 15 of this act~~ requirements of chapter 13 of this title.

Sec. 21. 3 V.S.A. § 3002 is amended to read:

§ 3002. CREATION OF AGENCY

* * *

(c) Units attached to the Agency for administrative support shall receive, and shall use, the services provided by the ~~Administrative Services~~ Operations Division of the Agency under section 3086 of this title.

Sec. 22. 3 V.S.A. § 3053 is amended to read:

§ 3053. PERMISSIVE DUTIES; APPROVAL OF SECRETARY

The commissioner may, with the approval of the Secretary:

* * *

(2) Transfer classified positions within or between divisions subject only to State personnel laws and ~~regulations~~ rules.

* * *

(5) Make ~~regulations~~ rules consistent with law for the internal administration of the department and its programs.

* * *

Sec. 23. 3 V.S.A. § 3054(a) is amended to read:

(a) A director shall administer each division within the Agency. The commissioners, with the approval of the Secretary, shall appoint the directors for divisions that are part of a department, and the Secretary shall appoint any other directors. ~~All directors shall be appointed subject to the provisions of section 14 of this act.~~

Sec. 24. 3 V.S.A. § 5022 is amended to read:

§ 5022. DIVISION OF ARTIFICIAL INTELLIGENCE

* * *

(b) Powers and duties. The Division shall review artificial intelligence systems developed, employed, or procured in State government, including the following:

* * *

(2) make recommendations to the General Assembly on policies, laws, and ~~regulations~~ rules for artificial intelligence systems in State government; and

* * *

Sec. 25. 3 V.S.A. § 6006 is amended to read:

§ 6006. ENVIRONMENTAL JUSTICE ADVISORY COUNCIL AND
INTERAGENCY ENVIRONMENTAL JUSTICE COMMITTEE

(a) Advisory Council and Interagency Committee.

(1) There is created:

(A) the Environmental Justice Advisory Council (~~Advisory Council~~) to provide independent advice and recommendations to State agencies and the General Assembly on matters relating to environmental justice, including the integration of environmental justice principles into State programs, policies, ~~regulations~~ rules, legislation, and activities; and

* * *

(c) Duties.

* * *

(3) The Advisory Council and the Interagency Committee shall jointly:

* * *

(B) examine existing data and studies on environmental justice and consult with State, federal, and local agencies and affected communities regarding the impact of current statutes, ~~regulations~~ rules, and policies on the achievement of environmental justice.

* * *

Sec. 26. 4 V.S.A. § 1102 is amended to read:

§ 1102. JUDICIAL BUREAU; JURISDICTION

* * *

(b) The Judicial Bureau shall have jurisdiction of the following matters:

* * *

(9) Violations of 7 V.S.A. § 656, relating to illegal possession of alcoholic beverages and cannabis.

* * *

Sec. 27. 5 V.S.A. § 202 is amended to read:

§ 202. DEFINITIONS

As used in this part of this title, unless the context otherwise requires:

* * *

(2) “Aeronautics instructor” means an individual engaged in giving instruction, or offering to give instruction, in aeronautics, either in flying or ground subjects, or both, for hire or reward, without advertising ~~his or her~~ the individual’s occupation; without calling ~~his or her~~ the individual’s facilities an “air school” or anything equivalent; and without employing or using other instructors. ~~But it~~ “Aeronautics instructor” does not include an instructor in a public school or university of this State, or an institution of higher learning accredited and approved for carrying on collegiate work, while engaged in ~~his or her~~ the instructor’s duties as instructor.

* * *

(26) “Structure” means any object constructed or installed by ~~man~~ a person, including buildings, towers, smokestacks, and overhead transmission lines.

Sec. 28. 6 V.S.A. § 4871(g) is amended to read:

(g) Identification; ranking of water quality needs.

(1) ~~Identification; ranking of water quality needs.~~ During an inspection of a small farm under this section, the Secretary shall identify areas where the farm could benefit from capital, structural, or technical assistance in order to improve or come into compliance with the Required Agricultural Practices and any applicable State water quality permit or certification required under this chapter.

(2) Notwithstanding the priority system established under section 4823 of this title, the Secretary annually shall establish a priority ranking system for small farms according to the water quality benefit associated with the capital, structural, or technical improvements identified as needed by the Secretary during an inspection of the farm.

(3) Notwithstanding the priority system established by subdivision (2) of this subsection, the Secretary may provide financial assistance to a small farm at any time, regardless of the priority ranking system, if the Secretary determines that the farm needs assistance to address a water quality issue that requires immediate abatement.

Sec. 29. 7 V.S.A. § 656 is amended to read:

§ 656. PERSON 12 YEARS OF AGE OR OLDER AND UNDER 21 YEARS
OF AGE MISREPRESENTING AGE, PROCURING, POSSESSING,
OR CONSUMING ALCOHOLIC BEVERAGES; IMPAIRED
DRIVING; POSSESSION OF CANNABIS; CIVIL VIOLATION

* * *

(b) Prohibited conduct; offenses.

* * *

(3) Impaired driver penalties.

* * *

(C) During a suspension issued pursuant to subdivision (A) or (B) of this subdivision (3), a person may operate a motor vehicle if issued an ignition

interlock restricted driver's license or certificate in accordance with 23 V.S.A. § 1213.

* * *

(ii) A person subject to penalties under subdivision ~~(A)(i)~~(A)(ii) of this subdivision (b)(3) and who elects to operate a motor vehicle with an ignition interlock RDL or certificate shall be reinstated only if the person operates with an ignition interlock RDL or certificate for a period of one year or until the person reaches 21 years of age, whichever is longer, in addition to any extension of this period arising from a violation of 23 V.S.A. § 1213.

* * *

Sec. 30. 8 V.S.A. § 3461 is amended to read:

§ 3461. DEFINITIONS

As used in this chapter:

* * *

(13) "Equity interest" means any of the following that are not rated credit instruments:

* * *

(K) instruments that would be rated credit instruments except for the provisions of subdivision ~~(39)(B)~~(38)(B) of this section.

* * *

Sec. 31. 8 V.S.A. § 4064(b) is amended to read:

(b) ~~Definitions.~~ As used in this section:

* * *

Sec. 32. 8 V.S.A. § 4071(c) is amended to read:

(c) ~~Cost sharing.~~ A health insurance plan shall not impose greater coinsurance, co-payment, deductible, or other cost-sharing requirements for coverage of gender-affirming health care services than apply to the diagnosis and treatment of any other physical or mental condition under the plan.

Sec. 33. 8 V.S.A. § 4072 is amended to read:

§ 4072. MENTAL HEALTH AND SUBSTANCE USE DISORDER
SERVICES

* * *

(d)(1)(A) A health insurance plan that does not otherwise provide for management of care under the plan, or that does not provide for the same degree of management of care for all health conditions, may provide coverage for treatment of mental conditions through a managed care organization, provided that the managed care organization is in compliance with rules adopted by the Commissioner that ensure that the system for delivery of treatment for mental conditions does not diminish or negate the purpose of this section. In reviewing policy rates and forms pursuant to section 4026 of this title, the Commissioner or the Green Mountain Care Board established in 18 V.S.A. chapter 220, as appropriate, shall consider the compliance of the policy with the provisions of this section.

* * *

(C) Prior to the adoption of rules pursuant to this subdivision (d)(1), the Commissioner shall consult with the Commissioner of Mental Health ~~and the task force established pursuant to subsection (h) of this section~~ concerning:

* * *

(e) To be eligible for coverage under this section, the service shall be rendered:

* * *

(2) For treatment of substance ~~abuse~~ use disorder, either:

* * *

Sec. 34. 8 V.S.A. § 4082(a)(3)(A) is amended to read:

(A) necessary to develop skills and abilities for the maximum reduction of physical or mental disability and for restoration of an individual to the individual's best functional level, or to ensure that an individual under 21 years of age achieves proper growth and development; and

Sec. 35. 9 V.S.A. § 2287(b) is amended to read:

(b) For the purposes of subdivision 2288(a)(2) and section 2289 of this title, a person gives a reasonably equivalent value if the person acquires an interest of the debtor in an asset pursuant to a regularly conducted, ~~nonconclusive~~ noncollusive foreclosure sale or execution of a power of sale for the acquisition or disposition of the interest of the debtor upon default under a mortgage, deed of trust, or security agreement.

Sec. 36. 9 V.S.A. § 2491 is amended to read:

§ 2491. ~~FINDINGS; LEGISLATIVE INTENT~~

The General Assembly finds that:

* * *

Sec. 37. 9 V.S.A. § 2494s is amended to read:

§ 2494s. ~~SALE OF PERSONAL PROTECTIVE EQUIPMENT~~

CONTAINING PFAS PROHIBITED SALE OF PERSONAL
PROTECTIVE EQUIPMENT CONTAINING PFAS

* * *

Sec. 38. 9A V.S.A. § 1—301(c)(2) is amended to read:

(2) Sections 2A—105 and 2A—106. Applicability of ~~this~~ the Article on
Leases;

Sec. 39. 9A V.S.A. § 5—109(b)(3) is amended to read:

(3) all of the conditions to entitle a person to the relief under the law of
this ~~state~~ State have been met; and

Sec. 40. 9A V.S.A. § 8—110(d) is amended to read:

(d) “Issuer’s jurisdiction” means the jurisdiction under which the issuer of
the security is organized or, if permitted by the law of that jurisdiction, the law
of another jurisdiction specified by the issuer. An issuer organized under the
law of this ~~state~~ State may specify the law of another jurisdiction as the law
governing the matters specified in subdivisions (a)(2) through (5) of this
section.

Sec. 41. 9A V.S.A. § 9—316(d) is amended to read:

(d) Except as otherwise provided in subsection (e) of this section, a security interest in goods covered by a certificate of title which is perfected by any method under the law of another jurisdiction when the goods become covered by a certificate of title from this ~~state~~ State remains perfected until the security interest would have become unperfected under the law of the other jurisdiction had the goods not become so covered.

Sec. 42. 9A V.S.A. § 9—503(a)(4) is amended to read:

(4) subject to subsection (g) of this section, if the debtor is an individual to whom this ~~state~~ State has issued a driver's license that has not expired, only if the financing statement provides the name of the individual ~~which~~ that is indicated on the driver's license;

Sec. 43. 9A V.S.A. § 9—503(g) is amended to read:

(g) If this ~~state~~ State has issued to an individual more than one driver's license of a kind described in subdivision (a)(4) of this section, the one that was issued most recently is the one to which subdivision (a)(4) of this section refers.

Sec. 44. 9A V.S.A. § 9—514(c) is amended to read:

(c) An assignment of record of a security interest in a fixture covered by a record of a mortgage ~~which~~ that is effective as a financing statement filed as a fixture filing under subsection 9—502(c) of this title may be made only by an

assignment of record of the mortgage in the manner provided by law of this ~~state~~ State other than this title.

Sec. 45. 9A V.S.A. § 9—706(a)(2) is amended to read:

(2) the preeffective-date financing statement was filed in an office in another state or another office in this ~~state~~ State; and

Sec. 46. 9A V.S.A. § 9—707(d) is amended to read:

(d) If the law of this ~~state~~ State governs perfection of a security interest, the effectiveness of a preeffective-date financing statement may be continued only under subsections 9—705(d) and (f) or section 9—706 of this title.

Sec. 47. 9A V.S.A. § 9—807 is amended to read:

§ 9—807. AMENDMENT OF PRE-EFFECTIVE-DATE FINANCING
STATEMENT

* * *

(c) Except as otherwise provided in subsection (d) of this section, if the law of this State governs perfection of a security interest, the information in a ~~pre effective-date~~ pre-effective-date financing statement may be amended after the Act takes effect only if:

* * *

(e) Whether or not the law of this ~~state~~ State governs perfection of a security interest, the effectiveness of a pre-effective-date financing statement filed in this State may be terminated after the Act takes effect by filing a termination statement in the office in which the pre-effective-date financing

statement is filed, unless an initial financing statement that satisfies subsection 9—806(c) of this title has been filed in the office specified by the law of the jurisdiction governing perfection as provided in Article 9 of this title, as amended by the Act, as the office in which to file a financing statement.

Sec. 48. 10 V.S.A. § 577(b) is amended to read:

(b) As used in this section:

* * *

(5) “Race” means a race or contest on an oval track ~~permitted under 26 V.S.A. § 4802~~ involving a motor vehicle at which prizes or other consideration is awarded to participants or admission is charged to spectators. However, this subdivision shall not apply to sports car events ~~as that term is defined in 26 V.S.A. § 4801.~~

(6) “Sports car event” means an event in which one motor vehicle at a time competes over a defined course against a set standard, including standards as to time, distance, and performance. Sports car events include rallies, gymkhanas, hill climbs, and performance trials.

Sec. 49. 10 V.S.A. § 1266b(a)(2) is amended to read:

(2) “Fertilizer” ~~shall have~~ has the same meaning as in 6 V.S.A. ~~§ 363(5)~~ § 363(7).

Sec. 50. 10 V.S.A. § 4255(c)(8) is amended to read:

(8) A person with developmental disabilities who is a Vermont resident may receive a free permanent fishing license upon submission to the

Commissioner of a statement signed by the person's treating health care provider, as that term is defined in 18 V.S.A. § 9402, certifying that the person meets the definition of a person with ~~development~~ developmental disabilities.

"A person with developmental disabilities" has the same meaning as in 18 V.S.A. § 9302.

Sec. 51. 10 V.S.A. § 6085(e) is amended to read:

(e) The Land Use Review Board and any District Commission, acting through one or more duly authorized representatives at any prehearing conference or at any other times deemed appropriate by the ~~Natural Resources~~ Board or by the District Commission, shall promote expeditious, informal, and nonadversarial resolution of issues, require the timely exchange of information concerning the application, and encourage participants to settle differences.

No District Commissioner who is participating as a ~~decisionmaker~~ decision-maker in a particular case may act as a duly authorized representative for the purposes of this subsection. These efforts at dispute resolution shall not affect the burden of proof on issues before a Commission or the Environmental Division, nor shall they affect the requirement that a permit may be issued only after the issuance of affirmative findings under the criteria established in section 6086 of this title.

Sec. 52. 10 V.S.A. § 7184(c) is amended to read:

(c) Stewardship organization fees. A stewardship organization is authorized to charge its members reasonable fees for the organization, administration, and implementation of the programs required by this chapter.

Sec. 53. 10 V.S.A. § 8004 is amended to read:

§ 8004. ENFORCEMENT OF ACT 250

In addition to the enforcement of chapter 151 of this title on the Secretary's initiative, the Secretary shall institute enforcement proceedings under chapter 151 when requested by the ~~Natural Resources~~ Land Use Review Board. The Secretary and the Land Use Review Board shall develop procedures for the cooperative enforcement of chapter 151 of this title.

Sec. 54. 10 V.S.A. § 8007 is amended to read:

§ 8007. ASSURANCES OF DISCONTINUANCE

(a) As an alternative to administrative or judicial proceedings, the Secretary, or the ~~Natural Resources~~ Land Use Review Board, may accept from a respondent an assurance of discontinuance of a violation. An assurance of discontinuance shall include:

* * *

Sec. 55. 11 V.S.A. § 1639 is amended to read:

§ 1639. FORMS; PROCEDURES; RULES

The Secretary of State may adopt forms, procedures, and rules to implement the processes and provisions of governing business registration in this State.

Sec. 56. 16 V.S.A. § 1388 is amended to read:

§ 1388. STOCK SUPPLY AND EMERGENCY ADMINISTRATION OF
EPINEPHRINE

(a) As used in this section:

* * *

(6) “School nurse” means a school nurse or associate school nurse endorsed by the Agency of Education pursuant to the Agency of Education, Licensing of Educators and the Preparation of Educational Professionals rule (CVR 22-000-010) or ~~registered nurses~~ a registered nurse certified through the Office of Professional Regulation and contracted to perform the duties of a school nurse.

* * *

Sec. 57. 16 V.S.A. § 1480(d) is amended to read:

(d) The template maintained by the Vermont School Safety Center shall include, at a minimum, hazard-specific provisions for:

(1) Acute cardiac events in schools, including protocols that address:

(A) the use and maintenance of automated external defibrillator (AED) devices;

(B) the specific steps to reduce death from cardiac arrest during school activities or within school or district facilities, which shall be consistent with nationally recognized, evidence-based standards;

(C) the appropriate use of school personnel to respond to incidents involving an individual experiencing sudden cardiac arrest or a similar life-threatening emergency while on school grounds;

(D) implementation of AED placement and routine maintenance within each school or district facility, which shall be consistent with applicable nationally recognized, evidence-based standards, and which shall include a requirement for clearly marked and easily accessible AEDs at each athletic venue where practices or competitions are held; and

(E) required staff training in CPR and AED use and practice drills regarding the cardiac response plan; and

(2) An athletic emergency action plan (AEAP) for all public or approved and recognized independent schools with an athletic department or organized athletic program. The AEAP shall detail the steps to be taken in response to a serious or life-threatening injury of a student participating in sports or other athletic activities. The AEAP established by public and independent schools pursuant to this subdivision shall be consistent with the athletic emergency action plans policy established by the Vermont Principals' Association.

Sec. 58. 17 V.S.A. chapter 31 is amended to read:

CHAPTER 31. CONVENTIONS TO AMEND U.S. CONSTITUTION

§ 1811. GOVERNOR TO CALL

Whenever the Congress of the United States shall submit to the several states an amendment to the U.S. Constitution ~~of the United States~~, and

pursuant to Article V of ~~such~~ the U.S. Constitution shall provide that ~~such~~ the amendment be acted upon by conventions in the several states, the Governor, within 60 days after ~~such~~ the amendment has been officially transmitted from the United States to this State, shall issue a call for the election of delegates to a convention to act upon ~~such~~ the amendment. ~~He or she~~ The Governor shall set the date for the election of delegates and the date and hour for the holding of ~~such~~ the convention.

§ 1812. COMPOSITION OF CONVENTION

The convention shall be composed of 14 delegates elected at large by the qualified voters of Vermont. It shall meet in the Senate chamber of the ~~capitol~~ at State House in Montpelier. The date for the holding of ~~such~~ the convention shall be not less than 20 nor more than 30 days after the election of delegates.

§ 1813. ELECTION OF DELEGATES

The election of delegates shall take place not less than three nor more than 12 months after the call, but in no case shall it occur within 40 days ~~of~~ before the date fixed by law for a general or primary election.

§ 1814. APPOINTMENT OF CANDIDATES FOR DELEGATES

Not less than 30 days before the date of the election of delegates, the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives, or in case of incapacity of any one of them, the Secretary of State in ~~his or her~~ that person's stead, shall appoint and forthwith announce the names of 28 candidates for delegates, ~~such~~ the candidates being in their

opinion representative citizens of Vermont. Fourteen of these candidates shall be persons who assent to the placing of their names on the ballots as “For Ratification,” and 14 shall be persons who assent to the placing of their names on the ballot as “Against Ratification.” One candidate for ratification and one candidate against ratification shall be appointed from each county in the State.

§ 1815. ACCEPTANCE OF CANDIDACY

On accepting ~~such~~ the designation each candidate shall file ~~his or her~~ the candidate’s acceptance as follows:

“I do hereby accept this appointment as candidate for delegate to the convention to be held on the day of; and assent to the placing of my name on the ballot as For Ratification or Against Ratification.

Signed

* * *

§ 1818. CHECKLIST TO BE USED

The ~~check list~~ checklist used in the last preceding general election shall apply, but may be revised as now provided by law for ~~check lists~~ checklists used at general elections. The polls for this election shall open at ~~10~~ 10:00 a.m. and close at ~~8~~ 8:00 p.m.

§ 1819. CANVASSING BOARD

The Lieutenant Governor, the Speaker of the House of Representatives, and the Secretary of State shall canvass the ballots, declaring elected the 14

candidates who have received the greatest number of votes, and the Secretary of State shall publish the results. The Secretary of State, upon the completion of the canvass, shall mail or deliver in person to each delegate so elected a notice ~~thereof~~ of election, and ~~such~~ the delegates so elected shall be members of the convention.

§ 1820. GENERAL ELECTION LAW TO APPLY; EXPENSE OF
ELECTION

Expenses of ~~such~~ the election shall be paid by the State or town as in the case of general elections. The statutory provisions as to holding general elections, furnishing ballots, instructions and forms, appointment and payment of election officers, filling of vacancies, solicitation of voters at the polls, challenging of voters, manner of conducting elections, counting and preserving the ballots and making ballot returns ~~thereof~~, and all other kindred subjects shall apply to ~~such~~ the elections insofar as they are consistent with this chapter, it being the intent of this chapter to place ~~such~~ the elections under the regulation and protection of the laws relating to general elections.

§ 1821. CONSTRUCTION OF CHAPTER

The provisions of this chapter shall be liberally construed so that the real will of the voters shall not be defeated and so that the voters shall not be deprived of their right because of informality or failure to comply with provisions of law as to notice or conduct of the election or of certifying the results ~~thereof~~ of the election.

* * *

§ 1823. QUORUM; SECRETARY

A majority of the delegates shall constitute a quorum to do business, when convened according to the provisions of this chapter. The Secretary of State shall be ex officio Secretary of the convention and, with the Chair of the convention, ~~he or she~~ the Secretary shall certify the vote of the convention to the Secretary of State of the United States.

* * *

§ 1825. EFFECT OF CONGRESSIONAL PRESCRIPTION OF THE
MANNER OF HOLDING CONVENTIONS

If, on or about the time of submitting any such amendment, Congress, in the resolution submitting the ~~same~~ amendment, or by statute, shall prescribe the manner in which the conventions shall be constituted, the preceding provisions of this chapter shall be inoperative. The convention shall be constituted and shall operate as the resolution or act of Congress shall direct, and all officers of the State who may by the resolution or statute be authorized or directed to take any action to constitute such a convention for this State are hereby authorized and directed to act ~~thereunder~~ under and in conformity ~~thereto~~ with the resolution or statute, with the same force and effect as if acting under a statute of this State.

Sec. 59. 17 V.S.A. § 1891 is amended to read:

§ 1891. STATEMENT OF POLICY

The order of the U.S. District Court for the district of Vermont entered August 3, 1964, modified and affirmed by the Supreme Court of the United States, January 12, 1965 (*Parsons v. Buckley*, 85 S.Ct. 503, 379 U.S. 359 (1965), 13 L.Ed.2d 352), requires that both houses of the Vermont General Assembly of Vermont be apportioned and districted on a basis other than the manner provided for in the Constitution of this State. ~~Such~~ The order further provides that if reapportionment legislation is not enacted by July 1, 1965, the district court shall reapportion the General Assembly so as to comply with the Equal Protection Clause of the ~~Fourteenth~~ 14th Amendment to the U.S. Constitution. In the light of this order, the Vermont General Assembly of Vermont declares that apportioning and districting is primarily a responsibility of the ~~Legislature~~ General Assembly at this time to be accomplished by this chapter, and in such a manner as to achieve substantial equality in the choice of members of the General Assembly as guaranteed by the U.S. Constitution of ~~the United States of America~~. It is further declared to be the policy of the State of Vermont that the constitutional basis of apportionment of the House of Representatives can best be measured in this State by population.

Sec. 60. 17 V.S.A. chapter 34A is amended to read:

CHAPTER 34A. PERIODIC REAPPORTIONMENT

§ 1901. PURPOSE

* * *

(b) To comply with ~~such~~ that requirement it will be necessary to reapportion the House of Representatives and the Senate at periodic intervals, so that changes may be recognized in legislative apportionment.

(c) It is the purpose of this chapter to achieve ~~such~~ reapportionment in an orderly and impartial manner.

* * *

§ 1903. PERIODIC REAPPORTIONMENT; STANDARDS

(a) The House of Representatives and the Senate shall be reapportioned and redistricted on the basis of population during the biennial session after the taking of each decennial census of the United States, or after a census taken for the purpose of ~~such~~ reapportionment under the authority of this State.

* * *

§ 1904. LEGISLATIVE APPORTIONMENT BOARD

(a) There is hereby created the Legislative Apportionment Board, consisting of: a special master designated by the Chief Justice of the Supreme Court; one resident of the State of Vermont for five years immediately preceding the appointment, appointed by the Governor from each political party that has had more than three members serve as members of the General

Assembly, who are not all from the same county, for at least three of the five biennial legislative sessions since the taking of the previous decennial census of the United States; and one resident of the State of Vermont for the five years immediately preceding the appointment, elected by the State committee of each of those political parties, a quorum of each committee being present and voting. No member of the Board shall serve as a member or employee of the General Assembly, or of either house thereof. The special master so designated shall be Chair of the Board, and shall call such meetings as may be necessary for the accomplishment of the duties of the Board ~~hereafter set forth~~ pursuant to this chapter. The Vermont Secretary of State ~~of Vermont~~ shall be secretary of the Board, but shall have no vote. For the purpose of determining representation of a political party under this section, if a candidate for election to the General Assembly accepted a nomination from more than one political party, that candidate's party affiliation shall be only that political party to which ~~he or she~~ the candidate filed a petition for nomination.

* * *

(c) For administrative purposes, the Board shall be part of the office of the Secretary of State, and funds for the Board's operation shall be appropriated for the Secretary of State, provided, however, that expenditures of ~~such~~ the appropriation shall be directed by the Board.

* * *

(e) The Board may employ or contract for ~~such~~ expert assistants or services, or both, as may be necessary to carry out its duties.

* * *

§ 1906. INITIAL DISTRICTS; FINAL PROPOSAL; FINAL PLAN

Upon receiving recommendations made under section 1905 of this title, the Board shall consider the same, and shall, not later than August 15, prepare a final proposal for dividing the State into initial districts for the election of 150 Representatives. The Chair of the Board shall, on or before August 15, transmit ~~such~~ the proposal to the Clerk of the House, and the proposal shall then be referred to the appropriate committee. The General Assembly shall then accept the proposal and enact it into law or substitute another plan for reapportionment; provided, however, that:

* * *

§ 1906a. FINAL DIVISION INTO REPRESENTATIVE DISTRICTS

* * *

(b) Each initial district listed in section 1893 of this title that is entitled to elect two Representatives shall constitute a representative district and may elect two Representatives at elections for Representatives until the next reapportionment, unless ~~such~~ the district is divided into two single-member representative districts as provided in section 1906b of this title, in which case the resulting single-member representative districts shall each be entitled to

elect one Representative at elections for Representatives until the next reapportionment.

* * *

§ 1907. SENATE APPORTIONMENT

(a)(1) On or before July 1 of each year following the taking of a decennial census under the authority of Congress, the Board shall prepare a proposal for reapportionment of the Senate, apportioning the 30 senatorial seats among the counties or combinations of counties with a maximum of three members in each proposed district, and in such manner as to achieve substantial equality in the choice of members as guaranteed by the Equal Protection Clause of the ~~Fourteenth~~ 14th Amendment to the U.S. Constitution.

(2) The Chair of the Board shall transmit ~~such~~ the proposal to the Secretary of the Senate and it shall be referred to the appropriate committee.

* * *

Sec. 61. 17 V.S.A. § 2145 is amended to read:

§ 2145. APPLICATION FORMS

(a) The voter registration application shall be in the form approved by the Federal Election Commission or by the Secretary of State. The application form approved by the Secretary shall include:

(1) A place for the applicant to swear or affirm, by checking the appropriate box, that ~~he or she~~ the applicant meets all voter eligibility requirements set forth in section 2121 of this title and a place for the signature

of the applicant affirming, under penalty of perjury, that all information submitted by the applicant is accurate and truthful. The affirmation shall include the following information:

* * *

(D)(i) If the applicant has been issued a current and valid driver's license or nondriver's identification, the applicant's driver's license number or nondriver's identification number;

(ii) If the applicant does not possess a driver's license number, the last four digits of the applicant's Social Security number; ~~or~~

(iii) If the applicant does not possess a Social Security number, the town clerk shall contact the Secretary of State and the Secretary shall assign a unique identifier for the applicant.

* * *

Sec. 62. 17 V.S.A. § 2547 is amended to read:

§ 2547. DEFECTIVE BALLOTS

* * *

(b) Each defective ballot or unopened certificate envelope shall be:

(1) affixed with a note from the presiding officer indicating the reason it was determined to be defective; and

(2) placed with other ~~such~~ defective ballots in an envelope marked "Defective Ballots — Voter Checked Off Checklist — Do Not Count.";

* * *

Sec. 63. 17 V.S.A. § 2548 is amended to read:

§ 2548. VOTING IN PERSON

* * *

(b)(1) A voter who has been issued an early ballot, either by the Secretary of State's office pursuant to section 2537a of this subchapter or otherwise by the town clerk, but who has not returned the voter's voted ballot to the clerk, may vote in person at the polling place on election day.

* * *

(3) If the voter brings the marked ballot, but it is not enclosed in the certificate envelope, the voter shall be marked off the checklist and be allowed to cast that ballot into the secure ballot box or tabulator in the same manner as other voters who are voting in the polling place. The clerk shall record ~~any~~ ~~such~~ the voter as having voted in person on election day in the online election management system.

(4) If the voter brings the unmarked ballot, the voter shall be marked off the checklist and allowed to proceed to a voting booth to mark that ballot and cast it into the ballot box or tabulator in the same manner as other voters who are voting in the polling place. The presiding officer may choose to provide ~~any~~ ~~such~~ the voter with a new ballot in exchange for the unvoted ballot that the voter brought to the polls. The clerk shall record ~~any~~ ~~such~~ the voter as having voted in person on election day in the online election management system.

(5) If the voter does not bring a marked or an unmarked ballot ~~with them~~ to the polls, the voter shall be required to sign an affidavit that the voter has not previously cast a ballot in the election and only then shall ~~they~~ the voter be checked off the checklist and allowed to vote in the same manner as all other voters who are voting at the polling place. The clerk shall record ~~any such~~ the voter as having voted in person on election day in the online election management system. Any affidavits signed by voters at the polling place pursuant to this section shall be retained for a period of 90 days following the election.

Sec. 64. 17 V.S.A. § 2557 is amended to read:

§ 2557. TOWN CLERK APPROVAL OF PROVISIONAL VOTER

ATTESTATION

(a) The town clerk may make ~~such~~ any investigation as ~~he or she~~ the clerk deems proper to verify any fact stated in the application. In making the determination whether to accept the provisional voter's attestation, the town clerk shall determine whether the applicant meets all of the registration eligibility requirements. However, the town clerk may not require a provisional voter to complete any form other than that approved under section 2555 of this title; nor may the board of civil authority require all provisional voters or any particular class or group of provisional voters to appear personally before a meeting of the board or routinely or as a matter of policy

require provisional voters to submit additional information to verify or otherwise support the information contained in the attestation.

* * *

Sec. 65. 17 V.S.A. § 2564 is amended to read:

§ 2564. CHALLENGES

(a)(1)(A) Each organized political party, each candidate on the ballot not representing an organized political party, and each committee supporting or opposing any public question on the ballot shall have the right to have not more than two representatives for each voting district, in a polling place but outside the guardrail, for the purpose of observing the voting process and challenging the right of any person to vote.

(B) In no event shall ~~such~~ the representatives be permitted to interfere with the orderly conduct of the election, and the presiding officer shall have authority to impose reasonable rules for the preservation of order.

* * *

Sec. 66. 17 V.S.A. § 2586 is amended to read:

§ 2586. TALLY SHEETS; SUMMARY SHEETS; RETURNS

The Secretary of State shall design, prepare, and distribute a sufficient supply of the following forms, which may be used in each polling place during the counting process:

* * *

(2) Summary sheets. These sheets shall be used to record the totals shown on all tally sheets in the polling place for each office or public question, and the sum of ~~such~~ the totals. They shall provide a place to identify the office or public question, the candidates, and the signatures of the presiding officer and at least one other election official.

* * *

Sec. 67. 17 V.S.A. § 2590 is amended to read:

§ 2590. SECURING AND STORING BALLOTS, TALLY SHEETS, AND
CHECKLISTS

* * *

(b) The Secretary of State shall furnish to all town clerks sufficient quantities of uniform-style containers. The Secretary shall establish a method by which the outside of each container shall indicate the contents of the container, the town to which it belongs, and ~~such~~ any other pertinent information as may be required.

* * *

(d) Except as otherwise provided by federal law, all ballots and tally sheets shall be retained for a period of 90 days ~~from~~ following the date of the election, after which time they may be destroyed; provided, however, that if a court order is entered prior to the expiration of the 90-day period, ordering some different disposition of the ballots, the town clerk shall abide by ~~such~~ the order.

* * *

Sec. 68. 17 V.S.A. § 2592 is amended to read:

§ 2592. CANVASSING COMMITTEES; CANVASS OF VOTES IN
GENERAL OR SPECIAL ELECTIONS

* * *

(j) The certificate shall be a sufficient credential of ~~such~~ the person's election, unless superseded by a court order as provided by subchapter 9 of this chapter.

* * *

Sec. 69. 17 V.S.A. § 2602c is amended to read:

§ 2602c. PREPARATION FOR RECOUNT; GENERAL RULES

* * *

(b) Preliminary requirements. Before the recount begins and any containers are opened:

(1) Explaining procedures. The county clerk shall explain the recount procedures that are to be followed and shall answer questions relating to ~~such~~ the procedures.

(2) Blank ballots; vote tabulator test.

(A) The county clerk shall obtain blank ballots from the town clerks of the towns subject to the recount. These blank ballots shall be used as test ballots to perform the vote tabulator test described in this subdivision (2).

(B)(i) The vote tabulator team shall perform a test of the vote tabulators that will be used by marking and feeding into each tabulator a minimum of 10 test ballots. The test ballots shall be marked with various votes for each candidate for the office subject to the recount.

(ii) If more than one memory card is to be used, ~~such~~ a test shall be performed for each memory card.

* * *

Sec. 70. 17 V.S.A. § 2602e is amended to read:

§ 2602e. SORTING BALLOTS; BALLOT REVIEW; RECOUNT OF
REMOVED BALLOTS BY HAND

* * *

(d) Hand count of removed ballots; questionable votes.

* * *

(3)(A) This hand count shall be in accordance with the rules for counting ballots set forth in section 2587 of this chapter, except that if two persons on the counting team do not agree on how to count a vote, the ballot shall be set aside as containing a questionable vote.

(B)(i) For any questionable vote, a copy of the ballot shall be made, and this copy shall be clearly marked on its face, identifying it as a copy. Once the recount of a container is completed, any ~~such~~ copies shall be placed on the top of the other ballots and shall remain together with the other ballots.

* * *

Sec. 71. 17 V.S.A. § 2602j is amended to read:

§ 2602j. COURT HEARING AND JUDGMENT

* * *

(f) After ~~such~~ the hearings or arguments as may be indicated under the circumstances and after it has made a final decision on any questionable votes or defective ballots, the Superior Court, within five working days, shall:

* * *

Sec. 72. 17 V.S.A. § 2603 is amended to read:

§ 2603. CONTEST OF ELECTIONS

* * *

(d) The Vermont Rules of Civil Procedure shall apply to contests of elections, except that ~~such~~ the cases shall be placed upon a special calendar, and hearings shall be scheduled on a priority basis, as public policy demands that ~~such~~ the questions be resolved promptly.

* * *

Sec. 73. 17 V.S.A. § 2605 is amended to read:

§ 2605. HOUSE OF REPRESENTATIVES

* * *

(b)(1) The Secretary of State shall notify the Attorney General, who shall investigate the facts, take ~~such~~ depositions as may be necessary, prepare an opinion on the law and facts, and send ~~his or her~~ a report and opinion to the Clerk of the House at least 10 days before the General Assembly convenes.

(2) If the Attorney General needs additional time to conduct the investigation or prepare the report and opinion required by this subsection, ~~he or she~~ the Attorney General shall alert the Clerk of the House of that need and the date by which ~~he or she~~ the Attorney General plans to submit the report and opinion.

Sec. 74. 17 V.S.A. § 2606 is amended to read:

§ 2606. SENATE

* * *

(b)(1) The Secretary of State shall notify the Attorney General, who shall investigate the facts, take ~~such~~ depositions as may be necessary, prepare an opinion on the law and facts, and send ~~his or her~~ a report and opinion to the Secretary of the Senate at least 10 days before the General Assembly convenes.

(2) If the Attorney General needs additional time to conduct the investigation or prepare the report and opinion required by this subsection, ~~he or she~~ the Attorney General shall alert the Secretary of the Senate of that need and the date by which ~~he or she~~ the Attorney General plans to submit the report and opinion.

Sec. 75. 17 V.S.A. § 2616 is amended to read:

§ 2616. JURISDICTION TO PROSECUTE CRIMINAL OFFENSES

The State's Attorney in any county in which all or a part of any violation of this title was committed shall have authority to prosecute ~~such~~ any violations.

The prosecution shall be conducted before the Vermont Criminal Division of the Superior Court.

Sec. 76. 17 V.S.A. § 2630 is amended to read:

§ 2630. APPLICABILITY

Except as otherwise provided, and to the extent that ~~such~~ a construction would be reasonable, the provisions of this title shall apply to this chapter.

Sec. 77. 17 V.S.A. § 2631 is amended to read:

§ 2631. MUNICIPAL CHARTERS

(a) Unless otherwise provided by law, when the charter of a municipality provides for procedures other than those established by law, the provisions of that charter shall prevail.

(b) Except as provided in subsection (a) of this section, all provisions of law relating to a municipality shall apply to ~~such~~ a municipality with a charter.

Sec. 78. 17 V.S.A. § 2640 is amended to read:

§ 2640. ANNUAL MEETINGS

(a) A meeting of the legal voters of each town shall be held annually on the first Tuesday of March for the election of officers and the transaction of other business, and it may be adjourned to another date. When a municipality fails to hold an annual meeting, a warning for a subsequent meeting shall be issued immediately, and at that meeting all the officers required by law may be elected and its business transacted.

(b)(1) When a town so votes, it may thereafter start its annual meeting on any of the three days immediately preceding the first Tuesday in March at ~~such~~ a time as it elects and may transact at that time any business not involving voting by Australian ballot or voting required by law to be by ballot and to be held on the first Tuesday in March. A meeting so started shall be adjourned until the first Tuesday in March.

* * *

Sec. 79. 17 V.S.A. § 2640a is amended to read:

§ 2640a. REPRESENTATIVE ANNUAL MEETINGS

* * *

(b)(1) A representative form of annual or special meeting is a meeting of members elected by district to exercise the powers vested in the voters of the town to act upon articles. However, the election of officers, public questions, and all articles to be voted upon by Australian ballot as required by law or as voted under section 2680 of this title at a prior annual or special meeting, and reconsideration of articles under section 2661 of this title, shall remain vested in the voters of the town.

(2) An organizational resolution to adopt a representative form of annual or special meeting may be made by the legislative body of the municipality or by petition of five percent of the voters of the municipality. An official copy of the organizational resolution shall be filed in the office of the clerk of the municipality at least 10 days before the annual or special meeting at which the

vote whether to adopt the organizational resolution shall take place, and copies ~~thereof~~ of the organizational resolution shall be made available to members of the public upon request.

* * *

Sec. 80. 17 V.S.A. § 2641 is amended to read:

§ 2641. WARNING AND NOTICE REQUIRED; PUBLICATION OF
WARNINGS

* * *

(b) In addition, the warning shall be published in a newspaper of general circulation in the municipality at least five days before the meeting, unless the warning is published in the town report and distributed as provided in 24 V.S.A. § 1682. The legislative body annually shall designate the paper in which ~~such a~~ the warning may be published. The warning shall also be posted on the municipality's website, if the municipality actively updates its website on a regular basis.

(c) No ~~such~~ warning shall be required for municipal informational meetings at which no voting is to take place.

Sec. 81. 17 V.S.A. § 2645 is amended to read:

§ 2645. CHARTERS; ADOPTION, REPEAL, OR AMENDMENT;
PROCEDURE

(a) A municipality may propose to the General Assembly to adopt, repeal, or amend its charter by majority vote of the legal voters of the municipality

present and voting at any annual or special meeting warned for that purpose in accordance with the following procedure:

* * *

(2) An official copy of the charter proposal shall be filed as a public record in the office of the clerk of the municipality at least 10 days before the first public hearing. The clerk shall certify the date on which ~~he or she~~ the clerk received the official copy, and the dated copies ~~thereof~~ of the charter proposal shall be made available to members of the public upon request.

* * *

(4)(A) If the charter proposal is made by the legislative body, the legislative body may revise the proposal as a result of suggestions and recommendations made at a public hearing, but in no event shall ~~such~~ any revisions be made less than 20 days before the date of the meeting to vote on the charter proposal.

(B) If revisions are made, the legislative body shall post a notice of these revisions in the same places as the warning for the meeting not less than 20 days before the date of the meeting and shall attach ~~such~~ the revisions to the official copy kept on file for public inspection in the office of the clerk of the municipality.

* * *

(6)(A) Notice of each public hearing and of the annual or special meeting shall be given in accordance with section 2641 of this chapter.

(B)(i) Each notice shall specify the charter sections to be adopted, repealed, or amended, setting out those sections in the amended form, with deleted matter struck through and new matter underlined.

(ii) If the legislative body of the municipality determines that the charter proposal is too long or unwieldy to set out in amended form, the notice shall include a concise summary of the charter proposal and shall state that an official copy of the charter proposal is on file for public inspection in the office of the clerk of the municipality and that official copies thereof of the charter proposal shall be made available to members of the public upon request.

* * *

Sec. 82. 17 V.S.A. § 2651 is amended to read:

§ 2651. ROAD AND WATER COMMISSIONERS; APPOINTMENT,
REMOVAL

* * *

(b) Unless the town votes to elect water commissioners, the selectboard shall appoint forthwith ~~no less~~ not fewer than three nor more than five water commissioners, unless there is no existing, or prospective, municipal water system for ~~such~~ the commissioners to supervise. The selectboard may remove an appointed water commissioner from office for just cause after due notice and hearing. The selectboard may appoint members of their own board to serve as water commissioners.

Sec. 83. 17 V.S.A. § 2651a is amended to read:

§ 2651a. CONSTABLES; APPOINTMENT; REMOVAL; ELIMINATION
OF OFFICE

(a)(1) A town may vote by Australian ballot at an annual meeting to authorize the selectboard to appoint a first constable, and if needed a second constable, in which case at least a first constable shall be appointed.

* * *

(3) When a town votes to authorize the selectboard to appoint constables, the selectboard's authority to make ~~such~~ the appointments shall remain in effect until the town rescinds that authority by the majority vote of the registered voters present and voting at an annual meeting duly warned for that purpose.

* * *

Sec. 84. 17 V.S.A. § 2651b is amended to read:

§ 2651b. ELIMINATION OF OFFICE OF AUDITOR; APPOINTMENT OF
PUBLIC ACCOUNTANT

* * *

(b) The term of office of any auditor in office on the date a town votes to eliminate that office shall expire on the 45th day after ~~such~~ the vote or on the date upon which the selectboard enters into a contract with a public accountant under this section, whichever occurs first.

* * *

Sec. 85. 17 V.S.A. § 2651c is amended to read:

§ 2651c. LACK OF ELECTED LISTER; APPOINTMENT OF LISTER;
ELIMINATION OF OFFICE; HIRING ASSESSORS

* * *

(b)(1) A town may vote by ballot at an annual meeting to eliminate the office of lister.

(2)(A) If a town votes to eliminate the office of lister, the selectboard shall notify the Director of Property Valuation and Review within 14 days and employ or contract a professionally qualified assessor, who, prior to conducting any work, shall meet the training requirements established by the Director under 32 V.S.A. § 4052 and need not be a resident of the town.

(B) The assessor shall have the same powers, discharge the same duties, proceed in the discharge ~~thereof~~ of those duties in the same manner, and be subject to the same liabilities as are prescribed for listers or the board of listers under the provisions of Title 32.

* * *

Sec. 86. 17 V.S.A. § 2651d is amended to read:

§ 2651d. COLLECTOR OF DELINQUENT TAXES; APPOINTMENT;
REMOVAL

* * *

(b) When a municipality votes to authorize the legislative body to appoint a collector of delinquent taxes, the legislative body's authority to make ~~such~~ the

appointment shall remain in effect until the municipality rescinds that authority by the majority vote of the registered voters present and voting at an annual or special meeting, duly warned for that purpose.

Sec. 87. 17 V.S.A. § 2658 is amended to read:

§ 2658. DUTIES

The moderator shall be the presiding officer of municipal meetings, shall decide questions of order and shall make public declaration of votes taken, except in elections using the Australian ballot system. When a vote declared by ~~him or her~~ the moderator is immediately questioned by one voter, ~~he or she~~ the moderator shall divide the meeting, and if requested by seven voters, shall cause the vote to be taken by paper ballot, unless the town has provided some other procedure ~~in such cases~~. Robert's Rules or some other rules of order shall govern all municipal meetings, except in elections using the Australian ballot system.

Sec. 88. 17 V.S.A. § 2660 is amended to read:

§ 2660. CONDUCT OF ELECTION

(a) When voting is at a floor meeting by paper ballot, the polls shall be kept open a reasonable time and reasonable notice shall be given before they close.

(b) When election is by ballot, a majority of all votes cast for any office shall be required for an election, unless otherwise provided by law; provided that when there is ~~but~~ only one nominee for an office, unless objection is made, the legal voters may vote to instruct the town clerk to cast one ballot for ~~such~~

the nominee and upon ~~such~~ the ballot being cast ~~he or she~~ the nominee shall be declared elected.

* * *

Sec. 89. 17 V.S.A. § 2661 is amended to read:

§ 2661. RECONSIDERATION OR RESCISSION OF VOTE

(a) A warned article voted on at an annual or special meeting of a municipality shall not be submitted to the voters for reconsideration or rescission at the same meeting after the assembly has begun consideration of another article. If the voters have begun consideration of another article, the original article may only be submitted to the voters at a subsequent annual or special meeting duly warned for the purpose and called by the legislative body on its own motion or pursuant to a petition requesting ~~such~~ a reconsideration or rescission signed and submitted in accordance with subsection (b) of this section. A vote taken at an annual or special meeting shall remain in effect unless rescinded or amended.

* * *

Sec. 90. 17 V.S.A. § 2663 is amended to read:

§ 2663. CERTIFICATE OF VOTE

Whenever an act of the General Assembly by its provisions takes effect only when accepted by vote of a municipality, the clerk of the municipality shall certify within 10 days to the Secretary of State the result of ~~such~~ the vote.

Sec. 91. 17 V.S.A. § 2664 is amended to read:

§ 2664. BUDGET

At its annual meeting, a town shall vote ~~such~~ any sums of money as it deems necessary for the interest of its inhabitants and for the prosecution and defense of the common rights. It shall express in its vote the specific amounts, or the rate on a dollar of the grand list, to be appropriated for laying out and repairing highways and for other necessary town expenses. If a town votes specific amounts in lieu of a rate on a dollar of the grand list, the selectboard shall, after the grand list book has been computed and lodged in the office of the town clerk, set the tax rate necessary to raise the specific amounts voted. The selectboard may apply for grants and may accept and expend grants or gifts above those that are approved in the town budget. The selectboard shall include, in its annual report, a description of all grants or gifts accepted during the year and associated expenditures.

Sec. 92. 17 V.S.A. § 2667 is amended to read:

§ 2667. ACCESS TO ANNUAL MEETING

The legislative body of the municipality shall take reasonable measures to ensure that voters who are elders or have a disability may conveniently attend annual or special meetings; provided, however, that ~~such~~ the measures need not be taken if doing so would impose undue hardship on the town. Measures may include location of meetings on the ground floor of buildings or providing ramps or other devices for access to meetings. In municipal elections using the

Australian ballot system of voting, subsection 2502(b) of this title shall apply.

For the purposes of this section, the legislative body shall have full jurisdiction on the day of the municipal meeting over the premises at which the town meeting is to be held.

Sec. 93. 17 V.S.A. § 2680 is amended to read:

§ 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

* * *

(g) Early and absentee voting. At the time the Australian ballots are available, which shall be not less than 20 days before the election, early and absentee voting shall be permitted in accordance with chapter 51, subchapter 6 of this title.

(1) The legislative body of a town, city, or village may vote to mail a ballot to all active registered voters in the town, city, or village.

(2) A school board may, after receiving the approval of the legislative body of each member town in the district, vote to mail its annual meeting ballot to all active registered voters in the district. ~~In such case, the~~ The town clerk and election officials in the member towns shall be responsible for the mailing of the ballots but all costs associated with the mailing of ballots shall be borne by the school district.

(3) Ballots shall be mailed not less than 20 days before the election, or as soon as they are available.

(4) The mailing of ballots shall be conducted to the extent practicable in accordance with chapter 51, subchapter 6 of this title.

* * *

Sec. 94. 17 V.S.A. § 2681a is amended to read:

§ 2681a. LOCAL ELECTION BALLOTS

* * *

(c) No political party or other designation shall be listed unless the municipal charter provides for ~~such~~ a listing, the town has voted at an earlier election to provide a listing or, in the absence of previous consideration of the question by the town, the legislative body decides to permit listing. If political party or other designations are permitted, no candidate shall use the name of a political party whose certificate of organization has been filed properly with the Secretary of State unless the candidate has been endorsed by a legally called town caucus of that political party for the office in question. In any event, the candidate must still file the petition and consent form required by section 2681 of this title.

* * *

Sec. 95. 17 V.S.A. § 2685a is amended to read:

§ 2685a. PROCEDURE FOR RECOUNT

* * *

(b) Preparation for recount.

(1) Before the recount begins, the town clerk shall explain the recount procedures that are to be followed and shall answer questions relating to ~~such~~ the procedures.

(2) The election officials shall recount the contents of one container before another container is opened and shall recount the contents of all the containers relating to one polling place before moving to those of another polling place.

* * *

Sec. 96. 17 V.S.A. § 2703 is amended to read:

§ 2703. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

The Secretary of State shall examine the petitions and ascertain whether they conform to the provisions of this chapter, and sections 2353, 2354, and 2358 of this title. If found not to conform, the Secretary shall state in writing why a particular petition cannot be accepted, and within two business days from receipt, the Secretary shall return it to the candidate in whose behalf it was filed. ~~In such case, supplementary~~ Supplementary petitions may be filed not later than 10 days after the deadline for filing petitions. However, supplementary petitions shall not be accepted if petitions with the signatures of at least 1,000 persons were not filed by the deadline for filing petitions set forth in section 2702 of this chapter.

Sec. 97. 17 V.S.A. § 2715 is amended to read:

§ 2715. PARTY CONVENTION TO ELECT DELEGATES

(a) The State committee of each major political party holding a national convention shall call a party convention, under rules proposed in advance and adopted by the committee, to be held during the month of May or June in each presidential election year. At the convention, delegates and alternates to the national convention of ~~such~~ the party, to the number apportioned to this State, shall be elected by the rules adopted by each major political party.

* * *

Sec. 98. 17 V.S.A. § 2732 is amended to read:

§ 2732. MEETING OF ELECTORS

* * *

(b)(1) If there is a vacancy in the electoral college on that day, occasioned by death, refusal to act, neglect to attend, failure of a person elected to qualify, or for other cause, the other electors present shall at once fill ~~such~~ the vacancy viva voce and by a plurality of votes.

(2) When all the electors appear or a vacancy therein is filled, the electors shall perform the duties required of them by the Constitution and laws of the United States.

(3) If a vacancy occurs and is filled as aforesaid, the electors shall attach to the certificate of their votes a statement showing how ~~such~~ a vacancy occurred and their action thereon.

* * *

Sec. 99. 17 V.S.A. § 2753 is amended to read:

§ 2753. ARTICLE III—MANNER OF APPOINTING PRESIDENTIAL
ELECTORS IN MEMBER STATES

(a) Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each presidential slate in each ~~State~~ state of the United States and in the District of Columbia in which votes have been cast in a statewide popular election and shall add ~~such~~ the votes together to produce a “national popular vote total” for each presidential slate.

* * *

(d) At least six days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of ~~such~~ the determination within 24 hours to the chief election official of each other member state.

* * *

(g) If, for any reason, the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state’s number of electoral votes, the presidential candidate on the presidential slate that has been designated as the national popular vote

winner shall have the power to nominate the presidential electors for that state and that state's presidential elector certifying official shall certify the appointment of ~~such~~ the nominees.

* * *

Sec. 100. 17 V.S.A. § 2754 is amended to read:

§ 2754. ARTICLE IV—OTHER PROVISIONS

(a) This agreement shall take effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by ~~such~~ the states have taken effect in each state.

* * *

Sec. 101. 17 V.S.A. § 2755 is amended to read:

§ 2755. ARTICLE V—DEFINITIONS

For purposes of this agreement:

* * *

(6) "Presidential slate" shall mean a slate of two persons, the first of whom has been nominated as a candidate for President of the United States and the second of whom has been nominated as a candidate for Vice President of the United States, or any legal successors to ~~such~~ the persons, regardless of whether both names appear on the ballot presented to the voter in a particular state.

* * *

Sec. 102. 17 V.S.A. § 2901 is amended to read:

§ 2901. DEFINITIONS

As used in this chapter:

* * *

(14) “Political party” means a political party organized under chapter 45 of this title and any committee established, financed, maintained, or controlled by the party, including any subsidiary, branch, or local unit ~~thereof~~ of the party, and shall be considered a single, unified political party. The national affiliate of the political party shall be considered a separate political party.

* * *

Sec. 103. 17 V.S.A. § 2944 is amended to read:

§ 2944. ACCOUNTABILITY FOR RELATED EXPENDITURES

* * *

(d) As used in this section, an expenditure by a person shall not be considered a “related expenditure made on the candidate’s behalf” if:

(1)(A) All of the following apply:

* * *

(ii) the expenditure was made for:

(I) invitations and any postage for those invitations to invite voters to the event; or

(II) any food or beverages consumed at the event and any related supplies ~~thereof~~; and

* * *

Sec. 104. 17 V.S.A. § 2964(c) is amended to read:

(c) A candidate, political committee, independent expenditure-only political committee, or political party that is not otherwise required to file a report pursuant to this section shall file with the Secretary of State a report and affirmative statement that the candidate, political committee, independent expenditure-only political committee, or political party has not either rolled over any amount of surplus into a new campaign or made expenditures or accepted contributions in the amounts specified in this section.

Sec. 105. 20 V.S.A. § 48 is amended to read:

§ 48. COMMUNITY RESILIENCE AND DISASTER MITIGATION
GRANT PROGRAM

* * *

(c) Administration; implementation.

* * *

(3) Report. Annually, ~~by~~ on or before November 15, the Department of Public Safety shall submit a report detailing the current Program design and any grants awarded pursuant to this section during the preceding year to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations.

Sec. 106. 20 V.S.A. § 1953(b) is amended to read:

(b) If authorized by the laws of his or her party state, the administrative head of the state police department of a party state may provide for the discharge of his or her duties and the performance of his or her functions on the Conference, for periods none of which shall exceed 15 days, by an alternate. No such alternate shall be entitled to serve unless notification of his or her identity and appointment shall have been given to the Conference in such form as the Conference may require.

Sec. 107. 21 V.S.A. § 309 is amended to read:

§ 309. FLEXIBLE WORKING ARRANGEMENTS

* * *

(e) The Attorney General, a State's Attorney, or the Human Rights Commission in the case of State employees may enforce subsections (b) and (c) of this section by restraining prohibited acts, conducting civil investigations, and obtaining assurances of discontinuance in accordance with the procedures established in subsection 495b(a) of this title. An employer subject to a complaint shall have the rights and remedies specified in subsection 495b(a) of this title. An investigation against an employer shall not be a prerequisite for bringing an action. The Civil Division of the Superior Court may award injunctive relief and court costs in any action. There shall be no private right of action to enforce this ~~section~~ subsection.

* * *

Sec. 108. 21 V.S.A. § 342 is amended to read:

§ 342. WEEKLY PAYMENT OF WAGES

(a)(1) Any employer that is doing business within the State shall pay each week, in lawful money or checks, the wages earned by each employee to a day not more than six days prior to the date of payment.

(2) Notwithstanding subdivision (1) of this subsection, any employer having one or more employees that is doing business within the State may, either:

* * *

(3)(A) An employee of a school district or supervisory union may elect in writing to have a set amount or set percentage of the employee's after-tax wages withheld by the school district in a district-held bank account each pay period. The percentage or amount withheld shall be determined by the employee.

* * *

(C)(i) The school district or supervisory union shall disburse funds from the account in any sum as requested by the employee and, at the end of the school year or at the employee's option over the course of the period between the current and next school year, or upon separation from employment, shall remit to the employee any remaining funds, including interest earnings, held in the account.

(ii) For employees in a bargaining unit organized pursuant to either chapter 22 of this title or 16 V.S.A. chapter 57, the school district or supervisory union shall implement this election in a manner consistent with the provisions of this subdivision and as determined through negotiations under those chapters.

(iii) For employees not in a bargaining unit, the school district or supervisory union shall; determine the manner in which to implement the provisions of this subdivision (C).

* * *

Sec. 109. 21 V.S.A. § 384 is amended to read:

§ 384. EMPLOYMENT; WAGES

* * *

(b) Notwithstanding subsection (a) of this section, an employer shall not pay an employee less than one and one-half times the regular wage rate for any work done by the employee in excess of 40 hours during a workweek.

However, this subsection shall not apply to:

* * *

(4) Employees of hospitals, public health centers, nursing homes, maternity homes, therapeutic community residences, and residential care homes as those terms are defined in Title 18, provided:

(A) the employer pays the employee on a biweekly basis; ~~and~~

(B) the employer files an election to be governed by this section with the Commissioner; and

(C) the employee receives not less than one and one-half times the regular wage rate for any work done by the employee:

- (i) in excess of eight hours for any workday; or
- (ii) in excess of 80 hours for any biweekly period.

* * *

Sec. 110. 21 V.S.A. § 471 is amended to read:

§ 471. DEFINITIONS

As used in this subchapter:

* * *

(10) “Parental leave” means a leave of absence from employment by an employee for one of the following reasons:

- (A) the employee’s pregnancy;
- (B) the employee’s recovery from childbirth or miscarriage;
- (C) the birth of the employee’s child and to care for or bond with the child within one year after the child’s birth; or
- (D) the initial placement of a child under 18 years of age ~~or younger~~ with the employee for the purpose of adoption or foster care and to care for or bond with the child within one year after the placement for adoption or foster care.

* * *

Sec. 111. 21 V.S.A. § 495d is amended to read:

§ 495d. DEFINITIONS

As used in this subchapter:

* * *

(7)(A) “Physical or mental impairment” means:

~~(A)~~(i) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; or endocrine; and

(ii) any mental or psychological disorder, such as developmental disability, organic brain syndrome, emotional or mental condition or psychiatric disability, and specific learning disabilities;

(B) ~~the~~ The term “physical or mental impairment” includes diseases and conditions such as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, and drug addiction and alcoholism.

* * *

Sec. 112. 21 V.S.A. § 1314 is amended to read:

§ 1314. REPORTS AND RECORDS; SEPARATION INFORMATION;
DETERMINATION OF ELIGIBILITY; FAILURE TO REPORT
EMPLOYMENT INFORMATION; DISCLOSURE OF
INFORMATION TO OTHER STATE AGENCIES TO
INVESTIGATE MISCLASSIFICATION OR MISCODING

* * *

(h) Any employing unit that fails to report employment and separation information with respect to a claimant and wages paid to a claimant required under subsection (b) of this section shall be subject to a penalty of \$100.00 for each report not received by the prescribed due date. The penalty imposed pursuant to this subsection shall be collected in the manner provided for the collection of contributions in section 1329 of this subchapter and shall be paid into the ~~contingent fund~~ Contingent Fund established in section 1365 of this subchapter. If the employing unit demonstrates that its failure was due to a reasonable cause, the Commissioner may waive the penalty.

Sec. 113. 21 V.S.A. § 1321 is amended to read:

§ 1321. CONTRIBUTIONS; TAXABLE WAGE BASE CHANGES

* * *

(b) Base of contributions. The term “wages” ~~shall~~ does not include that part of remuneration that, after remuneration equal to \$13,000.00 on January 1, 2011, and \$16,000.00 on January 1, 2012, has been paid in a calendar year to

an individual by an employer with respect to employment during a calendar year, unless that part of the remuneration is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund. After January 1, 2012, whenever the Unemployment Compensation Trust Fund has a positive balance and all advances made to the State Unemployment Compensation Trust Fund pursuant to Title XII of the Social Security Act have been repaid as of June 1, the base of contribution amount shall be adjusted on January 1 of the following year by the same percentage as any increase in the State annual average wage as calculated pursuant to subsection 1338(g) of this subchapter. When the unemployment contribution rate schedule established by subsection 1326(e) of this subchapter is reduced to schedule III, the base of contribution amount shall be reduced by \$2,000.00 on January 1 of the following year and shall be adjusted annually thereafter on January 1 of the following year by the same percentage as any increase in the State annual average wage as calculated pursuant to subsection 1338(g) of this subchapter. When the unemployment contribution rate schedule established by subsection 1326(e) of this subchapter is reduced to schedule I, the base of contribution amount shall be reduced by \$2,000.00 on January 1 of the following year and shall be adjusted annually thereafter on January 1 of the following year by the same percentage as any increase in the State annual average wage as calculated pursuant to subsection 1338(g) of this subchapter. For the purposes of this subsection:

* * *

(c) Nonprofit organizations.

- (1) Financing benefits paid to employees of nonprofit organizations.

* * *

Sec. 114. 21 V.S.A. § 1325 is amended to read:

§ 1325. EMPLOYERS' EXPERIENCE-RATING RECORDS;

DISCLOSURE TO SUCCESSOR ENTITY

* * *

(d) Notwithstanding any other provision of law, the following shall apply to assignment of rates and transfers of experience:

* * *

(2) Whenever a person ~~who~~ is not an employer under this chapter at the time it acquires the trade or business of an employer, the unemployment experience of the acquired business shall not be transferred to such person if the Commissioner finds that such person acquired the business solely or primarily for the purpose of obtaining a lower rate of contributions. Instead, that person shall be assigned the highest rate assignable under this chapter until being subject to this chapter for a sufficient period of time to have ~~his or her~~ the person's rate computed under section 1326 of this title. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of contribution, the Commissioner shall use objective factors that may include:

* * *

Sec. 115. 21 V.S.A. § 1326 is amended to read:

§ 1326. RATE BASED ON BENEFIT EXPERIENCE

* * *

(d) The Commissioner shall compute a current fund ratio, and a highest benefit cost rate, as follows:

(1) The current fund ratio shall be determined by dividing the available balance of the Unemployment Compensation Trust Fund on December 31 of the preceding calendar year by the total wages paid for employment during that calendar year as reported by employers ~~by~~ on or before the following March 31.

* * *

Sec. 116. 21 V.S.A. § 1334 is amended to read:

§ 1334. JUDGMENT; EXCEPTION

(a) Any liability for contributions, payments, penalties, interest, and costs imposed under this chapter becomes, from the time the liability is due and payable, a debt of the liable employer or employing unit to the State for the benefit of the Unemployment Compensation Trust Fund and the Contingent Fund to be recovered in a civil action.

* * *

Sec. 117. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(f) [Subdivision (f)(1) effective until occurrence of contingency; see also contingent amendments to subdivision (f)(1) by 2021, No. 183, §§52c–52e and 52g set out below.]

(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to the sum of \$60.00 plus 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

[Contingent amendment to subdivision (f)(1) by 2021, No. 183 (Adj. Sess.), §§ 52c and 52g; see also subdivision (f)(1) effective until occurrence of contingencies set out above and contingent amendment to subdivision (f)(1) by 2021, No. 183 (Adj. Sess.), §§ 52d and 52e set out below.]

(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

[Contingent amendment to subdivision (f)(1) by 2021, No. 183 (Adj. Sess.), §§ 52d and 52e; see also subdivision (f)(1) effective until occurrence of contingencies and contingent amendment to subdivision (f)(1) by 2021, No. 183 (Adj. Sess.), §§ 52c and 52g set out above.]

(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to the sum of \$25.00 plus 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

(2) Notwithstanding any provision of subdivision (1) of this subsection to the contrary:

(A) The maximum weekly benefit amount shall not increase in any year that advances made to the State Unemployment Compensation Trust Fund pursuant to Title XII of the Social Security Act, as amended, remain unpaid.

* * *

Sec. 118. 21 V.S.A. § 1621 is amended to read:

§ 1621. UNFAIR LABOR PRACTICES

* * *

(b) It shall be an unfair labor practice for a labor organization or its agents:

* * *

(8) ~~Compulsory membership; employees' rights.~~ A labor organization entering into an agreement requiring a person's membership in the labor organization as a condition of employment by the employer shall not:

(A) discriminate against a person seeking or holding membership in the labor organization on account of race, color, disability, religion, creed, sex, sexual orientation, gender identity, age, or national origin;

* * *

(e)(1) For the purposes of this section, to bargain collectively is the performance of the mutual obligation of the employer and the representative of the employees to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms and conditions of employment, or the negotiation of an agreement, or any question arising under the agreement, and the execution of a written contract incorporating any agreement reached is requested by either party; but the failure or refusal of either party to agree to a proposal, or to change or withdraw a lawful proposal, or to make a concession shall not constitute, or be evidence direct or indirect of, a breach of this obligation.

* * *

(3) The duties imposed upon employers, employees, and labor organizations ~~by~~ pursuant to subdivisions ~~(e)(2)(B), (C), and (D) of this subsection~~ shall become inapplicable upon an intervening certification of the Board, under which the labor organization or individual, which is a party to the contract, has been superseded as or ceased to be the representative of the employees subject to the provisions of section 1583 of this title, and the duties so imposed shall not be construed as requiring either party to discuss or agree to any modifications of the terms and conditions contained in a contract for a fixed period, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract. Any employee who engages in a strike within the 60-day period specified in this

subsection shall lose ~~his or her~~ the employee's status as an employee for the employer engaged in the particular labor dispute, for the purposes of this chapter, as amended, but ~~such~~ the loss of status for ~~such~~ the employee shall terminate if and when ~~he or she~~ the employee is re-employed by such employer.

* * *

Sec. 119. 21 V.S.A. § 1623 is amended to read:

§ 1623. JUDICIAL REVIEW

(a) The Board may petition the Supreme Court for the enforcement of such Board order relative thereto and for appropriate temporary relief or restraining order. The Board shall certify and file in the ~~court~~ Court the entire record in the proceeding, including the pleadings and evidence upon which the order was entered, and its findings and order; provided, however, the ~~court~~ Court may, by separate rule, set forth the portions of the record to be certified and filed. Thereupon, the ~~court~~ Court shall cause notice thereof to be served upon such person, and shall then have jurisdiction of the proceeding and of the question determined therein. It shall have the power to grant such temporary relief or restraining order as it considers just and proper; and to make and enter a decree enforcing, modifying and enforcing as so modified, or wholly or partly setting aside the Board's order.

(b) The parties before the ~~court~~ Court shall be the Board and such person found by the Board to have committed the unfair labor practice.

(c) Any aggrieved party to a proceeding under section 1622 of this title may appeal to the Supreme Court under 12 V.S.A. chapter 102 and the Vermont Rules of Appellate Procedure.

(d) No objection that has not been urged before the Board may be considered by the ~~court~~ Court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive. However, if either party applies to the ~~court~~ Court for leave to adduce additional evidence, and shows to the satisfaction of the ~~court~~ Court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such additional evidence at the hearing before the Board, the ~~court~~ Court may order such additional evidence to be taken before the Board and to be made a part of the record. The Board may modify its findings as to facts or make new findings because of additional evidence so taken. The Board shall file such modified or new findings which findings with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order.

(e) The commencement of proceedings under this section shall not, unless specifically ordered by the ~~court~~ Court, operate as a stay of the Board's order.

(f) Petitions filed under the chapter shall be heard expeditiously.

(g) The Board shall have the power upon issuance of a complaint as provided for under this chapter to petition the Superior Court within any county wherein the unfair labor practice is alleged to have occurred, for appropriate temporary relief or restraining order. Upon the filing of such petition, the ~~court~~ Court shall cause notice thereof to be served upon such person; and, thereupon, shall have jurisdiction to grant to the Board such temporary relief as it deems just and proper.

Sec. 120. 21 V.S.A. § 1724 is amended to read:

§ 1724. CERTIFICATION PROCEDURE

(a)(1) A petition may be filed with the Board, in accordance with rules adopted by the Board:

* * *

(2)(A)(i) An employer shall, not more than seven business days after receiving a copy of the petition, file any objections to the appropriateness of the proposed bargaining unit and raise any other unit determination issues with the Board and provide a copy of the filing to the employee, group of employees, individual, or employee organization that filed the petition.

(ii) A hearing shall be held before the Board pursuant to subdivision ~~(d)(1)(B)~~(b)(2) of this section in the event the employer challenges the appropriateness of the proposed bargaining unit, provided that a hearing shall not be held if the parties stipulate to the composition of the appropriate

bargaining unit and resolve any other unit determination issues before the hearing.

* * *

Sec. 121. 23 V.S.A. § 367 is amended to read:

§ 367. TRUCKS

(a)(1) The annual fee for registration of tractors, truck-tractors, or motor trucks except truck cranes, truck shovels, road oilers, bituminous distributors, and farm trucks used as specified in subsection (f) of this section shall be based on the total weight of the truck-tractor or motor truck, including body and cab plus the heaviest load to be carried. In computing the fees for registration of tractors, truck-tractors, or motor trucks with trailers or semi-trailers attached, except trailers or semi-trailers with a gross weight of less than 6,099 pounds, the fee shall be based upon the weight of the tractor, truck-tractor, or motor truck; the weight of the trailer or semi-trailer; and the weight of the heaviest load to be carried by the combined vehicles. In addition to the fee set out in the following schedule, the fee for vehicles weighing between 10,100 and 26,099 pounds inclusive shall be an additional \$42.53, the fee for vehicles weighing between 26,100 and 40,099 pounds inclusive shall be an additional \$85.03, the fee for vehicles weighing between 40,100 and 60,099 pounds inclusive shall be an additional \$297.68, and the fee for vehicles 60,100 pounds and over shall be an additional \$467.80. The fee shall be computed at the following rates per 1,000 pounds of weight determined pursuant to this

subdivision and rounded up to the nearest whole dollar; the minimum fee for registering a tractor, truck-tractor, or motor truck to 6,099 pounds shall be the same as for the pleasure car type:

\$18.21 when the weight is at least 6,100 pounds but not more than 8,099 pounds.

\$20.83 when the weight is at least 8,100 pounds but not more than 12,099 pounds.

\$22.97 when the weight is at least 12,100 pounds but not more than 16,099 pounds.

\$24.56 when the weight is at least 16,100 pounds but not more than 20,099 pounds.

\$25.71 when the weight is at least 20,100 pounds but not more than 30,099 pounds.

\$26.26 when the weight is at least 30,100 pounds but not more than 40,099 pounds.

\$26.90 when the weight is at least 40,100 pounds but not more than 50,099 pounds.

\$27.13 when the weight is at least 50,100 pounds but not more than 60,099 pounds.

\$28.06 when the weight is at least 60,100 pounds but not more than 70,099 pounds.

\$29.00 when the weight is at least 70,100 pounds but not more than 80,099 pounds.

\$29.94 when the weight is at least 80,100 pounds but not more than 90,099 pounds.

* * *

Sec. 122. 23 V.S.A. § 708 is amended to read:

§ 708. REFUSAL TO ISSUE LICENSE

The Commissioner may refuse to issue a license to any applicant for a driver's training school license or instructor's license when the Commissioner is satisfied that:

* * *

(4) the applicant has been convicted of a felony or any crime involving violence, dishonesty, or deceit; ~~and~~ or

(5) the applicant is not the true owner of the driver training school.

Sec. 123. 23 V.S.A. § 1202 is amended to read:

§ 1202. CONSENT TO TAKING OF TESTS TO DETERMINE BLOOD
ALCOHOL CONTENT OR PRESENCE OF OTHER DRUG

* * *

(e) In any proceeding under this subchapter, a law enforcement officer's testimony that the officer is certified pursuant to ~~section~~ 20 V.S.A. § 2358 shall be prima facie evidence of that fact.

* * *

Sec. 124. 23 V.S.A. § 3206 is amended to read:

§ 3206. SNOWMOBILE OPERATION

* * *

(b) A snowmobile shall not be operated:

* * *

(5) On any privately owned land or body of private water unless:

* * *

(B) the operator has, on ~~his or her~~ the operator's person, the written consent of the owner or lessee of the land to operate a snowmobile in the specific area in which the operator is operating, or the snowmobile displays a valid TMA decal as required by subsection 3202(a) of this title that serves as proof that the snowmobile and its operator by virtue of the TMA are members of a VAST-affiliated snowmobile club to which such consent has been given orally or in writing; or

* * *

(7) By a child under eight years of age unless ~~he or she~~ the child is on land owned by ~~his or her~~ the child's parents, family, or legal guardian.

(8) By a person born after July 1, 1983, on private or public land and water without first obtaining a certificate of snowmobile education, unless the person is operating on land owned, leased, or farmed by the person's parents, family, or guardian or the operator is the ~~land owner~~ landowner.

(A) A person who is required to have a certificate of snowmobile education shall do all of the following:

* * *

(ii) Show the certificate or a copy of the certificate on demand of an enforcement officer wearing an insignia identifying ~~him or her~~ the officer as a law enforcement officer. No person charged with violating this subdivision (8) shall be convicted if the person produces in court, to the officer, or to a State's Attorney, a certificate or a copy of the certificate that was valid at the time the violation occurred. A person may show an electronic copy of the certificate using a portable electronic device; however, use of a device for this purpose does not in itself constitute consent for an enforcement officer to access other contents of the device.

(B) The following persons are exempt from the requirements of this subdivision (8):

(i) a person who is operating on land owned by ~~his or her~~ the person's parents, family, or guardian or the operator is the landowner person;

* * *

(9)(A) In any manner intended, or that could reasonably be expected, to harass, drive, or pursue any wildlife; or

* * *

(15) On a sidewalk unless permitted by the ~~selectmen or trustees or the local governing~~ legislative body of the municipality.

* * *

(21) Without proper head and face protection.

(A) No person shall operate, or ride in or on a snowmobile, or on a sled or device pulled by a snowmobile on the Statewide Snowmobile Trail System (SSTS) without wearing, upon ~~his or her~~ the person's head, protective headgear of a type approved by the Commissioner, unless the operator of the snowmobile is in the process of grooming the trail. The headgear shall be equipped with a strap to secure the headgear in place.

* * *

Sec. 125. 28 V.S.A. § 760 is amended to read:

§ 760. COMPENSATION OF OFFENDERS

(a) The Commissioner ~~shall~~, in consultation with the Department of Labor, ~~promulgate~~ shall adopt rules establishing an injured offender compensation program for offenders or their dependents for injuries suffered while under supervision by the Department and arising out of and in the course of work, industry, or an employment program, at a correctional facility, or any community service or public works activity or vocational training directed by the Department of Corrections. The rules shall establish the compensation, medical, and vocational benefits to which an injured offender may be entitled as well as procedures for resolving disputes. To the extent practicable and consistent with the requirements of the Department, compensation, medical,

and vocational benefits shall be comparable to what a similarly injured employee would receive under 21 V.S.A. chapter 9.

* * *

Sec. 126. 32 V.S.A. § 3102(f) is amended to read:

(f) Notwithstanding the provisions of this section, information obtained from the Commissioner for Children and Families under 33 V.S.A. § 112(c), ~~or the Vermont Student Assistance Corporation under 16 V.S.A. § 2843, or the Dental Health Program under 33 V.S.A. § 4507~~ shall be confidential, and it shall be unlawful for anyone to divulge such information except in accordance with a judicial order or as provided under another provision of law.

Sec. 127. [Deleted.]

Sec. 128. 32 V.S.A. § 3481(1)(C) is amended to read:

(C) For owner-occupied housing that is subject to a housing subsidy covenant, as defined in 27 V.S.A. § 610, imposed by a governmental, quasi-governmental, or public purpose entity, that limits the price for which the property may be sold, the housing subsidy covenant shall be deemed to cause a material decrease in the value of the owner-occupied housing, and the appraisal value means not less than 60 and not more than 70 percent of what the fair market value of the property would be if it were not subject to the housing subsidy covenant. Every five years, starting in 2019, the Commissioner of Taxes, in consultation with the Vermont Housing Conservation Board, shall report to the House Committee on Ways and Means

on whether the percentage of appraised ~~value~~ value used in this subdivision (C) should be altered and the reasons for ~~his or her~~ the Commissioner's determination.

Sec. 129. 32 V.S.A. § 5405(g) is amended to read:

(g) The Commissioner shall provide to municipalities for the front of property tax bills the district homestead property tax rate before equalization, the ~~nonresidential~~ nonhomestead tax rate before equalization, and the calculation process that creates the equalized homestead and nonhomestead tax rates. The Commissioner shall further provide to municipalities for the back of property tax bills an explanation of the common level of appraisal, including its origin and purpose.

Sec. 130. 32 V.S.A. § 10554(a) is amended to read:

(a) The Child Care Contribution Special Fund is created pursuant to chapter 7, subchapter 5 of this title and shall be administered by the Department for Children and Families and the Department of Taxes. Monies in the Fund may be expended by the Department of Taxes for the administration of the Child Care ~~and Parental Leave~~ Contribution created under this chapter; by the Department for Children and Families for benefits provided by the Child Care Financial Assistance Program established in 33 V.S.A. §§ 3512 and 3513, including the provision of incentive payments pursuant to 33 V.S.A. § 3515; and by the Departments for necessary costs

incurred in administering the Fund. All interest earned on Fund balances shall be credited to the Fund.

Sec. 131. 33 V.S.A. § 1103(e) is amended to read:

(e) In determining eligibility and benefit levels for parents who are under 18 years of age in participating families, the Commissioner shall:

(1) Require parents who are under 18 years of age to attend school or an appropriate alternative education or training activity.

(2) Ensure that the family development plan of a parent who is under 18 years of age includes a requirement to take part in a case-managed support, education, and training program.

(3) Adopt rules, which shall include appropriate exemptions, requiring parents who are under 18 years of age and who are not emancipated minors in accordance with 12 V.S.A. § 7151 to live with a parent or in an approved supervised living arrangement. The sanctions provided for noncompliance with a Reach Up family development plan requirement under section 1116 of this title shall apply to noncompliance with the rules adopted under this subdivision.

(4) Allow parents who are under 18 years of age and who live with their parents to have their eligibility for the Reach Up program and the amount of their financial assistance grant determined without consideration of their parents' income.

Sec. 132. 33 V.S.A. § 1107(f) is amended to read:

(f) The Secretary shall:

(1) work with community providers to develop and maintain an adequate number and variety of supervised living alternatives designed to meet the individual needs of parents who are under 18 years of age;

(2) work with community providers to develop and maintain parenting, training, and education options for parents who are under 18 years of age;

* * *

Sec. 133. 33 V.S.A. § 1203(3) is amended to read:

(3) is an individual under 21 years of age, has a child, is ineligible for Supplemental Nutrition Assistance Program benefits solely because the individual resides with the individual's parent, and has employment that meets the work requirements for Reach Up for the family's size and composition.

Sec. 134. 33 V.S.A. § 1901n(a) is amended to read:

(a) The Agency of Human Services shall provide coverage for medically necessary high-intensity, medically monitored residential treatment episodes to Medicaid beneficiaries with substance use disorder and a co-occurring mental health condition when medically necessary high-intensity, medically monitored residential treatment episodes are prescribed by a health care professional employed by a residential treatment program who is practicing within the scope of the health care professional's license and the residential treatment program is participating in Vermont's Medicaid program.

Sec. 135. 33 V.S.A. § 4110 is amended to read:

§ 4110. EMPLOYER OBLIGATIONS

(a) Where a parent is required by a court or administrative order to provide health coverage for a child, and the parent is eligible for dependent health coverage, which is available through an employer doing business in this State, the employer is required:

* * *

(2) Not to disenroll or eliminate coverage of any such child unless the employer is provided satisfactory written evidence that one or more of the following conditions applies:

(A) the court order is no longer in effect;

(B) the child is or will be enrolled in comparable coverage that will take effect ~~no~~ not later than the effective date of disenrollment; or

(C) the employer has eliminated dependent health coverage for all of its employees if allowed by law.

* * *

Sec. 136. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: April 30, 2026