

1

H.927

2

Introduced by Committee on Government Operations and Military Affairs

3

Date:

4

Subject: Government operations; Vermont Statutes Annotated; 2026 technical

5

corrections

6

Statement of purpose of bill as introduced: This bill proposes to make

7

technical corrections to the Vermont Statutes Annotated.

8

An act relating to technical corrections for the 2026 legislative session

9

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

10

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.

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

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

4 * * *

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

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

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

15 § 18. SPOUSE ABUSE PROGRAMS; ELIGIBILITY

16 * * *

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

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

2 § 343. PRIVATIZATION CONTRACTS; PROCEDURE

3 * * *

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

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

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

11 (2) If the Auditor of Accounts finds that a privatization contract has not
12 achieved the cost savings required under subdivision (a)(2) of this section or
13 complied with performance measures required under subdivision (b)(1) of this
14 section, the Auditor of Accounts shall file a report with the agency and, the
15 House Committee on Government Operations and Military Affairs, and the
16 Senate ~~Committees~~ Committee on Government Operations, and the agency
17 shall review whether to renew the privatization contract or perform the work
18 with State employees.

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

20 § 459. NORMAL AND EARLY RETIREMENT

21 (a) Normal retirement.

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(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

1 by the ratio that the number of the member's years of creditable service at
2 retirement, or such earlier date, bears to 20.

3 * * *

4 (5)(A) Until January 1, 1995, upon normal retirement, a Group F
5 member shall receive a normal retirement allowance that shall be equal to ~~1~~/~~4~~
6 one and one-fourth of a percent of his or her the member's average final
7 compensation times years of creditable service. On and after January 1, 1995,
8 upon normal retirement, a Group F member shall receive a normal retirement
9 allowance equal to ~~1~~/~~4~~ one and one-fourth of a percent of the member's
10 average final compensation times years of membership service prior to January
11 1, 1991, plus a pension that when added to an annuity shall be equal to ~~1~~/~~3~~ one
12 and two-thirds of a percent of the member's average final compensation times
13 years of membership service on and after January 1, 1991. The maximum
14 retirement allowance shall be 50 percent of average final compensation.

15 (B) A Group F member first included in the membership of the
16 system on or after July 1, 2008, upon normal retirement, shall receive a normal
17 retirement allowance equal to ~~1~~/~~3~~ one and two-thirds of a percent of the
18 member's average final compensation times years of membership service. The
19 maximum retirement allowance shall be 60 percent of average final
20 compensation.

21 * * *

1 (d) Early retirement allowance.

2 * * *

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

12 (B) Upon early retirement, a Group G member who was previously a
13 Group F member first included in the membership of the System on or after
14 July 1, 2008, and who elected to transfer into Group G pursuant to the terms
15 set by the Board, shall receive an early retirement allowance that shall be equal
16 to the normal retirement allowance reduced by the lesser of five-ninths of one
17 percent for each month equal to the difference between the 240 months and the
18 member's months of creditable service; ~~or.~~

19 (C) Upon early retirement, all Group G members other than those
20 specified in ~~subdivision~~ subdivisions (A) and (B) of this subdivision (d)(4)
21 shall receive an early retirement allowance that shall be equal to the normal

1 retirement allowance reduced by an amount that shall be the actuarial
2 equivalent of the normal retirement allowance computed under subsection (b)
3 of this section.

4 * * *

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

6 § 468. OPTIONAL BENEFITS

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

12 (1) Option 1. A reduced retirement allowance payable during the
13 member's life, with the provision that at the member's death a lump sum equal
14 in amount to the difference between the member's accumulated contributions
15 at the time of retirement and the sum of the annuity payments actually made to
16 the member during ~~his or her~~ the member's lifetime shall be paid to such
17 person, if any, as the member has nominated by written designation duly
18 acknowledged and filed with the Retirement Board; or, in the absence of a
19 written designation of beneficiary or when the designated beneficiary is
20 deceased, the residual amount payable as a result of the death of the member
21 after retirement shall be payable as follows:

1 the retired member survives the member's nominated beneficiary, the
2 retirement allowance that would have been payable during the member's life
3 computed pursuant to section 459, 460, or 461 of this title, whichever is
4 applicable, shall be paid to the retired member during the remainder of the
5 member's lifetime. If a member does not make an election as to the form of
6 ~~his or her~~ the member's retirement allowance, the member shall receive ~~his or~~
7 ~~her~~ the member's retirement allowance computed pursuant to section 459, 460,
8 or 461 of this title, whichever is applicable.

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

10 § 531. DEFINITIONS

11 As used in this chapter:

12 * * *

13 (3) "Covered employer" means a person, entity, or subsidiary engaged
14 in a business, industry, profession, trade, or other enterprise in the State,
15 whether for profit or not for profit, that does not currently offer to an
16 employee, or is within a control group that maintains or contributes to, a
17 specified tax-favored retirement plan. If an employer does not maintain a
18 specified tax-favored retirement plan for a portion of a calendar year ending ~~on~~
19 in or after ~~the effective date of this chapter~~ 2023 but does adopt such a plan for
20 the remainder of that calendar year, the employer is not a covered employer
21 for the remainder of ~~the~~ that year. A covered employer does not include:

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

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

6 * * *

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

8 § 533. DUTIES OF THE STATE TREASURER

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

10 * * *

11 (7) Shall evaluate the need for, and procure if necessary, insurance
12 against any loss in connection with the property, assets, or activities of the
13 Program as well as establish procedures for abandoned accounts pursuant to
14 27 V.S.A. chapter ~~13~~ 18.

15 * * *

16 (10) ~~Discharge~~ Shall discharge the Treasurer's duties as fiduciary with
17 respect to the Program solely in the interest of the Participants as follows: for
18 the exclusive purpose of providing benefits to Participants and defraying
19 reasonable expenses of administering the Program and with the care, skill,
20 prudence, and diligence under the circumstances then prevailing that a prudent

1 person acting in a like capacity and familiar with those matters would use in
2 the conduct of an enterprise of a like character and with like aims.

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

4 CHAPTER 19. SOCIAL SECURITY FOR STATE AND MUNICIPAL
5 EMPLOYEES

6 * * *

7 § 572. DEFINITIONS

8 For the purposes of this chapter:

9 * * *

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

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

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

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

3 * * *

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

11 * * *

12 § 573. FEDERAL-STATE AGREEMENT; INTERSTATE

13 INSTRUMENTALITIES

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

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

6 * * *

7 (5) All services that ~~(A)~~ constitute employment as defined in section
8 572 of this title; ~~(B)~~, are performed in the employ of a political subdivision of
9 the State; ~~(C)~~ and ~~(C)~~ are covered by a plan that is in conformity with the terms of
10 the agreement and has been approved by the State agency under section 575 of
11 this title, shall be covered by the agreement;

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

19 * * *

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

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

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

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

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

17 § 574. CONTRIBUTIONS BY STATE EMPLOYEES

18 (a) Every employee of the State whose services are covered by an
19 agreement entered into under section 573 of this title shall be required to pay
20 for the period of such coverage, into the Contribution Fund established by
21 section 576 of this title, contributions, with respect to wages as defined in

1 section 572 of this title, equal to the amount of the employee tax that would be
2 imposed by the federal Insurance Contributions Act if such services
3 constituted employment within the meaning of that Act. Such liability shall
4 arise in consideration of the employee's retention in the service of the State, or
5 ~~his or her~~ the employee's entry upon such service, after April 26, 1951.

6 * * *

7 § 575. PLANS FOR COVERAGE OF EMPLOYEES OF POLITICAL
8 SUBDIVISIONS

9 * * *

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

16 (2) Each political subdivision required to make payments under
17 subdivision (1) of this subsection is authorized, in consideration of the
18 employee's retention in, or entry upon, employment after April 26, 1951, to
19 impose upon each of its employees, as to services that are covered by an
20 approved plan, a contribution with respect to ~~his or her~~ the employee's wages
21 as defined in section 572 of this title, not exceeding the amount of the

1 employee tax that would be imposed by the federal Insurance Contributions
2 Act if such services constituted employment within the meaning of that Act,
3 and to deduct the amount of such contribution from ~~his or her~~ the employee's
4 wages as and when paid. Contributions so collected shall be paid into the
5 Contribution Fund in partial discharge of the liability of such political
6 subdivision or instrumentality under subdivision (1) of this subsection. Failure
7 to deduct such contribution shall not relieve the employee or employer of
8 liability therefor.

9 * * *

10 § 576. CONTRIBUTION FUND

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

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

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

17 (2) all monies appropriated thereto under this chapter;

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

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

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

4 (c) All monies in the Fund shall be mingled and undivided. Subject to the
5 provisions of this chapter, the State agency is vested with full power, authority,
6 and jurisdiction over the Fund, including all monies and property or securities
7 belonging thereto, and may perform any and all acts, whether or not
8 specifically designated, that are necessary to the administration thereof and are
9 consistent with the provisions of this chapter.

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

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

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

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

20 ~~(e)~~(e) From the Contribution Fund the custodian of the Fund shall pay to
21 the Secretary of the Treasury such amounts and at such time or times as is

1 provided under the terms of the agreement entered into under section 573 of
2 this title and the Social Security Act.

3 ~~(d)~~(f) The ~~Treasurer of the State~~ Treasurer shall be ex officio treasurer and
4 custodian of the Contribution Fund and shall administer such fund in
5 accordance with the provisions of this chapter. The State Treasurer may
6 appoint a director and other assistants as ~~he or she~~ the Treasurer may deem
7 necessary to administer this chapter and fix their salaries, under the provisions
8 of section 310 of this title, with the approval of the Governor.

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

16 * * *

17 § 578. REFERENDA AND CERTIFICATION

18 (a) The Governor is empowered to authorize a referendum in accordance
19 with the requirements of Section 218(d)(3) of the Social Security Act or to
20 authorize a vote to be held according to Section 218(d)(6)(C) and Section
21 218(d)(7) of the Social Security Act on the question of whether service in

1 positions covered by a retirement system established by the State or by a
2 political subdivision thereof should be excluded from or included under an
3 agreement under this chapter, and to designate an agency or individual to
4 supervise the conduct of such referendum or vote. Where a vote is held
5 according to Sections 218(d)(6)(C) and 218(d)(7) of the Social Security Act,
6 the Retirement System shall be divided into two parts. One part, Part A, shall
7 be composed of the positions of members who in such vote have expressed a
8 desire to have their services in such positions included under the agreement
9 and of the positions of all individuals who become members of such System
10 after the agreement is extended to include the service of those members who
11 have expressed a desire to be covered under the Social Security Act, ~~and the~~
12 The other part, Part B, shall be composed of the positions of members who
13 have not expressed a desire in such vote to have their services included under
14 the agreement and the positions of any individual who was ineligible to be a
15 member of such retirement system on August 1, 1956, or, if later, on the day
16 ~~he or she~~ the individual first occupied such position. The notice of referendum
17 required by Section 218(d)(3)(C) of the Social Security Act or the notice of
18 the vote required by Section 218(d)(7)(B) of the Social Security Act shall
19 contain or shall be accompanied by a statement, in such form and such detail
20 as the agency or individual designated to supervise the conduct of the
21 referendum or the vote shall deem necessary and sufficient to inform

1 individuals to whom such notice is given of the rights that will accrue to them
2 and their dependents and survivors, and the liabilities to which they will be
3 subject, if their services are included under an agreement under this chapter.

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

9 * * *

10 § 579. WARRANT FOR STATE'S SHARE OF CONTRIBUTION

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

1 (b) Members of Vermont Employees' Retirement System. The
2 Commissioner of Finance and Management is hereby directed to issue ~~his or~~
3 ~~her~~ a warrant in favor of the Vermont State Treasurer, agent, for the amounts
4 necessary to pay the employer's share of the old age and survivors insurance
5 tax due the federal government as the result of the coverage agreement
6 authorized by this chapter being extended to employees of the State who are
7 members of the Vermont Employees' Retirement System. It is further directed
8 that after July 1, 1957₂ this tax be charged back to the individual departmental
9 appropriations.

10 (c) Members of Vermont State Retirement System. The Commissioner of
11 Finance and Management is hereby directed to issue ~~his or her~~ a warrant in
12 favor of the Vermont State Treasurer, agent, for the amounts necessary to pay
13 the employer's share of the old age and survivors insurance tax due the federal
14 government as the result of the coverage agreement authorized by this chapter
15 being extended to employees of the State who are members of the Vermont
16 State Retirement System and who were not subject to the provisions of
17 subsection (b) of this section as in effect on June 30, 1972. It is further
18 directed that after July 1, 1972₂ this tax be charged back to the individual
19 departmental appropriations.

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

2 § 941. UNIT DETERMINATION, CERTIFICATION, AND
3 REPRESENTATION

4 * * *

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

12 * * *

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

16 * * *

17 (D) The list shall be:

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

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

21 * * *

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

2 § 2222. POWERS AND DUTIES; BUDGET AND REPORT

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

5 * * *

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

9 * * *

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

13 * * *

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

15 § 2253. PERMISSIVE DUTIES; APPROVAL OF SECRETARY

16 Each commissioner may, with the approval of the Secretary:

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

19 * * *

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

2 § 2453. PERMISSIVE DUTIES; APPROVAL OF SECRETARY

3 * * *

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

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

8 § 2511. DEFINITIONS

9 * * *

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

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

14 § 2516. CONTRACT PROVISIONS

15 All contracts or grant awards conferring benefits to businesses after ~~the~~
16 ~~effective date of this subchapter~~ July 1, 1994, shall contain a provision
17 notifying the business of the recapture provisions provided in this section and
18 the qualified period for that business under that contract.

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

20 (i) The Secretary shall not process an application for which the applicable
21 fee has not been paid unless the Secretary specifies that the fee may be paid at

1 a different time or unless the person applying for the permit is exempt from the
2 permit fee requirements pursuant to 32 V.S.A. § 710. Municipalities shall be
3 exempt from the payment of fees under this section except for those fees
4 prescribed in subdivisions (j)(1), (7), (8), ~~(14)~~, and (15) of this section for
5 which a municipality may recover its costs by charging a user fee to those who
6 use the permitted services. Municipalities shall pay fees prescribed in
7 subdivisions (j)(2), (10), (11), (12), and (26), except that a municipality shall
8 also be exempt from those fees for stormwater systems prescribed in
9 subdivisions (j)(2)(A)(iii)(I), (II), or (IV) and (j)(2)(B)(iv)(I), (II), or (V) of
10 this section for which a municipality has assumed full legal responsibility
11 under 10 V.S.A. § 1264.

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

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

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

19 § 3002. CREATION OF AGENCY

20 * * *

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

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

5 § 3053. PERMISSIVE DUTIES; APPROVAL OF SECRETARY

6 The commissioner may, with the approval of the Secretary:

7 * * *

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

10 * * *

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

13 * * *

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

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

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

2 § 5022. DIVISION OF ARTIFICIAL INTELLIGENCE

3 * * *

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

7 * * *

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

11 * * *

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

13 § 6006. ENVIRONMENTAL JUSTICE ADVISORY COUNCIL AND
14 INTERAGENCY ENVIRONMENTAL JUSTICE COMMITTEE

15 (a) Advisory Council and Interagency Committee.

16 (1) There is created:

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

1 * * *

2 (c) Duties.

3 * * *

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

5 * * *

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

10 * * *

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

12 § 1102. JUDICIAL BUREAU; JURISDICTION

13 * * *

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

15 * * *

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

18 * * *

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

20 § 202. DEFINITIONS

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

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* * *

(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

1 any applicable State water quality permit or certification required under this
2 chapter.

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

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

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

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

18 * * *

19 (b) Prohibited conduct; offenses.

20 * * *

1 (3) Impaired driver penalties.

2 * * *

3 (C) During a suspension issued pursuant to subdivision (A) or (B) of
4 this subdivision (3), a person may operate a motor vehicle if issued an ignition
5 interlock restricted driver's license or certificate in accordance with 23 V.S.A.
6 § 1213.

7 * * *

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

14 * * *

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

16 § 3461. DEFINITIONS

17 As used in this chapter:

18 * * *

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

21 * * *

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

3 * * *

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

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

6 * * *

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

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

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

13 § 4072. MENTAL HEALTH AND SUBSTANCE USE DISORDER
14 SERVICES

15 * * *

16 (d)(1)(A) A health insurance plan that does not otherwise provide for
17 management of care under the plan, or that does not provide for the same
18 degree of management of care for all health conditions, may provide coverage
19 for treatment of mental conditions through a managed care organization,
20 provided that the managed care organization is in compliance with rules
21 adopted by the Commissioner that ensure that the system for delivery of

1 treatment for mental conditions does not diminish or negate the purpose of this
2 section. In reviewing policy rates and forms pursuant to section 4026 of this
3 title, the Commissioner or the Green Mountain Care Board established in 18
4 V.S.A. chapter 220, as appropriate, shall consider the compliance of the policy
5 with the provisions of this section.

6 * * *

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

10 * * *

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

13 * * *

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

15 * * *

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

17 (A) necessary to develop skills and abilities for the maximum
18 reduction of physical or mental disability and for restoration of an individual
19 to the individual's best functional level, or to ensure that an individual under
20 21 years of age achieves proper growth and development; and

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

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

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

9 § 2491. ~~FINDINGS; LEGISLATIVE INTENT~~

10 The General Assembly finds that:

11 * * *

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

13 § 2494s. ~~SALE OF PERSONAL PROTECTIVE EQUIPMENT~~

14 ~~CONTAINING PFAS~~ PROHIBITED SALE OF PERSONAL

15 PROTECTIVE EQUIPMENT CONTAINING PFAS

16 * * *

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

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

19 Leases;

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

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

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

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

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

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

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

19 (4) subject to subsection (g) of this section, if the debtor is an individual
20 to whom this state State has issued a driver’s license that has not expired, only

1 if the financing statement provides the name of the individual ~~which~~ that is
2 indicated on the driver's license;

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

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

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

9 (c) An assignment of record of a security interest in a fixture covered by a
10 record of a mortgage ~~which~~ that is effective as a financing statement filed as a
11 fixture filing under subsection 9—502(c) of this title may be made only by an
12 assignment of record of the mortgage in the manner provided by law of this
13 ~~state~~ State other than this title.

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

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

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

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

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

2 § 9—807. AMENDMENT OF PRE-EFFECTIVE-DATE FINANCING

3 STATEMENT

4 * * *

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

9 * * *

10 (e) Whether or not the law of this ~~state~~ State governs perfection of a
11 security interest, the effectiveness of a pre-effective-date financing statement
12 filed in this State may be terminated after the Act takes effect by filing a
13 termination statement in the office in which the pre-effective-date financing
14 statement is filed, unless an initial financing statement that satisfies subsection
15 9—806(c) of this title has been filed in the office specified by the law of the
16 jurisdiction governing perfection as provided in Article 9 of this title, as
17 amended by the Act, as the office in which to file a financing statement.

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

19 (b) As used in this section:

20 * * *

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

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

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

11 (2) “Fertilizer” ~~shall have~~ has the same meaning as in 6 V.S.A. ~~§ 363(5)~~
12 § 363(7).

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

14 (8) A person with developmental disabilities who is a Vermont resident
15 may receive a free permanent fishing license upon submission to the
16 Commissioner of a statement signed by the person’s treating health care
17 provider, as that term is defined in 18 V.S.A. § 9402, certifying that the person
18 meets the definition of a person with ~~development~~ developmental disabilities.
19 “A person with developmental disabilities” has the same meaning as in 18
20 V.S.A. § 9302.

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

2 (e) The Land Use Review Board and any District Commission, acting
3 through one or more duly authorized representatives at any prehearing
4 conference or at any other times deemed appropriate by the ~~Natural Resources~~
5 Board or by the District Commission, shall promote expeditious, informal, and
6 nonadversarial resolution of issues, require the timely exchange of information
7 concerning the application, and encourage participants to settle differences.
8 No District Commissioner who is participating as a ~~decisionmaker~~ decision-
9 maker in a particular case may act as a duly authorized representative for the
10 purposes of this subsection. These efforts at dispute resolution shall not affect
11 the burden of proof on issues before a Commission or the Environmental
12 Division, nor shall they affect the requirement that a permit may be issued
13 only after the issuance of affirmative findings under the criteria established in
14 section 6086 of this title.

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

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

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

2 § 8004. ENFORCEMENT OF ACT 250

3 In addition to the enforcement of chapter 151 of this title on the Secretary's
4 initiative, the Secretary shall institute enforcement proceedings under chapter
5 151 when requested by the ~~Natural Resources~~ Land Use Review Board. The
6 Secretary and the Land Use Review Board shall develop procedures for the
7 cooperative enforcement of chapter 151 of this title.

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

9 § 8007. ASSURANCES OF DISCONTINUANCE

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

14 * * *

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

16 § 1639. FORMS; PROCEDURES; RULES

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

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

2 § 1388. STOCK SUPPLY AND EMERGENCY ADMINISTRATION OF
3 EPINEPHRINE

4 (a) As used in this section:

5 * * *

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

12 * * *

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

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

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

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

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

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

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

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

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

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

2 CHAPTER 31. CONVENTIONS TO AMEND U.S. CONSTITUTION

3 § 1811. GOVERNOR TO CALL

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

13 § 1812. COMPOSITION OF CONVENTION

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

18 § 1813. ELECTION OF DELEGATES

19 The election of delegates shall take place not less than three nor more than
20 12 months after the call, but in no case shall it occur within 40 days ~~of~~ before
21 the date fixed by law for a general or primary election.

1 § 1814. APPOINTMENT OF CANDIDATES FOR DELEGATES

2 Not less than 30 days before the date of the election of delegates, the
3 Governor, the Lieutenant Governor, and the Speaker of the House of
4 Representatives, or in case of incapacity of any one of them, the Secretary of
5 State in ~~his or her~~ that person's stead, shall appoint and forthwith announce the
6 names of 28 candidates for delegates, ~~such~~ the candidates being in their
7 opinion representative citizens of Vermont. Fourteen of these candidates shall
8 be persons who assent to the placing of their names on the ballots as "For
9 Ratification," and 14 shall be persons who assent to the placing of their names
10 on the ballot as "Against Ratification." One candidate for ratification and one
11 candidate against ratification shall be appointed from each county in the State.

12 § 1815. ACCEPTANCE OF CANDIDACY

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

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

19 Signed"

20 * * *

1 § 1818. CHECKLIST TO BE USED

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

6 § 1819. CANVASSING BOARD

7 The Lieutenant Governor, the Speaker of the House of Representatives, and
8 the Secretary of State shall canvass the ballots, declaring elected the 14
9 candidates who have received the greatest number of votes, and the Secretary
10 of State shall publish the results. The Secretary of State, upon the completion
11 of the canvass, shall mail or deliver in person to each delegate so elected a
12 notice ~~thereof~~ of election, and ~~such~~ the delegates so elected shall be members
13 of the convention.

14 § 1820. GENERAL ELECTION LAW TO APPLY; EXPENSE OF
15 ELECTION

16 Expenses of ~~such~~ the election shall be paid by the State or town as in the
17 case of general elections. The statutory provisions as to holding general
18 elections, furnishing ballots, instructions and forms, appointment and payment
19 of election officers, filling of vacancies, solicitation of voters at the polls,
20 challenging of voters, manner of conducting elections, counting and preserving
21 the ballots and making ballot returns ~~thereof~~, and all other kindred subjects

1 shall apply to ~~such~~ the elections insofar as they are consistent with this chapter,
2 it being the intent of this chapter to place ~~such~~ the elections under the
3 regulation and protection of the laws relating to general elections.

4 § 1821. CONSTRUCTION OF CHAPTER

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

10 * * *

11 § 1823. QUORUM; SECRETARY

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

17 * * *

18 § 1825. EFFECT OF CONGRESSIONAL PRESCRIPTION OF THE
19 MANNER OF HOLDING CONVENTIONS

20 If, on or about the time of submitting any such amendment, Congress, in
21 the resolution submitting the ~~same~~ amendment, or by statute, shall prescribe

1 the manner in which the conventions shall be constituted, the preceding
2 provisions of this chapter shall be inoperative. The convention shall be
3 constituted and shall operate as the resolution or act of Congress shall direct,
4 and all officers of the State who may by the resolution or statute be authorized
5 or directed to take any action to constitute such a convention for this State are
6 hereby authorized and directed to act ~~thereunder~~ under and in conformity
7 ~~thereto~~ with the resolution or statute, with the same force and effect as if acting
8 under a statute of this State.

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

10 § 1891. STATEMENT OF POLICY

11 The order of the U.S. District Court for the district of Vermont entered
12 August 3, 1964, modified and affirmed by the Supreme Court of the United
13 States, January 12, 1965 (*Parsons v. Buckley*, 85 S.Ct. 503, 379 U.S. 359
14 (1965), 13 L.Ed.2d 352), requires that both houses of the Vermont General
15 Assembly ~~of Vermont~~ be apportioned and districted on a basis other than the
16 manner provided for in the Constitution of this State. ~~Such~~ The order further
17 provides that if reapportionment legislation is not enacted by July 1, 1965, the
18 district court shall reapportion the General Assembly so as to comply with the
19 Equal Protection Clause of the ~~Fourteenth~~ 14th Amendment to the U.S.
20 Constitution. In the light of this order, the Vermont General Assembly ~~of~~
21 ~~Vermont~~ declares that apportioning and districting is primarily a responsibility

1 of the ~~Legislature~~ General Assembly at this time to be accomplished by this
2 chapter, and in such a manner as to achieve substantial equality in the choice
3 of members of the General Assembly as guaranteed by the U.S. Constitution
4 ~~of the United States of America~~. It is further declared to be the policy of the
5 State of Vermont that the constitutional basis of apportionment of the House of
6 Representatives can best be measured in this State by population.

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

8 CHAPTER 34A. PERIODIC REAPPORTIONMENT

9 § 1901. PURPOSE

10 * * *

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

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

16 * * *

17 § 1903. PERIODIC REAPPORTIONMENT; STANDARDS

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

1 * * *

2 § 1904. LEGISLATIVE APPORTIONMENT BOARD

3 (a) There is hereby created the Legislative Apportionment Board,
4 consisting of: a special master designated by the Chief Justice of the Supreme
5 Court; one resident of the State of Vermont for five years immediately
6 preceding the appointment, appointed by the Governor from each political
7 party that has had more than three members serve as members of the General
8 Assembly, who are not all from the same county, for at least three of the five
9 biennial legislative sessions since the taking of the previous decennial census
10 of the United States; and one resident of the State of Vermont for the five years
11 immediately preceding the appointment, elected by the State committee of
12 each of those political parties, a quorum of each committee being present and
13 voting. No member of the Board shall serve as a member or employee of the
14 General Assembly, or of either house thereof. The special master so
15 designated shall be Chair of the Board, and shall call such meetings as may be
16 necessary for the accomplishment of the duties of the Board ~~hereafter set forth~~
17 pursuant to this chapter. The Vermont Secretary of State ~~of Vermont~~ shall be
18 secretary of the Board, but shall have no vote. For the purpose of determining
19 representation of a political party under this section, if a candidate for election
20 to the General Assembly accepted a nomination from more than one political

1 party, that candidate's party affiliation shall be only that political party to
2 which ~~he or she~~ the candidate filed a petition for nomination.

3 * * *

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

8 * * *

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

11 * * *

12 § 1906. INITIAL DISTRICTS; FINAL PROPOSAL; FINAL PLAN

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

21 * * *

1 § 1906a. FINAL DIVISION INTO REPRESENTATIVE DISTRICTS

2 * * *

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

11 * * *

12 § 1907. SENATE APPORTIONMENT

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

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

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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.

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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

1 other voters who are voting in the polling place. The clerk shall record ~~any~~
2 ~~such~~ the voter as having voted in person on election day in the online election
3 management system.

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

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

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

2 § 2557. TOWN CLERK APPROVAL OF PROVISIONAL VOTER

3 ATTESTATION

4 (a) The town clerk may make ~~such~~ any investigation as ~~he or she~~ the clerk
5 deems proper to verify any fact stated in the application. In making the
6 determination whether to accept the provisional voter's attestation, the town
7 clerk shall determine whether the applicant meets all of the registration
8 eligibility requirements. However, the town clerk may not require a
9 provisional voter to complete any form other than that approved under section
10 2555 of this title; nor may the board of civil authority require all provisional
11 voters or any particular class or group of provisional voters to appear
12 personally before a meeting of the board or routinely or as a matter of policy
13 require provisional voters to submit additional information to verify or
14 otherwise support the information contained in the attestation.

15 * * *

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

17 § 2564. CHALLENGES

18 (a)(1)(A) Each organized political party, each candidate on the ballot not
19 representing an organized political party, and each committee supporting or
20 opposing any public question on the ballot shall have the right to have not
21 more than two representatives for each voting district, in a polling place but

1 outside the guardrail, for the purpose of observing the voting process and
2 challenging the right of any person to vote.

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

6 * * *

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

8 § 2586. TALLY SHEETS; SUMMARY SHEETS; RETURNS

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

12 * * *

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

18 * * *

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

20 § 2590. SECURING AND STORING BALLOTS, TALLY SHEETS, AND

21 CHECKLISTS

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(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.

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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.

* * *

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

2 § 2602e. SORTING BALLOTS; BALLOT REVIEW; RECOUNT OF
3 REMOVED BALLOTS BY HAND

4 * * *

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

6 * * *

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

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

15 * * *

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

17 § 2602j. COURT HEARING AND JUDGMENT

18 * * *

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

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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.

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

2 § 2606. SENATE

3 * * *

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

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

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

15 § 2616. JURISDICTION TO PROSECUTE CRIMINAL OFFENSES

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

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

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

2 § 2630. APPLICABILITY

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

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

6 § 2631. MUNICIPAL CHARTERS

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

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

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

13 § 2640. ANNUAL MEETINGS

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

20 (b)(1) When a town so votes, it may thereafter start its annual meeting on
21 any of the three days immediately preceding the first Tuesday in March at such

1 a time as it elects and may transact at that time any business not involving
2 voting by Australian ballot or voting required by law to be by ballot and to be
3 held on the first Tuesday in March. A meeting so started shall be adjourned
4 until the first Tuesday in March.

5 * * *

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

7 § 2640a. REPRESENTATIVE ANNUAL MEETINGS

8 * * *

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

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

1 take place, and copies thereof of the organizational resolution shall be made
2 available to members of the public upon request.

3 * * *

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

5 § 2641. WARNING AND NOTICE REQUIRED; PUBLICATION OF
6 WARNINGS

7 * * *

8 (b) In addition, the warning shall be published in a newspaper of general
9 circulation in the municipality at least five days before the meeting, unless the
10 warning is published in the town report and distributed as provided in
11 24 V.S.A. § 1682. The legislative body annually shall designate the paper in
12 which ~~such a~~ the warning may be published. The warning shall also be posted
13 on the municipality's website, if the municipality actively updates its website
14 on a regular basis.

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

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

18 § 2645. CHARTERS; ADOPTION, REPEAL, OR AMENDMENT;
19 PROCEDURE

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

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

3 * * *

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

9 * * *

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

15 (B) If revisions are made, the legislative body shall post a notice of
16 these revisions in the same places as the warning for the meeting not less than
17 20 days before the date of the meeting and shall attach ~~such~~ the revisions to the
18 official copy kept on file for public inspection in the office of the clerk of the
19 municipality.

20 * * *

1 an appointed water commissioner from office for just cause after due notice
2 and hearing. The selectboard may appoint members of their own board to
3 serve as water commissioners.

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

5 § 2651a. CONSTABLES; APPOINTMENT; REMOVAL; ELIMINATION
6 OF OFFICE

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

10 * * *

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

16 * * *

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

18 § 2651b. ELIMINATION OF OFFICE OF AUDITOR; APPOINTMENT OF
19 PUBLIC ACCOUNTANT

20 * * *

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

5 * * *

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

7 § 2651c. LACK OF ELECTED LISTER; APPOINTMENT OF LISTER;
8 ELIMINATION OF OFFICE; HIRING ASSESSORS

9 * * *

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

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

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

21 * * *

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

2 § 2651d. COLLECTOR OF DELINQUENT TAXES; APPOINTMENT;

3 REMOVAL

4 * * *

5 (b) When a municipality votes to authorize the legislative body to appoint a
6 collector of delinquent taxes, the legislative body's authority to make ~~such~~ the
7 appointment shall remain in effect until the municipality rescinds that authority
8 by the majority vote of the registered voters present and voting at an annual or
9 special meeting, duly warned for that purpose.

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

11 § 2658. DUTIES

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

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

2 § 2660. CONDUCT OF ELECTION

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

6 (b) When election is by ballot, a majority of all votes cast for any office
7 shall be required for an election, unless otherwise provided by law; provided
8 that when there is ~~but~~ only one nominee for an office, unless objection is
9 made, the legal voters may vote to instruct the town clerk to cast one ballot for
10 ~~such~~ the nominee and upon ~~such~~ the ballot being cast ~~he or she~~ the nominee
11 shall be declared elected.

12 * * *

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

14 § 2661. RECONSIDERATION OR RESCISSION OF VOTE

15 (a) A warned article voted on at an annual or special meeting of a
16 municipality shall not be submitted to the voters for reconsideration or
17 rescission at the same meeting after the assembly has begun consideration of
18 another article. If the voters have begun consideration of another article, the
19 original article may only be submitted to the voters at a subsequent annual or
20 special meeting duly warned for the purpose and called by the legislative body
21 on its own motion or pursuant to a petition requesting ~~such~~ a reconsideration

1 or rescission signed and submitted in accordance with subsection (b) of this
2 section. A vote taken at an annual or special meeting shall remain in effect
3 unless rescinded or amended.

4 * * *

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

6 § 2663. CERTIFICATE OF VOTE

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

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

11 § 2664. BUDGET

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

1 include, in its annual report, a description of all grants or gifts accepted during
2 the year and associated expenditures.

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

4 § 2667. ACCESS TO ANNUAL MEETING

5 The legislative body of the municipality shall take reasonable measures to
6 ensure that voters who are elders or have a disability may conveniently attend
7 annual or special meetings; provided, however, that ~~such~~ the measures need
8 not be taken if doing so would impose undue hardship on the town. Measures
9 may include location of meetings on the ground floor of buildings or providing
10 ramps or other devices for access to meetings. In municipal elections using the
11 Australian ballot system of voting, subsection 2502(b) of this title shall apply.
12 For the purposes of this section, the legislative body shall have full jurisdiction
13 on the day of the municipal meeting over the premises at which the town
14 meeting is to be held.

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

16 § 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

17 * * *

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

1 political party whose certificate of organization has been filed properly with
2 the Secretary of State unless the candidate has been endorsed by a legally
3 called town caucus of that political party for the office in question. In any
4 event, the candidate must still file the petition and consent form required by
5 section 2681 of this title.

6 * * *

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

8 § 2685a. PROCEDURE FOR RECOUNT

9 * * *

10 (b) Preparation for recount.

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

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

18 * * *

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

2 § 2703. EXAMINING PETITIONS; SUPPLEMENTARY PETITIONS

3 The Secretary of State shall examine the petitions and ascertain whether
4 they conform to the provisions of this chapter, and sections 2353, 2354, and
5 2358 of this title. If found not to conform, the Secretary shall state in writing
6 why a particular petition cannot be accepted, and within two business days
7 from receipt, the Secretary shall return it to the candidate in whose behalf it
8 was filed. ~~In such case, supplementary~~ Supplementary petitions may be filed
9 not later than 10 days after the deadline for filing petitions. However,
10 supplementary petitions shall not be accepted if petitions with the signatures of
11 at least 1,000 persons were not filed by the deadline for filing petitions set
12 forth in section 2702 of this chapter.

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

14 § 2715. PARTY CONVENTION TO ELECT DELEGATES

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

21 * * *

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

2 § 2732. MEETING OF ELECTORS

3 * * *

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

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

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

14 * * *

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

16 § 2753. ARTICLE III—MANNER OF APPOINTING PRESIDENTIAL
17 ELECTORS IN MEMBER STATES

18 (a) Prior to the time set by law for the meeting and voting by the
19 presidential electors, the chief election official of each member state shall
20 determine the number of votes for each presidential slate in each ~~State~~ state of
21 the United States and in the District of Columbia in which votes have been cast

1 in a statewide popular election and shall add ~~such~~ the votes together to produce
2 a “national popular vote total” for each presidential slate.

3 * * *

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

10 * * *

11 (g) If, for any reason, the number of presidential electors nominated in a
12 member state in association with the national popular vote winner is less than
13 or greater than that state’s number of electoral votes, the presidential candidate
14 on the presidential slate that has been designated as the national popular vote
15 winner shall have the power to nominate the presidential electors for that state
16 and that state’s presidential elector certifying official shall certify the
17 appointment of ~~such~~ the nominees.

18 * * *

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

2 § 2754. ARTICLE IV—OTHER PROVISIONS

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

7 * * *

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

9 § 2755. ARTICLE V—DEFINITIONS

10 For purposes of this agreement:

11 * * *

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

18 * * *

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

20 § 2901. DEFINITIONS

21 As used in this chapter:

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* * *

(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

* * *

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

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

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

10 § 48. COMMUNITY RESILIENCE AND DISASTER MITIGATION
11 GRANT PROGRAM

12 * * *

13 (c) Administration; implementation.

14 * * *

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

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

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

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

10 § 309. FLEXIBLE WORKING ARRANGEMENTS

11 * * *

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

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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

1 employment, shall remit to the employee any remaining funds, including
2 interest earnings, held in the account.

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

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

11 * * *

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

13 § 384. EMPLOYMENT; WAGES

14 * * *

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

18 However, this subsection shall not apply to:

19 * * *

1 disease, diabetes, intellectual disability, emotional illness, and drug addiction
2 and alcoholism.

3 * * *

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

5 § 1314. REPORTS AND RECORDS; SEPARATION INFORMATION;
6 DETERMINATION OF ELIGIBILITY; FAILURE TO REPORT
7 EMPLOYMENT INFORMATION; DISCLOSURE OF
8 INFORMATION TO OTHER STATE AGENCIES TO
9 INVESTIGATE MISCLASSIFICATION OR MISCODING

10 * * *

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

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

2 § 1321. CONTRIBUTIONS; TAXABLE WAGE BASE CHANGES

3 * * *

4 (b) Base of contributions. The term “wages” ~~shall~~ does not include that
5 part of remuneration that, after remuneration equal to \$13,000.00 on January
6 1, 2011, and \$16,000.00 on January 1, 2012, has been paid in a calendar year
7 to an individual by an employer with respect to employment during a calendar
8 year, unless that part of the remuneration is subject to a tax under a federal law
9 imposing a tax against which credit may be taken for contributions required to
10 be paid into a state unemployment fund. After January 1, 2012, whenever the
11 Unemployment Compensation Trust Fund has a positive balance and all
12 advances made to the State Unemployment Compensation Trust Fund pursuant
13 to Title XII of the Social Security Act have been repaid as of June 1, the base
14 of contribution amount shall be adjusted on January 1 of the following year by
15 the same percentage as any increase in the State annual average wage as
16 calculated pursuant to subsection 1338(g) of this subchapter. When the
17 unemployment contribution rate schedule established by subsection 1326(e) of
18 this subchapter is reduced to schedule III, the base of contribution amount
19 shall be reduced by \$2,000.00 on January 1 of the following year and shall be
20 adjusted annually thereafter on January 1 of the following year by the same
21 percentage as any increase in the State annual average wage as calculated

1 pursuant to subsection 1338(g) of this subchapter. When the unemployment
2 contribution rate schedule established by subsection 1326(e) of this subchapter
3 is reduced to schedule I, the base of contribution amount shall be reduced by
4 \$2,000.00 on January 1 of the following year and shall be adjusted annually
5 thereafter on January 1 of the following year by the same percentage as any
6 increase in the State annual average wage as calculated pursuant to subsection
7 1338(g) of this subchapter. For the purposes of this subsection:

8 * * *

9 (c) Nonprofit organizations.

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

11 * * *

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

13 § 1325. EMPLOYERS' EXPERIENCE-RATING RECORDS;

14 DISCLOSURE TO SUCCESSOR ENTITY

15 * * *

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

18 * * *

19 (2) Whenever a person ~~who~~ is not an employer under this chapter at the
20 time it acquires the trade or business of an employer, the unemployment
21 experience of the acquired business shall not be transferred to such person if

1 the Commissioner finds that such person acquired the business solely or
2 primarily for the purpose of obtaining a lower rate of contributions. Instead,
3 that person shall be assigned the highest rate assignable under this chapter until
4 being subject to this chapter for a sufficient period of time to have ~~his or her~~
5 the person's rate computed under section 1326 of this title. In determining
6 whether the business was acquired solely or primarily for the purpose of
7 obtaining a lower rate of contribution, the Commissioner shall use objective
8 factors that may include:

9 * * *

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

11 § 1326. RATE BASED ON BENEFIT EXPERIENCE

12 * * *

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

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

20 * * *

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

2 § 1334. JUDGMENT; EXCEPTION

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

8 * * *

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

10 § 1338. WEEKLY BENEFITS

11 * * *

12 (f) [Subdivision (f)(1) effective until occurrence of contingency; see also
13 contingent amendments to subdivision (f)(1) by 2021, No. 183, §§52c–52e and
14 52g set out below.]

15 (1) The maximum weekly benefit amount shall be annually adjusted on
16 the first day of the first calendar week in July to an amount equal to the sum of
17 \$60.00 plus 57 percent of the State annual average weekly wage as determined
18 by subsection (g) of this section.

19 [Contingent amendment to subdivision (f)(1) by 2021, No. 183 (Adj.
20 Sess.), §§ 52c and 52g; see also subdivision (f)(1) effective until occurrence of

1 contingencies set out above and contingent amendment to subdivision (f)(1) by
2 2021, No. 183 (Adj. Sess.), §§ 52d and 52e set out below.]

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

7 [Contingent amendment to subdivision (f)(1) by 2021, No. 183 (Adj.
8 Sess.), §§ 52d and 52e; see also subdivision (f)(1) effective until occurrence of
9 contingencies and contingent amendment to subdivision (f)(1) by 2021, No.
10 183 (Adj. Sess.), §§ 52c and 52g set out above.]

11 (1) The maximum weekly benefit amount shall be annually adjusted on
12 the first day of the first calendar week in July to an amount equal to the sum of
13 \$25.00 plus 57 percent of the State annual average weekly wage as determined
14 by subsection (g) of this section.

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

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

20 * * *

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

2 § 1621. UNFAIR LABOR PRACTICES

3 * * *

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

5 * * *

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

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

12 * * *

13 (e)(1) For the purposes of this section, to bargain collectively is the
14 performance of the mutual obligation of the employer and the representative of
15 the employees to meet at reasonable times and confer in good faith with
16 respect to wages, hours, and other terms and conditions of employment, or the
17 negotiation of an agreement, or any question arising under the agreement, and
18 the execution of a written contract incorporating any agreement reached is
19 requested by either party; but the failure or refusal of either party to agree to a
20 proposal, or to change or withdraw a lawful proposal, or to make a concession

1 shall not constitute, or be evidence direct or indirect of, a breach of this
2 obligation.

3 * * *

4 (3) The duties imposed upon employers, employees, and labor
5 organizations ~~by~~ pursuant to subdivisions ~~(e)~~(2)(B), (C), and (D) of this
6 subsection shall become inapplicable upon an intervening certification of the
7 Board, under which the labor organization or individual, which is a party to
8 the contract, has been superseded as or ceased to be the representative of the
9 employees subject to the provisions of section 1583 of this title, and the duties
10 so imposed shall not be construed as requiring either party to discuss or agree
11 to any modifications of the terms and conditions contained in a contract for a
12 fixed period, if such modification is to become effective before such terms and
13 conditions can be reopened under the provisions of the contract. Any
14 employee who engages in a strike within the 60-day period specified in this
15 subsection shall lose ~~his or her~~ the employee's status as an employee for the
16 employer engaged in the particular labor dispute, for the purposes of this
17 chapter, as amended, but ~~such~~ the loss of status for ~~such~~ the employee shall
18 terminate if and when ~~he or she~~ the employee is re-employed by such
19 employer.

20 * * *

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

2 § 1623. JUDICIAL REVIEW

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

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

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

20 (d) No objection that has not been urged before the Board may be
21 considered by the ~~court~~ Court, unless the failure or neglect to urge such

1 objection shall be excused because of extraordinary circumstances. The
2 findings of the Board with respect to questions of fact, if supported by
3 substantial evidence on the record considered as a whole, shall be conclusive.
4 However, if either party applies to the ~~court~~ Court for leave to adduce
5 additional evidence, and shows to the satisfaction of the ~~court~~ Court that such
6 additional evidence is material and that there were reasonable grounds for the
7 failure to adduce such additional evidence at the hearing before the Board, the
8 ~~court~~ Court may order such additional evidence to be taken before the Board
9 and to be made a part of the record. The Board may modify its findings as to
10 facts or make new findings because of additional evidence so taken. The
11 Board shall file such modified or new findings which findings with respect to
12 questions of fact, if supported by substantial evidence on the record considered
13 as a whole, shall be conclusive, and shall file its recommendations, if any, for
14 the modification or setting aside of its original order.

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

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

18 (g) The Board shall have the power upon issuance of a complaint as
19 provided for under this chapter to petition the Superior Court within any
20 county wherein the unfair labor practice is alleged to have occurred, for
21 appropriate temporary relief or restraining order. Upon the filing of such

1 petition, the ~~court~~ Court shall cause notice thereof to be served upon such
2 person; and, thereupon, shall have jurisdiction to grant to the Board such
3 temporary relief as it deems just and proper.

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

5 § 1724. CERTIFICATION PROCEDURE

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

8 * * *

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

14 (ii) A hearing shall be held before the Board pursuant to
15 subdivision ~~(d)(1)(B)(b)(2)~~ of this section in the event the employer challenges
16 the appropriateness of the proposed bargaining unit, provided that a hearing
17 shall not be held if the parties stipulate to the composition of the appropriate
18 bargaining unit and resolve any other unit determination issues before the
19 hearing.

20 * * *

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

2 § 367. TRUCKS

3 (a)(1) The annual fee for registration of tractors, truck-tractors, or motor
4 trucks except truck cranes, truck shovels, road oilers, bituminous distributors,
5 and farm trucks used as specified in subsection (f) of this section shall be
6 based on the total weight of the truck-tractor or motor truck, including body
7 and cab plus the heaviest load to be carried. In computing the fees for
8 registration of tractors, truck-tractors, or motor trucks with trailers or semi-
9 trailers attached, except trailers or semi-trailers with a gross weight of less than
10 6,099 pounds, the fee shall be based upon the weight of the tractor, truck-
11 tractor, or motor truck; the weight of the trailer or semi-trailer; and the
12 weight of the heaviest load to be carried by the combined vehicles. In addition
13 to the fee set out in the following schedule, the fee for vehicles weighing
14 between 10,100 and 26,099 pounds inclusive shall be an additional \$42.53, the
15 fee for vehicles weighing between 26,100 and 40,099 pounds inclusive shall
16 be an additional \$85.03, the fee for vehicles weighing between 40,100 and
17 60,099 pounds inclusive shall be an additional \$297.68, and the fee for
18 vehicles 60,100 pounds and over shall be an additional \$467.80. The fee shall
19 be computed at the following rates per 1,000 pounds of weight determined
20 pursuant to this subdivision and rounded up to the nearest whole dollar; the

1 minimum fee for registering a tractor, truck-tractor, or motor truck to 6,099
2 pounds shall be the same as for the pleasure car type:

3 \$18.21 when the weight is at least 6,100 pounds but not more than
4 8,099 pounds.

5 \$20.83 when the weight is at least 8,100 pounds but not more than
6 12,099 pounds.

7 \$22.97 when the weight is at least 12,100 pounds but not more than
8 16,099 pounds.

9 \$24.56 when the weight is at least 16,100 pounds but not more than
10 20,099 pounds.

11 \$25.71 when the weight is at least 20,100 pounds but not more than
12 30,099 pounds.

13 \$26.26 when the weight is at least 30,100 pounds but not more than
14 40,099 pounds.

15 \$26.90 when the weight is at least 40,100 pounds but not more than
16 50,099 pounds.

17 \$27.13 when the weight is at least 50,100 pounds but not more than
18 60,099 pounds.

19 \$28.06 when the weight is at least 60,100 pounds but not more than
20 70,099 pounds.

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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

1 person is operating on land owned, leased, or farmed by the person's parents,
2 family, or guardian or the operator is the ~~land owner~~ landowner.

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

5 * * *

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

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

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

19 * * *

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

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(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,

1 medical, and vocational benefits to which an injured offender may be entitled
2 as well as procedures for resolving disputes. To the extent practicable and
3 consistent with the requirements of the Department, compensation, medical,
4 and vocational benefits shall be comparable to what a similarly injured
5 employee would receive under 21 V.S.A. chapter 9.

6 * * *

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

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

14 Sec. 127. [Deleted.]

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

16 (C) For owner-occupied housing that is subject to a housing subsidy
17 covenant, as defined in 27 V.S.A. § 610, imposed by a governmental, quasi-
18 governmental, or public purpose entity, that limits the price for which the
19 property may be sold, the housing subsidy covenant shall be deemed to cause a
20 material decrease in the value of the owner-occupied housing, and the
21 appraisal value means not less than 60 and not more than 70 percent of what

1 the fair market value of the property would be if it were not subject to the
2 housing subsidy covenant. Every five years, starting in 2019, the
3 Commissioner of Taxes, in consultation with the Vermont Housing
4 Conservation Board, shall report to the House Committee on Ways and Means
5 on whether the percentage of appraised ~~value~~ value used in this subdivision
6 (C) should be altered and the reasons for ~~his or her~~ the Commissioner's
7 determination.

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

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

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

17 (a) The Child Care Contribution Special Fund is created pursuant to
18 chapter 7, subchapter 5 of this title and shall be administered by the
19 Department for Children and Families and the Department of Taxes. Monies
20 in the Fund may be expended by the Department of Taxes for the
21 administration of the Child Care ~~and Parental Leave~~ Contribution created

1 under this chapter; by the Department for Children and Families for benefits
2 provided by the Child Care Financial Assistance Program established in 33
3 V.S.A. §§ 3512 and 3513, including the provision of incentive payments
4 pursuant to 33 V.S.A. § 3515; and by the Departments for necessary costs
5 incurred in administering the Fund. All interest earned on Fund balances shall
6 be credited to the Fund.

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

8 (e) In determining eligibility and benefit levels for parents who are under
9 18 years of age in participating families, the Commissioner shall:

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

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

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

1 health condition when medically necessary high-intensity, medically monitored
2 residential treatment episodes are prescribed by a health care professional
3 employed by a residential treatment program who is practicing within the
4 scope of the health care professional's license and the residential treatment
5 program is participating in Vermont's Medicaid program.

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

7 § 4110. EMPLOYER OBLIGATIONS

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

12 * * *

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

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

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

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

21 * * *

1 Sec. 136. EFFECTIVE DATE

2 This act shall take effect on passage.