

# Journal of the House

Thursday, March 20, 2025

At one o'clock in the afternoon, the Speaker called the House to order.

## Devotional Exercises

Devotional exercises were conducted by Rep. Rey Garofano of Essex.

## Message from the Senate No. 28

A message was received from the Senate by Ms. Gradel, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

**S. 45.** An act relating to protection from nuisance suits for agricultural activities.

**S. 66.** An act relating to motor vehicle noise, exhaust modifications, and engine compression brakes.

**S. 87.** An act relating to extradition procedures.

In the passage of which the concurrence of the House is requested.

## House Bill Introduced

### H. 490

By Reps. Bos-Lun of Westminster, Goodnow of Brattleboro, Casey of Montpelier, Cole of Hartford, Eastes of Guilford, Headrick of Burlington, McGill of Bridport, Morrow of Weston, Rachelson of Burlington, and Sweeney of Shelburne,

House bill, entitled

An act relating to incentivizing community service sentencing in certain cases

Was read the first time and referred to the Committee on Judiciary.

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**Bills Referred to Committee on Appropriations**

House bills of the following titles, appearing on the Notice Calendar, carrying appropriations, under House Rule 35(a), were referred to the Committee on Appropriations:

**H. 481**

House bill, entitled

An act relating to stormwater management

**H. 488**

House bill, entitled

An act relating to the fiscal year 2026 Transportation Program and miscellaneous changes to laws related to transportation

**Joint Senate Resolution Referred to Committee****J.R.S. 15**

Offered by Senators Hardy, Baruth, Beck, Bongartz, Brennan, Chittenden, Clarkson, Collamore, Cummings, Douglass, Gulick, Harrison, Hashim, Lyons, Major, Mattos, Perchlik, Plunkett, Ram Hinsdale, Vyhovsky, Watson, White and Williams,

**J.R.S. 15.** Joint resolution supporting Vermont's transgender and non-binary community and declaring Vermont's commitment to fighting discrimination and treating all citizens with respect and dignity.

*Whereas*, Vermont is deeply committed to the principles of equity and inclusion and values the transgender and non-binary individuals in our community, and

*Whereas*, Vermont has been a leader in establishing policies that prohibit discrimination based on gender identity, enacting broad protections in law in the areas of employment, housing, education, banking, and public accommodations, and

*Whereas*, Vermont enacted legislation permitting individuals to amend their vital records to accurately reflect and affirm their gender identities, and

*Whereas*, Vermont recently enacted comprehensive legislation to affirm the right of individuals to obtain essential gender-affirming medical care and to protect those individuals, their families, and their health care providers from legal attacks initiated outside our State, and

*Whereas*, Vermont unequivocally rejects any attempt to stigmatize, devalue, and discriminate against individuals based on their gender identity and is committed to ensuring that transgender and non-binary individuals living in, working in, or visiting our State receive equal protection under the laws of our State, *now therefore be it*

***Resolved by the Senate and House of Representatives:***

That the General Assembly recommits to the principle that all individuals are welcome here and deserve to be treated with dignity and respect and that Vermont will continue to stand with our transgender and non-binary family, friends, and neighbors against discrimination, *and be it further*

***Resolved:*** That the Secretary of State be directed to send a copy of this resolution to the Pride Center of Vermont, Outright Vermont, and to the Vermont Congressional Delegation.

Was read by title, treated as a bill, and referred to the Committee on Judiciary pursuant to House Rule 52.

**Action on Bill Postponed**

**H. 474**

House bill, entitled

An act relating to miscellaneous changes to election law

Was taken up and, pending second reading, on motion of **Rep. Birong of Vergennes**, action on the bill was postponed until March 25, 2025.

**Action on Bill Postponed**

**H. 244**

House bill, entitled

An act relating to State contracting standards for advertising

Was taken up and, pending second reading, on motion of **Rep. Birong of Vergennes**, action on the bill was postponed until March 26, 2025.

**Third Reading; Bills Passed**

House bills of the following titles were severally taken up, read the third time, and passed:

**H. 80**

House bill, entitled

An act relating to the Office of the Health Care Advocate

**H. 209**

House bill, entitled

An act relating to intranasal epinephrine in schools

**H. 219**

House bill, entitled

An act relating to creating a family support pilot program for incarcerated parents and guardians

**H. 222**

House bill, entitled

An act relating to participation in a domestic violence accountability program as a condition of a final relief from abuse prevention order

**H. 243**

House bill, entitled

An act relating to the regulation of business organizations

**Action on Bill Postponed****H. 342**

House bill, entitled

An act relating to protecting the personal information of certain public servants

Was taken up and, pending second reading, on motion of **Rep. Marcotte of Coventry**, action on the bill was postponed until March 21, 2025.

**Committee Bill; Second Reading; Amendment Offered;  
Third Reading Ordered****H. 480**

**Rep. Conlon of Cornwall** spoke for the Committee on Education.

House bill, entitled

An act relating to miscellaneous amendments to education law

Having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be read a third time?, **Rep. Boutin of Barre City** moved to amend the bill by adding a reader assistance heading and one new section to be Sec. 8a to read as follows:

\* \* \* Retirement Allowance for Interim Educators \* \* \*

Sec. 8a. 2022 Acts and Resolves No. 173, Sec. 1 is amended to read:

Sec. 1. FY 2023; RESTORATION OF SERVICE; VERMONT STATE  
TEACHERS' RETIREMENT SYSTEM

(a) Authority. Notwithstanding 16 V.S.A. § 1939 or any other provision of law, in fiscal year 2023, a beneficiary who retired from the System as a Group A or a Group C member may resume service, as that term is defined in 16 V.S.A. § 1931, to serve as an interim school educator for a period not to exceed one school year and receive the beneficiary's retirement allowance for the entire period that service is resumed, provided that:

(1) the beneficiary has received a retirement allowance for six months or more immediately preceding the resumption of service;

(2) the employer of the beneficiary is subject to the assessment set forth in 16 V.S.A. § 1944d on behalf of the beneficiary and remits payment to the Benefits Fund; and

(3) the employer of the beneficiary remits payment to the Vermont Teachers' Retirement Fund, established in 16 V.S.A. § 1944, in an amount equal to the contribution rate established for members of the beneficiary's group for any period that service is resumed.

(b) Period of service. A person who resumes service under subsection (a) of this section shall not make any contributions to the System during the person's period of service and shall not be entitled to a retirement allowance separately computed for the period that service was resumed.

(c) Employment certification. Each superintendent who hires an interim school educator pursuant to subsection (a) of this section shall certify to the Board that the district exhausted all reasonable options to employ a qualified active educator prior to employing a beneficiary as an interim school educator.

(d) Renewal.

(1) In fiscal years 2024 ~~and 2025~~ through 2027, the State Treasurer is authorized to grant not more than ~~two~~ four renewals for a one-fiscal-year period to the authority described in subsection (a) of this section. The State Treasurer shall make the determination to renew the authority not earlier than ~~June~~ May 1 but not later than ~~June 30~~ May 31 in each fiscal year and shall notify the House Committee on Government Operations and Military Affairs

and Senate Committees Committee on Government Operations of the determination.

(2) ~~In the event the State Treasurer makes a determination to renew the authority pursuant to subdivision (1) of this subsection, a beneficiary may only resume service during each one-year renewal period if service is performed in a different interim school educator position. [Repealed.]~~

(e) Repeal. This section shall be repealed on June 30, 2026 2028.

Pending the question, Shall the bill be amended as offered by Rep. Boutin of Barre City?, **Rep. Boutin of Barre City** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as offered by Rep. Boutin of Barre City?, was decided in the negative. Yeas, 49. Nays, 91.

Those who voted in the affirmative are:

Bailey of Hyde Park	Gregoire of Fairfield	Morrissey of Bennington
Bartley of Fairfax	Hango of Berkshire	Nelson of Derby
Bosch of Clarendon	Harrison of Chittenden	North of Ferrisburgh
Boutin of Barre City	Harvey of Castleton	Oliver of Sheldon
Burditt of West Rutland	Higley of Lowell	Page of Newport City
Canfield of Fair Haven	Hooper of Randolph	Parsons of Newbury
Casey of Hubbardton	Howland of Rutland Town	Pinsonault of Dorset
Charlton of Chester	Kascenska of Burke	Powers of Waterford
Coffin of Cavendish	Keyser of Rutland City	Pritchard of Pawlet
Demar of Enosburgh	Labor of Morgan	Quimby of Lyndon
Dickinson of St. Albans Town	Laroche of Franklin	Southworth of Walden
Dolgin of St. Johnsbury	Malay of Pittsford	Steady of Milton
Donahue of Northfield	Marcotte of Coventry	Toof of St. Albans Town
Feltus of Lyndon	McCoy of Poultney	Walker of Swanton
Galfetti of Barre Town	McFaun of Barre Town	Wells of Brownington
Goslant of Northfield	Micklus of Milton	Winter of Ludlow
	Morgan, M. of Milton	

Those who voted in the negative are:

Arsenault of Williston	Durfee of Shaftsbury	Minier of South Burlington
Austin of Colchester	Eastes of Guilford	Morgan, L. of Milton
Bartholomew of Hartland	Emmons of Springfield	Morrow of Weston
Berbeco of Winooski	Garofano of Essex	Mrowicki of Putney
Birong of Vergennes	Goldman of Rockingham	Nigro of Bennington
Bishop of Colchester	Goodnow of Brattleboro	Noyes of Wolcott
Black of Essex	Graning of Jericho	Nugent of South Burlington
Bluemle of Burlington	Greer of Bennington	O'Brien of Tunbridge
Bos-Lun of Westminster	Harple of Glover	Ode of Burlington
Boyden of Cambridge	Headrick of Burlington	Pezzo of Colchester
Brady of Williston	Holcombe of Norwich	Pouech of Hinesburg
Branagan of Georgia	Hooper of Burlington	Priestley of Bradford

Brown of Richmond	Houghton of Essex Junction	Rachelson of Burlington
Burke of Brattleboro	Howard of Rutland City	Satcowitz of Randolph
Burkhardt of South Burlington	Hunter of Manchester	Scheu of Middlebury
Campbell of St. Johnsbury	James of Manchester	Sheldon of Middlebury
Carris-Duncan of Whitingham	Kimbell of Woodstock	Sibilia of Dover
Casey of Montpelier	Kleppner of Burlington	Squirrell of Underhill
Chapin of East Montpelier	Kornheiser of Brattleboro*	Stevens of Waterbury
Cina of Burlington	Krasnow of South Burlington	Stone of Burlington
Cole of Hartford	Lalley of Shelburne	Surprenant of Barnard
Conlon of Cornwall	LaLonde of South Burlington	Sweeney of Shelburne
Cooper of Pownal	Lipsky of Stowe	Tagliavia of Corinth
Corcoran of Bennington	Long of Newfane	Taylor of Milton
Cordes of Bristol	Luneau of St. Albans City	Tomlinson of Winooski
Critchlow of Colchester	Masland of Thetford	Torre of Moretown
Dobrovich of Williamstown	McCann of Montpelier	Waszazak of Barre City
Dodge of Essex	McGill of Bridport	Waters Evans of Charlotte
Dolan of Essex Junction	Mihaly of Calais	White of Waitsfield
Duke of Burlington		White of Bethel
		Wood of Waterbury
		Yacovone of Morristown

Those members absent with leave of the House and not voting are:

Burrows of West Windsor	LaMont of Morristown	Morris of Springfield
Burt of Cabot	Logan of Burlington	Nielsen of Brandon
Christie of Hartford	Maguire of Rutland City	Olson of Starksboro

**Rep. Kornheiser of Brattleboro** provided the following vote explanation:

“Madam Speaker:

I vote no to protect the integrity and solvency of our pension fund for our hard-working school staff now and into the future.”

Thereupon, third reading was ordered.

### **Committee Bill; Second Reading; Third Reading Ordered**

#### **H. 482**

**Rep. Black of Essex** spoke for the Committee on Health Care.

House bill, entitled

An act relating to Green Mountain Care Board authority to adjust a hospital’s reimbursement rates and to appoint a hospital observer

Having appeared on the Notice Calendar and appearing on the Action Calendar, was taken up, read the second time, and third reading ordered.

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**Action on Bill Postponed****H. 483**

House bill, entitled

An act relating to the expansion of existing income tax credits

Was taken up and, pending second reading of the bill, on motion of **Rep. Kimbell of Woodstock**, action on the bill was postponed until March 25, 2025.

**Second Reading; Bill Amended; Third Reading Ordered****H. 398**

**Rep. Carris-Duncan of Whitingham**, for the Committee on Commerce and Economic Development, to which had been referred House bill, entitled

An act relating to the Vermont Economic Development Authority

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 10 V.S.A. chapter 12 is amended to read:

CHAPTER 12. VERMONT ECONOMIC DEVELOPMENT AUTHORITY

\* \* \*

§ 212. DEFINITIONS

As used in this chapter:

\* \* \*

(6) “Eligible facility” or “eligible project” means any industrial, commercial, or agricultural enterprise or endeavor approved by the Authority ~~that meets the criteria established in the Vermont Sustainable Jobs Strategy adopted by the Governor under section 280b of this title~~ used in a trade or business whether or not such business is operated for profit, including land and rights in land, air, or water; buildings; structures; machinery; and equipment of such eligible facilities or eligible projects, except that an eligible facility or project shall not include the portion of an enterprise or endeavor relating to the sale of goods at retail where such goods are manufactured primarily out of State, and except further that an eligible facility or project shall not include the portion of an enterprise or endeavor relating to housing unless otherwise authorized in this chapter. Such enterprises or endeavors may include:

\* \* \*



(T) Any capital improvement; purchase of receivables, property, assets, commodities, bonds, or other revenue streams or related assets; working capital program or liability; or other insurance program.

\* \* \*

~~(9) "Insurance contract" means a contract insuring mortgage payments under subchapter 2 of this chapter. [Repealed.]~~

\* \* \*

~~(11) "Maturity date," as used in subchapter 2 of this chapter, means the date upon which the note or other evidence of indebtedness secured by a mortgage would be extinguished if paid in accordance with the mortgage payments. [Repealed.]~~

~~(12) "Mortgage," as used in subchapter 2 of this chapter, means a first mortgage upon an eligible facility given by a mortgagor, as herein defined, to secure the repayment of amounts borrowed to pay costs of a project. [Repealed.]~~

~~(13) "Mortgage payments," as used in subchapter 2 of this chapter, means the periodic payments called for by a mortgage that shall cover lease land rentals, if any, mortgage insurance premiums, interest, installments of principal, taxes and assessments, hazard insurance payments, and any other payments called for in the mortgage. [Repealed.]~~

~~(14) "Mortgagee," as used in subchapter 2 of this chapter, means the original lender under a mortgage and its successors and assigns, if approved by the Authority. [Repealed.]~~

~~(15) "Mortgagor," as used in subchapter 2 of this chapter, means the original borrower under a mortgage or a security agreement and its successors and assigns, if approved by the Authority. [Repealed.]~~

\* \* \*

## § 213. AUTHORITY; ORGANIZATION

\* \* \*

(c) The Authority shall elect a chair from among its appointed members, and a vice chair and ~~treasurer~~ other officers from among its members and shall employ a manager who shall hold office at the Authority's pleasure and who, unless ~~he or she~~ the individual is a member of the classified service under 3 V.S.A. chapter 13, shall receive such compensation as may be fixed by the Authority ~~with the approval of the Governor~~. A quorum shall consist of eight members. Members disqualified from voting under section 214 of this title shall be considered present for purposes of determining a quorum. No action

of the Authority shall be considered valid unless the action is supported by a majority vote of the members present and voting and then only if at least five members vote in favor of the action.

\* \* \*

(i) ~~The Authority shall study and report back to the Legislature no later than January 15, 1989 on the feasibility of hiring full-time counsel in lieu of retaining outside counsel. [Repealed.]~~

#### § 214. MEMBERS; DISQUALIFICATION

A member of the Authority may not participate in any decision:

\* \* \*

(2) Upon any ~~insurance contract under subchapter 2 of this chapter or loan under subchapter 5 of this chapter~~, if the member is a member, director, trustee, employee, or officer of; or has any interest direct or indirect in; or owns any stock, bonds, or other liabilities issued by or authorized by the prospective mortgagor, mortgagee, or tenant;

\* \* \*

#### § 215. MANAGER; DUTIES

The manager shall be the chief administrative officer of the Authority and shall direct and supervise the administrative affairs and technical activities of the Authority in accordance with any rules, ~~regulations, and policies, and procedures~~ set forth by the Authority. In addition to any other duties, the manager shall:

\* \* \*

(4) work closely with the Agency of Commerce and Community Development and provide assistance to the various divisions of that Agency when requested to facilitate the planning and financing of projects; and

(5) ~~make recommendations and reports, in cooperation with the Agency of Commerce and Community Development, to the Authority on the merits of any proposed project, on the status of local development corporations, and on suitable industrial sites; [Repealed.]~~

(6) perform such other duties as may be directed by the Authority in the carrying out of the purposes of this chapter.

## § 216. AUTHORITY; GENERAL POWERS

The Authority is hereby authorized:

(1) To sue and be sued in its own name and plead and be impleaded; service of process upon it in any action shall be made by service upon the Secretary of State either in hand or by leaving a copy of the process at ~~his or her~~ the Secretary's office.

\* \* \*

(3) To adopt and from time to time amend bylaws, and rules, ~~and regulations~~ for the calling and conduct of its meetings and for the conduct of its affairs, including ~~regulations~~ rules, policies, and procedures relating to applications for financial assistance and disclosure of information supplied to it.

\* \* \*

(10) To administer its own funds and to invest or deposit funds ~~which~~ that are not needed currently to meet the obligations of the Authority.

\* \* \*

(13) To cause to be incorporated in Vermont a nonprofit corporation that will qualify as a State development company under ~~Title 15 of the U.S. Code~~ 15 U.S.C. § 695 and ~~rules and regulations adopted~~ promulgated pursuant thereto. The voting members of the Authority shall be members of the company and shall constitute the board of directors of the company. ~~The company shall have at least 14 other members selected by the members of the Authority.~~ The company shall be organized and operate under the nonprofit corporation laws of the State of Vermont to the extent not inconsistent herewith. The Authority shall have the power to contract with the company to provide staff and management needs of the company. The Authority is authorized to contribute to the capital of the company in an amount the Authority determines is necessary and appropriate.

\* \* \*

(15) To delegate to loan officers the power to review, approve, and make loans under this chapter, ~~subject to the approval of the manager,~~ and to disburse funds on such loans, ~~subject to the approval of the manager~~ as set forth in the policies and procedures of the Authority.

\* \* \*

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§ 217. RECORDS; ANNUAL REPORT; AUDIT

(a) The Authority shall keep an accurate account of all its activities and of all its receipts and expenditures. ~~Information and records in connection with an application for an insurance contract under subchapter 2 of this chapter shall be preserved for three years after the application has been denied or, if the application is accepted, for three years after the mortgage has been discharged and thereafter until the Authority orders them destroyed.~~

\* \* \*

(c) The Auditor of Accounts of the State and ~~his or her~~ the Auditor's authorized representatives may at any time examine the accounts and books of the Authority, including its receipts, disbursements, contracts, funds, investments, and any other matters relating to its financial statements.

\* \* \*

§ 217a. APPLICATION

Among such other things as may be required by the Authority, any application for financing ~~or for mortgage insurance~~ under this chapter shall state in detail on the application the nature and purpose of the business and its products for which the loan; or revenue bonds ~~or mortgage insurance is~~ are intended to benefit.

\* \* \*

§ 231. ASSISTANCE TO LOCAL DEVELOPMENT CORPORATIONS

Upon application of a local development corporation, the Authority may loan money to that local development corporation, upon such terms and conditions as it may prescribe, for the purpose of industrial park planning and development, for constructing or improving a speculative building or small business incubator facility on land owned or held under lease by the local development corporation, for purchase or improvement of existing buildings suitable for or which can be made suitable for industrial or small business incubation facility purposes and for the purchase of land in connection with any of the foregoing. Before the local development corporation receives such funds for such purposes from the Authority, it shall give to the Authority security for the repayment of the funds. The security shall be in such form and amounts as the Authority may determine and shall, in each instance, include a first mortgage on the land, or the leasehold, building, and appurtenances financed by such funds. Loans by the Authority to local development corporations for the construction of speculative buildings or improvements to those buildings shall be repaid in full, including interest and other charges, within 90 days after the building is occupied if the building is being sold, or

within five years after the property is occupied if the building is being leased, or within such period of time deemed reasonable by the Authority. Loans by the Authority to local development corporations for the construction, purchase, or improvement of small business incubator facilities shall be repaid in full, including interest and other charges, within ~~ten~~ 20 years after the property is occupied.

\* \* \*

#### § 244. BONDS

\* \* \*

(b) Bonds shall bear the manual or electronic signature of the treasurer of the municipality and the manual, electronic, or facsimile signature or signatures of the mayor or a majority of the selectboard or trustees as the case may be. Interest coupons, if any, shall bear the facsimile signature of the treasurer. If the municipality has a corporate seal, bonds shall bear the seal or a facsimile of the seal. Bonds executed in accordance with this subchapter shall be valid notwithstanding that before the delivery thereof and payment therefor any or all of the persons whose signatures appear thereon shall have ceased to hold office.

\* \* \*

#### § 253. ~~STATE~~ AUTHORITY PROJECTS

(a) The ~~State of Vermont~~ Authority may engage in projects within the ~~state~~ State in accordance with the provisions of this subchapter. For the purposes of this section and section 254 of this title:

(1) The word “municipality” as used in the sections of this subchapter other than this section shall mean the ~~“State of Vermont”~~ “Authority”;

\* \* \*

(b) For the purposes of engaging in a project, the Authority shall act ~~in the name of the State and~~ on its behalf of the State as its agent and instrumentality for the execution of financing documents, security documents, bonds, and other appropriate instruments or for the taking of any action with respect to a project financed in whole or in part by the issue of bonds under section 254 of this title.

(c) Title to or possessory interest in any eligible facility that is financed in whole or in part by the issue of bonds pursuant to section 254 of this title may be taken and held in the name of the ~~State~~ Authority. In performing its functions under this section, the Authority may exercise any and all powers conferred upon municipalities by this subchapter, but the Authority shall not

execute any financing document, security document, or bond with respect to a project until the Authority has made the findings required by section 246 of this title.

\* \* \*

§ 254. STATE BONDS

\* \* \*

(c) Bonds issued under this section shall bear the manual, electronic, or facsimile signature of the manager or treasurer of the Authority ~~and the manual or facsimile signature of the Chair or Vice Chair of the Authority, or authorized designee and agent~~; provided, however, that ~~at least one of the foregoing~~ such signatures shall be manual unless the bonds are to be manually authenticated by a bank or trust company serving as trustee for the bonds. The details of the bonds shall be fixed by the signing officers in accordance with section 244 of this title. Bonds shall be sold by the signing officers at public or private sale, and the proceeds thereof shall be paid to the trustee, lender, or disbursing agent under the security document that secures the bonds.

(d) No financing or security document, or bond, ~~or other instrument~~ issued or entered into ~~in the name and on behalf of the State~~ under this subchapter shall in any way obligate the State to raise any money by taxation or use other funds for any purpose to pay any debt or meet any financial obligation to any person at any time in relation to an eligible facility financed in whole or in part by the issue of the Authority's bonds under this subchapter, except from monies received or to be received under a financing or security document entered into under this subchapter or except as may be required by any other provision of law. Notwithstanding the provisions of this subsection, the State may accept and expend with respect to an eligible facility any gifts or grants received from any source in accordance with the terms of the gifts or grants.

\* \* \*

(f) Bonds may be issued by the Authority under this subchapter for the purpose of making loans to local development corporations for industrial park planning and development, constructing, or improving a speculative building or small business incubator facility on land owned or held under lease by the local development corporation, purchase or improvement of existing buildings suitable or that can be made suitable for industrial or business incubation purposes, and purchase of land in connection with any of the foregoing.

(1) Before issuing bonds for construction of a speculative building or small business incubator facility and the purchase of land in connection therewith, the Authority shall make the determinations and incorporate in its minutes the findings ~~that~~:

~~(A) the project is within the scope of this chapter, will be of public use and benefit, and may reasonably be expected to create new employment opportunities;~~

~~(B) the proposed site for the speculative building or small business incubator facility will be located on adequate land owned or to be acquired by the local development corporation or leased by the local development corporation on terms satisfactory to the Authority;~~

~~(C) an adequate access road from a public highway is provided to the proposed site and that such utilities as water, sewer, and power facilities are available, or will be available when the speculative building or small business incubator facility is completed;~~

~~(D) the project plans comply with all applicable environmental, zoning, planning, and sanitary laws and regulations of the municipality where it is to be located and of the State of Vermont;~~

~~(E) the local development corporation is responsible and has presented evidence to demonstrate its ability to carry out the project as planned;~~

~~(F) evidence has been presented demonstrating the feasibility of the site as a location for business, and additional evidence has been presented that an adequate supply of labor is available within the labor market area to serve a business located on the site;~~

~~(G) the local development corporation has made adequate provisions for insurance protection of the building while it is unoccupied and suitable arrangements have been made for fire protection and maintenance while it is unoccupied;~~

~~(H) the project will be without unreasonable risk of loss to the Authority, and the local development corporation is unable to secure on reasonable terms the funds required for the project without the assistance of the Authority;~~

~~(I) the financing and security documents contain provisions such that under no circumstances is the State obligated directly or indirectly to pay project costs; debt service; or expenses of operation, maintenance, and upkeep of the facility except from bond proceeds or from funds received under the financing or security documents, exclusive of funds received thereunder by the State for its own use;~~

~~(J) neither the financing document nor the security document purports to create any debt of the State with respect to the eligible facility, other than a special obligation of the State under this chapter required by section 232 of this title.~~

(2) Before issuing bonds for industrial park planning and development and the purchase of land in connection therewith, the Authority shall make the determinations and incorporate in its minutes the findings that:

~~(A) the proposed industrial park is on adequate land owned or to be owned by the local development corporation or leased by the local development corporation on terms satisfactory to the Authority;~~

~~(B) an adequate access road from a public highway is provided to the proposed site, and utilities, including water, sewer, and power facilities, are available or will be available for any future tenant located in the park;~~

~~(C) the total industrial park will be planned by architects and engineers acceptable to the Authority;~~

~~(D) no more than 80 percent of the fair market value of the industrial park, as shown by appraisal by an appraiser acceptable to the Authority, is to be financed under the loan;~~

~~(E) the park project is within the scope of this chapter, will be of public use and benefit, and may reasonably be expected to create new employment opportunities;~~

~~(F) the park project complies with all applicable environmental, zoning, planning, and sanitary laws and regulations of the municipality in which it is to be located and of the State of Vermont;~~

~~(G) the local development corporation is responsible and has presented evidence to demonstrate its ability to carry out the park project as planned;~~

~~(H) evidence has been presented demonstrating the feasibility of the site as a location for industry, and additional evidence has been presented that an adequate supply of labor is available within the labor market area to serve an industry located on the site;~~

~~(I) the park project will be without unreasonable risk of loss to the Authority, and the local development corporation is unable to secure on reasonable terms the funds required for the project without the assistance of the Authority;~~



~~(J) the financing and security documents contain provisions such that under no circumstances is the State obligated directly or indirectly to pay project costs; debt service; or expenses of operation, maintenance, and upkeep of the facility except from bond proceeds or from funds received under the financing or security documents, exclusive of funds received thereunder by the State for its own use;~~

~~(K) neither the financing document nor the security document purports to create any debt of the State with respect to the eligible facility, other than a special obligation of the State under this chapter required by section 237 of this title.~~

~~(3) All determinations and findings made by the Authority pursuant to this section shall be conclusive Financing and security documents shall contain provisions such that under no circumstances is the State obligated directly or indirectly to pay project costs; debt service; or expenses of operation, maintenance, and upkeep of the facility except from bond proceeds or from funds received under the financing or security documents, exclusive of funds received thereunder by the State for its own use.~~

~~(4) Financing and security documents shall not create any debt of the State with respect to the eligible facility, other than a special obligation of the State under this chapter.~~

~~(g) Bonds issued by the Authority under this subchapter may be secured, in whole or in part, by mortgage insurance under subchapter 2 of this chapter upon the terms and conditions set forth in subchapter 2 and in this subsection. Such insurance may be in the form of reinsurance or may be for the purpose of creating a loan loss reserve, in a case where the bonds are also secured by the mortgage insurance from another source. The principal amount of bonds so secured outstanding at any time with respect to facilities of any one user, or any related person, in any one municipality, shall not exceed \$2,500,000.00. For purposes of this subsection, the term "mortgagee" as used in subchapter 2 of this chapter shall mean the purchasers of the bonds, or where appropriate the trustee under the security document; the mortgage payments to be insured shall be those required to be made by the user under the financing document; and bond proceeds, instead of being used to pay project costs directly, may be used to purchase participation in loans originated by local banks or other responsible financial institutions where the proceeds of such loans have been used to pay project costs. In authorizing mortgage insurance to secure bonds, the Authority shall make all of the findings and determinations set forth in subsection 221(a) of this title, except that the principal of the mortgage cannot exceed \$2,500,000.00. In authorizing any bonds that are to be secured by mortgage insurance, the Authority shall make all of the findings and~~

~~determinations set forth in section 246 of this title, and may make the findings set forth in subdivisions 246(5) and (7) of this title, notwithstanding the fact that the mortgage insurance will create a contingent liability of the Authority. The creation of such contingent liability shall not be deemed to violate the prohibition contained in subsection (d), and the statement required on each bond that it does not constitute an indebtedness of the State may be modified to refer to the mortgage insurance. Separate series of bonds all of which are secured by mortgage insurance may be combined pursuant to subsection (e) of this section, and the proceeds of any payment of such mortgage insurance may be allocated and applied by the trustee for the benefit of the bondholders in accordance with the terms of the security document providing for the combined financing. All determinations and findings made by the Authority pursuant to this section shall be conclusive.~~

(h) The Authority is authorized to pledge security and to enter into security, insurance, or other forms of credit enhancement. A pledge in any agreement shall be valid and binding from the time such pledge shall be made without any physical delivery or further act, and the lien of such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise, irrespective of whether such parties have notice thereof. Any such pledge shall be perfected by filing of the agreement in the records of the Authority and no filing need be made under any other provision of law.

(i) The Authority may purchase any bond issued under this subchapter 4. Subject to the terms of any agreement with the bondholders, the Authority may hold, pledge, resell, or cancel any bond purchased under this paragraph, except that a purchase under this paragraph shall not cause the extinguishment of such bond unless the Authority cancels the bond or otherwise certifies its intention that the bond be extinguished.

(j) No designated member, director, officer, employee, or agent of the Authority shall be liable personally on the bonds or any contract entered into by the Authority or subject to any personal liability or accountability by reason of the issuance of the bonds unless the personal liability or accountability is the result of intentional misconduct.

#### Subchapter 5. Direct Mortgage Loans

#### § 261. ADDITIONAL POWERS

In addition to powers enumerated elsewhere in this chapter, the Authority may:

(1) Make loans secured by mortgages or other assets, which may be subordinate to one or more prior mortgages or liens, upon application by the proposed ~~mortgagor~~ obligor, who may be a private corporation, nonprofit

organization, partnership, person, or municipality financing an eligible project described in subdivision 212(6) of this title, upon such terms as the Authority may prescribe, for the purpose of financing the establishment or expansion of eligible facilities. Such loans shall be made from the Vermont Jobs Fund established under ~~subchapter 3~~ of this chapter. The Authority may provide for the repayment and redeposit of such loans as provided in this subchapter.

\* \* \*

(3) Purchase prior ~~mortgages~~ secured loans and make payments on prior ~~mortgages~~ secured loans on any eligible facility where the purchase or payment is necessary to protect any loan previously made by the Authority. In addition, the Authority may sell, transfer, convey, and assign any such prior mortgage or security. Monies used by the Authority in the purchase of any prior ~~mortgages~~ mortgage or security, or any payments thereon, shall be withdrawn from the Vermont Jobs Fund, and any monies derived from the sale of any prior ~~mortgages~~ mortgage or security shall be deposited by the Authority in the Vermont Jobs Fund.

\* \* \*

## § 262. FINDINGS

Before making any loan, the Authority shall receive from an applicant a loan application in such form as the Authority may by ~~regulation~~ rule prescribe, and the Authority, or the Authority's loan officer pursuant to the provisions of subdivision 216(15) of this title, shall determine and incorporate findings in its minutes that:

(1) The project is within the scope of this chapter and will increase or maintain employment and expand the economy of the State.

(2) The project plans comply with all applicable environmental, zoning, planning, and sanitary laws and regulations of the municipality where it is to be located and of the State of Vermont.

\* \* \*

(5) The principal obligation of the Authority's ~~mortgage~~ loan does not exceed \$5,000,000.00, which may be secured by land and buildings or by machinery and equipment, or both, unless:

(A) an integral element of the project consists of the generation of heat or electricity employing biomass, geothermal, methane, solar, or wind energy resources to be primarily consumed at the project, in which case the principal obligation of the Authority's ~~mortgage~~ loan does not exceed \$6,000,000.00, which may be secured by land and by buildings or machinery and equipment, or both; such principal obligation does not exceed 40 percent

of the cost of the project; and the ~~mortgagor~~ obligor is able to obtain financing for the balance of the cost of the project from other sources as provided in the following section; or

\* \* \*

(6) The ~~mortgagor~~ obligor is responsible and able to manage its responsibilities as ~~mortgagor~~ obligor and owner of the project.

(7) The ~~mortgage~~ loan has a satisfactory maturity date, ~~in no case later than 20 years from the date of the mortgage.~~

(8) The ~~mortgagor~~ obligor is unable to finance the project upon reasonable terms without the assistance of the requested loan from the Authority, or in the alternative, the granting of the loan will serve as a substantial inducement for the establishment or expansion of an eligible project within the State.

(9) The ~~mortgagor~~ obligor has made adequate provision for insurance protection of the project while the loan is outstanding.

\* \* \*

#### § 263. ~~MORTGAGE~~ LOAN; LIMITATIONS

(a) When it has been determined by the Authority that the establishment or expansion of a particular eligible facility will accomplish the public purposes of this act, the Authority may contract to loan to the ~~mortgagor~~ obligor an amount not in excess of 40 percent of the cost of such eligible facility. In addition, the Authority shall have determined that the ~~mortgagor~~ obligor has obtained from other independent and responsible sources, such as ~~banks and insurance companies~~ financial institutions or otherwise, a firm commitment for all other funds, over and above the loan of the Authority and such funds or property as the local development corporation may hold, necessary for payment of all of the cost of the project, and that the sum of all these funds, together with any funds, machinery, and equipment to be provided by the ~~mortgagor~~ obligor is adequate for the completion and operation of the project.

(b) Any loan of the Authority under this subchapter shall be for a period of time and shall bear interest at such rate as determined by the Authority and shall be secured by a mortgage on the eligible facility ~~or a lien on its assets~~ for which the loan was made or upon the assets of a municipal communications plant, including the net revenues derived from the operation thereof, or both. The ~~mortgage~~ secured loan may be subordinate to one or more prior ~~mortgages~~ loans, including the ~~mortgage~~ liens securing the obligation issued to secure the commitment of funds from the independent and responsible sources and used in the financing of the economic development project. Monies loaned by the

Authority shall be withdrawn from the Vermont Jobs Fund and paid over to the ~~mortgagor~~ obligor in such manner as provided and prescribed by the rules and ~~regulations~~ of the Authority. All payments of principal and interest on the loans shall be deposited by the Authority in the Vermont Jobs Fund.

(c) Loans by the Authority for an eligible facility under this subchapter shall be made only in the manner and to the extent provided in this section, except, however, in those instances where an agency of the federal government participates in the financing of an eligible facility by loan, grant, or otherwise. When any federal agency participates, the Authority may adjust the required ratio of financial participation by the local development corporation, independent sources of funds, and the Authority in such manner as to ensure the maximum benefit available by the participation of the federal agency. Where any federal agency participating in the financing of an eligible facility is not permitted to take as security a mortgage, the lien of which is junior to the mortgage of the Authority, the Authority shall be authorized to take as security for its loan a mortgage junior in lien to that of the federal agency.

\* \* \*

#### § 264. ACCELERATED REPAYMENT PROVISIONS

Any direct ~~mortgage~~ loan made on or after July 1, 1988 under this subchapter shall be conditioned upon the maintenance of a reasonable level of employment at the facility or facilities owned by the ~~mortgagor~~ obligor and pledged as security for the loan. For the purposes of this section, a reasonable level of employment shall be deemed not to have been maintained whenever a ~~mortgagor~~ an obligor employing 50 or more employees at such facility or facilities permanently transfers, within any three-year period, 50 percent or more of those employees or employment positions to any out-of-state facility. Upon breach of this condition, the Authority may declare all principal and interest of the ~~mortgage~~ loan immediately due and payable and may commence foreclosure on any property held as security for the ~~mortgage~~ loan or take any other lawful steps to obtain payment.

\* \* \*

#### § 279c. VERMONT EXPORT FINANCE PROGRAM

\* \* \*

(e) Any excess of revenues over expenses derived from this program shall be deposited in the ~~development fund~~ Vermont Jobs Fund.

\* \* \*

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§ 280a. ELIGIBLE PROJECTS; AUTHORIZED FINANCING PROGRAMS

(a) The Authority may develop, modify, and implement any existing or new financing program, provided that any specific project that benefits from such program shall meet the criteria contained in the Vermont Sustainable Jobs Strategy ~~adopted under~~ outlined in section 280b of this title, ~~and provided further that the program shall meet the criteria contained in the Vermont Sustainable Jobs Strategy adopted under section 280b of this title.~~ These programs may include:

(1) ~~the Mortgage Insurance Program, administered under chapter 12, subchapter 2 of this title; [Repealed.]~~

\* \* \*

(11) a program that would award grants made to eligible and qualified recipients as directed by the Agency of Agriculture, Food and Markets or the Agency of Natural Resources for the purpose of funding water quality initiatives approved by the agencies, provided that the maximum amount of grants awarded by the Authority pursuant to the program shall not exceed \$1,340,238.00 in the aggregate; or

(12) loans to agricultural enterprises or endeavors administered by the Authority under chapter 16A of this title and any programs created thereunder.

(b) ~~This section shall not apply to the Job Start Program authorized by chapter 12, subchapter 7 of this title, and the agricultural finance programs authorized by chapter 16 of this title. [Repealed.]~~

§ 280b. THE VERMONT SUSTAINABLE JOBS STRATEGY

(a)(1) ~~The Governor, with the advice of the Secretary of Commerce and Community Development and the Authority, shall adopt a Vermont sustainable jobs strategy for the State, in accordance with the provisions of this section~~ Before issuing any funds to an eligible facility or eligible project under section 280a of this title, the Authority shall make a determination that the facility or project materially supports one of the following objectives:

(A) creating or sustaining employment opportunities for Vermonters in proportion to the amount of financial assistance requested;

(B) providing quality employment at wage and benefit levels sufficient to permit a reasonable standard of living by community standards, and at levels that may contribute to bringing Vermont's average wage up to or above 100 percent of the national average wage rate;

(C) promoting employment opportunities in economically disadvantaged areas and communities in the State;

(D) advancing the overall growth of wealth in the Vermont economy by promoting the production and sale of goods and services with a substantial Vermont content and those that utilize Vermont's unique human and natural resource base to markets outside of the State and nation, including visitors to, and travelers through, the State;

(E) assisting the development of a business infrastructure that will contribute to sustainable economic development, to include the provision of necessary services, including shipping, warehousing, communications, repair and maintenance, technical services, distribution, and dependent care, particularly when intrastate capability in these areas can replace services currently provided by out-of-state suppliers;

(F) encouraging economic development projects that reduce, mitigate, or eliminate the effects of climate change, the pollution of land, air, or water, or those that will interdict material within the State that, having served its intended purpose, would otherwise enter the solid waste disposal stream and that will cause the diversion of such material to useful purposes, or that will reuse or recycle any such post-consumer material;

(G) encouraging commercial activity in the traditional downtown areas of the State and promoting through appropriate commercial adaptation the preservation of suitable buildings or structures that are historically or aesthetically significant;

(H) encouraging economic development projects that are consistent with and sensitive to the needs of the communities in which such projects are located;

(I) promoting entrepreneurial activity, recognizing that some of those that are the small businesses of today will be the large employers of tomorrow; and

(J) aiding in the achievement of the economic development and business growth strategies adopted by the Vermont Economic Progress Council and the Vermont Department of Economic Development, wherever possible providing assistance to those categories of enterprise that may be designated as especially desirable for Vermont.

(2) All determinations and findings made by the Authority pursuant to this section shall be conclusive.

~~(b)(1) The Vermont sustainable jobs strategy shall contain the criteria upon which the Authority shall develop, modify, and implement its public financing programs, and the criteria for determining whether investments should be made in an eligible project. Such criteria shall include a requirement that, before making any investment or other financial commitment, the Authority~~

~~shall determine that the proposed project is of public use and benefit and is without unreasonable risk of loss to the Authority.~~

~~(2) In adopting the Vermont sustainable jobs strategy, the Governor shall consider:~~

~~(A) the policies established in section 280 of this title; and~~

~~(B) the economic policy and economic development plan of the State, as developed by the Economic Progress Council under subchapter 3 of chapter 29 of this title. The Authority may adopt such policies and procedures necessary to define further any term or criterion used in this section or to set specific standards by which to measure the extent to which any proposed project meets the requirements of this section.~~

~~(c)(1) Before adopting the Vermont sustainable jobs strategy, the Governor shall direct the Authority and the Secretary of Commerce and Community Development to solicit information and recommendations from the people and businesses of the State.~~

~~(2) After soliciting information and recommendations, the Authority and the Secretary shall jointly develop a proposed Vermont sustainable jobs strategy. In developing a proposed strategy, the Authority and the Secretary shall consider how best to integrate Vermont's economic, social, and environmental values into a Vermont sustainable jobs strategy. The Authority and the Secretary shall jointly present their proposed strategy to the House Committee on Commerce and the Senate Committee on Economic Development, Housing and General Affairs meeting in joint hearing.~~

~~(3) After legislative presentation, the Authority and the Secretary may amend the proposed strategy, and shall present the proposed strategy as amended to the Governor. The Governor may adopt the proposed strategy, or may return the proposed strategy to the Authority and the Secretary for further development and legislative presentation. After adoption of the Vermont sustainable jobs strategy, any amendments to the strategy may be adopted by the Governor in accordance with the process established by this section. In deciding whether to provide financial assistance to an applicant, the Authority, after determining that a project meets its credit underwriting standards, shall take into account the criteria outlined in this section, the overall benefits of the project to the State and to the community in which it is proposed to be located, the amount of assistance requested, and the availability of Authority resources to fund the request.~~

\* \* \*



Subchapter 15. Disaster Recovery Loan Fund§ 280gg. DISASTER RECOVERY LOAN FUND

(a)(1) There is established within the Authority the Vermont Disaster Recovery Loan Fund, referred to in this subchapter as “the Fund,” the purpose of which is to enable the Authority to provide loans and other forms of financial assistance to businesses and agricultural enterprises after disasters.

(2) The Authority shall consult with the Secretary of Commerce and Community Development and the Secretary of Agriculture in determining whether funds shall be made available following a disaster event impacting areas of the State. A consultation shall not be required in the event of a disaster declaration declared by the Governor or the President of the United States.

(b) The Authority shall establish:

(1) policies and procedures for the Fund that the Authority determines are necessary to carry out the purposes of this subchapter; and

(2) financing programs necessary to ensure timely delivery of financial assistance after a disaster.

(c) The Authority shall limit the interest rates charged for loans provided utilizing funds from the Disaster Recovery Loan Fund to rates necessary to cover the costs of administering the Fund.

(d) This is a revolving loan program and any excess of revenues over expenses derived from this program shall be deposited in the Fund.

Sec. 2. 10 V.S.A. § 234 is redesignated and amended to read:

§ 234 220a. THE VERMONT JOBS FUND

(a) There is hereby created the Vermont Jobs Fund, hereinafter called the Fund, which shall be used by the Authority as a nonlapsing fund for the purposes of subchapters 3, 5, 9, and 10 of this chapter. To it shall be charged all operating expenses of the Authority not otherwise provided for and all payments of interest and principal required to be made by the Authority under this subchapter. To it shall be credited any appropriations made by the General Assembly for the purposes of subchapters 3, 5, 9, and 10 of this chapter and all payments required to be made to the Authority under subchapters 3, 5, 9, and 10 of this chapter, it being the intent of this section that the Fund shall operate as a revolving fund whereby all appropriations and payments made thereto, unless required to repay notes under the following section, may be applied and reapplied for the purposes of subchapters 3, 5, 9, and 10 of this chapter.

Monies in the Fund may be loaned at interest rates to be set by the Authority for the following:

(1) Loans to local development corporations under this subchapter, ~~provided that if the funds for any such loan are derived from the issue of notes to the State Treasurer under section 235 of this chapter, the loan shall bear interest at a rate not less than the rate on the notes~~ chapter.

(2) Direct mortgage loans as described in subchapter 5 of this chapter.

(3) Loans for the financing of export activities under subchapter 9 of this chapter.

(4) Other loans as the Authority may prescribe under subchapter 10 of this chapter.

~~(b) In order to provide monies in the Fund for loans under this chapter, the Authority may issue notes for purchase by the State Treasurer as provided in section 235 of this chapter.~~

~~(e)~~ Monies in the Fund may be loaned to the Vermont Agricultural Credit Program to support its lending operations as established in chapter 16A of this title at interest rates and on terms and conditions to be set by the Authority to establish a line of credit in an amount not to exceed \$100,000,000.00 to be advanced to the Vermont Agricultural Credit Program to support its lending operations as established in chapter 16A of this title.

~~(d)~~~~(c)~~ Monies in the Fund may be loaned to the Vermont Small Business Development Corporation to support its lending operations as established pursuant to subdivision 216(14) of this title at interest rates and on terms and conditions to be set by the Authority.

~~(e)~~~~(d)~~ Monies in the Fund may be loaned to the Vermont 504 Corporation to support its lending operations as established pursuant to subdivision 216(13) of this title at interest rates and on terms and conditions to be set by the Authority.

~~(f)~~~~(e)~~ The Authority may loan money from the Fund to the Vermont Sustainable Energy Loan Fund established under subchapter 13 of this chapter at interest rates and on terms and conditions set by the Authority.

Sec. 3. 2024 Acts and Resolves No. 113, Sec. B.1100 is amended to read:

Sec. B.1100 MISCELLANEOUS FISCAL YEAR 2025 ONE-TIME

APPROPRIATIONS

\* \* \*

(h) Department of Economic Development. In fiscal year 2025, funds are appropriated for the following:

(1) \$150,000 General Fund for continued funding of the International Business Office previously funded by 2021 Acts and Resolves No. 74, Sec. G.300(b)(1); and

(2) \$2,000,000 General Fund for a grant to the Vermont Economic Development Authority to establish a disaster relief fund for use by businesses and agricultural enterprises following a natural disaster.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2025.

**Rep. Stevens of Waterbury**, for the Committee on Appropriations, recommended that the report of the Committee on Commerce and Economic Development be amended by striking out Sec. 3, 2024 Acts and Resolves No. 113, Sec. B.1100, in its entirety and by renumbering the remaining sections to be numerically correct.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Commerce and Economic Development was amended as recommended by the Committee on Appropriations. Report of the Committee on Commerce and Economic Development, as amended, agreed to and third reading ordered.

**Second Reading; Amendment Offered and Withdrawn; Bill Amended;  
Third Reading Ordered**

**H. 461**

**Rep. Bartley of Fairfax**, for the Committee on General and Housing, to which had been referred House bill, entitled

An act relating to expanding employee access to unpaid leave

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. INTENT

It is the intent of the General Assembly to align Vermont's family leave policies with inclusive and equitable standards, ensuring that LGBTQ+ families, workers with low income, and individuals in nontraditional family structures have equal access to caregiving leave without undue burden.

Sec. 2. 21 V.S.A. § 471 is amended to read:

§ 471. DEFINITIONS

As used in this subchapter:

(1) “Bereavement leave” means a leave of absence from employment or self-employment by an individual due to the death of the individual’s family member that occurs not more than one year after the family member’s death. Bereavement leave includes leave taken in relation to the administration or settlement of the deceased family member’s estate. Leave taken in relation to the administration or settlement of the deceased family member’s estate shall not occur more than one year after the family member’s death.

(2) “Domestic partner” means an individual with whom the employee has an enduring domestic relationship of a spousal nature, provided the employee and the domestic partner:

(A) have shared a residence for at least six consecutive months;

(B) are at least 18 years of age;

(C) are not married to or considered a domestic partner of another individual;

(D) are not related by blood closer than would bar marriage under State law; and

(E) have agreed between themselves to be responsible for each other’s welfare.

(3) “Domestic violence” has the same meaning as in 15 V.S.A. § 1151.

(4) “Employer” means an individual, organization, or governmental body, partnership, association, corporation, legal representative, trustee, receiver, trustee in bankruptcy, and any common carrier by rail, motor, water, air, or express company doing business in or operating within this State that a person who for the purposes of parental leave, bereavement leave, safe leave, and leave for a qualifying exigency employs 10 or more individuals who are employed for an average of at least 30 hours per week during a year and for the purposes of family leave employs 15 or more individuals for an average of at least 30 hours per week during a year.

(2)(5) “Employee” means a person who, in consideration of direct or indirect gain or profit, has been continuously employed by the same employer for a period of one year for an average of at least 30 hours per week.

~~(3)~~(6) “Family leave” means a leave of absence from employment by an employee who works for an employer that employs 15 or more individuals who are employed for an average of at least 30 hours per week during the year for one of the following reasons:

(A) the serious health condition of the employee; or

(B) the serious health condition of the employee’s ~~child, stepchild or ward who lives with the employee, foster child, parent, spouse, or parent of the employee’s spouse~~ family member.

(7) “Family member” means:

(A) regardless of age, an employee’s biological, adopted, or foster child; an employee’s stepchild or legal ward; a child of the employee’s spouse or civil union or domestic partner; or a child to whom the employee stands in loco parentis, regardless of legal documentation; an individual to whom the employee stood in loco parentis when the individual was under 18 years of age; or any individual for whom the employee provides caregiving responsibilities similar to those of a parent-child relationship;

(B)(i) a parent of an employee or an employee’s spouse or civil union or domestic partner, regardless of whether the relationship to the employee or the employee’s spouse or civil union or domestic partner is a biological, foster, adoptive, or step relationship;

(ii) a legal guardian of an employee or employee’s spouse or civil union or domestic partner; or

(iii) a person who stands in loco parentis for the employee or who stood in loco parentis when the employee or employee’s spouse or civil union or domestic partner was under 18 years of age;

(C) a person to whom the employee is legally married under the laws of any state or a civil union or domestic partner of an employee; or

(D) a grandparent, grandchild, or sibling of the employee or the employee’s spouse or civil union or domestic partner, regardless of whether the relationship to the employee or the employee’s spouse or civil union or domestic partner is a biological, foster, adoptive, or step relationship.

~~(4)~~(8) “Health care provider” means a licensed health care provider or a health care provider as defined pursuant to 29 C.F.R. § 825.125.

(9) “In loco parentis” means a relationship in which an individual has day-to-day responsibilities to care for and support a child, regardless of biological or legal ties. Financial support is not a requirement for this relationship, recognizing caregiving roles beyond traditional definitions.

~~(5)~~(10) “Parental leave” means a leave of absence from employment by an employee who works for an employer that employs 10 or more individuals who are employed for an average of at least 30 hours per week during the year for one of the following reasons:

(A) ~~the birth of the employee’s child~~ pregnancy;

(B) the employee’s recovery from childbirth or miscarriage;

(C) the birth of the employee’s child and to care for or bond with the child within one year after the child’s birth; or

~~(B)~~(D) the initial placement of a child 16 18 years of age or younger with the employee for the purpose of adoption or foster care and to care for or bond with the child within one year after the placement for adoption or foster care.

(11) “Qualifying exigency” means a qualifying exigency identified pursuant to 29 C.F.R. § 825.126 that is related to active duty service by a family member in the U.S. Armed Forces.

(12) “Safe leave” means a leave of absence from employment by an employee because:

(A) the employee or the employee’s family member is a victim or alleged victim of domestic violence, sexual assault, or stalking;

(B) the employee is using leave for one of the following reasons related to domestic violence, sexual assault, or stalking:

(i) to seek or obtain medical care, counseling, or social or legal services, either for themselves or for a family member;

(ii) to recover from injuries;

(iii) to participate in safety planning, either for themselves or for a family member;

(iv) to relocate or secure safe housing, either for themselves or for a family member;

(v) to meet with a State’s Attorney or law enforcement officer; or

(vi) to attend a hearing concerning an order against stalking or sexual assault pursuant to 12 V.S.A. § 5133, when the employee seeks the order as a plaintiff; and

(C) the employee is not the perpetrator or alleged perpetrator of the domestic violence, sexual assault, or stalking.

~~(6)~~(13) “Serious health condition” means:

(A) an accident, illness, injury, disease, or physical or mental condition that:

(i) poses imminent danger of death;

(ii) requires inpatient care in a hospital, hospice, or residential medical care facility; or

(iii) requires continuing treatment by a health care provider; or

(B) rehabilitation from an accident, illness, injury, disease, or physical or mental condition described in subdivision (A) of this subdivision ~~(6)~~(13), including treatment for substance use disorder.

(14) “Sexual assault” has the same meaning as in 15 V.S.A. § 1151.

(15) “Stalking” has the same meaning as in 15 V.S.A. § 1151.

(16) “U.S. Armed Forces” means:

(A) the U.S. Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard;

(B) a reserve component of the U.S. Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard; or

(C) the National Guard of any state.

Sec. 3. 21 V.S.A. § 472 is amended to read:

§ 472. LEAVE

(a)(1) During any 12-month period, an employee shall be entitled to take unpaid leave for a period not to exceed 12 weeks:

~~(1)(A) for parental leave, during the employee’s pregnancy and following the birth of an employee’s child or within a year following the initial placement of a child 16 years of age or younger with the employee for the purpose of adoption;~~

~~(2)(B) for family leave, for the serious health condition of the employee or the employee’s child, stepchild or ward of the employee who lives with the employee, foster child, parent, spouse, or parent of the employee’s spouse;~~

(C) for safe leave; or

(D) for a qualifying exigency.

(2) During any 12-month period, an employee may use up to two out of the 12 weeks of leave available pursuant to subdivision (1) of this subsection for bereavement leave.

(b) During the leave, at the employee's option, the employee may use accrued sick leave or, vacation leave or, any other accrued paid leave, ~~not to exceed six weeks~~ or short-term disability insurance. Utilization of accrued paid leave or short-term disability insurance shall not extend the leave provided pursuant to this section.

\* \* \*

(e)(1) An employee shall give the employer reasonable written notice of intent to take leave under this ~~subchapter~~ section. Notice shall include the date the leave is expected to commence and the estimated duration of the leave.

(2) In the case of the adoption or birth of a child, an employer shall not require that notice be given more than six weeks prior to the anticipated commencement of the leave.

(3) In the case of an unanticipated serious health condition, a miscarriage, an unanticipated need for safe leave, a premature birth, the death of a family member, or a short-notice qualifying exigency, the employee shall give the employer notice of the commencement of the leave as soon as practicable.

(4)(A) In the case of a serious health condition of the employee or a member of the employee's family, an employer may require certification from a health care provider to verify the condition and the amount and necessity for the leave requested.

(B) An employer may require an employee to provide documentation of the need for safe leave. An employee may provide documentation from any one of the following sources:

(i) a court or a law enforcement or other government agency;

(ii) a domestic violence, sexual assault, or stalking assistance program;

(iii) a legal, clerical, medical, or other professional from whom the employee, or the employee's family member, received counseling or other assistance concerning domestic violence, sexual assault, or stalking; or

(iv) a self-attestation by the employee describing the circumstances supporting the need for safe leave; no further corroboration shall be required unless otherwise mandated by law.

(C) An employer may require an employee to provide documentation of the need for bereavement leave. An employee may provide any of the following forms of documentation:

(i) a death certificate;



(ii) a published obituary; or

(iii) a written notice or verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious organization, or governmental agency.

(D) An employer may require an employee to provide documentation of the need for leave for a qualifying exigency as set forth in 29 C.F.R. § 825.309.

(E) An employer shall not disclose any private medical information or information relating to a safe leave that the employer receives pursuant to this subdivision (4) except to the extent the disclosure is permitted by law and:

(i) consented to by the employee in writing;

(ii) required pursuant to a court order; or

(iii) required pursuant to State or federal law.

~~(4)~~(5) An employee may return from leave earlier than estimated upon approval of the employer.

~~(5)~~(6) An employee shall provide reasonable notice to the employer of the need to extend leave to the extent provided by this subchapter.

(f) Upon return from leave taken under this subchapter, an employee shall be offered the same or comparable job at the same level of compensation, employment benefits, seniority, or any other term or condition of the employment existing on the day leave began. This ~~subchapter~~ subsection shall not apply if, prior to requesting leave, the employee had been given notice or had given notice that the employment would terminate. This subsection shall not apply if the employer can demonstrate by clear and convincing evidence that:

(1) during the period of leave the employee's job would have been terminated or the employee laid off for reasons unrelated to the leave or the condition for which the leave was granted; or

(2) the employee performed unique services and hiring a permanent replacement during the leave, after giving reasonable notice to the employee of intent to do so, was the only alternative available to the employer to prevent substantial and grievous economic injury to the employer's operation.

(g)(1) An employer may adopt a leave policy more generous than the leave policy provided by this subchapter.

(2)(A) Nothing in this subchapter shall be construed to diminish an employer's obligation to comply with any collective bargaining agreement or any employment benefit program or plan that provides greater leave rights than the rights provided by this subchapter.

(B) A collective bargaining agreement or employment benefit program or plan may not diminish rights provided by this subchapter.

(3) Notwithstanding the provisions of this subchapter, an employee may, at the time a need for parental or family leave arises, waive some or all the rights under this subchapter provided the waiver is informed and voluntary and any changes in conditions of employment related to any waiver shall be mutually agreed upon between employer and employee.

(h) Except for the serious health condition of the employee or safe leave when the employee is the victim or alleged victim, an employee who does not return to employment with the employer who provided the leave shall return to the employer the value of any compensation that the employer paid to or on behalf of the employee during the leave, except payments for accrued ~~sick leave or vacation~~ leave.

Sec. 4. 21 V.S.A. § 472a is amended to read:

§ 472a. SHORT-TERM FAMILY LEAVE

(a) In addition to the leave provided in section 472 of this title, an employee shall be entitled to take unpaid leave not to exceed four hours in any 30-day period and not to exceed 24 hours in any 12-month period. An employer may require that leave be taken in a minimum of two-hour segments and may be taken for any of the following purposes:

(1) To participate in preschool or school activities directly related to the academic educational advancement of the employee's ~~child, stepchild, foster child, or ward who lives with the employee~~ family member, such as a parent-teacher conference.

(2) To attend or to accompany the employee's ~~child, stepchild, foster child, or ward who lives with the employee or the employee's parent, spouse, or parent-in-law~~ family member to routine medical or dental appointments.

(3) To accompany the employee's ~~parent, spouse, or parent-in-law~~ family member to other appointments for professional services related to their care and well-being.

(4) To respond to a medical emergency involving the employee's ~~child, stepchild, foster child, or ward who lives with the employee or the employee's parent, spouse, or parent-in-law~~ family member.

\* \* \*

Sec. 5. 21 V.S.A. § 472c is amended to read:

§ 472c. LEAVE; ALLEGED CRIME VICTIMS; RELIEF FROM  
STALKING OR ABUSE

\* \* \*

(b) In addition to the leave provided in section 472 of this title, an employee shall be entitled to take unpaid leave from employment for the purpose of attending a deposition or court proceeding related to:

\* \* \*

(2) a relief from abuse hearing pursuant to 15 V.S.A. § 1103, when the employee seeks the order as a plaintiff; or

~~(3) a hearing concerning an order against stalking or sexual assault pursuant to 12 V.S.A. § 5133, when the employee seeks the order as plaintiff; or~~

~~(4) a relief from abuse, neglect, or exploitation hearing pursuant to 33 V.S.A. chapter 69, when the employee is the plaintiff.~~

\* \* \*

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2025.

The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be amended as recommended by the Committee on General and Housing?, **Rep. Donahue of Northfield** moved that the report of the Committee on General and Housing be amended in Sec. 3, 21 V.S.A. § 472, by striking out subsection (f) in its entirety and inserting in lieu thereof a new subsection (f) to read as follows:

(f) Upon return from leave taken under this subchapter, an employee shall be offered the same or comparable job at the same level of compensation, employment benefits, seniority, or any other term or condition of the employment existing on the day leave began. This ~~subchapter~~ subsection shall not apply if, prior to requesting leave, the employee had been given notice or had given notice that the employment would terminate. This subsection shall not apply if the employer can demonstrate by clear and convincing evidence that:

(1) during the period of leave the employee's job would have been terminated or the employee laid off for reasons unrelated to the leave or the condition for which the leave was granted; or

(2) the employee performed unique services and hiring a permanent replacement during the leave, after giving reasonable notice to the employee of intent to do so, was the only alternative available to the employer to prevent substantial and grievous economic injury to the employer's operation; or

(3) the employer was unable to find an employee willing to take the position on a time-limited basis and hiring a permanent replacement, after giving reasonable notice to the employee of intent to do so, was the only option available to enable the employer to prevent substantial and grievous economic injury to the employer's operations.

Thereupon, **Rep. Donahue of Northfield** asked and was granted leave of the House to withdraw her amendment.

Thereafter, the report of the Committee on General and Housing was agreed to, and third reading ordered.

**Pending Entry on the Notice Calendar  
Bill Referred to Committee on Appropriations**

**H. 91**

House bill, entitled

An act relating to the Emergency Temporary Shelter Program

Pending entry on the Notice Calendar, and pursuant to House Rule 35(a), carrying an appropriation, was referred to the Committee on Appropriations.

**Adjournment**

At two o'clock and fifty-one minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.