

Journal of the House

Tuesday, May 13, 2025

At ten o'clock in the forenoon, the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rev. Christie Leary, Leaders of Faith Foundation, Windsor.

Pledge of Allegiance

Page Oscar Vulte of Brattleboro led the House in the Pledge of Allegiance.

Committee of Conference Appointed

S. 51

Pursuant to the request of the Senate for a Committee of Conference on the disagreeing votes of the two Houses on Senate bill, entitled

An act relating to the Vermont unpaid caregiver tax credit

The Speaker appointed as members of the Committee of Conference on the part of the House:

Rep. Kornheiser of Brattleboro

Rep. Kimbell of Woodstock

Rep. Canfield of Fair Haven

Joint Resolution Referred to Committee

J.R.H. 4

Offered by Representatives Branagan of Georgia, Logan of Burlington, and Mrowicki of Putney

Joint resolution reaffirming support for the legislatively recognized Native American Indian tribes and bands of Vermont

Whereas, in 1 V.S.A. § 851(1), the General Assembly found that “[a]t least 1,700 Vermonters claim to be direct descendants of the several indigenous Native American peoples, now known as Western Abenaki tribes, who originally inhabited all of Vermont and New Hampshire, parts of western Maine, parts of southern Quebec, and parts of upstate New York for hundreds of years, beginning long before the arrival of Europeans,” and

Whereas, in 1 V.S.A. § 851(2), the General Assembly also found “ample archeological evidence that demonstrates that the Missisquoi and Cowasuck Abenaki were indigenous to and farmed the river floodplains of Vermont at least as far back as the 1100s A.D.,” and

Whereas, in 1 V.S.A. § 851(3), the General Assembly further found that the “Western Abenaki, including the Missisquoi, have a very definite and carefully maintained oral tradition that consistently references the Champlain [V]alley in western Vermont,” and

Whereas, 1 V.S.A. § 852(a) establishes the Vermont Commission on Native American Affairs “to recognize the historic and cultural contributions of Native Americans to Vermont,” and in 1 V.S.A. § 853(c) created a set of criteria for future State recognition of Native American Indian tribes and bands, and

Whereas, to date, the General Assembly has extended State recognition to the Elnu Abenaki tribe (1 V.S.A. § 853a), the Nulhegan Band of the Coosuk Abenaki Nation (1 V.S.A. § 854), the Koasek Abenaki of the Koas (1 V.S.A. § 855), and the Missisquoi, St. Francis-Sokoki band (1 V.S.A. § 856), *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly reaffirms its support for the legislatively recognized Native American Indian tribes and bands of Vermont, their geological legitimacy, and the system established in 1 V.S.A. chapter 23 for extending future State recognition of Native American Indian tribes and bands, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Vermont Commission on Native American Affairs.

Was read, treated as bill, and referred to the Committee on General and Housing pursuant to House Rule 52.

Ceremonial Reading

H.C.R. 110

Offered by Representatives LaMont of Morristown, Berbeco of Winooski, Arsenault of Williston, Burke of Brattleboro, Carris-Duncan of Whitingham, Christie of Hartford, Cordes of Bristol, Critchlow of Colchester, Dodge of Essex, Donahue of Northfield, Eastes of Guilford, Headrick of Burlington, James of Manchester, McCoy of Poultney, Minier of South Burlington, Olson of Starksboro, Pouech of Hinesburg, Waszazak of Barre City, Waters Evans of Charlotte, and Wells of Brownington

House concurrent resolution designating April 2025 as Black Maternal Care Awareness Month in Vermont

Whereas, according to a Commonwealth Fund study released in June 2024, the United States has the highest maternal death rate among the world's high-income nations, and the maternal death rate for Black women in this country is significantly higher than for other racial groups, and

Whereas, provisional data from the Centers for Disease Control and Prevention (CDC) show that, in September 2024, the maternal death rate for non-Hispanic White women was 14.9 per 100,000 live births, an admittedly high rate, but the comparable rate for non-Hispanic Black women was far higher, at 50.5 per 100,000 live births, and

Whereas, the most recently published CDC infant mortality data by race and Hispanic origin from 2023 reported 4.48 infant deaths per 1,000 live births for non-Hispanic White women, while the non-Hispanic Black infant mortality rate was 10.93 per 1,000 live births, and

Whereas, research reported in *The American Journal of Maternal/Child Nursing* documented that rates of depression and anxiety during pregnancy overall in the United States ranged from 14–16 percent, but were a considerably higher maximum of 28 percent for Black women, and

Whereas, the higher prevalence of Black women lacking access to comprehensive prenatal care or health insurance coverage contributes to these statistics, and

Whereas, to bring attention to this situation, the Black Mamas Matter Alliance annually observes the Week of April 11–17 as Black Maternal Health Week to “raise awareness around racial inequities in maternal health outcomes in the United States” and to celebrate those individuals working to address these disparities, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly designates April 2025 as Black Maternal Care Awareness Month in Vermont, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Black Mamas Matter Alliance.

Having been adopted in concurrence on Friday, April 25, 2025 in accord with Joint Rule 16b, was read.

Ceremonial Reading**H.C.R. 137**

Offered by Representatives Krowinski of Burlington, Cina of Burlington, Duke of Burlington, Headrick of Burlington, Hooper of Burlington, Kleppner of Burlington, Logan of Burlington, Ode of Burlington, Rachelson of Burlington, and Stone of Burlington

House concurrent resolution celebrating the 40th anniversary of Robin's Nest Children's Center in Burlington's Old North End

Whereas, the origin of Robin's Nest Children's Center (Robin's Nest), a special place for the youngest children to learn and play in a welcoming and supportive environment, dates from the spring of 1985 when a Burlington early childhood program announced its closure, and

Whereas, this decision impacted the parents of the enrolled youngsters, whose daily lives depended on the availability of a trusted child care facility, and the staff who would lose their jobs, and

Whereas, in response to this pending familial and employment dilemma, a group of parents coalesced to develop a replacement option, resulting in the creation of Robin's Nest, and

Whereas, their goal was to establish "a program where children received quality early education, families could find support through a diverse community with others who looked like their own, and a place where early educators would be respectfully compensated," and

Whereas, this collaborative planning process proved productive, and later in 1985, Robin's Nest opened its doors to "provide quality care and education in multi-age groups with high ratios of adults to children...[enabling] children to travel through developmental stages at their own rate and to learn from one another," and

Whereas, this core objective is reflected in Robin's Nest's mission to "provide a play-based environment for infants, toddlers, and preschoolers; nurturing minds, friendships, and families," and

Whereas, in 2025, Robin's Nest marks 40 years of early childhood care and educational excellence and now serves 31 infants, toddlers, and preschoolers, representing 23 families, with the caring support of nine dedicated teachers, and

Whereas, the diverse enrolled population includes 35 percent who are BIPOC (Black, Indigenous, or Persons of Color) and 65 percent receive monetary support from the State's Child Care Financial Assistance Program, and

Whereas, the vision of 40 years ago remains a thriving reality, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly celebrates the 40th anniversary of Robin's Nest Children's Center in Burlington's Old North End, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to Robin's Nest.

Having been adopted in concurrence on Friday, May 9, 2025 in accord with Joint Rule 16b, was read.

Ceremonial Reading

H.C.R. 134

Offered by Representatives Marcotte of Coventry, Durfee of Shaftsbury, Bos-Lun of Westminster, Bosch of Clarendon, Boutin of Barre City, Carris-Duncan of Whitingham, Cooper of Pownal, Duke of Burlington, Graning of Jericho, Lipsky of Stowe, Micklus of Milton, Morgan, L. of Milton, Nelson of Derby, O'Brien of Tunbridge, Olson of Starksboro, Priestley of Bradford, and White of Bethel

House concurrent resolution honoring Cassandra Polhemus for her exemplary leadership of the Vermont Economic Development Authority

Whereas, in 1974, the General Assembly established the Vermont Economic Development Authority (VEDA) "to contribute to Vermont's economic vitality by providing a broad array of financing programs to eligible businesses that create jobs," and

Whereas, since 2019, Cassie Polhemus, an economics graduate of Williams College, has served as VEDA's extraordinary chief executive officer, overseeing the organization's increase in lending commitments from \$2.5 to \$2.8 billion, and

Whereas, Cassie Polhemus's record of achievement at VEDA predates her current role, as she joined the staff in 2013 as a commercial lender, and this talented employee rose through the ranks, being named director of operations in 2014, selected as chief operating officer in 2017, and in 2019, appointed as chief executive officer, and

Whereas, when the pandemic struck in the late winter of 2020, Cassie Polhemus immediately and effectively oversaw VEDA's seamless transition to a paperless/hybrid work environment, and she responded to this unanticipated crisis in a manner that ensured entrepreneurial economic continuity and revitalization in as short a time frame as possible, and

Whereas, VEDA's notable pandemic-related accomplishments under her outstanding supervision were, in 2020, rolling out a \$2.3 million farm operating loan program; in 2020–2021, closing 1,040 Paycheck Protection Program loans worth \$45.4 million; in 2023, assisting over 200 small businesses and farmers to move closer to their pre-pandemic financial status with \$19 million from the Short Term Forgivable Loan Program and accessing \$58 million worth of American Rescue Plan funding to reauthorize the State Small Business Credit Initiative; and post-pandemic, in 2024, Cassie Polhemus oversaw VEDA's creation of the new Forestry Loan Program, and

Whereas, in 2025, Cassie Polhemus, who is concluding her VEDA leadership role on June 30 and is highly respected among her professional colleagues, was the deserved recipient of the federal Small Business Administration's Financial Services Champion Award, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly honors Cassandra Polhemus for her exemplary leadership of the Vermont Economic Development Authority, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to Cassie Polhemus.

Having been adopted in concurrence on Friday, May 9, 2025 in accord with Joint Rule 16b, was read.

Remarks Journalized

On motion of **Rep. Carris-Duncan of Whitingham**, the following remarks by **Rep. LaMont of Morristown** were ordered printed in the Journal:

“Madam Speaker:

We just heard a resolution designating April 2025 as Black Maternal Care Awareness Month for Vermont. This is a moment to acknowledge the persistent and deeply troubling disparities and maternal health outcomes faced by black women in our State and across the nation. We heard that in 2024 the United States witnessed the highest maternal death rate among high income countries. We heard the maternal death rate for non-Hispanic white women was 14.9 per 100,000 live births, but for non-Hispanic black women however, a staggering 50.5 per 100,000 live births. More than three times higher. These

numbers are more than statistics. They are mothers, daughters, sisters, and friends who are lost in an alarming and unacceptable rate.

I wanted to share my story and those of my sisters because they are not just ours—they are the stories of so many. I wanted us to acknowledge this resolution for my sister who went in for a scheduled C-section and bled out and required a blood transfusion to sustain life. At which point she went home to become a mom with no transition, no downtime, and no care. My other sister who also went in for a scheduled C-section, and while she was medicated, was coerced into a tubal ligation that she did not want and can no longer have children now. For myself, when I went to give birth and was accused of being on drugs because I was too calm, and I wasn't acting as if I was in labor or in pain. These stories are not just ours. There is a discrepancy in the world where black women get treated as less than, as if we don't experience pain, as if we are not worthy of quality health care—dignified health care.

Black Maternal Care Awareness Month is a time to confront these disparities head on. It's a call to action for our health care systems, us, policymakers, and community members to commit to addressing the systemic inequities that drive these tragic outcomes. It is also a time to celebrate the resilience and strength of black mothers and the tireless advocates who work every day to make maternal health equity a reality. In solidarity with Black Mamas Matter Alliance, I thank you for allowing this resolution to amplify the voices of those who have been impacted by maternal health disparities and for those that are fighting for change. And this is inclusive of all Black Mamas regardless of their ability to birth.

Today, in the gallery, we are joined by some very special guests. My mama, Gloria LaMont, former member, Rep. Ruqaiyah "Kiah" Morris, and many other Black Mamas from around the State who are here today, and we are also joined by livestream by Black Mamas Matter Alliance down in Atlanta, Georgia. Will you please help me welcome them to the Peoples 'House."

Message from the Senate No. 56

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 considered the report of the Committee of Conference upon the disagreeing votes of the two Houses upon House bill of the following title:

H. 493. An act relating to making appropriations for the support of the government.

And has accepted and adopted the same on its part.

**Third Reading;
Bill Passed in Concurrence with Proposal of Amendment**

S. 117

Senate bill, entitled

An act relating to rulemaking on safety and health standards and technical corrections on employment practices and unemployment compensation

Was taken up, read the third time, and passed in concurrence with proposal of amendment.

Second Reading; Bill Amended; Third Reading Ordered

H. 46

Rep. Garofano of Essex, for the Committee on Human Services, to which had been referred House bill, entitled

An act relating to the Rare Disease Advisory Council

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. FINDINGS

The General Assembly finds that:

(1) lack of awareness contributes to common and harmful obstacles that rare disease patients face, such as delays in diagnosis, misdiagnosis, lack of treatment options, high out-of-pocket costs, and limited access to medical specialists; and

(2) with the support of the National Organization for Rare Disorders, various patient organizations, and stakeholders in the rare disease community, rare disease advisory councils are enabling states to strategically identify and address barriers that prevent individuals living with rare disease from accessing adequate and effective treatment and care for their condition.

Sec. 2. 18 V.S.A. chapter 19 is added to read:

CHAPTER 19. RARE DISEASES

§ 981. RARE DISEASE ADVISORY COUNCIL

(a) Creation. There is created the Rare Disease Advisory Council within the Department of Health to provide guidance and recommendations to the

public, General Assembly, and other government agencies and departments, as necessary, regarding the needs of individuals living with rare diseases in Vermont.

(b) Membership.

(1) The Advisory Council shall be composed of the following members:

(A) two individuals living with a rare disease, at least one of whom is an older Vermonter, one appointed by the Speaker of the House and one appointed by the Senate Committee on Committees;

(B) a parent or guardian of a person living with a rare disease, appointed by the Senate Committee on Committees;

(C) the Commissioner of Health or designee;

(D) the Commissioner of Disabilities, Aging, and Independent Living or designee;

(E) a representative of the Health Equity Advisory Commission established pursuant to section 252 of this title;

(F) an academic researcher who conducts rare disease research, appointed by the Speaker of the House;

(G) a physician practicing in Vermont with experience treating a rare disease, appointed by the Vermont Medical Society;

(H) a nurse practicing in Vermont with experience treating a rare disease, appointed by the Vermont chapter of the American Nurses Association;

(I) a pharmacist practicing in Vermont, appointed by the Senate Committee on Committees; and

(J) a geneticist or genetic counselor, appointed by the Senate Committee on Committees.

(2) The Advisory Council shall collaborate with any other relevant stakeholders it deems appropriate, including the National Organization for Rare Disorders.

(c) Powers and duties. The Advisory Council may conduct the following activities for the benefit of individuals impacted by rare diseases in Vermont:

(1) convene public hearings and solicit comments from individuals impacted by rare diseases to assist the Advisory Council with creating a needs assessment identifying gaps in services for individuals with a rare disease in Vermont and the needs of their caregivers and providers;

(2) provide testimony and comments on pending legislation and rules that impact Vermont's rare disease community before the General Assembly and other State agencies;

(3) consult with experts on rare diseases to develop policy recommendations that:

(A) identify conditions to recommend to the Newborn Screening Advisory Committee as part of the Vermont Newborn Screening Program; and

(B) support timely patient access to diagnostic services and treatment and enhance quality of services provided by rare disease specialists;

(4) maintain a web page on the Department of Health's website to serve as a resource for individuals with a rare disease that contains notices of upcoming meetings, meeting minutes, public comments, and previous annual reports; and

(5) any other activities identified by a majority of the Advisory Council.

(d) Assistance. The Advisory Council shall have the administrative, technical, and legal assistance of the Department of Health.

(e) Report. As needed, the Advisory Council may submit any recommendations for legislative action to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare.

(f) Meetings.

(1) The Commissioner of Health or designee shall call the first meeting of the Advisory Council.

(2) Annually, the Advisory Council shall elect a member to serve as the Chair.

(3) The Advisory Council shall meet quarterly. Meetings may be held in person or remotely on an electronic platform as determined by the Chair.

(4) A majority of the membership shall constitute a quorum.

(g) Compensation and reimbursement. The members of the Advisory Council not otherwise compensated for their participation shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than four meetings annually.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

Rep. Bluemle of Burlington, for the Committee on Appropriations, recommended the bill ought to pass when amended as recommended by the Committee on Human Services.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Human Services agreed to, and third reading ordered.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 63

Rep. Critchlow of Colchester, for the Committee on Health Care, to which had been referred Senate bill, entitled

An act relating to modifying the regulatory duties of the Green Mountain Care Board

Reported in favor of its passage in concurrence with proposal of amendment as follows:

First: By striking out Sec. 7, 18 V.S.A. § 9456, in its entirety and inserting a new Sec. 7 to read as follows:

Sec. 7. 18 V.S.A. § 9456 is amended to read:

§ 9456. BUDGET REVIEW

(a) The Board shall conduct reviews of each hospital's proposed budget based on the information provided pursuant to this subchapter and in accordance with a schedule established by the Board. Notwithstanding any provision of 3 V.S.A. chapter 25 to the contrary, the Board's review, establishment, and enforcement of hospital budgets under this section shall not be construed to be a contested case. Any person aggrieved by a final Board action, order, or determination under this section may appeal as set forth in section 9381 of this title.

* * *

(d)(1)(A) Annually, the Board shall establish a budget for each general hospital, as defined in section 1902 of this title, on or before September 15, followed by a written decision by on or before October 1.

(B) Annually, the Board shall establish a budget for each psychiatric hospital, as defined in section 1902 of this title but excluding those conducted, maintained, or operated by the State of Vermont, on or before December 15, followed by a written decision on or before December 31.

(C) Each hospital shall operate within the budget established under this section.

* * *

(h)(1) If a hospital violates a provision of this section, the Board may maintain an action in the Superior Court of the county in which the hospital is located to enjoin, restrain, or prevent such violation.

(2)(A) After notice and an opportunity for hearing, the Board may impose on a person who knowingly violates a provision of this subchapter, or a rule adopted pursuant to this subchapter, a civil administrative penalty of ~~no~~ not more than \$40,000.00, or in the case of a continuing violation, a civil administrative penalty of ~~no~~ not more than \$100,000.00 or one-tenth of one percent of the gross annual revenues of the hospital, whichever is greater. This subdivision shall not apply to violations of subsection (d) of this section caused by exceptional or unforeseen circumstances.

(B)(i) The Board may order a hospital to:

* * *

(ii) Orders issued under this subdivision (2)(B) shall be issued after notice and an opportunity to be heard, except where the Board finds that a hospital's financial or other emergency circumstances pose an immediate threat of harm to the public or to the financial condition of the hospital. Where there is an immediate threat, the Board may issue orders under this subdivision (2)(B) without written or oral notice to the hospital. Where an order is issued without notice, the hospital shall be notified of the right to a hearing at the time the order is issued. The hearing shall be held within 30 days after receipt of the hospital's request for a hearing, and a decision shall be issued within 30 days after conclusion of the hearing. The Board may increase the time to hold the hearing or to render the decision for good cause shown. ~~Hospitals may appeal any decision in this subsection to Superior Court. Appeal shall be on the record as developed by the Board in the administrative proceeding and the standard of review shall be as provided in 8 V.S.A. § 16.~~

Second: By striking out Sec. 10, effective dates, in its entirety and inserting a new Sec. 10 to read as follows:

Sec. 10. EFFECTIVE DATES

(a) In Sec. 5, (18 V.S.A. § 9382), subsection (a) shall take effect on January 1, 2027 and subsections (b)–(g) shall take effect on January 1, 2026.

(b) Secs. 6 (18 V.S.A. § 9454) and 7 (18 V.S.A. § 9456) and this section shall take effect on passage.

(c) The remaining sections shall take effect on July 1, 2025.

Rep. Branagan of Georgia, for the Committee on Ways and Means, recommended that the bill pass in concurrence with the proposal of amendment recommended by the Committee on Health Care.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Health Care agreed to, and third reading ordered.

**Senate Proposal of Amendment to House Proposal of Amendment
Concurred in**

S. 50

The Senate concurred in the House proposal of amendment with further proposal of amendment thereto on Senate bill, entitled

An act relating to increasing the size of solar net metering projects that qualify for expedited registration

The Senate concurred in the House proposal of amendment with further proposal of amendment thereto by adding a new section to be Sec. 1a to read as follows:

Sec. 1a. NET METERING RENEWABLE ENERGY CREDITS
OWNERSHIP

The Public Utility Commission (PUC) shall allow a customer who owns a net metering system that was commissioned between January 1, 2023 and July 1, 2025 to change the customer's decision to retain the attributes once. The customer shall be allowed to transfer the attributes to the utility by submitting a request to the PUC by September 2, 2025.

Which proposal of amendment was considered and concurred in.

**Second Reading; Amendment Offered and Withdrawn;
Proposal of Amendment Agreed to; Third Reading Ordered**

S. 125

Rep. Dodge of Essex, for the Committee on General and Housing, to which had been referred Senate bill, entitled

An act relating to workers' compensation and collective bargaining rights

Reported in favor of its passage in concurrence with proposal of amendment by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. [Deleted.]

Sec. 2. [Deleted.]

Sec. 3. [Deleted.]

Sec. 4. [Deleted.]

* * * Labor Relations * * *

Sec. 5. 3 V.S.A. § 1011 is amended to read:

§ 1011. DEFINITIONS

As used in this chapter:

* * *

(8) “Employee,” means any individual employed and compensated on a permanent or limited status basis by the Judiciary Department, including permanent part-time employees and any individual whose employment has ceased as a consequence of, or in connection with, any current labor dispute or because of an unfair labor practice. “Employee” does not include any of the following:

- (A) a Justice, judge, assistant judge, magistrate, or hearing officer;
- (B) the Court Administrator;
- (C) a managerial, ~~supervisory~~, or confidential employee;
- (D) a law clerk, attorney, or administrative assistant or private secretary to a judge, Justice, or Court Administrator;
- (E) an individual employed on a temporary, contractual, seasonal, or on-call basis, including an intern;
- (F) an employee during the initial or extended probationary period;
- (G) the head of a department or division;
- (H) [Repealed.]
- (I) an attorney for the Supreme Court, for the Court Administrator, or for any board or commission created by the Supreme Court;
- (J) an employee paid by the State who is appointed part-time as county clerk pursuant to 4 V.S.A. § 651 or 691;
- (K) an employee who, after hearing by the Board upon petition of any individual, the employer, or a collective bargaining unit, is determined to be in a position that is sufficiently inconsistent with the spirit and intent of this chapter to warrant exclusion.

* * *

Sec. 5a. 3 V.S.A. § 941 is amended to read:

§ 941. UNIT DETERMINATION, CERTIFICATION, AND
REPRESENTATION

* * *

(c)(1) A petition may be filed with the Board, in accordance with procedures prescribed by the Board by an employee or group of employees, or any individual or employee organization purporting to act on their behalf, alleging by filing a petition or petitions bearing signatures of not less than 30 percent of the employees that they wish to form a bargaining unit and be represented for collective bargaining, ~~or that the individual or employee organization currently certified as the bargaining agent is no longer supported by at least 51 percent of the employees in the bargaining unit, or that they are now included in an approved bargaining unit and wish to form a separate bargaining unit under Board criteria for purposes of collective bargaining.~~ The employee, group of employees, individual, or employee organization that files the petition, shall, at the same time that the petition is filed with the Board, provide a copy of the petition to the employer and, if appropriate, the current bargaining agent.

(2) A petition may be filed with the Board, in accordance with procedures prescribed by the Board, by an employee or group of employees, or any individual or employee organization purporting to act on their behalf, alleging by filing a petition or petitions bearing signatures of not less than 50 percent plus one of the employees that the individual or employee organization currently certified as the bargaining agent is no longer supported by a majority of the employees in the bargaining unit. The employee, group of employees, individual, or employee organization that files the petition shall, at the same time that the petition is filed with the Board, provide a copy of the petition to the employer and, if appropriate, the current bargaining agent.

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

* * *

(d) The Board, a Board member, or a person or persons designated by the Board shall investigate the petition and do one of the following:

(1) Determine that the petition has made a sufficient showing of interest pursuant to ~~subdivision~~ subdivisions (c)(1) and (2) of this section.

* * *

~~* * * State Construction Projects * * *~~

Sec. 5b. [Deleted.]

Sec. 5c. 3 V.S.A. § 1021 is amended to read:

§ 1021. UNIT DETERMINATION; CERTIFICATION

(a) The Board shall determine issues of unit determination, certification, decertification, and representation in accordance with this chapter and the provisions of section 941 of this title. The Board shall decide the appropriate unit for collective bargaining in each case and the employees to be included in that unit to assure the employees the fullest freedom in exercising the rights guaranteed by this chapter.

* * *

Sec. 5d. 16 V.S.A. § 1992 is amended to read:

§ 1992. REFERENDUM PROCEDURE FOR REPRESENTATION

* * *

(b) Certification of a negotiating unit as exclusive representative shall be valid and not subject to challenge by referendum petition or otherwise for the remainder of the fiscal year in which the certification occurs and for an additional period of 12 months after final adoption of the budget for the succeeding fiscal year and shall continue thereafter until a new referendum is called for. An organization or group of teachers or administrators, or any person purporting to act on their behalf, shall submit a petition bearing signatures of not less than 50 percent plus one of the individuals currently in the bargaining unit alleging that the current exclusive representative of the teachers or administrators is no longer supported by a majority of the teachers or administrators employed by that school board. A copy of the petition shall be provided to the current bargaining agent at the same time as the petition is submitted to the school board.

* * *

Sec. 5e. 21 V.S.A. §§ 1581 and 1584 are amended to read:

§ 1581. PETITIONS FOR ELECTION; FILING, INVESTIGATIONS,
HEARINGS, DETERMINATIONS

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

(1) ~~By~~ by an employee or group of employees, or any individual or labor organization acting in their behalf, alleging that not less than 30 percent of the employees:

~~(A)~~ wish to be represented for collective bargaining and that their employer declines to recognize their representative as the representative defined in section 1583 of this title; ~~or~~

~~(2)(B)~~ by an employee or group of employees, or any individual or labor organization acting on their behalf, alleging that not less than 50 percent plus one of the employees assert that the individual or labor organization that has been certified, or is being currently recognized by their employer as the bargaining representative, is no longer a representative as defined in section 1583 of this title; or

~~(2)(3)~~ By by an employer, alleging that one or more individuals or labor organizations have presented to him or her a claim to be recognized as the representative defined in section 1583 of this title.

* * *

§ 1584. PETITIONS AND ELECTION TO RESCIND

REPRESENTATIVE'S AUTHORITY

(a) When ~~30~~ 50 percent plus one or more of the employees in a bargaining unit covered by an agreement between their employer and a labor organization requiring membership in a labor organization as a condition of employment file a petition alleging that they desire that the authority of the labor organization to make such an agreement be rescinded, the Board shall take a secret ballot of the employees in such unit and certify the results thereof, in writing, to the labor organization and to the employer.

(b) No election shall be conducted under this section in a bargaining unit or a subdivision within which in the preceding 12 months a valid election or certification of a representative pursuant to this subchapter has occurred.

Sec. 5f. 21 V.S.A. § 1724 is amended to read:

§ 1724. CERTIFICATION PROCEDURE

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

(A) By an employee or group of employees, or any individual or employee organization purporting to act on their behalf, alleging that not less than 30 percent of the employees wish to form a bargaining unit and be represented for collective bargaining, ~~or assert that the individual or employee organization currently certified as bargaining agent is no longer supported by~~

~~at least 51 percent of the employees in the bargaining unit~~, or that not less than 51 percent of the employees now included in an approved bargaining unit wish to form a separate bargaining unit under Board criteria for purposes of collective bargaining. The employee, group of employees, individual, or employee organization that files the petition shall, at the same time that the petition is filed with the Board, provide a copy of the petition to the employer and, if appropriate, the current bargaining agent.

(B) By the employer alleging that the presently certified bargaining unit is no longer appropriate under Board criteria. The employer shall provide a copy of the petition to the current bargaining agent at the same time that the petition is filed with the Board.

(C) By an employee or group of employees, or any individual or employee organization purporting to act on their behalf, alleging that a majority of the employees in the bargaining unit no longer support the individual or employee organization currently certified as the bargaining agent. The petition shall bear signatures of not less than 50 percent plus one of the employees in the presently certified bargaining unit. The employee, group of employees, individual, or employee organization that files the petition shall, at the same time that the petition is filed with the Board, provide a copy of the petition to the employer and, if appropriate, the current bargaining agent.

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

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

(iii) The Board may endeavor to informally mediate any dispute regarding the appropriateness of the proposed bargaining unit prior to the hearing.

(B)(i) Within five business days after receiving a copy of the petition, the employer shall file with the Board and the employee or group of employees, or the individual or employee organization purporting to act on their behalf, a list of the names and job titles of the employees in the proposed bargaining unit. To the extent possible, the list of employees shall be in alphabetical order by last name and provided in electronic format.

(ii) An employee or group of employees, or any person purporting to act on their behalf, that is seeking to demonstrate that the current bargaining agent is no longer supported by ~~at least 51 percent~~ a majority of the employees in the bargaining unit shall not be entitled to obtain a list of the employees in the bargaining unit from the employer pursuant to this subdivision (a)(2)(B), but may obtain a list pursuant to subdivision (e)(3) of this section after the Board has investigated its petition and determined that a secret ballot election shall be conducted.

(iii) The list shall be kept confidential and shall be exempt from copying and inspection under the Public Records Act.

* * *

(b) The Board, a Board member, or a person or persons designated by the Board shall investigate the petition and do one of the following:

(1) Determine that the petition has made a sufficient showing of interest pursuant to ~~subdivision~~ subdivisions (a)(1)(A) and (C) of this section.

(2)(A) If it finds reasonable cause to believe that a question of unit determination or representation exists, the Board shall schedule a hearing to be held before the Board not more than ~~ten~~ 10 business days after the petition was filed with the Board.

* * *

(e)(1) Except as otherwise provided pursuant to subsection (h) of this section, in determining the representation of municipal employees in a collective bargaining unit, the Board shall conduct an election by secret ballot of the employees and certify the results to the interested parties and to the employer. The election shall be held not more than 23 business days after the petition is filed with the Board except as otherwise provided pursuant to subdivision (4) of this subsection.

(2) The original ballot shall permit a vote against representation by anyone named on the ballot. No representative will be certified with less than a ~~51 percent affirmative vote~~ majority of all votes cast. If it is asserted that the certified bargaining agent is no longer supported by at least ~~51~~ 50 percent plus one of the employees in the bargaining unit and there is no attempt to seek the election of another employee organization or individual as bargaining representative, there shall be at least ~~51 percent negative vote~~ a majority of all votes cast to decertify the existing bargaining agent.

* * *

Sec. 5g. 21 V.S.A. § 1635 is amended to read:

§ 1635. ELECTION; BARGAINING UNIT

(a) ~~Petitions~~ Certification and decertification petitions and elections shall be conducted pursuant to the procedures provided in 3 V.S.A. §§ 941 and 942, except that only one bargaining unit shall exist for independent direct support providers, and the exclusive representative shall be the exclusive representative for the purpose of grievances.

* * *

Sec. 5h. 33 V.S.A. § 3607 is amended to read:

§ 3607. PETITIONS FOR ELECTION; FILING; INVESTIGATIONS;
HEARINGS; DETERMINATIONS

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

(1) By an early care and education provider or group of providers or any individual or labor organization acting on the providers' behalf:

(A) ~~alleging~~ Alleging that not less than 30 percent of the providers in the petitioned bargaining unit wish to be represented for collective bargaining and that the State declines to recognize their representative as the representative defined in this chapter; ~~or~~.

(B) ~~asserting~~ Asserting that the labor organization that has been certified as the bargaining representative no longer represents a majority of early care and education providers. The petition alleging that the labor organization is no longer supported by a majority of the providers shall bear signatures of not less than 50 percent plus one of the providers in the bargaining unit.

(2) By the State alleging that one or more individuals or labor organizations have presented a claim to be recognized as the exclusive representative defined in this chapter.

* * *

* * * Effective Date * * *

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2025.

and that after passage the title of the bill be amended to read: "An act relating to collective bargaining"

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

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on General and Housing?, **Rep. Greer of Bennington** moved to amend the report of the Committee on General and Housing by adding a new reader assistance heading and section to be Sec. 5i to read as follows:

* * * Wages and Medium of Payment * * *

Sec. 5i. 21 V.S.A. § 342 is amended to read:

§ 342. WEEKLY PAYMENT OF WAGES

* * *

(b)(1) An employee who:

(1)(A) voluntarily leaves employment shall be paid on the last regular pay day, or if there is no regular pay day, on the following Friday;

(2)(B) is discharged from employment shall be paid within 72 hours of following discharge; or

(3)(C) is absent from ~~his or her~~ the employee's regular place of employment on the employer's regular scheduled date of wages or salary payment shall be entitled to payment upon demand.

(2) The final payment of wages to an employee who leaves employment, whether voluntarily or involuntarily, shall include payment for any unused accrued vacation leave.

* * *

Thereupon, **Rep. Greer of Bennington** asked and was granted leave of the House to withdraw the amendment.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on General and Housing?, **Rep. Harrison of Chittenden** 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 House propose to the Senate to amend the bill as recommended by the Committee on General and Housing?, was decided in the affirmative. Yeas, 81. Nays, 51.

Those who voted in the affirmative are:

Austin of Colchester
Bartholomew of Hartland
Bartley of Fairfax

Dolan of Essex Junction
Dolgin of St. Johnsbury
Duke of Burlington

McFaun of Barre Town
McGill of Bridport
Mihaly of Calais

Berbeco of Winooski	Durfee of Shaftsbury	Morris of Springfield
Birong of Vergennes	Eastes of Guilford	Morrow of Weston
Bishop of Colchester	Emmons of Springfield	Mrowicki of Putney
Black of Essex	Galfetti of Barre Town	Noyes of Wolcott
Bluemle of Burlington	Garofano of Essex	Nugent of South Burlington
Bos-Lun of Westminster	Goldman of Rockingham	Ode of Burlington
Boutin of Barre City	Goodnow of Brattleboro	Oliver of Sheldon
Boyden of Cambridge	Greer of Bennington	Olson of Starksboro
Brady of Williston	Harple of Glover	Pezzo of Colchester
Brown of Richmond	Headrick of Burlington	Pouech of Hinesburg
Burke of Brattleboro	Holcombe of Norwich	Priestley of Bradford
Burkhardt of South Burlington	Hooper of Burlington	Rachelson of Burlington
Burrows of West Windsor	Houghton of Essex Junction	Satcowitz of Randolph
Carris-Duncan of Whitingham	Howard of Rutland City	Scheu of Middlebury
Casey of Montpelier	Hunter of Manchester	Squirrel of Underhill
Chapin of East Montpelier	James of Manchester	Stevens of Waterbury
Cole of Hartford	Kleppner of Burlington	Stone of Burlington
Conlon of Cornwall	Kornheiser of Brattleboro	Sweeney of Shelburne
Cooper of Pownal	LaLonde of South Burlington	Tomlinson of Winooski
Corcoran of Bennington	LaMont of Morristown	Torre of Moretown
Cordes of Bristol	Logan of Burlington	Waters Evans of Charlotte
Critchlow of Colchester	Long of Newfane	White of Waitsfield
Dodge of Essex	Masland of Thetford	White of Bethel
	McCann of Montpelier	Wood of Waterbury
		Yacovone of Morristown

Those who voted in the negative are:

Bailey of Hyde Park	Higley of Lowell	Morrissey of Bennington
Bosch of Clarendon	Howland of Rutland Town	Nelson of Derby
Branagan of Georgia	Kascenska of Burke	Nielsen of Brandon
Burt of Cabot	Keyser of Rutland City	North of Ferrisburgh
Canfield of Fair Haven	Kimbell of Woodstock	Page of Newport City
Casey of Hubbardton	Labor of Morgan	Parsons of Newbury
Charlton of Chester	Lalley of Shelburne *	Pinsonault of Dorset
Coffin of Cavendish	Laroche of Franklin	Powers of Waterford
Demar of Enosburgh	Lipsky of Stowe	Pritchard of Pawlet
Dobrovich of Williamstown	Luneau of St. Albans City	Quimby of Lyndon
Donahue of Northfield *	Maguire of Rutland City	Sibilia of Dover
Feltus of Lyndon	Malay of Pittsford	Southworth of Walden
Goslant of Northfield	Marcotte of Coventry	Steady of Milton
Gregoire of Fairfield	McCoy of Poultney	Tagliavia of Corinth
Hango of Berkshire	Micklus of Milton	Toof of St. Albans Town
Harrison of Chittenden	Morgan, L. of Milton	Wells of Brownington
Harvey of Castleton	Morgan, M. of Milton	Winter of Ludlow

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

Arsenault of Williston	Graning of Jericho	Sheldon of Middlebury
Burditt of West Rutland	Hooper of Randolph	Surprenant of Barnard
Campbell of St. Johnsbury	Krasnow of South	Taylor of Milton

Christie of Hartford
Cina of Burlington
Dickinson of St. Albans
Town

Burlington
Minier of South Burlington
Nigro of Bennington
O'Brien of Tunbridge

Walker of Swanton
Waszazak of Barre City

Rep. Donahue of Northfield provided the following vote explanation:

“Madam Speaker:

Thirty percent to petition to organize, thirty percent to petition to no longer support being organized – either way leading to a full vote, not a final action. Equal voice to both to seek a vote is established in current law. That balance should not be disturbed to give one voice more weight than the other. I vote no.”

Rep. Kate Lalley of Shelburne provided the following vote explanation:

“Madam Speaker:

I support unions and the right to organize. However, this bill broadly applied to organizations of all sizes could discourage entrepreneurs and the small businesses Vermont depends on and whose investment we seek to attract to create new jobs and opportunities for Vermonters.”

Thereafter, third reading was ordered.

Action on Bill Postponed

H. 41

House bill, entitled

An act relating to abuse of the dead body of a person

Was taken up and, pending consideration of the Senate proposal of amendment, on motion of **Rep. LaLonde of South Burlington**, action on the bill was postponed until May 14, 2025.

Senate Proposal of Amendment Concurred in

H. 98

The Senate proposed to the House to amend House bill, entitled

An act relating to confirmatory adoptions

The Senate proposed to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 15A V.S.A. § 1-114 is added to read:

§ 1-114. CONFIRMATORY ADOPTION FOR CHILDREN BORN
THROUGH ASSISTED REPRODUCTION

(a) As used in this section:

(1) “Assisted reproduction” means a method of causing pregnancy other than sexual intercourse and includes:

(A) intrauterine, intracervical, or vaginal insemination;

(B) donation of gametes;

(C) donation of embryos;

(D) in vitro fertilization and transfer of embryos; and

(E) intracytoplasmic sperm injection.

(2) “Donor” means a person who contributes a gamete or gametes or an embryo or embryos to another person for assisted reproduction or gestation, whether or not for consideration. This term does not include:

(A) a person who gives birth to a child conceived by assisted reproduction except as otherwise provided in 15C V.S.A. chapter 8; or

(B) a parent under 15C V.S.A. chapter 7 or an intended parent under 15C V.S.A. chapter 8.

(3) “Marriage” includes civil union and any legal relationship that provides substantially the same rights, benefits, and responsibilities as marriage and is recognized as valid in the state or jurisdiction in which it was entered.

(4) “Petitioners” means the persons filing a petition for adoption in accordance with this section.

(b) Whenever a child is born as a result of assisted reproduction and the person or persons who did not give birth are a parent pursuant to 15C V.S.A. § 703 or presumed parent pursuant to 15C V.S.A. § 401 and the parents seek to file a petition to confirm parentage through an adoption of the child, the court shall permit the parents to file a petition for adoption in accordance with this section.

(c) A complete petition shall comprise the following:

(1) the petition for adoption signed by all parents;

(2) a copy of the petitioners’ marriage certificate, if petitioners are married;

(3) a declaration signed by the parents explaining the circumstances of the child's birth through assisted reproduction, attesting to their consent to assisted reproduction, and stating that there are no other persons with a claim to parentage of the child under Title 15C; and

(4) a certified copy of the child's birth certificate.

(d) A complete petition for adoption, as described in subsection (c) of this section, shall serve as the petitioners' written consents to adoption and no additional consent or notice shall be required.

(e) If the petitioners conceived through assisted reproduction with donor gametes or donor embryos, the court shall not require notice of the adoption to the donor or consent to the adoption by the donor.

(f) Unless otherwise ordered by the court for good cause shown and supported by written findings of the court demonstrating good cause, for purposes of evaluating and granting a petition for adoption pursuant to this section, the court shall not require:

(1) an in-person hearing or appearance, although the court may require a remote hearing;

(2) an investigation or home study by, a notice to, or the approval of the Department for Children and Families;

(3) a criminal-record check;

(4) verification that the child is not registered with the federal register for missing children or the central register; or

(5) a minimum residency period in the home of the petitioners.

(g) The court shall grant the adoption under this section and issue an adoption decree promptly after the filing of a complete petition and upon finding that:

(1) for marital parents, the parent who gave birth and the spouse were married at the time of the child's birth and the child was born through assisted reproduction; or

(2) for nonmarital parents:

(A) the person who gave birth and the nonmarital parent consented to the assisted reproduction; and

(B) no other person has a claim to parentage pursuant to Title 15C or that any other person with a claim to parentage of the child who is required to be provided notice of, or who must consent to, the adoption has been notified or provided consent to the adoption.

(h) Unless notice has been waived or consent given for the adoption, a copy of the petition and notice of a proceeding under this section shall be served upon any person entitled to notice within 30 days after the petition is filed. The notice shall include the address and telephone number of the court where the petition is pending and a statement that the person served with the notice and petition shall file a written appearance in the proceeding within 20 days after service in order to participate in the proceeding and to receive further notice of the proceeding, including notice of the time and place of any hearing. Service of the notice and petition shall be made in a manner appropriate under the Vermont Rules of Probate Procedure unless the court otherwise directs. Proof of service on each person entitled to receive notice shall be on file with the court before the court acts on the petition.

(i) A petition to adopt a child pursuant to this section shall not be denied on the basis that any of the petitioners' parentage is already presumed or legally recognized in Vermont.

(j) When parentage is presumed or legally recognized pursuant to 15C V.S.A. § 201, the fact that a person did not petition for adoption pursuant to this section shall not be considered as evidence when two or more presumptions conflict, nor in determining the best interests of the child.

Sec. 2. 14 V.S.A. § 2622 is amended to read:

§ 2622. DEFINITIONS

As used in this article:

(1) "Child" means an individual who is under 18 years of age and who is the subject of a petition for guardianship filed pursuant to section 2623 of this title.

(2) "Child in need of guardianship" means:

(A) A child who the parties consent is in need of adult care because of any one of the following:

(i) The child's custodial parent has a serious or terminal illness.

(ii) A custodial parent's physical or mental health prevents the parent from providing proper care and supervision for the child.

(iii) The child's home is no longer habitable as the result of a natural disaster.

(iv) A custodial parent of the child is incarcerated.

(v) A custodial parent of the child is on active military duty.

(vi) A custodial parent of the child is unavailable to care for the child because the parent has been subject to an adverse immigration action.

(vii) The parties have articulated and agreed to another reason that guardianship is in the best interests of the child.

(B) A child who is:

(i) abandoned or abused by the child's parent;

(ii) without proper parental care, subsistence, education, medical, or other care necessary for the child's well-being; or

(iii) without or beyond the control of the child's parent.

(3) "Custodial parent" means a parent who, at the time of the commencement of the guardianship proceeding, has the right and responsibility to provide the routine daily care and control of the child. The rights of the custodial parent may be held solely or shared and may be subject to the court-ordered right of the other parent to have contact with the child. If physical parental rights and responsibilities are shared pursuant to court order, both parents shall be considered "custodial parents" for purposes of this subdivision.

(4) "Nonconsensual guardianship" means a guardianship with respect to which:

(A) a parent is opposed to establishing the guardianship; or

(B) a parent seeks to terminate a guardianship that the parent previously agreed to establish.

(5) "Noncustodial parent" means a parent who is not a custodial parent at the time of the commencement of the guardianship proceeding.

(6) "Parent" means a child's biological or adoptive parent, including custodial parents; noncustodial parents; parents with legal or physical responsibilities, or both; and parents whose rights have never been adjudicated.

(7) "Parent-child contact" means the right of a parent to have visitation with the child by court order.

(8) "Standby guardianship" means a consensual guardianship agreement between the custodial parent and their chosen guardian that meets the requirements of section 2626a of this title, in which the custodial parent has been subject to an adverse immigration action that has rendered the parent unavailable to care for their child.

(9) “Adverse immigration action” means:

(A) arrest or apprehension by any federal law enforcement officer for an alleged violation of federal immigration law;

(B) arrest, detention, or custody by the Department of Homeland Security, or a federal, state, or local agency authorized by or acting on behalf of the Department of Homeland Security, for an alleged violation of federal immigration law;

(C) departure from the United States under an order of removal, deportation, exclusion, voluntary departure, or expedited removal or a stipulation of voluntary departure;

(D) the denial, revocation, or delay of the issuance of a visa or transportation letter by the Department of State;

(E) the denial, revocation, or delay of the issuance of a parole document or reentry permit by the Department of Homeland Security; or

(F) the denial of admission or entry into the United States by the Department of Homeland Security or other local or state officer acting on behalf of the Department of Homeland Security.

Sec. 3. 14 V.S.A. § 2623 is amended to read:

§ 2623. PETITION FOR GUARDIANSHIP OF MINOR; SERVICE

(a) A parent or a person interested in the welfare of a minor may file a petition with the Probate Division of the Superior Court for the appointment of a guardian for a child. The petition shall state:

(1) the names and addresses of the parents, the child, and the proposed guardian;

(2) the proposed guardian’s relationship to the child;

(3) the names of all members of the proposed guardian’s household and each person’s relationship to the proposed guardian and the child;

(4) that the child is alleged to be a child in need of guardianship;

(5) specific reasons with supporting facts why guardianship is sought;

(6) whether the parties agree that the child is in need of guardianship and that the proposed guardian should be appointed as guardian;

(7) the child’s current school and grade level;

(8) if the proposed guardian intends to change the child’s current school, the name and location of the proposed new school and the estimated date when the child would enroll;

(9) the places where the child has lived during the last five years, and the names and present addresses of the persons with whom the child has lived during that period; ~~and~~

(10) any prior or current court proceedings, child support matters, or parent-child contact orders involving the child;

(11) whether the petition seeks a standby guardianship and the reasons for the request, including the adverse immigration action that the custodial parent is subject to; and

(12) whether the petition is an emergency petition filed pursuant to subdivision 2625(f)(1) of this title.

(b)(1) A petition for guardianship of a child under this section shall be served on all parties and interested persons as provided by Rule 4 of the Vermont Rules of Probate Procedure.

(2)(A) The Probate Division may waive the notice requirements of subdivision (1) of this subsection (b) with respect to a parent if the court finds that:

(i) the identity of the parent is unknown; ~~or~~

(ii) the location of the parent is unknown and cannot be determined with reasonable effort; ~~or~~

(iii)(I) the custodial parent is detained as the result of an adverse immigration action; and

(II) the guardian and the custodial parent's attorney are unable to contact the custodial parent after making reasonable efforts.

(B) After a guardianship for a child is created, the Probate Division shall reopen the proceeding at the request of a parent of the child who did not receive notice of the proceeding as required by this subsection (b).

Sec. 4. 14 V.S.A. § 2625 is amended to read:

§ 2625. HEARING; COUNSEL; GUARDIAN AD LITEM

(a) The Probate Division shall schedule a hearing upon the filing of the petition and shall provide notice of the hearing to all parties and interested persons who were provided notice under subdivision 2623(c)(1) of this title.

(b) The child shall attend the hearing if ~~he or she~~ the child is 14 years of age or older unless the child's presence is excused by the court for good cause. The child may attend the hearing if ~~he or she~~ the child is less than 14 years of age.

(c) The court shall appoint counsel for the child if the child will be called as a witness. In all other cases, the court may appoint counsel for the child.

(d)(1) The child may be called as a witness only if the court finds after hearing that:

(A) the child's testimony is necessary to assist the court in determining the issue before it;

(B) the probative value of the child's testimony outweighs the potential detriment to the child; and

(C) the evidence sought is not reasonably available by any other means.

(2) The examination of a child called as a witness may be conducted by the court in chambers in the presence of such other persons as the court may specify and shall be recorded.

(e) The court may appoint a guardian ad litem for the child on motion of a party or on the court's own motion.

(f)(1) The court may grant an emergency guardianship petition filed ex parte by the proposed guardian, or by the custodial parent's attorney in the case of a standby guardianship petition filed pursuant to section 2626a of this title, if the court finds that:

(A)(i) both parents are deceased or medically incapacitated; ~~and~~ or

(ii) in the case of a standby guardianship petition filed pursuant to section 2626a of this title, the custodial parent has been subject to an adverse immigration action that renders the parent unavailable to care for the child; and

(B) the best interests of the child require that a guardian be appointed without delay and before a hearing is held.

(2) If the court grants an emergency guardianship petition pursuant to subdivision (1) of this subsection (f), it shall schedule a hearing on the petition as soon as practicable and in no event more than three business days after the petition is filed.

Sec. 5. 14 V.S.A. § 2626a is added to read:

§ 2626a. CONSENSUAL STANDBY GUARDIANSHIP

(a)(1) If the petition requests a consensual standby guardianship, the petition shall include or be accompanied by a consent signed by the custodial parent attesting that the custodial parent understands the nature of the standby

guardianship and knowingly and voluntarily consents to the standby guardianship.

(2) The consent required by this subsection shall be on a form approved by the Court Administrator.

(b)(1) The court shall schedule a hearing on the petition within 14 days. The custodial parent shall be permitted to appear at and participate in the hearing remotely.

(2) On or before the date of the hearing, the parties shall file an agreement between the proposed guardian and the custodial parents. The agreement shall provide:

(A) that the parties are creating a standby guardianship that is effective only if the custodial parent has been subject to an adverse immigration action that renders the custodial parent unavailable to care for the child;

(B) the responsibilities of the guardian;

(C) the responsibilities of the parents;

(D) the expected duration of the guardianship, if known;

(E) parent-child contact and parental involvement in decision making; and

(F) that the guardianship shall presumptively terminate if the custodial parent is released from custody and reunited with the child.

(3) Any party may notify the court that the guardianship is presumptively terminated pursuant to subdivision (2)(F) of this subsection.

(c) Vermont Rule of Probate Procedure 43 (relaxed rules of evidence in probate proceedings) shall apply to hearings under this section.

(d) The court shall grant the petition if it finds after the hearing by clear and convincing evidence that:

(1) the child is a child in need of guardianship as defined in subdivision 2622(2)(A) of this title because the parent has been subject to an adverse immigration action that renders the parent unavailable to care for the child;

(2) the child's custodial parents knowingly and voluntarily consented to the standby guardianship;

(3) the guardian or the custodial parent's attorney made reasonable efforts to notify the parent of the proceeding;

(4) the agreement is voluntary;

(5) the proposed guardian is suitable; and

(6) the guardianship is in the best interests of the child.

(e) There shall be a rebuttable presumption that the guardianship is in the best interests of the child if:

(1) the custodial parent has been subject to an adverse immigration action and is unavailable to care for their child;

(2) all parties consented to the guardianship; and

(3) the custodial parent is represented by an attorney.

(f) If the court grants the petition, it shall approve the agreement at the hearing and issue an order establishing a guardianship under section 2628 of this title within 45 days after the petition was filed, unless the court extends the time for issuing the order for good cause shown. The order shall be consistent with the terms of the parties' agreement unless the court finds that the agreement was not reached voluntarily or is not in the best interests of the child.

Sec. 6. 14 V.S.A. § 2628 is amended to read:

§ 2628. GUARDIANSHIP ORDER

(a) If the court grants a petition for guardianship of a child under subsection 2626(d), 2626a(d), or 2627(d) of this title, the court shall enter an order establishing a guardianship and naming the proposed guardian as the child's guardian.

(b) A guardianship order issued under this section shall include provisions addressing the following matters:

(1) the powers and duties of the guardian consistent with section 2629 of this title;

(2) the expected duration of the guardianship, if known;

(3) a family plan on a form approved by the Court Administrator that:

(A) in a consensual case is consistent with the parties' agreement; or

(B) in a nonconsensual case includes, at a minimum, provisions that address parent-child contact consistent with section 2630 of this title; and

(4) the process for reviewing the order consistent with section 2631 of this title.

Sec. 7. 14 V.S.A. § 2629 is amended to read:

§ 2629. POWERS AND DUTIES OF GUARDIAN

(a) The court shall specify the powers and duties of the guardian in the guardianship order.

(b) The duties of a custodial guardian shall include the duty to:

(1) take custody of the child and establish ~~his or her~~ the child's place of residence, provided that a guardian shall not change the residence of the child to a location outside the State of Vermont without prior authorization by the court following notice to the parties and an opportunity for hearing;

(2) make decisions related to the child's education;

(3) make decisions related to the child's physical and mental health, including consent to medical treatment and medication;

(4) make decisions concerning the child's contact with others, provided that the guardian shall comply with all provisions of the guardianship order regarding parent-child contact and contact with siblings;

(5) receive funds paid for the support of the child, including child support and government benefits; and

(6) file an annual status report to the Probate Division, with a copy to each parent at ~~his or her~~ the parent's last known address, including the following information:

(A) the current address of the child and each parent;

(B) the child's health care and health needs, including any medical and mental health services the child received;

(C) the child's educational needs and progress, including the name of the child's school, day care, or other early education program, the child's grade level, and the child's educational achievements;

(D) contact between the child and ~~his or her~~ the child's parents, including the frequency and duration of the contact and whether it was supervised;

(E) how the parents have been involved in decision making for the child;

(F) how the guardian has carried out ~~his or her~~ the guardian's responsibilities and duties, including efforts made to include the child's parents in the child's life;

(G) the child's strengths, challenges, and any other areas of concern; and

(H) recommendations with supporting reasons as to whether the guardianship order should be continued, modified, or terminated.

(c) In the case of a standby guardianship petition filed pursuant to section 2626a of this title, the guardian shall provide status reports to the custodial parent at the parent's last known email address and to the custodial parent's attorney at the attorney's last known address.

Sec. 8. 14 V.S.A. § 2632 is amended to read:

§ 2632. TERMINATION

(a) A parent may file a motion to terminate a guardianship at any time. The motion shall be filed with the Probate Division that issued the guardianship order and served on all parties and interested persons.

(b)(1) If the motion to terminate is made with respect to a consensual guardianship established under section 2626 of this title or a standby guardianship established under section 2626a of this title, the court shall grant the motion and terminate the guardianship unless the guardian files a motion to continue the guardianship within 30 days after the motion to terminate is served. In the case of a standby guardianship established under section 2626a of this title, the court may, for good cause shown, accept filings that do not meet the format and signing requirements for the motion under Vermont Rules of Probate Procedure 10 and 11.

(2) If the guardian files a motion to continue the guardianship, the matter shall be set for hearing and treated as a nonconsensual guardianship proceeding under section 2627 of this title. The parent shall not be required to show a change in circumstances, and the court shall not grant the motion to continue the guardianship unless the guardian establishes by clear and convincing evidence that the minor is a child in need of guardianship under subdivision 2622(2)(B) of this title. In the case of a standby guardianship established under section 2626 of this title, the custodial parent shall be permitted to appear at and participate in the hearing remotely.

(3) If the court grants the motion to continue, it shall issue an order establishing a guardianship under section 2628 of this title.

(c)(1) If the motion to terminate the guardianship is made with respect to a nonconsensual guardianship established under section 2627 or subdivision 2632(b)(3) of this title, the court shall dismiss the motion unless the parent establishes that a change in circumstances has occurred since the previous guardianship order was issued.

(2) If the court finds that a change in circumstances has occurred since the previous guardianship order was issued, the court shall grant the motion to terminate the guardianship unless the guardian establishes by clear and convincing evidence that the minor is a child in need of guardianship under subdivision 2622(2)(B) of this title.

Sec. 9. EFFECTIVE DATES

(a) Sec. 1 shall take effect on July 1, 2025.

(b) Secs. 2–8 and this section shall take effect on passage.

Which proposal of amendment was considered and concurred in.

Message from the Senate No. 57

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 considered bills originating in the House of the following titles:

H. 339. An act relating to removing the repeal of 7 V.S.A. § 230.

H. 364. An act relating to approval of the annexation of property by the Village of Swanton.

And has passed the same in concurrence.

The Senate has considered bills originating in the House of the following titles:

H. 396. An act relating to the creation of the Mollie Beattie Distinguished Service Award.

H. 461. An act relating to expanding employee access to unpaid leave.

H. 481. An act relating to stormwater management.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the House is requested.

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 26. Joint resolution relating to weekend adjournment on May 16, 2025.

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

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Jaye Pershing Johnson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 13th day of May, 2025, he signed bills originating in the House of the following titles:

- H.13 An act relating to Medicaid payment rates for community-based service providers**
- H.96 An act relating to increasing the monetary thresholds for certificates of need**
- H.206 An act relating to the Uniform Commercial Code**
- H.218 An act relating to fiscal year 2026 appropriations from the Opioid Abatement Special Fund**
- H.463 An act relating to technical corrections for the 2025 legislative session**

Adjournment

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