

# Journal of the House

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Thursday, May 28, 2026

At nine o'clock and thirty minutes in the forenoon, the Speaker called the House to order.

## Devotional Exercises

A moment of silence was observed in lieu of a devotional.

## Remarks Journalized

On motion by **Rep. Bailey of Hyde Park**, the following remarks by **Rep. Bartley of Fairfax** were ordered printed in the Journal:

“Madam Speaker:

I hope the Member from Georgia doesn't mind, but today I would like to take a page from her history book.

Let us travel back to 2003. Skype had just launched, though many in this chamber may now consider it a relic of the past. If you were listening to the radio, 50 Cent's *In Da Club* sat at number one on the Billboard charts. And while I was only in third grade, something far more important was happening here in Vermont — the Member from Georgia was sworn into this very body.

While her legislative service began in 2003, her commitment to Vermont started long before she took the oath of office.

The Member from Georgia is a lifelong Vermonter — raised on a dairy farm, and educated in our public schools. She earned both her bachelor's and master's degrees from the University of Vermont and dedicated her early career to education, serving as a teacher in Fairfax and Fairfield before becoming principal in Fairfield.

But public service, for Carolyn, has never been confined to one role or one title.

She has served her community as a school board chair, Selectboard chair, town moderator, church leader, historical society member, trustee, volunteer, and advocate. She has lent her time and leadership to organizations supporting housing, healthcare, food security, history, and community life throughout Franklin County and beyond. In 2010, she was recognized as Vermont Mother of the Year — an honor that speaks volumes about the values she has carried through every chapter of her life.

Her legislative career reflects that same dedication.

The Member from Georgia served in this House from 2003 to 2016, in the Senate from 2017 to 2019, and, after facing and overcoming cancer, returned to this chamber in 2023 to continue serving the people she loves so dearly.

Madam Speaker, I had the privilege of meeting the Member from Georgia in 2022 when we both announced our candidacies for the House. I was running for the first time, and the Member from Georgia was making her return.

I still remember sitting at her kitchen table. Before I knew it, a mug of hot tea had been firmly placed in my hands while she scooped up my daughter and carried on as though we had known one another forever. That was how our partnership began — as running mates.

But over time, we became much more than that.

My children lovingly call her “Nana Carolyn.” She has become not only a mentor and colleague, but a trusted friend and part of our extended family.

And that, Madam Speaker, may be the greatest testament to who the Member from Georgia is.

Because beyond the titles, beyond the elections and years of service, she has always led with kindness, conviction, and care for others. She has shown us that public service is not about recognition — it is about showing up, doing the work, and leaving your community better than you found it.

To the Member from Georgia: thank you.

Thank you for your years of service, for your steady leadership, for the history you helped shape, and for the example you leave behind for all of us who have had the honor of serving beside you.

Madam Speaker, I ask the body to join me in recognizing and celebrating the remarkable service and retirement of the Member from Georgia, Carolyn Branagan.”

**Joint House Resolution Adopted; Rules Suspended, Messaged to the Senate Forthwith**

**J.R.H. 12**

Joint resolution authorizing remote joint committee voting through the remainder of calendar year 2026 and the application of the ADA thereto

Was taken up and adopted.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House action on the resolution was ordered messaged to the Senate forthwith.

**Rules Suspended, Immediate Consideration; Senate Proposal of  
Amendment Concurred in**

**H. 935**

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to emergency management

Was taken up for immediate consideration.

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:

\* \* \* Ready Response Grant Program \* \* \*

Sec. 1. 20 V.S.A. § 52 is added to read:

**§ 52. READY RESPONSE GRANT PROGRAM**

(a) As used in this section, “ready response” means the provision of short-term food and bottled water resources, including logistical support and transportation, to individuals in Vermont who do not have adequate access to food and water at agreed upon times when the Division of Emergency Management seeks resource assistance from a grantee or responds to an all-hazards event or state of emergency.

(b) There is created the Ready Response Grant Program to be managed and administered by the Division of Emergency Management. The Division shall award an annual grant to an eligible food bank to source, store, and distribute shelf-stable, ready-to-eat foods and bottled water at times and in types and quantities per a written memorandum of agreement with the Division.

(c) The grant shall be in an amount sufficient to compensate the grantee for all costs incurred to procure and stage food and water in agreed upon quantities and locations, the costs of cycling the food and water at agreed-upon intervals, the value of distribution center storage capacity, the value of operational capacity to stage materials in anticipation of need, and the costs of distribution whenever the Division seeks resource assistance from the grantee or responds to an all-hazards event or state of emergency. As used in this subsection, the “value of operational capacity” includes leased storage space, delivery vehicles, drivers, warehouse selectors, and other operational costs.

(d) Food and water supplies subject to a grant and under the grantee’s control shall be rotated and replenished according to established industry guidelines and best practices. Rotated food and water shall be redistributed in an equitable manner by the grantee through Vermont’s charitable food system

to Vermont nonprofit organizations qualifying under 26 U.S.C. § 501(c)(3) that provide food to individuals in Vermont.

(e) To the extent that the Division requests services from the grantee that are not covered by the Grant Program, a separate agreement shall be reached between the Division and the grantee.

\* \* \* Technical Rescue Grant Program \* \* \*

Sec. 2. 20 V.S.A. § 53 is added to read:

§ 53. TECHNICAL RESCUE GRANT PROGRAM

(a) Creation of Program. There is created the Technical Rescue Grant Program to assist Vermont fire departments, emergency medical services agencies, and technical rescue agencies with the improvement of operational readiness and investment in specialized equipment, personal protective gear, and training. The Program shall be administered by the Urban Search and Rescue (USAR) Team program manager.

(b) Duties of USAR Team program manager. The USAR Team program manager, in addition to other duties described elsewhere in law, shall review grant applications, award grants, and otherwise administer the Program.

(c) Eligibility. Fire departments, emergency medical services agencies, and technical rescue agencies operating within Vermont shall be eligible for Program grants. Grant applicants shall demonstrate their use, planned use, or need for technical rescue operations within their service area. All grant applicants shall submit their application on a form adopted by the USAR Team program manager. The USAR Team program manager shall prioritize grant awards for applicants that:

(1) maintain a memorandum of understanding with the Division of Emergency Management for swiftwater rescue; or

(2) function as regional technical rescue teams providing services in multiple jurisdictions.

(d) Grant award limitations. The maximum award to any applicant in a given fiscal year shall be not more than \$5,000.00. The Program shall not award more than \$25,000.00 in total grants in a given fiscal year.

(e) Application review and scoring. The USAR Team program manager shall adopt procedures governing application submission, forms, review, scoring, and recommendation of awards. The procedures for application scoring shall include alignment with the Program priorities in subsection (a) of this section, operational need, geographic service area, feasibility of the

proposed project, cost-effectiveness, and sustainability of the applicant's services.

(f) Grant recipient reporting; report. Each grant recipient shall submit to the USAR Team program manager a final expenditure report, proof of purchase or training completion, and a narrative description of how the grant improved the recipient's technical rescue capacity. Annually on or before November 15, the USAR Team program manager shall submit a written report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations summarizing grant awards, outcomes, and Program recommendations.

(g) Rulemaking. The USAR Team program manager may adopt rules pursuant to 3 V.S.A. chapter 25 as needed to implement this section.

Sec. 2a. 20 V.S.A. § 50 is amended to read:

§ 50. URBAN SEARCH AND RESCUE TEAM

\* \* \*

(b) The USAR Team program manager shall perform all the following duties:

\* \* \*

(5) negotiate and enter into agreements with municipalities, municipal agencies that maintain swiftwater rescue teams, State-recognized swiftwater rescue teams, or other technical rescue teams to provide expert assistance and services to the USAR Team when necessary; ~~and~~

(6) coordinate USAR Team participation in search and rescue operations under chapter 112 of this title; and

(7) administer the Technical Rescue Grant Program pursuant to section 53 of this title.

\* \* \*

\* \* \* Disability Inclusion in Emergency Planning \* \* \*

Sec. 3. 20 V.S.A. § 2 is amended to read:

§ 2. DEFINITIONS

As used in this chapter:

\* \* \*

(13) "Whole community" means the collective of residents; emergency management practitioners; organizational and community leaders; and local, State, and federal government officials.

Sec. 4. 20 V.S.A. § 6 is amended to read:

§ 6. LOCAL AND REGIONAL ORGANIZATION FOR EMERGENCY  
MANAGEMENT

\* \* \*

(c)(1) Each local organization shall develop and maintain an all-hazards emergency management plan in accordance with the State Emergency Management Plan and guidance set forth by the Division of Emergency Management.

\* \* \*

(3) The Division shall advise municipalities that when a shelter is sited under a local emergency plan, the municipality should work with the ~~Agency of Human Services, the American Red Cross, and community-based emergency or charitable food providers~~ whole community, to assess the facility and the facility's potential operations, including the characteristics of the surrounding area during an all-hazards event, multiple routes of travel and possible hazards that could prevent access to the shelter, and the need for immediate and sustained access to food and water for individuals using the shelter.

(4) The Division, in coordination with the ~~Agency of Human Services~~ whole community, shall advise municipalities, upon completion of a local emergency management plan, on how to conduct training and exercises pertaining to sheltering.

\* \* \*

Sec. 5. 20 V.S.A. § 32 is amended to read:

§ 32. LOCAL EMERGENCY PLANNING COMMITTEES; CREATION;  
DUTIES

\* \* \*

(b) All local emergency planning committees shall include representatives from the following: fire departments; local and regional emergency medical services; local, county, and State law enforcement; other entities providing first responders or emergency management personnel; organizations serving vulnerable populations; media; transportation; regional planning commissions; hospitals; industry; the Vermont National Guard; the Department of Health's district office; and an animal rescue organization, and may include any other interested public or private individual or organization. Where the local emergency planning committee represents more than one region of the State, the Commission shall appoint representatives that are geographically diverse.

(c) A local emergency planning committee shall perform all the following duties:

(1) Carry out all the requirements of a committee pursuant to EPCRA, including preparing a local emergency planning committee plan. The plan shall be coordinated with the State ~~emergency management plan~~ Emergency Management Plan and may be expanded to address all-hazards identified in the State ~~emergency management plan~~ Emergency Management Plan. A local emergency planning committee shall coordinate with disability-led organizations throughout all phases of emergency management planning. At a minimum, the local emergency planning committee plan shall include the following:

\* \* \*

Sec. 6. [Deleted.]

\* \* \* Town Forest Fire Wardens \* \* \*

Sec. 7. 10 V.S.A. § 2603 is amended to read:

§ 2603. POWERS AND DUTIES: COMMISSIONER

\* \* \*

(d) The Commissioner or designee shall be the State ~~fire warden~~ Forest Fire Warden and may act as, and in place of, the town forest fire warden of any municipality, unorganized town, or gore as provided under subchapter 4 of this chapter. The Commissioner or designee, as State Forest Fire Warden, shall have the authority to:

(1) exercise the authority and duties of a town forest fire warden as set forth in subchapter 4 of this chapter;

(2) appoint special forest fire wardens and delegate the authority of the State Forest Fire Warden to the special forest fire wardens;

(3) take command and control of a forest fire in any municipality or unorganized town or gore in the State when, in the State Forest Fire Warden's determination, it is necessary to do so, or when resources are needed in addition to local resources, and act as incident commander over all other fire officials;

(4) delegate the authority to act as incident commander of a forest fire to another person or entity;

(5) serve on the Northeastern Forest Fire Protection Commission or designate an appropriate Department representative to serve in the Commissioner's place, pursuant to section 2503 of this title, and exercise all related authority;

(6) enter into mutual aid compact agreements as set forth in section 2462 of this title; and

(7) issue a ban on kindling fires on lands owned by the Agency of Natural Resources when necessary.

\* \* \*

Sec. 8. 10 V.S.A. chapter 83, subchapter 4 is amended to read:

Subchapter 4. Forest Fires and Fire Prevention

§ 2641. TOWN FOREST FIRE WARDENS; APPOINTMENT AND REMOVAL

~~(a) Upon approval by the selectboard and acceptance by the appointee, the Commissioner shall appoint a town forest fire warden for a term of five years or until a successor is appointed. A town forest fire warden may be reappointed for successive five-year terms by the Commissioner or until a successor is approved by the selectboard and appointed by the Commissioner. The warden may be removed for cause at any time by the Commissioner with the approval of the selectboard. A warden shall comply with training requirements established by the Commissioner. The chief of the fire department, fire district, or private fire department with the jurisdictional responsibility to respond to a municipality, unorganized town, or gore is designated as the town forest fire warden and shall have the authority to exercise all the powers and duties of a town forest fire warden. For any municipality, unorganized town, or gore that is covered by two or more fire districts or has two or more fire departments, the municipality, unorganized town, or gore shall designate one fire chief as town forest fire warden and shall notify the Commissioner of the designation.~~

~~(b) The Commissioner may appoint a forest fire warden for an unorganized town or gore, who shall serve for a term of five years or until a successor is appointed. An appointed forest fire warden for an unorganized town or gore may be reappointed for successive five-year terms by the Commissioner until the Commissioner appoints and the unorganized town or gore approves a successor. The warden may be removed for cause at any time by the Commissioner with the approval of the unorganized town or gore. The forest fire warden of an unorganized town or gore shall have the same powers and duties as town forest fire wardens and shall be subject to the requirements of this subchapter. The chief of the fire department, fire district, or private fire~~

department with the jurisdictional responsibility to respond to a municipality, unorganized town, or gore, as town forest fire warden, may designate deputy town forest fire wardens. The town forest fire warden shall provide a list of all designated deputy forest fire wardens to the Commissioner. Deputy forest fire wardens shall only have the authority to issue permits to kindle a fire as set forth in sections 2644 and 2645 of this subchapter.

~~(c) When there are woodlands within the limits of a city, the chief of the fire department of such city shall act as the city forest fire warden with all the powers and duties of town forest fire wardens. When a municipality, unorganized town, or gore does not have a fire department or is not covered by a fire district, the municipality, unorganized town, or gore may contract with a neighboring fire department or fire district to designate the chief of the fire department or fire district to serve as the town forest fire warden for the municipality, unorganized town, or gore. When a private fire department provides fire suppression and control services to a municipality, unorganized town, or gore, the chief of the private fire department may serve as the town forest fire warden when approved by the municipality, unorganized town, or gore.~~

~~(d) When the Commissioner deems it difficult in any municipality for one warden to take charge of protecting the entire municipality from forest fires, he or she may appoint one or more deputy forest fire wardens. Such wardens under the direction of the fire warden shall have the same powers, duties, and pay and make the same reports through the fire warden to the Commissioner as forest fire wardens. [Repealed.]~~

(e) The Commissioner may ~~appoint~~ designate special forest fire wardens who shall hold office ~~during~~ at the pleasure of the Commissioner. ~~Such~~ The fire wardens shall be employees of the Department of Forests, Parks and Recreation with forest fire suppression and control training, and shall have the same powers and duties throughout the State as town forest fire wardens, except that all expenses and charges incurred on account of their official acts shall be paid from the appropriations for the Department.

#### § 2642. SALARY AND COMPENSATION OF TOWN FOREST FIRE WARDENS

(a) The salary of a town forest fire warden and any deputy town forest fire warden shall be determined by the selectboard members for time spent in the performance of the duties of ~~his or her~~ the warden's office, which shall be paid by the town. ~~In addition thereto, he or she shall receive from the Commissioner \$30.00 annually for fulfilling the requirements of section 2645 of this title and keeping the required State records. He or she shall also receive from the Commissioner \$30.00 per diem for attendance at each training~~

~~required by the Commissioner. He or she shall also receive annually an amount of \$10.00 for each fire report that is submitted by the forest fire warden under section 2644 of this title.~~

\* \* \*

§ 2643. TOWN'S LIABILITY FOR SUPPRESSION OF FOREST FIRES;  
STATE AID

(a) A municipality in which a forest fire occurs shall pay the cost to suppress a forest fire that occurs on land that is not owned by the Agency of Natural Resources, including the costs of personnel and equipment. The Commissioner may, ~~according to the Department fire suppression reimbursement policy~~ when funds have been appropriated or are otherwise available, reimburse a municipality for all or a portion of the costs of suppressing a forest fire on land that is not owned by the Agency of Natural Resources.

(b) For the purpose of suppressing forest fires on lands owned by the Agency of Natural Resources, the State ~~shall~~ may reimburse a ~~town municipality or unorganized town or gore~~ for some or all its forest fire suppression costs at a rate determined by the Commissioner according to the Department fire suppression reimbursement policy. If the total acreage of a forest fire is determined to be partially on land owned by the Agency of Natural Resources and partially on land owned by another party, the Commissioner shall, at a minimum, reimburse the town at a rate determined by the Commissioner according to the Department fire suppression reimbursement policy for costs incurred by the municipality on land owned by the Agency of Natural Resources if, at a minimum, the requirements in subsection (c) of this section are satisfied. The Commissioner may establish additional requirements and guidance regarding reimbursement.

(c) For any forest fire on lands owned by the Agency of Natural Resources to be considered eligible for reimbursement from the State, ~~a town forest fire warden shall have reported the forest fire to the Commissioner within 14 days of extinguishment of the fire as required under section 2644 of this title. For reimbursement of fire suppression costs for forest fires on land owned by the Agency of Natural Resources, the town forest fire warden and the Commissioner or designee shall approve the costs before submission to the municipality for payment. The town forest fire warden may submit to the State on an annual basis a request for reimbursement of fire suppression costs on lands owned by the Agency of Natural Resources. The State shall reimburse a town for all applicable forest fire suppression costs when the reimbursement request is presented in a form approved by the Commissioner to the~~

Commissioner by December 31 of each year, a municipality, unorganized town, or gore shall, at a minimum, satisfy the following requirements:

(1) The town forest fire warden of a municipality, unorganized town, or gore shall request assistance within one hour of discovery after the forest fire from the Department of Forests, Parks and Recreation Wildland Fire Team, for the suppression of the forest fire on land owned by the Agency of Natural Resources.

(2) The town forest fire warden shall submit a report of the forest fire to the Commissioner within 24 hours after extinguishment of the fire as required under section 2644 of this title.

(3) The municipality, unorganized town, or gore shall submit detailed documentation of the costs of suppression of the forest fire to the Commissioner within 60 days after extinguishment of the forest fire.

(4) The Commissioner shall review and approve the request for reimbursement.

(d) For requests for reimbursement approved by the Commissioner for forest fire suppression costs of a municipality, unorganized town, or gore on land owned by the Agency of Natural Resources, payment of the costs shall be made by the Commissioner of Finance and Management to the municipality, unorganized town, or gore. The funds for the payment are to be taken from the appropriation for forest fire suppression.

#### § 2644. DUTIES AND POWERS OF FIRE WARDEN

(a) When a forest fire or fire threatening a forest forestland is discovered in his or her town the warden's jurisdiction of responsibility, the town forest fire warden shall enter upon any premises and take measures for its prompt control, suppression, and extinguishment. The town forest fire warden may call upon any person for assistance. The town forest fire warden may choose to share or delegate command authority to a chief engineer of a responding fire department or, in the chief's absence, the highest ranking assistant firefighter present during the fire. Within 24 hours after discovery of the forest fire on lands not owned by the Agency of Natural Resources, the town forest fire warden shall notify the Department of Forests, Parks and Recreation that the fire was discovered.

(b) A town forest fire warden shall keep prepare a report for all forest fires in the warden's jurisdiction that includes, at a minimum, the following information: a record of his or her the warden's acts, the number of forest fires and causes of the forest fires, the areas burned over, and the character and amount of damages done in the warden's jurisdiction. Within two weeks 48 hours after the extinguishment of a fire, the town forest fire warden shall file a

~~report of the fire to the Commissioner, but the making of a report under this subsection shall not be a charge against the town.~~

\* \* \*

(d) Within 12 hours after granting permission to kindle a fire pursuant to section 2645 of this subchapter, the town forest fire warden or deputy forest fire warden shall issue a written "Permit to Kindle" stating when and where the fire may be kindled, including any conditions deemed appropriate by the town forest fire warden.

§ 2645. OPEN BURNING; PERMITS

~~(a) Except as otherwise provided in this section, a person shall not kindle or authorize another person to kindle a fire in the open air for the purpose of burning natural wood, brush, weeds, or grass without first obtaining permission a permit to kindle a fire from the town forest fire warden or deputy forest fire warden stating when and where such the fire may be kindled and imposing any conditions deemed necessary by the town forest fire warden or deputy forest fire warden. Special forest fire wardens designated by the Commissioner shall issue permits for Category 3 fires on land owned by the Agency of Natural Resources. Wood, brush, weeds, or grass shall not be burned if they have been altered in any way by surface applications or injection of paints, stains, preservatives, oils, glues, or pesticides. Whenever such permission is granted, the fire warden, within 12 hours, shall issue a written "Permit to Kindle" for record purposes stating when and where such fire may be kindled.~~

~~(b) With the written approval of the Secretary, during~~ During periods of increased fire hazard, or when the Department of Environmental Conservation has issued an Air Quality Alert due to forecasted ambient air quality, the Commissioner may:

~~(1) notify~~ Notify town forest fire wardens that for a specified period no ~~burning~~ permits to kindle a fire shall be issued. The forest fire wardens shall issue no permits during the specified period.

~~(2) Notify~~ town forest fire wardens that for a specified period of time permits for Category 2 or 3 fires shall be prohibited or restricted as set forth by the Commissioner.

~~(3) Notify~~ town forest fire wardens that for a specified period of time, Category 1 fires shall be prohibited or restricted as set forth by the Commissioner.

(c) The provisions of this section will not apply to A permit to kindle a fire is not required for the following categories or conditions when the requirements set forth below are satisfied:

(1) the kindling of a fire in a location where there is snow surrounding the open burning site;

~~(2) fires built in stone arches, outdoor fireplaces, or existing fire rings at State recreational areas or fires built in stone arches, outdoor fireplaces, or fire rings on private property that are not located within woodland, timberland, or a field containing dry grass or other flammable plant material contiguous to woodland; Category 1 fires; or~~

~~(3) the kindling of a fire in a location that is 200 feet or more from any woodland, timberland, or field containing dry grass or other flammable plant material contiguous to woodland; or~~

~~(4) areas within cities maintaining a fire department. the kindling of a fire that complies with all requirements established by rule adopted by the Commissioner of Forests, Parks and Recreation when a person is primitive camping on lands owned by the Agency of Natural Resources.~~

~~(d)(1) The Commissioner of Forests, Parks and Recreation may issue a ban on kindling fires on lands owned by the Agency of Natural Resources when necessary.~~

(e) As used in this section, “natural wood”:

(1) “Category 1” includes campfires that meet the following requirements:

(A) fires 36 inches in diameter or less that are built in stone arches, outdoor fireplaces, or existing fire rings at State recreational areas, other public recreational areas, or on private property; or

(B) fires 36 inches in diameter or less built in a location that is 200 feet or more from any forestland, or field containing dry grass or other flammable plant materials contiguous to forestland.

(2) “Category 2” includes natural wood fires that meet the following requirements:

(A) fires in piles larger than 36 inches in diameter; or

(B) fires 36 inches in diameter or less, not built in stone arches, outdoor fireplaces, or existing fires rings at State recreational areas, other public recreational areas, or on private property.

(3) “Category 3 broadcast burn” includes fires that meet the following requirements:

(A) Fires applied to existing vegetation in a predetermined land area, in a manner to meet specific or prescribed objectives, including fuels management, slash abatement, firefighter training, agricultural field burning, forest management, wildlife habitat management, or introduced species management.

(B) All Category 3 fires must have a plan that includes location, objectives, and contingency for escaped fire.

(4) “Forestland” means woodlands, timberland, brushland, forest, and woodlots.

(5) “Natural wood” means:

\* \* \*

(2)(6) “Natural wood” does not mean other wood products such as sawdust, plywood, particle board, or press board. “Natural wood” does not mean wood, brush, weeds, or grass if they have been altered in any way by surface applications or injections of paints, stains, preservatives, oils, glues, or pesticides.

\* \* \*

§ 2646. PROCLAMATION BY GOVERNOR PROHIBITING KINDLING OF FIRES: CLOSING OF ~~WOODLANDS~~ FORESTLANDS

(a) Whenever it appears to the Governor that there is excessive danger of forest fires, ~~he or she~~ the Governor may prohibit by proclamation the kindling of a fire in or adjoining forestland or close any or all sections of ~~woodland forestland~~, or brushland, in any town for such time as the Governor may designate, to all persons ~~except the owner and his or her household, his or her tenants, servants, or agents and persons in the public employment engaged in abating such fire hazardous condition.~~

(b) Proclamations shall be ~~published in such newspapers of the State and posted in such places and in such manner as the Governor may order in writing. A copy of such publication~~ the proclamation and order, attested by the Secretary of Civil and Military Affairs, shall be filed with the Secretary of State and a like copy shall be furnished to the Commissioner who shall attend to the ~~publication and posting thereof~~ of the proclamation. The expenses of ~~such publication and posting~~ shall be paid by the Department. Notice of removal of restrictions imposed by proclamation shall be in the same manner.

§ 2647. FIRES IN ~~WOODS~~ FORESTLAND OF ANOTHER; PERMISSION

No one shall build a fire in the ~~woodlands~~ forestland of another without the permission of the owner, ~~lessee, holder of right-of-way, or his or her authorized agent between April 1 and November 1.~~ A person who builds a fire ~~in or adjoining any woods shall totally extinguish such fire before leaving it.~~

§ 2648. SLASH REMOVAL

(a) A person may cut or cause to be cut forest growth only if all slash adjoining the right-of-way of any public highway, or the boundary lines of ~~woodlots~~ forestland owned by adjoining property owners, is treated as follows:

(1) All slash shall be removed for a distance of 50 feet from the right-of-way of any public highway or from the boundary lines of ~~woodlots~~ forestland owned by adjoining property owners.

\* \* \*

(d) As used in this section, "slash" means the branches, tree tops, and other woody debris left on the forest floor after logging.

Sec. 9. REPEAL

10 V.S.A. chapter 83, subchapter 7 (uniform fire prevention ticket) is repealed.

Sec. 10. 20 V.S.A. § 2673 is amended to read:

§ 2673. POWERS AND DUTIES DURING HAZARDOUS CHEMICAL OR SUBSTANCE INCIDENT, FIRES; THREAT OF FIRES OR EXPLOSIONS; FOREST FIRES

\* \* \*

(e) The chief of a fire district is designated as the town forest fire warden under 10 V.S.A chapter 83, subchapter 4 and shall have the authority and duties related to forest fires pursuant to that subchapter.

Sec. 11. 20 V.S.A. § 2992 is amended to read:

§ 2992. DEFINITION

The term "private fire department" includes fire protection organizations operated by industries, institutions, and establishments for self-protection and also nonprofit volunteer fire associations. Nothing contained in this subchapter shall be construed to interfere with the exclusive jurisdiction vested by law in the State Forester ~~and the State Forester's subordinates or the State Forest Fire Warden~~ over forest fires as provided in 10 V.S.A. § 2603(d); 10 V.S.A. chapter 83, ~~subchapters subchapter 4 and 7;~~ or 10 V.S.A. chapter 81, nor to affect the laws governing prevention or extinguishment of forest fires.

Nothing contained in this subchapter shall be construed to interfere with general authorization vested by law in a chief engineer of a fire district or chief of a volunteer fire department to give outside aid as provided in sections 2674 and 2961 of this title.

\* \* \* Increasing Wildland Fire Response Capacity Task Force \* \* \*

Sec. 11a. INCREASING WILDLAND FIRE RESPONSE CAPACITY  
TASK FORCE; REPORT

(a) Creation. There is created the Increasing Wildland Fire Response Capacity Task Force to examine and report on increasing Vermont's capacity for wildland fire response.

(b) Membership. The following individuals and entities shall be invited by Department of Forests, Parks and Recreation to join the Task Force:

(1) the Department of Forests, Parks and Recreation;

(2) Vermont Emergency Management;

(3) the Department of Public Safety, Division of Fire Safety;

(4) the Green Mountain National Forest;

(5) the Vermont League of Cities and Towns; and

(6) two municipal fire chiefs, with one being a career fire fighter and the other being a volunteer fire fighter.

(c) Powers and duties. The Task Force shall examine how to best increase Vermont's capacity for wildland fire response, including:

(1) examining available information on wildland fire incidence and existing response capacity, and making recommendations regarding staffing, funding, equipment, supplies, and infrastructure, including vehicles, necessary to increase wildland fire response capacity; and

(2) identifying any potential policy or statutory changes needed to improve wildland fire response capacity; clarify statewide roles and responsibilities among State, municipal, and federal entities; and recommend any coordination and communication improvements.

(d) Assistance. The Task Force shall have the administrative, technical, and legal assistance of Department of Forests, Parks and Recreation.

(e) Report. On or before February 15, 2027, and again on or before July 2027, the Task Force shall submit a written report to House Committees on Agriculture, Food Resiliency, and Forestry and on Government Operations and Military Affairs and to the Senate Committees on Natural Resources and

Energy and on Government Operations with its findings to date and any recommendations for legislative action.

(f) Meetings.

(1) The Commissioner of the Department of Forests, Parks and Recreation, or designee, shall call the first meeting of the Task Force.

(2) The Commissioner of the Department of Forests, Parks and Recreation, or designee, shall be the chair of the Task Force.

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

(4) The Task Force shall cease to exist on November 16, 2027.

(g) Compensation and reimbursement. Members of the Task Force shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010. These payments shall be made from monies appropriated to the Department of Forests, Parks and Recreation.

\* \* \* Public Safety Communications \* \* \*

Sec. 12. DEPARTMENT OF PUBLIC SAFETY; PUBLIC SAFETY  
COMMUNICATIONS TASK FORCE; AUTHORIZATION FOR  
ONGOING EXPENDITURE OF FUNDS

(a) The General Assembly authorizes the use of monies appropriated or held in reserve pursuant 2022 Acts and Resolves No. 185, Sec. B.1100, as amended by 2023 Acts and Resolves No. 78, Sec. C.115 and 2023 Acts and Resolves No. 87, Sec. 49, for the Department of Public Safety to procure and implement a multidisciplinary computer-aided dispatch system for public safety communications, subject to the following:

(1) \$2,250,000.00 shall be available for immediate costs associated with establishing the multidisciplinary computer-aided dispatch system and five years of software licensing fees, provided that the Department issues requests for proposal and signs contracts for services on or before January 1, 2027;

(2) \$190,000.00 shall be immediately available for cybersecurity, expanded use of Rapid SOS, and geographic information systems; and

(3) \$4,500,000.00 shall be available incrementally over three years to:

(A) implement and expand the Land Mobile Radio network to include a Statewide conceptual design;

(B) detail designs for one or more proof of concept projects and initially implement pilot projects; and

(C) build out or improve 10 or more Land Mobile Radio sites, including equipment and antenna deployment at existing chosen sites.

(b) Notwithstanding any provisions of 2023 Acts and Resolves No. 78, Sec. C.114 to the contrary, the Public Safety Communications Task Force shall continue in existence until February 15, 2027. The Task Force shall meet as necessary to advise the Department of Public Safety on executing the Task Force recommendations and final design plan. Notwithstanding 2023 Acts and Resolves No. 78, Sec. C.114(d)(3), members of the Task Force shall be entitled to per diem compensation and reimbursement of expenses permitted under 32 V.S.A. § 1010. These payments shall be made from monies appropriated to the Department of Public Safety.

(c) The Department of Public Safety shall submit written reports to the House Committees on Appropriations and on Government Operations and Military Affairs and the Senate Committees on Appropriations and Government Operations concerning the expenditure of monies pursuant to this section. The Department shall submit the written reports on or before May 1, 2027, January 15, 2028, and January 15, 2029, concerning the expenditures made during each respective reporting period.

Sec. 13. [Deleted.]

\* \* \* Programs Contingent on Availability of Agency Funds \* \* \*

Sec. 13a. PROGRAMS CONTINGENT ON AVAILABILITY OF AGENCY FUNDS

The duty to implement Secs. 1 (Ready Response Grant Program) and 2 (Technical Rescue Grant Program) of this act is contingent upon the availability of sufficient funds within the Department of Public Safety and the Agency of Administration to support the programs.

\* \* \* Appropriation \* \* \*

Sec. 13b. [Deleted.]

\* \* \* Emergency Rule \* \* \*

Sec. 13c. 3 V.S.A. § 844 is amended to read:

§ 844. EMERGENCY RULES

(a) Where an agency believes that there exists an imminent peril to public health, safety, or welfare, it may adopt an emergency rule. The rule may be adopted without having been prefiled or filed in proposed or final proposed form, and may be adopted after whatever notice and hearing the agency finds to be practicable under the circumstances. The agency shall make reasonable efforts to ensure that emergency rules are known to persons who may be affected by them.

\* \* \*

(g) In the alternative to the grounds specified in subsection (a) of this section, an agency may adopt emergency amendments to existing rules using the process set forth in this section if each of the subdivisions (1)–(5) of this subsection applies. On a majority vote of the entire Committee, the Legislative Committee on Administrative Rules may object to the emergency amendments on the basis that one or more of these subdivisions do not apply or under subdivision (e)(1)(A), (B), or (C) of this section, or both.

(1) The existing rules implement a program controlled by federal statute or rule or by a multistate entity.

(2) The controlling federal statute or rule has been amended to require a change in the program, or the multistate entity has made a change in the program that is to be implemented in all of the participating states.

(3) The controlling federal statute or rule or the multistate entity requires implementation of the change within 120 days or less.

(4) The adopting authority finds each of the following in writing:

(A) The agency cannot by the date required for implementation complete the final adoption of amended rules using the process set forth in sections ~~837 through 843~~ 837–843 of this title.

(B) Failure to amend the rules by the date required for implementation would cause significant harm to the public health, safety, or welfare or significant financial loss to the State.

(5) On the date the emergency rule amendments are adopted pursuant to this subsection, the adopting authority prefiles a corresponding permanent rule pursuant to section 837 of this title.

(h) In addition to the grounds for emergency rulemaking under subsections (a) and (g) of this section, an agency may adopt an emergency rule under this section if an amendment to a federal statute, rule, or policy will materially conflict with or threaten the ability of the agency to implement a statutory or regulatory program required under Vermont law. On a majority vote of the entire Committee, the Legislative Committee on Administrative Rules may object to proposed emergency rules for adoption under this subsection on the basis that the provisions of this subsection do not apply.

#### Sec. 13d. SUNSET OF AGENCY EMERGENCY RULEMAKING AUTHORITY

3 V.S.A. § 844(h) (emergency rulemaking in response to federal action) is repealed on July 1, 2028.

---

\* \* \* Effective Dates \* \* \*

Sec. 14. EFFECTIVE DATES

(a) This section and sections 13c and 13d shall take effect upon passage.

(b) All other sections shall take effect on July 1, 2026.

Which proposal of amendment was considered and concurred in.

**Rules Suspended, Immediate Consideration; Report of Committee of  
Conference Adopted**

**H. 952**

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to capital construction and State bonding budget adjustment

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

TO THE HOUSE OF REPRESENTATIVES AND THE SENATE:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House Bill entitled:

H.952 An act relating to capital construction and State bonding budget adjustment.

Respectfully reports that it has met and considered the same and recommends that the Senate recede from its proposal of amendment and that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Legislative Intent \* \* \*

Sec. 1. 2025 Acts and Resolves No. 33, Sec. 1 is amended to read:

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the ~~\$111,965,288.44~~ \$123,564,624.67 authorized in Secs. 2-16 this act, not more than ~~\$61,969,761.44~~ \$61,449,761.44 shall be appropriated in the first year of the biennium, and the remainder shall be appropriated in the second year.

\* \* \*

## \* \* \* Bond-Funded Project Authorizations \* \* \*

Sec. 2. 2025 Acts and Resolves No. 33, Sec. 2 is amended to read:

Sec. 2. STATE BUILDINGS

\* \* \*

(b) The following sums are appropriated in FY 2026:

\* \* \*

(2) Statewide, three-acre parcel stormwater compliance: ~~\$1,500,000.00~~  
\$500,000.00

\* \* \*

(c) The following sums are appropriated in FY 2027:

(1) Statewide, major maintenance: ~~\$8,500,000.00~~ \$8,683,413.18

\* \* \*

(4) ~~Statewide, three-acre parcel stormwater compliance: \$1,100,000.00~~  
[Repealed.]

\* \* \*

(7) Montpelier, State House replacement of historic interior finishes:  
\$50,000.00

(8) Montpelier, 120 State Street HVAC – steam lines interior  
renovation: ~~\$2,000,000.00~~ \$1,000,000.00

\* \* \*

(12) Montpelier, State House entryway upgrades, design documents,  
including comprehensive parking plan and delivery truck access, and second-  
floor egress design: \$1,300,000.00

(d) On or before January 15, 2027, the Sergeant at Arms and the  
Commissioner of Buildings and General Services shall report to the House  
Committee on Corrections and Institutions and the Senate Committee on  
Institutions on the status of the designs for the State House entryway and  
second-floor egress under subdivision (c)(12) of this section and on estimates  
for construction costs.

Appropriation – FY 2026	\$13,726,680.44	<u>\$12,726,680.44</u>
Appropriation – FY 2027	\$15,925,000.00	<u>\$15,308,413.18</u>
Total Appropriation – Section 2	\$28,951,680.44	<u>\$28,035,093.62</u>

Sec. 3. 2025 Acts and Resolves No. 33, Sec. 3 is amended to read:

Sec. 3. HUMAN SERVICES

(a) The following sums are appropriated in FY 2026 to the Department of Buildings and General Services for the Agency of Human Services for the following projects:

\* \* \*

(4) St. Johnsbury, Northeast Correctional Complex (NECC) door control system replacements: \$1,000,000.00 \$1,480,000.00

\* \* \*

(b) The following sums are appropriated in FY 2027 to the Department of Buildings and General Services for the Agency of Human Services for the following projects:

(1) Statewide, planning, design, and construction for HVAC system upgrades at correctional facilities: \$1,000,000.00 \$9,426,254.21

\* \* \*

(4) St. Johnsbury, Northeast Correctional Complex (NECC) door control system replacements: \$2,600,000.00 \$2,920,000.00

(5) ~~Newport, Northern State Correctional Facility (NSCF) sprinkler system upgrades:~~ ~~\$500,000.00 [Repealed.]~~

(6) Newport, Northern State Correctional Facility (NSCF) boiler replacement: \$700,000.00

(7) Maintenance, replacement, and renovations at the Chittenden Regional Correctional Facility or other correctional facilities utilized in response to overcrowding for the incarcerated women's population: \$598,850.00

\* \* \*

Appropriation – FY 2026 \$8,225,000.00 \$8,705,000.00

Appropriation – FY 2027 \$4,800,000.00 \$14,345,104.21

Total Appropriation – Section 3 \$13,025,000.00 \$23,050,104.21

Sec. 4. 2025 Acts and Resolves No. 33, Sec. 4 is amended to read:

Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

\* \* \*

(b) The following sums are appropriated in FY 2027 to the Agency of Commerce and Community Development for the following projects:

(1) Major maintenance at statewide historic sites:                 \$550,000.00  
\$750,000.00

\* \* \*

(3) Roadside historic site markers:                                 \$25,000.00 \$45,000.00

\* \* \*

Appropriation – FY 2027   \$621,000.00 \$841,000.00

Total Appropriation – Section 4                                     \$1,667,000.00 \$1,887,000.00

Sec. 5. 2025 Acts and Resolves No. 33, Sec. 6 is amended to read:

Sec. 6. VETERANS' HOME

(a) The following sums are appropriated in FY 2026 to the Vermont Veterans' Home for the following projects:

(1) Replacement of air handlers:                                     \$710,000.00

(2) Expansion of laundry facilities:                                 \$340,000.00

(b) The Chief Executive Officer of the Vermont Veterans' Home is authorized to transfer any unexpended project balances between the amounts appropriated in subdivisions (a)(1)–(2) of this section and the amount appropriated in subsection (c) of this section.

(c) The sum of \$1,250,000.00 is appropriated in FY 2027 to the Vermont Veterans' Home for sewage system and elevator upgrades.

Appropriation – FY 2026   \$1,050,000.00

Appropriation – FY 2027   \$1,250,000.00

Total Appropriation – Section 6                                     \$1,050,000.00 \$2,300,000.00

Sec. 6. 2025 Acts and Resolves No. 33, Sec. 10 is amended to read:

Sec. 10. CLEAN WATER INITIATIVES

\* \* \*

~~(e) The sum of \$10,000,000.00 is appropriated in FY 2027 to the Agency of Natural Resources for the Department of Environmental Conservation for clean water implementation projects. [Repealed.]~~

(f) In FY 2026 and FY 2027, any agency that receives funding from this section shall consult with the State Treasurer to ensure that the projects are capital eligible.

(g) The sum of \$1,500,000.00 is appropriated in FY 2027 to the Agency of Agriculture, Food and Markets for water quality grants and contracts.

(h) The following sums are appropriated in FY 2027 to the Agency of Natural Resources for the Department of Environmental Conservation for the following projects:

(1) Clean Water State Revolving Fund: \$1,577,600.00

(2) Municipal pollution control grants: \$3,922,400.00

(i) The sum of \$200,000.00 is appropriated in FY 2027 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for water quality improvements to forest access roads.

(j) The following sums are appropriated in FY 2027 to the Vermont Housing and Conservation Board for the following projects:

(1) Agricultural water quality projects: \$800,000.00

(2) Land conservation and water quality projects: \$2,000,000.00

\* \* \*

Sec. 7. 2025 Acts and Resolves No. 33, Sec. 14 is amended to read:

Sec. 14. JUDICIARY

\* \* \*

(c) The sum of \$1,720,818.84 is appropriated in FY 2027 to the Department of Buildings and General Services for the Judiciary for the Newport Courthouse project.

Appropriation – FY 2026 \$5,075,910.00

Appropriation – FY 2027 \$1,720,818.84

Total Appropriation – Section 14 \$5,075,910.00 \$6,796,728.84

\* \* \* Reallocations \* \* \*

Sec. 8. 2025 Acts and Resolves No. 33, Sec. 17 is amended to read:

Sec. 17. REALLOCATION AND REVERSION OF FUNDS; TRANSFER OF FUNDS

(a) The following sums are reallocated appropriated to the Department of Buildings and General Services from prior capital appropriations are reallocated to defray expenditures authorized in Secs. 2–16 of this act:

\* \* \*

(12) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 13(b)(2), as added by 2018 Acts and Resolves No. 190, Sec. 10 (CJTC East Cottage): \$43,190.08

(13) of the amounts appropriated in 2019 Acts and Resolves No. 42, Sec. 2(c) (various projects): \$1,624,241.12

(14) of the amounts appropriated in 2021 Acts and Resolves No. 50, Sec. 2(b) (various projects): \$393,854.32

(15) of the amount appropriated in 2021 Acts and Resolves No. 50, Sec. 3(a)(2) (women's correctional facilities): \$97,890.12

(16) of the amounts appropriated in 2021 Acts and Resolves No. 50, Sec. 2(c) (various projects): \$618,000.00

(17) of the amounts appropriated in 2023 Acts and Resolves No. 69, Sec. 2(b) (various projects): \$350,420.67

(18) of the amounts appropriated in 2023 Acts and Resolves No. 69, Sec. 2(c) (various projects): \$150,000.00

(19) of the amounts appropriated in 2021 Acts and Resolves No. 50, Sec. 3(b)(1) (women's correctional facilities, replacement): \$868,850.00

(b) The following sums appropriated to the Agency of Commerce and Community Development from prior capital appropriations are reallocated to defray expenditures authorized in Secs. 2–16 of this act:

\* \* \*

(3) of the amount appropriated in 2021 Acts and Resolves No. 50, Sec. 4(a)(4) (Unmarked Burial Fund): \$31,320.70

\* \* \*

(h) Of the amount appropriated from the Capital Infrastructure subaccount of the Cash Fund for Capital and Essential Investments to the Vermont Veterans' Home in 2024 Acts and Resolves No. 113, Sec. B.1103(a)(7) and authorized in 2023 Acts and Resolves No. 69, Sec. 18(d)(7) (design for the renovation of the Brandon and Cardinal units), \$1,500,000.00 is ~~reallocated~~ reverted to defray expenditures authorized in Sec. 19 of this act.

(i) Of the amount appropriated from the Capital Infrastructure subaccount of the Cash Fund for Capital and Essential Investments to the Department of Buildings and General Services in 2024 Acts and Resolves No. 113, Sec. B.1103(a)(9) and authorized in 2023 Acts and Resolves No. 69, Sec.

18(d)(10) (111 State Street; renovation of the stack area), \$200,000.00 is ~~reallocated~~ reverted to defray expenditures authorized in Sec. 19 of this act.

\* \* \*

(n) Of the amount appropriated to the Vermont Veterans' Home in 2023 Acts and Resolves No. 69, Sec. 15(b)(2) (elevator upgrade), \$500,000.00 is reallocated to defray expenditures authorized in Sec. 6 of this act.

(o) Of the amount appropriated to the Enhanced 911 Board in 2017 Acts and Resolves No. 84, Sec. 6(b)(9), as added by 2018 Acts and Resolves No. 190, Sec. 5 (Enhanced 911 Compliance Grants Program), \$63,413.15 is reallocated to defray expenditures authorized in Secs. 2–16 of this act.

(p) Of the amount appropriated to the Agency of Natural Resources for the Department of Forests, Parks and Recreation in 2019 Acts and Resolves No. 42, Sec. 11(j), as added by 2020 Acts and Resolves No. 139, Sec. 7 (State-owned forest and recreational access points), \$0.03 is reallocated to defray expenditures authorized in Secs. 2–16 of this act.

(q) The following sums appropriated from the Capital Infrastructure subaccount of the Cash Fund for Capital and Essential Investments to the Department of Buildings and General Services in 2023 Acts and Resolves No. 78, Sec. B.1105(a) are reverted to defray expenditures authorized in Sec. 19 of this act:

(1) of the amount authorized in 2023 Acts and Resolves No. 69, Sec. 18(c)(1) (planning, reuse, and contingency): \$119,114.60

(2) of the amount authorized in 2023 Acts and Resolves No. 69, Sec. 18(c)(6) (120 State Street renovation): \$1,000,000.00

(3) of the amount authorized in 2023 Acts and Resolves No. 69, Sec. 18(c)(8) (CJTC administration building and West Cottage): \$450,000.00

(4) of the amount authorized in 2023 Acts and Resolves No. 69, Sec. 18(c)(10) (DCF short-term stabilization facility): \$372,557.10

(5) of the amount authorized in 2023 Acts and Resolves No. 69, Sec. 18(c)(11) (Washington County Superior Courthouse in Barre): \$750,000.00

(6) of the amount authorized in 2023 Acts and Resolves No. 69, Sec. 18(c)(13) (planning and design of the Rutland Field Station): \$250,000.00

(7) of the amount authorized in 2023 Acts and Resolves No. 69, Sec. 18(c)(15) (EV charging stations): \$995,040.00

(r) Of the amount appropriated from the Capital Infrastructure subaccount of the Cash Fund for Capital and Essential Investments to the Department of Buildings and General Services in 2024 Acts and Resolves No. 113, Sec. B.1103(a)(3) and authorized in 2023 Acts and Resolves No. 69, Sec. 18(d)(3), as amended by 2024 Acts and Resolves No. 162, Sec. 11 (120 State Street renovation), \$1,500,000.00 is reverted to defray expenditures authorized in Sec. 19 of this act.

Bonded Dollars	\$5,074,938.48	\$9,816,118.67
Cash	\$1,700,000.00	\$7,136,711.70
Total Reallocations, Reversions, and Transfers – Section 17	\$6,774,938.48	\$16,952,830.37

\* \* \* Cash-Funded Project Authorizations \* \* \*

Sec. 9. 2025 Acts and Resolves No. 33, Sec. 19 is amended to read:

Sec. 19. FY 2026 AND 2027; CAPITAL PROJECTS; FY 2026 AND FY 2027 APPROPRIATIONS ACT ACTS; INTENT; AUTHORIZATIONS

\* \* \*

(b) Intent. It is the intent of the General Assembly to authorize certain capital projects eligible for funding by 32 V.S.A. § 1001b in this act but appropriate the funds for these projects in the FY 2026 and FY 2027 Appropriations Act Acts. It is also the intent of the General Assembly that the FY 2026 and FY 2027 Appropriations Act appropriate Acts transfer funds to the Fund established in 32 V.S.A. § 1001b for projects in FY 2026 and FY 2027.

(c) Authorizations; Capital Infrastructure subaccount. In FY 2026, spending authority for the following capital projects from the Capital Infrastructure subaccount of the Cash Fund for Capital and Essential Investments are authorized as follows:

\* \* \*

(7) to the Vermont Veterans' Home for the design and construction of the American unit and sprinkler system installation: \$1,500,000.00

\* \* \*

(f) Authorizations; Capital Infrastructure subaccount. In FY 2027, spending authority for the following capital projects from the Capital Infrastructure subaccount of the Cash Fund for Capital and Essential Investments are authorized as follows:

- 
- (1) to the Department of Buildings and General Services for statewide major maintenance: \$1,781,173.60
- (2) to the Department of Buildings and General Services for statewide physical security enhancements: \$225,000.00
- (3) to the Department of Buildings and General Services for Asa Bloomer roof replacement: \$3,600,000.00
- (4) to the Department of Buildings and General Services for Rutland multimodal garage renovation: \$900,000.00
- (5) to the Department of Buildings and General Services for Burlington, 32 Cherry St. parking garage repairs: \$3,000,000.00
- (6) to the Department of Buildings and General Services for the Agency of Human Services for HVAC upgrades at correctional facilities:  
\$1,050,000.00
- (7) to the Department of Buildings and General Services for the Agency of Human Services for statewide correctional facilities security upgrades:  
\$225,000.00
- (8) to the Department of Buildings and General Services for the Agency of Human Services for St. Johnsbury, Northeast Correctional Complex (NECC) door control system replacements: \$2,700,000.00
- (9) to the Department of Buildings and General Services for the Agency of Human Services for the Northern State Correctional Facility boiler replacement: \$1,000,000.00
- (10) to the Department of Buildings and General Services for the Agency of Human Services for Newport, Northern State Correctional Facility sprinkler system upgrades: \$500,000.00
- (11) to the Department of Buildings and General Services for the Agency of Human Services for maintenance, replacement, and renovations at the Chittenden Regional Correctional Facility or other correctional facilities utilized in response to overcrowding for the incarcerated women's population:  
\$500,000.00
- (12) to the Department of Buildings and General Services for the Agency of Human Services for the Department for Children and Families' youth short-term stabilization facility: \$772,557.10
- (13) to the Department of Environmental Conservation for the State match for federal Drinking Water State Revolving Fund: \$2,498,000.00

(14) to the Department of Environmental Conservation for Waterbury Dam Penstock project cost overruns: \$150,000.00

(15) to the Department of Forests, Parks and Recreation for park infrastructure and rehabilitation, improvement, and three-acre rule compliance: \$400,000.00

(16) to the Department of Fish and Wildlife for dam maintenance and safety planning: \$200,000.00

(17) to the Department of Buildings and General Services for the Department of Public Safety for an Urban Search and Rescue (USAR) facility: \$500,000.00

(18) to the Judiciary for the Essex County Courthouse connector project: \$500,000.00

(19) to the Department of Buildings and General Services for the Judiciary for renovations at the White River Junction courthouse: \$1,600,000.00

(20) to the Vermont Historical Society for the replacement of a climate control unit: \$566,724.00

(21) to the Department of Corrections to work with the Agency of Digital Services to develop a plan for providing network connectivity in State correctional facilities that modernizes processes and reduces reliance on paper; improves staff efficiency and addresses workforce challenges, such as staff retention; supports real-time data-driven operations; lays the foundation for future capabilities, such as wearable technology and mobile device-supported operations; and ensures secure, compliance connectivity in key facilities, each as outlined in the *Business Transformation Project Recommendations Report* issued by the Agency: \$750,000.00

\* \* \* Policy \* \* \*

\* \* \* Department of Environmental Conservation \* \* \*

Sec. 10. 24 V.S.A. § 4752 is amended to read:

§ 4752. DEFINITIONS

As used in this chapter:

\* \* \*

(21) “Eligible mobile home park water system” means a privately owned nonprofit community type system that serves a majority of the users who reside in a nonprofit- or resident-owned mobile home park registered with

the Department of Housing and Community Development pursuant to 10 V.S.A. § 6254.

Sec. 11. 24 V.S.A. § 4771 is amended to read:

§ 4771. CONDITIONS OF LOAN AGREEMENT

(a) VEDA may make loans to applicants on behalf of the State for one or more of the purposes set forth in subsection 4770(b) of this title. Each such loan shall be made subject to the following conditions:

(1) The loan shall be evidenced by a note payable over a term not to exceed 30 years. Repayment shall commence not later than one year after completion of the project for which loan funds have been applied.

(2) The loan shall be secured with assets as determined by VEDA. VEDA may also require that the applicant assign all or a portion of the water system revenues as security for the loan, or may require the establishment of a reserve fund.

(3) The loan recipient shall establish a dedicated source of revenue for repayment of the loan which may include a pledge of revenue from user charges, tap fees, development charges, and pledges of accounts receivable and the proceeds therefrom.

(4) The rate of interest charged for loans shall be set by the State Treasurer, taking into consideration prevailing borrowing rates available to similarly situated applicants from private lenders and administrative fees to be charged to applicants. VEDA, in cooperation with the Secretary, shall periodically recommend interest rates to be set by the State Treasurer ~~which~~ that are the lowest practicable rates consistent with maintaining the long-term integrity of the Fund. The interest rate set by the State Treasurer may be less than the prevailing borrowing rates available to similarly situated applicants from private lenders, but not less than zero percent.

(5)(A) Notwithstanding ~~subdivision~~ subdivisions (1) and (4) of this subsection ~~(a)~~, a privately owned nonprofit community type system may qualify for a 40-year loan term at an interest rate, plus administrative fee, to be established by the Secretary of Natural Resources that shall be not more than three percent or less than minus three percent, provided that the applicant system meets the income level and annual household user cost requirements of a disadvantaged municipality as defined in subdivision 4752(12)(A) of this title or is an eligible mobile home park water system, and at least 80 percent of the residential units served by the water system is continuously occupied by local residents and at least 80 percent of the water produced is for residential use.

(B) [Repealed.]

(C) If the Secretary determines that a privately owned nonprofit community type system qualifies for a loan under this subdivision (5), the Secretary shall certify the loan term and interest rate to VEDA. ~~In no instance shall the~~ Except as applied to an eligible mobile home park water system, the Secretary shall not certify an annual interest rate, plus an administrative fee, be pursuant to this subdivision (C) that is less than is necessary to achieve an annual household user cost equal to one percent of the median household income of the applicant water system computed in the same manner as prescribed in subdivision 4763c(b)(2) of this title.

\* \* \*

\* \* \* Division for Historic Preservation \* \* \*

Sec. 12. 22 V.S.A. § 725 is amended to read:

§ 725. ACCEPTANCE AND SOLICITATION OF FUNDS OR GIFTS FOR HISTORIC SITES AND VERMONT ARCHAEOLOGY HERITAGE CENTER

(a) ~~With~~ Notwithstanding 3 V.S.A. § 1203g and with the approval of the Secretary of Administration, the State Historic Preservation Officer may accept and solicit grants, gifts, donations, loans, or other things of value on behalf of the Division for Historic Preservation for use by the Division for Historic Preservation in establishing and maintaining displays and exhibits at any historic site and at the Vermont Archaeology Heritage Center, or restoring any historic site maintained and developed under section 723 of this chapter.

(b) In any request for approval of solicitation under this section, the State Historic Preservation Officer shall specify the project and fundraising goal for which the Officer is undertaking fundraising.

\* \* \* Department of Forests, Parks and Recreation \* \* \*

Sec. 13. DEPARTMENT OF FORESTS, PARKS AND RECREATION;  
LITTLE RIVER STATE PARK LEASE

(a) Notwithstanding 29 V.S.A. § 166, in fiscal year 2027, the Commissioner of Forests, Parks and Recreation is authorized to enter into a long-term lease with Vermont Huts Association Ltd. for the use of a structure at Little River State Park and the land on which the structure is located, provided that the lease specifies:

(1) the term of 20 years with an option to renew for an additional two 10-year terms at the Commissioner's discretion;

(2) the fee or fee formula to be used to compensate the State;

(3) conditions on the use of the structure, including the boundaries of the land and structure to be leased;

(4) that Vermont Huts Association Ltd. shall secure insurance and be subject to an indemnification clause consistent with Attachment C, Standard State Provisions for Contracts and Grants, approved by the Agency of Administration in Administrative Bulletin 3.5;

(5) provisions for the termination of the lease;

(6) requirements for the operation and maintenance of the leased structure and lands, including responsibility for the costs of maintenance;

(7) how any conflict between the parties shall be resolved; and

(8) that a contract between the Department and Vermont Huts Association Ltd., executed in accordance with the Standard State Provisions for Contracts and Grants set forth in Administrative Bulletin 3.5 of the Agency of Administration, be required for the relocation and reconstruction of the Goodell House located at Little River State Park.

(b) The Commissioner of Forests, Parks and Recreation shall report to the Chairs of the House Committee on Corrections and Institutions and Senate Committee on Institutions with a report on the status of the lease negotiations under this section on or before August 15, 2026, and immediately prior to execution of any related lease agreement and shall provide to the Chairs the lease agreement promptly following execution.

\* \* \* Department of Buildings and General Services \* \* \*

#### Sec. 14. SOUTHERN STATE CORRECTIONAL FACILITY; PROPERTY TRANSFER

(a) Notwithstanding 29 V.S.A. § 166, the Commissioner of Buildings and General Services is authorized to transfer to the Town of Springfield a portion of the Southern State Correctional Facility property consisting of approximately 22.93 acres to be used for municipal purposes, including economic development as an industrial parcel, provided that the Commissioner may transfer the property only if:

(1) the State obtains any State or local zoning or subdivision approvals required for transfer;

(2) the State and the Town negotiate updates to the 1999 Agreement to:

(A) establish responsibility for the maintenance and upkeep of the access road and the water and sewer service lines for the Facility and the transferred property; and

(B) mitigate impacts to the Springfield community; and

(3) the transferred property does not include any brownfields.

(b) If the Town has not begun developing the transferred property for purposes of economic development by the end of March 2030, the Town shall consult with the Commissioner of Buildings and General Services to examine alternative uses for the property.

Sec. 15. REPEALS

(a) 2024 Acts and Resolves No. 162, Sec. 23 (Southern State Correctional Facility; transfer of parcel) is repealed.

(b) Sec. 14 of this act (Southern State Correctional Facility; property transfer) is repealed on July 1, 2030.

Sec. 16. 2023 Acts and Resolves No. 69, Sec. 22(a) is amended to read:

(a)(1) 110 State Street. Notwithstanding ~~29 V.S.A. § 166(b)~~, the The Commissioner of Buildings and General Services is authorized to sell the property located at 110 State Street in the City of Montpelier, provided that the Commissioner includes in any contract for sale appropriate interior and exterior protective covenants developed in consultation with the Division for Historic Preservation and the Vermont Advisory Council on Historic Preservation pursuant to 22 V.S.A. § 743. The Commissioner shall first offer in writing to the City the right to purchase the property.

(1) The City's preferential right to purchase the property authorized in this subsection shall terminate unless the City submits a written notification to the Commissioner of its intent to purchase the property on or before October 15, 2023.

(2) If the City submits a notification of its intent to purchase the property pursuant to subdivision (1) of this subsection, the City shall submit a written offer to the Commissioner not later than June 1, 2024. In the event the City fails to submit a written offer by June 1, 2024, then the City's preferential right to purchase the property shall terminate and the Commissioner is authorized to sell the property to another party. The Commissioner of Buildings and General Services shall provide to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions copies of any related request for proposal and any executed contract for sale of 110 State Street in the City of Montpelier promptly after each becomes available.

(3) It is the intent of the General Assembly to ensure that 110 State Street in the City of Montpelier is sold at fair market value; that historic attributes of the property are protected for future generations; that the Chairs of the House Committee on Corrections and Institutions and the Senate

Committee on Institutions receive timely notice of status updates on the disposition of the property; and that the initial purchaser of the property provides notification of any intent to sell to the Secretary of Administration and the Commissioner of Buildings and General Services, who shall then promptly notify the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions of the potential sale.

Sec. 17. CHITTENDEN REGIONAL CORRECTIONAL FACILITY

Among the uses of the funds appropriated in 2025 Acts and Resolves No. 33, Secs. 3(b)(7) and 19(f)(11), as amended by this act, the Department of Buildings and General Services shall prioritize repairs of bathrooms, showers, and flooring at the Chittenden Regional Correctional Facility. If the Department of Buildings and General Services applies funds to other correctional facilities to respond to overcrowding at the Chittenden Regional Correctional Facility, the Commissioner of Buildings and General Services and the Commissioner of Corrections shall provide an overview of the use of funds to the Joint Legislative Justice Oversight Committee at the Committee's regularly scheduled meetings in calendar year 2026.

\* \* \* Agency of Human Services \* \* \*

Sec. 18. HIGH-END SYSTEM FACILITIES FOR YOUTH

(a) At the August, October, and December 2026 meetings of the Joint Legislative Justice Oversight Committee, the Departments for Children and Families and of Buildings and General Services shall report on their plan to develop the Green Mountain Youth Facility.

(b) Notwithstanding any other provision of law to the contrary, before the Departments for Children and Families and of Buildings and General Services approve design documents for construction and prior to approval of the lease for the facility, the Department of Buildings and General Services shall submit their approved design to the House Committees on Corrections and Institutions and on Human Services and the Senate Committees on Institutions and on Health and Welfare. At the same time, the Department for Children and Families shall submit a draft operating budget.

\* \* \* Department of Corrections and Agency of Digital Services \* \* \*

Sec. 19. REPORT; NETWORK CONNECTIVITY IN STATE  
CORRECTIONAL FACILITIES

The Commissioner of Corrections and the State Chief Information Officer of Digital Services, in consultation with the Commissioner of Buildings and General Services, shall report to the Joint Legislative Justice Oversight Committee at each scheduled meeting of the Committee in calendar year 2026

on the plan for providing network connectivity in State correctional facilities authorized pursuant to 2025 Acts and Resolves No. 33, Sec. 19(f)(21), including any prioritization and schedule.

\* \* \* Stormwater Utilities \* \* \*

Sec. 20. 24 V.S.A. § 4414(9) is amended to read:

(9) Stormwater management and control. Any municipality may adopt bylaws to implement stormwater management and control consistent with the program developed by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1264. The creation of a regional stormwater utility under statute or rules of the Agency of Natural Resources shall not prevent a municipality from regulating stormwater under this subdivision, including adoption by the municipality of a bylaw establishing a municipal stormwater utility. Municipalities shall not charge an impervious surface fee or other stormwater fee under this subdivision or under other provisions of this title on property regulated under the Required Agricultural Practices for discharges of agricultural waste or agricultural nonpoint source pollution.

Sec. 21. 24 V.S.A. § 3626 is added to read:

§ 3626. MUNICIPAL AUTHORITY TO AUTHORIZE AND OPERATE  
STORMWATER UTILITY

The creation of a regional stormwater utility under statute or rules of the Agency of Natural Resources shall not prevent a municipality from regulating stormwater under this chapter, including adoption by the municipality of a bylaw authorizing the operation of a municipal stormwater utility that establishes an assessment on an equivalent residential unit or impervious surface.

\* \* \* General Assembly \* \* \*

Sec. 22. STATE HOUSE; ENTRYWAY DESIGN; SPECIAL COMMITTEE

(a) A special committee consisting of the Joint Legislative Management Committee and the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions (special committee) is hereby established. The special committee is authorized to meet to review, approve, or recommend alterations to the State House entryway design at a regularly scheduled Joint Legislative Management Committee meeting.

(b) The special committee shall be entitled to per diem and expenses as provided in 2 V.S.A. § 23.

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\* \* \* Effective Date \* \* \*

Sec. 23. EFFECTIVE DATE

This act shall take effect on passage.

*SEN. WENDY K. HARRISON*

*SEN. ROBERT PLUNKETT*

*SEN. JOHN BENSON*

*Committee on the part of the Senate*

*REP. ALICE M. EMMONS*

*REP. MARY A. MORRISSEY*

*REP. BRIAN MINIER*

*Committee on the part of the House*

Which was considered and adopted on the part of the House.

**Rules Suspended, Immediate Consideration; Favorable Reports;  
Second Reading; Proposal of Amendment Agreed to; Third Reading  
Ordered; Rules Suspended, All Remaining Stages of Passage;  
Third Reading; Bill Passed in Concurrence with Proposal of Amendment;  
Rules Suspended, Messaged to the Senate Forthwith**

**S. 64**

On motion of **Rep. McCoy of Poultney**, the rules were suspended and Senate bill, entitled

An act relating to amendments to the scope of practice for optometrists

Appearing on the Notice Calendar, was taken up for immediate consideration.

**Rep. Soucy of Barre Town**, for the Committee on Health Care, to which had been referred the bill, reported in favor of its passage in concurrence.

**Rep. Birong of Vergennes**, for the Committee on Government Operations and Military Affairs, reported in favor of its passage in concurrence.

**Rep. Waszazak of Barre City**, for the Committee on Ways and Means, reported in favor of its passage in concurrence.

**Rep. Mrowicki of Putney**, for the Committee on Appropriations, reported in favor of its passage in concurrence.

The bill, 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. Nugent of South Burlington** moved that the House propose to the Senate to amend the bill by adding a new section to be Sec. 1a to read as follows:

Sec. 1a. 26 V.S.A. § 1707 is amended to read:

§ 1707. QUALIFICATIONS; TERM OF OFFICE; REMOVAL

(a) The State Board of Optometry is created.

(b)(1) The Board shall consist of five seven members, ~~three~~ four of whom shall be residents of the State who have had at least five years' experience in the practice of optometry in the State and are in the active practice of optometry at the time of their appointment; one member who shall be a resident of the State who has at least five years' experience in the practice of ophthalmology and is in the active practice of ophthalmology at the time of appointment; and two members who shall be representatives of the public, who shall be residents of the State for five years, and who shall have no financial interest in the profession other than as a consumer or potential consumer of its services.

(2) Beginning on January 1, 2031, at least one of the optometrist members of the Board shall hold an advanced therapeutic procedures specialty issued pursuant to subchapter 5 of this chapter.

\* \* \*

Which was agreed to.

Pending the question, Shall the bill be read a third time?, **Rep. Boyden of Cambridge** requested the vote be by division.

Pending the vote by division, **Rep. O'Brien of Tunbridge** 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 read a third time?, was decided in the affirmative. Yeas, 93. Nays, 38.

Those who voted in the affirmative are:

Bailey of Hyde Park	Graning of Jericho	Morrissey of Bennington
Bartley of Fairfax	Greer of Bennington	Morrow of Weston
Berbeco of Winooski	Gregoire of Fairfield	Mrowicki of Putney
Birong of Vergennes	Hango of Berkshire *	Nelson of Derby
Bosch of Clarendon	Harple of Glover	Nigro of Bennington
Boutin of Barre City	Harvey of Castleton	North of Ferrisburgh
Branagan of Georgia	Higley of Lowell	Noyes of Wolcott
Brigham of St. Albans Town	Howland of Rutland Town	Nugent of South Burlington

Burt of Cabot	Hoyt of Hartford	O'Brien of Tunbridge
Campbell of St. Johnsbury*	Hunter of Manchester	Oliver of Sheldon
Canfield of Fair Haven	Kascenska of Burke	Olson of Starksboro
Carris Duncan of Whitingham	Keyser of Rutland City	Pinsonault of Dorset
Casey of Hubbardton	Kimbell of Woodstock	Pouech of Hinesburg
Charlton of Chester	Kleppner of Burlington	Powers of Waterford
Coffin of Cavendish	Labor of Morgan	Priestley of Bradford
Cole of Hartford	Lalley of Shelburne	Pritchard of Pawlet
Cooper of Pownal	LaMont of Morristown	Quimby of Lyndon
Corcoran of Bennington	Laroche of Franklin	Satcowitz of Randolph
Critchlow of Colchester	Lipsky of Stowe	Sibilia of Dover
Demar of Enosburgh	Logan of Burlington	Soucy of Barre Town
Dickinson of St. Albans Town	Long of Milton	Southworth of Walden
Dobrovich of Williamstown	Luneau of St. Albans City	Squirrell of Underhill
Dolgin of St. Johnsbury	Malay of Pittsford	Steady of Milton
Durfee of Shaftsbury	Marcotte of Coventry	Stevens of Waterbury
Emmons of Springfield	Masland of Thetford	Sweeney of Shelburne
Feltus of Lyndon	McCoy of Poultney	Tagliavia of Corinth
Galfetti of Barre Town *	McGill of Bridport	Taylor of Mendon
Goldman of Rockingham	Micklus of Milton	Tomlinson of Winooski
Goslant of Northfield	Mihaly of Calais	Walker of Swanton
	Morgan, L. of Milton	Waszazak of Barre City
	Morgan, M. of Milton	Wells of Brownington
	Morris of Springfield	White of Bethel

Those who voted in the negative are:

Arsenault of Williston	Dodge of Essex	Long of Newfane
Austin of Colchester	Dolan of Essex Junction	Lueders of Lincoln
Bishop of Colchester	Eastes of Guilford	McCann of Montpelier
Black of Essex *	Garofano of Essex	Minier of South Burlington
Bluemle of Burlington	Goodnow of Brattleboro	Ode of Burlington
Boyden of Cambridge	Headrick of Burlington	Page of Newport City
Brazy of Williston	Holcombe of Norwich	Pezzo of Colchester
Brown of Richmond	Houghton of Essex Junction*	Rachelson of Burlington
Burke of Brattleboro	James of Manchester	Scheu of Middlebury
Burkhardt of South Burlington	Krasnow of South Burlington	Sheldon of Middlebury
Burrows of West Windsor	LaLonde of South Burlington	Waters Evans of Charlotte
Casey of Montpelier		White of Waitsfield
Chapin of East Montpelier		Wood of Waterbury
		Yacovone of Morristown

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

Bartholomew of Hartland	Donahue of Northfield	Nielsen of Brandon
Bos-Lun of Westminster	Duke of Burlington	Parsons of Newbury
Burditt of West Rutland	Hooper of Randolph	Scully of Burlington
Christie of Hartford	Howard of Rutland City	Stone of Burlington
Cina of Burlington	Kornheiser of Brattleboro	Torre of Moretown
Conlon of Cornwall	Maguire of Rutland City	Winter of Ludlow

**Rep. Black of Essex** provided the following vote explanation:

“Madam Speaker:

I’m voting no, because this bill is nothing but a political fight. I refuse to make political decisions that affect the health of Vermonters. If you want to support rural Vermonters, support ongoing hospital transformation efforts and shared services, instead of providing subpar care to your rural constituents.”

**Rep. Campbell of St. Johnsbury** provided the following vote explanation:

“Madam Speaker:

I vote yes. Is allowing this expansion of practice scope for optometrists safe and appropriate? I don’t know. Most of us citizens in this Legislature don’t know. This decision should have been made collaboratively by the agencies of jurisdiction, the Office of Professional Regulation and the Board of Medical Practice, not by us. But I am choosing to follow the recommendations of four committees that took extensive testimony, and all support the bill.”

**Rep. Galfetti of Barre Town** provided the following vote explanation:

“Madam Speaker:

The process this bill had to endure while deals were made to get this rural access issue to the floor makes me sick. The member from Stowe paid a heavy toll being kept from those conversations. I hope the passage of this bill signals a change to this horse-trading policy.”

**Rep. Hango of Berkshire** provided the following vote explanation:

“Madam Speaker:

I voted yes for rural access and the opportunity for availability when my constituents need urgent eye care.”

**Rep. Houghton of Essex Junction** provided the following vote explanation:

“Madam Speaker:

I appreciate the work of all the committees, staff, and Office of Professional Regulation, and the years of work on this policy. And as a member of your Health Care Committee, I have worked for ten years to grow rural health care access and workforce. Yet I felt compelled to vote no because members and staff should be able to deliberate in an environment grounded in transparency, professionalism, and respectful engagement from all stakeholders.”

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed in all remaining stages of passage. The bill was read the third time and passed in concurrence with proposal of amendment.

Thereupon, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

**Rules Suspended, Immediate Consideration; Senate Proposal of  
Amendment Concurred in**

**H. 942**

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to miscellaneous agricultural subjects

Was taken up for immediate consideration.

The Senate proposed to the House to amend the bill as follows:

First: In Sec. 3, 6 V.S.A. chapter 37, in section 681, after subdivision (3), by adding a new subdivision (4) to read as follows and by renumbering the remaining subdivisions to be numerically correct:

(4) “Convenience store” means a type of retail establishment that sells a limited number of everyday items such as motor fuel, tobacco products, made-to-order food, snacks, and beverages that serve as a quick, accessible retail option for consumers who typically purchase a small number of products, and that does not offer a sufficient quantity of consumer commodities to make unit pricing as useful to consumers. “Convenience store” does not include a grocery store, drug store, dollar store, or any other type of store. The Secretary has the discretion to determine whether a retail establishment is a convenience store.

Second: In Sec. 3, 6 V.S.A. chapter 37, in section 686, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) The unit price requirements of this chapter shall not apply to sales of consumer ~~commodities~~ commodity sales as follows:

(1) At a retail store with less than 7,000 square feet of floor space dedicated to the sale of consumer commodities. This ~~exception~~ exemption shall not apply to ~~the sales agencies or instrumentalities~~ retail establishments of a company having two or more sales ~~agencies or instrumentalities~~ locations as parts of that company.

(2) For use or consumption on the premises where sold Convenience stores.

(3) When different brands or products are commingled in one receptacle for a limited-time one-priced sale.

(4) When commodities are individually marked with a clearance or sale tag and are located in a clearance or limited-time sale section of the store. Clearance or limited-time sale sections may be on a shelf or multiple shelves, or in another defined area of the store.

(5) When the unit price is identical to the total selling price.

(6) When the item falls into one of the following categories:

(A) seasonal decorations; or

(B) beverages subject to the Federal Alcoholic Administration Act packing and labeling requirements.

Third: By striking out Sec. 4, effective date, and its reader assistance heading in their entirety and inserting in lieu thereof a new Sec. 4 and reader assistance heading to read as follows:

Sec. 4. EQUINE FARMING AND USE VALUE APPRAISAL STUDY;  
REPORT

(a) The Commissioner of Taxes shall study and provide recommendations for including equine farming in the Use Value Appraisal Program. The Commissioner shall submit the recommendations to the House Committees on Agriculture, Food Resiliency, and Forestry and on Ways and Means and the Senate Committees on Agriculture and on Finance on or before December 15, 2026. The Commissioner's recommendations shall include an analysis of the potential fiscal impact of permitting agricultural land and farm buildings that are used for equine farming to enroll in the Use Value Appraisal Program.

(b) As used in this section:

(1) "Agricultural land" has the same meaning as in 32 V.S.A. § 3752(1).

(2) "Equine farming" means the raising, feeding, or management of four or more equines owned or boarded by a farmer for gain or profit, including training, showing, and providing instruction and lessons in riding, training, and the management of equines.

(3) "Farm buildings" has the same meaning as in 32 V.S.A. § 3752(14).

(4) "Farmer" has the same meaning as in 32 V.S.A. § 3752(7).

Fourth: By adding a reader assistance heading and one new section to be Sec. 5 to read as follows:

\* \* \* Community Development Initiatives \* \* \*

Sec. 5. 10 V.S.A. § 325m is amended to read:

§ 325m. RURAL ECONOMIC DEVELOPMENT INITIATIVE

(a) Definitions. As used in this subchapter:

(1) “Rural area” means a county of the State designated as “rural” or “mostly rural” by the U.S. Census Bureau in its most recent decennial census.

(2) “Small town” means a town in the State with a population of less than 5,000 at the date of the most recent U.S. Census Bureau decennial census.

(3) “Community development initiatives” means priority projects located throughout the State that support agriculture, historic preservation, outdoor recreation, and other critical economic development needs, which may be supported when State resources or staffing assistance is not available.

(b) Establishment. There is created the Rural Economic Development Initiative to be administered by the Vermont Housing and Conservation Board for the purpose of promoting and facilitating community economic development in the small towns and rural areas of the State, and supporting community development initiatives. The Rural Economic Development Initiative shall collaborate with municipalities, businesses, regional development corporations, regional planning commissions, and other appropriate entities to access funding and other assistance available to small towns and businesses primarily in rural areas of the State when existing State resources or staffing assistance is not available.

(c) Services; access to funding. The Rural Economic Development Initiative shall provide the following services to small towns and businesses primarily in rural areas:

(1) identification of grant or other funding opportunities that facilitate business development, infrastructure development, or other economic development opportunities; or

(2) technical assistance in writing grants, accessing other funding, coordination with providers of grants or other funding, strategic planning for the implementation or timing of activities funded by grants or other funding, and compliance with the requirements of grant awards or awards of other funding.

(d) Priority. In providing services under this section, the Rural Economic Development Initiative shall give first priority to projects that have received necessary State or municipal approval and that are ready for construction or implementation.

(e) Priority projects. The Rural Economic Development Initiative shall ~~seek to assist~~ include the following priority types of projects:

(1) milk plants, milk handlers, or dairy products, as those terms are defined in 6 V.S.A. § 2672;

(2) outdoor recreation and equipment enterprises;

(3) value-added food and forest products enterprises;

(4) farm operations, including phosphorus removal technology for farm operations;

(5) coworking or business generator and accelerator spaces;

(6) commercial composting facilities; and

(7) restoration and rehabilitation of historic buildings in community centers.

(f) Coordination. In providing services under this section, the Rural Economic Development Initiative shall coordinate with the Secretary of Commerce and Community Development, regional development corporations, and regional planning commissions.

(g) Report. Beginning on January 31, 2019, and annually thereafter, the Rural Economic Development Initiative shall submit to the Senate Committees on Agriculture and on Economic Development, Housing and General Affairs and the House Committees on Agriculture, Food Resiliency, and Forestry and on Commerce and Economic Development a report regarding the activities and progress of the Initiative as part of the report of the Vermont Farm and Forest Viability Program. The report shall summarize the Initiative's activities in the preceding year; evaluate the effectiveness of the services provided by the Initiative; provide an accounting of the grants or other funding that the Initiative facilitated or helped secure; and recommend any changes to the program to further economic development in small towns and rural areas of the State.

Fifth: By adding a reader assistance heading and one new section to be Sec. 6 to read as follows:

\* \* \* Farm and Forestry Operations Security Special Fund \* \* \*

Sec. 6. 6 V.S.A. § 4643(e) is amended to read:

(e) All administratively complete applications shall be evaluated by the Review Board. Within 15 days following receipt of an administratively complete application, the Review Board by majority vote shall recommend to the Secretary whether to issue a payment to the applicant. ~~If the Review Board recommends an award under this section, the~~ The Secretary shall issue the ~~award~~ make a final award determination within 15 days following the date of the Review Board's recommendation.

Sixth: By adding a reader assistance heading and one new section to be Sec. 7 to read as follows:

\* \* \* Effective Date \* \* \*

Sec. 7. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

Which proposal of amendment was considered and concurred in.

### **Message from the Senate No. 71**

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 House proposals of amendment to Senate bills of the following titles:

**S. 193.** An act relating to establishing a forensic facility for certain criminal justice-involved persons.

**S. 323.** An act relating to miscellaneous agricultural subjects.

And has concurred therein.

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. 944.** An act relating to the fiscal year 2027 Transportation Program and miscellaneous changes to laws related to transportation.

And has accepted and adopted the same on its part.

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

**H. 710.** An act relating to defining electricity generating facilities.

The President announced the appointment as members of such Committee on the part of the Senate:

Senator Watson  
Senator Hardy  
Senator Beck

### **Recess**

At twelve o'clock and thirty-seven minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

### **Called to Order**

At two o'clock and forty-nine minutes in the afternoon, the Speaker called the House to order.

### **Rules Suspended, Immediate Consideration; Report and Addendum of the Committee of Conference Adopted**

### **H. 944**

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to the fiscal year 2027 Transportation Program and miscellaneous changes to laws related to transportation.

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

#### TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House Bill entitled:

**H.944.** An act relating to the fiscal year 2027 Transportation Program and miscellaneous changes to laws related to transportation.

Respectfully reports that it has met and considered the same and recommends that the House accede to the Senate proposal of amendment with further amendment thereto by striking out all after the enacting clause and inserting in lieu thereof the following:

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\* \* \* Legislative Findings \* \* \*

Sec. 1. LEGISLATIVE FINDINGS

The General Assembly finds that:

(1) State fiscal year 2025 Transportation Fund revenues came in nearly \$7,400,000.00 below the revenue forecast.

(2) In July 2025, the revenue forecast for the Transportation Fund was downgraded for State fiscal years 2026–2030 because of reductions in the projected revenues from the purchase and use tax and Department of Motor Vehicles fees.

(3) Revenues from the taxes on gasoline and diesel fuel are projected to gradually decrease in State fiscal years 2026–2030. That trend is expected to continue because of improving vehicle fuel efficiency among all vehicles and increasing adoption of electric vehicles.

(4) The July 2025 consensus revenue forecast estimates a 1.33 percent compound annual growth rate in Transportation Fund revenues between 2026 and 2030, which is far below recent inflation levels.

(5) In contrast with the slow growth in Transportation Fund revenues, the National Highway Construction Cost Index increased by approximately 62 percent between 2020 and 2025.

(6) In addition to rising construction costs, salaries and benefits have also increased significantly in recent years, creating significant ongoing cost pressure on the Transportation Fund.

(7) To address budget shortfalls in the past year, the Agency has been forced to eliminate 62 permanent positions.

(8) Continuing deficits in the Transportation Fund threaten the State's ability to provide the required match for federal funds, which make up more than half of the State's annual transportation budget.

(9) Municipalities face the same cost pressures as the State. However, State aid for town highways has only increased by 2.7 percent, which places increasing pressure on chronically underfunded town highway programs and puts pressure on the property tax.

(10) If Vermont is unable to keep up with the maintenance and capital needs of its transportation system, the infrastructure will continue to deteriorate, and restoring the system to a state of good repair will cost significantly more.

(11) Prompt legislative action is necessary to ensure the future health and stability of the Transportation Fund and to enable the Agency of Transportation to keep Vermont's transportation system in a state of good repair.

\* \* \* Transportation Program Adopted as Amended; Definitions \* \* \*

## Sec. 2. TRANSPORTATION PROGRAM ADOPTED; DEFINITIONS

(a) Adoption. The Agency of Transportation's Proposed Fiscal Year 2027 Transportation Program appended to the Agency of Transportation's proposed fiscal year 2027 budget, as amended by this act, is adopted to the extent federal, State, and local funds are available.

(b) Definitions. As used in this act, unless otherwise indicated:

(1) "Agency" means the Agency of Transportation.

(2) "Candidate project" means a project approved by the General Assembly that is not anticipated to have significant preliminary engineering expenditures or right-of-way expenditures, or both, during the budget year and for which construction funding is not anticipated within a predictable time frame.

(3) "Development and evaluation (D&E) project" means a project approved by the General Assembly that is anticipated to have preliminary engineering expenditures or right-of-way expenditures, or both, during the budget year and that the Agency is committed to delivering to construction on a timeline driven by priority and available funding.

(4) "Electric vehicle supply equipment (EVSE)" and "electric vehicle supply equipment available to the public" have the same meanings as in 30 V.S.A. § 201.

(5) "Front-of-book project" means a project approved by the General Assembly that is anticipated to have construction expenditures during the budget year or the following three years, or both, with expected expenditures shown over four years.

(6) "Plug-in electric vehicle (PEV)," "plug-in hybrid electric vehicle (PHEV)," and "battery electric vehicle (BEV)" have the same meanings as in 23 V.S.A. § 4(85).

(7) "Secretary" means the Secretary of Transportation.

(8) "TIB funds" means monies deposited in the Transportation Infrastructure Bond Fund in accordance with 19 V.S.A. § 11f.

(9) The table heading “As Proposed” means the Proposed Transportation Program referenced in subsection (a) of this section; the table heading “As Amended” means the amendments as made by this act; the table heading “Change” means the difference obtained by subtracting the “As Proposed” figure from the “As Amended” figure; the term “change” or “changes” in the text refer to the project- and program-specific amendments, the aggregate sum of which equals the net “Change” in the applicable table heading; and “State” in any tables amending authorizations indicates that the source of funds is State monies in the Transportation Fund, unless otherwise specified.

\* \* \* Summary of Transportation Investments \* \* \*

Sec. 3. FISCAL YEAR 2027 TRANSPORTATION INVESTMENTS  
INTENDED TO REDUCE TRANSPORTATION-RELATED  
GREENHOUSE GAS EMISSIONS, REDUCE FOSSIL FUEL  
USE, AND SAVE VERMONT HOUSEHOLDS MONEY

This act includes the State’s fiscal year 2027 transportation investments intended to reduce transportation-related greenhouse gas emissions, reduce fossil fuel use, and save Vermont households money in furtherance of the policies articulated in 19 V.S.A. § 10b and the goals of the Comprehensive Energy Plan and the Vermont Climate Action Plan and to satisfy the Executive and Legislative Branches’ commitments to the Paris Agreement climate goals. In fiscal year 2027, these efforts will include the following:

(1) Park and Ride Program. This act provides for a fiscal year expenditure of \$1,976,211.00, which will fund three park and ride projects.

(2) Bike and Pedestrian Facilities Program. This act provides for a fiscal year expenditure, including local match, of \$24,576,873.00, which will fund 34 bike and pedestrian construction projects; 18 bike and pedestrian design, right-of-way, or design and right-of way projects for construction in future fiscal years; and eight scoping studies. The construction projects include the creation, improvement, and rehabilitation of walkways, sidewalks, shared-use paths, bike paths, and cycling lanes. Projects are funded in Arlington, Bennington, Bethel, Brattleboro, Burke, Burlington, Castleton, Chester, Danville, Essex Town, Fairfax, Greensboro, Guilford, Hartford, Huntington, Hyde Park, Irasburg, Jamaica, Johnson, Lunenburg, Middlebury, Montpelier, Moretown, Morristown, Newfane, Newport City, Northfield, Pownal, Royalton, Rutland City, Rutland Town, Sheldon, South Burlington, Springfield, St. Albans City, Swanton, Wallingford, Warren, Waterbury, West Rutland, Williston, Wilmington, and Wolcott. This act also provides funding for:

(A) some of Local Motion's operation costs to run the bike ferry on the Colchester Causeway, which is part of the Island Line Trail;

(B) grant awards for State-aid construction projects;

(C) projects funded through the Safe Routes to School Program; and

(D) community grants along the Lamoille Valley Rail Trail (LVRT).

(3) Transportation Alternatives Program. This act provides for a fiscal year expenditure of \$4,514,362.00, including local funds, which will fund 22 transportation alternatives construction projects; 28 transportation alternatives design, right-of-way, or design and right-of-way projects; and one scoping study. Of these 51 projects, 18 involve environmental mitigation related to clean water or stormwater concerns, or both clean water and stormwater concerns, and 30 involve bicycle and pedestrian facilities. Projects are funded in Athens, Bennington, Bethel, Brandon, Brattleboro, Bristol, Burke, Burlington, Derby, Enosburg Falls, Fairlee, Ferrisburgh, Glover, Guilford, Hinesburg, Hyde Park, Jericho, Londonderry, Ludlow, Lyndon, Montgomery, Newark, Putney, Rockingham, Rutland City, Shoreham, South Burlington, Springfield, Swanton, Warren, Weathersfield, Williston, Wilmington, and Windham.

(4) Public Transit Program. This act provides for a fiscal year expenditure of \$57,855,144.00 for public transit uses throughout the State. Included in the authorization are:

(A) Go! Vermont, with an authorization of \$380,000.00. This authorization supports transportation demand management (TDM) strategies, including the State's Trip Planner and commuter services, to promote the use of carpools and vanpools.

(B) Mobility and Transportation Innovations (MTI) Grant Program, with an authorization of \$315,000.00 in federal funds. This authorization continues to support projects that improve both mobility and access to services for transit-dependent Vermonters, reduce the use of single-occupancy vehicles, and reduce greenhouse gas emissions.

(5) Rail Program. This act provides for a fiscal year expenditure of \$60,289,410.00, including local funds and \$34,688,907.00 in federal funds, for intercity passenger rail service, including funding for the Ethan Allen Express and Vermonter Amtrak services, and rail infrastructure that supports freight rail as well. Moving freight by rail instead of trucks lowers greenhouse gas emissions by up to 75 percent, on average.

## \* \* \* Paving \* \* \*

## Sec. 4. PAVING; STATEWIDE DISTRICT LEVELING

(a) Within the Agency of Transportation's Proposed Fiscal Year 2027 Transportation Program for Paving, authorized spending is amended as follows:

<u>FY27</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	1,150,000	1,150,000	0
PE	2,183,194	2,183,194	0
Const.	144,812,226	146,512,226	1,700,000
Total	148,145,420	149,845,420	1,700,000

Sources of funds

State	24,400,007	25,100,007	1,700,000
Federal	123,732,179	123,732,179	0
Local	13,235	13,235	0
Total	148,145,420	149,845,420	1,700,000

(b) Within the Agency of Transportation's Proposed Fiscal Year 2027 Transportation Program for Paving, authorized spending for STATEWIDE District Leveling TBD is amended as follows:

<u>FY27</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Const.	7,000,000	8,700,000	1,700,000
Total	7,000,000	8,700,000	1,700,000

Sources of funds

State	7,000,000	8,700,000	1,700,000
Total	7,000,000	8,700,000	1,700,000

(c) It is the intent of the General Assembly to direct the maximum amount of funding to the State highway system. Consistent with this intent, within the Agency of Transportation's Proposed Fiscal Year 2027 Transportation Program for Paving, any unobligated amounts or carryforward resulting from project delays or cost overruns or underruns shall be directed to State highway paving projects.

\* \* \* State Highway Bridges \* \* \*

Sec. 5. STATE HIGHWAY BRIDGES

(a) Within the Agency of Transportation's Proposed Fiscal Year 2027 Transportation Program for State Highway Bridges, authorized spending is amended as follows:

<u>FY27</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
PE	4,143,897	4,143,897	0
ROW	414,000	414,000	0
Const.	78,935,408	78,935,408	0
Other	1,400,000	1,400,000	0
Total	84,893,305	84,893,305	0

Sources of funds

State	2,873,295	1,123,295	-1,750,000
TIB	6,180,851	7,930,851	1,750,000
Federal	67,312,444	67,312,444	0
Local/Other	1,247,049	1,247,049	0
Inter Unit	7,279,666	7,279,666	0
Total	84,893,305	84,893,305	0

(b) Within the Agency of Transportation's Proposed Fiscal Year 2027 Transportation Program for State Highway Bridges, authorized spending for SHAFTSBURY STP 014-1(6) is amended as follows:

<u>FY27</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
PE	14,678	14,678	0
Const.	2,600,000	2,600,000	0
Total	2,614,678	2,614,678	0

Sources of funds

State	521,000	0	-521,000
TIB	1,936	522,936	521,000
Federal	2,091,742	2,091,742	0
Total	2,614,678	2,614,678	0

(c) Within the Agency of Transportation's Proposed Fiscal Year 2027 Transportation Program for State Highway Bridges, authorized spending for SUNDERLAND BM20102 is amended as follows:

<u>FY27</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
PE	85,287	85,287	0
Const.	2,000,000	2,000,000	0
Total	2,085,287	2,085,287	0
<u>Sources of funds</u>			
State	415,057	0	-415,057
TIB	2,000	417,057	415,057
Federal	1,668,230	1,668,230	0
Total	2,085,287	2,085,287	0

(d) Within the Agency of Transportation's Proposed Fiscal Year 2027 Transportation Program for State Highway Bridges, authorized spending for SUNDERLAND NH CULV 122 is amended as follows:

<u>FY27</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
PE	53,182	53,182	0
Const.	2,000,000	2,000,000	0
Total	2,053,182	2,053,182	0
<u>Sources of funds</u>			
State	408,636	141,686	-266,950
TIB	2,000	268,950	266,950
Federal	1,642,546	1,642,546	0
Total	2,053,182	2,053,182	0

(e) Within the Agency of Transportation's Proposed Fiscal Year 2027 Transportation Program for State Highway Bridges, authorized spending for TOPSHAM BF 031-1(13) is amended as follows:

<u>FY27</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
PE	10,000	10,000	0
ROW	1,000	1,000	0
Const.	2,733,967	2,733,967	0

Total	2,744,967	2,744,967	0
<u>Sources of funds</u>			
State	546,993	0	-546,993
TIB	2,000	548,993	546,993
Federal	2,195,974	2,195,974	0
Total	2,744,967	2,744,967	0

\* \* \* Transportation Infrastructure Bonds \* \* \*

Sec. 6. FISCAL YEAR 2028 PROPOSED TRANSPORTATION PROGRAM; TRANSPORTATION INFRASTRUCTURE BOND; REPORT

(a) The Agency of Transportation shall report to the House and Senate Committees on Transportation, on or before February 1, 2027, regarding projects that are not proposed for the State fiscal year 2028 Transportation Program that:

(1) are priority projects that are eligible to be funded with the proceeds from the issuance of transportation infrastructure bonds pursuant to the provisions of 32 V.S.A. § 972(d); and

(2) could be advanced to construction in the fiscal year 2028 or 2029 Transportation Program if the General Assembly authorized the issuance of transportation infrastructure bonds.

(b) Information presented as part of the report shall include:

(1) an analysis comparing the present value of the estimated cost to pay for the identified projects using transportation infrastructure bond proceeds to the cost to pay for the projects on a pay-as-you-go basis;

(2) a comparison of the projects' schedules if funded with transportation infrastructure bonds to the projects' schedules if funded on a pay-as-you-go basis;

(3) a review of historic transportation infrastructure bond usage in Vermont, including debt service costs; and

(4) a projection of future debt service costs and of the revenues necessary to pay the debt service.

\* \* \* Mileage-Based User Fee \* \* \*

Sec. 7. FINDINGS AND INTENT

(a) Findings. The General Assembly finds that:

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(1) Vermont adopted its first tax on gasoline in 1923.

(2) In 1923, the most common motor vehicle in the United States was the Ford Model T, whose annual production peaked at more than 2,000,000 new vehicles that year.

(3) Because of the limited variety of mass-produced vehicles available when it was adopted, the gasoline tax, and the later-adopted diesel fuel tax, served as use fees that required drivers of light-duty motor vehicles to contribute to the State's Transportation Fund in an amount that reflected the number of miles that each vehicle was driven on Vermont's surface transportation system.

(4) Since 1923, the variety of mass-produced light-duty motor vehicles available to consumers has expanded greatly, resulting in a wide variety of internal combustion engine and vehicle types and designs with significant differences in vehicle fuel efficiency.

(5) Improvements in fuel efficiency among light-duty motor vehicles and the increasing adoption of hybrid, plug-in hybrid, and battery electric vehicles (BEVs) is leading to reduced fuel consumption among newer vehicles.

(6) BEVs do not require gasoline and diesel fuel, and the \$89.00 annual infrastructure fee paid by owners and lessees of BEVs registered in Vermont is less than the average amount of fuel taxes collected in relation to a light-duty motor vehicle with an internal combustion engine.

(7) As a result of differences in fuel consumption between different types and ages of light-duty motor vehicles, the current system for funding Vermont's surface transportation system through fuel taxes has become inequitable when the impacts of each vehicle on the transportation system are considered.

(8) In contrast to the current system, a mileage-based user fee imposes a per-mile fee for usage of the State's highways and ensures that owners and lessees of motor vehicles contribute to the Transportation Fund in an equitable manner.

(9) Vermont's taxes on gasoline and on diesel fuel were last increased in 2014, and the federal taxes on gasoline and on diesel fuel were last increased in 1993.

(10) Reduced fuel consumption and unchanged gasoline and diesel tax rates have resulted in stagnant fuel tax revenues that have not kept pace with inflation or the needs of Vermont's transportation system.

(11) In addition to Vermont's stagnant fuel tax revenues, Vermont's demographic constraints and changes in vehicle ownership and usage have limited the growth of fee revenues to the Transportation Fund.

(12) Reductions in registration and license renewals and decreased compliance with annual inspection requirements, combined with reduced enforcement, has led to further diminished Transportation Fund revenues.

(13) The July 2025 consensus revenue forecast estimates a 1.33 percent compound annual growth rate in Transportation Fund revenues between 2026 and 2030.

(14) In comparison, highway construction costs, as measured by the National Highway Construction Cost Index, have increased by 62 percent, nationally, since 2020.

(b) Intent. It is the intent of the General Assembly to implement a mileage-based user fee for BEVs, which will replace the existing infrastructure fee beginning on January 1, 2027, to ensure that owners and lessees of BEVs contribute to the Transportation Fund in an amount that reflects the annual miles traveled by each vehicle.

Sec. 8. 23 V.S.A. chapter 43 is added to read:

#### CHAPTER 43. MILEAGE-BASED USER FEE

##### § 4301. DEFINITIONS

As used in this chapter:

(1) "Account manager" means a person that the Agency of Transportation or Department of Motor Vehicles contracts with to administer and manage the mileage-based user fee.

(2) "Annual vehicle miles traveled" means the total number of miles that a covered vehicle is driven during a mileage reporting period.

(3) "Covered vehicle" means a battery electric vehicle pleasure car.

(4) "Mileage-based user fee" or "MBUF" means the fee charged for the annual vehicle miles traveled by a covered vehicle pursuant to section 4302 of this chapter.

(5) "Mileage-based user fee rate" means the per-mile usage fee charged to the owner or lessee of a covered vehicle pursuant to section 4302 of this chapter.

(6) "Mileage reporting period" means:

(A) the time period between required annual inspections;

(B) the time period between the initial registration of a vehicle and an annual inspection; or

(C) the time period between the most recent annual inspection and a terminating event.

(7) "Terminating event" means any of the following:

(A) the registration of a covered vehicle that had been registered in Vermont in a different state;

(B) a change in ownership or lesseeship of a covered vehicle; or

(C) the termination of a covered vehicle's registration in Vermont.

§ 4302. MILEAGE-BASED USER FEE; ASSESSMENT; CALCULATION; PAYMENT; EXEMPTIONS

(a) Assessment and payment of mileage-based user fee (MBUF).

(1) Options for payment of MBUF. The owner or lessee of a covered vehicle may elect to pay the MBUF according to one of the following options:

(A) annual payment of the MBUF as a lump sum following the conclusion of each mileage reporting period as set forth in subdivision (2) of this subsection (a);

(B) pay-as-you-go installment payments of the MBUF during a mileage reporting period as set forth in subdivision (3) of this subsection (a), provided that the Commissioner, in the Commissioner's sole discretion, elects to make a pay-as-you-go option available; and

(C) a flat rate of \$178.00 as set forth in subdivision (5) of this subsection (a).

(2) Annual mileage-based user fee payment option.

(A) For an owner or lessee who opts to pay the MBUF as a lump sum at the end of each mileage reporting period, the Commissioner shall, within 14 days after the conclusion of the covered vehicle's mileage reporting period, calculate the amount of the MBUF pursuant to subsection (d) of this section and mail an assessment of the amount to the owner or lessee.

(B) The owner or lessee shall remit the amount due to the Commissioner on or before the earlier of:

(i) the next required registration renewal for the covered vehicle;

(ii) the termination of the covered vehicle's Vermont registration;

or

(iii) the sale of the covered vehicle or termination of the lease of the covered vehicle, as appropriate.

(3) Pay-as-you-go option.

(A) Owners and lessees who opt into the pay-as-you-go mileage-based user fee option shall report the mileage shown on the odometer of the owner's or lessee's covered vehicle at times and in a manner required by the Commissioner.

(B) As soon as practicable after receiving each report, the Commissioner shall calculate pursuant to subsection (d) of this section the applicable MBUF due for the covered vehicle and mail to the owner or lessee a statement of the amount of the mileage-based user fee assessed.

(C) The owner or lessee of the covered vehicle shall remit the full amount due to the Commissioner within not more than 30 days after the assessment is mailed.

(D) At the end of each mileage reporting period, the amount paid by the owner or lessee shall be reconciled against the actual mileage driven as set forth in subdivision (4) of this subsection.

(4) Reconciliation of mileage for pay-as-you-go option.

(A) At the conclusion of each mileage reporting period for a covered vehicle whose owner or lessee has elected the pay-as-you-go payment option, the Commissioner shall determine if the amount of the MBUF for the actual miles traveled by the covered vehicle during the mileage reporting period is greater than or less than the amount of the payments made by the owner or lessee during that period.

(B) If the actual MBUF is less than the amount paid, the owner or lessee of the covered vehicle shall receive a credit equal to the difference between the amount paid and the actual amount, which shall be applied to reduce the amount of future fees due from the owner or lessee for the covered vehicle pursuant to this subsection (a).

(C) If the actual MBUF is more than the amount paid, the owner or lessee of the covered vehicle shall be assessed an amount equal to the difference between the actual MBUF and the amount paid, which shall be added to the next amount due from the owner or lessee pursuant to this subsection (a).

(5) Flat-rate option.

(A) The Commissioner shall send an owner or lessee who elects the flat-rate option an assessment for the flat fee due at the beginning of each mileage reporting period. The owner or lessee shall remit the amount due to the Commissioner on or before the earlier of:

- (i) the next required registration renewal for the covered vehicle;
- (ii) the termination of the covered vehicle's Vermont registration;

or

(iii) the sale of the covered vehicle or termination of the lease of the covered vehicle, as appropriate.

(B) An owner or lessee enrolled in the flat-rate option shall not be required to report vehicle mileage to the Commissioner pursuant to the provisions of this chapter. Nothing in this subdivision (5)(B) shall be construed to exempt an owner or lessee enrolled in the flat-rate option from any other requirements in State law related to vehicle inspections or odometer disclosures.

(6) Payment dates for mileage reporting periods ending within 60 days of registration renewal. Notwithstanding any provision of this subsection to the contrary, the owner or lessee of a covered vehicle with a mileage reporting period that ends 60 or fewer days prior to the next required registration renewal for the vehicle shall be permitted to remit the amount due to the Commissioner on or before the earlier of:

- (A) the next subsequent registration renewal of the vehicle;
- (B) the termination of the vehicle's registration; or

(C) the sale of the vehicle or the termination of the vehicle's lease, as applicable.

(b) Newly registered vehicles. The owner or lessee of a newly registered covered vehicle shall pay the MBUF during the initial year of registration pursuant to:

(1) the pay-as-you-go option set forth in subdivision (a)(3) of this section; or

(2) the flat-rate option set forth in subdivision (a)(5) of this section.

(c) Election of different payment option. An owner or lessee of a covered vehicle may select a different option for payment of the MBUF pursuant to subsection (a) of this section by providing notice to the Commissioner in the time and manner prescribed by the Commissioner.

(d) Calculation of the mileage-based user fee.

(1) The Commissioner shall calculate the mileage-based user fee of each covered vehicle by multiplying the miles traveled by the covered vehicle during the applicable period by the rate established pursuant to subsection (e) of this section. The number of miles traveled shall be equal to:

(A) for a mileage reporting period, the difference between the mileage shown on the covered vehicle's odometer at the end of the mileage reporting period and the mileage shown on the covered vehicle's odometer at the beginning of the mileage reporting period; and

(B) for a report filed by an owner or lessee as part of the pay-as-you-go mileage-based user fee program pursuant to subdivision (a)(3) of this section, the difference between the mileage reported by the owner or lessee and the most recent prior mileage reported for the covered vehicle.

(2) Notwithstanding any provision of subdivision (1) of this subsection to the contrary, the mileage-based user fee assessed for a mileage reporting period shall not exceed \$178.00.

(e) Mileage-based user fee rate. The mileage-based user fee rate shall be \$0.014 per mile traveled by a covered vehicle during its mileage reporting period.

(f) Exemptions. The mileage-based user fee assessed pursuant to this section shall not apply to:

(1) covered vehicles owned or operated by the government of the United States;

(2) covered vehicles owned or operated by the State of Vermont; or

(3) covered vehicles that are used for short-term rentals.

(g) Fee in addition to other fees and taxes. A mileage-based user fee assessed pursuant to this section shall be in addition to any other fees and taxes imposed by this title.

(h) Review of amount assessed. A person may, within 45 days after an assessment is mailed pursuant to subsection (a) of this section, appeal the amount of the assessment to the Commissioner. The Commissioner shall establish procedures for filing and hearing appeals pursuant to this subsection that are consistent with the provisions of sections 105–107 of this title. The procedures shall include a process by which an appellant can resolve the dispute prior to the issuance of a final administrative decision on the appeal.

(i) Refunds. Notwithstanding subdivision (a)(5)(B) of this section, upon occurrence of a terminating event, the Commissioner shall issue a refund to the owner or lessee of a covered vehicle for any amounts paid by the owner or lessee that are in excess of the amount due pursuant to this chapter.

§ 4303. REPORTS

(a) Upon completion of an inspection of a covered vehicle pursuant to section 1222 of this title, an inspection mechanic shall report the mileage shown on the covered vehicle's odometer to the Department in the manner required by the Commissioner.

(b) Upon the occurrence of a terminating event, the owner or lessee of a covered vehicle shall report the mileage shown on the covered vehicle's odometer at the time of the terminating event to the Department in the time and manner required by the Commissioner.

§ 4304. FAILURE TO FILE REPORT OR OBTAIN INSPECTION;  
DEFAULT RATE

(a) The Commissioner shall charge the owner or lessee of a covered vehicle a default rate of \$178.00 if the Commissioner is unable to determine the annual vehicle miles traveled for the owner's or lessee's covered vehicle because the owner or lessee:

(1) failed to file a report required by section 4303 of this chapter within a reasonable period of time after the report is due;

(2) failed to have the covered vehicle inspected as required pursuant to section 1222 of this title within a reasonable period of time after the inspection is due at either the commencement or conclusion of a mileage reporting period; or

(3) failed to have the covered vehicle inspected at any time during or within a reasonable time after the conclusion of a mileage reporting period.

(b)(1) The default amount required pursuant to subsection (a) of this section shall be assessed when the owner or lessee of the covered vehicle next renews the vehicle's registration following the mileage reporting period.

(2) After being assessed the default amount pursuant to this subsection, the owner or lessee of the covered vehicle may obtain an inspection within 60 days after the date on which the vehicle's registration is renewed. If the covered vehicle's mileage is such that the mileage-based user fee would have been less than the default amount, the owner or lessee shall receive a credit for the difference that is applied to reduce the amount of the next mileage-based user fee due for the covered vehicle, provided that the Commissioner has

sufficient odometer data to determine the mileage traveled since the beginning of the mileage reporting period.

§ 4305. REGISTRATION; SUSPENSION OR REFUSAL

(a) Suspension of registration. The Commissioner may suspend or refuse to renew the registration of a covered vehicle if the Commissioner determines, following notice and an opportunity for a hearing as provided pursuant to subsection (b) of this section, that the owner or lessee of the covered vehicle:

(1) failed to file a report required pursuant to section 4303 of this chapter;

(2) filed a report containing an intentional misrepresentation, misstatement, or omission of material information required by this chapter; or

(3) is delinquent at the time of renewal in the payment of any amount due pursuant to the provisions of this chapter.

(b) Notice and opportunity for hearing. The Commissioner shall provide the owner or lessee of a covered vehicle with not less than 15 days' notice of the intent to suspend or not to renew the registration of the covered vehicle pursuant to the provisions of this section. The owner or lessee shall be provided with the opportunity for a hearing and shall be permitted to be represented by counsel at the hearing.

§ 4306. POWERS OF THE COMMISSIONER

(a) General authority. The Commissioner shall have the authority to administer and enforce the provisions of this chapter.

(b) Additional powers. In addition to any powers or authority specifically granted to the Commissioner pursuant to the provisions of this chapter, the Commissioner may do the following:

(1) adopt rules pursuant to 3 V.S.A. chapter 25 as the Commissioner determines necessary to administer and enforce the provisions of this chapter;

(2) prescribe forms appropriate to the purposes of this chapter; and

(3) contract with an account manager to administer and manage the mileage-based user fee.

§ 4307. APPEALS; JUDICIAL REVIEW

(a) Administrative appeal. An aggrieved person may appeal any final decision, order, or finding of the Commissioner under this chapter within not more than 45 days after the decision is issued or the order or finding is made. The Commissioner shall establish procedures for filing and hearing appeals

pursuant to this subsection that are consistent with the provisions of sections 105–107 of this title.

(b) Appeal to Superior Court. Following a final decision on an appeal pursuant to subsection (a) of this section or subsection 4302(h) of this chapter, the appellant may appeal the decision pursuant to Rule 74 of the Vermont Rules of Civil Procedure. The appeal shall be to the Washington Superior Court or, in the discretion of the appellant, to the Superior Court in the county where the appellant resides or has a principal place of business.

(c) Exclusivity of remedies. The appeals provided by this section and subsection 4302(h) of this chapter shall be the exclusive remedies available to any person for review of an assessment, decision, or order or finding of the Commissioner under this chapter.

Sec. 9. 23 V.S.A. § 361 is amended to read:

§ 361. PLEASURE CARS

\* \* \*

(c) In addition to the registration fee set forth in subsection (a) of this section, there shall be an annual ~~EV~~ infrastructure fee for a pleasure car that is a plug-in hybrid electric vehicle, as defined in subdivision 4(85)(B) of this title, equal to one-half the amount of the annual fee collected in subsection (a) of this section, or a biennial ~~EV~~ infrastructure fee equal to the annual fee collected in subsection (a) of this section.

(d) The annual and biennial ~~EV~~ infrastructure fees collected in subsection (c) of this section shall be ~~allocated to~~ deposited in the Transportation Fund ~~for programs administered by the Agency of Commerce and Community Development to increase Vermonters' access to level 1 and 2 electric vehicle supply equipment (EVSE) charging ports at workplaces or multiunit dwellings, or both.~~

Sec. 10. MILEAGE-BASED USER FEE; INITIAL TRANSITION

(a) Notwithstanding any provision of 23 V.S.A. § 4302 to the contrary, during calendar years 2027 and 2028, the owner or lessee of a covered vehicle shall pay the mileage-based user fee for the covered vehicle's first mileage reporting period as provided pursuant to the provisions of subsection (b) of this section.

(b)(1)(A) For a covered vehicle that has a valid Vermont registration on December 31, 2026, the vehicle's initial mileage reporting period shall commence with its first annual inspection occurring on or after January 1, 2027.

(B) For a covered vehicle that is newly registered in Vermont on or after January 1, 2027, the vehicle's initial mileage reporting period shall commence on the date of registration.

(2) For an initial registration or a registration renewal of a covered vehicle that occurs on or after January 1, 2027, and prior to the completion of the initial mileage reporting period, the owner or lessee of the covered vehicle shall pay a one-time road usage charge of \$89.00 for a one-year registration or \$178.00 for a two-year registration.

(3) At the conclusion of a covered vehicle's initial mileage reporting period, the mileage-based user fee for the vehicle shall be calculated as provided pursuant to the annual mileage-based user fee payment option set forth in 23 V.S.A. § 4302(a)(2).

(4)(A) Provided that all required annual safety inspections under 23 V.S.A. § 1222 have been obtained, the amount of the covered vehicle's mileage-based user fee calculated pursuant to subdivision (3) of this subsection (b) shall be reduced by:

(i) the amount of any road usage charge paid pursuant to subdivision (2) of this subsection (b); or

(ii) for a covered vehicle whose owner or lessee did not pay the road usage charge pursuant to subdivision (2) of this subsection (b) but paid the EV infrastructure fee required pursuant to 23 V.S.A. § 361 at the most recent registration or registration renewal of the vehicle prior to January 1, 2027, an amount equal to the amount of the EV infrastructure fee paid at the most recent registration.

(B) Any amounts remaining after the initial mileage-based user fee has been paid shall be carried forward and applied as a credit to reduce the amount of future mileage-based user fees due in relation to the covered vehicle.

(c) As used in this section, "covered vehicle" has the same meaning as in 23 V.S.A. § 4301.

#### Sec. 11. OUTREACH AND EDUCATION; USER EXPERIENCE; REPORT

(a) The Agency of Transportation and the Department of Motor Vehicles shall develop and implement a public outreach, education, and communications strategy regarding the mileage-based user fee program established pursuant to 23 V.S.A. chapter 43 to build public awareness and understanding of the program and to solicit public feedback regarding the program. The strategy shall include the following:

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(1) printed materials, web-based materials, mailings, and local media outreach that describes the purpose of the mileage-based user fee, the transportation funding challenges that the mileage-based user fee is intended to help address, and how the mileage-based user fee will be implemented with respect to battery electric vehicles and, later, other light-duty vehicles;

(2) prior to implementation, direct mailing of informational materials to owners and lessees of battery electric vehicles that are currently registered in Vermont that:

(A) outline the goals and design of the mileage-based user fee;

(B) set forth the timeline for implementation of the mileage-based user fee;

(C) provide information regarding compliance with the mileage-based user fee, including the options that will be available to each owner and lessee; and

(D) provide information on how to obtain additional information regarding the mileage-based user fee, including how to obtain informational resources provided by the Agency, the availability of user support resources, and how to determine how the mileage-based user fee may apply to a user's specific circumstances;

(3) prior to initial implementation of the mileage-based user fee in January 2027, Agency engagement with owners and lessees of various types of light-duty motor vehicles registered in Vermont to obtain feedback on the design of the user experience for the mileage-based user fee, with particular attention to universal accessibility and specific needs for translated materials and services;

(4) survey and focus group work prior to and following implementation of the mileage-based user fee with owners and lessees whose vehicles are subject to the mileage-based user fee to aid in evaluating the implementation of the initial phase of the mileage-based user fee and in developing recommended programmatic and statutory changes; and

(5) ongoing engagement and collaboration with relevant stakeholders, including the Vermont Vehicle and Automotive Distributors Association and Drive Electric Vermont, to obtain feedback on the mileage-based user fee program and to educate members of the public about the mileage-based user fee and program design.

(b) The Agency and Department shall, on or before September 15, 2026, submit to the Joint Transportation Oversight Committee a report summarizing the public outreach, education, and communications strategy required pursuant to subsection (a) of this section.

Sec. 12. MILEAGE-BASED USER FEE TRANSITION PLAN;  
REPORT

(a)(1) The Agency of Transportation and the Department of Motor Vehicles, in consultation with the Agency of Digital Services, shall design and submit for approval by the General Assembly a plan and proposed legislation to expand the mileage-based user fee (MБУF) program to plug-in hybrid electric pleasure cars to ensure that all plug-in electric vehicles contribute an amount that bears a direct relation to the estimated demands and impacts that the vehicle places upon public infrastructure, as determined on the basis of vehicle miles traveled.

(2) The plan shall provide that plug-in hybrid electric pleasure cars shall begin participating in the MBUF program on or before January 1, 2029.

(3) The plan shall provide methods for ensuring that contributions to the Transportation Fund are proportionate to the number of miles traveled in Vermont by each vehicle, including:

(A) additional payment and mileage tracking options for vehicle owners or lessees to select from, including methods for differentiating between miles traveled in Vermont and miles traveled outside Vermont; and

(B) a system to provide fuel tax credits for vehicles that use gasoline or diesel fuel based on the vehicle's fuel economy as estimated by the U.S. Environmental Protection Agency that are automatically applied to reduce the MBUF for the vehicle to ensure that all covered vehicles contribute to Vermont's transportation system in an equitable manner.

(b) In developing the plan, the Agency and the Department shall:

(1) analyze the amounts paid by vehicles of different engine-fuel types and classifications with respect to the diesel fuel tax pursuant to 23 V.S.A. chapter 27, the gasoline tax pursuant to 23 V.S.A. chapter 28, and the infrastructure fee imposed pursuant to 23 V.S.A. § 361(c), as applicable;

(2) develop a proposed schedule for the inclusion of plug-in hybrid electric pleasure cars in the MBUF program on or before January 1, 2029;

(3) consider possible methods to account for and differentiate between in-state and out-of-state vehicle miles traveled by vehicles registered in Vermont and vehicles registered in another state;

(4) examine the potential for integrating alternative mileage reporting methods into the mileage-based user fee program and related costs;

(5) evaluate the potential to include medium- and heavy-duty electric vehicles in the mileage-based user fee program and potential rate designs based on vehicle weights; and

(6) examine the relationship between expansion of the mileage-based user fee program and fuel tax rates, Transportation Fund revenue sustainability, and Vermont's carbon reduction targets.

(c) The Agency and Department shall also track the implementation costs and operating expenses of and revenues generated by the mileage-based user fee for State fiscal years 2027–2031. The Agency and Department shall submit an annual report of these amounts to the House Committees on Transportation and on Ways and Means and the Senate Committees on Transportation and on Finance on or before each December 31 beginning on December 31, 2027, and continuing until December 31, 2031.

(d)(1) On or before January 31, 2027, the Agency of Transportation and the Department of Motor Vehicles shall submit to the House Committees on Transportation and on Ways and Means and the Senate Committees on Transportation and on Finance an initial plan and recommendation for legislative action to:

(A) incorporate plug-in hybrid electric pleasure cars into the MBUF program;

(B)(i) provide at least two additional options for determining the number of vehicle miles traveled by a covered vehicle, including:

(I) an option that would utilize vehicle systems or an aftermarket device to track vehicle miles traveled; and

(II) an option that would enable vehicle owners and lessees to track and differentiate between miles traveled in Vermont and miles traveled outside Vermont, with the MBUF only applying to miles traveled in Vermont; and

(ii) identify data privacy protections and best practices that should be implemented to protect data obtained from owners and lessees who elect to utilize the options identified pursuant to this subdivision (B);

(C)(i) recommend whether to retain a flat-rate option for the MBUF and, if so, recommend the appropriate amount of the flat fee; and

(ii) recommend how to apply the flat fee to plug-in hybrid electric pleasure cars, including whether to provide different flat fees based on vehicle type or to provide credits against the amount of the flat fee based on vehicle fuel efficiency; and

(D) provide at least one option to enable vehicle owners and lessees to track and differentiate between miles traveled in Vermont and miles traveled outside Vermont, with the MBUF only applying to miles traveled in Vermont.

(2) On or before July 30, 2028, the Agency shall submit to the Joint Transportation Oversight Committee and the House and Senate Committees on Transportation a draft copy of the final report required to be submitted to the Federal Highway Administration pursuant to the terms of the Agency's federal Strategic Innovation for Revenue Collection grant.

(3) On or before September 15, 2028, the Agency of Transportation and the Department of Motor Vehicles shall submit to the House Committees on Transportation and on Ways and Means and the Senate Committees on Transportation and on Finance:

(A) a final plan and proposal for legislative action necessary to expand the MBUF program to all plug-in electric vehicles on or before January 1, 2029;

(B) a report of all findings made pursuant to subsection (b) of this section; and

(C) any additional recommendations for legislative action.

Sec. 13. EVALUATION OF FEE ON PUBLIC ELECTRIC VEHICLE CHARGING; REPORT

(a) The Commissioner of Taxes, in consultation with the Secretary of Transportation, the Commissioner of Public Service, and the Public Utility Commission, shall examine the potential of generating revenue for the Transportation Fund through a charge on the retail sale of electricity sold through electric vehicle supply equipment (EVSE) available to the public. In particular, the Commissioner shall:

(1) examine potential options for generating revenue from the retail sale of electricity through EVSE available to the public, including:

(A) a per kilowatt hour fee on the retail sale of electricity in lieu of the sales tax charged pursuant to 32 V.S.A. chapter 233;

(B) a tax on the retail sale of electricity in lieu of the sales tax charged pursuant to 32 V.S.A. chapter 233; and

(C) other options, in the discretion of the Commissioner in consultation with the Secretary of Transportation;

(2) with respect to all of the options examined pursuant to subdivision (1) of this subsection:

(A) investigate the potential ease of implementation, including anticipated administrative costs and any potential challenges;

(B) examine and compare the benefits and drawbacks; and

(C) develop a projection for potential revenue that could be generated at different rates; and

(3) identify examples of other states that have implemented the options examined pursuant to subdivision (1) of this subsection.

(b) On or before January 15, 2027, the Commissioner shall submit a written report to the House Committees on Transportation and on Ways and Means and the Senate Committees on Finance and on Transportation, regarding any findings pursuant to subsection (a) of this section and a recommendation for legislative action to generate revenue for the Transportation Fund from the retail sale of electricity through EVSE available to the public.

(c) As used in this section:

(1) “Electric vehicle supply equipment (EVSE)” and “electric vehicle supply equipment available to the public” have the same meanings as in 30 V.S.A. § 201.

(2) “Retail sale” has the same meaning as in 32 V.S.A. § 9701.

\* \* \* Repeal of Municipal Equipment and Vehicle Loan Fund Rules \* \* \*

#### Sec. 14. RULES REGARDING MUNICIPAL HEAVY EQUIPMENT LOAN FUND; REPEAL

The Rules Regarding Municipal Heavy Equipment Loan Fund (CVR 14-053-002) are repealed. The Municipal Equipment and Vehicle Loan Fund, as the successor to the Municipal Heavy Equipment Loan Fund, shall be administered as provided pursuant to 29 V.S.A. § 1601.

\* \* \* Statement of Policy; Highways and Bridges \* \* \*

Sec. 15. 19 V.S.A. § 10c is amended to read:

§ 10c. STATEMENT OF POLICY; HIGHWAYS AND BRIDGES

\* \* \*

(b) For projects that are not on the National Highway System, the Agency shall ~~develop and implement~~ maintain State standards and guidance for geometric design. ~~Design speeds may be lower than legal speeds. Design speeds lower than legal speeds may be used without the requirement of a formal design exception, provided appropriate warnings are posted if appropriate warning signs, signals, and markings are used as provided pursuant to 23 V.S.A. § 1025.~~

\* \* \*

\* \* \* Agency of Transportation Duties \* \* \*

Sec. 16. 19 V.S.A. § 10 is amended to read:

§ 10. DUTIES

The Agency shall, except where otherwise specifically provided by law:

\* \* \*

(8)(A) Require any contractor or contractors employed in any project of the Agency for construction of a transportation improvement to file in the office of the Secretary a good and sufficient surety bond to the State of Vermont, executed by a surety company authorized to transact business in this State in ~~such~~ the sum as required by the Agency shall direct, conditioned for the compliance by the contractor or contractors and their agents and servants, with all matters and things set forth and specified to be by the principal kept, done, and performed at the time and in the manner in the contract between the Agency and the contractor or contractors specified and to pay over, make good, and reimburse the State of Vermont for all loss or losses and damage or damages that the State of Vermont may sustain by reason of failure or default on the part of the contractor or contractors. The Agency is authorized to require any other condition in the bond that may ~~from time to time~~ be necessary. The Secretary at ~~his or her discretion as to~~ may, if the Secretary determines that it is in the best interest interests of the State, accept other good and sufficient surety in lieu of a bond and, in cases involving contracts for ~~\$100,000.00~~ \$250,000.00 or less, may waive the requirement of a performance bond.

(B) During an emergency event, the Secretary may, in the Secretary's discretion, waive the bonding requirements of this subdivision (8) for immediate, temporary stabilization work related to public safety or State infrastructure. Permanent work shall be subject to the requirements of subdivision (A) of this subdivision (8).

(9)(A) Require any contractor or contractors employed in any project of the Agency for construction of a transportation improvement to file an additional surety bond to the Secretary and the Secretary's successor in office, for the benefit of labor, materialmen, and others, executed by a surety company authorized to transact business in this State. The surety bond shall be in ~~such~~ the sum as required by the Agency ~~shall direct~~, conditioned for the payment, settlement, liquidation, and discharge of the claims of all creditors for material;<sub>;</sub> merchandise;<sub>;</sub> labor;<sub>;</sub> rent;<sub>;</sub> hire of vehicles, power shovels, rollers, concrete mixers, tools, and other appliances;<sub>;</sub> professional services;<sub>;</sub> premiums;<sub>;</sub> and other services used or employed in carrying out the terms of the contract between the contractor and the State ~~and~~. The surety bond shall be further conditioned for the following accruing during the term of performance of the contract: the payment of taxes, both State and municipal, and the payment of unemployment insurance contributions to the Vermont Commissioner of Labor; provided, however, in,

(B) In order to obtain the benefit of the security, the claimant shall file with the Secretary a sworn statement of the claimant's claim, within 90 days after the final acceptance of the project by the State or within 90 days from the time the taxes or unemployment contributions to the Vermont Commissioner of Labor are due and payable, and, within one year after the filing of the claim, shall bring a petition in the Superior Court in the name of the Secretary, with notice and summons to the principal, surety, and the Secretary, to enforce the claim or intervene in a petition already filed. The Secretary may, if the Secretary determines that it is in the best interests of the State, accept other good and sufficient surety in lieu of a bond and, in cases involving contracts for \$100,000.00 \$250,000.00 or less, may waive the requirement of a surety bond.

(C) During an emergency event, the Secretary may, in the Secretary's discretion, waive the requirements of this subdivision (9) for immediate emergency stabilization work related to public safety or State infrastructure. Permanent work shall be subject to the requirements of subdivision (A) of this subdivision (9).

\* \* \*

\* \* \* Bridge Inspections; Posting; Closure \* \* \*

Sec. 17. 19 V.S.A. § 1514 is added to read:

§ 1514. BRIDGE INSPECTION; POSTING; CLOSURE

(a) Definition. As used in this section, "bridge" means a structure to which the National Bridge Inspection Standards apply pursuant to 23 C.F.R. § 650.303.

(b) Bridge inspections. The Agency shall inspect bridges on State highways and town highways in accordance with the requirements of the National Bridge Inspection Standards.

(c) Municipally maintained bridges.

(1) For a bridge for which a municipality has maintenance responsibility, the Agency shall advise the municipality of its inspection findings and any noted deficiencies.

(2) The Agency shall notify a municipality if a bridge for which the municipality has maintenance responsibility requires posting or closure and, upon receiving notification, the municipality shall post or close the bridge, as appropriate.

(3) If necessary to protect the public from an imminent hazard, the Agency may post or close a bridge for which a municipality has maintenance responsibility.

(4) A municipality shall be responsible for all costs and expenses related to the posting or closure of a bridge for which it has maintenance responsibility, including the costs of any required notifications, procedures, signage or traffic control devices, and barricades.

(d) Agency-maintained bridges.

(1) For any bridge for which the Agency has maintenance responsibility, the Agency shall have the sole responsibility and authority to determine whether the bridge shall be posted or closed, except that a municipality may close an Agency-maintained bridge during an emergency.

(2) If a municipality becomes aware of any deficiencies or structural conditions that could impact the Agency's determination of whether to post or close a bridge, the municipality shall promptly notify the Agency.

(3) The Agency shall be responsible for all costs and expenses associated with posting or closing an Agency-maintained bridge, including any required notifications, procedures, signage or traffic control devices, and barricades.

(e) Enforcement and penalties. In addition to any other penalties provided by law, a person that violates a bridge posting or closure by a municipality or the Agency shall be subject to a civil penalty of not more than \$1,000.00.

Sec. 18. 23 V.S.A. § 2302 is amended to read:

§ 2302. TRAFFIC VIOLATION DEFINED

(a) As used in this chapter, "traffic violation" means:

\* \* \*

(11) a violation of subsection 1006b(b) of this title, relating to operation of a prohibited vehicle in Smugglers' Notch; section 1006c of this title, relating to requirements for use of tire chains; or subsections 4120(a) and (b) of this title, relating to violations of an out-of-service order; or

(12) a violation of section 4123 of this title, relating to authorizing railroad crossing violations; or

(13) a violation of 19 V.S.A. § 1514, relating to use of a bridge in violation of a posting or closure.

\* \* \*

\* \* \* Public Transit Advisory Council \* \* \*

Sec. 19. 24 V.S.A. § 5084 is amended to read:

§ 5084. PUBLIC TRANSIT ADVISORY COUNCIL

(a) The Public Transit Advisory Council shall be created by the Secretary of Transportation under 19 V.S.A. § 7(f)(5), ~~to~~ and shall consist of the following members:

\* \* \*

(8) a representative of ~~the Community of Vermont Elders~~ AARP Vermont;

(9) ~~a representative of private bus operators and taxi services;~~  
[Repealed.]

(10) a representative of Vermont ~~intercity~~ private bus operators;

\* \* \*

\* \* \* Green Mountain Transit Authority \* \* \*

Sec. 20. 24 App. V.S.A. ch. 801, § 7 is amended to read:

§ 7. Annual budget and assessments

(a) On or before February 15 in each year, the Board of Commissioners shall prepare a budget for the Authority for the next fiscal year, which shall include an estimate of the revenue of the Authority from fares and other sources, except membership assessments, and the expenses for the next fiscal year, including debt service, and at such time the Board of Commissioners shall call a meeting of the residents of its members for the purpose of presenting the proposed budget and inviting discussion thereon. The meeting shall be held at a place within the County and shall be warned by a notice published in a newspaper of general circulation in the County at least 15 days

prior to the meeting. The notice shall contain a copy of the proposed budget, and members of the legislative body of each member municipality shall be notified of the meeting by certified mail. The proposed budget may include, in addition to revenues from fares and other sources, anticipated voluntary local match contributions, grants, donations, and other nonassessment revenues that may be offered by a member municipality or another public or private source.

\* \* \*

(f)(1) The Authority shall be permitted to seek and accept voluntary local match contributions.

(2) Notwithstanding the formula for apportionment, the Authority may accept voluntary local match contributions from a member municipality or another public or private source for the purposes of:

(A) meeting federal, State, or other grant matching requirements; and

(B) supporting Authority programs, capital projects, and operations.

(3) A voluntary local match contribution accepted pursuant to this subsection shall be in addition to any assessment required pursuant to this section and shall not reduce, offset, or otherwise modify the assessment apportioned to any member municipality pursuant to the formula for apportionment unless the formula is amended in accordance with the provisions of this section.

\* \* \* Public-Private Partnership Sunset Extension \* \* \*

Sec. 21. 2018 Acts and Resolves No. 158, Sec. 21 as amended by 2023 Acts and Resolves No. 62, Sec. 41 is further amended to read:

Sec. 21. REPEAL OF TRANSPORTATION P3 AUTHORITY

19 V.S.A. chapter 26, subchapter 2 shall be repealed on July 1, ~~2026~~ 2029.

\* \* \* Transportation Board \* \* \*

Sec. 22. 19 V.S.A. § 5 is amended to read:

§ 5. TRANSPORTATION BOARD; POWERS AND DUTIES

\* \* \*

(d) Specific duties and responsibilities. The Board shall:

\* \* \*

(7) provide appellate review, when requested in writing by an applicant or permittee, of Agency decisions and rulings regarding private and commercial access to State highway rights-of-way pursuant to the permit process established in section 1111 of this title;

\* \* \*

\* \* \* Transportation Alternatives Grant Program \* \* \*

Sec. 23. 19 V.S.A. § 38 is amended to read:

§ 38. TRANSPORTATION ALTERNATIVES GRANT PROGRAM

(a), (b) [Repealed.]

(c) The Transportation Alternatives Grant Program is created. The Grant Program shall be administered by the Agency and shall be funded in the amount provided for in 23 U.S.C. § 133(h), less the funds set aside for the Recreational Trails Program. Awards shall be made to eligible entities as defined under 23 U.S.C. § 133(h), and awards under the Grant Program shall be limited to the activities authorized under federal law and shall not exceed ~~\$300,000.00~~ \$600,000.00 per grant allocation.

\* \* \*

(f)(1) In fiscal year ~~2024~~ 2027 and thereafter, ~~50 percent of Grant Program funds, or such lesser sum if all eligible applications amount to less than 50 percent of Grant Program funds, shall be reserved for municipalities for environmental mitigation projects relating to stormwater and highways, including eligible salt and sand shed projects, and the balance of Grant Program funds shall be awarded for any eligible activity, including environmental mitigation projects relating to stormwater and highways, such as eligible salt and sand shed projects, and infrastructure-related projects and systems that will provide safe routes for nondrivers, and in accordance with the priorities established in subdivision (2) of this subsection.~~

(2) In evaluating applications for Transportation Alternatives grants, the Agency shall give preferential weighting to sand and salt shed projects and projects involving as a primary feature a bicycle or pedestrian facility. The degree of preferential weighting and the circumstantial factors sufficient to overcome the weighting shall be in the complete discretion of the Agency.

\* \* \*

Sec. 24. 2023 Acts and Resolves No. 62, Sec. 11 is amended to read:

Sec. 11. TRANSPORTATION ALTERNATIVES GRANT PROGRAM  
AWARDS IN STATE FISCAL YEARS 2024 TO 2027

Notwithstanding 19 V.S.A. § 38(c), Transportation Alternatives Grant Program awards in State fiscal years 2024 to ~~2027~~ 2026 shall not exceed \$600,000.00 per grant allocation. Notwithstanding 19 V.S.A. § 38(c), Transportation Alternatives Grant Program awards in State fiscal year 2027 shall not exceed \$1,200,000.00 per grant allocation.

\* \* \* Consultation Regarding Municipal Programs \* \* \*

Sec. 25. MUNICIPAL TRANSPORTATION PROGRAMS; ONGOING EVALUATION; IDENTIFICATION OF IMPROVEMENTS

(a) In addition to ongoing work pursuant to 2025 Acts and Resolves No. 43, Sec. 15, the Agency of Transportation, in consultation with the Vermont League of Cities and Towns and the Vermont Association of Planning and Development Agencies, shall:

(1) continue examining the requirements of 19 V.S.A. § 309c, cancellation of locally managed projects, as set forth in 2025 Acts and Resolves No. 43, Sec. 14, to evaluate the obligations, risks, and benefits imposed by the provisions of that section on the State and the local sponsor of a locally managed project and to identify potential changes to the provisions of that section to ensure that State and federal transportation funding resources are appropriately administered;

(2) continue evaluating the State's Town Highway Aid and municipal grant programs administered by the Agency, as set forth in 2025 Acts and Resolves No. 43, Sec. 16, to identify potential efficiencies and improvements related to the administration of Town Highway Aid and municipal grant programs; and

(3)(A) examine the provisions in the Vermont statutes related to the procedures for establishing speed limits; and

(B) identify potential opportunities to simplify and clarify those provisions to assist municipalities in meeting local needs, including safety and context sensitivity.

(b) The Agency shall, on or before January 15, 2027, submit to the House and Senate Committees on Transportation any recommendations for legislative action.

\* \* \* Drive Electric Vermont \* \* \*

Sec. 26. DRIVE ELECTRIC VERMONT; APPROPRIATION

In State fiscal year 2027, the sum of \$242,000.00 is appropriated from the Transportation Fund to the Agency of Transportation to support the continuation of the Agency's partnership with Drive Electric Vermont. The monies shall be used for programs and activities that support increased ownership and use of plug-in electric vehicles in the State through:

(1) stakeholder coordination;

(2) consumer education and outreach;

(3) infrastructure development; and

(4) the provision of technical assistance and support to Vermont municipalities and Vermont businesses desiring to electrify their vehicle fleets.

\* \* \* Caledonia County State Airport \* \* \*

Sec. 27. 2023 Acts and Resolves No. 62, Sec. 8 is amended to read:

Sec. 8. SALE OR LEASE OF CALEDONIA COUNTY STATE AIRPORT

\* \* \*

(c) Any such conveyance shall:

\* \* \*

~~(4) ensure that the Airport continues to be identified as a public-use airport within the National Plan of Integrated Airport Systems until at least 2050, subject to federal determination;~~

~~(5) include, if the Airport is conveyed through a purchase and sale agreement, a six-month right of first refusal, running from the date that the owner of the Airport provides notice to the State of an intent to sell the Airport, for the State to repurchase the Airport at fair market value before the Airport is resold or transferred to a new owner; and~~

~~(6)(5) include, if the Airport is leased, that the lease cannot be either assigned or the lessor cannot sub-lease all or substantially all of the Airport without the written approval of the Vermont Secretary of Transportation.~~

\* \* \*

Sec. 28. 2023 Acts and Resolves No. 62, Sec. 9 is amended to read:

Sec. 9. REPEAL OF AUTHORITY FOR SALE OR LEASE OF CALEDONIA COUNTY STATE AIRPORT

Sec. 8 of this act shall be repealed on ~~May 1, 2026~~ November 1, 2027.

\* \* \* Medical Transports \* \* \*

Sec. 29. PUBLIC TRANSIT DEMAND RESPONSE MEDICAL TRANSPORTS; VOLUNTEER DRIVERS; MOBILITY MANAGEMENT; GRANTS

The Agency of Transportation is authorized to utilize amounts appropriated for supplemental nonemergency medical transportation funding in fiscal year 2027 for the purpose of providing competitive grants to public transit agencies to support the recruitment and retention of volunteer drivers and mobility

management activities intended to reduce costs related to nonemergency medical transports.

Sec. 30. 19 V.S.A. § 2908 is added to read:

§ 2908. PUBLIC EVSE; REAL-TIME STATUS; AVAILABILITY

(a) Except as provided in subsection (b) of this section, a charging network provider shall, for any networked publicly funded and available charging station in Vermont that is installed or reconditioned on or after September 30, 2026, ensure that the following data fields are made available, free of charge, to third-party software developers via an application programming interface:

(1) a unique charging station name or identifier;

(2) the address of the property where the charging station is located, including street address, city, and ZIP code;

(3) the geographic coordinates in decimal degrees of the exact charging station location;

(4) the charging station operator name;

(5) the charging network provider name;

(6) the charging station status, including whether the station is operational, under construction, planned, or decommissioned;

(7) charging station access information, including:

(A) the charging station access type, such as whether it may be used by the public or is limited to use by commercial vehicles; and

(B) the charging station access days and times, including the hours of operation for the charging station;

(8) charging port information, including:

(A) the number of charging ports;

(B) the unique port identifier for each port;

(C) the connector types available by port;

(D) the charging level by port, such as DCFC or AC Level 2;

(E) the maximum power delivery rating in kilowatts by charging port;

(F) the maximum output voltage by charging port;

(G) accessibility by a vehicle with a trailer by port (yes/no); and

(H) the real-time status by port in terms defined by Open Charge Point Interface 2.2.1; and

(9) pricing and payment information, including:

(A) the pricing structure;

(B) the real-time price to charge at each charging port, in terms defined by Open Charge Point Interface 2.2.1; and

(C) the payment methods accepted at the charging station, including whether credit, debit, or contactless forms of payment are accepted.

(b) The provisions of this section shall apply to a publicly funded and available charging station at all times that a member of the public may use the associated EVSE to charge a PEV.

(c) The provisions of this section may be enforced by:

(1) any State agency or department that provides or administers grants, loans, or other incentives to support the construction or operation of publicly funded and available charging stations; and

(2) the Department of Public Service for publicly funded and available charging stations that have received a grant, loan, or other incentive provided by one or more Vermont retail electricity providers.

(d) A charging network provider may attach reasonable conditions to data use that are designed to protect confidential business information, provided that the conditions do not prevent third-party software developers from accessing the real-time information required pursuant to subsection (a) of this section.

(e)(1) A State agency or department that provides a grant, loan, or other incentive for the construction or operation of a charging station that is installed or reconditioned on or after September 30, 2026, shall require the recipient to notify the relevant charging network provider that the provisions of this section apply to a charging station.

(2) A retail electricity provider, if it provides a grant, loan, or other incentive for the construction or operation of a charging station that is installed or reconditioned on or after September 30, 2026, shall require the recipient to notify the relevant charging network provider that the provisions of this section apply to the charging station.

(f) As used in this section:

(1) “Real-time” means that the applicable data field must be updated within one minute following a change in the charging port’s status.

(2) “Retail electricity provider” has the same meaning as in 30 V.S.A. § 8002.

\* \* \* EVSE Installation in Common Interest Communities \* \* \*

Sec. 31. 27A V.S.A. § 1-204 is amended to read:

§ 1-204. PREEXISTING COMMON INTEREST COMMUNITIES

(a)(1) Unless excepted under section 1-203 of this title, the following sections and subdivisions of this title apply to a common interest community created in this State before January 1, 1999: sections 1-103, 1-105, 1-106, 1-107, 2-103, 2-104, and 2-121, subdivisions ~~3-102(a)(1) through (6)~~ 3-102(a)(1)-(6) and ~~(11) through (16)~~ (11)-(16), and sections 3-111, 3-116, 3-118, 4-109, and 4-117 to the extent necessary to construe the applicable sections. The sections and subdivisions described in this subdivision apply only to events and circumstances occurring after December 31, 1998, and do not invalidate existing provisions of the declarations, bylaws, plats, or plans of those common interest communities.

\* \* \*

(3) Unless excepted under section 1-203 of this title, section 3-125 of this title shall apply to all common interest communities that contain 12 or more units that may be used for residential purposes created in this State on or before January 1, 2011. Section 3-125 applies only to events and circumstances occurring after June 30, 2026, and does not invalidate existing provisions of the declarations, bylaws, plats, or plans of those common interest communities.

\* \* \*

Sec. 32. 27A V.S.A. § 3-125 is added to read:

§ 3-125. ELECTRIC VEHICLE SUPPLY EQUIPMENT

(a) As used in this section:

(1) “Electric vehicle supply equipment (EVSE)” means a device or system designed and used specifically to transfer electrical energy to a plug-in electric vehicle.

(2) “EVSE owner” means the unit owner who applies to install an EVSE and each successive unit owner associated with the initial application to install the EVSE unless there is a specific change in ownership of the EVSE, in which case the EVSE owner shall be the owner specified in a conveying document memorializing the change in ownership of the EVSE.

(3) “Plug-in electric vehicle” has the same meaning as in 23 V.S.A. § 4(85).

(4) “Reasonable restriction” is a restriction that does not significantly increase the cost of the EVSE or significantly decrease the efficiency or specified performance of the EVSE.

(b)(1) Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a common interest community, and any provision of a governing document associated with a common interest community, such as a declaration, bylaw, or rule, that either effectively prohibits or unreasonably restricts the installation of EVSE within the boundaries of a unit owner’s unit or limited common element or the unit owner’s exclusively designated parking space or the use of such EVSE for noncommercial purposes by a unit owner or the occupants of the unit owner’s unit or is in conflict with this section is void and unenforceable.

(2) This subsection shall not apply to provisions that impose reasonable restrictions on EVSE. However, it is the policy of the State to promote, encourage, and remove obstacles to the use of plug-in electric vehicles, including access to EVSE at home.

(3) Installation of EVSE shall not be deemed a division or reallocation of a common element and shall not alter the allocated interests of any unit owner.

(c) The association may require the unit owner to:

(1) comply with federal, State, and local health and safety laws, including any applicable building codes or safety standards;

(2) comply with reasonable architectural standards adopted by the association that govern the dimensions, placement, or external appearance of the EVSE, provided that such standards shall not prohibit the installation of such EVSE or substantially increase the costs thereof;

(3) engage the services of a licensed electrician to install the EVSE;

(4) if the EVSE is installed in a common element or limited common element, reimburse the association for the actual costs of any increased insurance premium amount attributable to the EVSE with 14 days after receiving the association’s insurance premium invoice; and

(5) comply with any other reasonable restrictions the association may impose.

(d) Notwithstanding any provision to the contrary in the association's governing documents, if the executive board of the association determines that the cumulative or additional use of electricity due to the installation and use of EVSE requires infrastructure improvements to provide a sufficient supply of electricity for the EVSE, the association may assess the cost of the required improvements against the unit of each unit owner that has installed, or will install, EVSE.

(e) If approval is required for the installation or use of EVSE, the application for approval shall be processed and approved by the association in the same manner as an application for approval of an architectural modification to the common interest community and shall not be intentionally avoided or delayed. The approval or denial of an application shall be in writing. If an application is not denied in writing within 90 days from the date of receipt of the application, the application shall be deemed approved, unless that delay is the result of a reasonable request for additional information.

(f) The unit owner and each successive owner of the EVSE shall be responsible for all of the following:

(1) costs for damage to the EVSE, common element, or limited common element resulting from the installation, maintenance, repair, removal, or replacement of the EVSE;

(2) costs for the installation, maintenance, repair, and replacement of the EVSE until the EVSE has been removed and for the restoration of the common element or limited common element after removal;

(3) cost of electricity associated with the EVSE; and

(4) unless the successor owner of the unit agrees in writing to undertake and comply with the unit owner's responsibilities with respect to the EVSE, removing the EVSE prior to the sale and restoring any affected common element or limited common element.

\* \* \* Intelligent Speed Assistance \* \* \*

### Sec. 33. INTELLIGENT SPEED ASSISTANCE; IMPLEMENTATION AND COST EVALUATION; REPORT

(a) The Department of Motor Vehicles shall examine the potential to implement and administer an intelligent speed assistance program, including the following issues:

(1) intelligent speed assistance programs that have been or will be implemented in other states and the District of Columbia;

(2) costs for the State to implement an intelligent speed assistance program; and

(3) potential costs to drivers who choose to participate in an intelligent speed assistance program.

(b) On or before January 15, 2027, the Department shall submit a written report to the House and Senate Committees on Transportation regarding its findings and any recommendations for legislative action.

\* \* \* Repeals; Log Drives \* \* \*

#### Sec. 34. REPEALS; LOG DRIVES

The following sections are repealed:

(1) 25 V.S.A. § 241 (application of provisions);

(2) 25 V.S.A. § 242 (petition to Public Utility Commission);

(3) 25 V.S.A. § 243 (notice and hearing; decision);

(4) 25 V.S.A. § 244 (judgment on decision); and

(5) 25 V.S.A. § 245 (bond of foreign corporation).

\* \* \* Effective Dates \* \* \*

#### Sec. 35. EFFECTIVE DATES

(a) Secs. 8 (mileage-based user fee), 9 (infrastructure fee for plug-in hybrids), 10 (initial transition for mileage-based user fee), and 30 (real-time status requirements for public EVSE) shall take effect on January 1, 2027.

(b) Notwithstanding 1 V.S.A. § 214, Sec. 28 (extension of authority to sell Caledonia County State Airport) shall take effect retroactively on April 30, 2026.

(c) The remaining sections shall take effect on July 1, 2026.

*SEN. RICHARD A. WESTMAN*

*SEN. ANDREW J. PERCHLIK*

*SEN. WENDY K. HARRISON*

*Committee on the part of the Senate*

*REP. MATTHEW E. WALKER*

*REP. TIMOTHY R. CORCORAN*

*REP. PHIL POUECH*

*Committee on the part of the House*

## Addendum to the Report of Committee of Conference on H. 944

An act relating to the fiscal year 2027 Transportation Program and miscellaneous changes to laws related to transportation.

After Sec. 29, by inserting a new section to be Sec. 29a and its reader assistance heading to read as follows:

\* \* \* Real-Time Status of Public EVSE \* \* \*

Sec. 29a. 19 V.S.A. § 2901 is amended to read:

§ 2901. DEFINITIONS

As used in this chapter:

\* \* \*

(2) “Charging network provider” means a person that operates the digital communication network that remotely manages the EVSE at a charging station.

(3) “Charging station” means the area in the immediate vicinity of one or more EVSE and includes the EVSE, supporting equipment, parking areas adjacent to the EVSE, and lanes for vehicle ingress and egress. A charging station may comprise only a portion of the property on which it is located.

(4) “Charging station operator” means a person that owns or provides the EVSE and the supporting equipment and facilities at one or more charging stations and is responsible for operating and maintaining the EVSE, supporting equipment, and facilities. A charging station operator may delegate to another person or contract with another person for charging station operation and maintenance.

(5) “Connector” means a device that attaches EVSE to a PEV to transfer electricity from the EVSE to the PEV.

(6) “Direct current fast charger” or “DCFC” means EVSE that enables charging through the delivery of direct current electricity to a PEV’s battery.

(7) “Electric bicycle” has the same meaning as in 23 V.S.A. § 4(46)(A).

~~(3)~~(8) “Electric cargo bicycle” means a motor-assisted bicycle, as defined in 23 V.S.A. § 4(45)(B)(i), with an electric motor, as defined under 23 V.S.A. § 4(45)(B)(i)(II), that is specifically designed and constructed for transporting loads, including at least one or more of the following: goods, one or more individuals in addition to the operator, or one or more animals. A motor-assisted bicycle that is not specifically designed and constructed for transporting loads, including a motor-assisted bicycle that is only capable of

transporting loads because an accessory rear or front bicycle rack has been installed, is not an electric cargo bicycle.

~~(4)~~(9) “Electric vehicle supply equipment (EVSE)” and “electric vehicle supply equipment available to the public” have the same meanings as in 30 V.S.A. § 201.

(10) “Level 2 EVSE” means EVSE with a single-phase input voltage range from 208 to 277 volts of alternating current (AC) and maximum output current of not more than 80 amperes AC.

~~(5)~~(11) “Plug-in electric vehicle (PEV),” “battery electric vehicle (BEV),” and “plug-in hybrid electric vehicle (PHEV)” have the same meanings as in 23 V.S.A. § 4(85).

(12) “Port” means a system or connecting outlet on EVSE that provides power to charge a PEV, provided that a port may be equipped with more than one connector but shall only use one connector at a time to provide power to a PEV.

(13) “Publicly funded and available charging station” means a charging station that has received, or expects to receive, a grant, loan, or other incentive from a federal or State government source or from funds provided by Vermont retail electricity providers and that is publicly available.

*SEN. RICHARD A. WESTMAN*

*SEN. ANDREW J. PERCHLIK*

*SEN. WENDY K. HARRISON*

*Committee on the part of the Senate*

*REP. MATTHEW E. WALKER*

*REP. TIMOTHY R. CORCORAN*

*REP. PHIL POUECH*

*Committee on the part of the House*

Which was considered and adopted on the part of the House.

### **Recess**

At two o'clock and fifty-seven minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

**Message from the Senate No. 72**

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 House proposals of amendment to Senate bills of the following titles:

**S. 64.** An act relating to amendments to the scope of practice for optometrists.

**S. 190.** An act relating to the Green Mountain Care Board, reference-based pricing, and studying the creation of a Public Employee Health Benefit Authority.

**S. 278.** An act relating to cannabis.

And has concurred therein.

The Senate has considered a bill originating in the House of the following title:

**H. 957.** An act relating to approval of amendments to the charter of the Town of Williston.

And has passed the same in concurrence.

The Senate has considered the reports of the Committees of Conference upon the disagreeing votes of the two Houses upon House bills of the following titles:

**H. 639.** An act relating to genetic data privacy.

**H. 710.** An act relating to defining electricity generating facilities.

And has accepted and adopted the same on its part.

**Called to Order**

At four o'clock and sixteen minutes in the afternoon, the Speaker called the House to order.

**Rules Suspended, Immediate Consideration; Report of Committee of Conference Adopted****H. 639**

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to genetic data privacy

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House Bill entitled:

H.639. An act relating to genetic data privacy.

Respectfully reports that it has met and considered the same and recommends that the House recede from its proposal of amendment to the Senate proposal of amendment and that the Senate proposal of amendment be further amended as follows:

First: In Sec. 1, 9 V.S.A. chapter 61A, in section 2421c, by striking out subsection (c) in its entirety.

Second: By adding a new section to be Sec. 1a to read as follows:

Sec. 1a. CURE PERIOD; GENETIC DATA PRIVACY

(a) A consumer pursuing a civil action pursuant to 9 V.S.A. § 2421c against a direct-to-consumer genetic testing company or service provider for an alleged violation the Genetic Information Privacy Act shall, before initiating the civil action, send a written notice to the company or service provider that includes as many details as possible of the alleged violation.

(b) If the company or service provider does not cure the alleged violation within 30 days after the notice is received by the company or service provider pursuant to subsection (a) of this section or if there is a disagreement as to whether the alleged violation has been cured, the consumer shall have the right to initiate a civil action against the company or service provider.

Third: By adding a new section to be Sec. 1b to read as follows:

Sec. 1b. REPEAL; CURE PERIOD; GENETIC DATA PRIVACY

Sec. 1a of this act shall be repealed on June 30, 2028.

*SEN. ALISON CLARKSON*

*SEN. RANDOLPH D. BROCK*

*SEN. THOMAS I. CHITTENDEN*

*Committee on the part of the Senate*

*REP. EDYE GRANING*

*REP. MICHAEL J. MARCOTTE*

*REP. KIRK WHITE*

*Committee on the part of the House*

Which was considered and adopted on the part of the House.

### **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 28th day of May 2026, he returned without signature and *vetoed* a bill originating in the House of Representatives of the following title:

**H. 727     An act relating to sustainable data center deployment**

### **Governor's Veto Letter**

“May 28, 2026

The Honorable BetsyAnn Wrask  
Clerk of the Vermont House of Representatives  
State House  
Montpelier, VT 05633

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I'm returning unsigned and without my approval, in the time permitted by the Constitution, H.727, *An act relating to sustainable data center deployment*.

While I share some concerns Vermonters have about data centers, and I'm mindful of the challenges they have created in other states, existing Vermont law already provides substantial regulatory authority to prevent harmful impacts. Vermont's Act 250 process, Public Utility Commission oversight, environmental permitting requirements, energy siting rules, and municipal zoning already provide extensive review and enforcement tools. The last thing Vermont should do is worsen our economic challenges by adding new and unnecessary regulatory systems.

Although the bill is seemingly aimed at data centers, its broader message extends *far* beyond those facilities and into areas Vermont depends on for many of its best jobs. Vermont is actively trying to retain and expand jobs in

advanced manufacturing, semiconductor manufacturing, energy and clean technology, and other innovation-driven industries that also require substantial energy and infrastructure.

I understand the potential impacts of data centers, but this bill creates an unacceptable precedent which will have much broader consequences for economic opportunity and long-term competitiveness in Vermont. We cannot afford policies that risk driving current or future jobs and investment to other states, when we already have regulations and policies in place to address our concerns about data centers.

If the Legislature wishes to pass a data center bill, it should start with a bill that more closely resembles the House passed version of H.727, with additional and substantial changes made to prevent unintended economic consequences in other important sectors of Vermont's economy.

Sincerely,

Philip B. Scott  
Governor  
PBS/kp”

**Rules Suspended, Immediate Consideration; Report of Committee of  
Conference Adopted**

**H. 710**

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to defining electricity generating facilities

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House Bill entitled:

H.710. An act relating to defining electricity generating facilities.

Respectfully reports that it has met and considered the same and recommends that the House accede to the Senate proposal of amendment with further amendment thereto by striking out Sec. 2a, primary agricultural soils and solar report, in its entirety and inserting in lieu thereof a new Sec. 2a to read as follows:

## Sec. 2a. PRIMARY AGRICULTURAL SOILS AND SOLAR REPORT

(a) On or before January 15, 2027, the Commissioner of Public Service, after consultation with the Secretary of Agriculture, Food and Markets, the Public Utility Commission, and the Agency of Natural Resources, shall report back on the following questions:

(1) In the last two years, for solar energy generation projects with a capacity of 1 MW or greater, how many acres of primary agricultural soils used for solar energy generation development were directly impacted by the project, as opposed to the acreage that is within the project's area of disturbance?

(2) In the last two years, what are the cumulative impacts, in acres, of forest clearing associated with solar energy generation projects with a capacity of 1 MW or greater, and what are the specific impacts on the Highest Priority Landscapes identified by Vermont Conservation Design as well as any impacts on State-Significant natural communities?

(b) The Commissioner shall include in the report recommendations on how to encourage the siting of solar energy generation on land that has already been disturbed, including rooftops and parking lots, and potential financial structures that would make solar energy generation on those sites more financially feasible.

(c) The report shall be submitted to the House Committees on Agriculture, Food Resiliency, and Forestry and on Energy and Digital Infrastructure and the Senate Committees on Agriculture and on Natural Resources and Energy.

*SEN. ANNE E. WATSON*

*SEN. SCOTT L. BECK*

*SEN. RUTH E. HARDY*

*Committee on the part of the Senate*

*REP. KATHLEEN C. JAMES*

*REP. BRAM KLEPPNER*

*REP. LAURA H. SIBILIA*

*Committee on the part of the House*

Which was considered and adopted on the part of the House.

**Adjournment**

At four o'clock and thirty-seven minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at ten o'clock in the forenoon.