

Journal of the Senate

THURSDAY, FEBRUARY 26, 2026

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Mark Fay of South Burlington.

Bills Referred to Committee on Finance

Senate bills of the following titles, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule were referred to the Committee on Finance:

S. 211. An act relating to motor vehicle inspections.

S. 326. An act relating to miscellaneous amendments to laws relating to motor vehicles.

Senate Resolutions Placed on Notice Calendar

Senate resolutions of the following titles were offered, read the first time and are as follows:

Offered by Senator Baruth,

S.R. 22. Senate resolution relating to concurrently conducted electronic committee meetings.

Resolved by the Senate:

Notwithstanding the language in Permanent Senate Rule 32A limiting the applicability of Senate Rule 32A to Declarations of Emergency, the provisions of Permanent Senate Rule 32A regarding committee meetings shall be in effect through Thursday, December 31, 2026.

Offered by Senator Baruth,

S.R. 23. Senate resolution relating to electronic participation in Senate Sessions.

Resolved by the Senate:

That temporary Rule 9B(b), be amended as follows:

Rule 9B. Temporary Rule Regarding Electronic Participation in Senate Sessions

* * *

(b) This temporary rule shall remain in effect through ~~Tuesday, March 10, 2026~~ Thursday, December 31, 2026.

Thereupon, under Rule 34 and 51, the resolutions were severally placed on the Calendar for notice.

Bill Amended; Third Reading Ordered

S. 255.

Senator Collamore, for the Committee on Government Operations, to which was referred Senate bill entitled:

An act relating to establishing a pilot Law Enforcement Governance Council in Windham County.

Reported recommending that the bill be amended as follows:

First: In Sec. 3, membership, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read:

(a) A municipality within Windham County may join the Council by majority vote of the legislative body of the municipality.

Second: In Sec. 3, membership, subsection (c), by striking out “at an annual or special town meeting” and inserting in lieu thereof “of the legislative body of the municipality”

Third: In Sec. 5, budget and financing, subsection (b), by striking out “on the grand list of member municipalities only.”

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the recommendation of amendment by the Committee on Government Operations was agreed to.

Thereupon, pending the question, Shall the bill be read a third time?, Senator Hardy moved to amend the bill as follows:

First: By adding a new section to be Sec. 10a to read as follows:

Sec. 10a. 24 V.S.A. chapter 5 is amended to read:

CHAPTER 5. COUNTY OFFICERS; POWERS AND DUTIES

* * *

§ 290. COUNTY SHERIFF’S DEPARTMENT

* * *

(d)(1) Upon the election of a sheriff-elect who is not the incumbent sheriff, an announcement that the incumbent sheriff will not seek reelection, or an announcement that the incumbent sheriff intends to resign, whichever occurs earliest, all financial disbursements from the accounts of the department, including the transfer of real or personal property, or other assets, of the department, shall be co-signed by the sheriff and at least one assistant judge in that county, and the sheriff shall, within two weeks, provide the Department of State's Attorneys and Sheriffs, the Auditor of Accounts, and the assistant judges of that county with a written list of all transfers of departmental assets and financial disbursements to a single source, in aggregate, greater than \$10,000.00 anticipated to occur before the sheriff leaves office. Assistant judges shall consult with the Director of Sheriffs' Operations when considering whether to co-sign any transfers of departmental assets or financial disbursements to a single source, in aggregate, greater than \$10,000.00. The assistant judges shall not unreasonably refuse to co-sign any disbursements or transfer of sheriff's department assets.

(2) A report of all financial disbursements and transfers made pursuant to this subsection shall be forwarded by the assistant judges to the Auditor of Accounts and the Department of State's Attorneys and Sheriffs within 15 days following the sheriff leaving office.

§ 290b. AUDITS

* * *

(d) Annually, each sheriff shall furnish the Auditor of Accounts on forms provided by the Auditor a financial report reflecting the financial transactions and condition of the sheriff's department. The sheriff shall submit a copy of this report to the assistant judges of the county. The assistant judges shall prepare a report reflecting funds disbursed by the county in support of the sheriff's department and forward a copy of their report to the Auditor of Accounts. The Auditor of Accounts shall compile the reports and submit ~~one~~ report copies to the Department of State's Attorneys and Sheriffs, the House and Senate Committees on Government Operations and Military Affairs and on Judiciary, and the Senate Committees on Government Operations and on Judiciary. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the required report to be made under this subsection.

(e)(1) Biennially, according to a schedule established by the Auditor of Accounts, the Auditor shall retain a public accountant to conduct an audit of the financial systems, controls, and procedures within each department. The public accountant shall prepare a written report detailing the review of the department. A copy of this report shall be forwarded to the sheriff, assistant judges, and the Auditor of Accounts, the Department of State's Attorneys and

Sheriffs, the House Committees on Government Operations and Military Affairs and on Judiciary, and the Senate Committees on Government Operations and on Judiciary. The Auditor shall charge for the costs of the report pursuant to 32 V.S.A. § 168(b).

(2) After receiving the written report pursuant to subdivision (1) of this subsection, a sheriff shall implement any recommendations made in the report by the start of the following fiscal year. On or before the 30 days after implementing these recommendations, the sheriff shall submit a letter to the Auditor of Accounts detailing the changes made, including pertinent timelines, modified accounting practices, and anticipated outcomes.

(3) Willful failure to comply with this subsection shall constitute Category B conduct pursuant to 20 V.S.A. § 2401(2).

* * *

§ 291a. CONTRACTS

(a) In the name of the sheriff's department, the sheriff may enter into written contracts with the State of Vermont, ~~an agency of the United States,~~ one or more towns within or ~~without~~ outside the county, or any nongovernmental entity, to provide law enforcement or other related services, including security services, central dispatching for police, fire, or ambulance services, and centralized support services. Contracts between the sheriff's department and a town shall be valid if approved by the sheriff and by a majority of the selectboard of the town, provided that funding has been approved by a duly warned annual or special town meeting. Deputy sheriffs engaged in the performance of a contract shall be considered employees of the sheriff's department for all purposes, except that for purposes of determining eligibility for Social Security, employees under this section shall be considered county employees, provided, however, that the sheriffs' departments shall be responsible for employers' contributions.

* * *

§ 293. DUTIES

(a) A sheriff so commissioned and sworn shall serve and execute lawful writs, warrants, and processes directed to the sheriff, according to the precept thereof, and do all other things pertaining to the office of sheriff.

(b) A sheriff shall maintain a record of the sheriff's work schedule, including work days, leave taken, and any remote work performed outside the sheriff's district for a period of more than three days. The sheriff shall submit this record monthly to the Department of State's Attorneys and Sheriffs and publicly post this record on the sheriff's department's website.

(c) If an individual who has a relief from abuse order pursuant to 15 V.S.A. § 1103 requires assistance in the retrieval of personal belongings from the individual's residence and that individual requests assistance from a sheriff's department providing law enforcement services in the county in which that individual resides, the sheriff's department shall provide the assistance.

(d) A sheriff shall provide law enforcement and security services for each county and State courthouse within the sheriff's county of jurisdiction in accordance with section 291a of this title.

(e) Willful failure to comply with this section shall constitute Category B conduct pursuant to 20 V.S.A. § 2401(2).

§ 294. SHERIFF IMPRISONED

(a) If a sheriff is confined in prison by legal process, ~~his or her~~ the sheriff's functions as ~~sheriff~~ shall be suspended. When the sheriff is released from imprisonment during ~~his or her~~ the sheriff's term of office, ~~he or she~~ the sheriff shall file a certificate of ~~his or her~~ the sheriff's discharge signed by one of the judges of the Superior Court, in the office of the county clerk, and deliver a like certificate to the high bailiff. Thereupon ~~he or she~~ the sheriff shall resume the powers and execute the duties of ~~sheriff~~ the office.

(b) If a sheriff is confined pursuant to subsection (a) of this section, notwithstanding the provisions of 32 V.S.A. § 1182, the sheriff's salary is suspended for the duration of the confinement or until the sheriff's duties are restored in accordance with any conditions of release or court order, whichever occurs later.

* * *

§ 367. DEPARTMENT OF STATE'S ATTORNEYS AND SHERIFFS

* * *

(e)(1) The Executive Director of the Department of State's Attorneys and Sheriffs shall appoint a Director of Sheriffs' Operations who shall serve at the pleasure of the Executive Director.

(2) The Director of Sheriffs' Operations shall provide centralized support services for the sheriffs with respect to budgetary planning, policy development and compliance, training, and office management, and perform such other duties as directed by the Executive Director.

(3)(A) The Director of Sheriffs' Operations shall develop, maintain, and provide to each sheriff's department model policies on operational topics, including service of civil process, relief from abuse orders, transportation of prisoners, ethics, and sheriffs' responsibilities.

(B)(i) Each sheriff shall adopt the model policies issued pursuant to subdivision (A) of this subdivision (3).

(ii) Willful failure to comply with this subdivision (B) shall constitute Category B conduct pursuant to 20 V.S.A. § 2401(2).

Second: By striking out Sec. 11, effective date, in its entirety and inserting in lieu thereof the following:

Sec. 11. EFFECTIVE DATES

(a) This section and Sec. 10a (24 V.S.A. chapter 5) shall take effect on passage.

(b) Secs. 1–10 shall take effect after the County and Regional Governance Study Committee, as created in 2024 Acts and Resolves No. 118, as potentially amended by the General Assembly, submits its final report to the General Assembly and on the effective date of the General Assembly’s enacted legislation in consideration of the Committee’s recommendations.

Thereupon, Senator White requested that the question be divided

Thereupon, the *first* instance of recommendation of amendment was disagreed to.

Thereupon, the *second* instance of recommendation of amendment was disagreed to.

Thereupon, third reading of the bill was ordered.

Bill Amended; Third Reading Ordered

S. 157.

Senator Benson, for the Committee on Health and Welfare, to which was referred Senate bill entitled:

An act relating to recovery residence certification.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 4802 is amended to read:

§ 4802. DEFINITIONS

As used in this chapter:

* * *

(12) “Recovery residence” means a shared living residence supporting individuals recovering from a substance use disorder that provides residents with peer support, assistance accessing support services, and community resources for individuals recovering from substance use disorder.

(13) “Secretary” means the Secretary of Human Services or designee.

~~(13)~~(14) “Substance abuse crisis team” means an organization approved by the Secretary to provide emergency treatment and transportation services to substance abusers pursuant to the provisions of this chapter.

~~(14)~~(15) “Substance abuser” means anyone who drinks alcohol or consumes other drugs to an extent or with a frequency that impairs or endangers ~~his or her~~ the individual’s health or the health and welfare of others.

~~(15)~~(16) “Treatment” means the broad range of medical, detoxification, residential, outpatient, aftercare, and follow-up services ~~which that~~ that are needed by substance abusers and may include a variety of other medical, social, vocational, and educational services relevant to the rehabilitation of these persons.

Sec. 2. 18 V.S.A. § 4806 is amended to read:

§ 4806. DIVISION OF SUBSTANCE USE PROGRAMS

(a) The Division of Substance Use Programs shall plan, operate, and evaluate a consistent, effective program of substance use programs. All duties, responsibilities, and authority of the Division shall be carried out and exercised by and within the Department of Health.

(b) The Division shall be responsible for the following services:

- (1) prevention and intervention;
- (2) [Repealed.]
- (3) project CRASH schools; ~~and~~
- (4) alcohol and drug treatment; and
- (5) recovery residences.

* * *

Sec. 3. 9 V.S.A. § 4452 is amended to read:

§ 4452. EXCLUSIONS

(a) Unless created to avoid the application of this chapter, this chapter does not apply to any of the following:

* * *

(b)(1) Notwithstanding subsections 4463(b) and 4467(b) and section 4468 of this chapter only, a recovery residence may immediately exit or transfer a resident if all of the following conditions are met:

(A) the recovery residence has developed and adopted a residential agreement:

(i) containing a written exit and transfer policy approved by the Vermont Alliance for Recovery Residences or another certifying organization approved by the Department of Health that:

(I) addresses the length of time that a bed will be held in the event of a temporary removal;

(II) establishes the criteria by which a resident can return to the recovery residence in the event of a temporary removal; and

(III) ensures a resident's possessions will be held not less than 60 days in the event of permanent removal;

(ii) explaining the recovery residence's program rules and social standards;

(iii) designating alternative housing arrangements for the resident in the event of an exit or transfer, including contingency plans when alternative housing arrangements are not available;

~~(iii)~~(iv) describing the recovery residence's substance use policy, which shall exempt the use of a resident's valid prescription medication when used as prescribed; and

~~(iv)~~(v) indicating that by signing a residential agreement, a resident acknowledges that the recovery residence may cause the resident to be immediately exited or transferred to alternative housing if the resident violates the recovery residence's substance use policy, regularly refuses to engage in services or programming, commits a crime, engages in theft, interferes with the recovery of other residents, or engages in acts of violence that threaten the health or safety of other residents or recovery residence staff;

(B) the recovery residence has obtained the resident's written consent to its residential agreement, reaffirmed after seven days;

(C) the resident violated the substance use policy in the residential agreement, regularly refuses to engage in services or programming, commits a crime, engages in theft, interferes with the recovery of other residents, or engaged in acts of violence that threatened the health or safety of other residents or recovery residence staff or volunteers; and

(D) the recovery residence has provided or arranged for a stabilization bed or other alternative temporary housing.

(2) Relapse of a substance use disorder resulting in exiting a recovery residence shall not be deemed a cause of the resident's own homelessness for purposes of obtaining emergency housing.

(3) As used in this subsection, "recovery residence" ~~means a shared living residence supporting persons recovering from a substance use disorder that:~~

~~(A) provides tenants with peer support and assistance accessing support services and community resources available to persons recovering from substance use disorders; and~~

~~(B) is certified by an organization approved by the Department of Health and that is either a Vermont affiliate of the National Alliance for Recovery Residences or another approved organization has the same meaning as in 18 V.S.A. § 4802.~~

Sec. 4. 2024 Acts and Resolves No. 163, Sec. 5 is amended to read:

Sec. 5. SUNSET; RECOVERY RESIDENCES; RESIDENTIAL AGREEMENT; REPORTING

(a) ~~9 V.S.A. § 4452(b) is repealed on July 1, 2026. [Repealed.]~~

(b) Sec. 4 (report; recovery residences' exit and transfer data) is repealed on July 1, 2026.

Sec. 5. RULEMAKING; RECOVERY RESIDENCE CERTIFICATION

(a) On or before September 1, 2027, the Department of Health shall file an initial proposed rule with the Secretary of State pursuant to 3 V.S.A. § 836(a)(2) for the purposes of establishing a voluntary recovery residence certification program. At a minimum the rule shall:

(1) require that a recovery residence seeking certification from the State comply with the certification standards of the Vermont Alliance for Recovery Residences or another organization approved by the Department; and

(2) set forth minimum data collection and reporting requirements for certified recovery residences, including data elements and frequency.

(b) The Department shall complete the rulemaking process and adopt a permanent rule pursuant to 3 V.S.A. chapter 25 on or before December 1, 2028.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

And that when so amended the bill ought to pass.

Senator Gulick, for the Committee on Finance, to which the bill was referred, reported that the bill be amended as recommended by the Committee on Health and Welfare with the following amendments thereto:

First: In Sec. 3, 9 V.S.A. § 4452, in subdivision (b)(1)(A)(v), by inserting the phrase “or volunteers” before the semicolon

Second: By striking out Sec. 5, rulemaking; recovery residence certification, in its entirety and inserting in lieu thereof the following:

Sec. 5. RULEMAKING; RECOVERY RESIDENCE CERTIFICATION

(a) On or before September 1, 2027, the Department of Health shall file an initial proposed rule with the Secretary of State pursuant to 3 V.S.A. § 836(a)(2) for the purposes of establishing a voluntary recovery residence certification program. At a minimum, the rule shall:

(1) require that a recovery residence seeking certification from the State comply with the certification standards of the Vermont Alliance for Recovery Residences or another organization approved by the Department; and

(2) set forth data collection standards and reporting requirements for certified recovery residences, including data elements and frequency, and requirements for annual reporting from the Department to the General Assembly that measure the program’s effectiveness.

(b) The Department shall complete the rulemaking process and adopt a permanent rule pursuant to 3 V.S.A. chapter 25 on or before December 1, 2028.

(c) If the Department identifies the need for a fee to support the voluntary recovery residence certification program described in this section, the Department shall first propose the fee to the General Assembly and, if the General Assembly chooses to enact it into law, may incorporate the fee into the required rule.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the recommendation of the Committee on Health and Welfare was amended as recommended by the Committee on Finance.

Thereupon, the pending question, Shall the bill be amended as recommended by the Committee on Health and Welfare, as amended? was agreed to and third reading of the bill was ordered.

Bill Amended; Third Reading Ordered**S. 163.**

Senator Morley, for the Committee on Health and Welfare, to which was referred Senate bill entitled:

An act relating to the role of advanced practice registered nurses in hospital care.

Reported recommending that the bill be amended in Sec. 2, 18 V.S.A. § 1852, by striking out subdivision (a)(2) in its entirety and inserting in lieu thereof a new subdivision (a)(2) to read as follows:

(2) The patient shall have an attending physician or APRN who is responsible for coordinating a the patient's care.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

Point of Privilege Journalized

During announcements, on a point of personal privilege, Senator Ingalls addressed the President, and on motion of Senator Norris, his remarks were ordered entered in the Journal and are as follows;

“I rise on a point of personal privilege.

“In life, you meet a lot of people. Sometimes you don't even know who you've met until your new friend has had tragedy or misfortune enter their lives. Such as the reason I rise today.

“When you are my friend, you also get the full protections of how I'd wish to be treated. Respect always, full attention always, loyalty always, and absolute privacy of what is going on in your life that you would wish not be shared, but that I know because you trusted me enough to tell me what hardship you are going through.

“I have a friend that is going through a very rough time. It is now very public knowledge. Not only do all Vermonters know the story, the United States knows it, if not the entire world. My intentions are not to gossip about my friends family misfortune, but to let him be aware that his family is now Vermont's family, if not the United States' family.

“Cameron Guthrie, we all pray that your mom is returned safely, unharmed except for the 26 plus days that she has been abducted, and that your family can start the healing process of what you have all gone through.

“We all pray this happens soon.

“Thank you Mr. President”

Adjournment

On motion of Senator Baruth, the Senate adjourned until eleven o'clock and thirty minutes in the morning.