

Journal of the Senate

FRIDAY, MARCH 20, 2026

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Debbie Ingram of Williston.

Message from the House No. 33

A message was received from the House of Representatives by Ms. Courtney Reckord, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 385. An act relating to remedies and protections for victims of coerced debt.

H. 556. An act relating to exceptions to applicability of State minimum wage.

H. 559. An act relating to the Parole Board.

H. 723. An act relating to posting of land.

H. 757. An act relating to manufactured homes and limited equity cooperatives.

H. 814. An act relating to neurological rights and the use of artificial intelligence technology in health and human services.

H. 816. An act relating to regulating the use of artificial intelligence in the provision of mental health services.

H. 927. An act relating to technical corrections for the 2026 legislative session.

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

The House has considered joint resolutions originating in the Senate of the following title:

J.R.S. 45. Joint resolution relating to weekend adjournment on March 20, 2026.

And has adopted the same in concurrence.

Bills Referred to Committee on Appropriations

Senate bills of the following titles, appearing on the Calendar for notice, and carrying an appropriation or requiring the expenditure of funds, under the rule were referred to the Committee on Appropriations:

S. 64. An act relating to amendments to the scope of practice for optometrists.

S. 142. An act relating to a pathway to licensure for internationally trained physicians and medical graduates.

S. 198. An act relating to the regulation and taxation of tobacco products and tobacco substitutes.

S. 214. An act relating to the provision of prekindergarten education in geographically isolated school districts.

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

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 385.

An act relating to remedies and protections for victims of coerced debt.

To the Committee on Judiciary.

H. 556.

An act relating to exceptions to applicability of State minimum wage.

To the Committee on Economic Development, Housing and General Affairs.

H. 559.

An act relating to the Parole Board.

To the Committee on Institutions.

H. 723.

An act relating to posting of land.

To the Committee on Natural Resources and Energy.

H. 757.

An act relating to manufactured homes and limited equity cooperatives.

To the Committee on Economic Development, Housing and General Affairs.

H. 814.

An act relating to neurological rights and the use of artificial intelligence technology in health and human services.

To the Committee on Health and Welfare.

H. 816.

An act relating to regulating the use of artificial intelligence in the provision of mental health services.

To the Committee on Health and Welfare.

H. 927.

An act relating to technical corrections for the 2026 legislative session.

To the Committee on Government Operations.

Bill Ordered to Lie**S. 26.**

Senate bill entitled:

An act relating to prohibiting certain artificial dyes in foods and beverages served or sold at school.

Was taken up.

Thereupon, pending the report of the Committee on Health and Welfare, on motion of Senator Lyons, the bill was ordered to lie.

Bill Amended; Third Reading Ordered**S. 89.**

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

An act relating to expanding survivor benefits.

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

Sec. 1. 20 V.S.A. § 3171 is amended to read:

§ 3171. DEFINITIONS

As used in this chapter:

* * *

(3) “Emergency personnel” means:

(A) firefighters as defined in subdivision 3151(3) of this title; and

(B) emergency medical personnel and volunteer personnel as defined in 24 V.S.A. § 2651;

(C) law enforcement officers who have been certified by the Vermont Criminal Justice Council pursuant to section 2358 of this title;

(D) facility employees of the Department of Corrections and Department of Corrections employees who provide direct security and treatment services to offenders under supervision in the community;

(E) classified employees of the Family Services Division of the Department for Children and Families; and

(F) classified employees of State-operated therapeutic community residences or inpatient psychiatric hospital units.

(4) “Line of duty” means:

(A) answering or returning from with respect to firefighters, emergency medical personnel, and volunteer personnel:

(i) service in answer to a call of the department or service for a fire or emergency or, including going to and returning from a fire or emergency or participating in a fire or emergency training drill; or

(B)(ii) similar service in another town or district to which the department or service has been called for firefighting or emergency purposes;

(B) with respect to law enforcement officers:

(i) service as a law enforcement officer in answer to a complaint lodged with the department or in response to a disorder, including going to, returning from, and investigating or responding to the complaint or disorder; or

(ii) service under orders from the department or in any emergency for which the law enforcement officer serves as a law enforcement officer;

(C) with respect to covered employees of the Department of Corrections, discharging their duties as employees;

(D) with respect to classified family services employees in the Family Services Division of the Department for Children and Families, discharging their duties as employees; and

(E) with respect to classified medical employees of State-operated therapeutic community residences or inpatient psychiatric hospital units, discharging their duties as employees.

* * *

Sec. 2. 20 V.S.A. § 3172 is amended to read:

§ 3172. EMERGENCY PERSONNEL SURVIVORS BENEFIT REVIEW BOARD

* * *

(c) If the Board decides to award a monetary benefit, the benefit shall be paid to the surviving spouse or, if the emergency personnel had no spouse at the time of death, to the surviving child, or equally among surviving children. If the deceased emergency personnel is not survived by a spouse or child, the benefit shall be paid to a surviving parent, or equally between surviving parents. If the deceased emergency personnel is not survived by a spouse, children, or parents, the Board shall not award a monetary benefit under this chapter.

(d) Upon a Board decision to award a monetary benefit under this chapter, the Treasurer shall make payment to the beneficiaries as described in subsection (c) of this section. The Treasurer shall have up to one year from the date of receiving the claim to disburse the funds.

* * *

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

And that when so amended the bill ought to pass.

Senator Perchlik, for the Committee on Appropriations, to which the bill was referred, reported that the bill ought to pass when so amended.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and pending the question, Shall the bill be amended as recommended by the Committee on Government Operations?, Senator Vyhovsky moved to amend the recommendation of amendment of the Committee on Government Operations as follows:

First: In Sec. 1, 20 V.S.A. § 3171, by striking out subdivision (3)(E) in its entirety and inserting in lieu thereof a new subdivision (3)(E) to read as follows:

(E) classified family services employees in the Family Services Division of the Department for Children and Families; and

Second: In Sec. 1, 20 V.S.A. § 3171, by striking out subdivision (3)(F) in its entirety and inserting in lieu thereof a new subdivision (3)(F) to read as follows:

(F) classified medical employees of State-operated therapeutic community residences or inpatient psychiatric hospital units.

Which was agreed to.

Thereupon, the recommendation of amendment, as amended, was agreed to, and third reading of the bill was ordered.

Bill Passed

S. 326.

Senate bill of the following title was read the third time and passed:

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

Bill Amended; Third Reading Ordered

S. 154.

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

An act relating to health insurance coverage for biomarker testing.

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

Sec. 1. HEALTH INSURANCE AND MEDICAID COVERAGE FOR
BIOMARKER TESTING; DEPARTMENT OF FINANCIAL
REGULATION; AGENCY OF HUMAN SERVICES; REPORTS

(a) As used in this section:

(1) "Biomarker" means a characteristic that is objectively measured and evaluated as an indicator of normal biological processes, pathogenic processes, or pharmacologic responses to a specific therapeutic intervention, including known gene-drug interactions for medications being considered for use or already being administered. Biomarkers include gene mutations, characteristics of genes, and protein expression.

(2) “Biomarker testing” means the analysis of a patient’s tissue, blood, or other biospecimen for the presence of a biomarker. Biomarker testing includes single-analyte tests; multiplex panel tests; protein expression analysis; and whole exome, whole genome, and whole transcriptome sequencing.

(3) “Consensus statements” means statements developed by an independent, multidisciplinary panel of experts utilizing a transparent methodology and reporting structure and with a conflict of interest policy. These statements are aimed at specific clinical circumstances and the statements are based on the best available evidence for the purpose of optimizing the outcomes of clinical care.

(4) “Nationally recognized clinical practice guidelines” means evidence-based clinical practice guidelines developed by independent organizations or medical professional societies utilizing a transparent methodology and reporting structure and with a conflict of interest policy. Clinical practice guidelines establish standards of care informed by a systematic review of evidence and an assessment of the benefits and risks of alternative care options and include recommendations intended to optimize patient care.

(b) The Department of Financial Regulation and Agency of Human Services shall analyze the costs associated with requiring health insurance coverage and Medicaid coverage, respectively, for biomarker testing for the purposes of diagnosis, treatment, appropriate management, and ongoing monitoring of a patient’s disease or condition when the test is supported by medical and scientific evidence, including:

(1) labeled indications for a test approved or cleared by the U.S. Food and Drug Administration (FDA);

(2) indicated tests for an FDA-approved drug;

(3) warnings and precautions on FDA-approved drug labels;

(4) Centers for Medicare and Medicaid Services national coverage determinations or Medicare Administrative Contractor local coverage determinations; or

(5) nationally recognized clinical practice guidelines and consensus statements.

(c)(1) On or before January 15, 2027, the Department of Financial Regulation shall report to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance on the estimated amount that health insurance premiums would increase if Vermont were to enact legislation requiring health insurance coverage of biomarker testing as set forth in subsection (b) of this section, including the amounts of the State’s financial

obligations for defrayal of premium increases for qualified health benefit plans pursuant to 45 C.F.R. § 155.170 and for premium increases in the State Employees' Health Benefit Plan.

(2) On or before January 15, 2027, the Agency of Human Services shall report to the House Committee on Health Care and the Senate Committee on Health and Welfare regarding the approvals that would be needed from the Centers for Medicare and Medicaid in order for Vermont Medicaid to cover biomarker testing as set forth in subsection (b) of this section and the costs to the Medicaid program if Vermont were to enact legislation requiring that coverage.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

And that when so amended the bill ought to pass.

Senator Lyons, for the Committee on Appropriations, to which the bill was referred, reported that the bill ought to pass when so amended.

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.

Bill Amended; Third Reading Ordered

S. 220.

Senator Chittenden, for the Committee on Finance, to which was referred Senate bill entitled:

An act relating to addressing education spending in fiscal years 2028 and 2029.

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

Sec. 1. 16 V.S.A. § 4001 is amended to read:

§ 4001. DEFINITIONS

As used in this chapter:

* * *

(6) "Education spending" means the amount of the school district budget, any assessment for a joint contract school, career technical center payments made on behalf of the district under subsection 1561(b) of this title, and any amount added to pay a deficit pursuant to 24 V.S.A. § 1523(b) that is paid for by the school district, but excluding any portion of the school budget

paid for from any other sources such as endowments, parental fundraising, federal funds, nongovernmental grants, or other State funds such as special education funds paid under chapter 101 of this title.

(A) [Repealed.]

(B) ~~For all bonds approved by voters prior to July 1, 2024, voter-approved~~ Voter-approved bond payments toward principal and interest shall not be included in “education spending” for purposes of calculating excess spending pursuant to 32 V.S.A. § 5401(12).

* * *

Sec. 2. 32 V.S.A. § 5401 is amended to read:

§ 5401. DEFINITIONS

As used in this chapter:

* * *

(12) “Excess spending” means:

(A) The per pupil spending amount of the district’s education spending, as defined in 16 V.S.A. § 4001(6), plus any amount required to be added from a capital construction reserve fund under 24 V.S.A. § 2804(b).

(B) In excess of ~~48~~ 112 percent of the statewide average district per pupil education spending increased by inflation, as determined by the Secretary of Education on or before November 15 of each year based on the passed budgets to date. As used in this subdivision (B), “increased by inflation” means increasing the statewide average district per pupil education spending for fiscal year 2025 by the most recent New England Economic Project cumulative price index, as of November 15, for state and local government purchases of goods and services, from fiscal year 2025 through the fiscal year for which the amount is being determined.

(C) A school district’s excess spending shall be zero if any of the following conditions is met:

(i) the district’s education spending is not greater than the district’s educating spending for the preceding school year;

(ii) the district’s per pupil education spending is not greater than the district’s per pupil education spending for the preceding school year; or

(iii) the Secretary of Education, with the advice of three business managers and three superintendents selected by the Secretary, determines that the increase in the district’s per pupil education spending above the excess spending threshold was for good cause or beyond the district’s control, such as

due to emergency capital expenditures or substantial loss of pupils or offsetting revenues.

* * *

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

and that after passage the title of the bill be amended to read: “An act relating to the excess spending threshold”

And that when so amended the bill ought to pass.

Senator Baruth, for the Committee on Appropriations, to which the bill was referred, reported that the bill ought to pass when so amended.

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.

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were adopted in concurrence:

Offered by Sen. Bongartz,

Offered by Reps. Greer and others,

H.C.R. 227.

House concurrent resolution in memory of Alice June Abraham.

Offered by Reps. Lipsky and others,

H.C.R. 228.

House concurrent resolution congratulating Ryan Kilborn on his selection as the recipient of the Vermont Forest Products Association Outstanding Management of Resources award.

Offered by Reps. Lipsky and others, By Reps. Dodge and Ode,

H.C.R. 229.

House concurrent resolution in memory of respected legal community leader, linguist, and musician Robert D. Rachlin.

Adjournment

On motion of Senator Baruth, the Senate adjourned, to reconvene on Tuesday, March 24, 2026, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 45.