

Journal of the Senate

WEDNESDAY, APRIL 29, 2026

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the House No. 55

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 Governor has informed the House that on April 27, 2026, he approved and signed bills originating in the House of the following titles:

H. 237. An act relating to prescribing by doctoral-level psychologists.

H. 508. An act relating to approval of amendments to the charter of the City of Burlington.

H. 549. An act relating to eligibility of sentenced or detained individuals to obtain a State-issued nondriver identification card, replacement operator's license, or replacement learner's permit.

H. 744. An act relating to procedures for release after arrest.

H. 917. An act relating to military affairs.

The Governor has informed the House that on April 27, 2026, he did not approve and allowed to become law without his signature a bill originating in the House of the following title:

H. 849 An act relating to a civil action for damages for deprivation of federal constitutional rights by any government official.

Text of Communication from Governor

The text of the communication to the House from His Excellency, the Governor, setting forth his reasons for refusing to sign and *allowing to become law without his signature* **House Bill No. 849.** is as follows:

“April 27, 2026

The Honorable BetsyAnn Wrask
Clerk of the Vermont House of Representatives
State House
115 State Street
Montpelier, VT 05633

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, H.849, *an act relating to civil action for damages for deprivation of federal constitutional rights by any government official*, will become law without my signature.

While I feel it’s important to preserve and protect the Constitutional rights of all Americans and appreciate this bill seeks to hold government officials accountable in state court when a remedy may not be available under federal law, I’m concerned about the constitutionality of this policy and other well-intentioned proposals, which may give Vermonters false hope.

Having said that, the Attorney General has advised they feel the bill is defensible, so I’m allowing it to become law without signature, and we’ll see if this, and similar measures enacted in other states hold up in court.

Sincerely,

/s/Philip B. Scott
Governor

PBS/kp”

Proposal of Amendment; Bill Passed in Concurrence with Proposal of Amendment

H. 951.

House bill entitled:

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

Was taken up.

Thereupon, pending third reading of the bill, Senators Perchlik, Baruth, Brennan, Lyons, Norris, Watson and Westman moved to amend the Senate proposal of amendment as follows:

First: In Sec. B.1100, miscellaneous fiscal year 2027 one-time appropriations, by adding a new subdivision (h)(4) to read as follows:

(4) \$3,000,000 PILOT Special Fund, notwithstanding 32 V.S.A. § 3709(a), to provide additional grants through the general State aid to town highways program pursuant to 19 V.S.A. § 306(a). The amount appropriated pursuant to this subdivision shall be supplemental to and shall not supplant or decrease any amounts appropriated pursuant to the provisions of 19 V.S.A. § 306(a) in fiscal year 2027.

Second: By striking out Sec. B.1103, cash fund appropriations, and inserting in lieu thereof a new Sec. B.1103 to read as follows:

Sec. B.1103 CASH FUND FOR CAPITAL AND ESSENTIAL
INVESTMENTS; FISCAL YEAR 2027 ONE-TIME CAPITAL
APPROPRIATIONS

(a) In fiscal year 2027, \$23,418,455 is appropriated from the Capital Infrastructure Subaccount in the Cash Fund for Capital and Essential Investments for the following:

(1) Department of Buildings and General Services:

(A) \$1,281,174 for statewide major maintenance;

(B) \$225,000 for statewide physical security enhancements;

(C) \$1,000,000 for statewide three-acre parcel stormwater compliance;

(D) \$3,600,000 for Asa Bloomer roof replacement;

(E) \$900,000 for Rutland multimodal garage renovation;

(F) \$3,000,000 for Burlington, 32 Cherry St. parking garage repairs;

(G) \$1,050,000 for the Agency of Human Services for HVAC upgrades at correctional facilities;

(H) \$225,000 for the Agency of Human Services for statewide correctional facilities security upgrades;

(I) \$2,700,000 for the Agency of Human Services for door control upgrades at correctional facilities;

(J) \$1,000,000 for the Agency of Human Services for the Northern State Correctional Facility boiler replacement;

(K) \$500,000 for the Agency of Human Services for Newport, Northern State Correctional Facility sprinkler system upgrades;

(L) \$772,557 for the Agency of Human Services for the Department for Children and Families' youth short-term stabilization facility;

(M) \$500,000 for the Department of Public Safety for an Urban Search and Rescue (USAR) facility;

(N) \$1,600,000 for the Judiciary for renovations at the White River Junction courthouse; and

(O) \$500,000 for the Agency of Human Services for maintenance and renovations at the Chittenden Regional Correctional Facility.

(2) Department of Environmental Conservation:

(A) \$2,498,000 for the State match for federal Drinking Water State Revolving Fund; and

(B) \$150,000 for Waterbury Dam Penstock project cost overruns.

(3) Department of Forests, Parks and Recreation:

(A) \$400,000 for park infrastructure and rehabilitation, improvement, and three-acre rule compliance.

(4) Department of Fish and Wildlife:

(A) \$200,000 for dam maintenance and safety planning.

(5) Judiciary:

(A) \$500,000 for the Essex County Courthouse connector project.

(6) Vermont Historical Society:

(A) \$566,724 for the replacement of a climate control unit.

(7) Department of Corrections:

(A) \$250,000 to work with the Agency of Digital Services to install a Wi-Fi system in State correctional facilities that is appropriately designed to address the safety, security, and confidentiality risks of the correctional environment.

Third: By adding a new a new Sec. E.316.3 to read as follows:

Sec. E.316.3 DEPARTMENT FOR CHILDREN AND FAMILIES;
HOMELESSNESS RESPONSE BASE FUNDING

(a) In addition to the \$21,183,809 one-time General Fund appropriation made to the Department for Children and Families in Sec. B.1100(c)(1) of this act for the implementation of the Vermont Homelessness Response Continuum, including shelter development and operation, emergency housing in hotels and motels, grants to municipalities, emergency cold weather shelters, and supportive services, and related case management, staffing, grants, and contracts, \$61,450,344 of the appropriations made in Secs. B.316, B.321, and B.325 of this act shall be base funding to support those purposes.

(b) Any spending authority referenced in subsection (a) of this section that remains at the end of fiscal year 2027 shall be carried forward for the same purpose for which it was originally appropriated.

Fourth: By adding three new sections as follows:

Sec. E.915 32 V.S.A. § 3709 is amended to read:

§ 3709. PILOT SPECIAL FUND

(a) There is hereby established a PILOT Special Fund consisting of local option tax revenues paid to the State Treasurer pursuant to 24 V.S.A. § 138. This Fund shall be managed by the Commissioner of Taxes pursuant to chapter 7, subchapter 5 of this title. Notwithstanding subdivision 588(3) of this title, all interest earned on the Fund shall be retained in the Fund for use in meeting future obligations. The Fund shall be exclusively for payments required under ~~chapter 123~~, subchapters 4 and 4C of this ~~title~~ chapter, and for any additional State payments in lieu of taxes for correctional facilities, and as provided in subsection (c) of this section. The Commissioner of Finance and Management may draw warrants for disbursements from this Fund in anticipation of receipts.

* * *

(c) If the local option tax revenues deposited in the PILOT Special Fund pursuant to 24 V.S.A. § 138 in any State fiscal year exceed the full amount of all payments made under subchapters 4 and 4C of this chapter plus any additional State payments in lieu of taxes for correctional facilities and any amounts appropriated from the PILOT Special Fund to the Department of Taxes for expenses related to grand list and appraisal assistance, three-fourths of the excess amount shall be transferred to the Local Option Municipal Transportation Special Fund established pursuant to 19 V.S.A. § 306b.

Sec. E.915.1 19 V.S.A. § 306b is added to read:

§ 306b. LOCAL OPTION MUNICIPAL TRANSPORTATION SPECIAL FUND

(a) The Local Option Municipal Transportation Special Fund is established in the Agency of Transportation and shall be managed in accordance with 32 V.S.A. chapter 7, subchapter 5. The purpose of the Fund is to provide additional State aid for town highways pursuant to the provisions of section 306 of this chapter.

(b) The Fund shall consist of:

(1) transfers from the PILOT Special Fund pursuant to 32 V.S.A. § 3709(c);

(2) any gifts, grants, or contributions made to the Fund; and

(3) any amounts transferred to the Fund by the General Assembly.

(c)(1) All interest earned on Fund balances shall be credited to the Fund.

(2) The Secretary may seek and accept gifts, donations, and grants from any source, public or private, to be dedicated for deposit into the Fund.

(3) The Commissioner of Finance and Management shall anticipate receipts to the Fund and shall issue warrants based on the anticipated amounts.

(4)(A) Monies in the Fund shall be used solely to provide State aid to municipalities pursuant to subsections 306(a), (e), and (h) of this chapter and for any administrative costs incurred in administering the Fund.

(B) Notwithstanding any provision of subsections 306(a), (e), and (h) of this chapter to the contrary, the aggregate amount of monies appropriated from the Fund pursuant to those subsections in any given State fiscal year shall not exceed 95 percent of the anticipated receipts to the Fund for that fiscal year.

Sec. E.915.2 19 V.S.A. § 306 is amended to read:

§ 306. APPROPRIATION; STATE AID FOR TOWN HIGHWAYS

(a) General State aid to town highways.

(1) An annual appropriation to class 1, 2, and 3 town highways shall be made. This appropriation shall increase over the previous fiscal year's appropriation by the same percentage change as the following, whichever is less, or shall remain at the previous fiscal year's appropriation if either of the following are negative or zero:

* * *

(3) The funds appropriated shall be distributed to towns as follows:

(A) Six percent of the State's annual town highway appropriation shall be apportioned to class 1 town highways. The apportionment for each town shall be that town's percentage of class 1 town highways of the total class 1 town highway mileage in the State.

(B) Forty-four percent of the State's annual town highway appropriation shall be apportioned to class 2 town highways. The apportionment for each town shall be that town's percentage of class 2 town highways of the total class 2 town highway mileage in the State.

(C) Fifty percent of the State's annual town highway appropriation shall be apportioned to class 3 town highways. The apportionment for each town shall be that town's percentage of class 3 town highways of the total class 3 town highway mileage in the State.

(D) Monies apportioned under subdivisions (1), (2), and (3) of this subsection (a) shall be distributed to each town in quarterly payments beginning July 15 in each year.

(E) Each town shall use the monies apportioned to it solely for town highway construction, improvement, and maintenance purposes or as the nonfederal share for public transit assistance. These funds may also be used for the establishment and maintenance of bicycle routes and sidewalks. The members of the selectboard shall be personally liable to the State, in a civil action brought by the Attorney General, for making any unauthorized expenditures from money apportioned to the town under this section.

(4)(A) In addition to the amounts appropriated pursuant to subdivision (1) of this subsection (a), a portion of the anticipated annual revenue of the Local Option Municipal Transportation Special Fund may be appropriated for class 1, 2, and 3 town highways in each State fiscal year in an amount that is consistent with the provisions of subdivision 306b(c)(4) of this chapter. Amounts appropriated from the Fund shall be apportioned, distributed, and used in the same manner as provided pursuant to subdivision (3) of this subsection (a).

(B) Amounts appropriated pursuant to this subdivision (4) shall be supplemental to and shall not supplant or decrease the amount appropriated pursuant to subdivision (1) of this subsection (a) or be subject to the annual inflationary adjustment provided for in subdivisions (1) and (2) of this subsection (a).

* * *

(e) State aid for town highway structures.

(1) There shall be an annual appropriation for grants to municipalities for maintenance ~~(, including actions to extend life expectancy),~~ and for construction of bridges and culverts; for maintenance and construction of other structures, including causeways and retaining walls, intended to preserve the integrity of the traveled portion of class 1, 2, and 3 town highways; and for alternatives that eliminate the need for a bridge, culvert, or other structure, such as the construction or reconstruction of a highway, the purchase of parcels of land that would be landlocked by closure of a bridge, the payment of damages for loss of highway access, and the substitution of other means of access. This appropriation shall increase over the previous fiscal year's

appropriation by the same percentage change as the following, whichever is less, or shall remain at the previous fiscal year's appropriation if either of the following are negative or zero:

* * *

(5) Funds received as grants for State aid for town highway structures may be used by a municipality to satisfy a portion of the matching requirements for federal earmarks, subject to subsection 309b(c) of this title.

(6)(A) In addition to the amounts appropriated pursuant to subdivision (1) of this subsection (e), a portion of the anticipated annual revenue of the Local Option Municipal Transportation Special Fund may be appropriated for town highway structures in each State fiscal year in an amount that is consistent with the provisions of subdivision 306b(c)(4) of this chapter. Amounts appropriated from the Fund shall be used in the same manner and for the same purposes as provided pursuant to subdivisions (1) and (5) of this subsection (e).

(B) Amounts appropriated pursuant to this subdivision (6) shall be supplemental to and shall not supplant or decrease the amount appropriated pursuant to subdivision (1) of this subsection (e) or be subject to the annual inflationary adjustment provided for in subdivisions (1)–(3) of this subsection (e).

* * *

(h) Class 2 Town Highway Roadway Program.

(1) There shall be an annual appropriation for grants to municipalities for resurfacing, rehabilitation, or reconstruction of paved or unpaved class 2 town highways. Municipalities that have no State highways or class 1 town highways within their borders may use the grants for such activities with respect to both class 2 and class 3 town highways. This appropriation shall increase over the previous fiscal year's appropriation by the same percentage change as the following, whichever is less, or shall remain at the previous fiscal year's appropriation if either of the following are negative or zero:

* * *

(4) In a given fiscal year, should expenditures in the Class 2 Town Highway Roadway Program exceed the amount appropriated, the Agency shall advise the Governor of the need to request a supplemental appropriation from the General Assembly to fund the additional project cost, provided that the Agency has previously committed to completing those projects.

(5) Funds received as grants for State aid under the Class 2 Town Highway Roadway Program may be used by a municipality to satisfy a portion of the matching requirements for federal earmarks, subject to subsection 309b(c) of this title.

(6)(A) In addition to the amounts appropriated pursuant to subdivision (1) of this subsection (h), a portion of the anticipated annual revenue of the Local Option Municipal Transportation Special Fund may be appropriated for town highway structures in each State fiscal year in an amount that is consistent with the provisions of subdivision 306b(c)(4) of this chapter. Amounts appropriated from the Fund shall be used in the same manner and for the same purposes as provided pursuant to subdivisions (1) and (5) of this subsection (h).

(B) Amounts appropriated pursuant to this subdivision (6) shall be supplemental to and shall not supplant or decrease the amount appropriated pursuant to subdivision (1) of this subsection (h) or be subject to the annual inflationary adjustment provided for in subdivisions (1)–(3) of this subsection (h).

* * *

Which was agreed to.

Thereupon, Senators Hardy, Perchlik and Collamore moved to amend the Senate proposal of amendment as follows:

First: By adding a new section to be Sec. F.108.1 to read as follows:

Sec. F.108.1 32 V.S.A. § 1183 is amended to read:

§ 1183. STATE’S ATTORNEYS

* * *

(c) Compensation under subsection (a) of this section shall be reduced by 30 percent for any State’s Attorney who is not licensed or authorized to practice law in the State pursuant to the administrative orders issued by the Vermont Supreme Court.

Second: In Sec. G.100, effective dates, in subsection (a), before “E.504.4”, by striking out the word “and”, and after “E.504.4”, by inserting “, and F.108.1”

Which was agreed to.

Recess

The President declared a recess until the fall of the gavel.

Called to Order

The Senate was called to order by the President.

Thereupon, Senator Vyhovsky moved to amend the Senate proposal of amendment as follows:

First: By striking out Sec. B.136.1 in its entirety and inserting in lieu thereof the following:

Sec. B.136.1 Ethics commission

Personal services	214,306	<u>516,688</u>
Operating expenses		<u>85,234</u>
Total	400,540	<u>601,922</u>
Source of funds		
General fund		351,382
Internal service funds		<u>250,540</u>
Total	400,540	<u>601,922</u>

Second: By striking out Secs. F.100–F.109 and their reader assistance headings in their entireties and inserting in lieu thereof new Secs. F.100–F.109 and reader assistance headings to read as follows:

* * * Collective Bargaining Agreements; Fiscal Years 2027 and 2028 * * *

Sec. F.100 COLLECTIVE BARGAINING AGREEMENTS; FISCAL YEARS 2027 AND 2028

(a) Fiscal year 2027. This act fully funds the first year of the collective bargaining agreements between the State and the Vermont State Employees' Association and the State and the Vermont Troopers' Association for the period of July 1, 2026, through June 30, 2027. The collective bargaining agreements for most classified employees provide in fiscal year 2027 an average 1.9 percent step increase and a two percent across-the-board increase on July 12, 2026, and a two percent across-the-board increase on January 10, 2027, for a total average increase of 5.9 percent for those employees receiving step increases during the fiscal year.

(b) Fiscal year 2028. This act fully funds the second year of the collective bargaining agreements between the State and the Vermont State Employees' Association and the State and the Vermont Troopers' Association for the period of July 1, 2027, through June 30, 2028. The collective bargaining agreements for most classified employees provide in fiscal year 2028 an average 1.9 percent step increase and a 3.0 percent across-the-board increase for a total average increase of 4.9 percent for those employees receiving step increases during the fiscal year.

* * * Exempt Employees; Fiscal Years 2027 and 2028 * * *

Sec. F.101 EXEMPT EMPLOYEES; PERMITTED SALARY INCREASES;
FISCAL YEARS 2027 AND 2028

(a) Fiscal year 2027. Except as provided in subsection (c) of this section, the Executive, Judicial, and Legislative Branches may extend the fiscal year 2027 provisions of the collective bargaining agreements that are funded by this act to employees not covered by the bargaining agreements as they determine to be appropriate and in accordance with the appropriations provided to each branch.

(b) Fiscal year 2028. Except as provided in subsection (c) of this section, the Executive, Judicial, and Legislative Branches may extend the fiscal year 2028 provisions of the collective bargaining agreements that are funded by this act to employees not covered by the bargaining agreements as they determine to be appropriate and in accordance with the appropriations provided to each branch.

(c) The increases set forth in subsections (a) and (b) of this section shall not apply to any exempt Vermont State employee earning \$115,000 or more annually, and this act does not fund increases for those employees.

Sec. F.102 EXECUTIVE BRANCH; EXEMPT AGENCY AND
DEPARTMENT HEADS, DEPUTIES, AND EXECUTIVE
ASSISTANTS; ANNUAL SALARY ADJUSTMENT AND
SPECIAL SALARY INCREASE OR BONUS

(a) Fiscal year 2027. For purposes of determining annual salary adjustments, special salary increases, and bonuses under 32 V.S.A. §§ 1003(b) and 1020(b), “the average rate of adjustment available to most classified employees under the collective bargaining agreement” shall be, in fiscal year 2027, 5.9 percent except as provided in Sec. F.101(c) of this act.

(b) Fiscal year 2028. For purposes of determining annual salary adjustments, special salary increases, and bonuses under 32 V.S.A. §§ 1003(b) and 1020(b), “the average rate of adjustment available to most classified employees under the collective bargaining agreement” shall be, in fiscal year 2028, 4.9 percent, except as provided in Sec. F.101(c) of this act.

* * * Executive Branch; Miscellaneous Statutory Salaries;
Fiscal Years 2027 and 2028 * * *

Sec. F.103 32 V.S.A. § 1003 is amended to read:

§ 1003. STATE OFFICERS

(a) Each elective officer of the Executive Department is entitled to an annual salary as follows:

	Annual Salary as of July 14, 2024	Annual Salary as of July 13, 2025
	* * *	
(2) Lieutenant Governor	\$94,392	\$99,489
	<u>Annual Salary as of July 12, 2026</u>	<u>Annual Salary as of January 10, 2027</u>
	* * *	<u>Annual Salary as of July 11, 2027</u>
(2) Lieutenant Governor	<u>\$103,369</u>	<u>\$105,436</u>
	* * *	<u>\$110,602</u>

(b) The Governor may appoint each officer of the Executive Branch listed in this subsection at a starting salary ranging from the base salary stated for that position to a salary that does not exceed the maximum salary unless otherwise authorized by this subsection. The maximum salary for each appointive officer shall be 50 percent above the base salary. Annually, the Governor may grant to each of those officers an annual salary adjustment subject to the maximum salary. The annual salary adjustment granted to officers under this subsection shall not exceed the average rate of adjustment available to most classified employees under the collective bargaining agreement then in effect. ~~In addition to the annual salary adjustment specified in this subsection, the Governor may grant a special salary increase subject to the maximum salary, or a bonus, to any officer listed in this subsection whose job duties have significantly increased, or whose contributions to the State in the preceding year are deemed especially significant. Special salary increases or bonuses granted to any individual shall not exceed the average rate of adjustment available to most classified employees under the collective bargaining agreement then in effect.~~

* * *

(2) [Repealed.]

(3) If the Chair of the Land Use Review Board is employed on less than a full-time basis, the hiring and salary maximums for that position shall be reduced proportionately.

(4) When a permanent employee is appointed to an exempt position, the Governor may authorize such employee to retain the present salary even though it is in excess of any salary maximum provided in statute.

* * *

(d) Notwithstanding the maximum salary established in subsection (b) of this section, the Defender General shall not receive compensation in excess of the compensation established for the Attorney General in this section.

(e) Notwithstanding the maximum salary established in subsection (b) of this section, the maximum salary for the Commissioner of Health shall not exceed 100 percent above the base salary for this position.

* * * Judicial Branch; Statutory Salaries; Fiscal Years 2027 and 2028 * * *

Sec. F.104 [Deleted].

Sec. F.105 32 V.S.A. § 1141 is amended to read:

§ 1141. ASSISTANT JUDGES

(a)(1) Each assistant judge of the Superior Court shall be entitled to receive compensation in the amount of ~~\$224.47 a day as of July 14, 2024 and \$236.59 a day as of July 13, 2025~~ \$245.82 a day as of July 12, 2026, \$250.74 a day as of January 10, 2027, and \$263.03 a day as of July 11, 2027, for time spent in the performance of official duties and necessary expenses as allowed to classified State employees. Compensation under this section shall be based on a two-hour minimum and hourly thereafter.

(2)(A) The compensation paid to an assistant judge pursuant to this section shall be paid by the State except as provided in subdivision (B) of this subdivision (2).

(B) The compensation paid to an assistant judge pursuant to this section shall be paid by the county at the State rate established in subdivision (a)(1) of this section when an assistant judge is sitting with a presiding Superior judge in the Civil or Family Division of the Superior Court.

(b) Assistant judges of the Superior Court shall be entitled to receive pay for such days as they attend court when it is in actual session or during a court recess when engaged in the special performance of official duties.

Sec. F.106 32 V.S.A. § 1142 is amended to read:

§ 1142. PROBATE JUDGES

(a) The Probate judges in the several Probate Districts shall be entitled to receive the following annual salaries, which shall be paid by the State in lieu of all fees or other compensation:

	Annual Salary as of July 14, 2024	Annual Salary as of July 13, 2025
(1) Addison	\$76,555	\$80,689
(2) Bennington	\$96,776	\$102,002
(3) Caledonia	\$67,891	\$71,557
(4) Chittenden	\$161,506	\$170,227
(5) Essex	\$18,966	\$19,990
(6) Franklin	\$76,555	\$80,689
(7) Grand Isle	\$18,966	\$19,990
(8) Lamoille	\$53,443	\$56,329
(9) Orange	\$63,554	\$66,986
(10) Orleans	\$62,110	\$65,464
(11) Rutland	\$137,221	\$144,631
(12) Washington	\$105,441	\$111,135
(13) Windham	\$85,221	\$89,823
(14) Windsor	\$115,555	\$121,795

	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 12,</u> <u>2026</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>January 10,</u> <u>2027</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 11,</u> <u>2027</u>
(1) <u>Addison</u>	<u>\$83,836</u>	<u>\$85,513</u>	<u>\$89,703</u>
(2) <u>Bennington</u>	<u>\$105,980</u>	<u>\$108,100</u>	<u>\$113,397</u>
(3) <u>Caledonia</u>	<u>\$74,348</u>	<u>\$75,835</u>	<u>\$79,551</u>
(4) <u>Chittenden</u>			
(5) <u>Essex</u>	<u>\$20,770</u>	<u>\$21,185</u>	<u>\$22,223</u>
(6) <u>Franklin</u>	<u>\$83,836</u>	<u>\$85,513</u>	<u>\$89,703</u>

(7) <u>Grand Isle</u>	<u>\$20,770</u>	<u>\$21,185</u>	<u>\$22,223</u>
(8) <u>Lamoille</u>	<u>\$58,526</u>	<u>\$59,697</u>	<u>\$62,622</u>
(9) <u>Orange</u>	<u>\$69,598</u>	<u>\$70,990</u>	<u>\$74,469</u>
(10) <u>Orleans</u>	<u>\$68,017</u>	<u>\$69,377</u>	<u>\$72,776</u>
(12) <u>Washington</u>	<u>\$115,469</u>	<u>\$117,778</u>	<u>\$123,549</u>
(13) <u>Windham</u>	<u>\$93,326</u>	<u>\$95,193</u>	<u>\$99,857</u>

(b) Probate judges shall be entitled to be paid by the State for their actual and necessary expenses under the rules pertaining to classified State employees. The compensation for the Probate judge of the Chittenden District shall be for full-time service.

(c) All Probate judges, regardless of the number of hours worked annually, shall be eligible to participate in all employee benefits that are available to exempt employees of the Judicial Department.

* * * Sheriffs; Statutory Salaries; Fiscal Years 2027 and 2028 * * *

Sec. F.107 32 V.S.A. § 1182 is amended to read:

§ 1182. SHERIFFS

(a) The sheriffs of all counties except Chittenden shall be entitled to receive salaries in the amount of ~~\$104,010.00 as of July 14, 2024 and \$109,627.00 as of July 13, 2025~~ \$113,902.00 as of July 12, 2026, \$116,180.00 as of January 10, 2027, and \$122,873.00 as of July 11, 2027. The Sheriff of Chittenden County shall be entitled to an annual salary in the amount of ~~\$110,070.00 as of July 14, 2024 and \$116,014.00 as of July 13, 2025.~~

(b) Compensation under subsection (a) of this section shall be reduced by 10 percent for any sheriff who has Level II but not obtained Level III law enforcement officer certification under 20 V.S.A. § 2358.

* * *

Sec. F.108 [Deleted.]

* * * Appropriations * * *

Sec. F.109 PAY ACT APPROPRIATIONS; FISCAL YEARS 2027 AND 2028

(a) Executive Branch. The first and second years of the two-year agreements between the State of Vermont and the Vermont State Employees' Association for the Defender General, Non-Management, Supervisory, and Corrections bargaining units, and, for the purpose of appropriation, the State's Attorneys' offices bargaining unit, for the period of July 1, 2026, through June

30, 2028; the collective bargaining agreement with the Vermont Troopers' Association for the period of July 1, 2026, through June 30, 2028; and salary increases for employees in the Executive Branch not covered by the bargaining agreements shall be funded as follows:

(1) Fiscal year 2027.

(A) General Fund. The amount of \$22,572,997.00 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2027 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$2,931,865.00 is appropriated from the Transportation Fund to the Secretary of Administration for distribution to the Agency of Transportation to fund the fiscal year 2027 collective bargaining agreements and the requirements of this act.

(C) Other funds. The Administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the fiscal year 2027 collective bargaining agreements and the requirements of this act. The estimated amounts are \$25,385,025.00 from a special fund, federal funds, and other sources.

(D) Transfers. With due regard to the possible availability of other funds, for fiscal year 2027, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(2) Fiscal year 2028.

(A) General Fund. The amount of \$23,628,809.00 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2028 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$2,931,865.00 is appropriated from the Transportation Fund to the Secretary of Administration for distribution to the Agency of Transportation to fund the fiscal year 2028 collective bargaining agreements and the requirements of this act.

(C) Other funds. The Administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the fiscal year 2028 collective bargaining agreements and the requirements of this act. The estimated amounts are \$26,562,761.00 from a special fund, federal funds, and other sources.

(D) Transfers. With due regard to the possible availability of other funds, for fiscal year 2028, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(3) This section shall include sufficient funding to ensure administration of exempt pay plans authorized by 32 V.S.A. § 1020(c).

(b) Judicial Branch.

(1) The Chief Justice of the Vermont Supreme Court may extend the provisions of the Judiciary's collective bargaining agreement to Judiciary employees who are not covered by the bargaining agreement.

(2) Fiscal year 2027. The first year of the two-year agreements between the State of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period of July 1, 2026, through June 30, 2027, and salary increases for employees in the Judicial Branch not covered by the bargaining agreements shall be funded as follows: the amount of \$3,011,928.00 is appropriated from the General Fund and the amount of \$277,316.00 is provided from other sources to the Judiciary to fund the fiscal year 2027 collective bargaining agreement and the requirements of this act.

(3) Fiscal year 2028. The second year of the two-year agreements between the State of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period of July 1, 2027, through June 30, 2028, and salary increases for employees in the Judicial Branch not covered by the bargaining agreements shall be funded as follows: the amount of \$1,677,457.00 is appropriated from the General Fund and the amount of \$179,952.00 is provided from other sources to the Judiciary to fund the fiscal year 2028 collective bargaining agreement and the requirements of this act.

(c) Legislative Branch.

(1) For the period of July 1, 2026, through June 30, 2027, the General Assembly, including all Legislative Branch employees, shall be funded as follows: the amount of \$719,474.00 is appropriated from the General Fund to the Legislative Branch.

(2) For the period of July 1, 2027, through June 30, 2028, the General Assembly, including all Legislative Branch employees, shall be funded as follows: the amount of \$583,779.00 is appropriated from the General Fund to the Legislative Branch.

Third: By adding a new Sec. E.136.1 to read:

Sec. E.136.1. STATE ETHICS COMMISSION; POSITIONS;
APPROPRIATION

(a) The position of one new, permanent, full-time, exempt staff attorney to provide ethics advice and training to municipal officials is created in the State Ethics Commission.

(b) The position of one general counsel to provide State government services and conduct investigations is created in the State Ethics Commission.

Which was disagreed to.

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

Proposal of Amendment; Third Reading Ordered

H. 949.

Senator Cummings, for the Committee on Finance, to which was referred House bill entitled:

An act relating to homestead property tax yields, the nonhomestead property tax rate, and technical changes to education finance.

Reported recommending that the Senate propose to the House to amend the bill as follows:

First: By striking out Sec. 1, property dollar equivalent yield, income dollar equivalent yield, and nonhomestead property tax rate for fiscal year 2027, in its entirety and inserting in lieu thereof a new Sec. 1 to read as follows:

Sec. 1. PROPERTY DOLLAR EQUIVALENT YIELD, INCOME
DOLLAR EQUIVALENT YIELD, AND NONHOMESTEAD
PROPERTY TAX RATE FOR FISCAL YEAR 2027

For fiscal year 2027 only:

(1) Pursuant to 32 V.S.A. § 5402b(b), the property dollar equivalent yield shall be \$9,395.00.

(2) Pursuant to 32 V.S.A. § 5402b(b), the income dollar equivalent yield shall be \$12,942.00.

(3) Notwithstanding 32 V.S.A. § 5402(a)(1) and any other provision of law to the contrary, the nonhomestead property tax rate shall be \$1.648 per \$100.00 of equalized education property value.

Second: By striking out Sec. 2, Education Fund reserve; property tax rate offset, in its entirety and inserting in lieu thereof two new sections to be Secs. 2 and 2a to read as follows:

Sec. 2. 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. 2a. 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 are 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.

* * *

Third: By striking out Sec. 6, effective date, in its entirety and inserting in lieu thereof five new sections to be Secs. 6–10 to read as follows:

Sec. 6. 32 V.S.A. § 6066(b) is amended to read:

(b)(1) An eligible claimant who rented the homestead shall be entitled to a credit for the taxable year in an amount not to exceed ~~\$2,500.00~~ \$3,250.00, to be calculated as follows:

(A) If the claimant's income is less than or equal to the extremely low-income limit, the claimant shall be entitled to a credit in the amount of ~~10~~ 12.5 percent of fair market rent.

(B) If the claimant's income is greater than the extremely low-income limit but less than or equal to the very low-income limit, the claimant shall be entitled to a percentage of the credit that is proportional to the claimant's income that is less than the very low-income limit, determined by:

(i) subtracting the claimant's income from the very low-income limit;

(ii) dividing the value under subdivision (i) of this subdivision (1)(B) by the difference between the extremely low-income limit and the very low-income limit; and

(iii) multiplying the value under subdivision (ii) of this subdivision (1)(B) by ~~10~~ 12.5 percent of fair market rent.

(C) If the claimant's income is greater than the very low-income limit, the claimant shall not be entitled to a renter credit.

(D) A claimant who is eligible for a renter credit, including pursuant to this subsection (b), and who receives a rental subsidy shall be entitled to a credit in the amount of ~~10~~ 12.5 percent of gross rent paid.

(E) A renter credit shall be prorated by the number of calendar months in the taxable year during which the claimant rented the homestead, except for a credit based on gross rent paid under subdivision (D) of this subsection (b)(1), and by the portion of the principal dwelling used for business purposes, if the portion used for business purposes includes more than 25 percent of the floor space of the dwelling.

(2) The Commissioner shall calculate the credit under subdivision (1) of this subsection (b) using the fair market rent corresponding to a number of bedrooms equal to the number of personal exemptions allowed under subdivision 5811(21)(C) of this title for the taxable year, provided that for claimants who resided with any person who was neither the claimant's dependent nor jointly filing spouse at any time during the taxable year, the Commissioner shall reduce the credit by 50 percent.

Sec. 7. 32 V.S.A. § 6067 is amended to read:

§ 6067. CREDIT LIMITATIONS

Only one individual per household per taxable year shall be entitled to a property tax credit under this chapter. An individual who received a homestead exemption or credit with respect to property taxes assessed by another state for the taxable year shall not be entitled to receive a credit under this chapter. No taxpayer shall receive a renter credit under subsection 6066(b) of this title in excess of ~~\$2,500.00~~ \$3,250.00. No taxpayer shall receive a property tax credit under subdivision 6066(a)(3) of this title greater than ~~\$2,400.00~~ or cumulative credit under subdivisions ~~6066(a)(1)-(2)~~ 6066(a)(1), (2), and (4) of this title greater than ~~\$5,600.00~~.

Sec. 8. 32 V.S.A. § 6066(b) is amended to read:

(b)(1) An eligible claimant who rented the homestead shall be entitled to a credit for the taxable year in an amount not to exceed ~~\$3,250.00~~ \$2,500.00, to be calculated as follows:

(A) If the claimant's income is less than or equal to the extremely low-income limit, the claimant shall be entitled to a credit in the amount of ~~12.5~~ 10 percent of fair market rent.

(B) If the claimant's income is greater than the extremely low-income limit but less than or equal to the very low-income limit, the claimant shall be entitled to a percentage of the credit that is proportional to the claimant's income that is less than the very low-income limit, determined by:

(i) subtracting the claimant's income from the very low-income limit;

(ii) dividing the value under subdivision (i) of this subdivision (1)(B) by the difference between the extremely low-income limit and the very low-income limit; and

(iii) multiplying the value under subdivision (ii) of this subdivision (1)(B) by ~~12.5~~ 10 percent of fair market rent.

(C) If the claimant's income is greater than the very low-income limit, the claimant shall not be entitled to a renter credit.

(D) A claimant who is eligible for a renter credit, including pursuant to this subsection (b), and who receives a rental subsidy shall be entitled to a credit in the amount of ~~12.5~~ 10 percent of gross rent paid.

(E) A renter credit shall be prorated by the number of calendar months in the taxable year during which the claimant rented the homestead, except for a credit based on gross rent paid under subdivision (D) of this subdivision (b)(1), and by the portion of the principal dwelling used for business purposes, if the portion used for business purposes includes more than 25 percent of the floor space of the dwelling.

(2) The Commissioner shall calculate the credit under subdivision (1) of this subsection (b) using the fair market rent corresponding to a number of bedrooms equal to the number of personal exemptions allowed under subdivision 5811(21)(C) of this title for the taxable year, provided that for claimants who resided with any person who was neither the claimant's dependent nor jointly filing spouse at any time during the taxable year, the Commissioner shall reduce the credit by 50 percent.

Sec. 9. 32 V.S.A. § 6067 is amended to read:

§ 6067. CREDIT LIMITATIONS

Only one individual per household per taxable year shall be entitled to a property tax credit under this chapter. An individual who received a homestead exemption or credit with respect to property taxes assessed by another state for the taxable year shall not be entitled to receive a credit under this chapter. No taxpayer shall receive a renter credit under subsection 6066(b) of this title in excess of ~~\$3,250.00~~ \$2,500.00. No taxpayer shall receive a property tax credit under subdivision 6066(a)(3) of this title greater than \$2,400.00 or cumulative credit under subdivisions 6066(a)(1), (2), and (4) of this title greater than \$5,600.00.

Sec. 10. EFFECTIVE DATES

(a) This section and Secs. 1 (yields), 3 (statewide adjustment correction), 4 (Barre TIF overpayment refund), 5 (census grant inflator), 6 (renter credit expansion), and 7 (renter credit cap increase) shall take effect on July 1, 2026.

(b) Secs. 2 (exclusion of capital indebtedness from excess spending), 2a (excess spending threshold), 8 (renter credit narrowing), and 9 (renter credit cap reduction) shall take effect on July 1, 2027.

And that the bill ought to pass in concurrence with such proposals of amendment.

Senator Baruth, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposals of amendment as recommended by the Committee on Finance.

Thereupon, pending the question, Shall the Senate propose to the House that the bill be amended as recommended by the Committee on Finance?, Senator Cummings moved to amend the third proposal of amendment of the Committee on Finance, by striking out Sec. 10, effective dates, in its entirety and inserting in lieu thereof a new Sec. 10 to read as follows:

Sec. 10. EFFECTIVE DATES

(a) This section and Secs. 1 (yields), 3 (statewide adjustment correction), 4 (Barre TIF overpayment refund), and 5 (census grant inflator) shall take effect on July 1, 2026.

(b) Secs. 6 (renter credit expansion) and 7 (renter credit cap increase) shall take effect on July 1, 2026, and apply to claim year 2027.

(c) Secs. 2 (exclusion of capital indebtedness from excess spending) and 2a (excess spending threshold) shall take effect on July 1, 2027.

(d) Secs. 8 (renter credit narrowing) and 9 (renter credit cap reduction) shall take effect on July 1, 2027, and apply to claim years 2028 and after.

Which was agreed to.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the proposals of amendment were collectively agreed to, and third reading of the bill was ordered, on a roll call, Yeas 28, Nays 2.

Senator Baruth having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Beck, Benson, Bongartz, Brennan, Brock, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Heffernan, Ingalls, Lyons, Major, Mattos, Morley, Norris, Perchlik, Plunkett, Ram Hinsdale, Weeks, Westman, White, Williams.

Those Senators who voted in the negative were: Vyhovsky, Watson.

Bill Passed in Concurrence**H. 940.**

House bill of the following title was read the third time and passed in concurrence:

An act relating to miscellaneous public utility subjects.

Proposal of Amendment; Third Reading Ordered**H. 46.**

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

An act relating to the Rare Disease Advisory Council.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following

Sec. 1. FINDINGS

The General Assembly finds that:

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

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

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

CHAPTER 19. RARE DISEASES

§ 981. RARE DISEASE ADVISORY COUNCIL

(a) Creation. There is created the Rare Disease Advisory Council within the Department of Health to provide guidance and recommendations to the public, General Assembly, and other government agencies and departments, as necessary, regarding the needs of individuals living with rare diseases in Vermont.

(b) Membership.

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

(A) two individuals living with a rare disease, at least one of whom is an older Vermonter, appointed by the Commissioner of Health;

(B) a parent or guardian of a person living with a rare disease, appointed by the Commissioner of Health;

(C) the Commissioner of Health or designee;

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

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

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

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

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

(I) a pharmacist practicing in Vermont, appointed by the Vermont Pharmacists Association;

(J) a geneticist or genetic counselor, appointed by the Commissioner of Health; and

(K) any other persons deemed necessary by the Commissioner of Health.

(2) Members of the Advisory Council shall be appointed for staggered five-year terms. Any midterm vacancy shall be filled by the appointing authority for the remainder of the unexpired term. Terms shall begin on January 1 of the year of appointment and conclude on December 31 of the last year of the member's term. Members of the Advisory Council may serve multiple terms, either consecutively or intermittently.

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

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

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

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

(3) in consultation with experts on rare diseases, develop and provide policy recommendations that:

(A) identify conditions for the Department of Health to consider as part of appropriate screening guidance and recommendations; and

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

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

(d) Assistance. The Advisory Council shall have the administrative, technical, and legal assistance of the Department of Health. The Department shall maintain a web page on its website that contains notices of upcoming meetings, meeting minutes, public comments, and reports.

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

(f) Meetings.

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

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

(3) The Advisory Council shall meet quarterly. Meetings may be held in person or remotely on an electronic platform in accordance with the Vermont Open Meeting Law set forth in 1 V.S.A. §§ 310–314.

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

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

Sec. 3. LONG COVID RESOURCES FOR PRIMARY CARE PROVIDERS AND PATIENTS

(a) On or before January 1, 2027, the Department of Health shall collaborate with the University of Vermont Medical Center, the Vermont Medical Society, and patients with lived experience of long COVID to:

(1) identify existing evidence-informed standards, best practices, and training for primary care providers regarding long COVID and distribute these resources through the Department’s website and to primary care providers; and

(2) in collaboration with the Department of Disabilities, Aging, and Independent Living, identify support services or other resources for long COVID that include a range of peer and community-based programs, such as long COVID support groups through the University of Vermont Medical Center, the Vermont Center for Independent Living, or another entity, and strategies to support patients who are homebound or at risk of becoming homebound.

(b) On or before February 1, 2027, the Department of Health, in collaboration with the Department of Disabilities, Aging, and Independent Living, shall present recommendations to the House Committee on Human Services and the Senate Committee on Health and Welfare on providing long-term disability supports to individuals experiencing long COVID.

(c) As used in this section, “long COVID” means postacute sequelae of SARS-CoV-2 infection.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

And that the bill ought to pass in concurrence with such proposal of amendment.

Senator Lyons, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Health and Welfare.

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

Proposal of Amendment; Third Reading Ordered

H. 582.

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

An act relating to adult protective services.

Reported recommending that the Senate propose to the House to amend the bill in Sec. 1, 33 V.S.A. § 6902, in subdivision (36)(B), following “power of attorney”, by striking out “or an advance directive”

And that the bill ought to pass in concurrence with such proposal of amendment.

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

Proposal of Amendment; Third Reading Ordered

H. 778.

Senator Williams, for the Committee on Natural Resources and Energy, to which was referred House bill entitled:

An act relating to dam safety.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 20 V.S.A. § 10 is amended to read:

§ 10. REQUEST TO GOVERNOR BY MUNICIPAL AUTHORITIES

The all-hazards event provisions of this chapter shall not be brought into action unless the municipal director of emergency management, a member of the legislative body of the municipality, the city or town manager, or the mayor of a city that is within the area affected by an all-hazards event shall declare an emergency and request the Governor to find that a state of

emergency exists and the Governor so finds, or unless the Governor declares a state of emergency under section 9 of this title. This section shall not be construed to prevent the Governor or the Director of Emergency Management without municipal approval from requiring the evacuation of an area subject to inundation from a dam failure when there is a dam failure or an imminent risk of failure.

Sec. 2. STATE OF VERMONT EMERGENCY OPERATIONS PLANNING
PILOT PROJECT; REPORT

(a)(1) The Division of Emergency Management, in coordination with the Department of Environmental Conservation, shall conduct a pilot project under which the Division shall develop a set of emergency operations plans (EOPs) for two State-owned dams that have been classified as high-hazard potential. One of the dams shall have a population at risk of 1,000 or more persons and the other shall have a population at risk of 100 or more but fewer than 1,000 persons.

(2) The set of EOPs for each dam shall include actions for each municipality in the inundation zone of the dam.

(b)(1) In preparing the EOPs required under subsection (a) of this section and in order to ensure the sufficiency of the EOPs to protect public lives and property, the Division shall coordinate with and collect input from the Whole Community that would be inundated if the dam were to fail. The Division also shall coordinate with any owner or operator of a hydroelectric generation facility located at a State-owned dam. As used in this section, "Whole Community" shall have the same meaning as provided in the Federal Emergency Management Administration guidance on A Whole Community Approach to Emergency Management: Principles, Themes, and Pathways for Action FDOC 104-008-1, December 2011.

(2) The Division of Emergency Management may hire a contractor, including a regional planning commission, to complete the requirements of this section, including one or both of the EOPs required under subsection (a) of this section.

(c) Each EOP required to be completed under subsection (a) of this section shall:

(1) be coordinated with each dam's emergency action plan and shall utilize each dam's emergency action plan inundation maps;

(2) identify planned evacuations and evacuation routes based on possible inundation scenarios, including how to evacuate vulnerable populations such as medically vulnerable individuals who need access to electricity or specialized medical equipment;

(3) identify where individuals shall evacuate to, such as a shelter, higher ground, or reunification location;

(4) engage managers and administrators of facilities that house vulnerable populations within the Whole Community in the plan development;

(5) plan for the use of mutual aid and State resources, and coordinate such use between municipalities downstream of the dam;

(6) address how to implement the use of pre-event communication and early warning systems to alert persons in the inundation areas, including the use of the VT-Alert system; and

(7) include any additional provisions deemed useful by the Division in developing the EOP or for inclusion in the EOP.

(d) On or before July 1, 2028, the Division of Emergency Management shall submit to the House Committee on Environment and the Senate Committee on Natural Resources and Energy the results of the pilot project required under subsection (a) of this section, including:

(1) copies of the EOPs for the two dams;

(2) a summary of the process of developing the EOPs, including whether the Division completed the EOPs with Division staff, contracted with regional planning commissions, or hired other contractors to complete the EOPs;

(3) a summary of who in the area of potential inundation for each dam that the Division or the Division contractor coordinated with in the development of the EOP;

(4) the cost of the EOPs completed under the pilot project;

(5) a summary of early warning and communications systems municipalities may use to communicate recommendations or requests for evacuation, including the best use of the State's VT-Alert system; and

(6) a scope, timeline, and budget for the Division to develop an EOP template or templates and a training on EOP development for municipalities.

(e) As part of the report required under subsection (d) of this section, the Division of Emergency Management shall, based on the results of the pilot project EOPs:

(1) recommend how EOPs should be completed for municipalities downstream of all State or federal dams in Vermont that are high-hazard potential dams and that have a population at risk of 100 or more persons, including:

(A) whether and how to prioritize completion of the EOPs for municipalities downstream of all high-hazard dams with a population at risk of 100 or more persons;

(B) whether the Division of Emergency Management can complete or contract for completion of the EOPs for municipalities downstream of all State or federal dams with a population at risk of 100 or more persons by 2035;

(C) whether the Division of Emergency Management can complete an EOP for municipalities downstream of federal dam or whether the Division may only assist those local entities authorized to complete an EOP under federal law; and

(D) what it would cost for the Division of Emergency Management to complete the EOPs for municipalities downstream of dams with a population at risk of 100 or more persons or what it would cost for the Division to contract with a qualified consultant to complete the EOPs;

(2) recommend how EOPs should be completed for municipalities downstream of high-hazard dams with a population at risk of fewer than 100 persons;

(3) recommend organizations that may assist municipalities in accessing potential funding sources assist in the completion or compliance with an EOP;

(4) recommend how to best educate municipalities and emergency service providers about the need for and importance of EOPs for dams;

(5) recommend whether and how an EOP should identify structures that persons would reasonably be expected to occupy and how to geotag these structures for purposes of inclusion in the VT-Alert system; and

(6) recommend how often exercises should be conducted to validate the EOPs required under subsection (a) of this section and ultimately for all EOPs prepared for dams in the State.

Sec. 3. APPROPRIATIONS

(a) In addition to other funds appropriated to the Department of Public Safety for the Division of Emergency Management in fiscal year 2027, \$250,000.00 is appropriated from the General Fund to the Department for completion by the Division of Emergency Management of the emergency operations plan pilot project required under Sec. 2 of this act.

(b) In addition to other funds appropriated to the Department of Environmental Conservation in fiscal year 2027, \$125,000.00 is appropriated from the General Fund to the Department of Environmental Conservation for the Department's assistance in completing the emergency operations plan pilot project required under Sec. 2 of this act.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

And that the bill ought to pass in concurrence with such proposal of amendment.

Senator Watson, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Natural Resources and Energy.

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

Rules Suspended; Bill Messaged**H. 951.**

On motion of Senator Baruth, the rules were suspended, and the following bill was ordered messaged to the House forthwith:

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

Adjournment

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