

Journal of the Senate

TUESDAY, MAY 19, 2026

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Message from the House No. 66

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 considered Senate proposal of amendment to the following House bill:

H. 930. An act relating to addressing and preventing chronic absenteeism.
And has concurred therein.

The House has considered a bill originating in the Senate of the following title:

S. 243. An act relating to distributing funds to the Vermont Language Justice Project.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

The House has considered Senate proposal of amendment to House bill entitled:

H. 660. An act relating to fiscal year 2027 Opioid Abatement Special Fund appropriations.

And has refused to concur therein and asks for a Committee of Conference upon the disagreeing votes of the two Houses;

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

Rep. Wood of Waterbury
Rep. Maguire of Rutland City
Rep. Bluemle of Burlington.

The House has considered Senate proposal of amendment to House bill entitled:

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

And has refused to concur therein and asks for a Committee of Conference upon the disagreeing votes of the two Houses;

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

Rep. Berbeco of Winooski
Rep. Cina of Burlington
Rep. Taylor of Mendon.

The House has considered Senate proposals of amendment to House bills of the following titles:

H. 648. An act relating to banking, insurance, and securities.

H. 941. An act relating to municipal regulation of agriculture.

And has severally concurred therein with further proposals of amendment thereto, in the adoption of which the concurrence of the Senate is requested.

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 294. House concurrent resolution honoring Nicholas Monte, Bennington County's chocolatier extraordinaire.

H.C.R. 295. House concurrent resolution honoring Patricia Gibbons for her extraordinary half-century teaching career in the Town of Bennington.

H.C.R. 296. House concurrent resolution congratulating Inspirational Bible Book & Gifts of Bennington, Vermont's last remaining Christian bookstore, on its 50th anniversary.

H.C.R. 297. House concurrent resolution honoring Vermont Fish and Wildlife Department Director of Fisheries Eric Palmer and extending future best wishes.

H.C.R. 298. House concurrent resolution recognizing the importance of the Vermont Department of Fish and Wildlife's fish culture program for the continued success of aquatic-resource sustainability and the availability of abundant recreational fishing opportunities in Vermont.

H.C.R. 299. House concurrent resolution in memory of Elana Grace Korey and recognizing August 2, 2026, as 802 Day in Vermont.

H.C.R. 300. House concurrent resolution in memory of gay rights advocate, political activist, culinary bibliophile, and chocolatier maven Terje Anderson.

H.C.R. 301. House concurrent resolution recognizing May 2026 as National Foster Care Month in Vermont.

H.C.R. 302. House concurrent resolution congratulating former Shaftsbury Selectboard Chair Arthur Whitman and his wife Kathy Whitman as the recipients of the 2026 Shaftsbury Ordinary Hero Award.

H.C.R. 303. House concurrent resolution extending best wishes for a speedy and complete recovery to the indomitable Representative Anne de la Blanchetai Donahue of Northfield.

H.C.R. 304. House concurrent resolution celebrating the State House display of Julian Scott's Civil War masterpiece, The Fourth Vermont Forming Under Fire, and thanking those individuals who facilitated this historic artistic event.

H.C.R. 305. House concurrent resolution honoring former Representative Francis Matthew (Topper) McFaun for his exemplary public and community service.

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

The House has considered concurrent resolution originating in the Senate of the following title:

S.C.R. 13. Senate concurrent resolution honoring Middlebury College Professor Jessica Holmes for her exemplary public service as a member and interim chair of the Green Mountain Care Board.

And has adopted the same in concurrence.

Message from the House No. 67

A message was received from the House of Representatives by Ms. BetsyAnn Wrask, its Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has considered a bill originating in the Senate of the following title:

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

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

The House has considered Senate proposal of amendment to House bill of the following title:

H. 639. An act relating to genetic data privacy.

And has concurred therein with a further proposal of amendment thereto, in the adoption of which the concurrence of the Senate is requested.

The Governor has informed the House that on May 18, 2026, he approved and signed bills originating in the House of the following titles:

H. 46. An act relating to the Rare Disease Advisory Council.

H. 534. An act relating to community action agencies.

H. 582. An act relating to adult protective services.

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

The Governor has informed the House that on May 18, 2026, he returned without signature and *vetoed* a bill originating in the House of the following title:

H. 674. An act relating to the creation of the Vermont Sister State Program.

The text of the communication from His Excellency, the Governor, whereby he vetoed and returned unsigned H. 674 to the House is as follows:

May 18, 2026

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

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I'm returning unsigned and without my approval, in the time permitted by the Constitution, H.674, *An act relating to the creation of the Vermont Sister State Program*.

This bill would create a 9-person Sister State Program Committee, allocate significant authority to the Committee for choosing Sister State applicants for recommendation to the Governor, and would have sole authority to terminate partnerships with a simple majority vote of those present at a meeting.

Chapter II, Section 20 of the Vermont Constitution provides: “The Governor is to correspond with other states, [and] transact business with officers of government, civil and military...” The Committee’s sole authority to terminate partnerships in the bill becomes Constitutionally impermissible as it usurps the Governor’s express Constitutional authority to transact business with officers of government.

I understand the value of these partnerships and could support a bill provided it removes the termination provision while keeping the remaining sections.

Sincerely,
Philip B. Scott
Governor

Bill Referred to Committee on Appropriations

H. 542.

House bill of the following title, appearing on the Calendar for notice, and carrying an appropriation or requiring the expenditure of funds, under the rule, was referred to the Committee on Appropriations:

An act relating to terminating testing of schools in Vermont for polychlorinated biphenyls.

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 54.

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

Offered by Senator Baruth,

J.R.S. 54. Joint resolution relating to weekend adjournment on May 22, 2026, or May 23, 2026.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, May 22, 2026, or Saturday, May 23, 2026, it be to meet again no later than Tuesday, May 26, 2026.

Proposal of Amendment; Third Reading Ordered

H. 606.

Senator Hashim, for the Committee on Judiciary, to which was referred House bill entitled:

An act relating to firearms procedures.

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. § 2307 is amended to read:

§ 2307. FIREARMS RELINQUISHED PURSUANT TO RELIEF FROM
ABUSE ORDER OR EXTREME RISK PROTECTION ORDER;
STORAGE; FEES; RETURN

(a) Definitions. As used in this section:

(1) “Federally licensed firearms dealer” means a licensed importer, licensed manufacturer, or licensed dealer required to conduct national instant criminal background checks under 18 U.S.C. § 922(t).

(2) “Firearm” ~~shall have~~ has the same meaning as in 18 U.S.C. § 921(a)(3).

(3) “Law enforcement agency” means the Vermont State Police, a municipal police department, or a sheriff’s department.

(4) “Third party” means a person other than a cooperating law enforcement agency or an approved federally licensed firearms dealer.

(b) Relinquishment.

(1) A person who is required to relinquish firearms, ~~ammunition,~~ or other weapons in the person’s possession by a court order issued under 15 V.S.A. chapter 21 (abuse prevention); 13 V.S.A. chapter 85, subchapter 2 (extreme risk protection orders); or any other provision of law consistent with 18 U.S.C. § 922(g)(8) shall, ~~unless the court orders an alternative relinquishment pursuant to subdivision (2) of this subsection,~~ upon service of the order immediately relinquish the firearms, ~~ammunition,~~ or weapons to a cooperating law enforcement agency or an approved federally licensed firearms dealer. As used in this subdivision, “person” means anyone who meets the definition of “intimate partner” under 18 U.S.C. § 921(a)(32) or who qualifies as a family or household member under 15 V.S.A. § 1101, or any person who is subject to an extreme risk protection order. The court may order an alternative relinquishment to a third party if after a hearing the court finds that the alternative relinquishment adequately protects the safety of the protected parties.

(2)(A) ~~The court may order that the person relinquish the firearms, ammunition, or other weapons to a person other than a cooperating law enforcement agency or an approved federally licensed firearms dealer unless the court finds that relinquishment to the other person will not adequately protect the safety of the victim.~~

(i) Firearms shall not be held by a third party unless approved by the court using the process set forth in this subdivision (2).

(ii) A final relief from abuse hearing under 15 V.S.A. § 1103 or an extreme risk protection order hearing under 13 V.S.A. § 4053 shall not be continued solely for the purpose of approval of a third party. If the court is unable to accommodate hearing from the proposed third party at the hearing or if the defendant is not prepared to present the third party, the defendant may file a motion using a form approved by the court administrator to request a hearing at a later date on whether the proposed third party should be permitted to hold surrendered firearms.

(iii) To be considered as a third party eligible to hold surrendered firearms, the third party shall agree to undergo a background check through the National Instant Criminal Background Check System (NICS) to verify that the person is legally permitted to have a firearm. The background check required by this subdivision (iii) shall be provided to the court.

~~(B) A person to whom firearms, ammunition, or other weapons are relinquished pursuant to subdivision (2)(A) of this subsection (b)~~ The proposed third party shall execute an affidavit on a form approved by the Court Administrator stating that the person:

(i) acknowledges receipt of the firearms, ~~ammunition,~~ or other weapons;

(ii) assumes responsibility for storage of the firearms, ~~ammunition,~~ or other weapons until further order of the court, and specifies the manner in which ~~he or she~~ the person will provide secure storage of such items;

(iii) is not prohibited from owning or possessing firearms under State or federal law; and

(iv) understands the obligations and requirements of the court order, including the potential for the person to be subject to civil contempt proceedings pursuant to subdivision ~~(2)(C)~~ subdivision (b)(2) if the person permits the firearms, ~~ammunition,~~ or other weapons to be possessed, accessed, or used by the person who relinquished the item or by any other person not authorized by law to do so.

~~(C) A person to whom firearms, ammunition, or other weapons are relinquished pursuant to subdivision (2)(A) of this subsection (b)~~ third party shall be subject to civil contempt proceedings under 12 V.S.A. chapter 5 if the person permits the firearms, ammunition, or other weapons to be possessed, accessed, or used by the person who relinquished the item or by any other person not authorized by law to do so. In the event that the person required to

relinquish the firearms, ~~ammunition~~, or other weapons or any other person not authorized by law to possess the relinquished items obtains access to, possession of, or use of a relinquished item, all relinquished items shall be immediately transferred to the possession of a law enforcement agency or approved federally licensed firearms dealer pursuant to subdivision (1) of this subsection (b).

(c) Obligation to catalogue; evidentiary firearms excluded. A law enforcement agency or an approved federally licensed firearms dealer that takes possession of a firearm, ~~ammunition~~, or other weapon pursuant to subdivision (b)(1) of this section shall photograph, catalogue, and store the item in accordance with standards and guidelines established by the Department of Public Safety pursuant to ~~subdivision (i)(3)~~ subsection (k) of this section. A firearm, ~~ammunition~~, or other weapon shall not be taken into possession pursuant to this section if it is being or may be used as evidence in a pending criminal matter.

(d) Acknowledgement form. A defendant who is required to relinquish firearms pursuant to a court order issued under 15 V.S.A. chapter 21 (abuse prevention); 13 V.S.A. chapter 85, subchapter 2 (extreme risk protection orders), or any other provision of law consistent with 18 U.S.C. § 922(g)(8) shall complete a form approved by the court administrator acknowledging that surrender has occurred and documenting the holder of the firearms. The form shall be filed with the court or law enforcement, or both, as directed by the court order.

(e) Fees.

(1) A law enforcement agency that stores firearms, ~~ammunition~~, or weapons pursuant to subdivision (b)(1) of this section may charge the owner a reasonable storage fee, not to exceed:

(A) \$200.00 for the first firearm or weapon, and \$50.00 for each additional firearm or weapon for up to 15 months, prorated on the number of months the items are stored; and

(B) \$50.00 per firearm or weapon per year for each year or part thereof thereafter.

(2) A federally licensed firearms dealer that stores firearms, ~~ammunition~~, or weapons pursuant to subdivision (b)(1) of this section may charge the owner a storage fee that is reasonably related to the expenses it incurs in the administration of this section. Any federally licensed firearm dealer that certifies compliance under this section shall provide a copy of its fee schedule to the court Department of Public Safety upon request.

(3) Fees permitted by this subsection shall not begin to accrue until after the court issues a final relief from abuse order pursuant to 15 V.S.A. § 1103 or a final extreme risk protection order pursuant to 13 V.S.A. § 4053.

~~(e)(f) Sale.~~ Nothing in this section shall be construed to prohibit the lawful sale of firearms or other items.

~~(f) A final relief from abuse order issued pursuant to 15 V.S.A. § 1103 requiring a person to relinquish firearms, ammunition, or other weapons shall direct the law enforcement agency, approved federally licensed firearms dealer, or other person in possession of the items under subsection (b) of this section to release them to the owner upon expiration of the order if all applicable fees have been paid.~~

~~(g) Law enforcement storage of firearms with a federally licensed firearms dealer.~~

(1) Law enforcement agencies that do not have the capacity to store firearms or do not elect to store nonevidentiary firearms may store nonevidentiary firearms relinquished to them pursuant to a relief from abuse order, an extreme risk protection order, or any other provision of law consistent with 18 U.S.C. § 922(g)(8) with a federally licensed firearms dealer, provided that the agency provides timely notice to the person surrendering the firearm of the transfer. The notice shall include the following information:

(A) The contact information for the federally licensed firearms dealer, including the dealer's name, phone number, and current address.

(B) It is the defendant's responsibility to keep the federally licensed firearms dealer informed of any address changes.

(C) The costs of the storage fees that the defendant will be responsible for paying.

(D) If the defendant fails to retrieve the firearms within 90 days after being eligible for release, the defendant forfeits ownership of the firearms and the firearms may be sold and all proceeds retained by the federally licensed firearms dealer or law enforcement agency that provided storage.

(E) Information about how to file a request with the court to have a third party provide storage.

(F) The eligibility requirements that a proposed third party is required to meet to hold firearms.

(2) The notice required by subdivision (1) of this subsection may be provided by the federally licensed firearms dealer to the defendant directly, provided that the dealer or law enforcement agency, or both, keeps a record to document that notice was provided.

(3) Law enforcement agencies that store nonevidentiary firearms with a federally licensed firearms dealer shall provide the dealer with:

(A) the name of the owner of the firearms;

(B) contact information for the owner to include name, date of birth, phone number, and current address;

(C) docket information about the court order requiring firearms surrender; and

(D) if requested by the dealer, information about any changes to the court order.

(4) Federally licensed firearms dealers shall not be used to store firearms relinquished pursuant to a temporary relief from abuse order issued pursuant to 15 V.S.A. § 1104 or a temporary extreme risk protection order issued pursuant to 13 V.S.A. § 4054 unless the defendant consents to have the dealer hold the firearms and agrees to pay storage fees that accrue while the temporary order is in effect.

(h) Victim notification of release of firearms. Prior to releasing firearms under this section, law enforcement agencies shall make reasonable efforts to provide notice to the plaintiff at least 24 hours in advance before the firearms are released unless the plaintiff is present in court when the court order requiring relinquishment is dismissed and is orally informed on the record that firearms will be released.

(i) Release of firearms.

(1) A law enforcement agency, an approved federally licensed firearms dealer, or any other person that takes possession of firearms, ~~ammunition~~, or weapons for storage purposes pursuant to this section shall not release the items to the owner without a court order unless the items are to be sold pursuant to subdivision (2)(A) of this subsection. If a court orders the release of firearms, ~~ammunition~~, or weapons stored under this section, the law enforcement agency or firearms dealer in possession of the items shall make them available to the owner within ~~three business days of receipt of the order and in a manner consistent with federal law~~ 72 hours after completion of a background check through the National Instant Criminal Background Check System (NICS). The Supreme Court may promulgate rules under 12 V.S.A. § 1 for judicial proceedings under this subsection.

(2)(A)(i) If the owner fails to retrieve the firearm, ~~ammunition~~, or weapon and pay the applicable storage fee within 90 days of following the court order releasing the items, the firearm, ~~ammunition~~, or weapon may be sold for fair market value. Title to the items shall pass to the law enforcement agency or firearms dealer for the purpose of transferring ownership, except that the Vermont State Police shall follow the procedure described in section 2305 of this title.

(ii) The law enforcement agency or approved firearms dealer shall make a reasonable effort to notify the owner of the sale before it occurs. In no event shall the sale occur until after the court issues a final relief from abuse order pursuant to 15 V.S.A. § 1103 or a final extreme risk protection order pursuant to 13 V.S.A. § 4053.

(iii) As used in this subdivision (2)(A), “reasonable effort” shall ~~mean~~ means notice shall be served as provided for by Rule 4 of the Vermont Rules of Civil Procedure.

~~(B) Proceeds from the sale of a firearm, ammunition, or weapon pursuant to subdivision (A) of this subdivision (2) shall be apportioned as follows:~~

~~(i) unpaid storage fees and associated costs, including the costs of sale and of locating and serving the owner, shall be paid to the law enforcement agency or firearms dealer that incurred the cost; and~~

~~(ii) any proceeds remaining after payment is made to the law enforcement agency or firearms dealer pursuant to subdivision (i) of this subdivision (2)(B) shall be paid to the original owner If firearms eligible for release are not claimed by the owner, the federally licensed firearms dealer or law enforcement agency storing the firearms shall provide a certified letter to the owner’s last known address. If the firearms are not claimed within 90 days after notice by certified letter, the firearms may be sold by the dealer or law enforcement agency and the dealer or law enforcement agency may retain all proceeds from the sale.~~

~~(h)(j) Immunity.~~

~~(1) A federally licensed firearms dealer or law enforcement agency that stores firearms in accordance with this section shall be immune from:~~

~~(A) civil or criminal liability for the sale of firearms, provided that notice is provided as required by subsection (g) of this section; and~~

~~(B) civil or criminal liability for any damage or deterioration of firearms, ~~ammunition,~~ or weapons stored or transported pursuant to subsection (c) of this section.~~

~~(2) This subsection shall not apply if the damage or deterioration occurred as a result of recklessness, gross negligence, or intentional misconduct by the law enforcement agency or federally licensed firearms dealer.~~

~~(i)(k) Department of Public Safety. The Department of Public Safety shall be responsible for the implementation and establishment of standards and guidelines to carry out this section. To carry out this responsibility, the Department shall:~~

(1) Establish minimum standards to be a qualified storage location and maintain a list of qualified storage locations, including:

(A) federally licensed firearms dealers that annually certify compliance with the Department's standards to receive firearms, ~~ammunition~~, or other weapons pursuant to subdivision (b)(2) of this section; and

(B) cooperating law enforcement agencies.

(2) Adopt a policy that encourages and supports federally licensed firearms dealers to provide storage for prohibited persons.

(3) Establish a fee schedule consistent with the fees established in this section for the storage of firearms and other weapons by law enforcement agencies pursuant to this section.

(3)(4) Establish standards and guidelines to provide for the storage of firearms, ~~ammunition~~, and other weapons pursuant to this section by law enforcement agencies. Such guidelines shall provide that:

(A) with the consent of the law enforcement agency taking possession of a firearm, ~~ammunition~~, or weapon under this section, an owner may provide a storage container for the storage of such relinquished items;

(B) the law enforcement agency that takes possession of the firearm, ~~ammunition~~, or weapon may provide a storage container for the relinquished item or items at an additional fee; and

(C) the law enforcement agency that takes possession of the firearm, ~~ammunition~~, or weapon shall present the owner with a receipt at the time of relinquishment that includes the serial number and identifying characteristics of the firearm, ~~ammunition~~, or weapon and record the receipt of the item or items in a log to be established by the Department.

(4)(5) Report on January 15, 2015, and annually thereafter to the House and Senate Committees on Judiciary on the status of the program. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subdivision.

Sec. 2. 20 V.S.A. § 2308 is added to read:

§ 2308. STATEWIDE MODEL POLICY PROHIBITING FIREARMS
ACCESS BY PROHIBITED PERSONS

(a) On or before December 30, 2026, the Department of Public Safety shall direct the Law Enforcement Advisory Board (LEAB) to adopt a statewide model law enforcement policy addressing firearms access by persons who are prohibited from possessing firearms pursuant to relief from abuse orders, extreme risk protection orders, or other legal prohibitions. The policy shall

create a legal, safe, and fair process, including necessary forms and delineated roles and responsibilities, for law enforcement agencies interacting with federally licensed firearms dealers that are storing firearms for prohibited persons. The policy shall address the following:

(1) legal removal of firearms from the scene of a domestic violence incident;

(2) steps for inquiry and lawful removal of firearms by law enforcement when serving protective orders;

(3) a process for notifying the plaintiff about service and relinquishment, appropriate handling, and storage of firearms;

(4) procedures for storage of firearms with federally licensed firearms dealers and third parties, including informing the defendant about the option of third-party storage; and

(5) methods of data collection about the number and type of firearms surrendered, including descriptions of the firearms.

(b) On or before June 30, 2027, every state, county, and municipal law enforcement agency shall adopt a model firearms surrender policy that includes each component of the LEAB model. If an agency has not adopted a policy on or before June 30, 2027, the agency shall be deemed to have adopted, and shall follow and enforce, the LEAB model.

Sec. 3. 13 V.S.A. § 4059 is amended to read:

§ 4059. RELINQUISHMENT, STORAGE, AND RETURN OF
DANGEROUS WEAPONS

(a) A person who is required to relinquish a dangerous weapon other than a firearm in the person's possession, custody, or control by an extreme risk protection order issued under section 4053, 4054, or 4055 of this title shall upon service of the order immediately relinquish the dangerous weapon to a cooperating law enforcement agency. The law enforcement agency shall transfer the weapon to the Bureau of Alcohol, Tobacco, Firearms and Explosives for proper disposition.

~~(b)(1) A person who is required to relinquish a firearm in the person's possession, custody, or control by an extreme risk protection order issued under section 4053, 4054, or 4055 of this title shall, unless the court orders an alternative relinquishment pursuant to subdivision (2) of this subsection, upon service of the order immediately relinquish the firearm to a cooperating law enforcement agency or an approved federally licensed firearms dealer~~ relinquish the firearm pursuant to the procedures required by 20 V.S.A. § 2307.

~~(2)(A) The court may order that the person relinquish a firearm to a person other than a cooperating law enforcement agency or an approved federally licensed firearms dealer unless the court finds that relinquishment to the other person will not adequately protect the safety of any person.~~

~~(B) A person to whom a firearm is relinquished pursuant to subdivision (A) of this subdivision (2) shall execute an affidavit on a form approved by the Court Administrator stating that the person:~~

~~(i) acknowledges receipt of the firearm;~~

~~(ii) assumes responsibility for storage of the firearm until further order of the court and specifies the manner in which he or she will provide secure storage;~~

~~(iii) is not prohibited from owning or possessing firearms under State or federal law; and~~

~~(iv) understands the obligations and requirements of the court order, including the potential for the person to be subject to civil contempt proceedings pursuant to subdivision (C) of this subdivision (2) if the person permits the firearm to be possessed, accessed, or used by the person who relinquished the item or by any other person not authorized by law to do so.~~

~~(C) A person to whom a firearm is relinquished pursuant to subdivision (A) of this subdivision (2) shall be subject to civil contempt proceedings under 12 V.S.A. chapter 5 if the person permits the firearm to be possessed, accessed, or used by the person who relinquished the item or by any other person not authorized by law to do so. In the event that the person required to relinquish the firearm or any other person not authorized by law to possess the relinquished item obtains access to, possession of, or use of a relinquished item, all relinquished items shall be immediately transferred to the possession of a law enforcement agency or approved federally licensed firearms dealer pursuant to subdivision (b)(1) of this section.~~

~~(c) A law enforcement agency or an approved federally licensed firearms dealer that takes possession of a firearm pursuant to subdivision (b)(1) of this section shall photograph, catalogue, and store the item in accordance with standards and guidelines established by the Department of Public Safety pursuant to 20 V.S.A. § 2307(i)(3). [Repealed.]~~

~~(d) Nothing in this section shall be construed to prohibit the lawful sale of firearms or other items. [Repealed.]~~

~~(e) An extreme risk protection order issued pursuant to section 4053 of this title or renewed pursuant to section 4055 of this title shall direct the law enforcement agency, approved federally licensed firearms dealer, or other person in possession of a firearm under subsection (b) of this section to release it to the owner upon expiration of the order. [Repealed.]~~

~~(f)(1) A law enforcement agency, an approved federally licensed firearms dealer, or any other person who takes possession of a firearm for storage purposes pursuant to this section shall not release it to the owner without a court order unless the firearm is to be sold pursuant to subdivision (2)(A) of this subsection. If a court orders the release of a firearm stored under this section, the law enforcement agency or firearms dealer in possession of the firearm shall make it available to the owner within three business days after receipt of the order and in a manner consistent with federal law.~~

~~(2)(A)(i) If the owner fails to retrieve the firearm within 90 days after the court order releasing it, the firearm may be sold for fair market value. Title to the firearm shall pass to the law enforcement agency or firearms dealer for the purpose of transferring ownership, except that the Vermont State Police shall follow the procedure described in 20 V.S.A. § 2305.~~

~~(ii) The law enforcement agency or firearms dealer shall make a reasonable effort to notify the owner of the sale before it occurs. In no event shall the sale occur until after the court issues a final extreme risk protection order pursuant to section 4053 of this title.~~

~~(iii) As used in this subdivision (2)(A), "reasonable effort" shall mean notice shall be served as provided for by Rule 4 of the Vermont Rules of Civil Procedure.~~

~~(B) Proceeds from the sale of a firearm pursuant to subdivision (A) of this subdivision (2) shall be apportioned as follows:~~

~~(i) associated costs, including the costs of sale and of locating and serving the owner, shall be paid to the law enforcement agency or firearms dealer that incurred the cost; and~~

~~(ii) any proceeds remaining after payment is made to the law enforcement agency or firearms dealer pursuant to subdivision (i) of this subdivision (2)(B) shall be paid to the original owner. [Repealed.]~~

~~(g) A law enforcement agency shall be immune from civil or criminal liability for any damage or deterioration of a firearm stored or transported pursuant to this section. This subsection shall not apply if the damage or deterioration occurred as a result of recklessness, gross negligence, or intentional misconduct by the law enforcement agency. [Repealed.]~~

~~(h) This section shall be implemented consistent with the standards and guidelines established by the Department of Public Safety under 20 V.S.A. § 2307(i). [Repealed.]~~

(i) Notwithstanding any other provision of this chapter:

(1) A dangerous weapon shall not be returned to the respondent if the respondent's possession of the weapon would be prohibited by state or federal law.

(2) A dangerous weapon shall not be taken into possession pursuant to this section if it is being or may be used as evidence in a pending criminal matter.

and that after passage the title of the bill be amended to read: "An act relating to firearms relinquishment and storage procedures"

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.

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.

House Proposal of Amendment Concurred In

S. 209.

House proposal of amendment to Senate bill entitled:

An act relating to prohibiting civil arrest in sensitive locations.

Was taken up.

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

Sec. 1. 12 V.S.A. § 3577 is amended to read:

§ 3577. PRIVILEGE FROM ARREST

(a) The Governor, Lieutenant Governor, State Treasurer, Secretary of State, Auditor of Accounts, Attorney General, and members of the General Assembly and officers and witnesses whose duty it is to attend thereon, in all cases except treason, felony, and breach of the peace, shall be privileged from arrest and imprisonment during their necessary attendance on and in going to and returning from the General Assembly.

(b) A party or witness in a cause pending in any court in the State or before special masters, auditors, referees, or commissioners, and a witness in a criminal cause pending in any such court, shall not be arrested, imprisoned, or detained by virtue of civil process. Any witness summoned from outside the State in a criminal cause, pending in any court within the State, shall be privileged from the service of papers of any kind whatsoever, and from arrest for any cause while going to, attending at, or returning from such court or trial of such cause.

(c)(1) Prohibition. A person shall not be subject to civil arrest while:

(A) traveling to, entering, remaining at, or returning from a:

(i) court proceeding; or

(ii) educational institution; or

(B) on the premises of a:

(i) building owned and wholly controlled by the State or a political subdivision of the State where members of the public may enter in order to conduct governmental business;

(ii) office operated by the Department of Motor Vehicles that is open to the public;

(iii) public library;

(iv) polling place;

(v) social services establishment, which includes a crisis center, domestic violence shelter, victim services center, child advocacy center, supervised visitation center, family justice center, facility that serves disabled persons, homeless shelter, substance use disorder counseling and treatment facility, and food pantry or similar establishment that distributes food or other essentials of life to persons in need;

(vi) place of worship;

(vii) facility licensed as a children's camp or that serves as a day camp; or

(viii) health care facility.

(2) Exceptions. Subdivision (1) of this subsection shall not apply to:

(A) an arrest pursuant to a judicially issued warrant or a court order;

(B) an arrest for contempt of the court where the proceeding is occurring; or

(C) an arrest to maintain order or safety in the court where the proceeding is occurring.

(3) Remedies.

(A) A person who violates this subsection (c) by knowingly and willfully executing ~~or assisting with~~ an arrest prohibited by subdivision (1) of this subsection (c) ~~shall be subject to contempt proceedings and:~~

(i) may be liable in a civil action for false imprisonment; and

(ii) shall be subject to contempt proceedings, if the arrest is pursuant to subdivision (1)(A)(i) of this subsection (c).

(B) A person who is arrested in violation of subdivision (1) of this subsection (c) may bring a civil action against the violator for damages; injunctive, equitable, or declaratory relief; punitive damages; and reasonable costs and attorney's fees.

(C) The Office of the Attorney General may bring a civil action on behalf of the State of Vermont for appropriate injunctive, equitable, or declaratory relief if there is reasonable cause to believe that a violation of subdivision (1) of this subsection (c) has occurred or will occur.

(D) No action under this subsection (c) shall be brought against the Judiciary or any of its members or employees for actions taken to maintain order or safety in the courts.

(E) This section shall not be construed to limit or infringe upon any right, privilege, or remedy available under common law or any other provision of law or rule.

(F) Notwithstanding section 3578 of this title, the protections and remedies afforded by this subsection (c) apply irrespective of when the privilege against civil arrest is invoked.

(4) ~~Definition~~ Definitions. As used in this subsection;

(A)(i) ~~“civil~~ Civil arrest” means an arrest for purposes of obtaining a person's presence or attendance at a civil proceeding, including an immigration proceeding.

(ii) “Civil arrest” does not include:

(I) temporary custody of a person pending a warrant pursuant to 18 V.S.A. § 7505(b); or

(II) holding a person for admission to a hospital for an emergency examination pursuant to 18 V.S.A. § 7504.

(B) “Children's camp” has the same meaning as in 18 V.S.A. § 4301.

(C)(i) “Educational institution” means:

- (I) a public school, as that term is defined in 16 V.S.A. § 11(7);
 - (II) an independent school, as that term is defined in 16 V.S.A. § 11(8);
 - (III) a regional CTE center, as that term is defined in 16 V.S.A. § 1522(4);
 - (IV) an approved education program, as that term is defined in 16 V.S.A. § 11(34);
 - (V) a prequalified private provider, as that term is defined in 16 V.S.A. § 829(a)(3);
 - (VI) a postsecondary school, as that term is defined in 16 V.S.A. § 176(b)(1);
 - (VII) an educational program operated by a board of cooperative education services pursuant to 16 V.S.A. chapter 10;
 - (VIII) a tutorial program, as that term is defined in 16 V.S.A. § 11(27); and
 - (IX) an adult education and secondary credential program operated pursuant to 16 V.S.A. § 945.
- (ii) “Educational institution” also extends to grounds operated by, activities sponsored by, transportation provided by, and programs related to educational institutions.

(D) “Health care facility” has the same meaning as in 18 V.S.A. § 9402(6).

(E) “Polling place” means a place that a municipality has designated to the Secretary of State as a polling place pursuant to 17 V.S.A. § 2502(f).

(F) “Public library” has the same meaning as in 22 V.S.A. § 101.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Thereupon, the question, Shall the Senate concur in the House proposal of amendment?, was decided in the affirmative.

Proposal of Amendment; Third Reading Ordered**H. 931.**

Senator Hashim, for the Committee on Education, to which was referred House bill entitled:

An act relating to miscellaneous changes in education law.

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:

* * * Approved Independent School Moratorium * * *

Sec. 1. 2023 Acts and Resolves No. 78, Sec. E.511.1, as amended by 2025 Acts and Resolves No. 72, Sec. 16, is amended to read:

Sec. E.511.1 MORATORIUM ON APPROVAL OF NEW APPROVED
INDEPENDENT SCHOOLS

(a) Notwithstanding any provision of law to the contrary, the State Board of Education shall be prohibited from approving an application for initial approval of an approved independent school until further direction by the General Assembly.

(b) Notwithstanding subsection (a) of this section, a change in either tax status or conversion to a nonprofit organization by a therapeutic approved independent school, absent any other changes, shall not affect the approval status of the school.

(c) Notwithstanding subsections (a) and (b) of this section, the moratorium on approval of new approved independent schools shall not apply to changes in ownership of therapeutic approved independent schools as that term is defined in 16 V.S.A. § 828(d). If submission of an application for initial approval of an approved independent school is required as the result of a change in ownership of a therapeutic approved independent school that at the time of the change in ownership is approved by the State Board of Education pursuant to 16 V.S.A. § 166, and the school will remain a therapeutic approved independent school after the change in ownership is complete, the moratorium created pursuant to subsection (a) of this section shall not apply and the Agency of Education and State Board of Education shall process the application according to applicable State and federal law.

* * * Interstate Compact for Education * * *

Sec. 2. 16 V.S.A. chapter 35 is added to read:

CHAPTER 35. INTERSTATE COMPACT FOR EDUCATION

§ 1501. PURPOSE AND POLICY—ARTICLE I

(a) It is the purpose of this compact to:

(1) establish and maintain close cooperation and understanding among executive, legislative, professional educational, and lay leadership on a nationwide basis at the state and local levels;

(2) provide a forum for the discussion, development, crystallization, and recommendation of public policy alternatives in the field of education;

(3) provide a clearinghouse of information on matters relating to education problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education;

(4) facilitate the improvement of state and local education systems so that all of them will be able to meet adequate and desirable goals in a society that requires continuous qualitative and quantitative advance in educational opportunities, methods, and facilities.

(b) It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement, and administration of education systems and institutions in a manner that will accord with the needs and advantages of diversity among localities and states.

(c) The party states recognize that each of them has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own education systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare, and economic advancement of each state are supplied in significant part by persons educated in other states.

§ 1502. STATE DEFINED—ARTICLE II

As used in this compact, “state” means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

§ 1503. THE COMMISSION—ARTICLE III

(a) The Education Commission of the States, hereinafter called “the Commission,” is hereby established. The Commission shall consist of seven members representing each party state. One of such members shall be the governor; two shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; and four shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. If the laws of a state prevent legislators from serving on the Commission, six members shall be appointed and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the Commission, the guiding principle for the composition of the membership on the Commission from each party state shall be that the members representing such state shall, by virtue of their training, experience, knowledge, or affiliations, be in a position collectively to reflect broadly the interests of the state government, higher education, the state education system, local education, and lay and professional, public and nonpublic educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the Commission representing the party states, there may be not to exceed 10 nonvoting commissioners selected by the Steering Committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

(b) The members of the Commission shall be entitled to one vote each on the Commission. No action of the Commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the Commission are cast in favor thereof. Action of the Commission shall be only at a meeting at which a majority of the commissioners are present. The Commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the Commission may delegate the exercise of any of its powers to the Steering Committee or the Executive Director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to section 1504 of this chapter, and adoption of the annual report pursuant to subsection (j) of this section.

(c) The Commission shall have a seal.

(d) The Commission shall elect annually, from among its members, a chairman, who shall be a governor; a vice chairman; and a treasurer. The Commission shall provide for the appointment of an Executive Director. Such Executive Director shall serve at the pleasure of the Commission, and together with the Treasurer and such other personnel as the Commission may deem appropriate shall be bonded in such amount as the Commission shall determine. The Executive Director shall be Secretary.

(e) Irrespective of the civil service, personnel, or other merit system laws of any of the party states, the Executive Director, subject to the approval of the Steering Committee, shall appoint, remove, or discharge such personnel as may be necessary for the performance of the functions of the Commission and shall fix the duties and compensation of such personnel. The Commission in its bylaws shall provide for the personnel policies and programs of the Commission.

(f) The Commission may borrow, accept, or contract for the services of personnel from any party jurisdiction, the United States or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party jurisdictions or their subdivisions.

(g) The Commission may accept for any of its purposes and functions under this compact any and all donations and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association, foundation or corporation, and may receive, utilize, and dispose of the same. Any donation or grant accepted by the Commission pursuant to this subsection or services borrowed pursuant to subsection (f) of this section shall be reported in the annual report of the Commission. Such report shall include the nature, amount, and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.

(h) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

(i) The Commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The Commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto with the appropriate agency or officer in each of the party states.

(j) The Commission annually shall make to the governor and legislature of each party state a report covering the activities of the Commission for the preceding year. The Commission may make such additional reports as it may deem desirable.

§ 1504. POWERS—ARTICLE IV

In addition to authority conferred on the Commission by other provisions of the Compact, the Commission shall have authority to:

(1) collect, correlate, analyze, and interpret information and data concerning educational needs and resources;

(2) encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public education systems;

(3) develop proposals for adequate financing of education as a whole and at each of its many levels;

(4) conduct or participate in research of the types referred to in this section in any instance where the Commission finds that such research is necessary for the advancement of the purposes and policies of this compact, using fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private;

(5) formulate suggested policies and plans for the improvement of public education as a whole, or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies, and public officials;

(6) do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

§ 1505. COOPERATION WITH FEDERAL GOVERNMENT—ARTICLE V

(a) If the laws of the United States specifically so provide, or if administrative provision is made therefore within the federal government, the United States may be represented on the Commission by not to exceed 10 representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the Commission.

(b) The Commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common education policies of the states, and may advise with any such agencies or officers concerning any matter of mutual interest.

§ 1506. COMMITTEES—ARTICLE VI

(a) To assist in the expeditious conduct of its business when the full Commission is not meeting, the Commission shall elect a Steering Committee of 32 members which, subject to the provisions of this compact and consistent with the policies of the Commission, shall be constituted and function as provided in the bylaws of the Commission. One-fourth of the voting membership of the Steering Committee shall consist of governors, one-fourth shall consist of legislators, and the remainder shall consist of other members of the Commission. A federal representative on the Commission may serve with the Steering Committee, but without vote. The voting members of the Steering Committee shall serve for terms of two years, except that members elected to the first Steering Committee of the Commission shall be elected as follows: 16 for one year and 16 for two years. The Chairman, Vice Chairman, and Treasurer of the Commission shall be members of the Steering Committee and, anything in this subsection to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the Steering Committee shall not affect its authority to act, but the Commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the Steering Committee, provided that service for a partial term of one year or less shall not be counted toward the two-term limitation.

(b) The Commission may establish advisory and technical committees composed of state, local and federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to two or more of the party states.

(c) The Commission may establish such additional committees as its bylaws may provide.

§ 1507. FINANCE—ARTICLE VII

(a) The Commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.

(b) The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the Commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.

(c) The Commission shall not pledge the credit of any party states. The Commission may meet any of its obligations in whole or in part with funds available to it pursuant to subsection 1503(g) of this chapter of this compact, provided that the Commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the Commission makes funds available to it pursuant to subsection 1503(g) of this chapter thereof, the Commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

(d) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the Commission.

(e) The accounts of the Commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the Commission.

(f) Nothing contained herein shall be construed to prevent Commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the Commission.

§ 1508. ELIGIBLE PARTIES; ENTRY INTO AND WITHDRAWAL—
ARTICLE VIII

(a) This compact shall have as eligible parties all states, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term “governor,” as used in this compact, shall mean the closest equivalent official of such jurisdiction.

(b) Any state or other eligible jurisdiction may enter into this compact, and it shall become binding thereon when it has adopted the same, provided that in order to enter into initial effect, adoption by at least 10 eligible party jurisdictions shall be required.

(c) Adoption of the Compact may be either by enactment thereof or by adherence thereto by the governor; provided that in the absence of enactment, adherence by the governor shall be sufficient to make his state a party only until December 31, 1967. During any period when a state is participating in this compact through gubernatorial action, the governor shall appoint

those persons who, in addition to himself, shall serve as the members of the Commission from his state, and shall provide to the Commission an equitable share of the financial support of the Commission from any source available to him.

(d) Except for a withdrawal effective on December 31, 1967, in accordance with subsection (c) of this section, any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

§ 1509. AMENDMENTS TO THE COMPACT—ARTICLE IX

This Compact may be amended by a vote of two-thirds of the members of the Commission present and voting when ratified by the legislatures of two-thirds of the party states.

§ 1510. CONSTRUCTION AND SEVERABILITY—ARTICLE X

This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable, and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the Compact shall remain in full force and effect as to the state affected as to all severable matters.

* * * Background Checks * * *

Sec. 3. 16 V.S.A. § 254a is added to read:

§ 254a. AGENCY OF EDUCATION EMPLOYEES

(a) The Agency of Education shall request criminal record information for a person the Secretary of Education is prepared to recommend for any full-time, part-time, or temporary employment or contractual relationship with the Agency if such person will have or has the potential to have unsupervised contact with students (the applicant).

(b) After signing a user agreement, the Secretary shall make a request for criminal records directly to the Vermont Crime Information Center.

(c) A request made under subsection (b) of this section shall be accompanied by a release signed by the applicant on a form provided by the Vermont Crime Information Center and a set of the applicant's fingerprints. The Agency shall pay the fingerprinting fee required pursuant to 20 V.S.A. § 2062 and shall pay any fee required by the FBI associated with a fingerprint-supported criminal record check. The release form to be signed by the applicant shall include a statement informing the applicant of:

(1) the right to challenge the accuracy of the record by appealing to the Vermont Crime Information Center pursuant to rules adopted by the Commissioner of Public Safety; and

(2) the Secretary of Education's policy regarding maintenance and destruction of records and the applicant's right to request that the record or notice be maintained for purposes of using it to comply with future criminal record check requests made pursuant to section 256 of this title.

(d) Upon completion of a criminal record check, the Vermont Crime Information Center shall send to the Secretary a notice that no record exists or, if a record exists, a copy of any criminal record. If a copy of a criminal record is received, the Secretary shall forward it to the applicant and shall inform the applicant in writing of:

(1) the right to challenge the accuracy of the record by appealing to the Vermont Crime Information Center pursuant to rules adopted by the Commissioner of Public Safety; and

(2) the Secretary of Education's policy regarding maintenance and destruction of records and the applicant's right to request that the record or notice be maintained for purposes of using it to comply with future criminal record check requests made pursuant to section 256 of this title.

(e) The Secretary shall request and obtain information from the Child Protection Registry maintained by the Department for Children and Families and from the Vulnerable Adult Abuse, Neglect, and Exploitation Registry maintained by the Department of Disabilities, Aging, and Independent Living (collectively, the Registries) for any applicant for whom a criminal record check is required under subsection (a) of this section. The Departments for Children and Families and of Disabilities, Aging, and Independent Living shall adopt rules in accordance with 3 V.S.A. chapter 25 governing the process for obtaining information from the Registries and for disseminating and maintaining records of that information under this subsection.

(f) An applicant convicted of a sex offense that requires registration pursuant to 13 V.S.A. chapter 167, subchapter 3 shall not be eligible for employment with the Agency.

Sec. 4. 16 V.S.A. § 256 is amended to read:

§ 256. CONTINUED VALIDITY OF CRIMINAL RECORD CHECK;
MAINTENANCE OF RECORDS

(a)(1) Anyone required to request a criminal record check under this subchapter about a person who previously has undergone a check, regardless of whether the check was for student teaching, licensure, or employment purposes, shall comply with that requirement by acquiring the results of the previous criminal record check unless:

(A) the person refuses to authorize release of the information;

(B) the record no longer exists;

(C) since the record check, there has been a period of one year or more during which the person has not worked for a Vermont school district or, a recognized or an approved independent school, or the Agency of Education;
or

(D) as otherwise required by this chapter.

(2) Anyone required to request a criminal record check under this subchapter about a person who has previously undergone a check may request a name and date of birth or fingerprint-supported recheck of the criminal record at any time during the course of the record subject's employment in the capacity for which the original check was required. Rechecking criminal records may be accomplished through a subscription service.

* * *

* * * Intercollegiate Sexual Harm Prevention Council * * *

Sec. 5. 16 V.S.A. § 183 is amended to read:

§ 183. INTERCOLLEGIATE SEXUAL HARM PREVENTION COUNCIL

(a) Creation. There is created the Intercollegiate Sexual Harm Prevention Council to ~~create a coordinated~~ advance best practices for prevention of and response to campus sexual harm across institutions of higher learning in Vermont.

(b) Membership.

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

(A)(1) ~~a the Title IX coordinator and a campus-based sexual harm prevention/education coordinator from an institution of higher learning, appointed by the Chancellor of the Vermont State Colleges or designee from each postsecondary school chartered in Vermont with a physical campus located within Vermont;~~

~~(B)(2) a Title IX coordinator and a campus-based sexual harm prevention/education coordinator from an institution of higher learning, appointed by the President of the University of Vermont a peer educator or advocate appointed by the Vice Provost for Student Affairs of the University of Vermont;~~

~~(C)(3) a Title IX coordinator and a campus-based sexual harm prevention/education coordinator from an institution of higher learning, appointed by the President of the Association of Vermont Independent Colleges the Executive Director of the Network Against Domestic and Sexual Violence or designee;~~

~~(D)(4) two community-based sexual violence advocates, appointed by the Network Against Domestic and Sexual Violence the Program Coordinator of the Vermont Forensic Nursing Program or designee; and~~

~~(E)(5) two law enforcement or public safety representatives with experience responding to and investigating campus sexual violence, appointed by the Commissioner of Public Safety; the Commissioner of Public Safety or designee.~~

~~(F) three college students, at least one of whom has lived experience as a sexual violence survivor and one who represents a campus-based racial justice organization, appointed by the Center for Crime Victim Services;~~

~~(G) a person with expertise in sexual violence responses within the lesbian, gay, bisexual, transgender, and queer community, appointed by the Center for Crime Victim Services;~~

~~(H) a sexual assault nurse examiner, appointed by the Network Against Domestic and Sexual Violence;~~

~~(I) a prosecutor with experience in prosecuting sexual violence cases from either the Department of State's Attorneys and Sheriffs or the Office of the Attorney General, appointed by the Attorney General; and~~

~~(J) an attorney with experience in sexual violence cases, appointed by the Defender General.~~

~~(2) To ensure a council that is reflective of Vermont's college campuses, appointing authorities shall consider diversity when making appointments to the Council.~~

(c) Duties. The Council shall:

(1) review the recommendations from the Report of the Vermont Campus Sexual Harm Task Force and develop prevention solutions to sexual harm based on those recommendations; [Repealed.]

~~(2) implement interdisciplinary planning and information sharing to support sexual violence prevention programs on every college campus in Vermont; [Repealed.]~~

~~(3) undertake an annual review of trends in aggregate data collected by institutions of higher learning regarding sexual violence on college campuses in Vermont; [Repealed.]~~

~~(4) identify and share information about effective practices on regarding sexual violence prevention and response, sexual health education, and strategies for mitigating sexual harm and secondary impacts of sexual harm on college campuses in Vermont;~~

~~(5) identify share information about campus-wide activities, publications, and services that promote a campus culture of respect to support the prevention of sexual harm;~~

~~(6) recommend statutory protections to the General Assembly not later than November 1, 2021 to ensure that survivors of sexual harm are not punished for reporting an incident of sexual violence due to alcohol, drug use, or other minor conduct violations occurring at or around the time of an assault; and [Repealed.]~~

~~(7) create or promote annual share information about training opportunities addressing prevention and sexual assault response processes open to representatives from all Vermont postsecondary schools for college populations.~~

~~(d) Assistance. The Council shall have the administrative and technical assistance of the Network Against Domestic and Sexual Violence. [Repealed.]~~

~~(e) Report. On or before December 1, 2022 and annually thereafter, the Council shall submit a written report to the General Assembly with a summary of activities and any recommendations for legislative action. [Repealed.]~~

(f) Meetings.

(1) The Network Against Domestic and Sexual Violence shall call the first meeting of the Council to occur on or before ~~July 15, 2021~~ November 15, 2026.

(2) The Council shall select ~~a chair~~ co-chairs from among its members at the first meeting, with one chair representing a public postsecondary school and one chair representing a private postsecondary school.

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

(4) The Council shall meet ~~quarterly~~ twice per year.

~~(5) Members who are not otherwise compensated by the member's employer for attendance at meetings shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010. These payments shall be made from monies appropriated to the Network Against Domestic and Sexual Violence for such purposes. The co-chairs shall provide the Council with administrative support.~~

(6) The Council may invite or consult other community representatives as it deems appropriate.

* * * Hazing, Harassment, and Bullying Advisory Council * * *

Sec. 6. 16 V.S.A. § 570 is amended to read:

§ 570. HARASSMENT, HAZING, AND BULLYING PREVENTION
POLICIES

* * *

(d) Duties of the Secretary. The Secretary shall:

(1) ~~develop and, from time to time, update model harassment, hazing, and bullying prevention policies; and~~

~~(2) establish an Advisory Council to review and coordinate school and statewide activities relating to the prevention of and response to harassment, hazing, and bullying. The Council shall report annually in January to the State Board and the House and Senate Committees on Education. The Council shall include:~~

~~(A) the Executive Director of the Vermont Principals' Association or designee;~~

~~(B) the Executive Director of the Vermont School Boards Association or designee;~~

~~(C) the Executive Director of the Vermont Superintendents Association or designee;~~

~~(D) the President of the Vermont National Education Association or designee;~~

~~(E) the Executive Director of the Vermont Human Rights Commission or designee;~~

~~(F) the Executive Director of the Vermont Independent Schools Association or designee; and~~

~~(G) other members selected by the Secretary, at least one of whom shall be a current secondary student who has witnessed or experienced harassment, hazing, or bullying in the school environment; and~~

(3) provide the Advisory Council with administrative support.

(e) Advisory Council on Harassment, Hazing, and Bullying Prevention in Schools.

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

(A) the Executive Director of the Vermont Principals' Association or designee;

(B) the Executive Director of the Vermont School Boards Association or designee;

(C) the Executive Director of the Vermont Superintendents Association or designee;

(D) the President of the Vermont-National Education Association or designee;

(E) the Executive Director of the Vermont Human Rights Commission or designee;

(F) the Executive Director of the Vermont Independent Schools Association or designee;

(G) two members who serve as designated employees under the hazing, harassment, and bullying prevention policy, appointed by the Secretary of Education;

(H) a member, appointed by the Vermont Educational Equity Collective;

(I) a school social worker, appointed by the National Association of Social Workers-Vermont Chapter;

(J) a member, appointed by the Vermont Coalition for Disability Rights;

(K) a student member, appointed by the Vermont Student Anti-Racism Network;

(L) a student member, appointed by Outright Vermont;

(M) a member, appointed by the Office of Racial Equity;

(N) a member, appointed by the Commission on Women;

(O) a member, appointed by the Vermont Network Against Domestic and Sexual Violence; and

(P) a parent or caregiver member, appointed by the Vermont Family Network.

(2) Duties. The Advisory Council shall:

(A) meet at least four and not more than 12 times per year;

(B) review and advise on coordination of school and statewide activities relating to the prevention of and response to harassment, hazing, and bullying;

(C) review the model harassment, hazing, and bullying prevention policies developed by the Secretary every three years, beginning in 2026, and recommend updates to the policies as necessary;

(D) review and advise on resources on harassment, hazing, and bullying prevention and response for school professionals;

(E) annually solicit input from students, parents, and schools on harassment, hazing, and bullying; and

(F) notwithstanding 2 V.S.A. § 20(d), annually on or before January 15, submit a written report to House and Senate Committees on Education, which shall hold a joint legislative hearing each legislative session to review the report. The Advisory Council shall also submit the report to the State Board of Education at the same time.

(3) Compensation and reimbursement. Members of the Advisory Council shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 12 meetings of the Advisory Council per year from funds appropriated to the Agency of Education.

(e)(f) Definitions. In this subchapter:

(1) “Educational institution” and “school” mean a public school or an approved or recognized independent school as defined in section 11 of this title.

(2) “Organization,” “pledging,” and “student” have the same meanings as in section 570i of this title.

(3) “Harassment,” “hazing,” and “bullying” have the same meanings as in subdivisions 11(a)(26), (30), and (32) of this title.

(4) “School board” means the board of directors or other governing body of an educational institution when referring to an independent school.

Sec. 7. APPROPRIATION

The sum of \$21,000.00 is appropriated from the General Fund to the Agency of Education in fiscal year 2027 for per diem compensation and reimbursement of expenses for the Advisory Council on Harassment, Hazing, and Bullying Prevention as authorized pursuant to 16 V.S.A. § 570(e)(3).

* * * Energy Performance Contracting * * *

Sec. 8. 16 V.S.A. § 3448f(a)(1) is amended to read:

(1) “Cost-saving measure” means any facility improvement, repair, addition, or alteration or any equipment, fixture, or furnishing to be constructed or installed in any facility that is designed to reduce energy consumption and operating costs or to increase the operating efficiency of facilities for their appointed functions, that is cost effective, and that is further defined by State Board rule.

* * * Effective Date * * *

Sec. 9. 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 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 Education.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and pending the question, Shall the Senate propose to the House that the bill be amended as recommended by the Committee on Education?, Senator Heffernan moved to amend the proposal of amendment of the Committee on Education by adding a reader assistance heading and one new section to be Sec. 8a. to read as follows:

* * * Commission on Public School Employee Health Benefits Dispute
Resolution * * *

Sec. 8a. 16 V.S.A. § 2105 is amended to read:

§ 2105. DISPUTE RESOLUTION

* * *

(b)(1) If the Commission is unable to resolve all matters remaining in dispute within 30 days after receiving the fact finder’s report, the Commission shall submit the matters remaining in dispute to the VLRB, arbitrator, or arbitrators selected pursuant to section 2104 of this chapter for resolution.

(2) The representatives of school employees and the representatives of school employers shall submit to the VLRB, arbitrator, or arbitrators their last best offer on all issues remaining in dispute prior to the VLRB or arbitration hearing. The VLRB, arbitrator, or arbitrators shall select ~~one of the last best offers without amendment, submitted by the parties prior to the VLRB or arbitration hearing in its entirety without amendment~~ between the last best offer of each party on an issue-by-issue basis, with or without amendment. The parties shall not be permitted to modify their last best offers post hearing. Prior to the issuance of the decision of the VLRB, arbitrator, or arbitrators, nothing shall prohibit the parties from settling the matters in dispute.

* * *

Thereupon, pending the question, Shall the proposal of amendment of the Committee on Education be amended as recommended by Senator Heffernan?, Senator Hashim raised a *point of order* under Sec. 402 of Mason's Manual of Legislative Procedure on the grounds that the proposal of amendment offered by Senator Heffernan was *not germane* to the proposal of amendment and therefore could not be considered by the Senate.

The President *overruled* the point of order and ruled that the proposal of amendment was *germane*. Sec 402 of Mason's Manual of Legislative Procedure provides that every amendment must be germane to the subject of the proposal to be amended. To determine whether an amendment is germane the question to be answered is whether the amendment is relevant, appropriate, and in a natural or logical sequence to the subject matter of the original proposal. H. 931 is a miscellaneous education bill which covers a number of educational subjects and therefore the proposal is germane.

Thereupon, the pending question, Shall the proposal of amendment of the Committee on Education be amended as recommended by Senator Heffernan?, was disagreed to, on a roll call, Yes 11, Nays 19.

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

Roll Call

Those Senators who voted in the affirmative were: Beck, Benson, Brennan, Collamore, Heffernan, Ingalls, Mattos, Morley, Norris, Weeks, Williams.

Those Senators who voted in the negative were: Baruth, Bongartz, Brock, Chittenden, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Lyons, Major, Perchlik, Plunkett, Ram Hinsdale, Vyhovsky, Watson, Westman, White.

Thereupon, the proposal of amendment of the committee on Education was agreed to, and third reading was ordered.

House Proposal of Amendment Concurred In**S. 189.**

House proposal of amendment to Senate bill entitled:

An act relating to establishing a process for reducing or eliminating hospital services.

Was taken up.

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

Sec. 1. 18 V.S.A. § 9405d is added to read:

§ 9405d. HOSPITAL SERVICE ELIMINATIONS; NOTICE REQUIRED

(a)(1)(A) A hospital that is considering eliminating any of the following services shall provide a preliminary notice of intent to the Agency of Human Services, the Green Mountain Care Board, and the Office of the Health Care Advocate as set forth in subdivision (B) of this subdivision (1):

(i) emergency department services;

(ii) primary care services, including closing a site at which primary care services are provided;

(iii) obstetrics;

(iv) perinatal care;

(v) inpatient psychiatric services;

(vi) treatment for substance use disorder, including medication for opioid use disorder;

(vii) dialysis, including closing a site at which dialysis services are provided; or

(viii) inpatient pediatric services.

(B) The information to be provided by the hospital in its preliminary notice of intent shall include:

(i) the rationale for the proposed elimination;

(ii) the financial impacts on the hospital both of maintaining the service and of eliminating the service; and

(iii) a description of all possible alternatives to the proposed elimination that were considered and the reasons they were not pursued.

(2) The Agency of Human Services shall evaluate the information provided by the hospital in its preliminary notice of intent pursuant to subdivision (1) of this subsection, the financial impact of the proposed elimination on Vermont's health care system, and the impact of the proposed elimination on access to health care services in the region.

(3)(A) The Agency and the Green Mountain Care Board may consult with a hospital that has submitted a preliminary notice of intent pursuant to subdivision (1) of this subsection (a) regarding the proposed elimination in order to explore opportunities to maintain the service or otherwise to address the circumstances that prompted the proposed elimination.

(B) A hospital that is considering eliminating any service other than those listed in subdivisions (1)(A)(i)–(viii) of this subsection (a) may choose to provide a preliminary notice of intent to the Agency of Human Services and the Green Mountain Care Board that includes the information described in subdivision (1)(B) of this subsection (a) and to engage with the Agency and the Board in the consultation process set forth in subdivision (A) of this subdivision (3).

(4) All information and materials related to a preliminary notice of intent and related consultation pursuant to this subsection, including all materials provided by the hospital to the Agency or the Board, shall be exempt from public inspection and copying under the Public Records Act and shall be kept confidential, except that the Agency and the Board shall provide access to information and materials related to the proposed elimination of a service described in subdivisions (1)(A)(i)–(viii) of this subsection to the Office of the Health Care Advocate, which shall not further disclose this confidential information.

(b)(1) If a hospital elects to proceed with the proposed elimination of a service described in subdivisions (a)(1)(A)(i)–(viii) of this section after engaging in the processes set forth in subsection (a) of this section, then within 90 days after the hospital provided the preliminary notice of intent required by subdivision (a)(1) of this section or upon the conclusion of the confidential consultation process set forth in subdivisions (a)(3) and (4) of this section, whichever occurs first, the hospital shall provide a notice of intent to the Agency of Human Services, the Green Mountain Care Board, the Office of the Health Care Advocate, and the members of the General Assembly who represent the hospital service area.

(2) The notice of intent required by subdivision (1) of this subsection shall:

(A) explain the rationale for the proposed elimination;

(B) set forth a proposed timeline for the proposed elimination and a transition plan;

(C) be provided not less than 60 days prior to the effective date of the proposed elimination;

(D) be posted on the hospital's website; and

(E) be published in a newspaper of general circulation in the hospital service area within 10 days after notice is provided pursuant to subdivision (1) of this subsection (b).

(3) In addition to the notice of intent required by subdivision (1) of this subsection, the hospital shall conduct a public engagement process, including holding one or more public hearings in the county in which the hospital is located and soliciting and responding to public comments, regarding the proposed service elimination. The public engagement process shall continue for not less than 30 days following the notice required pursuant to subdivision (1) of this subsection. The hospital shall provide a summary of the community's response to the proposal, including the public comments received, to the Agency of Human Services, the Green Mountain Care Board, and the Office of the Health Care Advocate following the conclusion of the public engagement process.

(c) If a hospital elects to proceed with eliminating a service described in subdivisions (a)(1)(A)(i)-(viii) of this section after completing the processes set forth in subsections (a) and (b) of this section, then within five business days after making the decision to proceed, the hospital shall notify the Agency of Human Services to inform the Agency's health care system transformation efforts and the Statewide Health Care Delivery Strategic Plan and the Green Mountain Care Board to enable the Board to review the impact on the hospital's budget pursuant to subdivision 9456(e)(2) of this title.

Sec. 2. 18 V.S.A. § 9456 is amended to read:

§ 9456. BUDGET REVIEW

* * *

(e)(1) The Board, in consultation with the Vermont Program for Quality in Health Care, shall utilize mechanisms to measure hospital costs, quality, and access and alignment with the Statewide Health Care Delivery Strategic Plan, once established.

~~(2)(A) Except as provided in subdivision (D) of this subdivision (e)(2), a hospital that proposes to reduce or eliminate any service in order to comply with a budget established under this section shall provide a notice of intent to the Board, the Agency of Human Services, the Office of the Health Care Advocate, and the members of the General Assembly who represent the hospital service area not less than 45 days prior to the proposed reduction or elimination.~~

~~(B) The notice shall explain the rationale for the proposed reduction or elimination and describe how it is consistent with the Statewide Health Care Delivery Strategic Plan, once established, and the hospital's most recent community health needs assessment conducted pursuant to section 9405a of this title and 26 U.S.C. § 501(r)(3).~~

~~(C) The Board may evaluate the proposed reduction or elimination for consistency with the Statewide Health Care Delivery Strategic Plan, once established and the community health needs assessment, and may modify the hospital's budget or take such additional actions as the Board deems appropriate to preserve access to necessary services.~~

~~(D) A service that has been identified for reduction or elimination in connection with the transformation efforts undertaken by the Board and the Agency of Human Services pursuant to 2022 Acts and Resolves No. 167 does not need to comply with subdivisions (A) (C) of this subdivision (e)(2).~~

Upon receipt of notification from a hospital pursuant to subsection 9405d(c) of this title that the hospital intends to eliminate a service following its completion of the process set forth in subsections 9405d(a) and (b) of this title, the Board shall review the impact of the elimination on the hospital's approved budget. The Board may adjust the hospital's budget as necessary to reflect the elimination, which may include directing that any savings related to the elimination are reflected in health insurance premiums or are reinvested in primary care, prevention, and other community-based services.

~~(3) The Board, in collaboration with the Department of Financial Regulation, shall monitor the implementation of any authorized decrease in elimination of hospital services to determine its benefits to Vermonters or to Vermont's health care system, or both.~~

* * *

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: "An act relating to establishing a process for the elimination of certain hospital services"

Thereupon, the question, Shall the Senate concur in the House proposal of amendment?, was decided in the affirmative.

Bill Passed in Concurrence with Proposal of Amendment

H. 578.

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

An act relating to penalties and procedures for animal cruelty offenses.

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

H. 727.

House bill entitled:

An act relating to sustainable data center deployment.

Was taken up.

Thereupon, pending third reading of the bill, Senator Perchlik moved to amend the Senate proposal of amendment in Sec. 1, 30 V.S.A. chapter 5, subchapter 3, in section 285, in subsection (d), at the end of the second sentence, after the word “subsection” by adding the following: “, unless it is a thermal energy plant”

Which was agreed to.

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

Message from the House No. 68

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 considered Senate proposal of amendment to House bill entitled:

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

And has refused to concur therein and asks for a Committee of Conference upon the disagreeing votes of the two Houses;

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

Rep. Walker of Swanton
Rep. Corcoran of Bennington
Rep. Pouech of Hinesburg.

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

H. 740.

House bill entitled:

An act relating to the greenhouse gas inventory and registry.

Was taken up.

Thereupon, pending third reading of the bill, Senator Williams moved that the Senate propose to the House to amend the bill by inserting two new sections to read as follows:

Sec. 2a. REPEAL

30 V.S.A. chapter 94 (Clean Heat Standard) is repealed.

Sec. 2b. 32 V.S.A. § 3102 is amended to read:

§ 3102. CONFIDENTIALITY OF TAX RECORDS

* * *

(e) The Commissioner may, in the Commissioner's discretion and subject to such conditions and requirements as the Commissioner may provide, including any confidentiality requirements of the Internal Revenue Service, disclose a return or return information:

* * *

~~(23) To the Public Utility Commission and the Department of Public Service, provided the disclosure relates to the fuel tax under 33 V.S.A. chapter 25 and is used for the purposes of auditing compliance with the Clean Heat Standard under 30 V.S.A. chapter 94. The Commissioner shall, at a minimum, provide the names of any new businesses selling heating fuel in any given year and the names of any businesses that are no longer selling heating fuel. [Repealed.]~~

Thereupon, pending the question, Shall the Senate propose to the House to amend the bill as recommended by Senator Williams?, Senator Watson moved to substitute an amendment for the proposal of amendment of Senator Williams, by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1 10 V.S.A. § 582 is amended to read:

§ 582. GREENHOUSE GAS INVENTORIES; REGISTRY

* * *

(e) Rules.

(1) The Secretary may adopt rules to implement the provisions of this section and shall review existing and proposed international, federal, and State greenhouse gas emission reporting programs and make reasonable efforts to promote consistency among the programs established pursuant to this section and other programs, and to streamline reporting requirements on greenhouse gas emission sources. Except as provided in subsection (g) of this section, nothing in this section shall limit a State agency from adopting any rule within its authority.

(2) The Secretary has authority to adopt rules that create a comprehensive greenhouse gas emission reporting program that covers all sources of emissions, including fuel suppliers. Suppliers of transportation and heating fuels covered by the rules shall comply with requests from the Secretary for information. The Secretary shall adopt a rule that at a minimum includes the types and volume of fossil fuels sold by sector for the transportation, residential, commercial, and industrial sectors and by zip code, municipality, or the smallest geographic level practicable that also protects the individual identities of consumers.

* * *

Sec. 2. RULEMAKING

On or before July 1, 2027, the Secretary of Natural Resources shall adopt final rules for greenhouse gas emission reporting as required under 10 V.S.A. § 582(e)(2).

Sec. 3. APPROPRIATION

In addition to other funds appropriated to the Agency of Natural Resources, in fiscal year 2027, the sum of \$300,000.00 is appropriated from the General Fund to the Agency of Natural Resources to be used to draft the greenhouse gas emission reporting rules and to develop a greenhouse gas emission source database.

Sec. 4. REPEAL

30 V.S.A. chapter 94 (Clean Heat Standard) is repealed.

Sec. 5. 32 V.S.A. § 3102 is amended to read:

§ 3102. CONFIDENTIALITY OF TAX RECORDS

* * *

(e) The Commissioner may, in the Commissioner's discretion and subject to such conditions and requirements as the Commissioner may provide, including any confidentiality requirements of the Internal Revenue Service, disclose a return or return information:

* * *

~~(23) To the Public Utility Commission and the Department of Public Service, provided the disclosure relates to the fuel tax under 33 V.S.A. chapter 25 and is used for the purposes of auditing compliance with the Clean Heat Standard under 30 V.S.A. chapter 94. The Commissioner shall, at a minimum, provide the names of any new businesses selling heating fuel in any given year and the names of any businesses that are no longer selling heating fuel. [Repealed.]~~

* * *

Sec. 6. EFFECTIVE DATE

This act shall take effect on passage.

Recess

The Chair declared a recess until 11:55 a.m.

Called to Order

The Senate was called to order by the President.

Thereupon, during debate of the measure, Senator Weeks raised a *point of order* that Senator Major violated Sec. 121 of Mason's Manual of Legislative Procedure regarding engaging in personalities and impugning motives of individuals.

Thereupon, the President found the point of order not well taken, and permitted Senator Major to continue.

Thereupon, the pending question, Shall the proposal of amendment recommended by Senator Williams be substituted as recommended by Senator Watson?, was agreed to, on a roll call, Yeas 17, Nays 13.

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

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bongartz, Chittenden, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Lyons, Major, Perchlik, Plunkett, Ram Hinsdale, Vyhovsky, Watson, White.

Those Senators who voted in the negative were: Beck, Benson, Brennan, Brock, Collamore, Heffernan, Ingalls, Mattos, Morley, Norris, Weeks, Westman, Williams.

Thereupon, pending the question, Shall the Senate propose to the House to amend the bill as recommended by Senator Williams, as substituted?, Senator Beck requested that the question be divided with the *first* instance being sections 1, 2, and 3; the *second* instance being sections 4 and 5, and the *third* instance being section 6.

Thereupon, the question, shall the Senate propose to the House to amend the bill as recommended by Senator Williams, as substituted, in the *first* instance?, was decided in the affirmative, on a roll call, Yeas 17, Nays 13.

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

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bongartz, Chittenden, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Lyons, Major, Perchlik, Plunkett, Ram Hinsdale, Vyhovsky, Watson, White.

Those Senators who voted in the negative were: Beck, Benson, Brennan, Brock, Collamore, Heffernan, Ingalls, Mattos, Morley, Norris, Weeks, Westman, Williams.

Thereupon, the question, shall the Senate propose to the House to amend the bill as recommended by Senator Williams, as substituted, in the *second* instance?, was decided in the affirmative, on a roll call, Yeas 26, Nays 4.

Senator Westman, 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, Gulick, Hardy, Harrison, Hashim, Heffernan, Ingalls, Lyons, Major, Mattos, Morley, Norris, Plunkett, Ram Hinsdale, Watson, Weeks, Westman, Williams.

Those Senators who voted in the negative were: Cummings, Perchlik, Vyhovsky, White.

Thereupon, the question, shall the Senate propose to the House to amend the bill as recommended by Senator Williams, as substituted, in the *third* instance?, was decided in the affirmative.

Thereupon, pending third reading, Senator Williams moved that the Senate proposal of amendment be amended by inserting four new sections to read as follows:

Sec. 2a. REPEAL

10 V.S.A. chapter 24 (Vermont Climate Council and Climate Action Plan) is repealed.

Sec. 2b. 10 V.S.A. § 578 is amended to read:

§ 578. GREENHOUSE GAS REDUCTION ~~REQUIREMENTS~~ GOALS

(a) Greenhouse gas reduction ~~requirements~~ goals. It is the goal of Vermont ~~shall to~~ reduce emissions of greenhouse gases from within the geographical boundaries of the State and those emissions outside the boundaries of the State that are caused by the use of energy in Vermont, as measured and inventoried pursuant to section 582 of this title, by:

* * *

(c) Implementation of State programs to reduce greenhouse gas emissions. In order to facilitate the State's compliance with the goals established in this section, all State agencies shall consider, whenever practicable, any increase or decrease in greenhouse gas emissions in their decision-making procedures with respect to the purchase and use of equipment and goods; the siting, construction, and maintenance of buildings; the assignment of personnel; and the planning, design, and operation of programs, services, and infrastructure.

* * *

Sec. 2c. 30 V.S.A. § 202a is amended to read:

§ 202a. STATE ENERGY POLICY

It is the general policy of the State of Vermont:

* * *

(3) To meet Vermont's energy service needs in a manner that will achieve the greenhouse gas emissions reductions ~~requirements~~ goals pursuant to 10 V.S.A. § 578 ~~and is consistent with the Vermont Climate Action Plan adopted and updated pursuant to 10 V.S.A. § 592.~~

Sec. 2d. 30 V.S.A. § 202b is amended to read:

§ 202b. STATE COMPREHENSIVE ENERGY PLAN

(a) The Department of Public Service, in conjunction with other State agencies designated by the Governor, shall prepare a State Comprehensive Energy Plan covering at least a 20-year period. The Plan shall seek to

implement the State energy policy set forth in section 202a of this title, including meeting the State's greenhouse gas emissions reductions ~~requirements~~ goals pursuant to 10 V.S.A. § 578, and shall be consistent with the relevant goals of 24 V.S.A. § 4302 ~~and with the Vermont Climate Action Plan adopted and updated pursuant to 10 V.S.A. § 592.~~ The State Comprehensive Energy Plan shall include:

* * *

Thereupon, pending the question, Shall the Senate proposal of amendment be amended as recommended by Senator Williams?, Senator Baruth raised a *point of order* under Sec. 402 of Mason's Manual of Legislative Procedure on the grounds that the proposal of amendment offered by Senator Williams was *not germane* to the bill and therefore could not be considered by the Senate.

The President *overruled* the point of order and ruled that the proposal of amendment was *germane*, finding that the recommendation of amendment satisfied Sec 402 of Mason's Manual of Legislative Procedure in that the amendment was relevant, appropriate, and in logical sequence to the subject matter under consideration.

Thereupon, the pending question, Shall the Senate proposal of amendment be amended as recommended by Senator Williams?, was decided in the negative, on a roll call, Yeas 14, Nays 16.

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

Roll Call

Those Senators who voted in the affirmative were: Beck, Benson, Brennan, Brock, Chittenden, Collamore, Heffernan, Ingalls, Mattos, Morley, Norris, Weeks, Westman, Williams.

Those Senators who voted in the negative were: Baruth, Bongartz, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Lyons, Major, Perchlik, Plunkett, Ram Hinsdale, Vyhovsky, Watson, *White.

*Senator White explained her vote as follows:

"I vote no to protect future generations of Vermonters from the greatest existential crisis of our time."

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment, on a roll call, Yeas, 17, Nays 13.

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

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bongartz, Chittenden, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Lyons, Major, Perchlik, Plunkett, Ram Hinsdale, Vyhovsky, Watson, White.

Those Senators who voted in the negative were: Beck, Benson, Brennan, Brock, Collamore, Heffernan, Ingalls, Mattos, Morley, Norris, Weeks, Westman, Williams.

Rules Suspended; Bills Messaged

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

H. 578. An act relating to penalties and procedures for animal cruelty offenses.

H. 727. An act relating to sustainable data center deployment.

H. 740. An act relating to the greenhouse gas inventory and registry.

Committee of Conference Appointed**H. 660.**

An act relating to fiscal year 2027 Opioid Abatement Special Fund appropriations.

Was taken up. Pursuant to the request of the House, the President announced the appointment of

Senator Lyons
Senator Gulick
Senator Benson

as members of the Committee of Conference on the part of the Senate to consider the disagreeing votes of the two Houses.

Committee of Conference Appointed**H. 816.**

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

Was taken up. Pursuant to the request of the House, the President announced the appointment of

Senator Gulick
Senator Lyons
Senator Benson

as members of the Committee of Conference on the part of the Senate to consider the disagreeing votes of the two Houses.

Committee of Conference Appointed**H. 944.**

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

Was taken up. Pursuant to the request of the House, the President announced the appointment of

Senator Westman
Senator Perchlik
Senator Harrison

as members of the Committee of Conference on the part of the Senate to consider the disagreeing votes of the two Houses.

Adjournment

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