

House Calendar

Friday, February 24, 2023

52nd DAY OF THE BIENNIAL SESSION

House Convenes at 9:30 A.M.

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ORDERS OF THE DAY

ACTION CALENDAR

Third Reading

H. 76

An act relating to captive insurance

Committee Bill for Second Reading

H. 305

An act relating to professions and occupations regulated by the Office of Professional Regulation

(Rep. Nugent of South Burlington will speak for the Committee on Government Operations and Military Affairs.)

Favorable with Amendment

H. 41

An act relating to referral of domestic and sexual violence cases to community justice centers

Rep. Dolan of Essex Junction, for the Committee on Judiciary, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Authority to Refer Domestic and Sexual Violence Cases to Community
Justice Centers in Accordance with Attorney General Protocols * * *

Sec. 1. 24 V.S.A. § 1966 is amended to read:

§ 1966. COMMUNITY JUSTICE CENTERS' RELATIONSHIP WITH
STATE GOVERNMENT ENTITIES

(a) Support from the Agency of Human Services. The Agency of Human Services shall provide to the community justice centers the information, analysis, and technical support that the community justice centers, in collaboration with the Agency of Human Services, determine are necessary to further their policy of restorative justice.

(b) Support from the Office of the Attorney General. The Community Justice Unit of the Office of the Attorney General shall provide to the community justice centers support for domestic violence and sexual violence case referrals in accordance with section 1968 of this title.

(c) Funding from the Agency of Human Services. The Agency of Human Services may provide funding and authorize community justice centers to participate in the implementation of State programs related to juvenile and criminal offenses.

(e)(d) Access to information. Community justice center employees and volunteers participating in State-funded programs shall have access to information, analysis, and technical support as necessary to carry out their duties within the program in accordance with State and federal confidentiality statutes and policies. Victim information that is not part of the public record shall not be released without the victim's consent.

(d)(e) Liability.

(1) For the purposes of defining liability, community justice center volunteers participating in programs funded by the Agency of Human Services pursuant to subsection (b)(c) of this section shall be considered volunteers of that agency.

(2) In all other cases, the State and the municipality shall each be liable for the acts and omissions of employees operating within the scope of their employment.

Sec. 2. 24 V.S.A. § 1967 is amended to read:

§ 1967. CASES PROHIBITED

No case involving domestic violence, sexual violence, sexual assault, or stalking shall be referred to a community justice center except ~~in~~ through Department of Corrections offender reentry programs pursuant to protocols protecting victims, or as provided in section 1968 of this title. The community justice centers shall work with the Department of Corrections and the Center for Crime Victim Services or its designee to develop victim safety protocols for community justice centers that take into consideration victim needs such as safety, confidentiality, and privacy.

Sec. 3. 24 V.S.A. §§ 1968 and 1969 are added to read:

§ 1968. REFERRALS FOR DOMESTIC VIOLENCE AND SEXUAL VIOLENCE CASES; ATTORNEY GENERAL PROTOCOLS

(a) Notwithstanding section 1967 of this title, community justice centers may accept referrals for domestic violence and sexual violence cases, provided the community justice center has a current and executed memorandum of understanding with a local member organization of the Vermont Network Against Domestic and Sexual Violence (Vermont Network). Such

memorandums of understanding shall include protocols set forth in subsection (c) of this section.

(b) If the restorative justice approach set forth in the memorandum of understanding includes law enforcement or prosecutor referrals, a prosecutor and law enforcement agency with jurisdiction shall be party to the memorandum of understanding.

(c) On or before July 1, 2024, the Community Justice Unit of the Office of the Attorney General (Community Justice Unit), in consultation with the Vermont Network and the Center for Crime Victim Services, shall create guidance for memorandums of understanding. Memorandums of understanding shall include protocols that:

(1) establish a defined approach based on evidence or an established, promising program;

(2) prioritize victim safety;

(3) include voluntary referral and participation by parties;

(4) require initial and annual training for relevant community justice center staff, facilitators, and volunteers on the dynamics involving domestic violence and sexual violence, trauma-informed approaches, and restorative justice principles;

(5) establish roles and participation of the community justice center, the local domestic and sexual violence organization, and other community partners as needed;

(6) establish written confidentiality standards that ensure constitutional protections and the privacy of participants;

(7) establish universal data collection standards developed by the Community Justice Unit; and

(8) establish written annual evaluation and quality improvement plans and processes that engage community and system stakeholders.

(d) The Community Justice Unit shall review each memorandum of understanding to ensure compliance with the protocols set forth in subsection (c) of this section and guidance created by the Community Justice Unit. The Community Justice Unit may engage other stakeholders who are relevant to the defined approach under consideration in the review process.

(e) Once a memorandum of understanding has been verified for compliance by the Community Justice Unit and has been executed by the

parties, community justice centers may accept referrals involving domestic violence or sexual violence.

(f) Information related to any offense that a person divulges in preparation for, during, or as a follow-up to the provision of programming pursuant to this section shall not be used against the person in any criminal, civil, family, or juvenile investigation, prosecution, or case for any purpose, including impeachment or cross-examination. This subsection shall not be construed to prohibit the limited disclosure or use of information to specific persons in the following circumstances:

(1) Where there is a threat or statement of a plan that a person may reasonably believe is likely to result in death or bodily injury to themselves or others or damage to the property of another person.

(2) When disclosure is necessary to report bodily harm any party causes another during the restorative justice programming.

(3) Where there is a reasonable suspicion of abuse or neglect of a child or vulnerable adult and a report is made in accordance with the provisions of 33 V.S.A. § 4914 or 33 V.S.A. § 6903 or to comply with another law.

(4) Where a court or administrative tribunal determines that the materials were submitted by a participant to the program for the purpose of avoiding discovery of the material in a court or administrative proceeding. If a participant wishes to avail themselves of this provision, the participant may disclose this information in camera to a judicial officer for the purposes of seeking such a ruling.

§ 1969. PUBLIC RECORDS ACT EXEMPTION

(a) Any records or information produced or acquired pursuant to this chapter shall be kept confidential and shall be exempt from public inspection or copying under Vermont's Public Records Act.

(b) Notwithstanding subsection (a) of this section, a community justice center may disclose information to colleges, universities, public agencies of the State, and nonprofit research organizations that a community justice center has agreements with for use in connection with research projects of a public service nature, but no person associated with those institutions or agencies may disclose that information in any manner that would reveal the identity of an individual who provided the information to the community justice center.

Sec. 4. REPORT; COMMUNITY JUSTICE UNIT OF THE OFFICE OF THE ATTORNEY GENERAL

(a) On or before December 1, 2025, the Community Justice Unit, in collaboration with the Vermont Network, and the participating community justice centers shall submit an interim report to the House and Senate Committees on Judiciary regarding the establishment of memorandums of understanding pursuant to 24 V.S.A. § 1968, the status of implementation of programming, and the available resources and capacity for such programming.

(b) On or before July 1, 2028, the Community Justice Unit, in collaboration with the Vermont Network, and the participating community justice centers shall submit a final report to the House and Senate Committees on Judiciary regarding the establishment of memorandums of understanding pursuant to 24 V.S.A. § 1968, the status of implementation of programming, available data on effectiveness of programming, and the available resources and capacity for such programming.

* * * Effective Date * * *

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 10-0-1)

Senate Proposal of Amendment

H. 145

An act relating to fiscal year 2023 budget adjustments

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

Sec. 1. 2022 Acts and Resolves No. 185, Sec. B.105 is amended to read:

Sec. B.105 Agency of digital services - communications and information technology

Personal services	<u>99,364,395</u>	82,655,019
Operating expenses	<u>34,833,539</u>	<u>34,833,539</u>
Total	<u>134,197,934</u>	117,488,558
Source of funds		
General fund	179,572	179,572
Special funds	<u>17,159,341</u>	449,965
Internal service funds	<u>116,859,021</u>	<u>116,859,021</u>
Total	<u>134,197,934</u>	117,488,558

Sec. 1a. 2022 Acts and Resolves No. 185, Sec. B.133 is amended to read:

Sec. B.133 Vermont state retirement system

Personal services		180,911
Operating expenses	1,399,555	<u>2,276,023</u>
Total	1,580,466	<u>2,456,934</u>
Source of funds		
Pension trust funds	1,580,466	<u>2,456,934</u>
Total	1,580,466	<u>2,456,934</u>

Sec. 1b. 2022 Acts and Resolves No. 185, Sec. B.134 is amended to read:

Sec. B.134 Municipal employees' retirement system

Personal services		198,399
Operating expenses	890,207	<u>1,221,607</u>
Total	1,088,606	<u>1,420,006</u>
Source of funds		
Pension trust funds	1,088,606	<u>1,420,006</u>
Total	1,088,606	<u>1,420,006</u>

Sec. 2. 2022 Acts and Resolves No. 185, Sec. B.145 is amended to read:

Sec. B.145 Total general government

Source of funds

General fund	104,811,247	104,811,247
Transportation fund	4,059,343	4,059,343
Special funds	<u>35,893,006</u>	19,183,630
Federal funds	1,308,858	1,308,858
Internal service funds	178,033,418	178,033,418
Interdepartmental transfers	4,447,671	4,447,671
Enterprise funds	6,979	6,979
Pension trust funds	2,669,072	2,669,072
Private purpose trust funds	<u>1,156,575</u>	<u>1,156,575</u>
Total	<u>332,386,169</u>	315,676,793

Sec. 3. 2022 Acts and Resolves No. 185, Sec. B.209 is amended to read:

Sec. B.209 Public safety - state police

Personal services	62,598,426	62,396,849
Operating expenses	12,660,950	12,660,950
Grants	<u>1,467,153</u>	<u>1,467,153</u>
Total	<u>76,726,529</u>	76,524,952
Source of funds		
General fund	46,676,421	46,474,844
Transportation fund	20,250,000	20,250,000
Special funds	3,116,711	3,116,711
Federal funds	4,820,645	4,820,645

Interdepartmental transfers	<u>1,862,752</u>	<u>1,862,752</u>
Total	76,726,529	76,524,952

Sec. 4. 2022 Acts and Resolves No. 185, Sec. B.225 is amended to read:

Sec. B.225 Agriculture, food and markets - agricultural resource management and environmental stewardship

Personal services	2,830,318	2,830,318
Operating expenses	950,906	950,906
Grants	<u>545,334</u>	<u>295,334</u>
Total	4,326,558	4,076,558
Source of funds		
General fund	1,191,645	941,645
Special funds	2,325,153	2,325,153
Federal funds	472,695	472,695
Interdepartmental transfers	<u>337,065</u>	<u>337,065</u>
Total	4,326,558	4,076,558

Sec. 5. 2022 Acts and Resolves No. 185, Sec. B.225.2 is amended to read:

Sec. B.225.2 Agriculture, Food and Markets - Clean Water

Personal services	3,351,394	3,351,394
Operating expenses	518,202	518,202
Grants	<u>5,253,111</u>	<u>5,503,111</u>
Total	9,122,707	9,372,707
Source of funds		
General fund	1,100,802	1,350,802
Special funds	7,266,122	7,266,122
Federal funds	441,907	441,907
Interdepartmental transfers	<u>313,876</u>	<u>313,876</u>
Total	9,122,707	9,372,707

Sec. 6. 2022 Acts and Resolves No. 185, Sec. B.240 is amended to read:

Sec. B.240 Cannabis Control Board

Personal services	3,211,914	3,497,225
Operating expenses	<u>278,608</u>	<u>1,383,608</u>
Total	3,490,522	4,880,833
Source of funds		
Special funds	<u>3,490,522</u>	4,880,833
Total	3,490,522	4,880,833

Sec. 7. 2022 Acts and Resolves No. 185, Sec. B.241 is amended to read:

Sec. B.241 Total protection to persons and property

Source of funds		
General fund	187,158,391	186,956,814
Transportation fund	20,250,000	20,250,000
Special funds	98,238,728	99,629,039
Tobacco fund	561,843	561,843
Federal funds	127,115,612	127,115,612
ARRA funds	510,535	510,535
Interdepartmental transfers	12,413,144	12,413,144
Enterprise funds	<u>13,619,207</u>	<u>13,619,207</u>
Total	459,867,460	461,056,194

Sec. 8. 2022 Acts and Resolves No. 185, Sec. B.300 is amended to read:

Sec. B.300 Human services - agency of human services - secretary's office

Personal services	12,307,314	14,990,385
Operating expenses	5,340,825	5,356,835
Grants	<u>2,895,202</u>	<u>3,160,202</u>
Total	20,543,341	23,507,422

Source of funds

General fund	9,056,662	12,020,743
Special funds	135,517	135,517
Federal funds	10,569,851	10,569,851
Interdepartmental transfers	<u>781,311</u>	<u>781,311</u>
Total	20,543,341	23,507,422

Sec. 9. 2022 Acts and Resolves No. 185, Sec. B.301 is amended to read:

Sec. B.301 Secretary's office - global commitment

Grants	<u>1,835,603,282</u>	<u>1,934,679,638</u>
Total	1,835,603,282	1,934,679,638

Source of funds

General fund	608,430,925	515,071,925
Special funds	33,384,536	29,121,769
Tobacco fund	21,049,373	21,049,373
State health care resources fund	17,078,501	25,102,272
Federal funds	1,151,625,777	1,340,818,340
Interdepartmental transfers	<u>4,034,170</u>	<u>3,515,959</u>
Total	1,835,603,282	1,934,679,638

Sec. 10. 2022 Acts and Resolves No. 185, Sec. B.304 is amended to read:

Sec. B.304 Human services board

Personal services	766,312	619,083
Operating expenses	<u>89,396</u>	<u>89,396</u>

Total	855,708	708,479
Source of funds		
General fund	490,779	343,550
Federal funds	<u>364,929</u>	<u>364,929</u>
Total	855,708	708,479

Sec. 11. 2022 Acts and Resolves No. 185, Sec. B.306 is amended to read:

Sec. B.306 Department of Vermont health access - administration

Personal services	133,258,216	133,258,216
Operating expenses	27,050,784	27,115,536
Grants	<u>2,912,301</u>	<u>8,712,301</u>
Total	163,221,301	169,086,053
Source of funds		
General fund	34,666,169	38,830,921
Special funds	4,738,197	4,738,197
Federal funds	114,997,590	116,697,590
Global Commitment fund	3,986,316	3,986,316
Interdepartmental transfers	<u>4,833,029</u>	<u>4,833,029</u>
Total	163,221,301	169,086,053

Sec. 12. 2022 Acts and Resolves No. 185, Sec. B.307 is amended to read:

Sec. B.307 Department of Vermont health access - Medicaid program - global commitment

Personal services	547,983	547,983
Grants	<u>837,108,046</u>	<u>965,640,677</u>
Total	837,656,029	966,188,660
Source of funds		
Global Commitment fund	<u>837,656,029</u>	<u>966,188,660</u>
Total	837,656,029	966,188,660

Sec. 13. 2022 Acts and Resolves No. 185, Sec. B.309 is amended to read:

Sec. B.309 Department of Vermont health access - Medicaid program - state only

Grants	<u>54,104,191</u>	<u>49,357,135</u>
Total	54,104,191	49,357,135
Source of funds		
General fund	44,533,864	49,352,443
Global Commitment fund	<u>9,570,327</u>	<u>4,692</u>
Total	54,104,191	49,357,135

Sec. 14. 2022 Acts and Resolves No. 185, Sec. B.310 is amended to read:

Sec. B.310 Department of Vermont health access - Medicaid non-waiver
matched

Grants	<u>35,125,592</u>	35,226,509
Total	<u>35,125,592</u>	35,226,509
Source of funds		
General fund	<u>12,736,699</u>	12,342,078
Federal funds	<u>22,388,893</u>	22,884,431
Total	<u>35,125,592</u>	35,226,509

Sec. 15. 2022 Acts and Resolves No. 185, Sec. B.311 is amended to read:

Sec. B.311 Health - administration and support

Personal services	<u>7,880,051</u>	7,232,181
Operating expenses	<u>7,161,896</u>	8,283,741
Grants	<u>15,416,408</u>	15,416,408
Total	<u>30,458,355</u>	30,932,330
Source of funds		
General fund	<u>3,120,538</u>	3,594,513
Special funds	<u>2,123,150</u>	2,123,150
Federal funds	<u>19,371,027</u>	19,371,027
Global Commitment fund	<u>5,779,334</u>	5,779,334
Interdepartmental transfers	<u>64,306</u>	64,306
Total	<u>30,458,355</u>	30,932,330

Sec. 16. 2022 Acts and Resolves No. 185, Sec. B.312 is amended to read:

Sec. B.312 Health - public health

Personal services	<u>58,557,637</u>	59,756,793
Operating expenses	<u>10,504,324</u>	10,504,324
Grants	<u>45,237,061</u>	45,237,061
Total	<u>114,299,022</u>	115,498,178
Source of funds		
General fund	<u>12,217,471</u>	13,416,627
Special funds	<u>22,422,908</u>	22,422,908
Tobacco fund	<u>1,088,918</u>	1,088,918
Federal funds	<u>61,398,428</u>	61,398,428
Global Commitment fund	<u>16,159,672</u>	16,159,672
Interdepartmental transfers	<u>986,625</u>	986,625
Permanent trust funds	<u>25,000</u>	25,000
Total	<u>114,299,022</u>	115,498,178

Sec. 17. 2022 Acts and Resolves No. 185, Sec. B.313 is amended to read:

Sec. B.313 Health - alcohol and drug abuse programs

Personal services	5,533,379	4,982,093
Operating expenses	511,500	511,500
Grants	<u>55,582,806</u>	<u>55,595,616</u>
Total	<u>61,627,685</u>	61,089,209
Source of funds		
General fund	4,706,142	4,167,666
Special funds	1,392,101	1,392,101
Tobacco fund	949,917	949,917
Federal funds	21,131,903	21,131,903
Global Commitment fund	<u>33,447,622</u>	<u>33,447,622</u>
Total	<u>61,627,685</u>	61,089,209

Sec. 18. 2022 Acts and Resolves No. 185, Sec. B.314 is amended to read:

Sec. B.314 Mental health - mental health

Personal services	37,550,464	45,679,048
Operating expenses	5,023,808	5,406,921
Grants	<u>251,958,650</u>	<u>252,383,242</u>
Total	<u>294,532,922</u>	303,469,211
Source of funds		
General fund	12,966,387	23,720,891
Special funds	1,690,187	1,690,187
Federal funds	10,279,911	10,279,911
Global Commitment fund	269,471,344	267,653,129
Interdepartmental transfers	<u>125,093</u>	<u>125,093</u>
Total	<u>294,532,922</u>	303,469,211

Sec. 19. 2022 Acts and Resolves No. 185, Sec. B.316 is amended to read:

Sec. B.316 Department for children and families - administration & support services

Personal services	41,932,610	41,930,824
Operating expenses	17,284,575	23,063,394
Grants	<u>3,819,106</u>	<u>3,415,106</u>
Total	<u>63,036,291</u>	68,409,324
Source of funds		
General fund	36,020,845	36,525,221
Special funds	2,789,842	2,788,056
Federal funds	22,463,191	27,083,191
Global Commitment fund	1,409,481	1,659,924
Interdepartmental transfers	<u>352,932</u>	<u>352,932</u>
Total	<u>63,036,291</u>	68,409,324

Sec. 20. 2022 Acts and Resolves No. 185, Sec. B.317 is amended to read:

Sec. B.317 Department for children and families - family services

Personal services	41,455,253	41,755,292
Operating expenses	5,392,584	5,392,584
Grants	<u>88,864,318</u>	<u>89,022,405</u>
Total	135,712,155	136,170,281
Source of funds		
General fund	56,028,109	66,085,811
Special funds	729,587	729,587
Federal funds	32,206,285	32,206,285
Global Commitment fund	46,710,437	37,110,861
Interdepartmental transfers	<u>37,737</u>	<u>37,737</u>
Total	135,712,155	136,170,281

Sec. 21. 2022 Acts and Resolves No. 185, Sec. B.318 is amended to read:

Sec. B.318 Department for children and families - child development

Personal services	5,486,947	5,487,235
Operating expenses	860,622	860,581
Grants	<u>106,205,300</u>	<u>100,677,216</u>
Total	112,552,869	107,025,032
Source of funds		
General fund	33,130,398	27,602,602
Special funds	16,820,011	16,820,011
Federal funds	50,457,478	50,457,478
Global Commitment fund	12,144,941	12,144,941
Interdepartmental transfers	<u>41</u>	<u>0</u>
Total	112,552,869	107,025,032

Sec. 22. 2022 Acts and Resolves No. 185, Sec. B.320 is amended to read:

Sec. B.320 Department for children and families - aid to aged, blind and disabled

Personal services	2,252,206	2,252,206
Grants	<u>10,431,118</u>	<u>9,624,177</u>
Total	12,683,324	11,876,383
Source of funds		
General fund	7,533,333	6,726,392
Global Commitment fund	<u>5,149,991</u>	<u>5,149,991</u>
Total	12,683,324	11,876,383

Sec. 23. 2022 Acts and Resolves No. 185, Sec. B.321 is amended to read:

Sec. B.321 Department for children and families - general assistance

Personal services	15,000	15,000
Grants	<u>2,823,574</u>	<u>2,147,995</u>
Total	<u>2,838,574</u>	<u>2,162,995</u>
Source of funds		
General fund	2,541,239	1,865,660
Federal funds	11,320	11,320
Global Commitment fund	<u>286,015</u>	<u>286,015</u>
Total	<u>2,838,574</u>	<u>2,162,995</u>

Sec. 24. 2022 Acts and Resolves No. 185, Sec. B.323 is amended to read:

Sec. B.323 Department for children and families - reach up

Operating expenses	30,633	30,633
Grants	<u>27,235,606</u>	<u>37,028,703</u>
Total	<u>27,266,239</u>	<u>37,059,336</u>
Source of funds		
General fund	15,097,457	24,581,158
Special funds	5,955,834	5,955,834
Federal funds	3,531,330	3,531,330
Global Commitment fund	<u>2,681,618</u>	<u>2,991,014</u>
Total	<u>27,266,239</u>	<u>37,059,336</u>

Sec. 25. 2022 Acts and Resolves No. 185, Sec. B.325 is amended to read:

Sec. B.325 Department for children and families - office of economic opportunity

Personal services	707,738	707,738
Operating expenses	80,979	80,979
Grants	<u>19,896,892</u>	<u>19,096,328</u>
Total	<u>20,685,609</u>	<u>19,885,045</u>
Source of funds		
General fund	14,328,930	13,528,366
Special funds	58,135	58,135
Federal funds	4,942,559	4,942,559
Global Commitment fund	<u>1,355,985</u>	<u>1,355,985</u>
Total	<u>20,685,609</u>	<u>19,885,045</u>

Sec. 26. 2022 Acts and Resolves No. 185, Sec. B.326 is amended to read:

Sec. B.326 Department for children and families - OEO - weatherization assistance

Personal services	376,286	376,286
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Operating expenses	47,090	247,090
Grants	<u>12,038,018</u>	<u>11,838,018</u>
Total	12,461,394	12,461,394
Source of funds		
Special funds	7,643,920	7,643,920
Federal funds	<u>4,817,474</u>	<u>4,817,474</u>
Total	12,461,394	12,461,394

Sec. 27. [DELETED]

Sec. 28. 2022 Acts and Resolves No. 185, Sec. B.329 is amended to read:

Sec. B.329 Disabilities, aging, and independent living - administration & support

Personal services	37,398,355	38,484,107
Operating expenses	<u>6,178,888</u>	<u>6,214,683</u>
Total	43,577,243	44,698,790
Source of funds		
General fund	19,725,270	20,846,817
Special funds	1,390,457	1,390,457
Federal funds	21,360,232	21,360,232
Global Commitment fund	35,000	35,000
Interdepartmental transfers	<u>1,066,284</u>	<u>1,066,284</u>
Total	43,577,243	44,698,790

Sec. 29. 2022 Acts and Resolves No. 185, Sec. B.330 is amended to read:

Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants

Grants	<u>19,709,925</u>	<u>20,278,107</u>
Total	19,709,925	20,278,107
Source of funds		
General fund	7,754,865	7,754,865
Federal funds	7,148,466	7,148,466
Global Commitment fund	<u>4,806,594</u>	<u>5,374,776</u>
Total	19,709,925	20,278,107

Sec. 30. 2022 Acts and Resolves No. 185, Sec. B.333 is amended to read:

Sec. B.333 Disabilities, aging, and independent living - developmental services

Grants	<u>282,169,830</u>	<u>284,711,348</u>
Total	282,169,830	284,711,348
Source of funds		
General fund	155,125	555,125

Special funds	15,463	15,463
Federal funds	359,857	359,857
Global Commitment fund	281,589,385	283,730,903
Interdepartmental transfers	<u>50,000</u>	<u>50,000</u>
Total	282,169,830	284,711,348

Sec. 31. 2022 Acts and Resolves No. 185, Sec. B.334 is amended to read:

Sec. B.334 Disabilities, aging, and independent living - TBI home and community based waiver

Grants	<u>6,163,669</u>	<u>6,620,179</u>
Total	6,163,669	6,620,179
Source of funds		
Global Commitment fund	<u>6,163,669</u>	<u>6,620,179</u>
Total	6,163,669	6,620,179

Sec. 32. 2022 Acts and Resolves No. 185, Sec. B.334.1 is amended to read:

Sec. B.334.1 Disabilities, aging and independent living - Long Term Care

Grants	<u>247,242,665</u>	<u>269,943,753</u>
Total	247,242,665	269,943,753
Source of funds		
General fund	498,579	1,598,579
Federal funds	2,083,333	2,083,333
Global Commitment fund	<u>244,660,753</u>	<u>266,261,841</u>
Total	247,242,665	269,943,753

Sec. 33. 2022 Acts and Resolves No. 185, Sec. B.338 is amended to read:

Sec. B.338 Corrections - correctional services

Personal services	124,883,844	129,447,504
Operating expenses	<u>24,337,405</u>	<u>24,571,221</u>
Total	149,221,249	154,018,725
Source of funds		
General fund	144,682,340	149,264,201
Special funds	935,963	935,963
Federal funds	460,376	675,991
Global Commitment fund	2,746,255	2,746,255
Interdepartmental transfers	<u>396,315</u>	<u>396,315</u>
Total	149,221,249	154,018,725

Sec. 34. 2022 Acts and Resolves No. 185, Sec. B.338.1 is amended to read:

Sec. B.338.1 Corrections - Justice Reinvestment II

<u>Personal services</u>	0	160,140
Grants	<u>9,868,567</u>	<u>12,467,844</u>
Total	9,868,567	12,627,984
Source of funds		
General fund	7,290,879	10,050,296
Federal funds	13,147	13,147
Global Commitment fund	<u>2,564,541</u>	<u>2,564,541</u>
Total	9,868,567	12,627,984

Sec. 35. [DELETED]

Sec. 36. 2022 Acts and Resolves No. 185, Sec. B.342 is amended to read:

Sec. B.342 Vermont veterans' home - care and support services

Personal services	18,693,897	23,557,937
Operating expenses	<u>4,698,211</u>	<u>5,719,013</u>
Total	23,392,108	29,276,950
Source of funds		
General fund	4,068,733	5,655,522
Special funds	11,892,624	16,190,677
Federal funds	<u>7,430,751</u>	<u>7,430,751</u>
Total	23,392,108	29,276,950

Sec. 37. 2022 Acts and Resolves No. 185, Sec. B.346 is amended to read:

Sec. B.346 Total human services

Source of funds		
General fund	1,118,252,689	1,071,972,923
Special funds	122,249,086	122,282,586
Tobacco fund	23,088,208	23,088,208
State health care resources fund	17,078,501	25,102,272
Federal funds	1,651,894,729	1,848,118,445
Global Commitment fund	1,788,710,309	1,921,586,651
Internal service funds	1,699,065	1,699,065
Interdepartmental transfers	28,014,227	27,495,975
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	4,751,011,814	5,041,371,125

Sec. 38. 2022 Acts and Resolves No. 185, Sec. B.505 is amended to read:

Sec. B.505 Education - adjusted education payment

Grants	1,561,661,000	1,577,649,173
Total	1,561,661,000	1,577,649,173
Source of funds		

Education fund	<u>1,561,661,000</u>	<u>1,577,649,173</u>
Total	<u>1,561,661,000</u>	<u>1,577,649,173</u>

Sec. 39. 2022 Acts and Resolves No. 185, Sec. B.514 is amended to read:

Sec. B.514 State teachers' retirement system

Grants	<u>187,273,782</u>	<u>188,073,782</u>
Total	<u>187,273,782</u>	<u>188,073,782</u>
Source of funds		
General fund	<u>154,345,678</u>	<u>154,645,678</u>
Education fund	<u>32,928,104</u>	<u>33,428,104</u>
Total	<u>187,273,782</u>	<u>188,073,782</u>

Sec. 39a. 2022 Acts and Resolves No. 185, Sec. B.514.1 is amended to read:

Sec. B.514.1 State teachers' retirement system administration

Personal services		236,503
Operating expenses	<u>1,609,560</u>	<u>2,538,377</u>
Total	<u>1,846,063</u>	<u>2,774,880</u>
Source of funds		
Pension trust funds	<u>1,846,063</u>	<u>2,774,880</u>
Total	<u>1,846,063</u>	<u>2,774,880</u>

Sec. 40. 2022 Acts and Resolves No. 185, Sec. B.516 is amended to read:

Sec. B.516 Total general education

Source of funds		
General fund	<u>204,865,262</u>	<u>205,165,262</u>
Special funds	<u>19,450,491</u>	<u>19,450,491</u>
Tobacco fund	<u>750,388</u>	<u>750,388</u>
Education fund	<u>1,900,680,013</u>	<u>1,917,168,186</u>
Federal funds	<u>512,572,265</u>	<u>512,572,265</u>
Global Commitment fund	<u>260,000</u>	<u>260,000</u>
Interdepartmental transfers	<u>365,324</u>	<u>365,324</u>
Pension trust funds	<u>1,846,063</u>	<u>1,846,063</u>
Total	<u>2,640,789,806</u>	<u>2,657,577,979</u>

Sec. 41. 2022 Acts and Resolves No. 185, Sec. B.802 is amended to read:

Sec. B.802 Housing and community development

Personal services	<u>5,321,306</u>	<u>5,321,306</u>
Operating expenses	<u>673,807</u>	<u>673,807</u>
Grants	<u>76,513,512</u>	<u>77,056,152</u>
Total	<u>82,508,625</u>	<u>83,051,265</u>

Source of funds		
General fund	4,065,708	4,065,708
Special funds	7,204,966	7,747,606
Federal funds	68,364,457	68,364,457
Interdepartmental transfers	<u>2,873,494</u>	<u>2,873,494</u>
Total	82,508,625	83,051,265

Sec. 42. 2022 Acts and Resolves No. 185, Sec. B.813 is amended to read:

Sec. B.813 Total commerce and community development

Source of funds		
General fund	18,279,159	18,279,159
Special funds	32,584,165	33,126,805
Federal funds	160,118,217	160,118,217
Interdepartmental transfers	<u>5,532,656</u>	<u>5,532,656</u>
Total	216,514,197	217,056,837

Sec. 43. 2022 Acts and Resolves No. 185, Sec. B.903 is amended to read:

Sec. B.903 Transportation - program development

Personal services	67,084,877	67,084,877
Operating expenses	317,718,748	317,718,748
Grants	<u>28,106,566</u>	<u>28,106,566</u>
Total	412,910,191	412,910,191
Source of funds		
Transportation fund	63,006,826	59,806,826
TIB fund	16,199,908	19,399,908
Federal funds	330,355,267	330,355,267
Interdepartmental transfers	75,000	75,000
Local match	<u>3,273,190</u>	<u>3,273,190</u>
Total	412,910,191	412,910,191

Sec. 44. 2022 Acts and Resolves No. 185, Sec. B.907 is amended to read:

Sec. B.907 Transportation - rail

Personal services	4,662,380	4,662,380
Operating expenses	30,650,803	30,650,803
Grants	<u>50,000</u>	<u>50,000</u>
Total	35,363,183	35,363,183
Source of funds		
Transportation fund	14,201,368	10,701,368
Federal funds	18,015,401	21,515,401
Interdepartmental transfers	2,985,206	2,985,206
Local match	<u>161,208</u>	<u>161,208</u>

Total	35,363,183	35,363,183
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Sec. 44a. 2022 Acts and Resolves No. 185, Sec. B.922 is amended to read:

Sec. B.922 Total transportation

Source of funds

Transportation fund	298,509,742	291,809,742
TIB fund	19,802,363	23,002,363
Special funds	4,367,498	4,367,498
Federal funds	438,299,601	441,799,601
Internal service funds	22,754,095	22,754,095
Interdepartmental transfers	3,597,177	3,597,177
Local match	4,585,799	4,585,799
Total	791,916,275	791,916,275

Sec. 45. 2022 Acts and Resolves No. 185, Sec. B.1100 is amended to read:

Sec. B.1100 FISCAL YEAR 2023 ONE-TIME GENERAL FUND
APPROPRIATIONS

(a) In fiscal year 2023, funds are appropriated from the General Fund for new and ongoing initiatives as follows:

* * *

(18) ~~\$1,500,000~~ \$3,600,000 to the Department of Disabilities, Aging, and Independent Living (DAIL) to be used for grants to adult day service providers ~~to support operating costs and program infrastructure~~ as specified in subdivisions (A) and (B) of this subdivision.

(A) ~~The funds \$1,500,000~~ shall be allocated on a equitable basis per a methodolgy developed by DAIL. On or before the first day of each quarter of fiscal year 2023 (July 1, 2022, October 1, 2022, January 1, 2023, and April 1, 2023), the Vermont Association of Adult Day Services shall provide a spreadsheet to the Department detailing quarterly expenditures versus the annual budget. DAIL shall work with community partners to seek organizations interested in opening an adult day center in the underserved regions where adult day centers closed during the COVID-19 pandemic. Up to \$50,000 of these funds may be used to support the start-up costs of a new adult day center. Any amount of this appropriation remaining at the end of fiscal year 2023 shall be carried forward and shall be used to support operating costs, and program infrastructure.

(B) \$2,100,000 shall be granted to existing adult day service providers to maintain the existing program infrastructure through fiscal year 2023. The Department shall request that the Vermont Association of Adult

Day Services provide a spreadsheet to the Department detailing the amount of grants to be distributed to each adult day program for the remainder of fiscal year 2023.

* * *

(24) \$3,000,000 to the Secretary of Administration to provide funding for municipal technical assistance and related services.

(25) \$3,345,000 to the Secretary of Administration to be used as the 10 percent State match required for FEMA COVID funds starting on July 1, 2022.

(26) \$1,734,000 to the Agency of Digital Services to be used as State match for a U.S. Geological Survey (USGS) Light Detection and Ranging (LIDAR) grant.

(27) \$1,115,000 to the Military Department to be used as State match for the federal Facilities Sustainment, Restoration and Modernization (SRM) funds eligible for receipt in federal fiscal year 2023.

(28) \$30,000,000 to the Public Service Department for the Vermont Community Broadband Board to be used to leverage federal dollars and programs, including the National Telecommunications and Information Administration (NTIA) broadband grant (Middle Mile), to reduce the overall cost of universal broadband access as described in 2021 Acts and Resolves No. 71.

(29) \$350,000 to the State Refugee Office, located within the Agency of Human Services Central Office, to implement Employment Assistance Grants for New Americans. Funds remaining at the end of fiscal year 2025 shall revert to the General Fund.

(30) \$3,000,000 to the Department for Children and Families Office of Economic Opportunity for the CARES Housing Voucher Program.

(31) \$5,000,000 to the Department of Housing and Community Development as additional support for the Vermont Housing Improvement Program (VHIP).

(32) \$350,000 is appropriated to the Agency of Commerce and Community Development in fiscal year 2023 to provide state match for the Northeast Kingdom Build to Scale proposal to be submitted to the U.S. Economic Development Administration for federal funding.

(33) \$18,778,775 to the Department for Children and Families to provide funding for the General Assistance Emergency Housing Program as specified in this subsection as follows:

(A) \$13,778,775 of these funds are for the purpose of providing temporary housing to vulnerable households as defined in this subdivision from April 1, 2023 through June 30, 2023. These funds are in addition to the amount of \$4,820,000 allocated within the appropriation listed in 2022 Acts and Resolves No. 185, § 53(b)(10). During this period, eligible households that seek temporary housing shall receive it, regardless of the number of nights previously received or adverse weather conditions. A household is eligible if it meets one or more of the following:

(i) a household that lost its housing due to a natural disaster, such as a flood, fire, or hurricane;

(ii)(I) a household that has a member who has experienced domestic violence, dating violence, sexual assault, stalking, or human trafficking; or

(II) a household that has a member who has experienced a dangerous or life-threatening incident related to violence against the member that either occurred within the member's home or caused the member to reasonably believe that the member was at risk of further harm if the member remained in the home;

(iii) a household with a child or children who are either under 18 years of age or who are 18 or 19 years of age and attending secondary school on full-time basis or an equivalent level of vocational or technical training;

(iv) a household that has a member who is 60 years of age or older;

(v) a household that has a member who receives SSI or SSDI;

(vi) a household that has a member who is pregnant;

(vii) a household that is pursuing legal resolution of violations of the Rental Housing Health Code through the Department of Health or appropriate local officials; or

(viii) a household that has been physically barred from entering their residence through an intentional act of the landlord.

(B) \$5,000,000 of these funds are for the purpose of providing temporary housing from April 1, 2023 through May 31, 2023 for other households that are not eligible pursuant the criteria in subdivision (A) of this subdivision, but would be eligible for General Assistance emergency housing under the Adverse Weather Conditions policy in effect on January 15, 2023.

(34) \$952,000 to the Department of Mental Health to be granted to the Howard Center to purchase properties located at 71, 73, and 77 Park Street in

Rutland, Vermont.

(A) Prior to granting funds greater than an amount required for a refundable purchase deposit, the Commissioners of Mental Health and for Children and Families, with the assistance of the Secretary of Human Services and Commissioner of Buildings and General Services, shall review the accuracy and comprehensiveness of the financial analysis of the Howard Center proposal to purchase these properties for the continued use as a community-based residential and educational program for adolescent males with sexually harming behaviors. The review should include comparative ongoing operational and additional capital investment costs at this site with reasonable alternative relocation rental or purchase options. A status update on this review and appropriation shall be provided to the General Assembly by the Commissioners of Mental Health and for Children and Families on or before April 1, 2023.

(B) An accounting of the respective State and Howard Center shares of investment in this property shall be maintained in order to refund to the State an appropriate share of any net proceeds resulting from future divestiture of the property.

(35) \$1,550,000 to the Judiciary as follows:

(A) \$750,000 for internal network cabling upgrade.

(B) \$500,000 for courthouses sound system replacement.

(C) \$300,000 for correctional facilities remote hearings improvement.

(36) \$27,500,000 to the Vermont Housing Conservation Board (VHCB):

(A) \$2,500,000 of this funding shall be allocated to provide support and enhance capacity for emergency shelter for those experiencing homelessness. Allocations for emergency shelter for those experiencing homelessness shall be made in consultation with the Secretary of Human Services.

(B) \$25,000,000 is to provide support and enhance capacity for the production and preservation of affordable mixed-income rental housing and homeownership units; including but not limited to improvements to manufactured homes and communities, shelter, and permanent homes for those experiencing homelessness, recovery residences, and housing available to farm workers and refugees.

(37) \$1,200,000 to the Department for Children and Families for a grant to the Lund Center for its Residential Treatment program.

(38) \$30,000 to the Department of Health for a grant to the American Heart Association for CPR and First Aid Training kits to facilitate training in schools.

(39) \$100,000 to the Office of the State Treasurer for a study and report on Other Postemployment Benefits; Governance Structure.

(40) \$4,626,506 to the Department for Children and Families for a temporary secure youth residential facility. The Department shall provide an update to the House Committees on Appropriations, on Corrections and Institutions, and on Human Services and to the Senate Committees on Appropriations, on Judiciary, and on Health and Welfare on the status of the facility, including site location, time frame, design, and budget on or before April 15, 2023.

Sec. 46. 2022 Acts and Resolves No. 185, Sec. B.1101 is added to read:

Sec. B.1101 FISCAL YEAR 2023 ONE-TIME ENVIRONMENTAL
CONTINGENCY FUND APPROPRIATIONS

(a) In fiscal year 2023, funds are appropriated from the Environmental Contingency Fund (21275) for new and ongoing initiatives as follows:

(1) \$3,000,000 to the Department of Environmental Conservation for PFAS remediation.

Sec. 47. 2022 Acts and Resolves No. 185, Sec. B.1102 is added to read:

Sec. B.1102 FISCAL YEAR 2023 ONE-TIME TECHNOLOGY
MODERNIZATION SPECIAL FUND APPROPRIATIONS

(a) In fiscal year 2023, funds are appropriated from the Technology Modernization Special Fund (21951) for new and ongoing initiatives as follows:

(1) \$40,010,000 to the Agency of Digital Services to be used as follows:

(A) \$11,800,000 for Enterprise Resource Planning (ERP) system upgrade of core statewide financial accounting system and integration with the Department of Labor and Agency of Transportation financial systems;

(B) \$1,800,000 for continued implementation of the Workplace Information Management System for property management at the Department of Buildings and General Services;

(C) \$960,000 for the Fire Safety System Modernization to replace the current technology with a modern platform to improve records management and public interaction functionalities related to permitting and licensing;

(D) \$2,200,000 for a case management system at the Office of the Attorney General;

(E) \$20,250,000 for the Department of Motor Vehicles (DMV) Core System Modernization Phase II; and

(F) \$3,000,000 for the Department of Labor Unemployment Insurance Modernization project.

Sec. 48. 2022 Acts and Resolves No. 185, Sec. D.101 is amended to read:

Sec. D.101 FUND TRANSFERS, REVERSIONS, AND RESERVES

(a) Notwithstanding any other provision of law, the following amounts are transferred from the funds indicated:

* * *

(8) From the General Fund to the Emergency Relief and Assistance Fund (21555): \$2,100,000.

(9) From the General Fund to the Environmental Contingency Fund (21275): \$3,000,000.

(10) From the General Fund to the Cannabis Regulation Fund (21998): \$1,390,311.

(11) From the Transportation Infrastructure Bond Debt Service Fund to the Transportation Infrastructure Bond Fund (20191): \$721,240.62.

(b) Notwithstanding any provision of law to the contrary, in fiscal year 2023:

(1) The following amounts shall be transferred to the General Fund from the funds indicated:

<u>21220</u>	<u>Mental Health Risk Pool</u>	<u>\$449.17</u>
<u>21910</u>	<u>Counselor Regulatory Fee Fund</u>	<u>\$2,125.00</u>
<u>21945</u>	<u>DOC - Corrections Donations</u>	<u>\$4.52</u>
22005	AHS Central Office earned federal receipts	\$4,641,960
50300	Liquor Control Fund	\$20,400,000
	Caledonia Fair	\$5,000
	North Country Hospital Loan	\$24,047
	Springfield Hospital promissory note repayment	\$121,416
<u>50400</u>	<u>Vermont Life Magazine Fund</u>	<u>\$374,000.26</u>

(2) The Notwithstanding any other laws related to these special fund

balances, the following estimated amounts, which may be all or a portion of unencumbered fund balances, shall ~~may~~ be transferred from the following funds to the General Fund. The ~~upon determination of the~~ Commissioner of Finance and Management ~~that such transfers are integral for the financial closure of the fiscal year.~~ The Commissioner shall report to the Joint Fiscal Committee at its July meeting the final amounts transferred from each fund and certify that such transfers will not impair the agency, office, or department reliant upon each fund from meeting its statutory requirements.

21638 AG-Fees & reimbursement – Court order		\$2,000,000
21928 Secretary of State Services Funds		\$1,200,000
62100 Unclaimed Property Fund	\$1,773,425	<u>\$4,442,485</u>
<u>Combined estimate for 21075 Insurance Regulatory and Supervision Fund, 21805 Captive Insurance Regulatory and Supervision Fund, 21080 Regulatory and Supervision Fund</u>		
		<u>\$58,564,476</u>

~~(3) Notwithstanding 2016 Acts and Resolves No. 172, Sec. E. 228, \$45,664,476 of the unencumbered balances in the Insurance Regulatory and Supervision Fund (21075), the Captive Insurance Regulatory and Supervision Fund (21085), and the Securities Regulatory and Supervision Fund (21080) shall be transferred to the General Fund.~~

(4)(3) Notwithstanding any provision of law to the contrary, in fiscal year 2023, the following amounts shall revert to the General Fund from the accounts indicated:

1210002000 Legislature		\$205,000
1100030000 Executive Branch Pay Act	\$4,405,000	<u>\$4,559,966.09</u>
<u>1100010000 Secretary of Administration</u>		<u>\$261,019.35</u>
<u>1110003000 Budget & Management</u>		<u>\$46,983.65</u>
<u>1140040000 Homeowner Rebates</u>		<u>\$2,593,580.53</u>
<u>1140070000 Use Tax Reimbursement Program</u>		<u>\$103,001.75</u>
<u>1140330000 Renter Rebates</u>		<u>\$4,374,661.25</u>
<u>1260010000 Office of the Treasurer</u>		<u>\$206,201.60</u>
<u>2100001000 Attorney General</u>		<u>\$1,181.15</u>
<u>2140010000 Department of Public Safety - State Police</u>		<u>\$329,311.26</u>
<u>2140090000 Forensic Laboratory</u>		<u>\$60,701.18</u>
<u>2150010000 Military Administration/TAGO</u>		<u>\$347,364.99</u>

<u>3330892202</u>	<u>GMCB - Benchmarking Analyses</u>	<u>\$80,443.00</u>
<u>3400891804</u>	<u>Medicaid Financial Requirements</u>	<u>\$40,341.34</u>
<u>3400892109</u>	<u>St Match - Act 155 4(a),5(a)</u>	<u>\$277,500.00</u>
<u>3400892112</u>	<u>AHS - VT Food Bank-Food Box</u>	<u>\$1,376,000.00</u>
<u>3420892203</u>	<u>VDH - Recovery Centers</u>	<u>\$1.09</u>
<u>3440892203</u>	<u>DCF - Parent Child Ctrs Cap Imp</u>	<u>\$10.00</u>
<u>5100010000</u>	<u>Administration</u>	<u>\$282.00</u>
<u>5100060000</u>	<u>Adult Basic Education</u>	<u>\$7,192.22</u>
<u>5100070000</u>	<u>Education Services</u>	<u>\$3,870.00</u>
<u>5100210000</u>	<u>Education - Flexible Pathways</u>	<u>\$182,072.00</u>
<u>5100400000</u>	<u>State Board of Education</u>	<u>\$54,755.46</u>
<u>5100892214</u>	<u>AOA School Food Program Administration</u>	<u>\$50,670.70</u>
<u>5100892216</u>	<u>AOE Vaccine Incentive Program</u>	<u>\$50,000.00</u>
<u>6100040000</u>	<u>Property Tax Assessment Appropriation</u>	<u>\$4,263.13</u>
<u>6130030000</u>	<u>Parks</u>	<u>\$504.96</u>

* * *

(d) Notwithstanding any provision of law to the contrary, in fiscal year 2023, the following amounts shall revert to the Education Fund from the accounts indicated:

<u>5100010000</u>	<u>Administration</u>	<u>\$1,607,144.76</u>
<u>5100040000</u>	<u>Special Education Formula</u>	<u>\$27,333,400.07</u>
<u>5100050000</u>	<u>State - Placed Students</u>	<u>\$1,443,542.45</u>
<u>5100090000</u>	<u>Education Grant</u>	<u>\$11,754,133.93</u>
<u>5100110000</u>	<u>Small School Grant</u>	<u>\$34,348.00</u>
<u>5100200000</u>	<u>Education - Technical Education</u>	<u>\$1,497,300.35</u>
<u>5100210000</u>	<u>Education - Flexible Pathways</u>	<u>\$1,843,900.61</u>

(e) Notwithstanding any provision of law to the contrary, in fiscal year 2023, the following amounts shall revert to the Transportation Fund from the accounts indicated:

<u>8100000100</u>	<u>Finance and Administration</u>	<u>\$100,000</u>
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<u>810000300</u>	<u>Town Highway Structures</u>	<u>\$8,734,480</u>
<u>810000800</u>	<u>Transportation Board</u>	<u>\$25,398</u>
<u>8100001000</u>	<u>Town Highway State Aid Federal Disasters</u>	<u>\$18,247</u>
<u>8100001100</u>	<u>Program Development</u>	<u>\$3,288,991</u>
<u>8100001400</u>	<u>Town Highway State Aid</u> <u>Non-Federal Disasters</u>	<u>\$533,098</u>
<u>8100001700</u>	<u>Rest Areas</u>	<u>\$135,990</u>
<u>8100001900</u>	<u>Town Highway VT Local Roads</u>	<u>\$101,089</u>
<u>8100002000</u>	<u>Maintenance & Operations Bureau</u>	<u>\$1,817,000</u>
<u>8100002100</u>	<u>Department of Motor Vehicles</u>	<u>\$261,000</u>
<u>8100002200</u>	<u>Policy and Planning</u>	<u>\$893,611</u>
<u>8100002600</u>	<u>Town Highway Class 2 Roadway</u>	<u>\$4,818,108</u>

Sec. 49. 2022 Acts and Resolves No. 185, Sec. D.102(a) is amended to read:

(a) \$3,020,000 from the General Fund shall be reserved in the 27/53 reserve in fiscal year ~~2022~~ 2023. This action is the fiscal year 2023 contribution to the reserve for the 53rd week of Medicaid as required by 32 V.S.A. § 308e and the 27th payroll reserve as required by 32 V.S.A. § 308e.

Sec. 50. 2022 Acts and Resolves No. 185, Sec. E.100 is amended to read:

Sec. E.100 EXECUTIVE BRANCH POSITIONS

(a) The establishment of the following new positions is authorized in fiscal year 2023:

(1) Permanent classified positions:

* * *

(F) Cannabis Control Board:

(i) two enforcement officers; ~~and~~

(ii) one data analyst;

(iii) two chemists; and

(iv) one Cannabis Quality Assurance Program and Laboratory

Director.

* * *

(2) Permanent Exempt Positions:

(A) Vermont Pension Investment Commission: one Principal Assistant.

(B) Office of Child, Youth and Family Advocate:

(i) One Child, Youth and Family Advocate; and

(ii) One Deputy Child, Youth and Family Advocate.

* * *

(g) The establishment of the following exempt limited-service positions is authorized in the fiscal year beginning on July 1, 2022 through June 30, 2026.

(1) Truth and Reconciliation Commission

(A) Three Commissioners.

Sec. 51. 2022 Acts and Resolves No. 185, Sec. E.105.2 is amended to read:

Sec. E.105.2 FISCAL YEAR 2023; TECHNOLOGY MODERNIZATION SPECIAL FUND; AUTHORIZATIONS

~~(a) In fiscal 2023, the following expenditures are authorized from the Technology Modernization Special Fund to the projects described in this section:~~

~~(1) the sum of \$11,800,000 for Enterprise Resource Planning (ERP) system upgrade of core statewide financial accounting system and integration with the Vermont Department of Labor and the Agency of Transportation financial systems;~~

~~(2) the sum of \$1,800,000 for continued implementation of the Workplace Information Management System for property management at the Department of Buildings and General Services;~~

~~(3) the sum of \$960,000 for the Fire Safety System Modernization to replace the current technology with a modern platform to improve records management and public interaction functionalities related to permitting and licensing; and~~

~~(4) the sum of \$2,200,000 for a case management system at the Office of the Attorney General.~~

~~(b) The expenditures authorized in subdivision (a)(1) of this section Sec. B.1102 of this act shall only be released following approval by the Joint Information Technology Oversight Committee upon a review of the following documentation as provided by the Agency of Digital Services, the Agency of Administration, and the Joint Fiscal Office's IT consultant:~~

~~(1) adequacy of departmental readiness;~~

(2) the responsiveness of requests for proposals; and

(3) results of the independent review.

~~(e)~~(b) In fiscal year ~~2023~~ 2024, if funds are available per section C.102(b) of this act, the following expenditures are authorized from the Technology Modernization Special Fund to the projects described in this section:

(1) ~~The sum of \$20,250,000 for the Department of Motor Vehicles (DMV) Core System Modernization Phase II.~~

(2) The sum of up to ~~\$30,000,000~~ \$27,000,000 for the Department of Labor Unemployment Insurance Modernization project. These funds shall be released as follows:

(A) ~~the sum of \$3,000,000 on July 1, 2022;~~

~~(B)~~ the sum of \$10,000,000 on July 1, 2023 upon approval by the Joint Information Technology Oversight Committee of the actions outlined in a Project Schedule; and

~~(C)~~(B) remaining funds shall be released upon request as needed by the Agency of Digital Services and approval of the Joint Information Technology Oversight Committee in accordance with actions outlined in a Project Schedule.

* * *

(3) For the amounts released in subdivisions ~~(2)(B)-(C)~~ ~~(1)(A)-(B)~~ of this subsection, the Joint Information Technology Oversight Committee shall consider the Project Schedule developed between the Department of Labor and the Agency of Digital Services, as approved by the Agency of Administration. The Joint Information Technology Oversight Committee shall also consider any actions proposed by the U.S. Department of Labor that may impact current or future plans developed by the State's Department of Labor.

Sec. 52. 2022 Acts and Resolves No. 185, Sec. E.233.2(a) is amended to read:

(a) In fiscal year 2023 there is appropriated to the Vermont Community Broadband Board a total of ~~\$1,500,000~~ \$1,435,531 from special funds and \$684,127 from federal funds to operate the Board. ~~The intent of this section is to provide the necessary spending authority to the Board to operate in fiscal year 2023 until a new line-item budget is included in the budget adjustment for fiscal year 2023 pursuant to Sec. 233.1. of this act.~~

Sec. 53. EMPLOYMENT SUPPORTS FOR NEW AMERICANS

(a) Employment Assistance Grants. The State Refugee Office, in consultation with the Vermont Department of Labor, shall administer a grant

program to support the development of coordinated community-based systems, with consideration of regional networks and resources, to assist in achieving economic self-sufficiency for New Americans, including refugees, humanitarian parolees, special immigrant visa holders, asylees, asylum-seekers and other immigrants with low income who are or intend to become residents of Vermont.

(b) Grant funds may be allocated to:

(1) assess the current ability of a municipality or region supporting the resettlement of New Americans, including the availability of English language learning services, transportation, housing, employment supports and economic and health services:

(2) provide employment and related support services for refugees, asylum seekers and other New Americans including technical support, employment training before or during employment, English language learning, employment-related case management, job placement, transportation or other related services; and

(3) provide staff support for the coordination of local and State resources to secure partnerships with organizations employing refugees, development of sustainable New American support systems for regions where New Americans are being settled, creation of employer partnerships to serve multiple refugees, identification of cultural barriers for individual or groups of refugees, and facilitation with necessary stakeholders to remove barriers and prepare for successful employment.

(c) The funding for this grant program is provided in 2022 Acts and Resolves No. 185, Sec. B.1100, as amended by Sec. 45 of this act.

Sec. 54. 2022 Acts and Resolves No. 185, Sec. E.301 is amended to read:

Sec. E.301 SECRETARY'S OFFICE – GLOBAL COMMITMENT:

* * *

(b) In addition to the State funds appropriated in this section, a total estimated sum of ~~\$25,231,144~~ \$22,682,952 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) ~~\$22,230,100~~ \$19,881,850 certified State match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with ~~\$28,269,900~~ \$30,618,150 of federal funds appropriated in Sec. B.301 of this act equals a total estimated expenditure of \$50,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-

based Medicaid services under Global Commitment shall be transferred from the Global Commitment Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) ~~\$3,001,544~~ \$2,801,102 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

(c) Up to ~~\$4,034,170~~ \$3,515,959 is transferred from the AHS Federal Receipts Holding Account to the Interdepartmental Transfer Fund consistent with the amount appropriated in Sec. B.301 of this act – Secretary’s Office – Global Commitment.

Sec. 55. DEPARTMENT OF MENTAL HEALTH: REIMBURSEMENT RATES FOR PRIVATE NONMEDICAL INSTITUTIONS

(a) Of the amounts appropriated to the Department of Mental Health in fiscal year 2023, \$420,000 is for the purposes of increasing reimbursement rates for Private Nonmedical Institutions that have rates set according to the Department of Vermont Health Access, Division of Rate Setting’s Methods, Standards and Principles for Establishing Payment Rates for Private Nonmedical Institutions Providing Residential Child Care Services. This amount shall be distributed by increasing the per diem rates set by the Department of Vermont Health Access, Division of Rate Setting for each Private Nonmedical Institution. The Division of Rate Setting shall increase the treatment and room and board portions of the final per diem rate for each Private Nonmedical Institution whose rate is set by the Division of Rate Setting by an amount sufficient to ensure the appropriation in this section is fully utilized from January 1, 2023 through June 30, 2023.

Sec. 56. DEPARTMENT FOR CHILDREN AND FAMILIES: REIMBURSEMENT RATES FOR PRIVATE NONMEDICAL INSTITUTIONS

(a) Of the amounts appropriated to the Department for Children and Families in fiscal year 2023, \$1,900,000 is for the purposes of increasing reimbursement rates for Private Nonmedical Institutions that have rates set according to the Department of Vermont Health Access, Division of Rate Setting’s Methods, Standards and Principles for Establishing Payment Rates for Private Nonmedical Institutions Providing Residential Child Care Services. This amount shall be distributed by increasing the per diem rates set by the Department of Vermont Health Access, Division of Rate Setting for each Private Nonmedical Institution. The Division of Rate Setting shall increase the treatment and room and board portions of the final per diem rate for each Private Nonmedical Institution whose rate is set by the Division of Rate

Setting by an amount sufficient to ensure the appropriation in this section is fully utilized from January 1, 2023 through June 30, 2023.

Sec. 57. ESSER: EDUCATION RECOVERY AND REVITALIZATION

(a) The Agency of Education may adjust any of the allocations concerning ESSER II and ARP ESSER state set aside funds made in 2021 Acts and Resolves Nos. 9, 67, 72, and 74 and 2022 Acts and Resolves Nos. 28, 83, 112, 166, and this act during the final reconciliation process to ensure the entirety of the federal awards are expended. The Agency of Education shall provide a final reconciliation report to the Joint Fiscal Committee on the reallocation of these funds in October 2023 and October 2024.

Sec. 58. 2022 Acts and Resolves No. 185, Sec. E.514 is amended to read:

Sec. E.514 STATE TEACHERS' RETIREMENT SYSTEM

(a) In accordance with 16 V.S.A. § 1944(g)(2), and consistent with system changes enacted for fiscal year 2023 in the 2022 session, the annual contribution to the State Teachers' Retirement System (STRS) shall be ~~\$194,161,651~~ \$194,961,651 of which ~~\$187,273,782~~ \$188,073,782 shall be the State's contribution and \$6,887,869 shall be contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944c.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, ~~\$34,342,965~~ \$34,842,965 is the "normal contribution," and ~~\$159,818,686~~ \$160,118,686 is the "accrued liability contribution."

Sec. 59. 1 V.S.A. § 317(c) is amended to read:

(c) The following public records are exempt from public inspection and copying:

* * *

~~(21) Lists of names compiled or obtained by Vermont Life magazine for the purpose of developing and maintaining a subscription list, which list may be sold or rented in the sole discretion of Vermont Life magazine, provided that such discretion is exercised in furtherance of that magazine's continued financial viability and is exercised pursuant to specific guidelines adopted by the editor of the magazine [Repealed].~~

* * *

Sec. 60. 3 V.S.A. § 2042 is amended to read:

§ 2402. COMMERCE AND COMMUNITY DEVELOPMENT

(a) An Agency of Commerce and Community Development is created

consisting of the following:

* * *

(4) ~~Vermont Life magazine.~~ [Repealed.]

* * *

Sec. 61. REPEAL OF VERMONT LIFE MAGAZINE

3 V.S.A. § 2473a (Vermont Life magazine) is repealed.

Sec. 62. CLOSURE OF VERMONT LIFE MAGAZINE FUND

The Vermont Life Magazine Fund (50400) is closed. Any residual balance remaining at or after the close of fiscal year 2023 shall also be transferred to the General Fund to bring the Vermont Life Magazine Fund to a \$0.00 balance for closure.

Sec. 63. FISCAL YEAR 2022 TRANSPORTATION FUND BUDGET
STABILIZATION RESERVE

For the purpose of calculating the fiscal year 2022 Transportation Fund stabilization requirement of five percent of prior year appropriations, reversions of \$1,360,563 are excluded from the fiscal year 2021 total appropriations amount.

Sec. 64. FISCAL YEAR 2023 TRANSPORTATION FUND
BUDGET STABILIZATION RESERVE:

For the purpose of calculating the fiscal year 2023 Transportation Fund stabilization requirement of five percent of prior year appropriations, reversions of \$3,933,027 are excluded from fiscal year 2022 total appropriations.

Sec. 65. 2022 Acts and Resolves No. 185, Sec. G.300(c)(2) is amended to read:

(2) \$6,000,000 to the Department of Economic Development for the remediation and redevelopment of brownfield sites to be used in the same manner as the Brownfields Revitalization Fund established by 10 V.S.A. § 6654, except notwithstanding the grant limitations in 10 V.S.A. § 6654, projects supported by this appropriation shall not be limited to \$200,000 grants per parcel. The Agency of Commerce and Community Development shall award the amount of \$1,000,000.00 in fiscal year 2023 to regional planning commissions for the purposes of brownfields assessment. In awarding funds under this section, the Secretary, in consultation with Vermont Association of Planning and Development Agencies, shall select one regional planning commission to administer these funds. To ensure statewide availability, the

selected regional planning commission shall subgrant to regional planning commissions with brownfield programs, with not more than 10 percent of the funds being used for administrative purposes.

Sec. 66. 2022 Acts and Resolves No. 185, Sec. G. 500(a) is amended to read:

(a) \$95,000,000 is appropriated in fiscal year 2023 to the Department of Public Service, Vermont Community Broadband Board from the American Rescue Plan Act - Coronavirus Capital Projects Fund in order to support the State's goal of achieving universal access to reliable, high-quality, affordable broadband. This appropriation shall be ~~transferred to the Vermont Community Broadband Fund~~ used to make grants through the Broadband Construction Grant Program. The Board may use monies appropriated in this subsection to fund any match requirements applicable to broadband grants funded by the federal ~~Infrastructure~~ Infrastructure Investment and Jobs Act.

Sec. 67. 2022 Acts and Resolves No. 185, Sec. G. 600(a)(2) is amended to read:

(2) \$35,000,000 to the Department of Public Service to grant to Efficiency Vermont for the purpose of weatherization incentives to Vermonters with a moderate income. These funds shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be available for use by Efficiency Vermont through December 31, ~~2024~~2026. Households approved for assistance in this section will also be offered services outlined in subdivision (4) of this subsection.

Sec. 68. 2022 Acts and Resolves No. 185, Sec. G. 800(a) is amended to read:

(a) The establishment of the following ~~23~~ 32 new classified limited-service positions is authorized in fiscal year 2023.

Sec. 69. 2021 Acts and Resolves No. 74, Sec. E.127.1(d) is amended to read:

(d) ~~To fund this work for fiscal year 2022 and fiscal year 2023, notwithstanding 32 V.S.A. § 706, at the close of fiscal year 2021, \$250,000.00 in carryforward from the legislative budget shall be transferred to the JFO. [Repealed.]~~

Sec. 70. 2021 Acts and Resolves No. 74, Sec. D.101, as amended by 2022 Acts and Resolves No. 83, Sec. 48 is further amended to read:

Sec. D.101 FUND TRANSFERS, REVERSIONS AND RESERVES

* * *

(d) Notwithstanding any provision of law to the contrary, in fiscal year 2022, the following amounts shall revert to the General Fund from the

accounts indicated:

* * *

1225001000	Legislative IT	\$60,000.00	<u>\$120,000.00</u>
<u>1230001000</u>	<u>Sergeant-at-Arms</u>		<u>\$60,000.00</u>

* * *

Sec. 71. 2021 Acts and Resolves No. 74, Sec. G.300, as amended by 2022 Acts and Resolves No. 83, Sec. 68 is further amended to read:

Sec. G.300 INVESTMENTS IN VERMONT'S ECONOMY,
WORKFORCE, AND COMMUNITIES

* * *

(28) ~~\$12,803,996~~ \$12,803,993 to the Department of Labor to cover pandemic related operating costs in the Unemployment system and other programs.

* * *

Sec. 72. 2021 Acts and Resolves No. 74, Sec. G.600(a)(4) is amended to read:

(4) \$2,000,000 to the Department of Public Service to grant to Efficiency Vermont for the purpose of workforce development initiatives and to support the expansion of NeighborWorks of Western Vermont's Heat Squad program. These funds shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be available for use by Efficiency Vermont through December 31, ~~2023~~ 2024.

Sec. 73. 2022 Acts and Resolves No. 83, Sec. 72 is amended to read:

Sec. 72. WORKFORCE RECRUITMENT AND RETENTION
INCENTIVE GRANT FUNDING FOR EMPLOYEES OF
ELIGIBLE HEALTH CARE AND SOCIAL SERVICE
EMPLOYERS

(a)(1) Program established. The Secretary of Human Services shall establish a workforce recruitment and retention incentive grant program for employees of eligible employers, as defined in this section. Eligible employers may apply for a grant within the grant application period determined by the Secretary.

(2) ~~The~~ For all eligible employers except for home health agencies, the total grant award amount for each eligible employer shall be calculated at a rate of \$2,000 per full-time equivalent employee (FTE) based on the number of FTEs identified by the eligible employer in its grant application. For home

health agencies, the total grant award amount for each eligible employer shall be calculated at a rate of \$3,000 per full-time equivalent employee (FTE) based on the number of FTEs identified by the eligible employer in its grant application.

* * *

~~(4) Eligible employers shall distribute the full amount of their awards within 12 months following receipt of the grant funds.~~

* * *

(f) Allocations.

(1) Of the funds made available in subsection (e) of this section, \$45,000,000 shall be allocated for a first round of funding, to be made available to the eligible employers identified in subsection (b) of this section. The remaining \$15,000,000 shall be reserved for a second round of funding pending identification of a set of additional health care and social service provider employers with a demonstrated need for the recruitment and retention incentive grant funding, as recommended by the Agency of Human Services and accepted by the General Assembly, or by the Joint Fiscal Committee if the General Assembly is not in session, except that the Agency is authorized to access all or a portion of the reserved funding to the extent that a funding deficiency is identified when meeting the needs of the first round of eligible employers.

(2) Any remaining funds following a second round of funding may be used for one or more of the following workforce recruitment and retention purposes:

(A)(i) Incentive grants to nurses employed by health care employers in Vermont for serving as preceptors for nursing students enrolled in Vermont nursing schools. The Agency shall distribute all or a portion of the remaining funds to health care employers employing nurses who provide student preceptor supervision based on the number of preceptor hours to be provided, at a rate of \$5.00 per preceptor hour, or a lesser hourly rate if the need exceeds the available funds. The Agency shall prioritize funding for health care employers that provide matching funds for additional preceptor compensation or that commit to providing future compensation and support to expanding the number of preceptors.

(ii) If nurse preceptors receiving compensation pursuant to a grant awarded to a health care employer under this section are subject to a collective bargaining agreement, the use of the grant funds provided to the health care employer for the nurse preceptors shall be subject to bargaining between the

health care employer and the collective bargaining representative of the nurses to the extent required by the collective bargaining agreement.

(B) Grants to health care employers, including hospitals, long-term care facilities, designated and specialized service agencies, federally qualified health centers, and other health care providers, to establish or expand partnerships with Vermont nursing schools to create nursing pipeline or apprenticeship programs, or both, that will train members of the health care employers' existing staff, including personal care attendants, licensed nursing assistants, and licensed practical nurses, to become higher-level nursing professionals. Through a combination of scholarship awards; grants awarded to health care employers pursuant to this section; grants awarded to health care employers pursuant to 2022 Acts and Resolves No. 183, Sec. 22; and the health care employer's contributions, there will be no out-of-pocket costs toward tuition and fees incurred by the trainees. Trainees may also receive assistance in meeting their living costs, such as housing and child care, while attending the program as allocated funding allows.

Sec. 74. 2022 Acts and Resolves No. 183, Sec. 21 is amended to read:

Sec. 21. NURSE PRECEPTOR INCENTIVE GRANTS; HOSPITALS;
WORKING GROUP; REPORT

(a)(1) In fiscal year 2023, the amount of \$400,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Human Services to provide incentive grants to nurses employed by critical access hospitals in Vermont for serving as preceptors for nursing students enrolled in Vermont nursing school programs. The Agency shall distribute the funds to critical access hospitals employing nurses who provide student preceptor supervision based on the number of preceptor hours to be provided, at a rate of \$5.00 per preceptor hour, or a lesser hourly rate if the need exceeds the available funds. The Agency shall prioritize funding for hospitals that provide matching funds for additional preceptor compensation or that commit to providing future compensation and support to expanding the number of preceptors. If funding is not fully obligated after offering an initial grant opportunity to critical access hospitals, the Agency may open the grant opportunity to other health care employers, including non-critical access hospitals, long-term care facilities, designated and specialized service agencies, federally qualified health centers, and other health care providers.

(2) If nurse preceptors receiving compensation pursuant to a grant awarded to a hospital or other health care employer under this section are subject to a collective bargaining agreement, the use of the grant funds

provided to the hospital or other health care employer for the nurse preceptors shall be subject to impact bargaining between the hospital or other health care employer and the collective bargaining representative of the nurses to the extent required by the collective bargaining agreement.

Sec. 75. 2022 Acts and Resolves No. 182, Sec. 3 is amended to read:

Sec. 3. MANUFACTURED HOME IMPROVEMENT AND REPLACEMENT PROGRAM

Of the amounts available from ~~federal COVID-19 relief~~ the American Rescue Plan Act (ARPA) recovery funds, the following amounts are appropriated to the Department of Housing and Community Development for the purposes specified:

* * *

Sec. 76. 2022 Acts and Resolves No. 182, Sec. 28 is amended to read:

Sec. 28. APPROPRIATION ALLOCATION

~~To the extent that increased funding is provided in fiscal year 2023 to the Municipal and Regional Planning Fund, \$650,000.00 shall be used for Municipal Bylaw Modernization Grants established in 24 V.S.A. § 4307. An amount not to exceed \$650,000 of Municipal and Regional Planning Funds, as appropriated to the Department of Housing and Community Development per 2022 Acts and Resolves No. 185, Sec. B.802, may be used to provide Municipal Bylaw Modernization Grants in accordance with 24 V.S.A § 4307.~~

Sec. 77. 2022 Acts and Resolves No. 178, Sec. 3 is amended to read:

Sec. 3. DISBURSEMENT PLAN; POLYCHLORINATED BIPHENYLS (PCBs); REMEDIATION; SIGNIFICANT HEALTH THREAT

* * *

(c) Expenditures made pursuant to this section shall be authorized notwithstanding 16 V.S.A. § 4025(d).

Sec. 78. 2022 Acts and Resolves No. 183, Sec. 16(b)(1) is amended to read:

(1) ~~In Notwithstanding 16 V.S.A. § 4025(d);~~ in fiscal year 2023, the amount of \$15,000,000.00 is appropriated from the Education Fund to the Vermont Housing and Conservation Board to create and administer the CTE Construction and Rehabilitation Experiential Learning Program and Revolving Loan Fund pursuant to this section

Sec. 79. 2022 Acts and Resolves No. 183, Sec. 25 is amended to read:

Sec. 25. VERMONT NURSING FORGIVABLE LOAN INCENTIVE PROGRAM; APPROPRIATION

(a) In fiscal year 2023, the amount of \$227,169.00 in Global Commitment funds is appropriated to the Department of Health for forgivable loans for nursing students under the Vermont Nursing Forgivable Loan Incentive Program established in 18 V.S.A. § 34 by Sec. 23 of this act.

(b) In fiscal year 2023, the amount of \$100,000.00 is appropriated from the General Fund to the Agency of Human Services, Global Commitment appropriation Program for the State match for the Vermont Nursing Forgivable Loan Incentive Program established in 18 V.S.A. § 34 by Sec. 23 of this act.

(c) In fiscal year 2023, \$127,169.00 in federal funds is appropriated to the Agency of Human Services, Global Commitment appropriation Program for the Vermont Nursing Forgivable Loan Incentive Program established in 18 V.S.A. § 34 by Sec. 23 of this act.

Sec. 80. 2022 Acts and Resolves No. 183, Sec. 47(d)(3) is amended to read:

(3) the amount of the cumulative decline in adjusted net operating income during the COVID-19 public health emergency in 2020 and 2021, or other appropriate basis of comparison used to determine eligibility under subdivision (c)(4) of this section.

Sec. 81. 2022 Acts and Resolves No. 183, Sec. 53(a) is amended to read:

(a) Reversion. In fiscal year ~~2022~~ 2023, of the amounts appropriated in 2021 Acts and Resolves No. 74, Sec. G. 300(a)(13), from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Commerce and Community Development for the Economic Recovery Grant Program, ~~\$25,500,000.00~~ \$25,042,000.00 shall revert to the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds.

Sec. 82. 2022 Acts and Resolves No. 183, Sec. 54 is amended to read:

Sec. 54. ~~APPROPRIATION;~~ DOWNTOWN AND VILLAGE CENTER TAX CREDIT PROGRAM: ONE-TIME SUPPLEMENTAL CAPACITY

~~There is appropriated the sum of \$2,450,000.00 from the General Fund to the Vermont Downtown and Village Center Tax Credit Program to be used in fiscal years 2023 and 2024. Notwithstanding 32 V.S.A. § 5930ee, the funds shall be used in the period from July 1, 2022 through June 30, 2024, the tax credit capacity for the Downtown and Village Center Tax Credit program shall be increased by a cumulative total of \$2,450,000 to increase the amount of tax~~

credits that may be awarded to qualified projects. Of ~~these~~ the supplemental tax credits awarded ~~in fiscal years 2023 and 2024~~, up to \$2,000,000.00 may be awarded to qualified projects located in designated neighborhood development areas.

Sec. 83. 2022 Acts and Resolves No. 184, Sec. 2(8)(C) and (D) are amended to read:

(C) Replace Your Ride Program. Sec. 5(c) of this act authorizes ~~\$3,000,000.00~~ \$2,900,000.00 for incentives under Replace Your Ride, which will be the State's program to incentivize Vermonters to remove older low-efficiency vehicles from operation and switch to modes of transportation that produce fewer greenhouse gas emissions, and capped administrative costs.

(D) eBike Incentives. Sec. 5(d) of this act authorizes ~~\$50,000.00~~ \$150,000.00 for eBike incentives and capped administrative costs.

Sec. 84. 2022 Acts and Resolves No. 184, Sec. 5(c) and (d) are amended to read:

(c) Replace Your Ride Program. The Agency is authorized to spend up to ~~\$3,000,000.00~~ \$2,900,000.00 as appropriated in the fiscal year 2023 budget on the Replace Your Ride Program established in 2021 Acts and Resolves No. 55, Sec. 27, as amended.

(d) eBike Incentives. The Agency is authorized to spend up to ~~\$50,000.00~~ \$150,000.00 as appropriated in the fiscal year 2023 budget on an eBike incentive program.

Sec. 85. 2022 Acts and Resolves No. 185, Sec. G.600(b) is amended to read:

(b) In fiscal year 2023, \$32,200,000 is appropriated from the General Fund and \$550,000 is appropriated from the Transportation Fund for electric vehicle charging infrastructure, electrification incentives and public transportation investments as follows:

* * *

(5) ~~\$3,000,000.00~~ \$2,900,000.00 to the Agency of Transportation for the Replace Your Ride Program, established in 2021 Acts and Resolves No. 55, Sec. 27, as amended.

(6) \$2,200,000 general funds and \$550,000 Transportation funds to the Agency of Transportation for the following:

* * *

(C) \$50,000 Transportation funds and \$100,000 general funds to the Agency of Transportation for electric bicycle incentives.

Sec. 86. 2022 Acts and Resolves No. 186, Sec. 4(b) is amended to read:

(b) In fiscal year 2023, \$102,000.00 is ~~appropriated~~ allocated to the Department of Disabilities, Aging, and Independent Living from the Global Commitment Federal Medical Assistance Percentage (FMAP) home- and community-based services monies appropriated in 2022 Acts and Resolves No. 83, Sec. 72a, as amended by 2022 Acts and Resolves No. 185, Sec. 105, to fund the Residential Program Developer position established in subsection (a) of this section.

Sec. 87. 2022 Acts and Resolves No. 186, Sec. 5(b)(1) is amended to read:

(b)(1) In fiscal year 2023, \$500,000.00 is ~~appropriated~~ allocated to the Department of Disabilities, Aging, and Independent Living from the Global Commitment Federal Medical Assistance Percentage (FMAP) home- and community-based services monies appropriated in 2022 Acts and Resolves No. 83, Sec. 72a, as amended by 2022 Acts and Resolves No. 185, Sec. 105, to develop housing and residential service pilot planning grants in at least three regions of the State, in partnership with designated and specialized service agencies, for individuals with developmental disabilities and their families. The Department shall issue a request for proposals seeking entities to develop regional pilot planning grants with not more than one grant per designated agency catchment area.

Sec. 88. 33 V.S.A. § 3543 is amended to read:

§ 3543. STUDENT LOAN REPAYMENT ASSISTANCE

(a)(1) There is established a need-based student loan repayment assistance program for the purpose of providing student loan repayment assistance to any individual employed by a regulated, privately operated center-based child care program or family child care home.

(2) An eligible individual shall:

(A)(i) work in a privately operated center-based child care program or in a family child care home that is regulated by the Division for at least an average of 30 hours per week for 48 weeks of the year; or

(ii) if the individual is an employee of a Vermont Head Start program that operates fewer than 48 weeks per year, work a minimum of nine months of the year, inclusive of any employer-approved time off; or

(B) receive an annual salary of not more than ~~\$50,000.00~~ \$60,000.00 through the individual's work in regulated childcare; and

(C)(i) have earned an associate's, ~~or~~ bachelor's, or master's degree with a major or concentration in early childhood, child and human

development, elementary education, special education with a birth to age eight focus, or child and family services ~~within the preceding five years; or~~

(ii) have earned an associate's, bachelor's, or master's degree that contributes to an Early Childhood Career Ladder Certificate Level IIIB or higher through Northern Lights at the Community College of Vermont.

(3) To participate in the program set forth in this section, an eligible individual shall submit to the Department for Children and Families documentation expressing the individual's intent to work in a regulated, privately operated center-based child care program or family child care home for at least the 12 months following the annual loan repayment award notification. A participant may receive up to \$4,000.00 annually in student loan repayment assistance, which shall be distributed by the Department in four allotments. The Department shall distribute at least one-quarter of the individual's total annual benefit after the individual has completed three months of employment in accordance with the program. The remainder of an individual's total annual benefit shall be distributed by the Department every three months after the initial payment.

Sec. 88a. RETROACTIVE STUDENT LOAN REPAYMENT ASSISTANCE

(a) In recognition that many long-serving child care providers had student loan debt that is now retired, the Department for Children and Families shall provide to an eligible applicant a one-time retroactive payment of up to \$4,000.00. An eligible applicant shall:

(1) have not previously received student loan repayment assistance pursuant to 33 V.S.A. section 3543;

(2) have met all eligibility requirements listed in 33 V.S.A. section 3543 within the 12 months preceding the date of application; and

(3) not currently have any student loan debt.

Sec. 89. TRANSITION OF SCHOLARSHIPS FOR PROSPECTIVE EARLY CHILDHOOD PROVIDERS PROGRAM

(a) As a result of timing constraints on the American Rescue Plan Act–Child Care Development Block Grant funds (ARPA–CCDBG), utilization of the Scholarships for Prospective Early Childhood Providers program established in 33 V.S.A. § 3542 has been limited requiring funding and program transition.

(1) Notwithstanding subdivisions E.318.3(a)(1) and (2) of 2021 Acts and Resolves No. 74 or other ARPA–CCDBG funding allocations to the Prospective Early Childhood Providers established in 33 V.S.A. § 3542, the

Department for Children and Families may allocate any unexpended and unobligated ARPA–CCDBG funding to any of the initiatives listed in 2021 Acts and Resolves No. 45 to the extent allowed by ARPA–CCDBG.

(2) Notwithstanding Sec. E.318.3(a)(1) and (2) of 2021 Acts and Resolves No. 74, the Department for Children and Families shall transition the program in coordination with the Vermont Student Assistance Corporation for the existing participants including the release of participants from work requirements. The Department for Children and Families shall fund any transition costs associated with the current participants enrolled in the Scholarships for Prospective Early Childhood Providers established in 33 V.S.A. § 3542 from the existing allocation of ARPA–CCDBG monies.

Sec. 90. 2020 Acts and Resolves No. 164, Sec. 6d. is amended to read:

Sec. 6d. AUDITOR OF ACCOUNTS REPORT

On or before November 15, ~~2023~~ 2025, the Auditor of Accounts shall report to the General Assembly regarding the organizational structure and membership of the Cannabis Control Board and whether the structure continues to be the most efficient for carrying out the statutory duties of the Board.

Sec. 91. 32 V.S.A. § 7811 is amended to read:

§ 7811. IMPOSITION OF TOBACCO PRODUCTS TAX

* * *

(b) The tax established in this section shall not be imposed on:

(1) cannabis-related supplies sold by a dispensary registered under ~~18 V.S.A. chapter 86~~ 7 V.S.A. chapter 37 to registered patients and registered caregivers, as those terms are defined in ~~18 V.S.A. § 4472~~ 7 V.S.A. § 972;

(2) cannabis products, as defined in 7 V.S.A. § 831, that do not contain tobacco; or

(3) hemp or hemp products, as defined in 6 V.S.A. § 562, that do not contain tobacco.

* * *

Sec. 92. REPEALS; MENTAL HEALTH RISK POOL

1998 Acts and Resolves No. 147, Sec. 138a is repealed.

Sec. 93. JUDICIARY NETWORK REPLACEMENT REVIEW

(a) On or before April 15, 2023, the Judiciary shall obtain an independent expert review for their proposed Network Replacement project. The review

shall include:

- (1) an acquisition cost assessment;
- (2) a technology architecture and standards review;
- (3) an implementation plan assessment, including a review of the staffing plan for the ongoing operation of the network;
- (4) a cost analysis and a model for benefit analysis;
- (5) an analysis of alternatives;
- (6) an impact analysis on the Judiciary's net operating costs; and
- (7) a security assessment.

(b) The Judiciary shall submit a copy of the review described in subsection (a) of this section to the House Committees on Appropriations and on Government Operations and Military Affairs and the Senate Committees on Appropriations and on Government Operations. No funds shall be appropriated for the Judiciary's Network Replacement project until the results of the review are assessed by the General Assembly.

(c) Any costs associated with the review described in subsection (a) of this section shall be paid for from the Judiciary's fiscal year 2023 operating budget.

Sec. 94. LEGISLATIVE INTENT FOR ADDRESSING THE HOUSING SHORTAGE AND ENDING HOMELESSNESS

(a) It is the intent of the General Assembly that all future funding and policy development for addressing the housing shortage and ending homelessness be aligned with the strategies presented in the 2016 Agency of Human Services Roadmap to End Homelessness report to reduce both homelessness and reliance on the temporary housing program.

Sec. 95. MUNICIPAL TECHNICAL ASSISTANCE TO ACCESS STATE AND FEDERAL FUNDING

(a) Expanding municipal access to State and federal funding. The Agency of Administration, consistent with the provisions of this section, shall design and implement a process to provide expanded technical and administrative assistance to municipalities with high need that may be eligible for State or federal funding for the following activities:

(1) Community needs assessment. Conducting a review of community assets and needs, strategic planning, and identifying potential eligible projects, including in the following categories:

- (A) water supply and wastewater infrastructure;
- (B) housing;
- (C) community recovery, workforce development, and business support;
- (D) climate change mitigation and resilience; and
- (E) other community economic development projects identified by a municipality and approved by the Agency of Administration.

(2) Opportunity assessment. Assessing the technical assistance and funding available from State, federal, and private sources; evaluating eligibility and compliance requirements; and conducting a feasibility analysis of whether the municipality has, or can develop, the capacity to complete a project and meet applicable requirements.

(3) Application and permit assistance. Providing technical and administrative assistance with completing funding applications, permit applications, and satisfying initial regulatory requirements.

(4) Project management and implementation. Providing ongoing support to successful grant recipients with project management, funding program implementation, funding program compliance, and administrative and regulatory compliance through project completion.

(5) Other capacity-building activities. Providing additional assistance, subject to approval by the Agency, to advance priority projects identified by municipalities.

(b) Eligible service providers; service delivery.

(1) Eligibility.

(A) The Agency shall develop eligibility criteria, issue a request for proposals, and implement an approval process for service providers within each region to provide the technical assistance and services specified in subsection (a) of this section.

(B) The Agency may exercise its discretion in structuring the terms of service and payments, provided that the Agency shall adopt a set of minimum standards, duties, and performance requirements applicable to all service providers.

(2) Providers; mode of delivery. The Agency may:

(A) award a grant or contract for services to a regional planning commission, regional development corporation, or other similar

instrumentality; to a private for-profit or nonprofit contractor; or to a combination of these;

(B) award funding to two or more municipalities to create a shared full-time, part-time, or limited-service position; or

(C) authorize an eligible municipality to directly contract for services from one or more providers approved by the Agency, subject to terms approved by the Agency.

(3) Regional collaboration. In approving service providers, the Agency shall give priority to applicants that demonstrate a commitment and ability to promote regional collaboration and maximize the efficient use of resources.

(c) Eligible municipalities; communities index.

(1) The Agency shall develop an index that ranks Vermont municipalities based on their relative administrative capacity to access and maximize the benefits of technical assistance and funding that is available from State, federal, and other sources.

(2) In developing the index, for each municipality in this State, the Agency shall consider its demographic profile, geographic location, and economic resources; the current size and administrative capacity of the municipal government; the availability of regional partners and supports; and other factors the Agency determines to be relevant in assessing the municipality's capacity to fully access available funding and related assistance.

(d) Eligible municipalities; priority.

(1) The Agency shall approve funding on a first-come, first-served basis to municipalities that rank in the top 25th percentile on the index developed pursuant to subsection (c) of this section.

(2) Notwithstanding subdivision (1) of this subsection, the Agency may adopt a process to consider and approve funding for a municipality that ranks below the top 25th percentile but demonstrates exceptional circumstances.

(3) If funds remain available after meeting the funding requirements of municipalities that qualify under subdivisions (1)–(2) of this subsection, the Agency may award funding to other municipalities according to index ranking.

(e) Outreach; implementation.

(1) The Agency, in coordination with the Vermont League of Cities and Towns, shall conduct a general public engagement campaign to make municipalities aware of the potential opportunity for services and funding pursuant to this section.

(2) The Agency, the Vermont League of Cities and Towns, and each regional planning commission and regional development corporation that serves a municipality that is eligible for funding priority under subdivision (d)(1) of this section shall work collaboratively to ensure that individual outreach to each eligible municipality occurs:

(A) to inform the municipality that it is eligible for funding for technical assistance and related services based on its index ranking;

(B) to educate the municipality on the process for identifying the types of services and assistance available, identifying eligible service providers, and accessing funding pursuant to this section; and

(C) to determine whether the municipality intends to further pursue funding for technical assistance and related services or waives its priority for funding.

(f) Reporting.

(1) The Agency shall report to the House and Senate Committees on Appropriations, the Senate Committee on Government Operations, the House Committee on Government Operations and Military Affairs, the House Committee on Commerce and Economic Development, and the Senate Committee on Economic Development, Housing and General Affairs on or before the following dates:

(A) April 1, 2023;

(B) July 1, 2023; and

(C) January 15, 2024.

(2) The Agency shall address in its reports the design and implementation of the process for providing municipal technical assistance pursuant to this section, including information addressing:

(A) the activities specified in subsection (a) of this section for which the Agency provided funding and the type and amount of State, federal, or other funds that were leveraged for each activity;

(B) the eligibility criteria, request for proposals, and approval process for service providers; the standards, duties, and performance requirements applicable to service providers; and the identity and scope of services performed by approved service providers;

(C) the mode of delivery, amount, and purpose of funding awarded to municipalities;

(D) the design, methodology, and efficacy of the index; the

effectiveness of the index in identifying relative priority and capacity of municipalities; and, if applicable, the basis of any funding awards made due to exceptional circumstances pursuant to subdivision (d)(3) of this section; and

(E) the design, implementation, and effectiveness of outreach efforts undertaken pursuant to subsection (e) of this section.

(g) Funding. The funding is provided in 2022 Acts and Resolves No. 185, Sec. B.1100 as amended by Sec. 45 of this act.

Sec. 96. 3 V.S.A. § 455 is amended to read:

§ 455. DEFINITIONS

(a) As used in this subchapter:

* * *

(11) “Member” means any employee included in the membership of the Retirement System under section 457 of this title.

* * *

(F) “Group G member” means the following employees who are first employed in the positions listed in this subdivision (F) on or after ~~July 1, 2022~~ July 1, 2023, or who are members of the System as of June 30, 2022 and make an irrevocable election to prospectively join Group G on or before June 30, 2023, pursuant to the terms set by the Board: facility employees of the Department of Corrections, as Department of Corrections employees who provide direct security and treatment services to offenders under supervision in the community, as employees of a facility for justice-involved youth, or as Vermont State Hospital employees or as employees of its successor in interest, who provide direct patient care.

(12) “Membership service” ~~shall mean~~ means service rendered while a member of the Retirement System.

(13) “Normal retirement date” means:

* * *

(E) with respect to a Group G member:

(i) for facility employees of the Department of Corrections, Department of Corrections employees who provide direct security and treatment services to offenders under supervision in the community, employees of a facility for justice-involved youth, or employees of the Vermont State Hospital or its successor in interest, who provide direct patient care, who were first included in the membership of the System on or before June 30, 2008,

who were employed as of June 30, 2022, and who made an irrevocable election to prospectively join Group G on or before July 1, 2023, pursuant to the terms set by the Board, the first day of the calendar month next following the earlier of:

(I) 62 years of age and following completion of five years of creditable service;

(II) completion of 30 years of creditable service; or

(III) 55 years of age and following completion of 20 years of creditable service; or

(ii) for facility employees of the Department of Corrections, Department of Corrections employees who provide direct security and treatment services to offenders under supervision in the community, as employees of a facility for justice-involved youth, or employees of the Vermont State Hospital or its successor in interest, who provide direct patient care, who were first included in the membership of the System on or after July 1, 2008, who were employed as of June 30, 2022, and who made an irrevocable election to prospectively join Group G on or before July 1, 2023, pursuant to the terms set by the Board, the first day of the calendar month next following the earlier of:

(I) 65 years of age and following completion of five years of creditable service;

(II) attainment of 87 points reflecting a combination of the age of the member and number of years of service; or

(III) 55 years of age and following completion of 20 years of creditable service; or

(iii) for facility employees of the Department of Corrections, Department of Corrections employees who provide direct security and treatment services to offenders under supervision in the community, employees of a facility for justice-involved youth, or employees of the Vermont State Hospital or its successor in interest, who provide direct patient care, who first become a Group G member on or after July 1, 2023, the first day of the calendar month next following the earlier of:

(I) attainment of 55 years of age and following completion of 20 years of creditable service; or

(II) 65 years of age and following completion of five years of creditable service.

* * *

Sec. 97. 3 V.S.A. § 470 is amended to read:

§ 470. POSTRETIREMENT ADJUSTMENTS TO RETIREMENT ALLOWANCES

* * *

(b) Calculation of net percentage increase.

(1) Consumer Price Index; maximum and minimum amounts. Prior to October 1 of each year, a determination shall be made of any increase or decrease, to the nearest one-tenth of a percent, in the Consumer Price Index for the month ending on June 30 of that year to the average of said index for the month ending on June 30 of the previous year. Any increase or decrease in the Consumer Price Index shall be subject to adjustment so as to remain within the following maximum and minimum amounts:

* * *

(E) For Group F and Group G members who are first eligible for normal retirement or unreduced early retirement on or before June 30, 2022, or who are vested deferred members as of June 30, 2022, the maximum amount of any increase or decrease used to determine the net percentage increase shall be five percent. In the event that there is an increase or decrease of less than one percent, the net percentage increase shall be assigned a value of one percent and shall not be subject to further adjustment pursuant to subsection (d) of this section.

* * *

(c) Eligibility for postretirement adjustment. In order for a beneficiary to receive a postretirement adjustment to the beneficiary's retirement allowance, the beneficiary must meet the following eligibility requirements:

* * *

(2) In service on or before June 30, 2022. For all Group A, C, ~~and F,~~ and G members who are first eligible for normal retirement or unreduced early retirement on or before June 30, 2022, and for Group D members first appointed or elected on or before June 30, 2022, the member must be in receipt of a retirement allowance for at least 12 months prior to the January 1 effective date of any postretirement adjustment.

* * *

Sec. 98. 3 V.S.A. § 473 is amended to read:

§ 473. FUNDS

(a) Assets. All of the assets of the Retirement System shall be credited to the Vermont State Retirement Fund.

(b) Member contributions.

* * *

(2)(A) Group A members. Commencing on July 1, 2016, contributions shall be 6.55 percent of compensation for Group A members.

* * *

(C) Group D members. Commencing on July 1, 2022, the contribution rate for Group D members shall be based on the highest quartile in which a member's hourly rate of pay falls. Quartiles shall be determined annually in the first full pay period of each fiscal year by the Department of Human Resources based on the hourly rate of pay by all Group D members. The contribution rates shall be based on the schedule set forth below:

* * *

(D) Group F members. Commencing on July 1, 2022, the contribution rate for Group F members shall be based on the quartile in which a member's hourly rate of pay falls. Quartiles shall be determined annually in the first full pay period of each fiscal year by the Department of Human Resources based on the combined hourly rate of pay of all Group F and Group G members. The contribution rates shall be based on the schedule set forth below:

(i) Based on the quartiles for the first full pay period of each fiscal year and effective the first full pay period in that fiscal year, for members who have an hourly rate of pay in any pay period below the 25th percentile of Group F and Group G member hourly rates of pay, the contribution rate shall be 6.55 percent of compensation.

(ii) Based on the quartiles for the first full pay period of each fiscal year and effective the first full pay period in that fiscal year, for members who have an hourly rate of pay in any pay period at the 25th percentile and below the 50th percentile of Group F and Group G member hourly rates of pay, the contribution rate shall be as follows:

(I) commencing in fiscal year 2023, 7.05 percent of compensation;

(II) commencing in fiscal year 2024, 7.55 percent of compensation; and

(III) commencing in fiscal year 2025 and annually thereafter,

8.05 percent of compensation.

(iii) Based on the quartiles for the first full pay period of each fiscal year and effective the first full pay period in that fiscal year, for members who have an hourly rate of pay in any pay period at the 50th percentile and below the 75th percentile of Group F and Group G member hourly rates of pay, the contribution rate shall be as follows:

(I) commencing in fiscal year 2023, 7.05 percent of compensation;

(II) commencing in fiscal year 2024, 7.55 percent of compensation;

(III) commencing in fiscal year 2025, 8.05 percent of compensation; and

(IV) commencing in fiscal year 2026 and annually thereafter, 8.55 percent of compensation.

(iv) Based on the quartiles for the first full pay period of each fiscal year and effective the first full pay period in that fiscal year, for members who have an hourly rate of pay in any pay period at or above the 75th percentile of Group F and Group G member hourly rates of pay, the contribution rate shall be as follows:

(I) commencing in fiscal year 2023, 7.05 percent of compensation;

(II) commencing in fiscal year 2024, 7.55 percent of compensation;

(III) commencing in fiscal year 2025, 8.05 percent of compensation;

(IV) commencing in fiscal year 2026, 8.55 percent of compensation; and

(V) commencing in fiscal year 2027 and annually thereafter, 9.05 percent of compensation.

(E) Group G members. Commencing on July 1, 2023, the contribution rate for Group G members shall be based on the quartile in which a member's hourly rate of pay falls. Quartiles shall be determined annually in the first full pay period of each fiscal year by the Department of Human Resources based on the combined hourly rate of pay of all Group F and Group G members. The contribution rates shall be based on the schedule set forth below:

(i) Based on the quartiles for the first full pay period of each fiscal year and effective the first full pay period in that fiscal year, for members who have an hourly rate of pay in any pay period below the 25th percentile of Group F and Group G member hourly rates of pay, the contribution rate shall be 11.23 percent of compensation.

(ii) Based on the quartiles for the first full pay period of each fiscal year and effective the first full pay period in that fiscal year, for members who have an hourly rate of pay in any pay period at the 25th percentile and below the 50th percentile of Group F and Group G member hourly rates of pay, the contribution rate shall be as follows:

(I) commencing in fiscal year 2024, 12.23 percent of compensation; and

(II) commencing in fiscal year 2025 and annually thereafter, 12.73 percent of compensation.

(iii) Based on the quartiles for the first full pay period of each fiscal year and effective the first full pay period in that fiscal year, for members who have an hourly rate of pay in any pay period at the 50th percentile and below the 75th percentile of Group F and Group G member hourly rates of pay, the contribution rate shall be as follows:

(I) commencing in fiscal year 2024, 12.23 percent of compensation;

(II) commencing in fiscal year 2025, 12.73 percent of compensation; and

(III) commencing in fiscal year 2026 and annually thereafter, 13.23 percent of compensation.

(iv) Based on the quartiles for the first full pay period of each fiscal year and effective the first full pay period in that fiscal year, for members who have an hourly rate of pay in any pay period at or above the 75th percentile of Group F and Group G member hourly rates of pay, the contribution rate shall be as follows:

(I) commencing in fiscal year 2024, 12.23 percent of compensation;

(II) commencing in fiscal year 2025, 12.73 percent of compensation;

(III) commencing in fiscal year 2026, 13.23 percent of compensation; and

(IV) commencing in fiscal year 2027 and annually thereafter, 13.73 percent of compensation.

Sec. 99. 3 V.S.A. § 500 is amended to read:

§ 500. DEFINED CONTRIBUTION RETIREMENT PLAN

* * *

(b) Employees who are not members of the classified system who are first employed by the State on and after January 1, 1999, and would otherwise be members of Group A, B, C, D, ~~or F,~~ or G of the Vermont State Retirement System shall be eligible to participate in the Defined Contribution Retirement Plan.

* * *

Sec. 100. 2022 Acts and Resolves No. 114, Sec. 14 is amended to read:

Sec. 14. ONE-TIME IRREVOCABLE ELECTION FOR CERTAIN CORRECTIONS WORKERS

(a) On or before September 15, 2022, the Department of Human Resources, in consultation with the State Treasurer's office, shall establish a list of positions eligible for Group G of the Vermont State Employees' Retirement System. The list of Group G-eligible positions shall be limited to the following State employees:

- (1) facility employees of the Department of Corrections;
- (2) Department of Corrections employees who provide direct security and treatment services to offenders under supervision in the community;
- (3) employees of a facility for justice-involved youth; and
- (4) employees of the Vermont State Hospital or its successor in interest, who provide direct patient care.

* * *

(c) In establishing any new ~~corrections classified~~ Department of Corrections or Department of Mental Health position on and after July 1, 2023, the Department of Human Resources shall identify that position as eligible for either Group G, pursuant to the criteria set forth in subsection (a) of this section, or Group F.

* * *

Sec. 101. OTHER POSTEMPLOYMENT BENEFITS; GOVERNANCE STRUCTURE; REPORT

(a) The Office of the State Treasurer, in consultation with the Vermont Pension Investment Commission and the Agency of Administration, shall produce a report that examines and makes recommendations on the governance structure of the two OPEB funds, other possible governance structures, and whether changes should be made to better align the governance structure with nature of the OPEB funds. In reviewing the governance structure, the report shall evaluate both the manner in which the funds are overseen as well as the underlying section 115 trusts in which they are held. Specifically, the report shall address the following:

(1) the advantages and disadvantages of retaining the existing governance structure of the OPEB funds with the State Treasurer as sole trustee;

(2) alternative governance structures for the OPEB funds, the advantages and disadvantages of each alternative examined, and the steps and timeline required to implement each alternative; and

(3) to the extent possible, other issues relating to the OPEB funds identified as warranting study.

(b) Assistance. The Office of the State Treasurer shall have the administrative support of the Vermont Pension Investment Commission as well as the Agency of Administration in producing the report.

(c) Funding. \$100,000 is provided in 2022 Acts and Resolves No. 185, Sec. B.1100, as amended by Sec. 45 of this act for the purpose of subsection (a) of this section.

(d) Report. On or before January 15, 2024, the Treasurer shall submit a written report to the General Assembly with findings and recommendations.

Sec. 102. 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:

* * *

(22) to the Agency of Natural Resources and the Department of Public Service, provided that the disclosure relates to the sales and use tax for aviation jet fuel and natural gas under chapter 233 of this title or to the fuel tax

under 33 V.S.A. chapter 25 and is subject to any confidentiality requirements of the Internal Revenue Service and the disclosure exemption provisions of 1 V.S.A. § 317.

Sec. 103. DEPARTMENT OF TAXES; FORM OF RETURNS

(a) On or before July 1, 2023, the Commissioner of Taxes shall update the form of returns required by 32 V.S.A. § 9775, including the Sales and Use Tax Return for Aviation Jet Fuel and Natural Gas, known as Form SUT-458, and the Fuel Tax and Petroleum Distributor Licensing Fee Return, known as Form FGR-615, in consultation with the Secretary of Natural Resources to provide further information necessary to understand the volume of each fuel product type sold or consumed.

Sec. 104. 2022 Acts and Resolves No. 182, Sec. 11 is amended to read:

Sec. 11. MISSING MIDDLE-INCOME HOMEOWNERSHIP
DEVELOPMENT PILOT PROGRAM

(a) The following amounts are appropriated from the America Rescue Plan Act (ARPA) Coronavirus State Fiscal Recovery Funds to the Department of Housing and Community Development to grant to the Vermont Housing Finance Agency to establish the Missing Middle-Income Homeownership Development Pilot Program:

(1) from the America Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds: \$5,000,000.00 in fiscal year 2022; and

(2) from the America Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds: \$10,000,000.00 in fiscal year 2023; and

(3) from the General Fund \$9,000,000 in fiscal year 2023.

* * *

Sec. 105. SUPPLEMENTAL NON-EMERGENCY MEDICAID
TRANSPORTATION FUNDING

It is the intent of the General Assembly that supplemental fiscal year 2023 Global Commitment funding of \$1,700,000 provided to DVHA for the Non-Emergency Medicaid Transportation program in this act be applied only prospectively as soon as reasonably possible to provide services to Vermont Medicaid members through the existing contract #41132 with the Vermont Public Transportation Association. The Association shall allocate the funds to address financial deficits incurred by its members in providing NEMT services.

Sec. 106. DEPARTMENT OF CORRECTIONS FISCAL YEAR 2022 OUT

OF STATE BEDS CARRYFORWARD FUNDS AND JUSTICE
REINVESTMENT II FUNDING

(a) Notwithstanding 2021 Acts and Resolves No. 74, Sec. E.335, as amended by 2022 Acts and Resolves No. 83, Sec. 62, and by 2022 Acts and Resolves No. 185, Sec. C.111, \$1,982,247 of Department of Corrections Out of State Bed General Fund appropriation carried forward from fiscal year 2022 shall revert to the General Fund in fiscal year 2023 for appropriation to Justice Reinvestment II in fiscal year 2023.

(b) \$290,000 of the funds appropriated to the Justice Reinvestment II in fiscal year 2023 are for the Department's Offender Management System (OMS) intelligence layer consistent with the actions of the Joint Legislative Justice Oversight Committee.

(c) \$350,000 of the funds appropriated to the Justice Reinvestment II in fiscal year 2023 shall be granted by the Department to VT Network Against Sexual Violence consistent with the actions of the Joint Legislative Justice Oversight Committee.

(d) \$1,000,000 of the funds appropriated to the Justice Reinvestment II in fiscal year 2023 for procurement of a case management and continuity of care management tool with data and disparity analytics capabilities to be used in conjunction with the Department's Offender Management System (OMS).

(e) \$342,247 of the funds appropriated to the Justice Reinvestment II in fiscal year 2023 for Community Justice Centers (CJCs) whose work is focused on services and programs that enhance community safety and include best-practice and cost-effective approaches to reducing recidivism.

Sec. 106a. 2022 Acts and Resolves No. 185, Sec. E.134.2 is amended to read:

Sec. E.134.2 3 V.S.A. § 524 is added to read:

§ 524. VERMONT PENSION INVESTMENT COMMISSION SPECIAL
FUND

(a) Creation. There is hereby created the Vermont Pension Investment Commission Special Fund, administered by the Vermont Pension Investment Commission, for the purpose of receiving funds transferred to the Commission pursuant to subsection ~~523~~ 522(i) of this title. Monies in the Fund shall be used to pay expenses associated with carrying out the Commission's duties.

* * *

Sec. 106b. 2022 Acts and Resolves No. 185, Sec. E.134.2 is amended to read:

Sec. E.134.3 VERMONT RETIREMENT SYSTEMS AND VERMONT

PENSION INVESTMENT COMMISSION; SOURCE OF FUNDS

~~(a) The funds appropriated in Sec. B.134.1 of this act are costs to the State's pension funds and have been considered in each pension systems' actuarial valuations, but have not been included in the funds appropriated in Secs. B.133, B.134, and B.514.1 of this act.~~

~~(b)(a) The funds appropriated from the pension systems for administrative costs in Secs. B.133, B.134, and B.514.1 of this act are intended to provide spending authority needed to transfer cover the operating costs of the State's pensions systems, including transferring funds from the State's pension systems to the Treasurers Retirement Admin Costs fund (21520) and to the Vermont Pension Investment Commission Special Fund (21521) to cover the portion of the Treasurer's budget attributable to the State's pension systems and the Vermont Pension Investment Commission's budget.~~

~~(1) Of the \$2,456,934 appropriated in Section B.133 of this act, \$1,580,466 constitutes the Vermont State Employees' Retirement System operating budget, and \$876,468 constitutes the portion of the Vermont Pension Investment Commission's budget attributable to Vermont State Employees' Retirement System.~~

~~(2) Of the 1,420,006 appropriated in Section B.134 of this act, \$1,088,606 constitutes the Vermont Municipal Employees' Retirement System operating budget, and \$331,400 constitutes the portion of the Vermont Pension Investment Commission's budget attributable to Vermont Municipal Employees' Retirement System.~~

~~(3) Of the 2,774,880 appropriated in Section B.514.1 of this act, \$1,846,063 constitutes the Vermont State Teachers' Retirement System operating budget, and \$928,817 constitutes the portion of the Vermont Pension Investment Commission's budget attributable to Vermont State Teachers' Retirement System.~~

Sec. 107. 2021 Acts and Resolves No. 74, Sec. E.335, as amended by 2022 Acts and Resolves No. 83, Sec. 62, and by 2022 Acts and Resolves No. 185, Sec. C.111 is further amended to read:

Sec. E.335 CORRECTIONS APPROPRIATIONS; UNEXPENDED FUNDS TRANSFER; JUSTICE REINVESTMENT; REPORT

* * *

~~(c) Any funds expended authorized to be used on community-based service programs justice reinvestment programs pursuant to subsection (b) of this section shall be included in the subsequent year Department of Corrections~~

budget for the same purpose at the same amount may be spent over multiple fiscal years until fully expended.

Sec. 108. 2022 Acts and Resolves No. 185, Sec. E.335 is amended to read:

Sec. E.335 CORRECTIONS APPROPRIATIONS; UNEXPENDED FUNDS TRANSFER; JUSTICE REINVESTMENT; REPORT

* * *

~~(e) Any funds expended on community-based service programs pursuant to subsection (b) of this section shall be included in the subsequent year Department of Corrections budget for the same purpose at the same amount.~~

Sec. 109. CARRYFORWARD AUTHORITY

(a) Notwithstanding any other provisions of law and subject to the approval of the Secretary of Administration, General, Transportation, Transportation Infrastructure Bond, Education Fund, Clean Water Fund (21932), and Agricultural Water Quality Fund (21933) appropriations remaining unexpended on June 30, 2023 in the Executive Branch shall be carried forward and shall be designated for expenditure.

(b) Notwithstanding any other provisions of law, General Fund appropriations remaining unexpended on June 30, 2023 in the Legislative and Judicial Branches shall be carried forward and shall be designated for expenditure.

Sec. 110. EFFECTIVE DATES

This act shall take effect upon passage except that, notwithstanding 1 V.S.A. § 214:

(1) Sec. 63 of this act (regarding the calculation of the fiscal year 2022 transportation fund stabilization reserve requirement) shall take effect retroactively on June 30, 2022;

(2) Sec. 70 of this act (amending 2021 Acts and Resolves No. 74, Sec. D.101(d)) shall take effect retroactively on June 30, 2022;

(3) Sec. 80 (amending 2022 Acts and Resolves No. 183, Sec. 47(d)(3)) shall take effect retroactively on July 1, 2022 and shall apply to applications received on or after that date; and

(4) Sec. 91 (amending 32 V.S.A. § 7811; imposition of tobacco products tax) shall take effect on July 1, 2023, except that 32 V.S.A. § 7811(b)(1) (exemption for cannabis sold by dispensaries) shall take effect retroactively on March 1, 2022.

And by renumbering all of the sections of the bill to be numerically correct (including internal references) and adjusting all of the totals to be arithmetically correct.

NOTICE CALENDAR
Favorable with Amendment
H. 230

An act relating to implementing mechanisms to reduce suicide

Rep. Black of Essex, for the Committee on Health Care, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS

The General Assembly finds:

(1) More than 700 Vermont residents died of gunshot wounds in the decade from 2011 to 2020. 88 percent of these deaths were suicide.

(2) Of all the deaths in Vermont involving firearms in 2021, 89 percent were by suicide and 8 percent were by homicide.

(3) The 2021 suicide rate by all methods in Vermont was 20.3 per 100,000 persons, compared to a national rate of 14.0 per 100,000 persons. Suicide among Vermont men and boys is 50 percent higher than the national average.

(4) In 2021, the number of suicides in Vermont was 142, with 83 of them completed by firearm, or 58 percent.

(5) Rand Corporation research estimates that in 2016, firearms were present in 47 percent of Vermont homes and in 32 percent of homes in the United States.

(6) Children are 4.4 times more likely to die by suicide in a home with a firearm compared to a home without a firearm.

(7) Persons at greatest risk of suicide in Vermont are men, persons living in rural areas, persons with a disability, veterans, and members of the LGBTQ+ community.

Sec. 2. LEGISLATIVE PURPOSE

The purpose of this legislation is to prevent death by suicide by reducing access to lethal means of firearms. Although there are many other methods for

completing suicide, firearms are unique in their ability to create instantaneous and irreversible outcomes. Nearly every other commonly used method for suicide has a high survivability rate. It is extremely rare for someone to survive a suicide attempt in which a firearm is used. This fact, combined with the high prevalence of firearms in Vermont, is why this method alone is being addressed by this bill.

Sec. 3. 13 V.S.A. § 4024 is added to read:

§ 4024. SECURE FIREARMS STORAGE

(a)(1) Prohibition. A person shall not store or keep a firearm within any premises that are under the person's custody or control if the person knows or reasonably should know that a child or prohibited person is likely to gain access to the firearm unless the person stores or keeps the firearm:

(A) separate from ammunition; and

(B) in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render the firearm inoperable by any person other than the owner or authorized user.

(2) Exceptions. This subsection shall not apply if:

(A) the firearm is carried by or under the control of the owner or another lawfully authorized user;

(B) a child or prohibited person accesses the firearm as a result of an illegal entry; or

(C) a child or prohibited person accesses and uses the firearm during the course of a lawful act of self-defense or defense of another person.

(b) Penalties. A person who violates subsection (a) of this section shall be:

(1) fined not more than \$100.00;

(2) imprisoned not more than one year or fined not more than \$1,000.00, or both, if a child or prohibited person gains access to the firearm and uses it in the commission of a crime or displays it in a threatening manner; or

(3) imprisoned not more than five years or fined not more than \$5,000.00, or both, if a child or prohibited person gains access to the firearm and uses it to cause death or injury to any person.

(c) Charging discretion. If a person who allegedly violates this section is a parent or guardian of a child who gains access to a firearm that is used in an unintentional or self-inflicted shooting that causes death or injury to the child,

the impact of the child's death or injury on the person who committed the alleged violation shall be considered by the State's Attorney when deciding whether to file criminal charges in the case.

(d) Information distribution.

(1) At any location where a licensed dealer conducts firearm sales or transfers, the licensed dealer shall conspicuously display a sign containing the information required by subdivision (2) of this subsection in any area where the sales or transfers occur. The sign shall be posted so that it can be easily viewed by persons purchasing or receiving firearms, and the sign shall not be removed, obscured, or rendered illegible. If the location where the sales or transfers occur is the premises listed on the dealer's federal firearms license, an additional sign shall be placed at or near the entrance to the premises.

(2) The sign required by subdivision (1) of this subsection shall be at least eight and one-half inches high by 11 inches wide and shall contain black text at least half an inch high against a white background. The sign shall contain the following text, and no other statements or markings:

“WARNING: Access to a firearm in the home significantly increases the risk of suicide, death during domestic violence disputes, and the unintentional death of children, household members, and others. If you or a loved one is experiencing distress or depression, call the 988 Suicide and Crisis hotline or text “VT” to 741741.

Vermont law requires gun owners to securely store their firearms separately from ammunition in their homes and other premises under their control if a child or person prohibited from purchasing or possessing firearms is likely to gain access to them. Failure to securely store firearms as required by law may result in criminal prosecution.

Posted pursuant to 13 V.S.A. § 4024.”

(e) Definitions. As used in this section:

(1) “Child” means a person under 18 years of age.

(2) “Firearm” has the same meaning as in subsection 4017(d) of this title.

(3) “Injury” means a harmful effect on an individual's health, including the individual's mental, emotional, or physical health, or a combination of these.

(4) “Licensed dealer” means a person issued a license as a dealer in firearms pursuant to 18 U.S.C. § 923(a).

(5) “Locked container” means a box, case, chest, locker, safe, or other similar receptacle equipped with a tamper-resistant lock.

(6) “Prohibited person” means a person who is prohibited from possessing a firearm by state or federal law or by court order.

Sec. 4. 13 V.S.A. § 4051 is amended to read:

§ 4051. DEFINITIONS

As used in this subchapter:

* * *

(7) “Household member” has the same meaning as in 15 V.S.A. § 1101.

Sec. 5. 13 V.S.A. § 4052 is amended to read:

§ 4052. JURISDICTION AND VENUE

* * *

(c) Proceedings under this chapter shall be commenced in the county where the law enforcement agency is located, the county where the family or household member or the respondent resides, or the county where the events giving rise to the petition occur.

Sec. 6. 13 V.S.A. § 4053 is amended to read:

§ 4053. PETITION FOR EXTREME RISK PROTECTION ORDER

(a) A State’s Attorney or, the Office of the Attorney General, or a family or household member may file a petition requesting that the court issue an extreme risk protection order prohibiting a person from purchasing, possessing, or receiving a dangerous weapon or having a dangerous weapon within the person’s custody or control. The petitioner shall submit an affidavit in support of the petition.

* * *

Sec. 7. 13 V.S.A. § 4054 is amended to read:

§ 4054. EMERGENCY RELIEF; TEMPORARY EX PARTE ORDER

(a)(1) A State’s Attorney or, the Office of the Attorney General, or a family or household member may file a motion requesting that the court issue an extreme risk protection order ex parte, without notice to the respondent. A law enforcement officer may notify the court that an ex parte extreme risk protection order is being requested pursuant to this section, but the court shall not issue the order until after the motion is submitted.

* * *

Sec. 8. 13 V.S.A. § 4055 is amended to read:

§ 4055. TERMINATION AND RENEWAL MOTIONS

* * *

(b)(1) A State's Attorney or the Office of the Attorney General, or a family or household member may file a motion requesting that the court renew an extreme risk protection order issued under this section or section 4053 of this title for an additional period of up to six months. The motion shall be accompanied by an affidavit and shall be filed not more than 30 days and not less than 14 days before the expiration date of the order. The motion and affidavit shall comply with the requirements of subsection 4053(c) of this title, and the moving party shall have the burden of proof by clear and convincing evidence.

* * *

Sec. 9. 13 V.S.A. § 4019a is added to read:

§ 4019a. FIREARMS TRANSFERS; WAITING PERIOD

(a) A person shall not transfer a firearm to another person until 72 hours after the completion of the background check required by 18 U.S.C. § 922(s) or section 4019 of this title.

(b) A person who transfers a firearm to another person in violation of subsection (a) of this section shall be imprisoned not more than one year or fined not more than \$500.00, or both.

(c) This section shall not apply to a firearm transfer that does not require a background check under 18 U.S.C. § 922(s) or section 4019 of this title.

(d) As used in this section, "firearm" has the same meaning as in subsection 4017(d) of this title.

Sec. 10. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 7-3-0)

Favorable

H. 217

An act relating to miscellaneous workers' compensation amendments

Rep. Williams of Barre City, for the Committee on Commerce and Economic Development, recommends the bill ought to pass.

(Committee Vote: 10-0-1)

CONSENT CALENDAR

Concurrent Resolutions for Adoption Under Joint Rules 16a - 16d

The following concurrent resolutions have been introduced for approval by the Senate and House and will be adopted automatically unless a Senator or Representative requests floor consideration in that member's chamber before today's adjournment. Requests for floor consideration in either chamber should be communicated to the Senate Secretary's Office or the House Clerk's Office, as applicable. For text of resolutions, see Addendum to House Calendar of February 22, 2023.

H.C.R. 37

House concurrent resolution honoring former Halifax Fire Chief Wayne Courser for his exemplary volunteer leadership and community service

H.C.R. 38

House concurrent resolution congratulating the 2023 Hartford High School Hurricanes Division II championship boys' indoor track team

H.C.R. 39

House concurrent resolution honoring former Waterbury Municipal Manager William Shepeluk in recognition of his extraordinary public service career

H.C.R. 40

House concurrent resolution congratulating the Essex High School girls' volleyball team on winning a second consecutive State championship

H.C.R. 41

House concurrent resolution honoring South Burlington City Clerk Donna Kinville for her dedicated municipal public service

For Informational Purposes

CROSSOVER DATES

The Joint Rules Committee established the following crossover deadlines:

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and

Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 17, 2023**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by **Friday, March 17, 2023**.

(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means must be reported out by the last of those committees on or before **Friday, March 24, 2023**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

Note: The Senate will not act on bills that do not meet these crossover deadlines, without the consent of the Senate Rules Committee.

Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill (“The Big Bill”), the Transportation Capital bill, the Capital Construction bill and the Fee/Revenue bills).

NOTICE OF JFO GRANTS AND POSITIONS

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3)(D):

JFO #3138: One (1) limited-service position, Statewide Grants Administrator, to the Agency of Administration, Department of Finance and Management to cover increased grant activity due to the Covid-19 pandemic. The position is funded through Act 185 of 2022. Sec G.801 of the Act appropriates ARPA funds for administrative costs related to the pandemic. This position is funded through 12/31/2026. The grant packet can be found at:
<https://ljfo.vermont.gov/assets/grants-documents/ec01b0bea7/JFO-3138-packet.pdf>

[Received February 9, 2023]

JFO #3137: One (1) limited-service position to the Vermont Department of Health, Senior Health Asbestos and Lead Engineer, to perform senior professional level work to educate, advise on and enforce Vermont asbestos and lead control regulations. The position is funded through 9/30/2024 through an existing Environmental Protection Agency grant. The grant packet can be found at: <https://ljfo.vermont.gov/assets/grants-documents/a44b7c8cac/JFO-3137-packet-v2.pdf>

[Received 1/23/2023]

JFO #3136: \$5,000,000.00 to the Agency of Administration, Public Service Department, VT Community Broadband Board (VCBB) from the National Telecommunications and Information Administration, Broadband Equity, Access and Deployment Program to deliver broadband to unserved and underserved areas in Vermont. This is a 5-year grant and will fill in the technical gaps existing in the VCBB's program of broadband deployment. The grant packet can be found at: <https://ljfo.vermont.gov/assets/grants-documents/3d7b96fcb1/JFO-3136-packet.pdf>
[Received 1/23/2023]