

Journal of the Senate

THURSDAY, MAY 4, 2023

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Committee of Conference Appointed

H. 479.

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

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

Senator Mazza
Senator Chittenden
Senator Ingalls

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

Bill Referred to Committee on Appropriations

H. 125.

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

An act relating to boards and commissions.

Bills Passed in Concurrence with Proposals of Amendment

House bills of the following titles were read the third time and passed in concurrence with proposals of amendment:

H. 94. An act relating to removing the Reach Up ratable reduction.

H. 127. An act relating to sports wagering.

H. 481. An act relating to public health initiatives to address death by suicide.

H. 482. An act relating to Vermont Criminal Justice Council recommendations for law enforcement officer training.

Bill Passed in Concurrence

H. 495.

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

An act relating to the approval of the amendment to the charter of the Town of Middlebury.

Third Reading Ordered

H. 102.

Senator Harrison, for the Committee on Institutions, to which was referred House bill entitled:

An act relating to the Art in State Buildings Program.

Reported that the bill ought to pass in concurrence.

Senator Perchlik, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill ought to pass in concurrence.

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

H. 414

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

An act relating to establishing an unused drug repository for Vermont.

Reported that the bill ought to pass in concurrence.

Senator Westman, for the Committee on Appropriations, to which the bill was referred, reported that the bill ought to pass in concurrence.

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

Proposal of Amendment; Third Reading Ordered

H. 45.

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

An act relating to abusive litigation filed against survivors of domestic abuse, stalking, or sexual assault.

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

Sec. 1. 15 V.S.A. chapter 21, subchapter 5 is added to read:

Subchapter 5. Abusive Litigation

§ 1181. DEFINITIONS

As used in this subchapter:

(1) “Abusive litigation” means litigation where the criteria set forth below in each of subdivisions (A)–(D) are found to have been established:

(A) The opposing parties have a current or former family or household member relationship or there has been a civil order or criminal conviction determining that one of the parties stalked or sexually assaulted the other party.

(B) The party who is filing, initiating, advancing, or continuing the litigation has been found by a court to have abused, stalked, or sexually assaulted the other party pursuant to:

(i) a final order issued pursuant to subchapter 1 of this chapter (abuse prevention orders);

(ii) a final order issued pursuant to 12 V.S.A. chapter 178 (orders against stalking or sexual assault);

(iii) a final foreign abuse prevention order;

(iv) an order under section 665a of this title (conditions of parent-child contact in cases involving domestic violence);

(v) a conviction for domestic assault pursuant to 13 V.S.A. chapter 19, subchapter 6; stalking pursuant to 13 V.S.A. chapter 19, subchapter 7; or sexual assault pursuant to 13 V.S.A. chapter 72; or

(vi) a court determination of probable cause for a charge of domestic assault and the court imposed criminal conditions of release pertaining to the safety of the victim, which include distance restrictions or restrictions on contact with the victim.

(C) The litigation is being initiated, advanced, or continued primarily for the purpose of abusing, harassing, intimidating, threatening, or maintaining contact with the other party.

(D) At least one of the following applies:

(i) the claims, allegations, or other legal contentions made in the litigation are not warranted by existing law or by a reasonable argument for the extension, modification, or reversal of existing law, or the establishment of new law; or

(ii) the allegations and other factual contentions made in the litigation are without adequate evidentiary support or are unlikely to have evidentiary support after a reasonable opportunity for further investigation; or

(iii) an issue or issues that are the basis of the litigation have previously been filed in one or more other courts or jurisdictions and the actions have been litigated and disposed of unfavorably to the party filing, initiating, advancing, or continuing the litigation.

(2) “Foreign abuse prevention order” means any protection order issued by the court of any other state that contains provisions similar to relief provisions authorized under this chapter, the Vermont Rules for Family Proceedings, or 12 V.S.A. chapter 178. “Other state” and “issuing state” mean any state other than Vermont and any federally recognized Indian tribe, territory or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia.

(3) “Litigation” means any kind of legal action or proceeding, including:

(A) filing a summons, complaint, or petition;

(B) serving a summons, complaint, or petition, regardless of whether it has been filed;

(C) filing a motion, notice of court date, or order to appear;

(D) serving a motion, notice of court date, or order to appear, regardless of whether it has been filed or scheduled;

(E) filing a subpoena, subpoena duces tecum, request for interrogatories, request for production, notice of deposition, or other discovery request; or

(F) serving a subpoena, subpoena duces tecum, request for interrogatories, request for production, notice of deposition, or other discovery request.

(4) “Perpetrator of abusive litigation” means a person who files, initiates, advances, or continues litigation in violation of an order restricting abusive litigation.

§ 1182. ORDER RESTRICTING ABUSIVE LITIGATION

(a) A party who meets the requirements of subdivision 1181(1) of this title may request an order restricting abusive litigation:

(1) in any answer or response to the litigation being filed, initiated, advanced, or continued;

(2) by motion made at any time during any open or ongoing case;

(3) in an answer or response to any motion or request for an order; or

(4) orally in any hearing.

(b) Any court of competent jurisdiction may, on its own motion or on motion of a party, determine that a hearing is necessary to determine if a party is engaging in abusive litigation.

(c) Proceedings pursuant to this subchapter may be initiated by petition instituting a new case or by motion in a pending case.

(d) The Court Administrator shall create forms for a petition or motion for an order restricting abusive litigation and an order restricting abusive litigation, and the forms shall be maintained by the clerks of the courts.

(e) No filing fee shall be charged to the unrestricted party for proceedings pursuant to this subchapter, regardless of whether it is filed pursuant to this subchapter.

(f) The provisions of this subchapter are nonexclusive and shall not affect any other remedy available.

§ 1183. HEARING; PROCEDURE

At the hearing, evidence of any of the following shall create a rebuttable presumption that litigation is being initiated, advanced, or continued primarily for the purpose of harassing, intimidating, or maintaining contact with the other party:

(1) The same or substantially similar issues between the same or substantially similar parties have been litigated within the past five years in the same court or any other court of competent jurisdiction.

(2) The same or substantially similar issues between the same or substantially similar parties have been raised, pled, or alleged in the past five years and were decided on the merits or dismissed.

(3) Within the last 10 years, the party allegedly engaging in abusive litigation has been sanctioned by any court for filing one or more cases, petitions, motions, or other filings that were found to have been frivolous,

vexatious, intransigent, or brought in bad faith involving the same opposing party.

(4) Any court has determined that the party allegedly engaging in abusive litigation has previously engaged in abusive litigation or similar conduct and has been subject to a court order imposing prefiling restrictions.

§ 1184. BURDEN OF PROOF

(a) If the court finds by a preponderance of the evidence that a party is engaging in abusive litigation and that any or all of the motions or actions pending before the court are abusive litigation, the litigation shall be dismissed, denied, stricken, or resolved by other disposition with prejudice.

(b) After providing the parties an opportunity to be heard on any order or sanctions to be issued, the court may enter an order restricting abusive litigation that may include conditions deemed necessary and appropriate including:

(1) awarding the other party reasonable attorney's fees and costs of responding to the abusive litigation, including the cost of seeking the order restricting abusive litigation; and

(2) identifying the party protected by the order and imposing prefiling restrictions upon the party found to have engaged in abusive litigation that pertains to any future litigation against the protected party or the protected party's dependents.

(c) If the court finds that the litigation does not constitute abusive litigation, the court shall enter written or oral findings and the litigation shall proceed. Nothing in this section or chapter shall be construed as limiting the court's inherent authority to control the proceedings and litigants before it.

§ 1185. FILING OF A NEW CASE BY A PERSON SUBJECT TO AN ORDER RESTRICTING ABUSIVE LITIGATION

(a) Except as otherwise provided in this section, a person who is subject to an order restricting abusive litigation is prohibited from filing, initiating, advancing, or continuing the litigation against the protected party for the period of time that the filing restrictions are in effect.

(b) A person who is subject to an order restricting litigation against whom prefiling restrictions have been imposed pursuant to this subchapter who wishes to initiate a new case or file a motion in an existing case during the time the person is under filing restrictions shall make an application to a judicial officer. A judicial officer shall review such application and determine whether the proposed litigation is abusive litigation or if there are reasonable

and legitimate grounds upon which the litigation is based. The judicial officer shall determine whether a hearing is necessary.

(c)(1) If the judicial officer determines the proposed litigation is abusive litigation based on reviewing the files, records, and pleadings, it is not necessary for the person protected by the order to appear or participate in any way. If the judicial officer is unable to determine whether the proposed litigation is abusive without hearing from the person protected by the order, then the court shall issue an order scheduling a hearing and notifying the protected party of the party's right to appear or participate in the hearing. The order shall specify whether the protected party is expected to submit a written response. When possible, the protected party shall be permitted to appear remotely.

(2) If the judicial officer believes the litigation that the party who is subject to the prefiling order is making application to file will constitute abusive litigation, the application shall be denied, dismissed, or otherwise disposed of with prejudice.

(3) If the judicial officer believes that the litigation the party who is subject to the prefiling order is making application to file will not be abusive litigation, the judicial officer may grant the application and issue an order permitting the filing of the case, motion, or pleading. The order shall be attached to the front of the pleading to be filed with the clerk. The party who is protected by the order shall be served with a copy of the order at the same time as the underlying pleading.

(d) The judicial officer shall make findings and issue a written order supporting the ruling. If the party who is subject to the order disputes the finding of the judicial officer, the party may seek review of the decision as provided by the applicable court rules.

(e) If the application for the filing of a pleading is granted pursuant to this section, the period of time commencing with the filing of the application requesting permission to file the action and ending with the issuance of an order permitting filing of the action shall not be computed as a part of any applicable period of limitations within which the matter must be instituted.

(f) If, after a party who is subject to prefiling restrictions has made application and been granted permission to file or advance a case pursuant to this section, any judicial officer hearing or presiding over the case, or any part thereof, determines that the person is attempting to add parties, amend the complaint, or is otherwise attempting to alter the parties and issues involved in the litigation in a manner that the judicial officer reasonably believes would constitute abusive litigation, the judicial officer shall stay the proceedings and

refer the case back to the judicial officer who granted the application to file, for further disposition.

(g)(1) If a party who is protected by an order restricting abusive litigation is served with a pleading filed by the person who is subject to the order, and the pleading does not have an attached order allowing the pleading, the protected party may respond to the case by filing a copy of the order restricting abusive litigation.

(2) If it is brought to the attention of the court that a person against whom prefiling restrictions have been imposed has filed a new case or is continuing an existing case without having been granted permission pursuant to this section, the court shall dismiss, deny, or otherwise dispose of the matter. This action may be taken by the court on the court's own motion or initiative. The court may take whatever action against the perpetrator of abusive litigation deemed necessary and appropriate for a violation of the order restricting abusive litigation.

Sec. 2. EFFECTIVE DATE

This act shall take effect on September 1, 2023.

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

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

Proposal of Amendment; Third Reading Ordered

H. 206.

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

An act relating to miscellaneous changes affecting the duties of the Department of Vermont Health Access.

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

First: By striking out Sec. 4, federally qualified health centers; alternative payment methodology; report, in its entirety and inserting in lieu thereof a new Sec. 4 to read as follows:

Sec. 4. **FEDERALLY QUALIFIED HEALTH CENTERS; ALTERNATIVE
PAYMENT METHODOLOGY; REPORT**

The Department of Vermont Health Access shall collaborate with representatives of Vermont's federally qualified health centers (FQHCs) to develop a mutually agreeable alternative payment methodology for Medicaid payments to the FQHCs that is at least equal to the amount that would be paid under the prospective payment system established under the Benefits Improvement and Protections Act of 2000. On or before October 1, 2023, the Department shall provide a final report on the development of the methodology to the Joint Fiscal Committee, the House Committee on Health Care, and the Senate Committee on Health and Welfare.

Second: By striking out Sec. 5, effective date, in its entirety and inserting in lieu thereof four new sections to be Secs. 5–8 to read as follows:

Sec. 5. BLUEPRINT FOR HEALTH; DEPARTMENT OF VERMONT
HEALTH ACCESS; UPDATE

On or before March 1, 2024, the Blueprint for Health, in collaboration with other partners identified by the Blueprint for Health, shall present the Senate Committee on Health and Welfare and the House Committee on Health Care with a breakdown of Blueprint for Health per-member per-month payments to patient-centered medical homes and financial contributions for community health teams made by each payer for fiscal year 2023.

Sec. 6. REPEAL OF PROSPECTIVE REPEAL OF 18 V.S.A. § 9473(g)

2021 Acts and Resolves No. 74, Sec. E.227.2 (prospective repeal; pharmacy benefit managers; 340B entities), as amended by 2022 Acts and Resolves No. 131, Sec. 7, is repealed.

Sec. 7. 18 V.S.A. § 2251 is amended to read:

§ 2251. LIEN ESTABLISHED

(a) A ~~Except as otherwise provided in this section, a~~ hospital in Vermont, as defined in section 1801 of this title, furnishing medical or other service, including charges of private duty nurses, to a patient injured by reason of an accident not covered by the Workers' Compensation Act, 21 V.S.A. § ~~601 et seq. chapter 9, shall have~~ may file a lien upon any recovery for damages to be received by the patient, or by ~~his or her~~ the patient's heirs or personal representatives in the case of ~~his or her~~ the patient's death, whether by judgment or by settlement or compromise after the date of the services. ~~This lien shall not attach to one-third of the recovery or \$500.00, whichever shall be the lesser, and in addition the lien shall be subordinate to an attorney's lien.~~

(b)(1) Notwithstanding subsection (a) of this section, a hospital shall not have a lien under this chapter if the patient has health insurance, including coverage under Medicare, Medicaid, or a health plan issued by a health

insurer, as defined in section 9402 of this title, and the patient provides the hospital with proof of health insurance not later than 90 days after the patient's discharge from the hospital.

(2) Notwithstanding subdivision (1) of this subsection, a hospital may file a lien pursuant to subsection (a) of this section for any amount owed to the hospital for the patient's deductible or coinsurance, or both, under the health insurance plan for the medical or other services furnished by the hospital by filing notice of a lien at least 120 days after the hospital billed the patient's health insurance plan for the amount owed to the hospital for services furnished to the patient.

(3) The patient's health insurance plan shall not deny payment for services furnished by the hospital to the patient on the basis that some or all of the patient's medical costs may be covered by a property and casualty insurance plan, unless such denial is required or expressly permitted by State or federal law.

(c)(1) A hospital that recovers under this chapter shall be responsible for a pro rata share of the legal and administrative expenses incurred in obtaining the judgment, settlement, or compromise.

(2) In no event shall the hospital lien exceed one-third of the net judgment, settlement, or compromise received by the injured patient.

Sec. 8. EFFECTIVE DATES

This act shall take effect on July 1, 2023, except that Sec. 7 (hospital liens) shall take effect on January 1, 2024.

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

Thereupon, Senators Lyons, Gulick and Williams moved to substitute a recommendation of proposal of amendment for the recommendation of proposal of amendment of the Committee on Health and Welfare as follows:

First: By striking out Sec. 4, federally qualified health centers; alternative payment methodology; report, in its entirety and inserting in lieu thereof a new Sec. 4 to read as follows:

Sec. 4. FEDERALLY QUALIFIED HEALTH CENTERS; ALTERNATIVE PAYMENT METHODOLOGY; REPORT

The Department of Vermont Health Access shall collaborate with representatives of Vermont's federally qualified health centers (FQHCs) to develop a mutually agreeable alternative payment methodology for Medicaid payments to the FQHCs that is at least equal to the amount that would be paid

under the prospective payment system established under the Benefits Improvement and Protection Act of 2000. On or before October 1, 2023, the Department shall provide a final report on the development of the methodology to the Joint Fiscal Committee, the House Committee on Health Care, and the Senate Committee on Health and Welfare.

Second: By striking out Sec. 5, effective date, in its entirety and inserting in lieu thereof five new sections to be Secs. 5–9 to read as follows:

Sec. 5. BLUEPRINT FOR HEALTH; PAYMENTS TO PATIENT-CENTERED MEDICAL HOMES; REPORT

On or before January 15, 2024, the Director of Health Care Reform in the Agency of Human Services shall recommend to the House Committees on Health Care and on Appropriations and the Senate Committees on Health and Welfare, on Appropriations, and on Finance the amounts by which health insurers and Vermont Medicaid should increase the amount of the per-person, per-month payments they make to Blueprint for Health patient-centered medical homes in furtherance of the goal of providing the additional resources necessary for delivery of comprehensive primary care services to Vermonters and in order to sustain access to primary care services in Vermont. The Agency shall provide an estimate of the State funding that would be needed to support the increase for Medicaid, both with and without federal financial participation. The Agency shall also evaluate and report on potential mechanisms for ensuring that all payers are contributing equitably to the Blueprint on behalf of their covered lives in Vermont, including a consideration of supporting Blueprint initiatives through the health care claims tax established in 32 V.S.A. chapter 243.

Sec. 6. REPEAL OF PROSPECTIVE REPEAL OF 18 V.S.A. § 9473(g)

2021 Acts and Resolves No. 74, Sec. E.227.2 (prospective repeal; pharmacy benefit managers; 340B entities), as amended by 2022 Acts and Resolves No. 131, Sec. 7, is repealed.

Sec. 7. 18 V.S.A. § 2251 is amended to read:

§ 2251. LIEN ESTABLISHED

(a) A Except as otherwise provided in this section, a hospital in Vermont, as defined in section 1801 of this title, furnishing medical or other service, including charges of private duty nurses, to a patient injured by reason of an accident not covered by the Workers' Compensation Act, 21 V.S.A. § 601 et seq. chapter 9, shall have may file a lien upon any recovery for damages to be received by the patient, or by his or her the patient's heirs or personal representatives in the case of his or her the patient's death, whether by judgment or by settlement or compromise after the date of the services. This

~~lien shall not attach to one-third of the recovery or \$500.00, whichever shall be the lesser, and in addition the lien shall be subordinate to an attorney's lien.~~

(b)(1) Notwithstanding subsection (a) of this section, a hospital shall not have a lien under this chapter if the patient has health insurance, including coverage under Medicare, Medicaid, or a health plan issued by a health insurer, as defined in section 9402 of this title, and the patient, or the patient's heirs or personal representatives in the case of the patient's death, provides the hospital with proof of health insurance not later than 90 days after the patient's discharge from or death at the hospital.

(2) Notwithstanding subdivision (1) of this subsection, a hospital may file a lien pursuant to subsection (a) of this section for any amount owed to the hospital for the patient's deductible or coinsurance, or both, under the health insurance plan for the medical or other services furnished by the hospital by filing notice of a lien at least 120 days after the hospital billed the patient's health insurance plan for the amount owed to the hospital for services furnished to the patient.

(3) The patient's health insurance plan shall not deny payment for services furnished by the hospital to the patient on the basis that some or all of the patient's medical costs may be covered by a property and casualty insurance plan, unless such denial is required or expressly permitted by State or federal law.

(c)(1) A hospital that recovers under this chapter shall be responsible for a pro rata share of the legal and administrative expenses incurred in obtaining the judgment, settlement, or compromise.

(2) In no event shall the hospital lien exceed one-third of the net judgment, settlement, or compromise received by the injured patient.

Sec. 8. 2022 Acts and Resolves No. 167, Sec. 2a is added to read:

Sec. 2a. GREEN MOUNTAIN CARE BOARD; HOSPITAL SYSTEM
TRANSFORMATION; PILOT PROJECTS; REPORT

(a) The Agency of Human Services shall engage in transformation planning with up to four hospitals, or other number of hospitals if possible with alternate funds, to reduce inefficiencies, lower costs, improve population health outcomes, reduce health inequities, and increase access to essential services while maintaining sufficient capacity for emergency management. The transformation planning shall be informed by the data analysis and community engagement required in Sec. 2 of this act. The Secretary of Human Services or designee and the Chair and staff of the Green Mountain Care Board shall consult with each other on the engagements in this section

and the data analysis and community engagement required in Sec. 2 of this act to ensure the work is aligned.

(b) On or before February 15, 2024, the Agency of Human Services shall update the Senate Committee on Health and Welfare and the House Committee on Health Care on the progress of this work.

Sec. 9. EFFECTIVE DATES

This act shall take effect on July 1, 2023, except that Sec. 7 (hospital liens) shall take effect on January 1, 2024.

Which was agreed to.

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

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the proposals of amendment of the Committee on Health and Welfare, as substituted, were collectively agreed to and third reading of the bill was ordered.

Proposals of Amendment; Third Reading Ordered

H. 305.

Senator Hardy, for the Committee on Government Operations, to which was referred House bill entitled:

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

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

First: In Sec. 7, 26 V.S.A. § 2022, by striking out subdivision (14) in its entirety and inserting in lieu thereof a new subdivision (14) to read as follows:

(14) “Pharmacy technician” means an individual who, only while assisting and under the supervision of a licensed pharmacist, performs tasks relative to dispensing only while assisting and under the supervision and control of a licensed pharmacist prescription drugs, administering immunizations, and performing tests for COVID-19. Pharmacy technicians shall administer immunizations and perform tests for COVID-19 in compliance and accordance with section 2042a of this title.

Second: By striking out Sec. 8, 26 V.S.A. § 2023, in its entirety and inserting in lieu thereof a new Sec. 8 to read as follows:

Sec. 8. 26 V.S.A. § 2023 is amended to read:

§ 2023. CLINICAL PHARMACY; PRESCRIBING

* * *

(b) A pharmacist may prescribe in the following contexts:

* * *

(2) State protocol.

(A) A pharmacist may prescribe, order, or administer in a manner consistent with valid State protocols that are approved by the Commissioner of Health after consultation with the Director of Professional Regulation and the Board and the ability for public comment:

* * *

(v) self-administered hormonal contraceptives, including subcutaneous depot medroxyprogesterone acetate;

* * *

(vii) influenza vaccines for patients 18 years of age or older, vaccinations recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP) and administered consistently with the ACIP-approved immunization schedules, as may be amended from time to time;

(viii) for patients five years of age or older, influenza vaccine, COVID-19 vaccine, and subsequent formulations or combination products thereof;

(ix) in the event of a significant public health risk, an appropriate vaccine to mitigate the effects on public health after finding that existing channels for vaccine administration are insufficient to meet the public health need;

~~(ix)~~(x) emergency prescribing of albuterol or glucagon while contemporaneously contacting emergency services; and

(xi) tests for COVID-19 for individuals by entities holding a Certificate of Waiver pursuant to the Clinical Laboratory Amendments of 1988 (42 U.S.C. § 263a). If a test for COVID-19, prescribed, ordered, or administered by a pharmacist in accordance with this section and the resulting State protocol incidentally detects influenza or human respiratory syncytial virus, a pharmacist shall advise the individual tested that the results indicate influenza or human respiratory syncytial virus infection and recommend to the individual to seek further care from an appropriate health care provider.

* * *

Third: By striking out Sec. 9, 26 V.S.A. § 2042a, in its entirety and inserting in lieu thereof a new Sec. 9 to read as follows:

Sec. 9. 26 V.S.A. § 2042a is amended to read:

§ 2042a. PHARMACY TECHNICIANS; QUALIFICATIONS FOR
REGISTRATION

(a) No person shall perform the duties of a pharmacy technician unless registered with the Board. To obtain a registration as a pharmacy technician, an applicant shall:

* * *

(b) Pharmacy technicians administering immunizations shall meet the following requirements:

(1) hold a registration as a pharmacy technician in accordance with subsection (a) of this section;

(2) hold a current CPR certification;

(3) have successfully completed an Accreditation Council of Pharmacy Education–accredited training program approved by the Board; and

(4) successfully complete two hours of immunization-related continuing education approved by the Accreditation Council for Pharmacy Education every two-year licensing period.

(c) Pharmacy technicians shall only administer immunizations:

(1) to patients 18 years of age or older, as established in subdivision 2023(b)(2)(A)(vii) and the resulting State protocol;

(2) to patients five years of age or older, influenza vaccine, COVID-19 vaccine, and subsequent formulations or combination products thereof, in accordance with subdivision 2023(b)(2)(A)(viii) and the resulting State protocol;

(3) pursuant to the schedules and recommendations of the Advisory Committee on Immunization Practices’ recommendations for the administration of immunizations, as those recommendations may be updated from time to time; and

(4) when a licensed pharmacist who is trained to immunize is present and able to assist with the immunization, as needed.

(d) Pharmacy technicians shall administer only those immunizations that:

(1) are recommended by the Centers for Disease Control and

Prevention's Advisory Committee on Immunization Practices (ACIP); and

(2) licensed pharmacists are permitted to administer under the State clinical pharmacy protocol, as established in subdivision 2023(b)(2) of this title.

(e) Pharmacy technicians performing COVID-19 tests shall do so only:

(1) when a licensed pharmacist who is trained to perform COVID-19 tests is present and able to assist with the test, as needed;

(2) in accordance with a State protocol adopted under subdivision 2023(b)(2)(A)(x) of this title; and

(3) in accordance with rules adopted by the Board.

(f) The Board may adopt rules regarding the administration of immunizations and the performance of COVID-19 tests by pharmacy technicians.

Fourth: By striking out Sec. 12, effective date, and its reader assistance heading in their entirety and inserting in lieu thereof the following:

Sec. 12. 2022 Acts and Resolves No. 117, Sec. 8, mental health professional licensure; study, is amended to read:

Sec. 8. MENTAL HEALTH PROFESSIONAL LICENSURE; STUDY

* * *

(b) Stakeholder input. The Director of the Office of Professional Regulation shall seek the input and recommendations of the following stakeholders in completing the study:

* * *

(7) other interested stakeholders, including individuals from diverse backgrounds to represent the interests of communities of color and other historically underrepresented populations in mental health care professions, and individuals representing the interests of art and music therapists.

(c) Findings and recommendations. On or before December 15, 2024, the Director of the Office of Professional Regulation shall provide the Office's findings and recommendations to the House Committees on Health Care and on Government Operations and the Senate Committees on Health and Welfare and on Government Operations. The findings and recommendations shall include a process for the certification of music therapists and art therapists.

Sec. 13. 26 V.S.A. § 2061 is amended to read:

§ 2061. REGISTRATION AND LICENSURE

* * *

(e) Retail and institutional drug outlets shall be managed by licensed pharmacists who have held an unrestricted license in this or another state for at least one year. The Board may grant a pharmacy permission to appoint a licensed pharmacist to manage the pharmacy who has been licensed for less than a year, subject to rules adopted by the Board. A pharmacist who holds a restricted license may petition the Board for permission to be a pharmacist manager, which may be granted by the Board for good cause shown.

* * *

* * * Secretary of State Fees * * *

* * * Advisor Professions * * *

Sec. 14. 3 V.S.A. § 125 is amended to read:

§ 125. FEES

(a) In addition to the fees otherwise authorized by law, a board or advisor profession may charge the following fees:

(1) Verification of license, \$20.00.

(2) An examination fee established by the Secretary, which shall be ~~no~~ not greater than the costs associated with examinations.

(3) Reinstatement fees for expired licenses pursuant to section 127 (unauthorized practice) of this title.

(4) Continuing, qualifying, or prelicensing education course approval:

(A) Provider, \$100.00.

(B) Individual, \$25.00.

(5) A preapplication criminal background determination, \$25.00.

(b) Unless otherwise provided by law, the following fees shall apply to all professions regulated by the Director in consultation with advisor appointees under Title 26:

(1) Application for registration, ~~\$75.00~~ \$100.00, except application for:

(A) Private investigator and security services employees, unarmed registrants, ~~\$60.00~~ \$70.00.

(B) Private investigator and security service employees, transitory

permits, ~~\$60.00~~ \$70.00.

(C) Private investigator and security service employees, armed registrants, ~~\$120.00~~ \$140.00.

(2) Application for licensure or certification, ~~\$100.00~~ \$115.00, except application for:

(A) Barbering or cosmetology schools and shops, ~~\$300.00~~ \$355.00.

(B) Funeral directors, embalmers, disposition facility personnel, removal personnel, funeral establishments, disposition facilities, and limited services establishments, ~~\$70.00~~ \$85.00.

(C) Application for real estate appraisers, ~~\$275.00~~ \$315.00.

(D) Temporary real estate appraiser license, ~~\$150.00~~ \$175.00.

(E) Appraisal management company registration, ~~\$600.00~~ \$685.00.

(F) Private investigator or security services agency, ~~\$340.00~~ \$390.00.

(G) Private investigator and security services agency, ~~\$400.00~~ \$460.00.

(H) Private investigator or security services sole proprietor, \$250.00.

(I) Private investigator or security services unarmed licensee, ~~\$150.00~~ \$175.00.

(J) Private investigator or security services armed licensee, ~~\$200.00~~ \$230.00.

(K) Private investigator and security services instructor, ~~\$120.00~~ \$140.00.

(L) Barbers, cosmetologists, nail technicians, and estheticians, \$120.00.

(M) Massage therapist, bodyworker, or touch professional, \$90.00.

(N) Optician, \$145.00.

(O) Physical therapists and assistants, \$120.00.

(P) Independent clinical social workers and master's social workers, \$120.00.

(3) Optician trainee registration, ~~\$50.00~~ \$75.00.

(4) Biennial renewal, ~~\$240.00~~ \$275.00, except biennial renewal for:

(A) Independent clinical social workers and master's social workers, ~~\$150.00~~ \$180.00.

-
- (B) Occupational therapists and assistants, ~~\$150.00~~ \$180.00.
- (C) Physical therapists and assistants, ~~\$150.00~~ \$180.00.
- (D) Optician trainees, ~~\$100.00~~ \$135.00.
- (E) Barbers, cosmetologists, nail technicians, and estheticians, ~~\$130.00~~ \$155.00.
- (F) Schools of barbering or cosmetology, ~~\$300.00~~ \$355.00.
- (G) Funeral directors and embalmers, ~~\$280.00~~ \$415.00.
- (H) Disposition facility personnel and removal personnel, ~~\$100.00~~ \$150.00.
- (I) Funeral establishments, disposition facilities, and limited services establishments, ~~\$640.00~~ \$945.00.
- (J) [Repealed.]
- (K) Radiologic therapist, radiologic technologist, nuclear medicine technologist, ~~\$150.00~~ \$175.00.
- (L) Certified alcohol and drug abuse counselor, certified apprentice addiction professional, and licensed alcohol and drug abuse counselor, ~~\$225.00~~ \$260.00.
- (M) Private investigator or security services agency, or both, ~~\$300.00~~ \$345.00.
- (N) Private investigator or security services unarmed licensee, ~~\$120.00~~ \$140.00.
- (O) Private investigator or security services armed licensee, ~~\$180.00~~ \$205.00.
- (P) Private investigator or security services unarmed registrant, ~~\$80.00~~ \$95.00.
- (Q) Private investigator or security services armed registrant, ~~\$130.00~~ \$150.00.
- (R) Private investigator or security services sole proprietor, \$250.00.
- (S) Private investigator or security services instructor, ~~\$180.00~~ \$205.00.
- (T) Barbering or cosmetology shop, \$285.00.
- (5) Limited temporary license or work permit, ~~\$50.00~~ \$60.00.
- (6) Radiologic evaluation, \$125.00.

(7) Annual renewal for appraisal management company registration, ~~\$300.00~~ \$345.00.

(8) Real estate appraiser trainee, \$115.00.

* * *

* * * Boxing * * *

Sec. 15. 26 V.S.A. § 6009 is amended to read:

§ 6009. FEES

(a) Applicants and persons regulated by this subchapter shall be subject to the following fees:

(1) Promoter registration ~~\$500.00~~ \$825.00

(2) Boxer registration ~~\$25.00~~ \$30.00

(3) Manager registration ~~\$25.00~~ \$30.00

(4) Second registration ~~\$25.00~~ \$30.00

(5) Referee registration ~~\$25.00~~ \$30.00

(6) Judge registration ~~\$25.00~~ \$30.00

(7) Biennial renewal for ~~professional boxers,~~ managers, seconds, referees, and judges ~~\$25.00~~ \$30.00

(8) Biennial renewal for professional boxer \$35.00

(9) Biennial renewal for professional promotor \$45.00

* * *

* * * Mixed Martial Arts * * *

Sec. 16. 26 V.S.A. § 6033 is amended to read:

§ 6033. FEES

Applicants and persons regulated by this subchapter shall be subject to the following fees:

(1) Application:

(A) Promoter license ~~\$500.00~~ \$545.00

(B) Event license ~~\$250.00~~ \$275.00

(C) Contestant license ~~\$25.00~~ \$30.00

(D) Participant license ~~\$25.00~~ \$30.00

(2) Biennial renewal for managers, seconds, referees, and judges

~~\$25.00~~ \$30.00

- (3) Biennial renewal for promoters ~~\$500.00~~ \$545.00
- (4) Annual renewal for contestants ~~\$25.00~~ \$30.00
- (5) Late fees set pursuant to 3 V.S.A. § 127(d)(1).

* * * Nursing Home Administrators * * *

Sec. 17. 18 V.S.A. § 2058 is amended to read:

§ 2058. LICENSE FEES

Applicants and persons regulated under this chapter shall be subject to the following fees:

- (1) Application ~~\$100.00~~ \$115.00
- (2) Biennial renewal ~~\$200.00~~ \$275.00

* * * Board Professions * * *

* * * Accounting * * *

Sec. 18. 26 V.S.A. § 56 is amended to read:

§ 56. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

- (1) Application for license ~~\$100.00~~ \$115.00
- (2) Biennial renewal of license ~~\$220.00~~ \$255.00
- (3) Firm registration ~~\$200.00~~ \$230.00
- (4) [Repealed.]
- (5) Firm biennial renewal of registration ~~\$400.00~~ \$460.00
- (6) Sole proprietor firm biennial renewal of registration ~~\$200.00~~ \$230.00

* * * Allied Mental Health * * *

Sec. 19. 26 V.S.A. § 4089a is amended to read:

§ 4089a. FEES

A person who seeks entry on the roster shall pay the following fees:

- (1) Initial roster entry ~~\$80.00~~ \$95.00
- (2) Biennial roster reentry ~~\$150.00~~ \$175.00

Sec. 20. 26 V.S.A. § 4041a is amended to read:

§ 4041a. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application for licensure ~~\$150.00~~ \$175.00

(2) Biennial renewal ~~\$250.00~~ \$285.00

Sec. 21. 26 V.S.A. § 3270a is amended to read:

§ 3270a. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application for licensure ~~\$150.00~~ \$175.00

(2) Biennial renewal ~~\$200.00~~ \$230.00

* * * Architect * * *

Sec. 22. 26 V.S.A. § 209 is amended to read:

§ 209. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application for initial license ~~\$60.00~~ \$120.00

(2) ~~Initial license issuance~~ \$20.00

(~~3~~) Biennial renewal ~~\$155.00~~ \$225.00

* * * Chiropractor * * *

Sec. 23. 26 V.S.A. § 535 is amended to read:

§ 535. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

(1) Chiropractors

(A) Application ~~\$200.00~~ \$225.00

(B) Biennial renewal ~~\$265.00~~ \$295.00

(C) Initial competency endorsement under section 525 of this title \$70.00

(D) Biennial renewal of competency endorsement under section 525 of

this title \$70.00

(E) Evaluation \$125.00

(2) Registration of intern ~~\$50.00~~ \$80.00

* * * Dental * * *

Sec. 24. 26 V.S.A. § 662 is amended to read:

§ 662. FEES

(a) Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application

(A) Dentist ~~\$250.00~~ \$285.00

(B) Dental therapist ~~\$185.00~~ \$215.00

(C) Dental hygienist ~~\$175.00~~ \$200.00

(D) Dental assistant ~~\$70.00~~ \$80.00

(2) Biennial renewal

(A) Dentist ~~\$575.00~~ \$655.00

(B) Dental therapist ~~\$270.00~~ \$310.00

(C) Dental hygienist ~~\$215.00~~ \$245.00

(D) Dental assistant ~~\$90.00~~ \$105.00

* * *

* * * Engineer * * *

Sec. 25. 26 V.S.A. § 1176 is amended to read:

§ 1176. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application for engineering license or application to add additional specialty discipline ~~\$100.00~~ \$115.00

(2) Application for engineer intern certificate ~~\$50.00~~ \$60.00

(3) Biennial license renewal ~~\$150.00~~ \$175.00

(4) [Repealed.]

* * * Land Surveyor * * *

Sec. 26. 26 V.S.A. § 2597 is amended to read:

§ 2597. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

- (1) Application ~~\$200.00~~ \$290.00
- (2) Biennial renewal of license ~~\$300.00~~ \$365.00

* * * Nursing * * *

Sec. 27. 26 V.S.A. § 1577 is amended to read:

§ 1577. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

- (1) Nursing Assistants
 - (A) Application ~~\$20.00~~ \$25.00
 - (B) Biennial renewal ~~\$55.00~~ \$65.00
- (2) Practical Nurses and Registered Nurses
 - (A) Application by exam \$75.00
 - (B) Application by endorsement ~~\$150.00~~ \$175.00
 - (C) Biennial renewal for Practical Nurses ~~\$175.00~~ \$200.00
 - (D) Biennial renewal for Registered Nurses ~~\$190.00~~ \$220.00
- (3) Advanced Practice Registered Nurses
 - (A) Initial endorsement of advanced practice registered nurses ~~\$100.00~~ \$115.00
 - (B) Biennial renewal of advanced practice registered nurses ~~\$125.00~~ \$145.00

* * * Optometry * * *

Sec. 28. 26 V.S.A. § 1718 is amended to read:

§ 1718. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

- (1) Application ~~\$225.00~~ \$325.00

(2) Biennial renewal ~~\$350.00~~ \$395.00

* * * Osteo * * *

Sec. 29. 26 V.S.A. § 1794 is amended to read:

§ 1794. FEES

(a) Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application

(A) Licensure ~~\$500.00~~ \$450.00

(B) Limited temporary license ~~\$50.00~~ \$75.00

(2) Biennial license renewal ~~\$300.00~~ \$350.00

(3) Annual limited temporary license renewal ~~\$100.00~~ \$145.00

* * *

* * * Pharmacy * * *

Sec. 30. 26 V.S.A. § 2046 is amended to read:

§ 2046. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

(1) Initial application:

(A) Pharmacists ~~\$110.00~~ \$155.00

(B) Retail drug outlets ~~\$300.00~~ \$410.00

(C) Institutional drug outlets ~~\$400.00~~ \$460.00

(D) Manufacturing drug outlet ~~\$400.00~~ \$550.00

(E) Wholesale drug outlet ~~\$700.00~~ \$800.00

(F) Investigative and research projects ~~\$300.00~~ \$410.00

(G) Pharmacy technicians ~~\$50.00~~ \$70.00

(H) Outsourcing drug outlet ~~\$700.00~~ \$800.00

(I) Nuclear drug outlet ~~\$700.00~~ \$800.00

(J) Compounding drug outlet ~~\$700.00~~ \$800.00

(K) Home infusion drug outlet ~~\$700.00~~ \$800.00

(L) Third-party logistics ~~\$700.00~~ \$800.00

- (M) Pharmacy interns ~~\$20.00~~ \$25.00
- (N) Nonresident manufacturers ~~\$800.00~~
- (O) Community-based long-term care pharmacy ~~\$550.00~~
- (P) Institutional long-term care pharmacy ~~\$550.00~~
- (2) Biennial renewal:
 - (A) Pharmacists ~~\$125.00~~ \$145.00
 - (B) Retail drug outlets ~~\$400.00~~ \$460.00
 - (C) Institutional drug outlets ~~\$500.00~~ \$570.00
 - (D) Manufacturing drug outlet ~~\$500.00~~ \$570.00
 - (E) Wholesale drug outlet ~~\$500.00~~ \$570.00
 - (F) Investigative and research projects ~~\$300.00~~ \$345.00
 - (G) Pharmacy technicians ~~\$60.00~~ \$85.00
 - (H) Outsourcing drug outlet ~~\$500.00~~ \$570.00
 - (I) Nuclear drug outlet ~~\$500.00~~ \$570.00
 - (J) Compounding drug outlet ~~\$500.00~~ \$570.00
 - (K) Home infusion drug outlet ~~\$500.00~~ \$570.00
 - (L) Third-party logistics ~~\$500.00~~ \$570.00
 - (M) Pharmacy interns ~~\$45.00~~ \$55.00
 - (N) Nonresident manufacturers ~~\$570.00~~
 - (O) Community-based long-term care pharmacy ~~\$570.00~~
 - (P) Institutional long-term care pharmacy ~~\$570.00~~
- (3) Pharmacy reinspection \$100.00

* * * Psychology * * *

Sec. 31. 26 V.S.A. § 3010 is amended to read:

§ 3010. FEES; LICENSES

Applicants and persons regulated under this chapter shall pay the following fees:

- (1) Application for license ~~\$175.00~~ \$240.00
- (2) Biennial renewal of license ~~\$150.00~~ \$195.00
- (3) [Repealed.]

(4) [Repealed.]

* * * Real Estate * * *

Sec. 32. 26 V.S.A. § 2255 is amended to read:

§ 2255. FEES

(a) Applicants and persons regulated under this chapter shall pay the following fees:

* * *

(2) Biennial renewal of broker or salesperson license ~~\$240.00~~ \$220.00

* * *

* * * Veterinary * * *

Sec. 33. 26 V.S.A. § 2414 is amended to read:

§ 2414. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application ~~\$100.00~~ \$145.00

(2) Biennial Renewal ~~\$175.00~~ \$200.00

* * * Corporations Division * * *

* * * Assumed Business Name * * *

Sec. 34. 11 V.S.A. § 1625 is amended to read:

§ 1625. FEES

(a) A person, copartnership, association, limited liability company, or corporation required by the provisions of this chapter to file a return, shall, at the time of filing as provided, pay a registration fee of ~~\$50.00~~ \$70.00 to the Secretary of State.

(b) A person, copartnership, association, limited liability company, or corporation required by the provisions of this chapter to file a certificate of cessation or change of business status or an application to reserve a business name shall, at the time of filing, pay a fee of ~~\$20.00~~ \$35.00 to the Secretary of State.

* * *

Sec. 35. 11 V.S.A. § 1635 is amended to read:

§ 1635. REREGISTRATION

(a) One or more persons doing business under a registered business name shall reregister the name every five years by filing a reregistration return with the Secretary of State with a fee of ~~\$40.00~~ \$65.00 within 60 days following the date five years after the date of the original registration or of the last reregistration. The Secretary of State shall prepare and supply the necessary forms.

* * *

* * * Corporation * * *

Sec. 36. 11A V.S.A. § 1.22 is amended to read:

§ 1.22. FILING; SERVICE AND COPYING FEES

(a) The Secretary of State shall collect the following fees when the documents described in this section are delivered to the Office of the Secretary of State for filing:

(1) Articles of incorporation	\$125.00 <u>\$155.00</u>
(2) Application for reserved name	\$20.00 <u>\$40.00</u>
(3) Notice of transfer of reserved name	No fee <u>\$20.00</u>
(4) Application for registered name of a foreign corporation	\$25.00 <u>\$50.00</u>
(5) Application for renewal of registered name of a foreign corporation	\$25.00 <u>\$50.00</u>
(6) Statement of change of registered agents or registered office, or both	\$25.00 and not to exceed \$1,000.00 per filer per calendar year.
(7) Agent's statement of resignation	No fee
(8) Amendment of articles of incorporation	\$25.00 <u>\$50.00</u>

(9) Restatement of articles of incorporation	\$25.00 <u>\$50.00</u>
(10) Articles of merger or share exchange	\$50.00 <u>\$95.00</u>
(11) Articles of dissolution	\$20.00 <u>\$35.00</u>
(12) Articles of revocation of dissolution	\$20.00 <u>\$35.00</u>
(13) Application for certificate of authority	\$125.00 <u>\$155.00</u>
(14) Application for amended certificate of authority	\$25.00 <u>\$50.00</u>
(15) Application for certificate of withdrawal	\$20.00 <u>\$25.00</u>
(16) Annual report of a foreign corporation	\$200.00 <u>\$250.00</u>
(17) Annual report of a domestic corporation	\$45.00 <u>\$60.00</u>
(18) Application for certificate of good standing	\$25.00
(19) Any other document required or permitted to be filed by this title	\$20.00 <u>\$35.00</u>
<u>(20) Articles of correction</u>	<u>\$20.00</u>
<u>(21) Articles of domestication</u>	<u>\$20.00</u>
<u>(22) Statement of conversion</u>	<u>\$20.00</u>

* * *

(d) When a corporation has been involuntarily terminated for failure to file its annual report, the Secretary of State shall collect, for each year the corporation failed to file its annual report, the annual report filing fee and a reinstatement fee of ~~\$25.00~~ \$50.00.

* * * Limited Liability Company * * *

Sec. 37. 11 V.S.A. § 4012 is amended to read:

§ 4012. FEES

(a) The Secretary of State shall collect the following fees when a document

described in this section is delivered to the Office of the Secretary of State for filing:

- (1) Articles of organization ~~\$125.00~~ \$155.00
- (2) Application for certificate of authority ~~\$125.00~~ \$155.00
- (3) Amendment of articles or certificate of authority ~~\$25.00~~ \$35.00
- (4) Cancellation of certificate of authority ~~\$20.00~~ \$25.00
- (5) Application for reserved name ~~\$20.00~~ \$25.00
- (6) Notice of transfer of reserved name ~~No fee~~ \$20.00
- (7) Application for registered name \$25.00
- (8) Application for renewal of registered name \$25.00
- (9) Statement of change of designated agent or designated office, or both ~~\$25.00~~ \$35.00 and not to exceed \$1,000.00 per filer per calendar year
- (10) Agent's statement of resignation no fee
- (11) Restatement of articles of organization \$25.00
- (12) Articles of correction ~~\$25.00~~ \$35.00
- (13) Application for certificate of existence or authorization ~~\$25.00~~ \$35.00
- (14) Articles of merger ~~\$50.00~~ \$55.00
- (15) Annual report of a domestic limited liability company ~~\$35.00~~ \$45.00
- (16) Annual report of a foreign limited liability company ~~\$140.00~~ \$170.00
- (17) Reinstatement ~~\$25.00~~ \$35.00
- (18) Any other document required or permitted to be filed by this chapter \$20.00
- (19) Articles of domestication \$20.00
- (20) Articles of termination \$20.00
- (21) Notice of withdrawal of reserved name \$20.00
- (22) Statement of conversion \$20.00

(b) The Secretary of State shall collect the following fees:

- (1) ~~\$25.00~~ \$35.00 each time process is served on the Secretary under this chapter. The party to a proceeding causing service of process is entitled to

recover this fee as costs if ~~he or she~~ the party prevails in the proceeding.

(2) \$25.00 for the certificate certifying the copy of any filed document relating to a limited liability company or a foreign limited liability company.

* * * Limited Liability Partnership * * *

Sec. 38. 11 V.S.A. § 3310 is amended to read:

§ 3310. FEES

(a) The Secretary of State shall collect the following fees when a document described in this section is delivered to the Office of the Secretary of State for filing:

(1) Statement of authority	\$125.00 <u>\$155.00</u>
(2) Statement of denial	No fee <u>\$25.00</u>
(3) Statement of dissociation	No fee <u>\$20.00</u>
(4) Statement of dissolution	No fee <u>\$25.00</u>
(5) Statement of merger	\$50.00 <u>\$85.00</u>
(6) Statement of qualification	\$75.00 <u>\$130.00</u>
(7) Statement of foreign qualification	\$100.00 <u>\$170.00</u>
(8) Amendment	\$25.00 <u>\$45.00</u>
(9) Cancellation	\$5.00 <u>\$10.00</u>
(10) Annual report of domestic limited liability partnership	\$15.00 <u>\$30.00</u>
(11) Annual report of foreign limited liability partnership	\$100.00 <u>\$170.00</u>
(12) Reinstatement	\$25.00 <u>\$45.00</u>

(13) Statement of change of designated agent or designated office, or both	\$25.00 <u>\$35.00</u> , not to exceed \$1,000.00 per filer per calendar year
(14) Application for certificate of good standing	\$25.00 <u>\$45.00</u>
(15) Any other document permitted or required to be filed by this chapter	\$20.00
(16) <u>Amendment – Foreign</u>	<u>\$35.00</u>

* * *

* * * Limited Partnership * * *

Sec. 39. 11 V.S.A. § 3420 is amended to read:

§ 3420. FEES

(a) The Secretary of State shall collect the following fees when a document described in this section is delivered to the Office of the Secretary of State for filing:

(1) Certificate of Limited Partnership	\$125.00 <u>\$130.00</u>
(2) Registration of Foreign Limited Partnership	\$125.00 <u>\$155.00</u>
(3) Amendment - <u>Domestic</u>	\$25.00 <u>\$35.00</u>
(4) Cancellation	No fee <u>\$25.00</u>
(5) Merger	\$50.00 <u>\$65.00</u>
(6) Statement of change of designated agent or designated office, or both	\$25.00 <u>\$35.00</u> , not to

	exceed \$1,000.00 per filer per calen- dar year
(7) Application for certificate of good standing	\$25.00 <u>\$35.00</u>
(8) Any other document permitted or required to be filed by this chapter	\$20.00
(9) <u>Amendment – Foreign</u>	<u>\$35.00</u>
(10) <u>Name reservation, application</u>	<u>\$20.00</u>
(11) <u>Name reservation, transfer</u>	<u>\$20.00</u>
(12) <u>Restated certificate of limited partnership</u>	<u>\$20.00</u>

* * *

* * * Nonprofit Corporations * * *

Sec. 40. 11B V.S.A. § 1.22 is amended to read:

§ 1.22. FILING; SERVICE AND COPYING FEES

The Secretary of State shall collect the following fees when the documents described in this section are delivered to the Office of the Secretary of State for filing:

(1) Articles of incorporation	\$125.00 <u>\$155.00</u>
(2) Application for reserved name	\$20.00 <u>\$35.00</u>
(3) Transfer of reserved name	No fee <u>\$35.00</u>
(4) Application for registered name	\$25.00 <u>\$45.00</u>
(5) Renewal of registered name	\$25.00 <u>\$45.00</u>
(6) Statement of change of registered agents or registered office, or both	\$25.00 <u>\$35.00</u> and

	not to exceed \$1,000.00 per filer per calendar year.
(7) Agent's statement of registration	No fee
(8) Amendment of articles of association	\$25.00 <u>\$45.00</u>
(9) Restatement of articles of association	\$25.00 <u>\$45.00</u>
(10) Articles of merger	\$50.00 <u>\$90.00</u>
(11) Articles of dissolution	No fee
(12) Articles of revocation of dissolution	\$5.00 <u>\$10.00</u>
(13) Application for reinstatement following administrative dissolution	\$25.00 <u>\$45.00</u>
(14) Application for certificate of authority for a foreign corporation	\$100.00 <u>\$175.00</u>
(15) Application for amended certificate of authority	\$25.00 <u>\$45.00</u>
(16) Application for certificate of withdrawal	\$5.00 <u>\$10.00</u>
(17) Biennial report	\$20.00 <u>\$35.00</u>

except that a corporation ~~which~~ that certifies to the Secretary of State, on a form approved by the Secretary, that it did not compensate its officers, directors, or employees during the prior calendar year shall be exempt from the fee required by this subdivision.

(18) Articles of correction	\$15.00 <u>\$30.00</u>
(19) Application for certificate of good standing	\$25.00

	<u>\$35.00</u>
(20) Certified copy of any filed document	\$25.00
(21) <u>Restatement of articles of organization</u>	<u>\$30.00</u>

Sec. 41. 12 V.S.A. § 852 is amended to read:

§ 852. FEES; MAILING OF COPY TO CORPORATION

When process is served on the Secretary of State under the provisions of section 851 of this title, there shall be paid to ~~him or her~~ the Secretary by the officer at the time of such service the sum of ~~\$5.00~~ \$35.00. The Secretary shall forthwith forward by mail prepaid one of the duplicate copies to the corporation at its home office or to a person whom it designates.

* * * Trademark * * *

Sec. 42. 9 V.S.A. § 2523 is amended to read:

§ 2523. CERTIFICATE OF REGISTRATION; FILING FEE

There shall be paid to the Secretary of State for the filing of such statement a fee of ~~\$20.00~~ \$35.00. The Secretary of State shall deliver to the person filing such statement or causing the same to be filed, a certificate of registration under ~~his or her~~ the Secretary's signature and State Seal, showing the name and address of the person claiming ownership of the trademark registered, the date of such filing, a general description of the trademark to be registered, and a receipt showing the payment of the filing fee therefore. The fee for renewal of any registration shall be ~~\$20.00~~ \$35.00.

Sec. 43. 9 V.S.A. § 2525 is amended to read:

§ 2525. ASSIGNMENTS

Title to any trademark and its registration hereunder may be transferred and assigned to any person together with the goodwill of the business to which such trademark pertains or with that part of the goodwill of the business connected with the use of and symbolized by the mark. Written assignments shall be recorded by the Secretary of State upon payment of the fee of ~~\$20.00~~ \$35.00. When such assignment is recorded, a new certificate of registration shall be issued in the name of the assignee.

* * * Uniform Commercial Code * * *

Sec. 44. 9A V.S.A. § 9-525 is amended to read:

§ 9—525. FEES

(a) The fee for filing and indexing a record under this article is ~~\$35.00~~ \$45.00.

~~(b) The fee for filing and indexing an initial financing statement of the kind described in subsection 9—502(c) of this title is \$6.00 per page. In addition to the fee provided in subsection (a) of this section:~~

~~(1) the fee for filing and indexing an initial financing statement of the kind described in subsection 9-502(c) of this title is \$25.00;~~

~~(2) the fee for filing and indexing a record under this article for a manufactured home, transmitting utility, or public finance transaction is \$25.00.~~

~~(c) The fee for responding to a request for information from the filing office, including for issuing a certificate showing whether there is on file any financing statement naming a particular debtor is \$25.00 \$35.00.~~

~~(d) This section does not require a fee with respect to a record of a mortgage which is effective as a financing statement filed as a fixture filing or as a financing statement covering as extracted collateral or timber to be cut under subsection 9—502(c) of this title. However, the recording and satisfaction fees that otherwise would be applicable to the record of the mortgage apply. [Repealed.]~~

* * * Effective Date * * *

Sec. 45. EFFECTIVE DATE

This act shall take effect on passage.

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

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

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

Proposal of Amendment; Third Reading Ordered

H. 493.

Senator Ingalls, for the Committee on Institutions, to which was referred House bill entitled:

An act relating to capital construction and State bonding.

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

* * * Legislative Intent * * *

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the \$122,767,376.00 authorized in this act, not more than \$56,445,325.00 shall be appropriated in the first year of the biennium, and the remainder shall be appropriated in the second year.

(b) It is the intent of the General Assembly that in the second year of the biennium, any amendments to the appropriations or authorities granted in this act shall take the form of the Capital Construction and State Bonding Adjustment Bill. It is the intent of the General Assembly that unless otherwise indicated, all appropriations in this act are subject to capital budget adjustment.

Sec. 2. STATE BUILDINGS

(a) The following sums are appropriated to the Department of Buildings and General Services, and the Commissioner is authorized to direct funds appropriated in this section to the projects contained in this section; however, no project shall be canceled unless the Chairs of the Senate Committee on Institutions and the House Committee on Corrections and Institutions are notified before that action is taken.

(b) The following sums are appropriated in FY 2024:

<u>(1) Statewide, major maintenance:</u>	<u>\$8,001,244.00</u>
<u>(2) Statewide, physical security enhancements:</u>	<u>\$250,000.00</u>
<u>(3) Statewide, planning, reuse, and contingency:</u>	<u>\$425,000.00</u>
<u>(4) Bennington, Battle Monument, construction of safety fencing:</u>	<u>\$500,000.00</u>
<u>(5) Brattleboro, courthouse, roof replacement:</u>	<u>\$2,750,000.00</u>
<u>(6) Middlesex, Middlesex Therapeutic Community Residence, master plan, design, and decommissioning:</u>	<u>\$350,000.00</u>
<u>(7) Montpelier, State House, replacement of historic finishes:</u>	<u>\$50,000.00</u>
<u>(8) Montpelier, State House, HVAC renovations:</u>	<u>\$3,725,000.00</u>
<u>(9) Montpelier, 133 State Street, Office of Legislative Information Technology, renovations:</u>	<u>\$200,000.00</u>

<u>(10) St. Albans, Northwest State Correctional Facility, roof replacement:</u>	<u>\$1,300,000.00</u>
<u>(11) St. Johnsbury, Northeast State Correctional Facility, Caledonia Community Work Camp, door control system replacement:</u>	<u>\$1,000,000.00</u>
<u>(12) White River Junction, courthouse, renovations:</u>	<u>\$2,000,000.00</u>
<u>(13) Statewide, three-acre parcel, stormwater, planning, design, and construction:</u>	<u>\$1,500,000.00</u>
<u>(14) Statewide, R22 refrigerant phase out:</u>	<u>\$250,000.00</u>
<u>(15) Statewide, Art in State Buildings Program:</u>	<u>\$75,000.00</u>
<u>(c) The following sums are appropriated in FY 2025:</u>	
<u>(1) Statewide, major maintenance:</u>	<u>\$8,500,000.00</u>
<u>(2) Statewide, physical security enhancements:</u>	<u>\$250,000.00</u>
<u>(3) Statewide, planning, reuse, and contingency:</u>	<u>\$425,000.00</u>
<u>(4) Middlesex, Middlesex Therapeutic Community Residence, master plan, design, and decommissioning:</u>	<u>\$400,000.00</u>
<u>(5) Montpelier, State House, replacement of historic finishes:</u>	<u>\$50,000.00</u>
<u>(6) Montpelier, State House, HVAC renovations:</u>	<u>\$3,900,000.00</u>
<u>(7) Newport, Northern State Correctional Facility, planning and construction for the boiler replacement:</u>	<u>\$3,500,000.00</u>
<u>(8) St. Johnsbury, Northeast State Correctional Facility, Caledonia Community Work Camp, door control system replacement:</u>	<u>\$1,750,000.00</u>
<u>(9) White River Junction, courthouse, renovations:</u>	<u>\$4,000,000.00</u>
<u>(10) Statewide, three-acre parcel, stormwater, planning, design, and construction:</u>	<u>\$1,500,000.00</u>
<u>(11) Statewide, R22 refrigerant phase out:</u>	<u>\$1,000,000.00</u>
<u>(d) For the project described in subdivisions (b)(10) and (c)(6) of this section, the Department of Buildings and General Services is authorized to expend funds for a water-to-water heat pump system to dehumidify the State House in the summer months.</u>	
<u>Appropriation – FY 2024</u>	<u>\$22,376,244.00</u>
<u>Appropriation – FY 2025</u>	<u>\$25,275,000.00</u>
<u>Total Appropriation – Section 2</u>	<u>\$47,651,244.00</u>

Sec. 3. HUMAN SERVICES

(a) The sum of \$300,000.00 is appropriated in FY 2024 to the Department of Buildings and General Services for the Department of Corrections for planning, design, and construction for HVAC system upgrades and replacements at statewide correctional facilities.

(b) The following sums are appropriated in FY 2025 to the Department of Buildings and General Services for the Agency of Human Services for the following projects described in this subsection:

(1) Northwest State Correctional Facility, booking expansion, planning, design, and construction: \$2,500,000.00

(2) Women's correctional facility and reentry facility, replacement, planning and design: \$13,000,000.00

(3) Statewide, correctional facilities, HVAC systems, planning, design, and construction for upgrades and replacements: \$700,000.00

(c) For the amount appropriated in subsection (a) and subdivision (b)(3) of this section, the Department of Buildings and General Services shall evaluate and develop a design for upgrades and replacement of HVAC systems in all State correctional facilities. To the extent the Department identifies HVAC systems in common areas, break rooms, day rooms, and cafeterias that can be replaced to immediately alleviate heat-related stress for staff and residents at the facility, the Department is authorized to use the funds appropriated in subsection (a) and subdivision (b)(3) of this section for installation of HVAC systems in those areas.

Appropriation – FY 2024 \$300,000.00

Appropriation – FY 2025 \$16,200,000.00

Total Appropriation – Section 3 \$16,500,000.00

Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

(a) The following sums are appropriated in FY 2024 to the Agency of Commerce and Community Development for the following projects described in this subsection:

(1) Major maintenance at statewide historic sites: \$500,000.00

(2) Underwater preserves: \$46,000.00

(3) Placement and replacement of roadside historic markers: \$25,000.00

(4) Unmarked Burial Sites Special Fund: \$25,000.00

(b) The following sums are appropriated in FY 2025 to the Agency of Commerce and Community Development for the following projects described in this subsection:

<u>(1) Major maintenance at statewide historic sites:</u>	<u>\$500,000.00</u>
<u>(2) Underwater preserves:</u>	<u>\$46,000.00</u>
<u>(3) Placement and replacement of roadside historic markers:</u>	<u>\$25,000.00</u>
<u>(4) Unmarked Burial Sites Special Fund:</u>	<u>\$25,000.00</u>
<u>Appropriation – FY 2024</u>	<u>\$596,000.00</u>
<u>Appropriation – FY 2025</u>	<u>\$596,000.00</u>
<u>Total Appropriation – Section 4</u>	<u>\$1,192,000.00</u>

Sec. 5. GRANT PROGRAMS

(a) The following sums are appropriated in FY 2024 for the Building Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Preservation Grant Program: \$300,000.00

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program: \$325,000.00

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant Program, the sum of which may be used to match funds that may be made available from the National Endowment for the Arts, provided that all capital funds are made available to the Cultural Facilities Grant Program: \$300,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program: \$300,000.00

(5) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program (Human Services): \$150,000.00

(6) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program (Education): \$150,000.00

(7) To the Department of Buildings and General Services for the Regional Economic Development Grant Program: \$300,000.00

(8) To the Agency of Agriculture, Food and Markets for the Agricultural Fairs and Field Days Capital Projects Competitive Grant Program: \$350,000.00

(b) The following sums are appropriated in FY 2025 for the Building Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Preservation Grant Program: \$300,000.00

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program: \$325,000.00

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant Program, the sum of which may be used to match funds that may be made available from the National Endowment for the Arts, provided that all capital funds are made available to the Cultural Facilities Grant Program: \$300,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program: \$300,000.00

(5) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program (Human Services): \$150,000.00

(6) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program (Education): \$150,000.00

(7) To the Department of Buildings and General Services for the Regional Economic Development Grant Program: \$300,000.00

(8) To the Agency of Agriculture, Food and Markets for the Agricultural Fairs and Field Days Capital Projects Competitive Grant Program: \$350,000.00

Appropriation – FY 2024 \$2,175,000.00

Appropriation – FY 2025 \$2,175,000.00

Total Appropriation – Section 5 \$4,350,000.00

Sec. 6. EDUCATION

(a) The sum of \$50,000.00 is appropriated in FY 2024 to the Agency of Education for funding emergency projects.

(b) The sum of \$50,000.00 is appropriated in FY 2025 to the Agency of

Education for the projects described in subsection (a) of this section.

<u>Appropriation – FY 2024</u>	<u>\$50,000.00</u>
<u>Appropriation – FY 2025</u>	<u>\$50,000.00</u>
<u>Total Appropriation – Section 6</u>	<u>\$100,000.00</u>

Sec. 7. UNIVERSITY OF VERMONT

(a) The sum of \$1,600,000.00 is appropriated in FY 2024 to the University of Vermont for construction, renovation, and major maintenance at any facility owned or operated in the State by the University of Vermont.

(b) The sum of \$1,500,000.00 is appropriated in FY 2025 to the University of Vermont for the projects described in subsection (a) of this section.

<u>Appropriation – FY 2024</u>	<u>\$1,600,000.00</u>
<u>Appropriation – FY 2025</u>	<u>\$1,500,000.00</u>
<u>Total Appropriation – Section 7</u>	<u>\$3,100,000.00</u>

Sec. 8. VERMONT STATE COLLEGES

(a) The sum of \$1,500,000.00 is appropriated in FY 2024 to the Vermont State Colleges for construction, renovation, and major maintenance at any facility owned or operated in the State by the Vermont State Colleges.

(b) The sum of \$1,500,000.00 is appropriated in FY 2025 to the Vermont State Colleges for the projects described in subsection (a) of this section.

<u>Appropriation – FY 2024</u>	<u>\$1,500,000.00</u>
<u>Appropriation – FY 2025</u>	<u>\$1,500,000.00</u>
<u>Total Appropriation – Section 8</u>	<u>\$3,000,000.00</u>

Sec. 9. NATURAL RESOURCES

(a) The following sums are appropriated in FY 2024 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

(1) State match, drinking water supply, Drinking Water State Revolving Fund: \$174,586.00

(2) Dam safety and hydrology projects: \$1,000,000.00

(b) The following sums are appropriated in FY 2024 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the following projects:

(1) Infrastructure rehabilitation, including statewide small-scale

rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, statewide small-scale road rehabilitation projects, and three-acre stormwater rule compliance: \$3,750,000.00

(2) Open access recreational infrastructure and State forests and recreational access points: \$768,863.00

(c) The following amounts are appropriated in FY 2024 to the Agency of Natural Resources for the Department of Fish and Wildlife for the projects described in this subsection:

(1) General infrastructure projects, including small-scale maintenance and rehabilitation of infrastructure: \$1,878,632.00

(2) Lake Champlain Walleye Association, Inc., to upgrade and repair the Walleye rearing, restoration, and stocking infrastructure: \$25,000.00

(d) The sum of \$2,207,901.00 is appropriated in FY 2025 to the Agency of Natural Resources for the Department of Environmental Conservation for the State's match to the Drinking Water State Revolving Fund for the drinking water supply.

(e) The following sums are appropriated in FY 2025 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the following projects:

(1) Infrastructure rehabilitation, including statewide small-scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, statewide small-scale road rehabilitation projects, and three-acre stormwater rule compliance: \$3,250,000.00

(2) Open access recreational infrastructure and forest park access roads: \$670,000.00

(f) The following amounts are appropriated in FY 2025 to the Agency of Natural Resources for the Department of Fish and Wildlife for the projects described in this subsection:

(1) General infrastructure projects, including small-scale maintenance and rehabilitation of infrastructure: \$1,344,150.00

(2) Lake Champlain Walleye Association, Inc., to upgrade and repair the Walleye rearing, restoration, and stocking infrastructure: \$25,000.00

Appropriation – FY 2024 \$7,597,081.00

Appropriation – FY 2025 \$7,497,051.00

Total Appropriation – Section 9 \$15,094,132.00

Sec. 10. CLEAN WATER INITIATIVES

(a) The sum of \$2,202,019.00 is appropriated in FY 2024 to the Agency of Agriculture, Food and Markets for water quality grants and contracts.

(b) The following sums are appropriated in FY 2024 to the Agency of Natural Resources for the following projects:

(1) the Clean Water State/EPA Revolving Loan Fund (CWSRF) match for the Water Pollution Control Fund: \$332,981.00

(2) municipal pollution control grants: \$4,000,000.00

(c) The sum of \$550,000.00 is appropriated in FY 2024 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for forestry access roads, recreation access roads, and water quality improvements.

(d)(1) The following sums are appropriated in FY 2024 to the Vermont Housing and Conservation Board for the following projects:

(A) Agricultural water quality projects: \$800,000.00

(B) Land conservation and water quality projects: \$2,000,000.00

(2) A grant issued under subdivision (1)(A) of this subsection:

(A) shall not be considered a State grant under 6 V.S.A. chapter 215, subchapter 3 for purposes of calculating the maximum amount of a State water quality assistance award under 6 V.S.A. § 4824 or 4826; and

(B) may be used to satisfy a grant recipient's cost-share requirements.

(e) The sum of \$6,000,000.00 is appropriated in FY 2025 to the Agency of Natural Resources for the Department of Environmental Conservation for clean water implementation projects.

(f) On or before December 1, 2023:

(1) The Clean Water Board shall review and recommend Clean Water Act implementation programs funded from subsection (e) of this section.

(2) The Board shall submit a report with the list of programs recommended for FY 2025 to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and to the Governor for the FY 2024 capital budget adjustment report. The report shall include a recommendation on whether funds appropriated to the Clean Water Fund, established in 10 V.S.A. § 1388, may be used for municipal pollution control grants in FY 2025.

(g) In FY 2024 and FY 2025, any agency that receives funding from this

section shall consult with the State Treasurer to ensure that the projects are capital eligible.

<u>Appropriation – FY 2024</u>	<u>\$9,885,000.00</u>
<u>Appropriation – FY 2025</u>	<u>\$6,000,000.00</u>
<u>Total Appropriation – Section 10</u>	<u>\$15,885,000.00</u>

Sec. 11. MILITARY

(a) The sum of \$1,251,000.00 is appropriated in FY 2024 to the Department of Military for maintenance, renovations, and ADA compliance at State armories.

(b) The sum of \$1,064,000.00 is appropriated in FY 2025 to the Department of Military for the projects described in subsection (a) of this section.

<u>Appropriation – FY 2024</u>	<u>\$1,251,000.00</u>
<u>Appropriation – FY 2025</u>	<u>\$1,064,000.00</u>
<u>Total Appropriation – Section 11</u>	<u>\$2,315,000.00</u>

Sec. 12. AGRICULTURE, FOOD AND MARKETS

(a) The sum of \$1,200,000.00 is appropriated in FY 2024 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for major maintenance at the Vermont building of the Eastern States Exposition.

(b) The following sums are appropriated in FY 2025 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for the following projects:

(1) Vermont Agriculture and Environmental Laboratory Heat Plant, construction: \$1,040,000.00

(2) Vermont building of the Eastern States Exposition, major maintenance: \$1,500,000.00

<u>Appropriation – FY 2024</u>	<u>\$1,200,000.00</u>
<u>Appropriation – FY 2025</u>	<u>\$2,540,000.00</u>
<u>Total Appropriation – Section 12</u>	<u>\$3,740,000.00</u>

Sec. 13. VERMONT RURAL FIRE PROTECTION

(a) The sum of \$125,000.00 is appropriated in FY 2024 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force for the dry hydrant program.

(b) The sum of \$125,000.00 is appropriated in FY 2025 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force for the project described in subsection (a) of this section.

<u>Appropriation – FY 2024</u>	<u>\$125,000.00</u>
<u>Appropriation – FY 2025</u>	<u>\$125,000.00</u>
<u>Total Appropriation – Section 13</u>	<u>\$250,000.00</u>

Sec. 14. VERMONT HOUSING AND CONSERVATION BOARD

(a) The sum of \$1,800,000.00 is appropriated in FY 2024 to the Vermont Housing and Conservation Board for housing and conservation projects.

(b) The sum of \$1,800,000.00 is appropriated in FY 2025 to the Vermont Housing and Conservation Board for the project described in subsection (a) of this section.

<u>Appropriation – FY 2024</u>	<u>\$1,800,000.00</u>
<u>Appropriation – FY 2025</u>	<u>\$1,800,000.00</u>
<u>Total Appropriation – Section 14</u>	<u>\$3,600,000.00</u>

Sec. 15. VETERANS HOME

(a) The sum of \$260,000.00 is appropriated in FY 2024 to the Department of Buildings and General Services for the Vermont Veterans' Home for maintenance at the Veterans' Home.

(b) The following sums are appropriated in FY 2024 to the Vermont Veterans' Home for the following projects:

<u>(1) an emergency generator and boiler plant replacement:</u>	<u>\$4,500,000.00</u>
<u>(2) elevator upgrade:</u>	<u>\$1,000,000.00</u>
<u>(3) resident care furnishings and security systems:</u>	<u>\$230,000.00</u>

(c) For the amounts appropriated in subsection (a) and subdivision (b)(3) of this section, on or before January 15, 2024, the Veterans' Home shall submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the status of expended funds and an anticipated timeline of when any remaining funds will be expended.

<u>Appropriation – FY 2024</u>	<u>\$5,990,000.00</u>
<u>Total Appropriation – Section 15</u>	<u>\$5,990,000.00</u>

* * * Funding * * *

Sec. 16. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

(a) The following sums are reallocated to the Department of Buildings and General Services from prior capital appropriations to defray expenditures authorized in Sec. 2 of this act:

(1) of the amount appropriated in 2012 Acts and Resolves No. 40, Sec. 19(a) (Veterans' Home, replace nurse call system): \$14,668.72

(2) of the amount appropriated 2012 Acts and Resolves No. 40, Sec. 19(b) (Veterans' Home kitchen upgrade): \$13,522.98

(3) of the amount appropriated in 2014 Acts and Resolves No. 51, Sec. 2(b) (various projects): \$365.00

(4) of the amount appropriated in 2014 Acts and Resolves No. 51, Sec. 17 (Veterans' Home kitchen renovation and mold remediation): \$21,493.59

(5) of the amount appropriated in 2015 Acts and Resolves No. 26, Sec. 2(b) (various projects): \$65,463.17

(6) of the amount appropriated in 2015 Acts and Resolves No. 26, Sec. 2(b)(9) (108 Cherry Street, parking garage): \$134,937.34

(7) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 1(c)(5) (major maintenance): \$93,549.00

(8) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 9(g) (Roxbury Fish Hatchery): \$6,175.00

(9) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 2(b)(13) (108 Cherry Street, parking garage): \$1,736,256.55

(10) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 2(c) (various projects): \$24,363.06

(11) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 6(a)(4) (Recreational Facilities Grant Program): \$14,833.00

(12) Of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 16(b) (Veterans' Home kitchen renovation and mold remediation):
\$209,533.90

(13) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 2(b)(3) (major maintenance): \$32,780.00

(14) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 2(c)(5) (108 Cherry Street, parking garage): \$6,944,999.00

(15) of the amount appropriated in 2021 Acts and Resolves No. 50,

Sec. 2(b)(5)(108 Cherry Street, parking garage): \$3,100,000.00

(16) of the amount appropriated in 2022 Acts and Resolves No. 180, Sec. 2(c)(18) (108 Cherry Street, parking garage): \$1,940,000.00

(b) Of the amount appropriated to the Department of Buildings and General Services for the Agency of Human Services in 2020 Acts and Resolves No. 139, Sec. 2(c)(5) (relocation of greenhouse), the sum of \$26,131.60 is reallocated to defray expenditures authorized in this act.

(c) Of the amount appropriated to the Agency of Education in 2019 Acts and Resolves No. 42, Sec. 7(a) (emergency projects), the sum of \$34,760.56 is reallocated to defray expenditures authorized in this act.

(d) Of the amount appropriated to the Department of Environmental Conservation in 2017 Acts and Resolves No. 84, Sec. 10(a)(3) (municipal pollution control grants), the sum of \$64,628.10 is reallocated to defray expenditures authorized in this act.

(e) The following sums appropriated to the Department of Forest, Parks and Recreation are reallocated to defray expenditures authorized in this act:

(1) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 10(b) (infrastructure rehabilitation): \$219.08

(2) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 10(f) (infrastructure rehabilitation): \$1,865.52

(3) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 10(b) (infrastructure rehabilitation): \$33,638.68

(4) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 10(g) (infrastructure rehabilitation): \$16,043.11

(5) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 11(c)(1) (forestry skidder bridges): \$3,600.00

(f) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 17(a)(2) (committee room chairs), the sum of \$2,006.46 is reallocated to defray expenditures authorized in this act.

(g) The following sums appropriated to the Vermont Veterans' Home are reallocated to defray expenditures authorized in this act:

(1) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 16(a) (resident care furnishings): \$88,835.00

(2) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 16(c)(resident care furnishings): \$49,914.00

(3) of the amount appropriated in 2018 Acts and Resolves No. 190,

<u>Sec. 11 (security access system):</u>	<u>\$92,794.00</u>
<u>Total Reallocations and Transfers – Section 16</u>	<u>\$14,767,376.32</u>

Sec. 17. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

The State Treasurer is authorized to issue general obligation bonds in the amount of \$108,000,000.00 for the purpose of funding the appropriations of this act. The State Treasurer, with the approval of the Governor, shall determine the appropriate form and maturity of the bonds authorized by this section consistent with the underlying nature of the appropriation to be funded. The State Treasurer shall allocate the estimated cost of bond issuance or issuances to the entities to which funds are appropriated pursuant to this section and for which bonding is required as the source of funds, pursuant to 32 V.S.A. § 954.

<u>Total Revenues – Section 17</u>	<u>\$108,000,000.00</u>
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Sec. 18. FY 2024 AND 2025; CAPITAL PROJECTS; FY 2024
APPROPRIATIONS ACT; INTENT; AUTHORIZATIONS

(a) Findings. The General Assembly finds that in addition to the issuance of general obligation bonds, eligible capital projects may be funded from the Fund established in 32 V.S.A. § 1001b.

(b) Intent. It is the intent of the General Assembly to authorize certain capital projects eligible for funding by 32 V.S.A. § 1001b in this act but appropriate the funds for these projects in the FY 2024 Appropriations Act. It is also the intent of the General Assembly that the FY 2024 Appropriations Act appropriate funds to the Fund established in 32 V.S.A. § 1001b for projects in FY 2025, which shall be allocated pursuant to the process set forth in subsection (e) of this section.

(c) Authorizations. In FY 2024, spending authority for the following capital projects are authorized as follows:

(1) the Department of Buildings and General Services is authorized to spend \$400,000.00 for planning, reuse, and contingency;

(2) Barre, McFarland State Office Building, roof replacement and brick façade repairs: \$1,700,000.00

(3) the Department of Buildings and General Services is authorized to spend \$135,000.00 for parking garage repairs at 32 Cherry Street in Burlington;

(4) Middlesex, Central Services complex, roof replacement: \$1,000,000.00

(5) Montpelier, State House expansion, design documents:

\$150,000.00

(6) the Department of Buildings and General Services is authorized to spend \$1,000,000.00 for the renovation of the interior HVAC steam lines at 120 State Street in Montpelier;

(7) the Department of Buildings and General Services is authorized to spend \$600,000.00 for planning for the boiler replacement at the Northern State Correctional Facility in Newport;

(8) the Department of Buildings and General Services is authorized to spend \$750,000.00 for planning for renovations to the administration building, West Cottage, at the Criminal Justice Training Council in Pittsford;

(9) the Department of Buildings and General Services is authorized to spend \$600,000.00 for the Agency of Human Services for the planning and design of the booking expansion at the Northwest State Correctional Facility;

(10) the Department of Buildings and General Services is authorized to spend \$1,500,000.00 for the Agency of Human Services for the planning and design for the replacement of the women's correctional facility and reentry facility;

(11) the Department of Buildings and General Services is authorized to spend \$1,000,000.00 for the Agency of Human Services for the planning and design of the Department for Children and Families' short-term stabilization facility;

(12) the Department of Buildings and General Services is authorized to spend \$750,000.00 for the Judiciary for renovations at the Washington County Superior Courthouse in Barre;

(13) the Department of Buildings and General Services is authorized to spend \$250,000.00 for the Department of Public Safety for the planning and design of the Special Teams Facility and Storage;

(14) the Department of Buildings and General Services is authorized to spend \$250,000.00 for the Department of Public Safety for the planning and design of the Rutland Field Station;

(15) the Department of Buildings and General Services is authorized to spend \$300,000.00 for the Agency of Agriculture, Food and Markets for the planning and design of the Vermont Agriculture and Environmental Laboratory Heat Plant;

(16) the Department of Buildings and General Services is authorized to spend \$1,000,000.00 for electric vehicle charging stations at State buildings;

(17) the Vermont State Colleges is authorized to spend \$6,000,000.00 for construction, renovation, and major maintenance at any facility owned or operated in the State by the Vermont State Colleges; infrastructure transformation planning; and the planning, design, and construction of Green Hall and Vail Hall;

(18) the Agency of Natural Resources is authorized to spend \$9,800,000.00 for the Department of Environmental Conservation for the State match to the Infrastructure Investment and Jobs Act for the Drinking Water State Revolving Fund and the Clean Water State Revolving Fund;

(19) the Agency of Natural Resources is authorized to spend \$4,500,000.00 for the Department of Environmental Conservation for the Waterbury Dam rehabilitation;

(20) the Agency of Natural Resources is authorized to spend \$4,000,000.00 for the Department of Environmental Conservation for the Municipal Pollution Control Grants for pollution control projects and planning advances for feasibility studies;

(21) the Agency of Natural Resources is authorized to spend \$3,000,000.00 for the Department of Forests, Parks and Recreation for the maintenance facilities at the Gifford Woods State Park and Groton Forest State Park; and

(22) the Agency of Natural Resources is authorized to spend \$800,000.00 for the Department of Fish and Wildlife for infrastructure maintenance and improvements of the Department's buildings, including conservation camps.

(d) FY 2025 capital projects. To the extent general funds are available to appropriate to the Fund established in 32 V.S.A. § 1001b in FY 2025, it is the intent of the General Assembly that the following capital projects receive funding from the Fund:

(1) the sum of \$250,000.00 to the Department of Buildings and General Services for planning, reuse, and contingency;

(2) the sum of \$2,300,000.00 to the Department of Buildings and General Services for parking garage repairs at 32 Cherry Street in Burlington;

(3) the sum of \$2,000,000.00 to the Department of Buildings and General Services for the renovation of the interior HVAC steam lines at 120 State Street in Montpelier;

(4) the sum of \$1,000,000.00 to the Department of Buildings and General Services for the Judiciary for renovations at the Washington County Superior Courthouse in Barre;

(5) the sum of \$1,000,000.00 to the Department of Buildings and General Services for the Department of Public Safety for the planning and design of the Special Teams Facility and Storage;

(6) the sum of \$1,000,000.00 to the Department of Buildings and General Services for the Department of Public Safety for the planning and design of the Rutland Field Station;

(7) the sum of \$1,500,000.00 to the Vermont Veterans' Home for design for the renovation of the Brandon and Cardinal units;

(8) the sum of \$500,000.00 to the Department of Buildings and General Services for the Newport courthouse replacement, planning, and design;

(9) the sum of \$250,000.00 to the Department of Buildings and General Services for planning for the 133-109 State Street tunnel waterproofing and Aiken Avenue reconstruction; and

(10) the sum of \$200,000.00 to the Department of Buildings and General Services for the renovation of the stack area, HVAC upgrades, and the elevator replacement at 111 State Street.

(e) Recommendation. On or before December 15, 2023:

(1) the Secretary of Administration shall review and recommend capital projects to be funded from the Fund established in 32 V.S.A. § 1001b; and

(2) the Secretary of Administration shall submit the list of capital projects recommended for FY 2025 to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and to the Governor for the FY 2025 capital budget adjustment report.

* * * Policy * * *

* * * Agriculture, Food and Markets * * *

Sec. 19. 26 V.S.A. § 4811 is amended to read:

§ 4811. SAFETY STANDARDS

Minimum safety standards for the conduct of any race covered by this chapter are established as follows:

(1) Each race track shall have a substantial fence of steel wire or plank construction or other barrier not less than three feet high between the track and area designated for spectators. No grandstand shall be constructed or spectators allowed on a curved side of a track unless the barrier, including all walls, fencing, and overhangs, meets the same standards for the straightaway of the track with spectators. For motorcycle, ATV, or snowmobile racing, each track shall have a snow fence or other suitable barrier not less than four feet

high between the track and the area designated for spectators. The outside portion of all tracks shall be a reasonable distance from the spectators.

* * *

* * * Buildings and General Services * * *

Sec. 20. 29 V.S.A. § 166 is amended to read:

§ 166. SELLING OR RENTING STATE PROPERTY

* * *

(b)(1) Upon authorization by the General Assembly, which may be granted by resolution, and with the advice and consent of the Governor, the Commissioner of Buildings and General Services may sell real estate owned by the State. Such property shall be sold to the highest bidder therefor at public auction or upon sealed bids in the discretion of the Commissioner of Buildings and General Services, who may reject any or all bids. Notice, or the Commissioner is authorized to list the sale of property with a real estate agent licensed by the State.

(2) If the Commissioner elects to sell the property at auction or by sealed bid, notice of the sale or a request for sealed bids shall be posted:

(A) by electronic means; or

(B) in at least three public places in the town where the property is located and also published three times in a newspaper having a known circulation in the town, the last publication to be not less than 10 days before the date of sale or opening of the bids. ~~Failing to consummate a sale under the method prescribed in this section, the Commissioner of Buildings and General Services is authorized to list the sale of this property with a real estate agent licensed by the State of Vermont.~~

(3) This subsection shall not apply to the sale, conveyance, exchange, or lease of lands or interests in lands; to the amendment of deeds, leases, and easements; or to sales of timber made in accordance with the provisions of 10 V.S.A. chapter 155 or the provisions of 10 V.S.A. chapter 83.

* * *

Sec. 21. SALE OF PROPERTIES

(a) 110 State Street. Notwithstanding 29 V.S.A. § 166(b), the Commissioner of Buildings and General Services is authorized to sell the property located at 110 State Street in the City of Montpelier. The Commissioner shall first offer in writing to the City the right to purchase the property.

(1) The City's preferential right to purchase the property authorized in this subsection shall terminate unless the City submits a written notification to the Commissioner of its intent to purchase the property within 90 days from the date of the written offer.

(2) If the City submits a notification of its intent to purchase the property pursuant to subdivision (1) of this subsection, the City shall submit a written offer to the Commissioner not later than June 1, 2024. In the event the City fails to submit a written offer by June 1, 2024, then the City's preferential right to purchase the property shall terminate and the Commissioner is authorized to sell the property to another party.

(b) Stanley Hall and Wasson Hall. Notwithstanding 29 V.S.A. § 166(b), the Commissioner of Buildings and General Services is authorized to subdivide, sell, or otherwise dispose of the portion of land in the Waterbury State Office Complex (Parcel ID # 916-0103.V as designated on the Town of Waterbury's Tax Parcel Maps) that housed the former Stanley Hall and the adjacent parking lot, located at 32 Park Row, and Wasson Hall, located at 64 Horseshoe Drive, to the Town of Waterbury.

(1) The Commissioner of Buildings and General Services shall notify, in writing, the Town of Waterbury of the right to purchase or acquire the properties described in subdivision (1) of this subsection provided that the following conditions are met:

(A) the Town of Waterbury's Select Board takes a formal action within 90 days from the date of the written offer indicating the Town's interest in purchasing or acquiring the properties; and

(B) if the Town elects to purchase or acquire the properties, the Town submits a written offer not later than June 1, 2024;

(2) If the conditions in subdivision (1) of this subsection are not met, then the Commissioner's authority to subdivide, sell, or otherwise dispose of the property described in this subsection shall be rescinded.

(c) 108 Cherry Street. Notwithstanding 29 V.S.A. § 166(b), the Commissioner of Buildings and General Services is authorized to sell the property located at 108 Cherry Street in the City of Burlington. The Commissioner shall first offer in writing to the City the right to purchase the property.

(1) The City's preferential right to purchase the property authorized in this subsection shall terminate unless the City submits a written notification to the Commissioner of its intent to purchase the property within 90 days from the date of the written offer.

(2) If the City submits a notification of its intent to purchase the property pursuant to subdivision (1) of this subsection, the City shall submit a written offer to the Commissioner not later than June 1, 2024. In the event the City fails to submit a written offer by June 1, 2024, then the City's preferential right to purchase the property shall terminate and the Commissioner is authorized to sell the property to another party.

Sec. 22. RELOCATION OF STATE EMPLOYEES; DEPARTMENT OF BUILDINGS AND GENERAL SERVICES; CITY OF BURLINGTON

Prior to the sale of the building located at 108 Cherry Street in Burlington, the Department of Buildings and General Services shall work with the City of Burlington to find another appropriate location in downtown Burlington to relocate State employees who provide client services.

Sec. 23. 32 V.S.A. § 701a is amended to read:

§ 701a. CAPITAL CONSTRUCTION BILL

(a) When the capital budget has been submitted by the Governor to the General Assembly, it shall immediately be referred to the House Committee on Corrections and Institutions, which shall proceed to consider the budget request in the context of the 10-year capital program plan also submitted by the Governor pursuant to sections 309 and 310 of this title. The Committee shall also propose to the General Assembly:

(1) a prudent amount of total general obligation bonding for the following fiscal year, for support of the capital budget, in consideration of the recommendation of the Capital Debt Affordability Advisory Committee pursuant to chapter 13, subchapter 8 of this title; and

(2) recommendations for capital projects that may be paid for from the Cash Fund for Capital Infrastructure and Other Essential Investments, established in section 1001b of this title.

(b) As soon as possible, the Committee shall prepare a bill to be known as the "capital construction bill," which shall be introduced for action by the General Assembly.

(c) The spending authority authorized by a capital construction act shall carry forward until expended, unless otherwise provided.

(1) All unexpended funds remaining for projects authorized by capital construction acts enacted in a legislative session that was two or more years prior to the current legislative session shall be reported to the General Assembly and may be reallocated in future capital construction acts.

(2) Notwithstanding subdivision (1) of this subsection, any amounts appropriated in a previous capital construction act that are unexpended for at least five years shall be reallocated to future capital construction acts.

(d)(1) On or before ~~January 15~~, November 15 each year, the Commissioner of Finance and Management shall require each entity to which spending authority has been authorized by a capital construction act enacted in a legislative session that was two or more years prior to the current legislative session shall submit to the ~~House Committee on Corrections and Institutions and the Senate Committee on Institutions~~ to submit a report on the current fund balances of each authorized project with unexpended funds. The report shall include plans for the unexpended funds, any projects or contracts the funds are assigned to, and an anticipated timeline for expending the funds.

(2) On or before December 15 each year, the Commissioner of Finance and Management shall submit in a consolidated format the reports required by subdivision (1) of this subsection to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

(e) The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the reports to be made under subsections (c) and (d) of this section.

* * * Corrections * * *

Sec. 24. 29 V.S.A. § 170a is added to read:

§ 170a. DESIGN OF CORRECTIONAL FACILITIES; USE OF EVIDENCE-BASED DESIGN PRINCIPLES FOR WELLNESS ENVIRONMENTS

The Department of Buildings and General Services shall coordinate with the Department of Corrections on the design and planning for any maintenance, renovation, or construction to a State correctional facility to ensure that evidence-based design principles for wellness environments are incorporated into the design and planning phase of a project.

Sec. 25. NORTHWEST STATE CORRECTIONAL FACILITY; FUNDING REQUEST FOR FEDERAL DETAINEES; INTENT FOR BOOKING EXPANSION DESIGN

(a) On or before August 15, 2023, the Secretary of Human Services shall request federal funds to support capital construction at the Northwest State Correctional Facility, which houses federal detainees, including U.S. Immigration and Customs Enforcement detainees. The Commissioner of Finance and Management shall only release the funds appropriated in Sec. 3(1) of this act upon notification from the Secretary that the request was submitted.

(b) It is the intent of the General Assembly that the Commissioner of Buildings and General Services shall incorporate into booking expansion design at the Northwest State Correctional Facility:

- (1) renovations to the HVAC system;
- (2) enhanced employee amenities, including amenities to address employee health and wellness needs;
- (3) the use of renewable energy; and
- (4) the use of evidence-based principles for wellness environments for supporting trauma-informed practices.

Sec. 26. REPLACEMENT WOMEN'S FACILITIES; SITE LOCATION PROPOSAL; DESIGN INTENT

(a)(1) Site location proposal. On or before January 15, 2024, the Commissioner of Buildings and General Services shall submit a site location proposal for replacement women's facilities for justice-involved women to the House Committee on Corrections and Institutions and the Senate Committee on Institutions. It is the intent of the General Assembly that when evaluating site locations, preference shall be given to State-owned property. The proposal shall consider both co-locating facilities in a campus-style approach for operational efficiencies and the need for separate facilities at different locations.

(2) Beginning September 15, 2023 and ending December 15, 2023, the Commissioner of Buildings and General Services shall submit monthly status reports on the site location proposal described in subdivision (1) of this subsection (a).

(b) Design intent. It is the intent of the General Assembly that the Commissioner of Buildings and General Services, in consultation with the Commissioner of Corrections, shall incorporate into the design of any women's replacement facility the use of evidence-based principles for wellness environments for supporting trauma-informed practices.

Sec. 27. DEPARTMENT OF CORRECTIONS, REPLACEMENT WOMEN'S FACILITIES; REPORT

(a) It is the intent of the General Assembly that the State's long-term goal and vision for justice-involved individuals includes their reentry into the community through a system of supports grounded in restorative justice principles.

(b) On or before November 15, 2023, the Department of Corrections shall submit a written report to the House Committees on Corrections and

Institutions and on Judiciary and the Senate Committees on Institutions and on Judiciary regarding the proposed size and scale of replacement women's facilities. The report shall address the following:

- (1) proposed allocation of beds in correctional and re-entry facilities;
- (2) bed types for specialized populations in each facility; and
- (3) data and rationale used to inform size of each facility.

* * * Judiciary * * *

Sec. 28. BARRE; WASHINGTON COUNTY SUPERIOR COURTHOUSE;
RENOVATIONS

On or before September 15, 2023, the Commissioner of Buildings and General Services shall engage the City of Barre on options for renovating the existing Washington County Superior Courthouse or finding a new site location for the building.

* * * Legislature * * *

Sec. 29. 2020 Acts and Resolves No. 154, Sec. E.126.3, as amended by 2021 Acts and Resolves No. 50, Sec. 31 and 2022 Acts and Resolves No. 180, Sec. 20, is further amended to read:

Sec. E.126.3 GENERAL ASSEMBLY; STATE BUILDINGS; USE OF
SPACE; AUTHORITY OF SERGEANT AT ARMS

* * *

(c) Beginning on January 1, 2023 and ending on June 30, 2023 ~~2024~~, notwithstanding the provisions of 29 V.S.A. § 165 and any other provision of law to the contrary, in order to perform its constitutional duties, the Legislative Branch shall have exclusive use of rooms 264, 267, 268, and 270 on the second floor of 109 State Street.

* * *

Sec. 30. STATE HOUSE; EXPANSION; DESIGN; SPECIAL COMMITTEE

(a) The Department of Buildings and General Services has contracted with Freeman, French, Freeman to develop programming options that will be the basis for a schematic design for the expansion of the State House. The programming options will be finalized in June 2023 and the schematic design in November 2023 when the General Assembly is not in session. It is the intent of the General Assembly to approve the programming option for a schematic design plan for the State House expansion as soon as practicable to allow the Department of Buildings and General Services to begin the design development phase of the expansion.

(b) A special committee consisting of the Joint Legislative Management Committee and the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions (special committee) is hereby established. The special committee is authorized to meet to review, approve, or recommend alterations to the schematic design described in subsection (a) of this section at a regularly scheduled Joint Legislative Management Committee meeting. In making its decision, the special committee shall consider:

(1) how the design impacts the ability of the General Assembly to conduct legislative business;

(2) allows for public access to citizens;

(3) the financial consequences to the State of approval or disapproval of the proposal; and

(4) whether any potential alternatives are available.

(c) The special committee shall be entitled to per diem and expenses as provided in 2 V.S.A. § 23.

Sec. 31. 2016 Acts and Resolves No. 88, Sec. 3a, as amended by 2019 Acts and Resolves No. 42, Sec. 24 and 2021 Acts and Resolves No. 50, Sec. 23, is further amended to read:

Sec. 3a. REPEAL

2 V.S.A. chapter 30 (Capitol Complex Security Advisory Committee) is repealed on ~~June 30, 2023~~ June 30, 2024.

* * * Natural Resources * * *

Sec. 32. REPEAL

2018 Acts and Resolves No. 185, Sec. 12 (suspension of private loans for clean water projects) is repealed.

* * * Public Safety * * *

Sec. 33. 2021 Acts and Resolves No. 50, Sec. 12, as amended by 2022 Acts and Resolves No. 180, Sec. 10, is further amended to read:

Sec. 12. PUBLIC SAFETY

* * *

~~(b) The following amounts are~~ sum of \$50,000.00 is appropriated in FY 2023 to the Department of Public Safety for the ~~projects described in this subsection:~~

~~(1) Pittsford, Vermont Policy Academy, feasibility study:—\$50,000.00.~~

(2) ~~Williston Public Safety Field Station, construction: —\$3,500,000.00~~

(c) The sum of \$3,500,000.00 is appropriated in FY 2023 to the Department of Buildings and General Services for the Department of Public Safety for the construction of the Williston Public Field Station.

Appropriation – FY 2022	\$6,120,000.00
Appropriation – FY 2023	\$3,550,000.00
Total Appropriation – Section 12	\$9,670,000.00

* * * Effective Date * * *

Sec. 34. EFFECTIVE DATE

This act shall take effect on passage.

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

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

The President *pro tempore* Assumes the Chair

The President Resumes the Chair

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

Rules Suspended; Bills Messaged

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

H.94, H.127, H.481, H.482, H.495, H.479.

House Proposal of Amendment Not Concurred In; Committee of Conference Requested

S. 14.

House proposal of amendment to Senate bill entitled:

An act relating to a report on criminal justice-related investments and trends.

Was taken up.

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

Sec. 1. 28 V.S.A. § 125 is amended to read:

§ 125. ~~JUSTICE REINVESTMENT II INITIATIVES~~ CRIMINAL JUSTICE INVESTMENTS AND TRENDS; REPORT

(a) Intent. It is the intent of the General Assembly that the report on Vermont's criminal justice investments and trends required under this section assist in the systemic assessment of the State's Justice Reinvestment and justice reform efforts and initiatives to inform future legislative policy and fiscal decisions.

(b) Definitions. As used in this section:

(1) "Arrest" means when a person is seized by law enforcement, charged with the commission of an offense, and referred for prosecution.

(2) "Clearance" means the process by which a law enforcement agency closes an offense by arrest or exceptional means in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program.

(3) "Desistance" means the process by which criminality, or the individual risk for antisocial conduct, declines over the life-course of the individual, generally after adolescence.

(4) "Exceptional means" means the death of the offender, the victim's refusal to cooperate with the prosecution after the offender is identified, the denial of extradition because the offender committed a crime in another jurisdiction and is being prosecuted for that offense, or other circumstance in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program.

(5) "Recidivism" has the same meaning as in section 4 of this title.

(c) Report.

(1) ~~On or before January~~ November 15 each year, ~~2024~~ and every three years thereafter, the ~~Commissioner of Corrections~~ Vermont Statistical Analysis Center (SAC), in consultation with the Commissioners of Corrections, of Health, of Mental Health, of Public Safety, of Labor, and for Children and Families ~~and~~; the Attorney General; the Defender General; the Chief Superior Judge of the Superior Court; the Division of Racial Justice Statistics; the Executive Director of the Department of State's Attorneys and Sheriffs; and ~~the Parole Board Director~~, shall submit a report to the House Committees on Appropriations, on Judiciary, and on Corrections and Institutions ~~and~~, the

Senate Committees on Appropriations and on Judiciary detailing the expenditures on Justice Reinvestment II and the following related initiatives:

~~(1) funding for domestic violence intervention programming in the Department of Corrections;~~

~~(2) funding for offender transitional housing capacity with the Department of Corrections and other departments;~~

~~(3) funding for the Department of Correction's data collection Offender Management System;~~

~~(4) funding for community-based mental health and substance use services for individuals under Department of Corrections supervision;~~

~~(5) funding provided for diversion and restorative justice programs including community justice centers, court diversion, and balanced and restorative justice (BARJ); and~~

~~(6) funding and a description of any other General Fund expenditures for Justice Reinvestment II initiatives, the Joint Legislative Justice Oversight Committee, and the Executive Director of the Office of Racial Equity examining the trends associated with Vermont's criminal justice-related investments and expenditures since the last report was submitted pursuant to this section.~~

(2) The report required pursuant to subdivision (1) of this subsection shall include data showing:

(A) recidivism rates;

(B) clearance rates;

(C) evidence of desistance, including successful completion of community supervision;

(D) returns to incarceration from community supervision with the following relevant data points:

(i) community supervision type, classified by probation, parole, and furlough;

(ii) an indication if a return was for a violation or a new charge, including the crime type;

(iii) an indication if a violation was classified as "significant/not violent" or "significant and violent" for any applicable statuses; and

(iv) all available demographic information;

(E) bail rates, including detainees held without bail, detainees held with bail and the associated monetary amounts, and bailees who post bail and are released;

(F) pretrial detainees held in Vermont correctional facilities, including the crime type and jurisdiction for which they are held;

(G) the funding for, and utilization of, substance use disorder treatment, mental health, educational, and vocational initiatives for incarcerated individuals; and

(H) the funding for, and utilization by, individuals served through Justice Reinvestment II and related initiatives, including:

(i) domestic violence intervention programming in the Department of Corrections, including the results from the evaluation framework between the Vermont Network Against Domestic and Sexual Violence and the University of Nebraska;

(ii) offender transitional housing capacity with the Department of Corrections and other departments;

(iii) advancements to the Department of Corrections' data collection Offender Management System;

(iv) agencies, departments, municipalities, programs, and services employing restorative justice principles, including community justice centers;

(v) other General Fund expenditures for Justice Reinvestment II initiatives;

(vi) the Department of Corrections' out-of-state beds contracted by the Department and the average cost per bed in fiscal year 2019 and for each fiscal year thereafter; and

(vii) the Department of Corrections' in-state beds, separated by gender, including specialty units and units closed or unavailable in fiscal year 2019 and for each fiscal year thereafter.

~~(b) The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this section.~~

(d) Informational availability.

(1) The information required pursuant to subsection (c) of this section shall include race, gender, age, and other demographic variables whenever possible.

(2) The report required pursuant to subsection (c) of this section shall explain any obstacles or impediments to the availability and collectability of

data required pursuant to this section, including whether collecting certain data would put particular populations at risk, along with the substance use and mental health needs and educational and vocational status of justice-involved individuals.

(e) Data sharing. Notwithstanding any provision of law to the contrary, all State and local agencies and departments that possess the data necessary to compile the report required pursuant to this section shall, upon request, provide SAC with any data that it determines is relevant to the report. The obligation to disclose shall supersede any other legal obligation with respect to the data required pursuant to this section, and a department, agency, or other entity shall not decline to disclose data required based on any other purported legal obligation.

(f) Confidentiality. Any data or records transmitted to or obtained by SAC are exempt from public inspection and copying under the Public Records Act and shall be confidential to the extent required by law unless and until the data or records are included in the report required by this section. A State or local agency or department that transmits data or records to SAC shall be the sole records custodian for purposes of responding to requests for the data or records. SAC may direct any request for these data or records to the transmitting agency or department for response.

Sec. 2. 28 V.S.A. § 126 is added to read:

§ 126. COORDINATED JUSTICE REFORM ADVISORY COUNCIL

(a) Creation. There is created the Coordinated Justice Reform Advisory Council to establish a unified and collaborative State approach to support State and local community-based programs and services that are consistent with Vermont's restorative justice policy pursuant to section 2a of this title. The Council shall consult with State and local partners to use a data-driven approach that improves public safety, reduces correctional and criminal justice spending, and reinvests savings or redirects funding in strategies that foster desistance or decrease crime, delinquencies, and recidivism.

(b) Membership. The Coordinated Justice Reform Advisory Council shall be composed of the following members:

- (1) the Attorney General or designee;
- (2) the Chief Superior Judge of the Vermont Superior Court or designee;
- (3) the Commissioner of Corrections or designee;
- (4) the Commissioner for Children and Families or designee;

(5) the Executive Director of the Vermont Center for Crime Victim Services or designee;

(6) the Executive Director of the Vermont Statistical Analysis Center or designee;

(7) one current member of the House of Representatives selected from the Committee on Appropriations, the Committee on Corrections and Institutions, or the Committee on Judiciary, appointed by the Speaker of the House; and

(8) one current member of the Senate selected from the Committee on Appropriations or the Committee on Judiciary, appointed by the Committee on Committees.

(c) Powers and duties. The Coordinated Justice Reform Advisory Council shall:

(1) Review and provide data-driven recommendations for the priorities and appropriations necessary to support a unified and collaborative State approach in accordance with subsection (a) of this section.

(2) Review all relevant government appropriations, reauthorizations, and allocations made during the most recent fiscal year.

(3) Consult with Department of Mental Health; the Department of State's Attorneys and Sheriffs; the Office of the Defender General; the Parole Board; the Office of Racial Equity; the Office of the Child, Youth, and Family Advocate; the Vermont Network Against Domestic and Sexual Violence; and community justice entities that receive State funding for programs and services employing restorative justice principles on the potential uses and priorities of funding in accordance with subsection (a) of this section.

(4) Consistent with subsection (a) of this section, consider opportunities and make recommendations to establish a sustainable planning and funding structure to administer State and local community-based programs and services and modern data collection systems.

(5) On or before September 1, 2023 and annually thereafter, recommend to the Commissioner of Corrections the appropriate allocation of not more than \$900,000.00 from the Justice Reinvestment II line item of the Department of Corrections' budget for the upcoming fiscal year to support community-based programs and services, related data collection and analysis capacity, and other initiatives in accordance with subsection (a) of this section.

(d) Assistance. The Coordinated Justice Reform Advisory Council shall have the administrative, technical, and legal assistance of the Office of the Attorney General, the Department of Corrections, and the Department for

Children and Families for those issues and services within the jurisdiction of the respective office or department.

(e) Reports. On or before November 15, 2023 and annually thereafter, the Coordinated Justice Reform Advisory Council shall submit recommendations pursuant to subdivisions (c)(4) and (c)(5) of this section to the Joint Legislative Justice Oversight Committee; the Senate Committees on Appropriations and on Judiciary; and the House Committees on Appropriations, on Corrections and Institutions, and on Judiciary. Any recommendations submitted pursuant to subdivision (c)(4) shall be in the form of proposed legislation.

(f) Meetings; officers; committees; rules; compensation; term.

(1) The Chief Superior Judge of the Vermont Superior Court or designee shall call the first meeting of the Coordinated Justice Reform Advisory Council on or before July 15, 2023.

(2) The Council shall meet not more than six times per year.

(3) The Chief Superior Judge of the Vermont Superior Court or designee shall serve as the Chair of the Council.

(4) The Council may elect additional officers from its members, establish committees or subcommittees, and adopt procedural rules or bylaws as necessary and appropriate to perform its work.

(5) Members who are appointed to the Council shall be appointed for terms of three years, except that the Commissioners of Corrections and for Children and Families and members appointed by the Speaker of the House of Representative and the Senate Committee on Committees shall be appointed for a term of two years. Initial appointments shall be made such that the Commissioners of Corrections and for Children and Families and the members appointed by the Speaker of the House of Representative and the Senate Committee on Committees shall be appointed for a term of one year. Members shall hold office for the term of their appointments until their successors have been appointed. Vacancies on the Council shall be filled for the remaining period of the term in the same manner as initial appointments. Members are eligible for reappointment.

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

(7) Members of the Council who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than six meetings per year.

(8) Council meetings shall be subject to the Open Meeting Law.

Sec. 3. 28 V.S.A. § 102(c) is amended to read:

(c) The Commissioner is charged with the following responsibilities:

* * *

(23) To include the Coordinated Justice Reform Advisory Council's appropriation recommendations made pursuant to subdivision 126(c)(5) of this title in the Department's annual proposed budget for the purposes of developing the State budget required to be submitted to the General Assembly in accordance with 32 V.S.A. § 306.

Sec. 4. REPEALS

(a) 28 V.S.A. 102(c)(23) (Commissioner of Corrections' responsibility to incorporate Coordinated Justice Reform Advisory Council's recommendations into the Department's budget) is repealed on July 1, 2028.

(b) 28 V.S.A. § 125 (criminal justice investments and trends; report) is repealed on July 1, 2028.

(c) 28 V.S.A. § 126 (Coordinated Justice Reform Advisory Council) is repealed on July 1, 2028.

Sec. 5. EFFECTIVE DATES

This act shall take effect on July 1, 2023, except that Secs. 1 (criminal justice investments and trends; report) and 4(b) (prospective repeal of 28 V.S.A. § 125) shall take effect on passage.

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment?, on motion of Senator Hashim, the Senate refused to concur in the House proposal of amendment and requested a Committee of Conference.

Message from the House No. 57

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

Mr. President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 490. An act relating to approving the merger of the Village of Lyndonville with the Town of Lyndon.

H. 506. An act relating to approval of amendments to the election boundary provisions of the charter of the City of Burlington.

H. 507. An act relating to approval of amendments to the polling place provisions of the charter of the City of Burlington.

H. 508. An act relating to approval of an amendment to the ranked choice voting provisions of the charter of the City of Burlington.

H. 509. An act relating to approval of amendments to the voter qualification provisions of the charter of the City of Burlington.

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

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

J.R.S. 26. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

The House has considered bills originating in the Senate of the following titles:

S. 17. An act relating to sheriff reforms.

S. 99. An act relating to miscellaneous changes to laws related to vehicles.

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

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

H. 473. An act relating to radiologist assistants.

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

Adjournment

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