

Journal of the Senate

FRIDAY, MAY 12, 2023

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Bill Ordered to Lie

S. 94.

Senate bill entitled:

An act relating to the City of Barre tax increment financing district.

Was taken up.

On motion of Senator Cummings, the bill was ordered to lie.

Rules Suspended; Bill Not Referred to Committee Rules

H. 517

Pending referral of the bill to the Committee on Rules, and pursuant to Senate Rule 44A, Senator Baruth moved that the rules be suspended and House bill entitled:

An act relating to approval of the dissolution of Duxbury-Moretown Fire District No. 1.

Not be referred to the Committee on Rules pursuant to Senate Rule 44A (and be referred to the committee of jurisdiction).

Which was agreed to.

Proposed Amendment to the Constitution Introduced

The Proposed Amendment to the Constitution of the State of Vermont designated as Proposal 4 was introduced, read the first time and referred:

PROPOSAL 4

Sec. 1. PURPOSE

(a) This proposal would amend the Constitution of the State of Vermont to specify that the government must not deny equal treatment and respect under the law on account of a person's race, ethnicity, sex, disability, sexual orientation, gender identity, gender expression, or national origin. The

Constitution is our founding legal document stating the overarching values of our society. This amendment is in keeping with the values espoused by the current Vermont Constitution. Chapter I, Article 1 declares “That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights.” Chapter I, Article 7 states “That government is, or ought to be, instituted for the common benefit, protection, and security of the people.” The core value reflected in Article 7 is that all people should be afforded all the benefits and protections bestowed by the government, and that the government should not confer special advantages upon the privileged. This amendment would expand upon the principles of equality and liberty by ensuring that the government does not create or perpetuate the legal, social, or economic inferiority of any class of people. This proposed constitutional amendment is not intended to limit the scope of rights and protections afforded by any other provision in the Vermont Constitution.

(b) Providing for equality of rights as a fundamental principle in the Constitution would serve as a foundation for protecting the rights and dignity of historically marginalized populations and addressing existing inequalities. This amendment would reassert the broad principles of personal liberty and equality reflected in the Constitution of the State of Vermont with authoritative force, longevity, and symbolic importance.

Sec. 2. Article 7 of Chapter I of the Vermont Constitution is amended to read:

Article 7. [Government for the people; they may change it]

That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community, and not for the particular emolument or advantage of any single person, family, or set of persons, who are a part only of that community; that the government shall not deny equal treatment and respect under the law on account of a person’s race, ethnicity, sex, disability, sexual orientation, gender identity, gender expression, or national origin; and that the community hath an indubitable, unalienable, and indefeasible right, to reform or alter government, in such manner as shall be, by that community, judged most conducive to the public weal.

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2026 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

To the Committee on Judiciary.

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 156.

By Senators Vyhovsky, Gulick, Watson and White,
An act relating to education and corrections infrastructure in the State.
To the Committee on Institutions.

S. 157.

By Senator Hashim,
An act relating to harassment, hazing, and bullying prevention in schools.
To the Committee on Education.

Bill Referred

House bill of the following title was read the first time and referred:

H. 517. An act relating to approval of the dissolution of Duxbury-Moretown Fire District No. 1.

To the Committee on Government Operations.

Proposal of Amendment; Bill Passed**H. 429.**

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

An act relating to miscellaneous changes to election laws.

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:

* * * Sore Loser Law * * *

Sec. 1. 17 V.S.A. § 2381(c) is added to read:

(c) In no event shall a candidate who loses a major party primary be nominated to appear on the general election ballot pursuant to this subchapter by a committee of any party other than the party for which the candidate appeared on the primary ballot.

Sec. 2. 17 V.S.A. § 2401 is amended to read:

§ 2401. APPLICABILITY OF SUBCHAPTER

(a) A person may be nominated and have ~~his or her~~ the person's name printed on the general election ballot for any office by filing a consent similar in form to the consent prescribed by section 2361 of this title and a statement of nomination with the Secretary of State. In the case of a nomination for justice of the peace, the consent form and statement of nomination shall be filed with the town clerk.

(b) A candidate who loses a major party primary for any office shall not appear on the general election ballot as an independent candidate for the same office for which the candidate lost in the primary election.

* * * Campaign Finance Limits for Statewide Candidates * * *

Sec. 3. 17 V.S.A. § 2941(a) is amended to read:

§ 2941. LIMITATIONS OF CONTRIBUTIONS

(a) In any election cycle:

* * *

(5)(A) A political party shall not accept contributions totaling more than:

~~(A)(i)~~ \$10,000.00 from a single source;

~~(B)(ii)~~ \$10,000.00 from a political committee; or

~~(C)(iii)~~ \$60,000.00 from a political party.

(B) Notwithstanding subdivision (A) of this subdivision (a)(5), a political party shall accept not more than \$20,000.00 from a candidate for State office.

* * *

* * * Biennial Committee Reorganization Reporting * * *

Sec. 4. 17 V.S.A. § 2313 is amended to read:

§ 2313. FILING OF CERTIFICATE OF ORGANIZATION

* * *

(f) At the same time of filing the certificate of organization, the chair and secretary shall file with the Secretary of State a single machine-readable electronic document containing a list of the names and addresses of the town and county committee members from those towns and counties that have organized pursuant to this chapter.

(g) A committee is not considered organized until the material required by this section has been filed and accepted.

Sec. 5. [Deleted.]

* * * Candidate Demographic Information * * *

Sec. 6. 17 V.S.A. § 2359 is amended to read:

§ 2359. NOTIFICATION TO SECRETARY OF STATE

(a) Within three days after the last day for filing petitions, all town and county clerks who have received petitions shall ~~notify~~ file with the Secretary of State ~~of the names of all candidates, a list containing the name, gender, age, race or ethnicity, mailing address, and e-mail address of all candidates, to the extent this information is provided by candidates; the offices for which they the candidates have filed;~~ and whether each candidate has submitted a sufficient number of valid signatures to comply with the requirements of section 2355 of this title. Town and county clerks shall also notify the Secretary of State of any petitions found not to conform to the requirements of this chapter and returned to a candidate under section 2358 of this title; and shall notify the Secretary of State of the status of such ~~petition~~ petitions not later than two days after the last day for filing supplementary petitions.

(b) Information of a candidate's gender, age, or race or ethnicity collected pursuant to subsection (a) of this section is exempt from public inspection and copying under the Public Records Act and shall be kept confidential, except that the Secretary of State may publish information pertaining to candidates' gender, age, or race or ethnicity in aggregate form.

Sec. 7. 17 V.S.A. § 2361(b) is amended to read:

(b)(1) The consent shall set forth the ~~name of the candidate,~~ candidate's name as the candidate wishes to have it printed on the ballot, the candidate's gender, age, or race or ethnicity, town of residence, and correct mailing address, and e-mail address. A candidate who does not provide information pertaining to gender, age, or race or ethnicity may still appear on the ballot if all other requirements are met.

* * *

Sec. 8. 17 V.S.A. § 2665 is amended to read:

§ 2665. NOTIFICATION TO SECRETARY OF STATE

The town clerk shall file with the Secretary of State a list ~~of the names and addresses of the selectboard members elected and~~ containing the name, gender, age, race or ethnicity, street address, and e-mail address, to the extent the information is provided by the candidate, and the end date of the term of office

of each selectboard member, city councilor, village trustee, and mayor elected. The town clerk shall not be required to ask the candidate for information pertaining to gender, age, or race or ethnicity if this information is not provided to the town clerk. The town clerk shall notify the Secretary of State of any changes in the list as filed. Information of a candidate's gender, age, or race or ethnicity collected pursuant to this subsection is exempt from public inspection and copying under the Public Records Act and shall be kept confidential, except that the Secretary of State may publish information pertaining to candidates' gender, age, or race or ethnicity in aggregate form.

* * * Write-in Candidate Registration and Minimum Thresholds in Primary Elections * * *

Sec. 9. 17 V.S.A. § 2370 is amended to read:

§ 2370. WRITE-IN CANDIDATES

(a)(1) In order to have votes listed for a write-in candidate under subdivision 2587(e)(3) of this title, not later than 5:00 p.m. on the second Friday preceding the primary election, a write-in candidate for the General Assembly, any county office, any State office, or any federal office shall file with the Secretary of State a form consenting to candidacy for office as set forth in subsection 2587(e) of this title. The Secretary of State shall notify the town clerks of any filings made in accordance with this subsection not later than the Friday before the election.

(b) A write-in candidate shall not qualify as a primary winner unless ~~he or she~~ the candidate receives at least one-half the higher of:

(1) 10 percent of the votes cast for candidates plus one additional vote;
or

(2) the same number of votes as the number of signatures required for ~~his or her~~ the candidate's office on a primary petition, except that if a write-in candidate receives more votes than a candidate whose name is printed on the ballot, ~~he or she may~~ the write-in candidate shall qualify as a primary winner.

(b)(c) The write-in candidate who qualifies as a primary winner under this section must still be determined a winner under section 2369 of this chapter before ~~he or she~~ the candidate becomes the party's candidate in the general election.

Sec. 9a. 17 V.S.A. § 2472(b)(6) is added to read:

(6) In order to have votes listed for a write-in candidate under subdivision 2587(e)(3) of this title, not later than 5:00 p.m. on the second Friday preceding the general election, a write-in candidate for the General Assembly, any county office, any State office, or any federal office shall file

with the Secretary of State a form consenting to candidacy for office as set forth in subsection 2587(e) of this title. The Secretary of State shall notify the town clerks of any filings made in accordance with this subsection not later than the Friday before the election.

Sec. 9b. 17 V.S.A. § 2587(e) is amended to read:

(e)(1) In the case of “write-in” votes, the act of writing in the name of a candidate, or pasting a label containing a candidate’s name upon the ballot, without other indications of the voter’s intent, shall constitute a vote for that candidate, even though the voter did not fill in the square or oval after the name.

(2)(A) A vote for a write-in candidate shall be counted as a write-in vote that is without consent of candidate unless the write-in candidate filed a consent of candidate form with the Secretary of State in accordance with section 2370 of this title in the primary election, subsection 2472(b) of this title for the general election, and subsection § 2702(f) of this title for the presidential primary. The consent form shall set forth the name of the candidate, the name of the office for which the candidate consents to be a candidate, the candidate’s town of residence, and the candidate’s correct mailing address. The clerk shall record the name and vote totals of a write-in candidate who has filed in accordance with section 2370 of this title in the primary election, subsection 2472(b) of this title for the general election, and subsection § 2702(f) of this title for the presidential primary.

(B) The Secretary of State shall prepare and furnish forms for candidate consent purposes.

(3) The election officials counting ballots and tallying results shall only list every person who receives a “write-in” vote and the number of votes received the names and votes received of those write-in candidates who consented to candidacy for the office pursuant to section 2370 of this title in the primary election, subsection 2472(b) of this title for the general election, and subsection 2702(f) of this title for the presidential primary. Any write-in votes for candidates who have not consented to the write-in candidacy shall be listed as “write-ins.”

* * *

Sec. 9c. 17 V.S.A. § 2702(f) is added to read:

(f) In order to have votes counted for a write-in candidate under section 2587 of this title, not later than 5:00 p.m. on the second Friday preceding the presidential primary election, a write-in candidate for nomination by any major political party shall file with the Secretary of State a form consenting to candidacy for office as set forth in subsection 2361(b) of this title. The

Secretary of State shall notify the town clerks of any filings made in accordance with this subsection not later than the Friday before the election.

* * * Electronic Ballot Returns * * *

Sec. 9d. 17 V.S.A. § 2539 is amended to read:

§ 2539. DELIVERY OF EARLY VOTER ABSENTEE BALLOTS

* * *

(c) Military or overseas voters.

* * *

(3) “Overseas voters,” as used in this section, means a person who is qualified to vote in Vermont and resides outside the United States, meaning the several states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa, and military voters who by reason of active military duty are absent from the United States.

Sec. 10. 17 V.S.A. § 2542 is amended to read:

§ 2542. SIGNING CERTIFICATE

(a) There shall be printed on the face of the envelope provided for use in returning early voter absentee ballots, or provided in an electronic format if a ballot is electronically delivered pursuant to subsection 2539(b) or (c) of this title, a certificate in substantially the following form:

“Early or Absentee Voter Ballots of _____”

(print your name)

I, _____, solemnly swear or affirm that I am a resident of the town (city) of _____, State of Vermont, and that I am a legal voter in this town (city).

(your signature)

(b) The early or absentee voter, except a voter returning a ballot electronically pursuant to subsection 2543(d) of this title, must sign the certificate on the outside of the envelope in order for the ballot to be valid. When an early or absentee voter is physically unable to sign ~~his or her~~ the voter’s name, ~~he or she~~ the voter may mark an “X” or take an oath swearing or affirming to the statement on the certificate. The officers who deliver the ballots shall witness the mark or oath and sign their names with a statement attesting to this fact on the envelope.

Sec. 11. 17 V.S.A. § 2543 is amended to read:

§ 2543. RETURN OF BALLOTS

* * *

(d)(1) All early voter absentee ballots returned as follows shall be counted:

(A) by any means, to the town clerk's office before the close of business on the day preceding the election;

(B) to any secure ballot drop box provided by the town or city in which the voter is registered pursuant to section 2543a of this subchapter before the close of business on the day before the election;

(C) by mail to the town clerk's office before the close of the polls on the day of the election; and

(D) by hand delivery to the presiding officer at the voter's polling place before the closing of the polls at 7:00 p.m.

(2)(A) All ballots electronically delivered pursuant to subsection 2539(b) or (c) of this title to voters with disabilities, as defined in 9 V.S.A. 4501(2), and overseas voters, as defined in subdivision 2539(c)(3) of this title, and returned as follows shall be counted:

(i) by means of a secure online portal administered by the Secretary of State, directly to the clerk before the close of business on the last day the clerk's office is open prior to the election; and

(ii) with electronic signature on the certificate required pursuant to section 2542 of this title prior to submitting the ballot to the clerk.

(B) A ballot electronically delivered pursuant to subsection 2539(b) or (c) of this title to voters with disabilities, as defined in 9 V.S.A. 4501(2), and overseas voters, as defined in subdivision 2539(c)(3) of this title, and then returned pursuant to subdivision (A) of this subdivision (d)(2) shall be printed by the clerk and processed in the same manner as all other early or absentee ballots and in accordance with the procedures prescribed by this subchapter.

(C) The voter shall be notified when a ballot electronically delivered pursuant to subsection 2539(b) or (c) of this title to voters with disabilities, as defined in 9 V.S.A. 4501(2), and overseas voters, as defined in subdivision 2539(c)(3) of this title, and then returned pursuant to subdivision (A) of this subdivision (d)(2) is received and printed by the clerk pursuant to subdivision (B) of this subdivision (d)(2).

(3) An early voter absentee ballot returned in a manner other than those set forth in subdivision (1) or (2)(A) of this subsection shall not be counted.

* * *

* * * Delinquent Disclosures for Candidates for State Office, County Office, State Senator, and State Representative * * *

Sec. 11a. 17 V.S.A. chapter 49, subchapter 4 is amended to read:

Subchapter 4. Miscellaneous Provisions

* * *

§ 2414. CANDIDATES FOR STATE, COUNTY, AND LEGISLATIVE OFFICE; DISCLOSURE FORM

(a) Each candidate for State office, county office, State Senator, or State Representative shall file with the officer with whom consent of candidate forms are filed, along with ~~his or her~~ the candidate's consent, a disclosure form prepared by the State Ethics Commission that contains the following information in regard to the previous calendar year:

* * *

(c) In addition, each candidate for State office shall attach to the disclosure form described in subsection (a) of this section a copy of ~~his or her~~ the candidate's most recent U.S. Individual Income Tax Return Form 1040; provided, however, that the candidate may redact from that form the following information:

(1) the candidate's Social Security number and that of ~~his or her~~ the candidate's spouse, if applicable;

(2) the names of any dependent and the dependent's Social Security number; ~~and~~

(3) the signature of the candidate and that of ~~his or her~~ the candidate's spouse, if applicable;

(4) the candidate's street address; and

(5) any identifying information and signature of a paid preparer.

(d)(1) A senatorial district clerk or representative district clerk who receives a disclosure form under this section shall forward a copy of the disclosure to the Secretary of State within three business days ~~of~~ after receiving it.

(2)(A) The Secretary of State shall post a copy of any disclosure forms and tax returns ~~he or she~~ the Secretary receives under this section on ~~his or her~~ the Secretary's official State website. The forms shall remain posted on the Secretary's website until the date of the filing deadline for petition and consent forms for major party candidates for the statewide primary in the following

election cycle.

* * *

(e) As used in this section:

(1) “County office” means the office of assistant judge, probate judge, sheriff, high bailiff, and State’s Attorney.

(2) “Domestic partner” means an individual with whom the candidate has an enduring domestic relationship of a spousal nature, as long as the candidate and the domestic partner:

* * *

~~(2)~~(3) “Lobbyist” and “lobbying firm” shall have the same meanings as in 2 V.S.A. § 261.

§ 2415. FAILURE TO FILE; PENALTIES

(a) If any disclosure required of a candidate for State office, county office, State Senator, or State Representative by section 2414 of this title is not filed by the time frames set forth in sections 2356, 2361, and 2402 of this title, the candidate for State office, county office, State Senator, or State Representative shall be addressed as follows:

(1) The State Ethics Commission shall issue a notice of delinquency to the candidate for State office, county office, State Senator, or State Representative for any disclosure required of a candidate for State office, county office, State Senator, or State Representative by section 2414 of this title that is not filed by the time frames set forth in sections 2356, 2361, and 2402 of this title.

(2) Following notice of delinquency sent by the State Ethics Commission to the candidate for State office, county office, State Senator, or State Representative, the candidate shall have five working days from the date of the issuance of the notice to cure the delinquency.

(3) Beginning six working days from the date of notice, the delinquent candidate for State office, county office, State Senator, or State Representative shall pay a \$10.00 penalty for each day thereafter that the disclosure remains delinquent; provided, however, that in no event shall the amount of any penalty imposed under this subdivision exceed \$1,000.00.

(4) The State Ethics Commission may reduce or waive any penalty imposed under this section if the candidate for State office, county office, State Senator, or State Representative demonstrates good cause, as determined by the State Ethics Commission and in the sole discretion of the State Ethics Commission.

(b) The Commission shall send a notice of delinquency to the e-mail address provided by the candidate for State office, county office, State Senator, or State Representative in their consent of candidate form.

(c) The State Ethics Commission may avail itself of remedies available under the Vermont Setoff Debt Collection Act, as set forth in 32 V.S.A. chapter 151, subchapter 12, to collect any unpaid penalty.

(d)(1) A candidate for State office, county office, State Senator, or State Representative who files a disclosure with intent to defraud, falsify, conceal, or cover up by any trick, scheme, or device a material fact, or with intent to defraud make any false, fictitious, or fraudulent claim or representation as to a material fact, or with intent to defraud make or use any writing or document knowing the same to contain any false, fictitious, or fraudulent claim or entry as to a material fact shall be considered to have made a false claim for the purposes of 13 V.S.A. § 3016.

(2) Pursuant to 3 V.S.A. § 1223 and § 2904a of this title, complaints regarding any candidate for State office, county office, State Senator, or State Representative who fails to properly file a disclosure required under this subchapter, may be filed with the State Ethics Commission. The Executive Director of the State Ethics Commission shall refer complaints to the Attorney General or to the State's Attorney of jurisdiction for investigation, as appropriate.

* * * Electronic Ballots Return Report * * *

Sec. 11b. ELECTRONIC BALLOTS RETURN; REPORT

On or before January 15, 2025, the Secretary of State, in consultation with the Secretary of Digital Services, the Vermont Municipal Clerks' and Treasurers' Association, and other relevant stakeholders as determined by the Secretary of State, shall report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations with an assessment of the electronic ballot return system as modified by 2023 amendments to 17 V.S.A. §§ 2542 and 2543, including any identified issues and recommendations for correcting any issues or improving related voting processes.

* * * Opt-in Ranked-Choice Voting System for Town, Cities,
and Villages * * *

Sec. 11c. 17 V.S.A. chapter 55, subchapter 4 is added to read:

Subchapter 4. Ranked-Choice Voting

§ 2691a. DEFINITIONS

As used in this subchapter:

(1) “Active candidate” means a candidate who has not been eliminated and who is not a withdrawn candidate.

(2) “By lot” means a method, determined by the Secretary of State, for randomly choosing between two or more active candidates.

(3) “Highest-ranked active candidate” means the active candidate assigned a higher ranking than any other active candidate.

(4) “Inactive ballots” means ballots that do not count as votes for any candidate due to one or more of the reasons listed in subdivision 2691d(c)(2) of this title.

(5) “Overvote” means an instance in which a voter assigned the same ranking to more than one candidate.

(6) “Ranking” means the number available to be assigned by a voter to a candidate to express the voter’s choice for that candidate. The number “1” is the highest ranking, followed by “2” and then “3” and so on.

(7) “Round” means an instance of the sequence of voting tabulation in accordance with section 2691d of this title.

(8) “Skipped ranking” means a voter does not assign a certain available ranking to any candidate but does assign a subsequent available ranking to a candidate.

(9) “Undervote” means a ballot on which a voter does not assign any ranking to any candidate in a particular contest.

(10) “Withdrawn candidate” means any candidate who has submitted a declaration of withdrawal in writing to the presiding officer, the effectiveness of which begins when filed with the presiding officer.

§ 2691b. RANKED-CHOICE VOTING SYSTEM; APPLICATION

(a) Application.

(1) The provisions of the ranked-choice voting system described in this subchapter shall only apply to the election of a candidate running for an office in a town, city, or village if:

(A) a town, city, or village has voted to elect officers by the Australian ballot system pursuant to section 2680 of this title and is using the Australian ballot system in accordance with subsection 2680 of this title;

(B) that town, city, or village uses vote tabulators for the registering and counting of votes in local elections pursuant to section 2491 of this title; and

(C) that town, city, or village has adopted the ranked-choice voting system described in this subchapter by a vote of the town, city, or village at its annual meeting or at a special meeting called for that purpose.

(2) Notwithstanding subdivision (1)(B) of this subsection, if the Secretary of State suspends the use of vote tabulators and requires the hand count of votes in an election pursuant to subdivision 2491(d)(1) of this title after 60 days prior to an election, the provisions of the ranked-choice voting system described in this subchapter shall still apply to the election of a candidate running for an office in a town, city, or village who otherwise meets the requirements of subdivisions (1)(A) and (1)(C) of this subsection.

(b) Duration. Once a town, city, or village votes to adopt the ranked-choice voting system described in this subchapter, this ranked-choice voting system shall be used in that manner until the town, city, or village votes to discontinue use of the system.

§ 2691c. RANKED-CHOICE VOTING SYSTEM; BALLOTS

Notwithstanding any contrary provisions in section 2681a of this title, a ballot for an election using the ranked-choice system in a town, city, or village shall allow voters to rank candidates in order of ordinal preference.

(1) The names of all candidates on the ballot shall be listed in alphabetical order.

(2) The ballot shall allow voters to assign rankings to candidates that are equal to the number of printed candidate names and blank write-in lines.

§ 2691d. RANKED-CHOICE VOTING TABULATION

(a) Tabulation rounds. In any election of a candidate running for an office in a town, city, or village, each ballot shall count as one vote for the highest-ranked active candidate on that ballot. Tabulation shall proceed in rounds, as follows:

(1) Elections with one winner.

(A) If there are two or fewer active candidates, then tabulation is complete, and the candidate with the most votes is declared the winner of the election.

(B) If there are more than two active candidates, the active candidate with the fewest votes is eliminated, the votes for the eliminated candidate are transferred to each ballot's next-ranked active candidate, and a new round

begins.

(2) Elections with multiple winners.

(A) If the number of active candidates is equal to the number of seats available plus one, then tabulation is complete, and the candidates with the most votes are declared the winners of the election.

(B) If the number of active candidates is more than the number of seats available plus one, then the active candidate with the fewest votes is eliminated, the votes for the eliminated candidate are transferred to each ballot's next-ranked active candidate, and a new round begins.

(3) Ties.

(A) If there is a tie between two active candidates with the fewest votes, the tie shall be resolved by lot to determine which candidate is defeated. The result of the tie resolution must be recorded and reused in the event of a recount.

(B) If there is a tie between the final active candidates, the presiding officer shall notify each active candidate involved in the tie, or the candidate's designee, to be present at the presiding officer's office or at the polling place at a certain time. At that time, the presiding officer shall select the winner of the tabulation by lot.

(b) Withdrawn candidates. Ranking orders containing withdrawn candidates shall be treated the same as ranking orders containing candidates who have been eliminated from tabulation.

(c) Inactive ballots and undervotes.

(1) In any round of tabulation, an inactive ballot does not count for any candidate and is not considered a vote for the purposes of determining which active candidate has the majority of the active votes in the final round of tabulation pursuant to subsection (a) of this section.

(2) A ballot is an inactive ballot if any of the following is true:

(A) The ballot does not rank any active candidates and is not an undervote.

(B) The ballot has reached an overvote.

(C) The ballot has reached two consecutive skipped rankings.

(3) An undervote does not count as either an active or inactive ballot in any round of tabulation.

§ 2691e. RANKED-CHOICE VOTING RESULTS REPORTING

In addition to any other information required by law to be reported with final results, the following shall be made public:

(1) the total number of votes each candidate received in each round of the official tabulation, including votes for withdrawn candidates; and

(2) the total number of ballots that became inactive in each round because they did not contain any active candidates, reached an overvote, or reached two consecutive skipped rankings, reported as separate figures.

§ 2691f. MUNICIPAL ORDINANCES

Municipalities shall have the power to adopt ordinances pursuant to 24 V.S.A. chapter 59 for the purpose of the proper and efficient administration of the ranked-choice voting system in towns, cities, and villages, provided such ordinances do not controvert the provisions of this subchapter.

Sec. 11d. FIRST PERMISSIBLE ELECTION USING RANKED-CHOICE VOTING SYSTEM

A town, city, or village may only use the ranked-choice voting system described in 17 V.S.A. chapter 55, subchapter 4 beginning at the 2024 annual meeting of that town, city, or village and then thereafter. A town, city, or village may nevertheless adopt pursuant to 17 V.S.A. § 2691b(a) a ranked-choice voting system in advance of the 2024 annual meeting.

* * * Voter and Presiding Officer Education * * *

Sec. 11e. VOTER AND PRESIDING OFFICER EDUCATION; SECRETARY OF STATE'S OFFICE

The Secretary of State shall make available to voters in a town, city, or village that has adopted ranked-choice voting pursuant to 17 V.S.A. § 2691b information regarding the ranked-choice process and provide to presiding officers in those towns, cities, and villages training in order to assist them in implementing that process.

* * * Ranked-Choice Voting Study Committee * * *

Sec. 11f. RANKED-CHOICE VOTING; RANKED-CHOICE VOTING STUDY COMMITTEE; REPORT

(a) Creation. There is created the Ranked-Choice Voting Study Committee to examine issues in implementing ranked-choice voting in Vermont across all elections for State and federal office.

(b) Membership. The Ranked-Choice Voting Study Committee shall be composed of the following members:

(1) two current members of the House of Representatives, not from the same political party, who shall be appointed by the Speaker of the House;

(2) two current members of the Senate, not from the same political party, who shall be appointed by the Committee on Committees;

(3) one designee, appointed by the Secretary of State;

(4) three designees, appointed by the Vermont Municipal Clerks' and Treasurers' Association, from different-sized towns, cities, and villages, different regions, and at least one shall be from a town, city, or village that use a hand count in elections;

(5) one designee, appointed by the Vermont League of Cities and Towns;

(6) a member of an organization focused on the conduct of elections, who shall be appointed by the Speaker of the House; and

(7) a member of a different organization focused on the conduct of elections, who shall be appointed by the Senate Committee on Committees.

(c) Powers and duties. The Ranked-Choice Voting Study Committee shall study ranked-choice voting systems with the goals of having recommendations, if any, for the implementation of ranked-choice voting for all primary or general elections for state or federal office occurring in 2026, including the following issues:

(1) education of voters;

(2) training of town clerks, presiding officers, and election staff;

(3) election integrity, security, and transportation of ballots;

(4) technological requirements in tabulators, hardware, and software;

(5) methodology of ranked-choice voting systems;

(6) canvassing of votes and roles of canvassing committees;

(7) post-election processes and reporting; and

(8) other items relating to the design and implementation of ranked-choice voting systems.

(d) Assistance. The Ranked-Choice Voting Study Committee shall have the administrative, technical, and legal assistance of the Vermont Office of Legislative Counsel and the Vermont Legislative Joint Fiscal Office.

(e) Report. On or before January 15, 2024, the Ranked-Choice Voting Study Committee shall report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government

Operations with its findings and any recommendations for legislative action.(f) Meetings.

(1) A member of the House of Representatives designated by the Speaker of the House shall call the first meeting of the Ranked-Choice Voting Study Committee to occur on or before August 1, 2023.

(2) The Ranked-Choice Voting Study Committee shall select a chair from among its legislative members at the first meeting.

(3) A majority of the members of the Ranked-Choice Voting Study Committee shall constitute a quorum.

(4) The Ranked-Choice Voting Study Committee shall cease to exist on November 1, 2024.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Ranked-Choice Voting Study Committee serving in the legislator's capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than four meetings. These payments shall be made from monies appropriated to the General Assembly.

(2) Other members of the Ranked-Choice Voting Study Committee who are not paid for their services by the organization for which the member is representing on the Ranked-Choice Voting Study Committee shall be entitled to per diem compensation as permitted under 32 V.S.A. § 1010 for not more than four meetings. These payments shall be made from monies appropriated to the Office of the Secretary of State.

(h) Appropriation. The sum of \$1,000.00 is appropriated to the Office of the Secretary of State from the General Fund in fiscal year 2024 for per diem compensation for members of the Committee.

* * * Ranked-Choice Voting for Presidential Primary Elections * * *

Sec. 11g. REDESIGNATION

17 V.S.A. §§ 2705 and 2706 are redesignated as 17 V.S.A. §§ 2710 and 2711.

Sec. 11h. 17 V.S.A. chapter 57, subchapter 1 is amended to read:

Subchapter 1. Presidential Primary

§ 2700. DEFINITIONS

As used in this subchapter:

(1) "Active candidate" means a candidate who has not been eliminated

and who is not a withdrawn candidate as set forth in subdivision (12) of this section.

(2) “By lot” means a method, determined by the Secretary of State, for randomly choosing between two or more active candidates.

(3) “Highest-ranked active candidate” means the active candidate assigned a higher ranking than any other active candidate.

(4) “Inactive ballots” means ballots that do not count as votes for any candidate due to one or more of the reasons listed in subdivision 2706(c)(2) of this title.

(5) “Major political party” has the same meaning as in subdivision 2103(23)(A) of this title.

(6) “Overvote” means an instance in which a voter assigned the same ranking to more than one candidate.

(7) “Ranking” means the number available to be assigned by a voter to a candidate to express the voter’s choice for that candidate. The number “1” is the highest ranking, followed by “2,” and then “3,” and so on.

(8) “Round” means an instance of the sequence of voting tabulation in accordance with section 2706 of this title.

(9) “Skipped ranking” means a voter does not assign a certain available ranking to any candidate but does assign a subsequent available ranking to a candidate.

(10) “Threshold for receiving delegates” means the number of votes necessary for a candidate to receive delegates in a presidential primary election conducted in accordance with subdivision 2705(a)(2) of this title.

(11) “Undervote” means a ballot on which a voter does not assign any ranking to any candidate in a particular contest.

(12) “Withdrawn candidate” means any candidate who has submitted a declaration of withdrawal in writing to the Secretary of State, the effectiveness of which begins when filed with the Secretary of State.

§ 2701. PRESIDENTIAL PRIMARY; TIME OF HOLDING; FORM OF BALLOT

In presidential election years, a presidential primary for each major political party shall be held in all municipalities on the first Tuesday in March. The Secretary of State shall prepare and distribute for use at the primary an official ranked-choice ballot for each party for which one or more candidates qualify for the placing of their names on the ballot under section 2702 of this title.

Ballots shall be printed on index stock and configured to be readable by vote tabulators.

* * *

§ 2704. RANKED-CHOICE VOTING; BALLOTS

(a) A presidential primary election for a major political party shall be conducted by ranked-choice voting.

(b) A person voting at the primary shall be required to ask for the ranked-choice ballot of the party in which the voter wishes to vote, and an election official shall record the voter's choice of ballot by marking the entrance checklist with a letter code, as designated by the Secretary of State, to indicate the voter's party choice.

(1) The ballot shall allow voters to rank candidates in order of choice. The names of all candidates on the ballot shall be listed in alphabetical order. Each voter may vote for one candidate for the presidential nomination of one party, either by placing a mark opposite the printed name of a candidate as in other primaries, or by writing in the name of the candidate of the voter's choice.

(2) The ballot shall allow voters to assign rankings to candidates that are equal to the number of printed candidate names and blank write-in lines, except to the extent established by the Secretary pursuant to section 2709 of this title.

§ 2705. TYPE OF RANKED-CHOICE VOTING

(a) At least 150 days before the date of the presidential primary election, the State committee of each major political party shall confirm in writing with the Secretary of State whether the party will award delegates either:

(1) on a winner-take-all basis in accordance with subsection 2706(d) of this title; or

(2) on a proportional basis in accordance with subsection 2706(e) of this title, in which case the party shall also indicate the applicable threshold or thresholds for receiving delegates.

(b) If a party fails to provide notice, or its notice does not specify how the party will award its delegates, the presidential primary election for that party shall be tabulated on a winner-take-all basis in accordance with subsection 2706(d) of this title.

(c) At least 120 days before the date of the presidential primary election, the Secretary of State shall confirm with the State committee of each political party that the State is capable of implementing the party's preferences as

declared under subsection (a) of this section or shall notify the State committee of any feasibility constraints that could prevent the State from implementing the party's preferences.

§ 2706. RANKED-CHOICE VOTING TABULATION

(a) Tabulation rounds. In any presidential primary election for a major political party, each ballot shall count as one vote for the highest-ranked active candidate on that ballot. Tabulation shall proceed in rounds. Each round proceeds sequentially as described in subsection (d) or (e) of this section, as applicable.

(b) Withdrawn candidates. Ranking orders containing withdrawn candidates shall be treated the same as ranking orders containing candidates who have been eliminated from tabulation.

(c) Inactive ballots and undervotes.

(1) In any round of tabulation, an inactive ballot does not count for any candidate and is not considered a vote for the purposes of determining either which active candidate has majority of the active votes in the final round of tabulation pursuant to subsection (d) of this section or which active candidates possess a vote total above the threshold for receiving delegates pursuant to subsection (e) of this section.

(2) A ballot is an inactive ballot if any of the following is true:

(A) The ballot does not rank any active candidates and is not an undervote.

(B) The ballot has reached an overvote.

(C) The ballot has reached two consecutive skipped rankings.

(3) An undervote does not count as either an active or inactive ballot in any round of tabulation.

(d) Award of delegates on winner-take-all basis. If a major political party awards all of the State's delegates to a single candidate on a winner-take-all basis, tabulation shall proceed as follows:

(1) If there are two or fewer active candidates, then tabulation is complete and the candidate with the most votes is declared the winner of the election.

(2) If there are more than two active candidates, the active candidate with the fewest votes is eliminated, the votes for the eliminated candidate are transferred to each ballot's next-ranked active candidate, and a new round begins.

(3) If there is a tie between two active candidates with the fewest votes, the tie shall be resolved by lot to determine which candidate is defeated. The result of the tie resolution must be recorded and reused in the event of a recount.

(4) If there is a tie between the final two active candidates, the Secretary of State shall notify each active candidate involved in the tie, or the candidate's designee, to be present at the Secretary of State's office at a certain time. At that time, the Secretary of State shall select the winner of the tabulation by lot.

(e) Award of delegates on proportional basis. If a major political party awards the State's delegates to multiple candidates on a proportional basis, tabulation shall proceed as follows:

(1) If the vote total of every active candidate is above the threshold for receiving delegates as confirmed by the major political party pursuant to subdivision 2705(a)(2) of this title, then tabulation is complete.

(2) If any active candidate is below the threshold for receiving delegates, then the active candidate with the fewest votes is eliminated, votes for the eliminated candidate are transferred to each ballot's next-ranked active candidate, and a new round begins.

(3) If there is a tie between two active candidates with the fewest votes and tabulation is not yet complete, the tie shall be resolved by lot to determine which candidate is defeated. The result of the tie resolution must be recorded and reused in the event of a recount.

(f) Certification of tabulation rounds. The Secretary of State shall certify the results of each round tabulated pursuant to subsection (d) or (e) of this section, as applicable, along with any other information required under section 2707 of this title, to the State chairperson and the national committee of each political party that had at least one candidate on the State-administered presidential primary election ballot to allocate national delegate votes in accordance with the party's State and national rules.

(g) Nothing in this act shall be construed to preclude a political party from allocating delegates according to its own rules for allocating such delegates.

§ 2707. RANKED-CHOICE VOTING RESULTS REPORTING

(a) Unofficial preliminary round-by-round results shall be released as soon as feasible after the polls close and at regular intervals thereafter until the counting of ballots is complete. Unofficial preliminary round-by-round results shall be clearly labeled as preliminary and, to the extent feasible, shall include the percent of ballots counted to date.

(b) In addition to any other information required by law to be reported with final results, the following shall be made public:

(1) the total number of votes each candidate received in each round of the official tabulation, including votes for withdrawn candidates; and

(2) the total number of ballots that became inactive in each round because they did not contain any active candidates, reached an overvote, or reached two consecutive skipped rankings, reported as separate figures.

(c) If a major political party allocates delegates by geographical unit or district, round-by-round results by geographical unit or district shall be made public in addition to state-wide results.

§ 2708. CANVASSING COMMITTEE CERTIFICATES

When the canvassing committee provided for in section 2592 of this title prepares its certificate of election for a presidential primary election for a major political party, the canvass shall state the number of final round votes received by each candidate who has received votes in the final round of tabulation.

Sec. 11i. 17 V.S.A. § 2709 is added to read:

§ 2709. RULEMAKING

The Secretary of State shall adopt rules pursuant to 3 V.S.A. chapter 25 for the proper and efficient administration of presidential primary elections, including procedures for ensuring that voting tabulators, voting tabulator memory cards, and related software are able to tabulate rank-choice voting when necessary; procedures for ensuring that the number of rankings allowed to voters be uniform across the State for any given contest, that the number of rankings allowed in any given contest be the maximum number allowed by the equipment, and that the number of rankings allowed be not fewer than three in any event; procedures for the release of round-by-round results; procedures for requesting and conducting recounts of the results of presidential primary elections for major candidates; and procedures for filing returns in accordance with section 2588 of this title.

* * * Vote Tabulators; Returns * * *

Sec. 11j. TALLY SHEETS; SUMMARY SHEETS; RETURNS

The Secretary of State shall ensure that on or before January 1, 2028, all tally sheets, summary sheets, and returns described in 17 V.S.A. § 2586 are designed to record ranked-choice voting results in accordance with this act.

* * * Effective Date * * *

Sec. 12. EFFECTIVE DATES

This act shall take effect on July 1, 2023, except that Secs. 11g (redesignation) and 11h (amending 17 V.S.A. chapter 57, subchapter 1) shall take effect on January 1, 2027, and Secs. 11i (rulemaking) and 11j (tally sheets; summary sheets; returns) shall take effect on January 1, 2025.

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 Government Operations.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the proposal of amendment was agreed to, on a roll call, Yeas 17, Nays 13.

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

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Campion, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Kitchel, Lyons, MacDonald, *McCormack, Perchlik, Ram Hinsdale, Watson, White.

Those Senators who voted in the negative were: Brock, Chittenden, Collamore, Ingalls, Mazza, Norris, Sears, Starr, Vyhovsky, Weeks, Westman, Williams, Wrenner.

*Explanation of vote by Senator McCormack:

“Mr. President, I just argued on the floor against this bill and assured colleagues I would vote against it. But the reporter of the bill has clarified its effects. I asked several questions intending them as rhetorical questions, but she took them as inquiries and answered so as to satisfy my concern.”

Thereupon, third reading was ordered, on a roll call, Yeas 16, Nays 14.

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

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Kitchel, Lyons, MacDonald, McCormack, Perchlik, Ram Hinsdale, Watson, White.

Those Senators who voted in the negative were: Brock, Campion, Chittenden, Collamore, Ingalls, Mazza, Norris, Sears, Starr, Vyhovsky, Weeks, Westman, Williams, Wrenner.

Message from the House No. 65

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 considered a bill originating in the Senate of the following title:

S. 133. An act relating to miscellaneous changes to education law.

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

Recess

On motion of Senator Baruth the Senate adjourned until one o'clock in the afternoon.

Called to Order

The Senate was called to order by the President.

Pages Honored

In appreciation of their many services to the members of the General Assembly, the President recognized the following-named pages who are completing their services today and presented them with letters of appreciation.

Ziva Baker of Westwood
Adelle Danilchick of Killington
Phoebe Donn of Kirby
Gracie Heine of Northfield
Cabot Spatz of Shrewsbury
Emmett H. Stowell of Montpelier
Eli R. Welch of Guilford

Rules Suspended

On motion of Senator Baruth, the rules were suspended, and the following bills, appearing on the Calendar for notice, were ordered to be brought up for immediate consideration:

S. 14, S.100.

Rules Suspended;**S. 133.**

Pending entry on the Calendar for notice, on motion of Senator Baruth, the rules were suspended and Senate bill entitled:

An act relating to miscellaneous changes to education law.

Was taken up for immediate consideration.

Report of Committee of Conference Accepted and Adopted on the Part of the Senate; Bill Messaged**S. 14.**

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

Was taken up.

Senator Hashim, for the Committee of Conference, submitted the following report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon Senate bill entitled:

S.14. An act relating to a report on criminal justice-related investments and trends.

Respectfully reports that it has met and considered the same and recommends that the House recede from its proposals of amendment, and that the bill be amended 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 with experience in community and restorative justice;

(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) the Executive Director of the Office of Racial Equity or designee;

(8) one current member of the House of Representatives selected from the Joint Legislative Justice Oversight Committee, appointed by the Speaker of the House; and

(9) one current member of the Senate selected from the Joint Legislative Justice Oversight Committee, 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 the Child, Youth, and Family Advocate; the Vermont Network Against Domestic and Sexual Violence; the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel; individuals with lived experience in the criminal justice system recommended by the American Civil Liberties Union of Vermont; 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; and

(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.

*NADER A. HASHIM
TANYA C. VYHOVSKY
ROBERT W. NORRIS*

Committee on the part of the Senate

*KAREN DOLAN
MARTIN J. LALONDE
THOMAS B. BURDITT*

Committee on the part of the House

Thereupon, the question, Shall the Senate accept and adopt the report of the Committee of Conference?, was decided in the affirmative.

The President *pro tempore* Assumes the Chair**House Proposal of Amendment Concurred In, Bill Messaged****S. 100.**

House proposal of amendment to Senate bill entitled:

An act relating to housing opportunities made for everyone.

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:

* * * Municipal Zoning * * *

Sec. 1. 24 V.S.A. § 4414 is amended to read:

§ 4414. ZONING; PERMISSIBLE TYPES OF REGULATIONS

* * *

(4) Parking and loading facilities. A municipality may adopt provisions setting forth standards for permitted and required facilities for off-street parking and loading, which may vary by district and by uses within each district. In any district that is served by municipal sewer and water infrastructure that allows residential uses, a municipality shall not require more than one parking space per dwelling unit. However, a municipality may require 1.5 parking spaces for duplexes and multi-unit dwellings in areas not served by sewer and water and in areas that are located more than one-quarter mile away from public parking rounded up to the nearest whole number when calculating the total number of spaces. These bylaws may also include provisions covering the location, size, design, access, landscaping, and screening of those facilities. In determining the number of parking spaces for nonresidential uses and size of parking spaces required under these regulations, the appropriate municipal panel may take into account the existence or availability of employer “transit pass” and rideshare programs, public transit routes, and public parking spaces in the vicinity of the development. ~~However, a municipality shall not require an accessory dwelling unit to have more than one parking space per bedroom.~~

* * *

Sec. 2. 24 V.S.A. § 4412 is amended to read:

§ 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

Notwithstanding any existing bylaw, the following land development provisions shall apply in every municipality:

(1) Equal treatment of housing and required provisions for affordable housing.

* * *

(D) Bylaws shall designate appropriate districts and reasonable regulations for multiunit or multifamily dwellings. No bylaw shall have the effect of excluding these multiunit or multifamily dwellings from the municipality. In any district that allows year-round residential development, duplexes shall be an allowed use with the same dimensional standards as a single-unit dwelling. In any district that is served by municipal sewer and water infrastructure that allows residential development, multiunit dwellings

with four or fewer units shall be a permitted use, unless that district specifically requires multiunit structures to have more than four dwelling units.

(E) Except for flood hazard and fluvial erosion area bylaws adopted pursuant to section 4424 of this title, no bylaw shall have the effect of excluding as a permitted use one accessory dwelling unit that is located within or appurtenant to a single-family dwelling on an owner-occupied lot. A bylaw ~~may shall~~ require a single-family dwelling with an accessory dwelling unit to be subject to the same review, dimensional, or other controls as required for a single-family dwelling without an accessory dwelling unit. ~~An accessory dwelling unit means a distinct unit that is clearly subordinate to a single-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:~~ The criteria for conversion of an existing detached nonresidential building to habitable space for an accessory dwelling unit shall not be more restrictive than the criteria used for a single-family dwelling without an accessory dwelling unit.

~~(i) The property has sufficient wastewater capacity.~~

~~(ii) The unit does not exceed 30 percent of the total habitable floor area of the single-family dwelling or 900 square feet, whichever is greater.~~

* * *

(H) No bylaw shall have the effect of prohibiting or penalizing a hotel from renting rooms to provide housing assistance through the State of Vermont's General Assistance program, or to any person whose room is rented with public funds. In this subsection, the term "hotel" has the same meaning as in 32 V.S.A. 9202(3).

* * *

(12) In any area served by municipal sewer and water infrastructure that allows residential development, bylaws shall establish lot and building dimensional standards that allow five or more dwelling units per acre for each allowed residential use, and density standards for multiunit dwellings shall not be more restrictive than those required for single-family dwellings.

(13) In any area served by municipal sewer and water infrastructure that allows residential development, bylaws shall permit any affordable housing development, as defined in subdivision 4303(2) of this title, including mixed-use development, to exceed density limitations for residential developments by an additional 40 percent, which shall include exceeding maximum height limitations by one floor, provided that the structure complies with the Vermont Fire and Building Safety Code.

Sec. 3. 24 V.S.A. § 4413 is amended to read:

§ 4413. LIMITATIONS ON MUNICIPAL BYLAWS

(a)(1) The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use:

(A) State- or community-owned and ~~operated~~ operated institutions and facilities;

(B) public and private schools and other educational institutions certified by the Agency of Education;

(C) churches and other places of worship, convents, and parish houses;

(D) public and private hospitals;

(E) regional solid waste management facilities certified under 10 V.S.A. chapter 159;

(F) hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. § 6606a; and

(G) emergency shelters.

(2) Except for State-owned and -operated institutions and facilities, a municipality may regulate each of the land uses listed in subdivision (1) of this subsection for compliance with the National Flood Insurance Program and for compliance with a municipal ordinance or bylaw regulating development in a flood hazard area or river corridor, consistent with the requirements of subdivision 2291(25) and section 4424 of this title. These regulations shall not have the effect of interfering with the intended functional use.

(3) For purposes of this subsection, regulating the daily or seasonal hours of operation of an emergency shelter shall constitute interfering with the intended functional use.

* * *

Sec. 4. 24 V.S.A. § 4303 is amended to read:

§ 4303. DEFINITIONS

The following definitions shall apply throughout this chapter unless the context otherwise requires:

* * *

(38) “Accessory dwelling unit” means a distinct unit that is clearly subordinate to a single-family dwelling and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:

(A) the property has sufficient wastewater capacity; and

(B) the unit does not exceed 30 percent of the total habitable floor area of the single-family dwelling or 900 square feet, whichever is greater.

(39) “Duplex” means a residential building that has two dwelling units in the same building and neither unit is an accessory dwelling unit.

(40) “Emergency shelter” means any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and that does not require occupants to sign leases or occupancy agreements.

(41) “Multiunit or multifamily dwelling” means a building that contains three or more dwelling units in the same building.

(42)(A) An area “served by municipal sewer and water infrastructure” means:

(i) an area where residential connections and expansions are available to municipal water and direct and indirect discharge wastewater systems and not prohibited by:

(I) State regulations or permits;

(II) identified capacity constraints; or

(III) municipally adopted service and capacity agreements; or

(ii) an area established by the municipality by ordinance or bylaw where residential connections and expansions are available to municipal water and direct and indirect discharge wastewater systems and which may exclude:

(I) flood hazard or inundation areas as established by statute, river corridors or fluvial erosion areas as established by statute, shorelands, areas within a zoning district or overlay district the purpose of which is natural resource protection, and wherever year-round residential development is not allowed;

(II) areas with identified service limits established by State regulations or permits, identified capacity constraints, or municipally adopted service and capacity agreements;

(III) areas served by sewer and water to address an identified community-scale public health hazard or environmental hazard;

(IV) areas serving a mobile home park that is not within an area planned for year-round residential growth;

(V) areas serving an industrial site or park;

(VI) areas where service lines are located to serve the areas described in subdivisions (III)–(V) of this subdivision (ii), but no connections or expansions are permitted; or

(VII) areas that, through an approved Planned Unit Development under section 4417 of this title or Transfer of Development Rights under section 4423 of this title, prohibit year-round residential development.

(B) Municipally adopted areas served by municipal sewer and water infrastructure that limit sewer and water connections and expansions shall not result in the unequal treatment of housing by discriminating against a year-round residential use or housing type otherwise allowed in this chapter.

Sec. 5. 24 V.S.A. § 4441 is amended to read:

§ 4441. PREPARATION OF BYLAWS AND REGULATORY TOOLS;
AMENDMENT OR REPEAL

* * *

(c) When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments. ~~The Department of Housing and Community Development shall provide all municipalities with a form for this report.~~ The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title; and shall include findings regarding how the proposal:

(1) ~~Conforms~~ conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing; ~~and sections 4412, 4413, and 4414 of this title;~~

(2) ~~Is~~ is compatible with the proposed future land uses and densities of the municipal plan; ~~and~~

(3) ~~Carries~~ carries out, as applicable, any specific proposals for any planned community facilities.

* * *

(h) Upon adoption or amendment of a bylaw, the planning commission shall prepare an adoption report in form and content provided by the Department of Housing and Community Development that:

(1) confirms that zoning districts' GIS data has been submitted to the Department and that the data complies with the Vermont Zoning GIS Data Standard adopted pursuant to 10 V.S.A. § 123;

(2) confirms that the complete bylaw has been uploaded to the Municipal Plan and Bylaw Database;

(3) demonstrates conformity with sections 4412, 4413, and 4414 of this title; and

(4) provides information on the municipal application of subchapters 7 (bylaws), 9 (administration), and 10 (panels) of this chapter for the Municipal Planning Data Center and the prospective development of a statewide zoning atlas.

Sec. 6. 24 V.S.A. § 4465 is amended to read:

§ 4465. APPEALS OF DECISIONS OF THE ADMINISTRATIVE OFFICER

(a) An interested person may appeal any decision or act taken by the administrative officer in any municipality by filing a notice of appeal with the secretary of the board of adjustment or development review board of that municipality or with the clerk of that municipality if no such secretary has been elected. This notice of appeal must be filed within 15 days of following the date of that decision or act, and a copy of the notice of appeal shall be filed with the administrative officer.

(b) ~~For the purposes of~~ As used in this chapter, an “interested person” means any one of the following:

(1) A person owning title to property, or a municipality or solid waste management district empowered to condemn it or an interest in it, affected by a bylaw, who alleges that the bylaw imposes on the property unreasonable or inappropriate restrictions of present or potential use under the particular circumstances of the case.

(2) The municipality that has a plan or a bylaw at issue in an appeal brought under this chapter or any municipality that adjoins that municipality.

(3) A person owning or occupying property in the immediate neighborhood of a property that is the subject of any decision or act taken under this chapter, who can demonstrate a physical or environmental impact on the person's interest under the criteria reviewed, and who alleges that the

decision or act, if confirmed, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality.

(4) Any ~~ten~~ 10 persons who may be any combination of voters, residents, or real property owners within a municipality listed in subdivision (2) of this subsection who, by signed petition to the appropriate municipal panel of a municipality, the plan or a bylaw of which is at issue in any appeal brought under this title, allege that any relief requested by a person under this title, if granted, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality. This petition to the appropriate municipal panel must designate one person to serve as the representative of the petitioners regarding all matters related to the appeal. For purposes of this subdivision, an appeal shall not include the character of the area affected if the project has a residential component that includes affordable housing.

(5) Any department and administrative subdivision of this State owning property or any interest in property within a municipality listed in subdivision (2) of this subsection, and the Agency of Commerce and Community Development of this State.

* * *

* * * Subdivisions * * *

Sec. 7. 24 V.S.A. § 4463 is amended to read:

§ 4463. SUBDIVISION REVIEW

(a) Approval of plats. Before ~~any~~ a plat for a major subdivision is approved, a public hearing on the plat shall be held by the appropriate municipal panel after public notice. A bylaw may provide for the administrative officer to approve minor subdivisions. A copy of the notice shall be sent to the clerk of an adjacent municipality, in the case of a plat located within 500 feet of a municipal boundary, at least 15 days prior to the public hearing.

(b) Plat; record. The approval of the appropriate municipal panel or administrative officer, if the bylaws provide for their approval of minor subdivisions, shall expire 180 days from that approval or certification unless, within that 180-day period, that plat shall have been duly filed or recorded in the office of the clerk of the municipality. After an approved plat or certification by the clerk is filed, no expiration of that approval or certification shall be applicable.

(1) The bylaw may allow the administrative officer to extend the date for filing the plat by an additional 90 days, if final local or State permits or approvals are still pending.

(2) No plat showing a new street or highway may be filed or recorded in the office of the clerk of the municipality until it has been approved by the appropriate municipal panel, or administrative officer if allowed under the bylaws, pursuant to subsection (a) of this section, and that approval is endorsed in writing on the plat, or the certificate of the clerk of the municipality showing the failure of the appropriate municipal panel to take action within the 45-day period is attached to the plat and filed or recorded with the plat. After that filing or recording, the plat shall be a part of the official map of the municipality.

* * *

Sec. 8. 24 V.S.A. § 4418 is amended to read:

§ 4418. SUBDIVISION BYLAWS

* * *

(2) Subdivision bylaws may include:

(A) ~~Provisions~~ provisions allowing the appropriate municipal panel to waive or modify, subject to appropriate conditions, the provision of any or all improvements and requirements as in its judgment of the special circumstances of a particular plat or plats are not requisite in the interest of the public health, safety, and general welfare, or are inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision-;

(B) ~~Procedures~~ procedures for conceptual, preliminary, partial, and other reviews preceding submission of a subdivision plat, including any administrative reviews-;

(C) ~~Specific~~ specific development standards to promote the conservation of energy or to permit the utilization of renewable energy resources, or both-;

(D) State standards and criteria under 10 V.S.A. § 6086(a); and

(E) provisions to allow the administrative officer to approve minor subdivisions.

* * * Appeals * * *

Sec. 9. 24 V.S.A. § 4471 is amended to read:

§ 4471. APPEAL TO ENVIRONMENTAL DIVISION

* * *

(e) ~~Neighborhood development area~~ Designated areas. Notwithstanding subsection (a) of this section, a determination by an appropriate municipal

panel that a residential development will not result in an undue adverse effect on the character of the area affected shall not be subject to appeal if the determination is that a proposed residential development seeking conditional use approval under subdivision 4414(3) of this title is within a designated downtown development district, designated growth center, designated Vermont neighborhood, or designated neighborhood development area seeking conditional use approval will not result in an undue adverse effect on the character of the area affected under subdivision 4414(3) of this title. Other elements of the determination made by the appropriate municipal panel may be appealed.

* * * By Right * * *

Sec. 10. 24 V.S.A. § 4464(b) is amended to read:

(b) Decisions.

* * *

(7)(A) A decision rendered by the appropriate municipal panel for a housing development or the housing portion of a mixed-use development shall not:

(i) require a larger lot size than the minimum as determined in the municipal bylaws;

(ii) require more parking spaces than the minimum as determined in the municipal bylaws and in section 4414 of this title;

(iii) limit the building size to less than that allowed in the municipal bylaws, including reducing the building footprint or height;

(iv) limit the density of dwelling units to below that allowed in the municipal bylaws; and

(v) otherwise disallow a development to abide by the minimum or maximum applicable municipal standards.

(B) However, a decision may require adjustments to the applicable municipal standards listed in subdivision (A) of this subdivision (7) if the panel or officer issues a written finding stating:

(i) why the modification is necessary to comply with a prerequisite State or federal permit, municipal permit, or a nondiscretionary standard in a bylaw or ordinance, including requirements related to wetlands, setbacks, and flood hazard areas and river corridors; and

(ii) how the identified restrictions do not result in an unequal treatment of housing or an unreasonable exclusion of housing development otherwise allowed by the bylaws.

Sec. 11. 24 V.S.A. § 4348a is amended to read:

§ 4348a. ELEMENTS OF A REGIONAL PLAN

(a) A regional plan shall be consistent with the goals established in section 4302 of this title and shall include the following:

* * *

(9) A housing element that identifies the regional and community-level need for housing for all economic groups in the region and communities. In establishing the identified need, due consideration shall be given to that will result in an adequate supply of building code and energy code compliant homes where most households spend not more than 30 percent of their income on housing and not more than 15 percent on transportation. To establish housing needs, the Department of Housing and Community Development shall publish statewide and regional housing targets or ranges as part of the Statewide Housing Needs Assessment. The regional planning commission shall consult the Statewide Housing Needs Assessment; current and expected demographic data; the current location, quality, types, and cost of housing; other local studies related to housing needs; and data gathered pursuant to subsection 4382(c) of this title. If no such data has been gathered, the regional planning commission shall gather it. The regional planning commission's assessment shall estimate the total needed housing investments in terms of price, quality, unit size or type, and zoning district as applicable and shall disaggregate regional housing targets or ranges by municipality. The housing element shall include a set of recommended actions to satisfy the established needs.

* * *

Sec. 12. 24 V.S.A. § 4382 is amended to read:

§ 4382. THE PLAN FOR A MUNICIPALITY

(a) A plan for a municipality ~~may~~ shall be consistent with the goals established in section 4302 of this title and compatible with approved plans of other municipalities in the region and with the regional plan and shall include the following:

* * *

(10) A housing element that shall include a recommended program for addressing low and moderate income persons' public and private actions to

address housing needs as identified by the regional planning commission pursuant to subdivision 4348a(a)(9) of this title. The program should use data on year-round and seasonal dwellings and include specific actions to address the housing needs of persons with low income and persons with moderate income and account for permitted accessory dwelling units, as defined in subdivision 4412(1)(E) of this title, which provide affordable housing residential development as described in section 4412 of this title.

* * *

Sec. 13. 24 V.S.A. § 4442 is amended to read:

§ 4442. ADOPTION OF BYLAWS AND RELATED REGULATORY TOOLS; AMENDMENT OR REPEAL

* * *

(c) Routine adoption.

(1) A bylaw, bylaw amendment, or bylaw repeal shall be adopted by a majority of the members of the legislative body at a meeting that is held after the final public hearing, and shall be effective 21 days after adoption unless, by action of the legislative body, the bylaw, bylaw amendment, or bylaw repeal is warned for adoption by the municipality by Australian ballot at a special or regular meeting of the municipality.

~~(2) However, a rural town as defined in section 4303 of this chapter, by vote of that town at a special or regular meeting duly warned on the issue, may elect to require that bylaws, bylaw amendments, or bylaw repeals shall be adopted by vote of the town by Australian ballot at a special or regular meeting duly warned on the issue. That procedure shall then apply until rescinded by the voters at a regular or special meeting of the town.~~

* * *

Sec. 14. 24 V.S.A. § 4306 is amended read:

§ 4306. MUNICIPAL AND REGIONAL PLANNING FUND

* * *

(b)(1) Allocations for performance contract funding to regional planning commissions shall be determined according to a formula to be adopted by rule under 3 V.S.A. chapter 25 by the Department for the assistance of the regional planning commissions. Disbursement of funding to regional planning commissions shall be predicated upon meeting performance goals and targets pursuant to the terms of the performance contract.

(2) Disbursement to municipalities shall be awarded annually on or before December 31 through a competitive program administered by the Department providing the opportunity for any eligible municipality or municipalities to compete regardless of size, provided that to receive funds, a municipality:

(A) shall be confirmed under section 4350 of this title; or

(B)(i) shall use the funds for the purpose of developing a municipal plan to be submitted for approval by the regional planning commission, as required for municipal confirmation under section 4350 of this title; and

(ii) shall have voted at an annual or special meeting to provide local funds for municipal and regional planning purposes.

(3) Of the annual disbursement to municipalities, an amount not to exceed 20 percent of the total may be disbursed to the Department to administer a program providing direct technical consulting assistance under retainer on a rolling basis to any eligible municipality to meet the requirements for designated neighborhood development area under chapter 76A of this title, provided that the municipality is eligible for funding under subdivision (2) and meets funding guidelines established by the Department to ensure accessibility for lower capacity communities, municipal readiness, and statewide coverage.

(4) Of the annual disbursement to municipalities, the Department may allocate funding as bylaw modernization grants under 4307.

* * *

~~(d) New funds allocated to municipalities under this section may take the form of Municipal Bylaw Modernization Grants in accordance with section 4307 of this title.~~

* * * Regional Planning * * *

Sec. 15. REGIONAL PLANNING REPORT

(a) On or before December 15, 2023, the Vermont Association of Planning and Development Agencies shall report on statutory recommendations to better integrate and implement municipal, regional, and State plans, policies, and investments by focusing on regional future land use maps and policies. In the process of creating the Regional Planning Report, the Vermont Association of Planning and Development Agencies shall consider possible new methods of public engagement that promote equity and expand opportunity for meaningful participation by impacted communities in the decisions affecting their physical and social environment.

(b) The recommendations shall address how to accomplish the following:

(1) Aligning policies and implementation between municipalities, regional planning commissions, and State entities to better address climate change, climate resiliency, natural resources, housing, transportation, economic development, other social determinants of health, and other place-based issues.

(2) Building upon municipal and regional enhanced energy plans and their implementation.

(3) Evaluating place-based policy and project decisions by the State, regional planning commissions, and municipalities related to implementing regional future land use maps and policies and recommending changes to which of those governmental levels those decisions should occur, if necessary.

(4) Ensuring that State agency investment and policy decisions that relate to land development are consistent with regional and local plans. The investments assessed should include, at a minimum:

(A) drinking water;

(B) wastewater;

(C) stormwater;

(D) transportation;

(E) community and economic development;

(F) housing;

(G) energy; and

(H) telecommunications.

(5) Achieving statewide consistency of future land use maps and policies to better support Act 250 and 30 V.S.A. § 248.

(6) How Act 250 and 30 V.S.A. § 248 could better support implementation of regional future land use maps and policies.

(7) Better support implementation of regional future land use maps and policies in the State designation program under 24 V.S.A. chapter 76A.

(8) Improving the quality and effectiveness of future land use maps in regional and municipal plans through changes to 24 V.S.A. chapter 117 including:

(A) future land use map area delineations, definitions, statements, and policies;

(B) existing settlement definitions and their relationship to future land use maps;

(C) the role of regional plans in the review and approval of municipal plans and planning processes; and

(D) a review mechanism to ensure bylaws are consistent with municipal plans.

(c) The report should also discuss how best to implement the recommendations, including the following:

(1) how best to phase in the recommendations;

(2) how to establish a mechanism for the independent review of regional plans to ensure consistency with statutory requirements;

(3) what guidance and training will be needed to implement the recommendations; and

(4) what incentives and accountability mechanisms are necessary to accomplish these changes at all levels of government.

(d) The Vermont Association of Planning and Development Agencies shall consult with the Agency of Transportation, the Agency of Natural Resources, the Agency of Commerce and Community Development, the Department of Public Service, Vermont Emergency Management, the Natural Resources Board, the regional development corporations, the Vermont League of Cities and Towns, statewide environmental organizations, and other interested parties in developing the report and shall summarize comments.

(e) On or before December 15, 2023, the Vermont Association of Planning and Development Agencies shall submit the report to the following committees: the Senate Committees on Economic Development, Housing and General Affairs, on Government Operations, on Natural Resources and Energy, and on Transportation and the House Committees on Commerce and Economic Development, on Environment and Energy, on General and Housing, on Government Operations and Military Affairs, and on Transportation.

(f) The Vermont Association of Planning and Development Agencies shall be funded in fiscal year 2023 and fiscal year 2024 for this study through the regional planning grant established in 24 V.S.A. § 4306.

Sec. 15a. HOUSING RESOURCE NAVIGATOR FOR REGIONAL
PLANNING COMMISSIONS

(a) The Vermont Association of Planning and Development Agencies shall hire Housing Resource Navigators to work with municipalities, regional and local housing organizations, and private developers to identify housing

opportunities, match communities with funding resources, and provide project management support.

(b) The duty to implement this section is contingent upon an appropriation in fiscal year 2024 from the General Fund to the Vermont Association of Planning and Development Agencies for the purpose of hiring the Housing Navigators as described in subsection (a) of this section.

* * * Act 250 * * *

Sec. 16. 10 V.S.A. § 6001 is amended to read:

§ 6001. DEFINITIONS

As used in this chapter:

* * *

(3)(A) “Development” means each of the following:

* * *

(iv) The construction of housing projects such as cooperatives, condominiums, or dwellings, or construction or maintenance of mobile homes or mobile home parks, with 10 or more units, constructed or maintained on a tract or tracts of land, owned or controlled by a person, within a radius of five miles of any point on any involved land and within any continuous period of five years. However:

* * *

(xi) Notwithstanding any other provision of law to the contrary, until July 1, 2026, the construction of housing projects such as cooperatives, condominiums, dwellings, or mobile homes, with 25 or more units, constructed or maintained on a tract or tracts of land, located entirely within a designated downtown development district, a designated neighborhood development area, a designated village center with permanent zoning and subdivision bylaws, or a designated growth center, owned or controlled by a person, within a radius of five miles of any point on any involved land and within any continuous period of five years. For purposes of this subsection, the construction of four units or fewer of housing in an existing structure shall only count as one unit towards the total number of units

* * *

(D) The word “development” does not include:

* * *

(viii)(I) The construction of a priority housing project in a municipality with a population of 10,000 or more.

(II) If the construction of a priority housing project in this subdivision (3)(D)(viii) involves demolition of one or more buildings that are listed or eligible to be listed on the State or National Register of Historic Places, this exemption shall not apply unless the Division for Historic Preservation has made the determination described in subdivision (A)(iv)(I)(ff) of this subdivision (3) and any imposed conditions are enforceable in the manner set forth in that subdivision.

(III) Notwithstanding any other provision of law to the contrary, until July 1, 2026, the construction of a priority housing project located entirely within a designated downtown development district, designated neighborhood development area, or a designated growth center.

* * *

Sec. 16a. ACT 250 EXEMPTION REQUIREMENTS

In order to qualify for the exemptions established in 10 V.S.A. § 6001 (3)(A)(xi) and (3)(D)(viii)(III), a person shall request a jurisdictional opinion under 10 V.S.A. § 6007 on or before June 30, 2026. The jurisdictional opinion shall require the project to substantially complete construction on or before June 30, 2029 in order to remain exempt.

Sec. 17. 10 V.S.A. § 6086b is amended to read:

§ 6086b. DOWNTOWN DEVELOPMENT; FINDINGS; MASTER PLAN PERMITS

(a) Findings and conclusions. Notwithstanding any provision of this chapter to the contrary, each of the following shall apply to a development or subdivision that is completely within a downtown development district designated under 24 V.S.A. chapter 76A and for which a permit or permit amendment would otherwise be required under this chapter:

(1) In lieu of obtaining a permit or permit amendment, a person may request findings and conclusions from the District Commission, which shall approve the request if it finds that the development or subdivision will meet subdivisions 6086(a)(1) (air and water pollution), (2) (sufficient water available), (3) (burden on existing water supply), (4) (soil erosion), (5) (traffic), (8) (aesthetics, historic sites, rare and irreplaceable natural areas), (8)(A) (endangered species; necessary wildlife habitat), (9)(B) (primary agricultural soils), (9)(C) (productive forest soils), (9)(F) (energy conservation), and (9)(K) (public facilities, services, and lands) of this title.

* * *

(b) Master plan permits.

(1) Any municipality within which a downtown development district or neighborhood development area has been formally designated pursuant to 24 V.S.A. chapter 76A may apply to the District Commission for a master plan permit for that area or any portion of that area pursuant to the rules of the Board. Municipalities making an application under this subdivision are not required to exercise ownership of or control over the affected property.

(2) Subsequent development of an individual lot within the area of the master plan permit that requires a permit under this chapter shall take the form of a permit amendment.

(3) In neighborhood development areas, subsequent master plan permit amendments shall only be issued for development that is housing.

(4) In approving a master plan permit and amendments, the District Commission may include specific conditions that an applicant for an individual project permit shall be required to meet.

(5) For a master plan permit issued pursuant to this section, an application for an amendment may use the findings issued in the master plan permit as a rebuttable presumption to comply within any applicable criteria under subsection 6086(a) of this title.

Sec. 18. 10 V.S.A. § 6083a is amended to read:

§ 6083a. ACT 250 FEES

(a) All applicants for a land use permit under section 6086 of this title shall be directly responsible for the costs involved in the publication of notice in a newspaper of general circulation in the area of the proposed development or subdivision and the costs incurred in recording any permit or permit amendment in the land records. In addition, applicants shall be subject to each of the following fees for the purpose of compensating the State of Vermont for the direct and indirect costs incurred with respect to the administration of the Act 250 program:

(1) For applications for projects involving construction, \$6.65 for each \$1,000.00 of the first \$15,000,000.00 of construction costs, and \$3.12 for each \$1,000.00 of construction costs above \$15,000,000.00. An additional \$0.75 for each \$1,000.00 of the first \$15,000,000.00 of construction costs shall be paid to the Agency of ~~National~~ Natural Resources to account for the Agency of Natural Resources' review of Act 250 applications.

(2) For applications for projects involving the creation of lots, \$125.00 for each lot.

(3) For applications for projects involving exploration for or removal of oil, gas, and fissionable source materials, a fee as determined under

subdivision (1) of this subsection or \$1,000.00 for each day of Commission hearings required for such projects, whichever is greater.

(4) For applications for projects involving the extraction of earth resources, including sand, gravel, peat, topsoil, crushed stone, or quarried material, the greater of: a fee as determined under subdivision (1) of this subsection; or a fee equivalent to the rate of \$0.02 per cubic yard of the first million cubic yards of the total volume of earth resources to be extracted over the life of the permit, and \$.01 per cubic yard of any such earth resource extraction above one million cubic yards. Extracted material that is not sold or does not otherwise enter the commercial marketplace shall not be subject to the fee. The fee assessed under this subdivision for an amendment to a permit shall be based solely upon any additional volume of earth resources to be extracted under the amendment.

(5) For applications for projects involving the review of a master plan, a fee equivalent to \$0.10 per \$1,000.00 of total estimated construction costs in current dollars in addition to the fee established in subdivision (1) of this subsection for any portion of the project seeking construction approval.

~~(6) In no event shall a permit application fee exceed \$165,000.00.~~

(b) Notwithstanding the provisions of subsection (a) of this section, there shall be a minimum fee of \$187.50 for original applications and \$62.50 for amendment applications, in addition to publication and recording costs. These costs shall be in addition to any other fee established by statute, unless otherwise expressly stated. In addition, in no event shall the fee for an individual permit or permit amendment application, including each individual permit or permit amendment application seeking approval for any portion of a project involving a master plan, exceed \$165,000.00.

* * *

Sec. 18a. REPORT; ACT 250 MUNICIPAL DELEGATION

(a) The Vermont Association of Planning and Development Agencies, in consultation with the Natural Resources Board, shall develop a proposed framework for delegating administration of Act 250 permits to municipalities. They shall consult with other relevant stakeholders, including those with experience issuing Act 250 permits under 10 V.S.A. chapter 151, environmental organizations, State agencies, and municipal planning and zoning officials. Each regional planning commission shall hold one public meeting on the framework.

(b) On or before December 31, 2023, the Vermont Association of Planning and Development Agencies shall report to the House Committee on Environment and Energy and the Senate Committee on Natural Resources and

Energy on the proposed framework to delegate Act 250 permit administration to municipalities.

Sec. 19. 2022 Acts and Resolves No. 182, Sec. 41 is amended to read:

Sec. 41. REPORT; NATURAL RESOURCES BOARD

(a) On or before December 31, 2023, the Chair of the Natural Resources Board shall report to the House Committees on ~~Natural Resources, Fish, and Wildlife~~ Environment and Energy and on Ways and Means and the Senate Committees on Finance and on Natural Resources and Energy on necessary updates to the Act 250 program.

(b) The report shall include:

(1) How to transition to a system in which Act 250 jurisdiction is based on location, which shall encourage development in designated areas; the maintenance of intact rural working lands; and the protection of natural resources of statewide significance, including biodiversity. Location-based jurisdiction would adjust the threshold for Act 250 jurisdiction based on the characteristics of the location. This section of the report shall consider whether to develop thresholds and tiers of jurisdiction as recommended in the Commission on Act 250: the Next 50 Years Report.

(2) How to use the Capability and Development Plan to meet the statewide planning goals.

(3) An assessment of the current level of staffing of the Board and District Commissions, including whether there should be a district coordinator located in every district.

(4) Whether the permit fees are sufficient to cover the costs of the program and, if not, a recommendation for a source of revenue to supplement the fees.

(5) Whether the permit fees are effective in providing appropriate incentives.

(6) Whether the Board should be able to assess its costs on applicants.

(7) Whether increasing jurisdictional thresholds for housing development to 25 units under 10 V.S.A. § 6001(3)(A)(iv) would affect housing affordability, especially for primary homeownership, and what the potential impact of increasing those thresholds to 25 units would have on natural and community resources addressed under existing Act 250 criteria.

Sec. 19a. 2022 Acts and Resolves No. 182, Sec. 40 is amended to read:

Sec. 40. DESIGNATED AREA REPORT; APPROPRIATION

* * *

(3) On or before ~~July 15, 2023~~, December 31, 2023, the consultant shall submit a written report to the General Assembly with its findings and any recommendations for legislative action.

Sec. 19b. 10 V.S.A. § 6081(y) is added to read:

(y) No permit or permit amendment is required for a retail electric distribution utility's rebuilding of existing electrical distribution lines and related facilities to improve reliability and service to existing customers, through overhead or underground lines in an existing corridor, road, or State or town road right-of-way. Nothing in this section shall be interpreted to exempt projects under this subsection from other required permits or the conditions on lands subject to existing permits required by this section.

Sec. 19c. EXEMPTION REPEAL

10 V.S.A. § 6081(y) is repealed on January 1, 2026.

Sec. 19d. ELECTRIC DISTRIBUTION UTILITY PROJECT REPORT

On or before January 15, 2024, and annually until 2026, any distribution utility that takes an action exempt under 10 V.S.A. § 6081(y) shall report to the House Committee on Environment and Energy and the Senate Committees on Finance and on Natural Resources and Energy on the projects completed pursuant to that exemption in the preceding year. The report shall address: the location of the projects, including whether it is located in a "1-acre town" or a "10-acre town"; how many customers are affected by the project; whether the project involved lines being hardened in place, buried underground, or relocated to the right-of-way; how many poles were removed and how many poles were set; and what permits the projects were required to receive.

* * * Covenants * * *

Sec. 20. 27 V.S.A. § 545 is amended to read:

§ 545. COVENANTS, CONDITIONS, AND RESTRICTIONS OF
SUBSTANTIAL PUBLIC INTEREST

(a) Deed restrictions, covenants, or similar binding agreements added after March 1, 2021 that prohibit or have the effect of prohibiting land development allowed under 24 V.S.A. § 4412(1)(E) and (2)(A) shall not be valid.

(b) Deed restrictions or covenants added after July 1, 2023 shall not be valid if they require a minimum dwelling unit size on the property or more

than one parking space per dwelling unit if the property is located in an area served by municipal sewer and water infrastructure as defined in 24 V.S.A. § 4303 that allows residential uses or more than 1.5 parking spaces for duplexes and multi-unit dwellings in areas not served by sewer and water and in areas that are located more than one-quarter mile away from public parking rounded up to the nearest whole number when calculating the total number of spaces.

(c) This section shall not affect the enforceability of any property interest held in whole or in part by a qualified organization or State agency as defined in 10 V.S.A. § 6301a, including any restrictive easements, such as conservation easements and historic preservation rights and interests defined in 10 V.S.A. § 822. This section shall not affect the enforceability of any property interest that is restricted by a housing subsidy covenant as defined by section 610 of this title and held in whole or in part by an eligible applicant as defined in 10 V.S.A. § 303(4) or the Vermont Housing Finance Agency.

* * * Road Disclosure * * *

Sec. 21. 27 V.S.A. § 617 is added to read:

§ 617. DISCLOSURE OF CLASS 4 ROAD

(a) Disclosure of maintenance on class 4 highway. Any property owner who sells property located on a class 4 highway or legal trail shall disclose to the buyer that the municipality is not required to maintain the highway or trail as described in 19 V.S.A. § 310.

(b) Marketability of title. Noncompliance with the requirements of this section shall not affect the marketability of title of a property.

* * * Building Energy Code Study Committee * * *

Sec. 22. FINDINGS

The General Assembly finds that:

(1) Vermont established the Residential Building Energy Standards (RBES) in 1997 and the Commercial Building Energy Standards (CBES) in 2007. The Public Service Department is responsible for adopting and updating these codes regularly but does not have the capacity to administer or enforce them.

(2) The RBES and CBES are mandatory, but while municipalities with building departments handle some aspects of review and inspection, there is no State agency or office designated to interpret, administer, and enforce them.

(3) The Division of Fire Safety in the Department of Public Safety is responsible for development, administration, and enforcement of building

codes but does not currently have expertise or capacity to add administration or enforcement of energy codes in buildings.

(4) Studies in recent years show compliance with the RBES at about 54 percent and CBES at about 87 percent, with both rates declining. Both codes are scheduled to become more stringent with the goal of “net-zero ready” by 2030.

(5) In December 2022, the U.S. Department of Energy issued the Bipartisan Infrastructure Law: Resilient and Efficient Codes Implementation Funding Opportunity Announcement. The first \$45 million of a five-year \$225 million program is available in 2023. Vermont’s increased code compliance plans should include contingencies for this potential funding.

Sec. 23. ENERGY CODE COMPLIANCE; STUDY COMMITTEE

(a) Creation. There is created the Building Energy Code Study Committee to recommend strategies for increasing compliance with the Residential Building Energy Standards (RBES) and Commercial Building Energy Standards (CBES).

(b) Membership. The Committee shall have 15 members with applicable expertise, to include program design and implementation, building code administration and enforcement, and Vermont’s construction industry. The Speaker of the House shall appoint three members, including up to one legislator. The Committee on Committees shall appoint two members, including up to one legislator. The remaining members shall be the following:

- (1) the Commissioner of Public Service or designee;
- (2) the Director of Fire Safety or designee;
- (3) a representative of Efficiency Vermont;
- (4) a representative of American Institute of Architects–Vermont;
- (5) a representative of the Vermont Builders and Remodelers Association;
- (6) a representative the Burlington Electric Department;
- (7) a representative of Vermont Gas Systems;
- (8) a representative of the Association of General Contractors of Vermont;
- (9) a representative of the Vermont League of Cities and Towns; and
- (10) a representative from a regional planning commission.

(c) Powers and duties. The Committee shall:

(1) consider and recommend strategies to increase awareness of and compliance with the RBES and CBES, including the potential designation of the Division of Fire Safety (DFS) in the Department of Public Safety as the statewide authority having jurisdiction for administration, interpretation, and enforcement, in conjunction with DFS' existing jurisdiction, over building codes;

(2) evaluate current cost-effectiveness analyses for the RBES and the CBES, whether they include or should include nonenergy benefits such as public health benefits and the cost of carbon, and how that impacts the affordability of housing projects and provide recommendations; and

(3) assess how the building energy codes interact with the fire and building safety codes.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Department of Public Service. The Department shall hire a third-party consultant to assist and staff the Committee, which may be funded by monies appropriated by the General Assembly or any grant funding received.

(e) Report. On or before December 1, 2023, the Committee shall submit a written report to the General Assembly with its findings and recommendations for legislative action.

(f) Meetings.

(1) The Department of Public Service shall call the first meeting of the Committee to occur on or before July 15, 2023.

(2) The Committee shall elect a chair from among its members at the first meeting.

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

(4) The final meeting shall be held on or before October 31, 2023. The Committee shall cease to exist on December 1, 2023.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in the legislator's capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than six meetings.

(2) Other members of the Committee who are not otherwise compensated by their employer shall be entitled to per diem compensation and

reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than six meetings.

(3) The payments under this subsection (g) shall be made from monies appropriated by the General Assembly or any grant funding received.

Sec. 24. RURAL RECOVERY COORDINATION COUNCIL

(a) Goals. The Rural Recovery Coordination Council is created to study and make recommendations on how to strengthen coordination between agencies and stakeholders involved in rural community development.

(b) Purposes. The Council shall consider and identify strategies to:

(1) prioritize areas of investment into Vermont's rural communities in order to ensure necessary resources to meet Vermont's climate goals, rural community development objectives, and environmental sustainability requirements;

(2) build long-term emergency and disaster preparedness and recovery;

(3) ensure intergovernmental and regional communications and coordination; and

(4) improve access to technical assistance and support from regional and statewide agencies and programs.

(c) Powers and duties. The Council shall identify structural changes and improve coordination across all levels of government to support rural community development, including addressing the following issues:

(1) a permanent structure for ensuring rural community development programming within State government;

(2) how to better include rural voices in regional collaboration and prioritization projects;

(3) how municipal, regional, and State plans, policies, and investments can be integrated and mutually supportive;

(4) where to establish an office of Rural Community Development and how long the office should be authorized for; and

(5) how to support capacity at the municipal level and how to support multitown coordination and collaboration.

(d) Report. On or before December 15, 2023, the Council shall report to the General Assembly and to the Agency of Administration with its findings, recommendations, and draft legislation.

(e) Members. The Council shall comprise the following members:

- (1) the Vermont Chief Performance Officer or designee;
- (2) the Secretary of Commerce and Community Development or designee;
- (3) the Commissioner of Public Service or designee;
- (4) the Secretary of Transportation or designee;
- (5) the Director of Racial Equity or designee;
- (6) one or more representatives from the regional planning commissions appointed by the Vermont Association of Planning and Development Agencies;
- (7) one or more representatives from the regional development corporations appointed by the Regional Development Corporations of Vermont;
- (8) the Executive Director of the Vermont League of Cities and Towns or designee;
- (9) a member, appointed by the Vermont Communications Union Districts Association;
- (10) the Secretary of Natural Resources or designee;
- (11) a member, appointed by the University of Vermont Office of Engagement;
- (12) a member, appointed by the Vermont Housing and Conservation Board;
- (13) a member of the House of Representatives, appointed by the Speaker of the House; and
- (14) a member of the Senate, appointed by the Committee on Committees.

(f) Compensation and reimbursement.

- (1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Council shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23.
- (2) Other members of the Council shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010.

(g) Meetings; administration.

(1) The Council shall meet at least five times and take testimony from a variety of stakeholders, including from representatives from municipalities of variety of sizes and from those with experience in state land use planning, regional planning, municipal planning, economic planning, or strategic planning.

(2) The Vermont Council on Rural Development shall convene the first meeting the Rural Recovery Coordination Council, facilitate the meetings, and provide administrative support.

(3) The Committee shall cease to exist on March 31, 2024.

(h) The duty to implement this section is contingent upon an appropriation in fiscal year 2024 from the General Fund to the Agency of Commerce and Community Development to provide funding for the Council as follows:

(1) an appropriation to the Vermont Council on Rural Development to convene meetings of the Council and provide administrative and policy support; and

(2) an appropriation to provide per diem compensation and reimbursement of expenses for members of the Council.

Sec. 25. ANR REVIEW OF PERMITTING OF POTABLE WATER AND WASTEWATER CONNECTION PERMITS

(a) The Agency of Natural Resources (ANR) shall review the statutory requirements, regulatory requirements, and ANR processes governing ANR's issuance of potable water and wastewater connection permits in order to identify approaches for reducing the administrative burden and costs incurred by municipalities and permit applicants. In conducting its review, ANR shall consult with the Agency of Commerce and Community Development, representatives of municipalities, professional engineers and licensed designers, and environmental organizations regarding alternatives for improving permitting of potable water and wastewater connections.

(b) In conducting the review required by this section, ANR shall:

(1) review and analyze the permitting standards and permit processes for potable water and wastewater connections in other jurisdictions;

(2) identify any State permitting requirements or ANR processes that may be duplicated under State and local permits and propose how to eliminate such redundancies;

(3) assess how to simplify and expedite the permitting process for potable water and wastewater connection permits;

(4) identify data and document sharing and management solutions for potable water and wastewater connections connection permits, including how to make municipal and State permits available to the public in an electronic format or on a statewide platform; and

(5) propose revised criteria for the issuance of potable water and wastewater connections connection permits, including criteria to address public interest, public health and safety, and environmental impacts of connections.

(c) ANR shall complete the review required by this section on or before July 1, 2025. The Agency is authorized to implement or revise any permitting processes or criteria that do not require or conflict with statutory or regulatory authority. On or before January 31, 2025, the Agency shall present to the House Committee on Environment and Energy and the Senate Committee on Natural Resources and Energy a written report or oral testimony on the status of the review required under this section, including potential recommended statutory or regulatory changes.

Sec. 25a. UTILITY DISCONNECTION; LANDLORD NOTIFICATION;
PUBLIC UTILITY COMMISSION; RULEMAKING

(a) For the purpose of promoting safety, the protection of property, and providing assistance to tenants, the Public Utility Commission shall revise its rules concerning utility service disconnection to:

(1) require that a utility provide notice to the property owner of residential or nonresidential rental property if utility service to the property has been disconnected, even if the tenant is the ratepayer; and

(2) allow a utility to disconnect utility service remotely.

(b) As used in this section, "utility service" means gas, electric, water, and wastewater service subject to the jurisdiction of the Public Utility Commission.

(c) The rules adopted pursuant to subdivision (a)(1) of this section shall:

(1) establish the form, content, time, and manner of the notification required by subdivision (a)(1) of this section;

(2) include a process whereby a property owner can request that the notification is provided to a property manager or other appropriate third party; and

(3) ensure that the notification does not include personal or confidential information pertaining to the tenant or the tenant's account, except that the

utility may disclose information necessary to enable the property owner or other applicable third party to reconnect utility service to the property.

(d) On or before January 1, 2024, the Public Utility Commission shall submit to the House Committees on General and Housing and on Environment and Energy and the Senate Committees on Economic Development, Housing and General Affairs and on Finance a proposal in the form of draft legislation that incorporates, as the Commission deems appropriate, the rules adopted by the Commission pursuant to this section and that applies to utility disconnections not subject to the jurisdiction of the Commission, including water and sewer service provided by a water or sewer system owned by a municipality, fire district, or private company subject to the uniform water and sewer disconnection requirements in 24 V.S.A. chapter 129.

* * * ADU Jurisdiction * * *

Sec. 26. 20 V.S.A. § 2730 is amended to read:

§ 2730. DEFINITIONS

(a) As used in this subchapter, “public building” means:

(1)(A) a building owned or occupied by a public utility, hospital, school, house of worship, convalescent center or home for elders or persons who have an infirmity or a disability, nursery, kindergarten, or child care;

* * *

(D) a building in which people rent accommodations, whether overnight or for a longer term;

* * *

(b) The term “public building” does not include:

(1) An owner-occupied ~~single-family~~ single-family residence, unless used for a purpose described in subsection (a) of this section.

* * *

(4) ~~A single-family~~ An owner-occupied single-family residence with an accessory dwelling unit as permitted under 24 V.S.A. § 4412(1)(E), unless rented overnight or for a longer term as described in subdivision (1)(D) of subsection (a) of this section.

* * *

* * * Enforcement * * *

Sec. 27. [Deleted.]

Sec. 28. 9 V.S.A. § 4507 is amended to read:

§ 4507. CRIMINAL PENALTY

A person who violates a provision of this chapter shall be fined not more than ~~\$1,000.00~~ \$10,000.00 per violation.

* * * Building Safety * * *

Sec. 29. VERMONT FIRE AND BUILDING SAFETY CODE; POTENTIAL REVISIONS; REPORT

(a) On or before January 15, 2024, the Executive Director of the Division of Fire Safety shall submit a written report to the General Assembly that identifies and examines provisions from other jurisdictions' fire and life safety codes for residential buildings that:

(1) would facilitate in Vermont:

(A) the increased construction of new residential units;

(B) the conversion of existing space into new residential units; or

(C) both; and

(2) could be incorporated into the Vermont Fire and Building Safety Code.

(b) The report shall include recommendations for any legislative action necessary to enable the identified provisions to be incorporated into Vermont's Fire and Building Safety Code.

* * Eviction Rescue Fund * * *

Sec. 30. [Deleted.]

* * * HomeShare * * *

Sec. 31. HOMESHARING OPPORTUNITIES

In fiscal year 2024, it is the intent of the General Assembly to appropriate funds, if available, from the General Fund to the Department of Housing and Community Development funding to expand home-sharing opportunities throughout the State.

* * * Mobile Homes and Mobile Home Parks * * *

Sec. 32. MOBILE HOMES; MOBILE HOME PARKS; APPROPRIATION

(a) Creation. There is created the Mobile Home Task Force.

(b) Membership. The Task Force is composed of the following members:

(1) one current member of the House of Representatives, appointed by the Speaker of the House;

(2) one current member of the Senate, appointed by the Committee on Committees;

(3) one member, appointed by the Department of Housing and Community Development;

(4) one member, appointed by the Champlain Valley Office of Economic Opportunity;

(5) one member, appointed by The Housing Foundation Inc.;

(6) one member, appointed by the Speaker of the House, representing mobile home cooperative owners; and

(7) one member, appointed by the Vermont Housing and Conservation Board.

(c) Powers and duties. The Task Force shall study the current landscape for mobile homes and mobile home parks in this State, including the following issues:

(1) the status of mobile homes and mobile home parks within Vermont's housing portfolio;

(2) the condition and needs for mobile home park infrastructure among parks of various sizes;

(3) the current statutory treatment of mobile homes either as personal or real property;

(4) modern construction, energy efficiency, and durability of manufactured housing, and the availability, affordability, and suitability of alternative types of manufactured, modular, or other housing;

(5) the type and scope of data and information collected concerning mobile home residents, mobile homes, and mobile home parks and opportunities to make the data and information more centralized, accessible, and useful for informing policy decisions; and

(6) conversion to cooperative ownership and technical assistance available to prospective and new cooperative owners, including the availability of guidance concerning governance structures, operation, and conflict resolution.

(d) Assistance. For purposes of scheduling meetings and preparing a report and recommendations, the Task Force shall have the assistance of the Office of Legislative Operations, the Office of Legislative Counsel, and the Joint Fiscal Office.

(e) Report. On or before January 15, 2024, the Task Force shall submit a written report to the House Committee on General and Housing and the Senate Committee on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The House of Representatives' member shall call the first meeting of the Task Force to occur on or before September 1, 2023.

(2) The Committee shall select a chair from among its members at the first meeting.

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

(4) The Task Force shall cease to exist on January 15, 2024.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Task Force shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than six meetings.

(2) Other members of the Task Force shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than six meetings.

(3) Payments to members of the Task Force authorized under this subsection shall be made from monies appropriated to the General Assembly.

(h) In fiscal year 2024, it is the intent of the General Assembly to appropriate funds, if available, from the General Fund to the Department of Housing and Community Development to provide financial support for home repair, home improvement, housing transition, park infrastructure, legal assistance, and technical assistance.

* * * Vermont Housing Finance Agency * * *

Sec. 33. 2022 Acts and Resolves No. 182, Sec. 2 is amended to read:

Sec. 2. FIRST-GENERATION HOMEBUYER; IMPLEMENTATION;
APPROPRIATION

(a) Guidelines. The Vermont Housing Finance Agency shall adopt guidelines and procedures for the provision of grants to first-generation homebuyers pursuant to 32 V.S.A. § 5930u(b)(3)(D) consistent with the criteria of the Down Payment Assistance Program implemented pursuant to 32 V.S.A. § 5930u(b)(3) and with this section.

(b) As used in this section and 32 V.S.A. § 5930u(b)(3)(D), a “first-generation homebuyer” means ~~an applicant~~ a homebuyer who self-attests that the ~~applicant~~ homebuyer is an individual:

(1)~~(A)~~ whose parents or legal guardians:

~~(A)~~ do not have and during the homebuyer’s lifetime have not had any present residential ownership interest in any State state; and or

~~(B) whose spouse, or domestic partner, and each member of whose household has not, during the three-year period ending upon acquisition of the eligible home to be acquired, had any present ownership interest in a principal residence in any State lost ownership of a home due to foreclosure, short sale, or deed-in-lieu of foreclosure and have not owned a home since that loss; or~~

(2) ~~is an individual~~ who has at any time been placed in foster care.

* * *

Sec. 34. FIRST GENERATION HOMEBUYER; APPROPRIATION

In fiscal year 2024, it is the intent of the General Assembly to appropriate funds, if available, from the General Fund to the Vermont Housing Finance Agency for grants through the First Generation Homebuyer Program.

* * * Middle-Income Homeownership Development Program * * *

Sec. 35. REPEAL

2022 Acts and Resolves No. 182, Sec. 11 is repealed.

Sec. 36. MIDDLE-INCOME HOMEOWNERSHIP DEVELOPMENT PROGRAM

(a) The Vermont Housing Finance Agency shall establish a Middle-Income Homeownership Development Program pursuant to this section.

(b) As used in this section:

(1) “Affordable owner-occupied housing” means owner-occupied housing identified in 26 U.S.C. § 143(c)(1) or that qualifies under Vermont Housing Finance Agency criteria governing owner-occupied housing.

(2) “Income-eligible homebuyer” means a Vermont household with annual income that does not exceed 150 percent of area median income.

(c) The Agency shall use the funds appropriated in this section to provide subsidies for new construction or acquisition and substantial rehabilitation of affordable owner-occupied housing for purchase by income-eligible homebuyers.

(d) The total amount of subsidies for a project shall not exceed 35 percent of eligible development costs, as determined by the Agency, which the Agency may allocate consistent with the following:

(1) Developer subsidy. The Agency may provide a direct subsidy to the developer, which shall not exceed the difference between the cost of development and the market value of the home as completed.

(2) Affordability subsidy. Of any remaining amounts available for the project after the developer subsidy, the Agency may provide a subsidy for the benefit of the homebuyer to reduce the cost of purchasing the home, provided that:

(A) the Agency includes conditions in the subsidy, or uses another legal mechanism, to ensure that, to the extent the home value has risen, the amount of the subsidy remains with the home to offset the cost to future homebuyers; or

(B) the subsidy is subject to a housing subsidy covenant, as defined in 27 V.S.A. § 610, that preserves the affordability of the home for a period of 99 years or longer.

(3) The Agency shall allocate not less than 33 percent of the funds available through the Program to projects that include a housing subsidy covenant consistent with subdivision (2)(B) of this subsection.

(e) The Agency shall adopt a Program plan that establishes application and selection criteria, including:

- (1) project location;
- (2) geographic distribution;
- (3) leveraging of other programs;
- (4) housing market needs;

(5) project characteristics, including whether the project includes the use of existing housing as part of a community revitalization plan;

(6) construction standards, including considerations for size;

(7) priority for plans with deeper affordability and longer duration of affordability requirements;

(8) sponsor characteristics;

(9) energy efficiency of the development; and

(10) the historic nature of the project.

(f)(1) When implementing the Program, the Agency shall consult stakeholders and experts in the field.

(2) The Program shall include:

(A) a streamlined and appropriately scaled application process;

(B) an outreach and education plan, including specific tactics to reach and support eligible applicants, especially those from underserved regions or sectors;

(C) an equitable system for distributing investments statewide on the basis of need according to a system of priorities that includes consideration of:

(i) geographic distribution;

(ii) community size;

(iii) community economic need; and

(iv) whether an application has already received an investment or is from an applicant in a community that has already received Program funding.

(3) The Agency shall use its best efforts to ensure:

(A) that investments awarded are targeted to the geographic communities or regions with the most pressing economic and employment needs; and

(B) that the allocation of investments provides equitable access to the benefits to all eligible geographical areas.

(g) The Agency may assign its rights under any investment or subsidy made under this section to the Vermont Housing and Conservation Board or any State agency or nonprofit organization qualifying under 26 U.S.C. § 501(c)(3), provided such assignee acknowledges and agrees to comply with the provisions of this section.

(h) The Department shall report to the House Committee on General and Housing and the Senate Committee on Economic Development, Housing and General Affairs on the status of the Program annually, on or before January 15.

Sec. 37. MIDDLE-INCOME HOMEOWNERSHIP; IMPLEMENTATION

The duty to implement Sec. 36 of this act is contingent upon an appropriation of funds in fiscal year 2024 from the General Fund to the Department of Housing and Community Development for a subgrant to the Vermont Housing Finance Agency for the Middle-Income Homeownership Development Program.

* * * Rental Housing Revolving Loan Program * * *

Sec. 38. RENTAL HOUSING REVOLVING LOAN PROGRAM

(a) Creation; administration. The Vermont Housing Finance Agency shall design and implement a Rental Housing Revolving Loan Program and shall create and administer a revolving loan fund to provide subsidized loans for rental housing developments that serve middle-income households.

(b) Loans; eligibility; criteria.

(1) The Agency shall adopt processes, procedures, and guidelines to implement the Program consistent with this section, including a simple application process that is accessible to small developers, builders, and contractors.

(2)(A) To be eligible for a subsidized loan through the Program, a project shall create two or more new rental housing units, which may include market rate and affordable units, provided that at least 25 percent of the units in the project are affordable to a household earning between 65 and 150 percent of the applicable area median income.

(B) Projects may include new construction, acquisition with substantial rehabilitation, and preservation of naturally occurring affordable housing.

(3) A loan is available only for the costs of the project allocable to the affordable units.

(4)(A) The Agency shall calculate the maximum amount of a loan, which shall not exceed the lesser of:

(i) 35 percent of the costs of the project allocable to the affordable units; or

(ii) the following amounts based on area median income bands:

(I) \$150,000.00 per unit for each unit that is affordable to a household earning from 65 percent to 80 percent of area median income; and

(II) \$100,000.00 per unit for each unit that is affordable to a household earning from 81 to 150 percent of area median income.

(B) The Agency shall adopt and implement a method to adjust the values specified in subdivision (A)(ii) of this subdivision (4) at least annually for inflation and may adopt a smoothing mechanism to adjust the maximum loan values within each band based on levels of affordability.

(5) The Agency shall determine the term and interest rate of a loan. The Agency may adopt one or more mechanisms to provide an enhanced subsidy to incentivize projects, including:

- (A) a lower interest rate;
- (B) an interest-only option with deferred principal repayment; and
- (C) partial loan forgiveness.

(6) The Agency shall adopt a Program plan that allows for an enhanced subsidy for a project that meets one or more of the following:

(A) The project receives five percent or more of the total funding from an employer or employer-capitalized loan or grant.

(B) The project receives five percent or more of the total funding from a municipal or regional housing fund, local fiscal recovery fund, or other form of community investment.

(C) The project utilizes tax-exempt bond funding or federal low-income housing tax credits for at least 20 percent of the project's total units.

(D) The project is small in scale and provides infill development within a historic settlement pattern.

(7) The Agency shall use one or more legal mechanisms to ensure that:

(A) a subsidized unit remains affordable to a household earning the applicable percent of area median income for the longer of:

- (i) seven years; or
- (ii) full repayment of the loan plus three years; and

(B) during the affordability period determined pursuant to subdivision (A) of this subdivision (7), the annual increase in rent for a subsidized unit does not exceed three percent.

(c) Program design.

(1) When designing and implementing the Program, the Agency shall consult stakeholders and experts in the field.

(2) The Program shall include:

- (A) a streamlined and appropriately scaled application process;
- (B) an outreach and education plan, including specific tactics to reach and support eligible applicants, especially those from underserved regions or sectors;

(C) an equitable system for distributing investment statewide on the basis of need according to a system of priorities that includes consideration of:

(i) geographic distribution;

(ii) community size;

(iii) community economic need; and

(iv) whether an application has already received an investment or is from an applicant in a community that has already received Program funding.

(3) The Agency shall use its best efforts to ensure:

(A) that investments are targeted to the geographic communities or regions with the most pressing economic and employment needs; and

(B) that the allocation of investments provides equitable access to the benefits to all eligible geographical areas.

(d) Revolving funds. The Agency shall retain payments of principal, interest, and any fees in a revolving loan fund, the amounts of which it shall use to issue future loans through the Program.

(e) The Agency shall report to the House Committee on General and Housing and the Senate Committee on Economic Development, Housing and General Affairs on the status of the Program annually, on or before January 15.

Sec. 39. RENTAL HOUSING REVOLVING LOAN PROGRAM;
IMPLEMENTATION

The duty to implement Sec. 38 of this act is contingent upon an appropriation of funds in fiscal year 2024 from the General Fund to the Department of Housing and Community Development for a subgrant to the Vermont Housing Finance Agency for the Rental Housing Revolving Loan Program.

* * * Vermont Rental Housing Improvement Program * * *

Sec. 40. 10 V.S.A. § 699 is amended to read:

§ 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

(a) Creation of Program.

(1) The Department of Housing and Community Development shall design and implement the Vermont Rental Housing Improvement Program, through which the Department shall award funding to statewide or regional nonprofit housing organizations, or both, to provide competitive grants and

forgivable loans to private landlords for the rehabilitation, including weatherization and accessibility improvements, of eligible rental housing units.

(2) The Department shall develop statewide standards for the Program, including factors that partner organizations shall use to evaluate applications and award grants and forgivable loans.

(3) A landlord shall not offer a unit created through the Program as a short-term rental, as defined in 18 V.S.A. § 4301, for the period a grant or loan agreement is in effect.

(b) Eligible rental housing units. The following units are eligible for a grant or forgivable loan through the Program:

(1) Non-code compliant.

(A) The unit is an existing unit, whether or not occupied, that does not comply with the requirements of applicable building, housing, or health laws.

(B) If the unit is occupied, the grant or forgivable loan agreement shall include terms:

(i) that prohibit permanent, involuntary displacement of the current residents;

(ii) that provide for the temporary relocation of the current residents if necessary to perform the rehabilitation; and

(iii) that ensure that the landlord complies with the affordability requirements of the Program following the rehabilitation.

(2) New accessory dwelling units. The unit will be:

(A) a newly created accessory dwelling unit that meets the requirements of 24 V.S.A. § 4412(1)(E);

(B) a newly created unit within an existing structure;

(C) a newly created residential structure that is a single unit; or

(D) a newly created unit within a newly created structure that contains five or fewer residential units.

(c) Administration. The Department shall require a housing organization that receives funding under the Program to adopt:

(1) a standard application form that describes the application process and includes instructions and examples to help landlords apply;

(2) an award process that ensures equitable selection of landlords, subject to a housing organization's exercise of discretion based on the factors adopted by the Department pursuant to subsection (a) of this section; and

(3) a grant and loan management system that ensures accountability for funds awarded.

(d) Program requirements applicable to grants and forgivable loans.

(1) A grant or loan shall not exceed \$50,000.00 per unit. In determining the amount of a grant or loan, a housing organization shall consider the number of bedrooms in the unit and whether the unit is being rehabilitated or newly created.

(2) A landlord shall contribute matching funds or in-kind services that equal or exceed 20 percent of the value of the grant or loan.

(3) A project may include a weatherization component.

(4) A project shall comply with applicable building, housing, and health laws.

(5) The terms and conditions of a grant or loan agreement apply to the original recipient and to a successor in interest for the period the grant or loan agreement is in effect.

(6) The identity of a recipient and the amount of a grant or forgivable loan are public records that shall be available for public copying and inspection and the Department shall publish this information at least quarterly on its website.

(e) Program requirements applicable to grants. For a grant awarded ~~under subdivision (b)(1) of this section for a unit that is non-code compliant through the Program~~, the following requirements apply for a minimum period of five years:

(1) A landlord shall coordinate with nonprofit housing partners and local coordinated entry organizations to identify potential tenants.

(2)(A) Except as provided in subdivision (2)(B) of this subsection (e), a landlord shall lease the unit to a household that is exiting homelessness or actively working with an immigrant or refugee resettlement program.

(B) If, upon petition of the landlord, the Department or the housing organization that issued the grant determines that a household exiting homelessness is not available to lease the unit, then the landlord shall lease the unit:

(i) to a household with an income equal to or less than 80 percent of area median income; or

(ii) if such a household is unavailable, to another household with the approval of the Department or housing organization.

(3)(A) A landlord shall accept any housing vouchers that are available to pay all, or a portion of, the tenant's rent and utilities.

(B) If no housing voucher or federal or State subsidy is available, the total cost of rent for the unit, including utilities not covered by rent payments, shall not exceed the applicable fair market rent established by the Department of Housing and Urban Development.

(4)(A) A landlord may convert a grant to a forgivable loan upon approval of the Department and the housing organization that approved the grant.

(B) A landlord who converts a grant to a forgivable loan shall receive a 10-percent credit for loan forgiveness for each year in which the landlord participates in the grant program.

(f) Requirements applicable to forgivable loans. For a forgivable loan awarded under subdivision (b)(1) of this section for a unit that is non-code compliant through the Program, the following requirements apply for a minimum period of 10 years:

(1)(A) A landlord shall accept any housing vouchers that are available to pay all, or a portion of, the tenant's rent and utilities.

(B) If no housing voucher or federal or State subsidy is available, the cost of rent for the unit, including utilities not covered by rent payments, shall not exceed the applicable fair market rent established by the Department of Housing and Urban Development.

(2) The Department shall forgive 10 percent of the amount of a forgivable loan for each year a landlord participates in the loan program.

(g) ~~Requirements for an accessory dwelling unit.~~

~~(1) For a grant or forgivable loan awarded under subdivision (b)(2) of this section for a unit that is a new accessory dwelling unit the total cost of rent for the unit, including utilities not covered by rent payments, shall not exceed the applicable fair market rent established by the Department of Housing and Urban Development.~~

~~(2) A landlord shall not offer an accessory dwelling unit created through the Program as a short-term rental, as defined in 18 V.S.A. § 4301. [Repealed.]~~

(h) Lien priority. A lien for a grant converted to a loan or for a forgivable loan issued pursuant to this section is subordinate to:

(1) a lien on the property in existence at the time the lien for rehabilitation and weatherization of the rental housing unit is filed in the land records; and

(2) a first mortgage on the property that is refinanced and recorded after the lien for rehabilitation and weatherization of the rental housing unit is filed in the land records.

Sec. 41. VHIP; IMPLEMENTATION

In fiscal year 2024 it is the intent of the General Assembly to appropriate funding, if available, from the General Fund to the Department of Housing and Community Development for the Vermont Rental Housing Improvement Program.

Sec. 42. VERMONT HOUSING AND CONSERVATION BOARD; APPROPRIATION OF AVAILABLE FUNDING

In fiscal year 2024, it is the intent of the General Assembly to appropriate additional funding, if available, from the General Fund to the Vermont Housing and Conservation Board to provide affordable mixed-income income rental housing and homeownership units; improvements to manufactured homes and communities; recovery residences; and, if determined eligible, housing available to farm workers and refugees. VHCB shall also use the funds for shelter and permanent homes for those experiencing homelessness in consultation with the Secretary of Human Services.

* * * Housing Stabilization * * *

Sec. 43. RENTAL HOUSING STABILIZATION SERVICES

(a) Creation; purpose. The Champlain Valley Office of Economic Opportunity shall create and administer a Rental Housing Stabilization Services Program to provide tenants and landlords with access to services and programs that assist in preserving a tenancy and avoid eviction, including eligibility screening, direct referral, and follow-up services.

(b) Eligibility. A tenant or landlord is eligible to contact the Office at any time prior to the filing of a summons and complaint for eviction or through court referral.

(c) Screening. The Office shall employ resource specialists who shall assess landlords and tenants for availability and eligibility for statewide or local assistance, including:

(1) repair funds;

-
- (2) the Rent Arrears Assistance Fund established;
 - (3) Housing Opportunity Grant Program funds;
 - (4) the Vermont Housing Improvement Program;
 - (5) existing State or federally funded project- or tenant-based subsidies;
 - (6) existing Economic Service Division programs;
 - (7) legal counsel at Vermont Legal Aid or Legal Services Vermont for tenants and through the Vermont Lawyer Referral Service for tenants or landlords;
 - (8) voluntary mediation;
 - (9) housing education and skills-building programs; and
 - (10) other available housing resources as needed.

(d) Referral. The Office shall:

- (1) assist callers in contacting organizations operating programs or available resources for which the caller may be eligible; and
- (2) provide support and follow-up services and work with partner organizations to ensure effective participation in identified programs and services.

(e) Implementation. The duty to implement this section is contingent upon an appropriation in fiscal year 2024 from the General Fund to the Office of Economic Opportunity within the Department for Children and Families for a subgrant to Champlain Valley Office of Economic Opportunity to administer the Rental Housing Stabilization Services Program pursuant to this section.

Sec. 44. TENANT REPRESENTATION PILOT PROGRAM

(a) Creation; purpose. Vermont Legal Aid shall create and administer a two-year Tenant Representation Pilot Program:

- (1) to provide full representation to eligible and consenting tenants in Lamoille and Windsor counties who have been served with a summons and complaint for eviction; and
- (2) to determine the impact of representation on the issuance of writs of possession and homelessness prevention.

(b) Tenant eligibility. Vermont Legal Aid may enter a notice of appearance on behalf of a residential tenant in Lamoille or Windsor County who is served with a summons and complaint in an ejectment action, consents to the representation, and meets the following criteria:

(1) household income equals or is less than 120 percent of State area median income;

(2) the cost of rent equals or exceeds 30 percent of household income;

or

(3) household expenses exceed income.

(c) Scope of representation.

(1) Full representation through the Program is limited to eviction.

(2) The pursuit of counterclaims shall be at the discretion of appointed counsel.

(d) Conflicts of interest.

(1) Vermont Legal Aid may subcontract to Legal Services Vermont if it is unable to provide tenant representation due to a conflict of interest as defined by the Vermont Rules of Professional Conduct.

(2) If Legal Services Vermont also has a conflict of interest, Vermont Legal Aid may subcontract to one or more private counsels who are members in good standing of the Vermont Bar.

(e) Report. Vermont Legal Aid shall provide interim reports on the progress of the Program on or before November 15, 2023 and November 15, 2024 and a final report on or before July 30, 2025, which shall describe:

(1) the number of tenants represented;

(2) case outcomes, including:

(A) the number of cases fully or partially resolved through access to the Rent Arrears Assistance Fund;

(B) the number of cases fully or partially resolved through the Vermont Landlord's Association mediation program; and

(C) the number of cases fully or partially resolved through access to another resource identified through the Rental Housing Stabilization Services Program; and

(3) recommendations for policy changes and for pilot expansion.

(f) Implementation. The duty to implement this section is contingent upon an appropriation in fiscal year 2024 from the General Fund to the Agency of Human Services for a subgrant to Vermont Legal Aid to provide representation in eligible eviction cases in the two pilot counties of Lamoille and Windsor beginning on July 1, 2023.

Sec. 45. RENT ARREARS ASSISTANCE FUND

(a) Creation; purpose. The Vermont State Housing Authority shall create and administer a Rent Arrears Assistance Fund to provide funds to prevent eviction in cases involving nonpayment of rent from residential rental units subject to 9 V.S.A. chapter 137 and mobile home lot rentals subject to 10 V.S.A. chapter 153.

(b) Tenant eligibility. The Vermont State Housing Authority shall establish eligibility guidelines for the Fund that ensure a streamlined application process, including certification of past due rent and that tenants are at risk of eviction, which shall address the following:

(1) Eligibility. Financial eligibility criteria that consider area median income, rent burden, and ratio of household expenses to income up to 100 percent of area median income for the current federal fiscal year.

(2) Sustainability. Standards for assessing whether the tenancy is sustainable while retaining a simple and straightforward application.

(3) Referral. If the tenancy is not sustainable, the parties shall be referred to the Rental Housing Stabilization Services Program for assistance in exploring other resources or services and to apply for a housing choice voucher.

(c) Funds available.

(1) The Fund shall disburse only the amount necessary to cure the tenant's rent arrears, and, if necessary, court costs, and attorney's fees capped at an amount set by the Authority.

(2) The Fund is available on a first-come, first-served basis to eligible tenants until the Fund is exhausted.

(d) Application.

(1) The Authority shall create a plain language form to collect only information necessary to assess eligibility and provide clear instructions to help tenants and landlords apply.

(2) The tenant shall certify all information on the application.

(3) The Authority shall provide assistance in completing the application, either directly or through referral to Vermont Legal Aid.

(4) The Authority shall adopt guidelines and implement a process that ensures:

(A) equitable and prompt approval of applications;

(B) notice of grant decisions within 10 days; and

(C) decisions on appeals within 10 days.

(e) Status of eviction pending application.

(1) If an eviction case is filed, the tenant or the landlord shall notify the court when an application for Fund assistance is pending.

(2) Upon receiving notice that an application for Fund assistance is pending, the court shall set a status conference within 30 days.

(3) While the application is pending, the landlord shall not issue a new notice to quit or file or serve a new summons and complaint.

(f) Disbursement. The Authority shall disburse amounts from the Fund directly to the landlord.

(g) Conditions for disbursement of funds. The Authority shall establish guidelines for ensuring habitability, limitation on rent increases, documentation for direct deposit, and dismissal of cases, including the following:

(1) Habitability. The Authority shall adopt guidelines for identifying violations of the Rental Housing Health Code and certifying that necessary repairs to remediate the violations will be completed within 30 days or pursuant to a plan developed for the remediation and approved by the Authority.

(2) Documentation for direct deposit. The landlord shall provide the Authority, on a form provided by the Authority, necessary banking information to enable direct deposit of monies from the Fund.

(3) Dismissal. The Authority shall adopt guidelines for disbursement to ensure that complaints based on nonpayment of rent and complaints for no cause are dismissed, whether there is a single or multiple pending complaints.

(4) Notification form.

(A) The Authority shall adopt and provide to landlords and tenants a standardized notification form that shows amounts paid for each category of disbursement and date of payment.

(B) The form shall allow the landlord or tenant to easily notify the court and request a dismissal due to payment.

(C) The form shall outline any certifications established in Authority guidance that both parties have made as a part of their application, along with the date of those certifications.

(h) Implementation. The duty to implement this section is contingent upon an appropriation in fiscal year 2024 from the General Fund to the Vermont

State Housing Authority to create and administer the Rent Arrears Assistance Fund pursuant to this section.

* * * Lead Inspectors; Financial Responsibility * * *

Sec. 46. 18 V.S.A. § 1764 is amended to read:

§ 1764. LEAD INSPECTORS; FINANCIAL RESPONSIBILITY

(a) The Commissioner shall require that a licensee or an applicant for a license under subsection 1752(e) of this chapter provide evidence of ability to indemnify properly a person who suffers damage from lead-based paint activities or RRPM activities such as proof of effective liability insurance coverage or a surety bond in an amount to be determined by the Commissioner, which shall not be less than \$300,000.00. This section shall not restrict or enlarge the liability of any person under any applicable law.

(b) Owners of rental target housing who personally perform all work under this chapter on properties in which they have an interest shall be exempt from subsection (a) of this section.

* * * Effective Dates * * *

Sec. 47. EFFECTIVE DATES

This act shall take effect on July 1, 2023, except that:

(1) Secs. 1 (24 V.S.A. § 4414) and 2 (24 V.S.A. § 4412) shall take effect on December 1, 2024, except for subdivision (1)(D) of Sec. 2, which shall take effect on July 1, 2023.

(2) Sec. 3 (24 V.S.A. § 4413) shall take effect on September 1, 2023.

(3) Sec. 46 (lead inspectors) shall take effect on passage.

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

Senate Bill Recommitted

S. 133.

Senate Committee bill entitled:

An act relating to miscellaneous changes to education law.

Was taken up.

Thereupon, on motion of Senator Champion, the bill was recommitted to the Committee on Education.

**Rules Suspended; Proposal of Amendment; Bill Passed in Concurrence
with Proposal of Amendment; Bill Messaged**

H. 517.

Pending entry on on the Calendar for notice, on motion of Senator Clarkson, the rules were suspended and House bill entitled:

An act relating to approval of the dissolution of Duxbury-Moretown Fire District No. 1.

Was taken up for immediate consideration.

Senator Watson, for the Committee on Government Operations, to which the bill was referred, reported recommending that the Senate propose to the House to amend the bill by adding a new section to be numbered Sec. 1a to read as follows:

Sec. 1a. 24 V.S.A. § 363 is amended to read:

§ 363. DEPUTY STATE'S ATTORNEYS

(a) A State's Attorney may appoint as many deputy State's Attorneys as necessary for the proper and efficient performance of ~~his or her~~ the State's Attorney's office and may remove them at pleasure. The Executive Committee of the Department of State's Attorneys and Sheriffs may authorize or direct the Department's Executive Director to appoint deputy State's Attorneys who shall have all of the same powers and duties of any other deputy State's Attorney except that such deputies may prosecute cases in any county of the State. The Executive Committee shall have the authority to limit the term and scope of any such appointments and may remove such deputies at the Committee's pleasure.

(b) The pay for deputy State's Attorneys shall be fixed by the Executive Director of the Department of State's Attorneys and Sheriffs or through collective bargaining pursuant to 3 V.S.A. chapter 27, but it shall not exceed the pay of the State's Attorney making the appointment or other appointing authority. Deputy State's Attorneys shall be compensated only for periods of actual performance of the duties of the office. Deputy State's Attorneys shall be reimbursed for their necessary expenses incurred in connection with their official duties when approved by the State's Attorneys and the Commissioner of Finance and Management.

(c) Deputy State's Attorneys shall exercise all the powers and duties of the State's Attorneys except the power to designate someone to act in the event of their own disqualification.

(d) Deputy State's Attorneys may not enter upon the duties of the office until they have taken the oath or affirmation of allegiance to the State and the oath of office required by the Constitution, and until the oath together with their appointment is filed for record with the county clerk. If appointed and under oath, a deputy State's Attorney appointed by a State's attorney may prosecute cases in another county if the State's Attorney in the other county files the deputy's appointment in the other county clerk's office. In case of a vacancy in the office of State's Attorney, the appointment of the deputy, except for a deputy appointed by the Executive Committee or Executive Director, shall expire upon the appointment of a new State's Attorney.

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

The President Assumes the Chair

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

Thereupon, on motion of Senator Baruth, the rules were suspended and the bill was placed on all remaining stages of its passage in concurrence with proposal of amendment forthwith.

Which was agreed to.

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

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:

S.14, S.100, H.517.

Appointments Confirmed

Under suspension of the rules (and particularly, Senate Rule 93), as moved by Senator Hardy, the following Gubernatorial appointments were confirmed together as a group by the Senate, without reports given by the Committees to which they were referred and without debate:

Peterson, Eric of South Burlington - Member of the Community High School of Vermont Board - September 15, 2022 to February 28, 2025.

Lenes, Joan of Shelburne - Member of the Community High School of Vermont Board - December 12, 2022 to February 29, 2024.

Recicar, Stuart of Colchester - Member of the Community High School of Vermont Board - December 12, 2022 to February 28, 2025.

Cioffi, Frank of St. Albans - Trustee University of VT and Agricultural College Board of Trustees - March 1, 2023 to February 28, 2029.

Brand, Julia of Dorset - Member of the Children and Family Council for Prevention Programs - March 1, 2023 to January 28, 2026.

Coddaire, David of Morrisville - Member of the Board of Medical Practice - February 15, 2023 to December 31, 2023.

Marvin, David of Hyde Park - Member of the Vermont Economic Development Authority - September 21, 2022 to February 29, 2028.

Baser, Fred of Bristol - Member of the Vermont Housing Finance Agency - July 26, 2022 to February 28, 2026.

Milord-Ajanma, Marie of Waterbury - Member of the Vermont Housing Finance Agency - July 26, 2022 to February 28, 2026.

Leavitt, Thomas of Waterbury - Member of the Vermont Housing Finance Agency - August 26, 2022 to February 29, 2024.

Mackenzie, Mary Alice of Colchester - Member of the Vermont Municipal Bond Bank - February 1, 2023 to January 31, 2025.

Morrissey, Jeanne of Richmond - Member of the Vermont Housing Finance Agency - July 26, 2022 to February 28, 2025.

Foley, Mark of Rutland - Member of the Vermont Municipal Bond Bank - April 20, 2022 to January 31, 2024.

Buckley, Katie of South Burlington - Commissioner, Vermont Housing Finance Agency - February 1, 2023 to February 28, 2027.

Coates, David of Colchester - Member of the Vermont Municipal Bond Bank - February 1, 2023 to January 31, 2025.

Ogorzalek, Ed of Rutland - Member of the Vermont Educational and Health Buildings Financing Agency - April 20, 2022 to January 31, 2026.

Bullock, Fred of Bellows Falls - Member of the State Infrastructure Bank Board - August 29, 2022 to February 28, 2026.

Bourgeois, Anita of Middlesex - Member of the Vermont Educational and Health Buildings Financing Agency - April 20, 2022 to January 31, 2027.

Gibbons, Kenneth of Hyde Park - Member of the Vermont Educational and Health Buildings Financing Agency - July 1, 2022 to February 29, 2028.

Elwell, Peter of Brattleboro - Member of the Vermont Economic Development Authority - September 21, 2022 to February 28, 2025.

Winters, Debbie of Swanton - Member of the Vermont Municipal Bond Bank - April 20, 2022 to January 31, 2024.

Gallagher, Thomas of St. Albans - Member of the Vermont Economic Development Authority - July 1, 2022 to February 29, 2028.

Bourgeois, Kiersten of Swanton - Member of the Vermont Economic Development Authority - September 21, 2022 to February 29, 2028.

Richardson, Thad of Lyndon - Member of the Vermont Economic Progress Council - April 3, 2023 to March 31, 2023.

Sullivan, Linda Joy of Dorset - Member of the Vermont State Housing Authority - December 12, 2022 to February 28, 2027.

Phelps, Michelle of Georgia - Member of the State Labor Relations Board - January 12, 2023 to June 30, 2025.

Manahan, Martin of St. Albans - Member of the Liquor and Lottery, Board of - March 1, 2023 to January 31, 2026.

Nesbit, Tom of Waterbury Center - Member of the Plumbers' Examining Board - October 10, 2022 to June 30, 2025.

Lauzon, Thom of Barre - Member of the Liquor and Lottery, Board of - March 1, 2023 to January 31, 2026.

Appointment Confirmed

The following Gubernatorial appointment was confirmed by the Senate, upon full report given by the Committee to which it was referred:

The nomination of

Bernstein, Matthew of Winooski - Child, Youth, and Family Advocate, Office of the Child, Youth, and Family Advocate - February 27, 2023 to February 28, 2027.

Was confirmed by the Senate on a roll call, Yeas 30, Nays 0.

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

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Campion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, MacDonald, Mazza, McCormack, Norris, Perchlik, Ram Hinsdale, Sears, Starr, Vyhovsky, Watson, Weeks, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Recess

On motion of Senator Baruth the Senate recessed until three o'clock and thirty minutes.

Called to Order

The Senate was called to order by the President.

Message from the House No. 66

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:

Pursuant to the request of the Senate for a Committee of Conference upon the disagreeing votes of the two Houses on Senate bill of the following title:

S. 6. An act relating to law enforcement interrogation policies.

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

Rep. LaLonde of South Burlington

Rep. Chapin of East Montpelier

Rep. Christie of Hartford.

The House has considered the report of the Committee of Conference upon the disagreeing votes of the two Houses on Senate bill of the following title:

S. 6. An act relating to law enforcement interrogation policies.

And has adopted the same on its part.

**Rules Suspended; Report of Committee of Conference Accepted and
Adopted on the Part of the Senate**

S. 6.

Pending entry on the Calendar for notice, on motion of Senator Baruth, the rules were suspended and the report of the Committee of Conference on Senate bill entitled:

An act relating to law enforcement interrogation policies.

Was taken up.

Senator Sears, for the Committee of Conference, submitted the following report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon Senate Bill entitled:

S. 6. An act relating to law enforcement interrogation policies.

Respectfully reports that it has met and considered the same and recommends that the House recede from its proposal of amendment and that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. LEGISLATIVE INTENT; JUVENILE INTERROGATION; LAW
ENFORCEMENT INTERROGATION POLICIES

It is the intent of the General Assembly to prevent false confessions and wrongful convictions of individuals subject to law enforcement interrogation and to improve trust between Vermont's communities and law enforcement. To achieve these objectives, it is the further intent of the General Assembly to create a minimum set of law enforcement interrogation standards that incorporate evidence-based best practices by:

(1) prohibiting law enforcement's use of threats, physical harm, and deception during custodial interrogations of persons under 22 years of age; and

(2) mandating that the Vermont Criminal Justice Council develop, adopt, and enforce a statewide model interrogation policy that applies to all Vermont law enforcement agencies and constables exercising law enforcement authority pursuant to 24 V.S.A. § 1936.

Sec. 2. 13 V.S.A. § 5585 is amended to read:

§ 5585. ~~ELECTRONIC RECORDING OF A CUSTODIAL~~
INTERROGATION DEFINITIONS

(a) As used in this section ~~subchapter~~:

(1) “Custodial interrogation” means any interrogation:

(A) involving questioning by a law enforcement officer that is reasonably likely to elicit an incriminating response from the subject; and

(B) in which a reasonable person in the subject’s position would consider the person to be in custody, starting from the moment a person should have been advised of the person’s Miranda rights and ending when the questioning has concluded.

(2) “Deception” includes the knowing communication of false facts about evidence, the knowing misrepresentation of the accuracy of the facts, the knowing misrepresentation of the law, or the knowing communication of unauthorized statements regarding leniency.

~~(2)~~(3) “Electronic recording” or “electronically recorded” means an audio and visual recording that is an authentic, accurate, unaltered record of a custodial interrogation, or if law enforcement does not have the current capacity to create a visual recording, an audio recording of the interrogation.

(4) “Law enforcement officer” has the same meaning as in 20 V.S.A. § 2351a.

(5) “Government agent” means:

(A) a school resource or safety officer; or

(B) an individual acting at the request or direction of a school resource or safety officer or a law enforcement officer.

~~(3)~~(6) “Place of detention” means a building or a police station that is a place of operation for the State police, a municipal police department, county sheriff department, or other law enforcement agency that is owned or operated by a law enforcement agency at which persons are or may be questioned in connection with criminal offenses or detained temporarily in connection with criminal charges pending a potential arrest or citation.

~~(4)~~(7) “Statement” means an oral, written, sign language, or nonverbal communication.

~~(b)(1) A custodial interrogation that occurs in a place of detention concerning the investigation of a felony or misdemeanor violation of this title shall be electronically recorded in its entirety. Unless impracticable, a custodial interrogation occurring outside a place of detention concerning the investigation of a felony or misdemeanor violation of this title shall be electronically recorded in its entirety.~~

~~(2) In consideration of best practices, law enforcement shall strive to record simultaneously both the interrogator and the person being interrogated.~~

~~(c)(1) The following are exceptions to the recording requirement in subsection (b) of this section:~~

~~(A) exigent circumstances;~~

~~(B) a person's refusal to be electronically recorded;~~

~~(C) interrogations conducted by other jurisdictions;~~

~~(D) a reasonable belief that the person being interrogated did not commit a felony or misdemeanor violation of this title and, therefore, an electronic recording of the interrogation was not required;~~

~~(E) the safety of a person or protection of the person's identity; and~~

~~(F) equipment malfunction.~~

~~(2) If law enforcement does not make an electronic recording of a custodial interrogation as required by this section, the prosecution shall prove by a preponderance of the evidence that one of the exceptions identified in subdivision (1) of this subsection applies. If the prosecution does not meet the burden of proof, the evidence is still admissible, but the court shall provide cautionary instructions to the jury regarding the failure to record the interrogation.~~

Sec. 3. 13 V.S.A. § 5586 is added to read:

§ 5586. ELECTRONIC RECORDING OF A CUSTODIAL INTERROGATION

(a)(1) A custodial interrogation that occurs in a place of detention concerning the investigation of a felony or misdemeanor violation of this title shall be electronically recorded in its entirety. Unless impracticable, a custodial interrogation occurring outside a place of detention concerning the investigation of a felony or misdemeanor violation of this title shall be electronically recorded in its entirety.

(2) In consideration of best practices, law enforcement shall strive to record simultaneously both the interrogator and the person being interrogated.

(b)(1) The following are exceptions to the recording requirement in subsection (a) of this section:

(A) exigent circumstances;

(B) a person's refusal to be electronically recorded;

(C) interrogations conducted by other jurisdictions;

(D) a reasonable belief that the person being interrogated did not commit a felony or misdemeanor violation of this title and, therefore, an electronic recording of the interrogation was not required;

(E) the safety of a person or protection of the person's identity; and

(F) equipment malfunction.

(2) If law enforcement does not make an electronic recording of a custodial interrogation as required by this section, the prosecution shall prove by a preponderance of the evidence that one of the exceptions identified in subdivision (1) of this subsection applies. If the prosecution does not meet the burden of proof, the evidence is still admissible, but the court shall provide cautionary instructions to the jury regarding the failure to record the interrogation.

Sec. 4. 13 V.S.A. § 5587 is added to read:

§ 5587. JUVENILES

(a) During a custodial interrogation of a person under 22 years of age relating to the commission of a criminal offense or delinquent act, a law enforcement officer or government agent shall not employ threats, physical harm, or deception.

(b)(1) Any admission, confession, or statement, whether written or oral, made by a person under 22 years of age and obtained in violation of subsection (a) of this section shall be presumed to be involuntary and inadmissible in any proceeding.

(2) The presumption that any such admission, confession, or statement is involuntary and inadmissible may be overcome if the State proves by clear and convincing evidence that the admission, confession, or statement was:

(A) voluntary and not induced by a law enforcement officer's or government agent's use of threats, physical harm, or deception prohibited by subsection (a) of this section; and

(B) any actions of a law enforcement officer or government agent in violation of subsection (a) of this section did not undermine the reliability of the person's admission, confession, or statement and did not create a substantial risk that the person might falsely incriminate themselves.

Sec. 5. VERMONT CRIMINAL JUSTICE COUNCIL; MODEL INTERROGATION POLICY

(a) Intent. It is the intent of the General Assembly that the Vermont Criminal Justice Council create a model interrogation policy that is grounded in evidence-based best practices to limit and eventually eliminate the use of

deception in law enforcement interrogations.

(b) Policy development. On or before January 1, 2024, the Vermont Criminal Justice Council, in consultation with the Office of the Attorney General and stakeholders, including the Agency of Human Services, the Vermont League of Cities and Towns, the Vermont Human Rights Commission, and the Innocence Project, shall establish one cohesive evidence-based model interrogation policy for law enforcement agencies and constables to adopt, follow, and enforce as part of the agency's or constable's own interrogation policy.

(c) Policy contents. The evidence-based model interrogation policy created pursuant to this section shall apply to all persons subject to various forms of interrogation, including the following:

(1) custodial interrogations occurring in a place of detention;

(2) custodial interrogations occurring outside a place of detention;

(3) interrogations that are not considered custodial, regardless of location; and

(4) the interrogation of individuals with developmental, intellectual, and psychiatric disabilities; substance use disorders; and low literacy levels.

Sec. 6. 20 V.S.A. § 2359 is amended to read:

§ 2359. COUNCIL SERVICES CONTINGENT ON AGENCY
COMPLIANCE; GRANT ELIGIBILITY

(a) On and after January 1, 2022, a law enforcement agency shall be prohibited from having its law enforcement applicants or officers trained by the Police Academy or from otherwise using the services of the Council if the agency is not in compliance with the requirements for collecting roadside stop data under section 2366 of this chapter, the requirement to report to the Office of Attorney General death or serious bodily injuries under 18 V.S.A. § 7257a(b), or the requirement to adopt, follow, ~~or~~ and enforce any policy required under this chapter.

(b) On and after April 1, 2024, a law enforcement agency shall be prohibited from receiving grants, or other forms of financial assistance, if the agency is not in compliance with the requirement to adopt, follow, and enforce the model interrogation policy established by the Council pursuant to section 2371 of this title.

(c) The Council shall adopt procedures to enforce the requirements of this section, which may allow for waivers for agencies under a plan to obtain compliance with this section.

Sec. 7. 20 V.S.A. § 2371 is added to read:

§ 2371. STATEWIDE POLICY; INTERROGATION METHODS

(a) As used in this section:

(1) “Custodial interrogation” has the same meaning as in 13 V.S.A. § 5585.

(2) “Place of detention” has the same meaning as in 13 V.S.A. § 5585.

(b) The Council shall establish a model interrogation policy that applies to all persons subject to various forms of interrogation, including the following:

(1) custodial interrogations occurring in a place of detention;

(2) custodial interrogations occurring outside a place of detention;

(3) interrogations that are not considered custodial, regardless of location; and

(4) the interrogation of individuals with developmental, intellectual, and psychiatric disabilities; substance use disorders; and low literacy levels.

(c)(1) On or before April 1, 2024, each law enforcement agency and every constable who exercises law enforcement authority pursuant to 24 V.S.A. § 1936a and who is trained in compliance with section 2358 of this title shall adopt, follow, and enforce an interrogation policy that includes each component of the model interrogation policy established by the Council, and each law enforcement officer or constable who exercises law enforcement authority shall comply with the provisions of the agency’s or constable’s policy.

(2) On or before October 1, 2024, and every even-numbered year thereafter, the Vermont Criminal Justice Council, in consultation with others, including the Office of the Attorney General, the Agency of Human Services, and the Human Rights Commission, shall review and, if necessary, update the model interrogation policy.

(d) To encourage fair and consistent interrogation methods statewide, the Vermont Criminal Justice Council, in consultation with the Office of the Attorney General, shall review the policies of law enforcement agencies and constables required to adopt a policy pursuant to subsection (c) of this section, to ensure that those policies establish each component of the model policy on or before April 15, 2024. If the Council finds that a policy does not meet each component of the model policy, it shall work with the law enforcement agency or constable to bring the policy into compliance. If, after consultation with its attorney or with the Council, or with both, the law enforcement agency or constable fails to adopt a policy that meets each component of the model

policy, that agency or constable shall be deemed to have adopted, and shall follow and enforce, the model policy established by the Council.

(e) The Council shall incorporate the provisions of this section into the training it provides.

(f) Annually, as part of their annual training report to the Council, every law enforcement agency and every constable who exercises law enforcement authority pursuant to 24 V.S.A. § 1936a and who is trained in compliance with section 2358 of this title shall report to the Council whether the agency or constable has adopted an interrogation policy in accordance with subsections (c) and (d) of this section. The Vermont Criminal Justice Council shall determine, as part of the Council's annual certification of training requirements, whether current officers have received training on interrogation methods as required by subsection (e) of this section.

(g) Annually, on or before July 1, the Vermont Criminal Justice Council shall report to the House and Senate Committees on Judiciary regarding which law enforcement agencies and officers have received training on interrogation methods.

Sec. 8. VERMONT CRIMINAL JUSTICE COUNCIL; POSITION;
APPROPRIATION

(a) On July 1, 2023, a new, permanent, classified Director of Policy position is created in the Vermont Criminal Justice Council. In addition to any other duties deemed appropriate by the Council, the Director of Policy shall supervise the development, oversight, and compliance work related to the Council's internal, external, and State-mandated policies.

(b) The position of Director of Policy established in subsection (a) of this section shall be subject to a General Fund appropriation in FY 2024.

Sec. 9. EFFECTIVE DATES

This act shall take effect on July 1, 2023, except that Secs. 4 (juveniles), 5 (Council services contingent on Agency compliance; grant eligibility) and 6 (statewide policy; interrogation methods) shall take effect on April 1, 2024.

*RICHARD W. SEARS
NADER A. HASHIM
ROBERT W. NORRIS*

Committee on the part of the Senate

*MARTIN J. LALONDE
ELA CHAPIN
KEVIN B. CHRISTIE*

Committee on the part of the House

Thereupon, the question, Shall the Senate accept and adopt the report of the Committee of Conference?, was decided in the affirmative.

Recess

On motion of Senator Baruth the Senate recessed until four o'clock and thirty minutes.

Called to Order

The Senate was called to order by the President.

Senate Concurrent Resolution Adopted

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

By Committee on Appropriations,

S.C.R. 7. Senate concurrent resolution honoring Stephanie Barrett for more than a quarter-century of public service excellence as a member of the Joint Fiscal Office staff.

Whereas, Stephanie Barrett is known to legislators and staff as a cheerful, helpful, and, most importantly, knowledgeable member of the Joint Fiscal Office staff, and

Whereas, the expert assistance she has provided to the Senate Appropriations Committee and to the entire Senate with respect to the annual Budget Adjustment Act and Big Bill has been essential in the development and, ultimately, the approval of these essential legislative enactments, and

Whereas, with the utmost professionalism, she has responded to informational inquiries, explained the most obscure details and technicalities, and patiently drafted language for the committees and, subsequently, the entire Senate, and

Whereas, Stephanie Barrett was raised in Braintree and journeyed south to Boston College for her education, and

Whereas, in the summer of 1998, after working in several interim legislative staff positions, she became a full-time fiscal analyst, and her superb work resulted in an eventual promotion to the rank of associate fiscal officer, and

Whereas, while employed at the Joint Fiscal Office, Stephanie Barrett simultaneously earned a master's degree in business administration at the University of Vermont, and

Whereas, her colleagues at fiscal offices in other state legislatures and at the National Conference of State Legislatures (NCSL) recognized Stephanie's

strong leadership potential, and she served admirably as the president of the National Association of Legislative Fiscal Officers (NALFO), one of NCSL's nine professional staff associations, and on the board and executive committee of NCSL, roles that carry great responsibilities, and

Whereas, Stephanie Barrett is embarking on a new role for which she is eminently qualified, that of chief fiscal officer at the Department of Vermont Health Access, and she will be sorely missed at the General Assembly, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly honors Stephanie Barrett for more than a quarter-century of public service excellence as a legislative fiscal analyst and wishes her every success in her new position, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to Stephanie Barrett.

Rules Suspended

On motion of Senator Kitchel, the rules were suspended and members were permitted to remove their jackets.

Report of Committee of Conference Accepted and Adopted on the Part of the Senate

H. 494.

Senator Kitchel, for the Committee of Conference, submitted the following report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House bill entitled:

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

Respectfully reports that it has met and considered the same and recommends that the Senate recede from its proposal of amendment and that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Purpose, Definitions, Legend * * *

Sec. A.100 SHORT TITLE

(a) This bill may be referred to as the BIG BILL – Fiscal Year 2024 Appropriations Act.

Sec. A.101 PURPOSE

(a) The purpose of this act is to provide appropriations for the operations of State government and for capital appropriations not funded with bond proceeds during fiscal year 2024. It is the express intent of the General Assembly that activities of the various agencies, departments, divisions, boards, and commissions be limited to those that can be supported by funds appropriated in this act or other acts passed on or prior to June 30, 2023. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2024 to meet this condition unless otherwise directed by specific language in this act or other acts of the General Assembly.

Sec. A.102 APPROPRIATIONS

(a) It is the intent of the General Assembly that this act serves as the primary source and reference for appropriations for the operation of State government and for capital appropriations not funded with bond proceeds during fiscal year 2024.

(b) The sums stated in this act are appropriated for the purposes specified in the following sections of this act. When no time is expressly stated during which any of the appropriations are to continue, the appropriations are single-year appropriations, only for the purpose indicated and shall be paid from funds shown as the source of funds. If in this act there is an error in either addition or subtraction, the totals shall be adjusted accordingly. Apparent errors in referring to section numbers of statutory titles within this act may be disregarded by the Commissioner of Finance and Management.

(c) Unless codified or otherwise specified, all narrative portions of this act apply only to the fiscal year ending on June 30, 2024.

Sec. A.103 DEFINITIONS

(a) As used in this act:

(1) “Encumbrances” means a portion of an appropriation reserved for the subsequent payment of existing purchase orders or contracts. The Commissioner of Finance and Management shall make final decisions on the appropriateness of encumbrances.

(2) “Grants” means subsidies, aid, or payments to local governments, to community and quasi-public agencies for providing local services, and to persons who are not wards of the State for services or supplies and means cash or other direct assistance, including pension contributions.

(3) “Operating expenses” means property management; repair and maintenance; rental expenses; insurance; postage; travel; energy and utilities;

office and other supplies; equipment, including motor vehicles, highway materials, and construction; expenditures for the purchase of land and construction of new buildings and permanent improvements; and similar items.

(4) “Personal services” means wages and salaries; fringe benefits; per diems; contracted third-party services; and similar items.

(5) “Capital appropriation” means an appropriation for tangible capital investments or expenses that are eligible to be funded from general obligation debt financing and are allowed under federal laws governing the use of State bond proceeds as described in 32 V.S.A. § 309.

Sec. A.104 RELATIONSHIP TO EXISTING LAWS

(a) Except as specifically provided, this act shall not be construed in any way to negate or impair the full force and effect of existing laws.

Sec. A.105 OFFSETTING APPROPRIATIONS

(a) In the absence of specific provisions to the contrary in this act, when total appropriations are offset by estimated receipts, the State appropriations shall control, notwithstanding receipts being greater or less than anticipated.

Sec. A.106 FEDERAL FUNDS

(a) In fiscal year 2024, the Governor, with the approval of the General Assembly or the Joint Fiscal Committee if the General Assembly is not in session, may accept federal funds available to the State of Vermont, including block grants in lieu of or in addition to funds designated as federal in this act. The Governor, with the approval of the General Assembly or the Joint Fiscal Committee if the General Assembly is not in session, may allocate all or any portion of such federal funds for any purpose consistent with the purposes for which the basic appropriations in this act have been made.

(b) If, during fiscal year 2024, federal funds available to the State of Vermont and designated as federal in this and other acts of the 2023 session of the Vermont General Assembly are converted into block grants or are abolished under their current title in federal law and reestablished under a new title in federal law, the Governor may continue to accept such federal funds for any purpose consistent with the purposes for which the federal funds were appropriated. The Governor may spend such funds for such purposes for not more than 45 days prior to legislative or Joint Fiscal Committee approval. Notice shall be given to the Joint Fiscal Committee without delay if the Governor intends to use the authority granted by this section, and the Joint Fiscal Committee shall meet in an expedited manner to review the Governor’s request for approval.

Sec. A.107 NEW POSITIONS

(a) Notwithstanding any provision of law to the contrary, the total number of authorized State positions, both classified and exempt, excluding temporary positions as defined in 3 V.S.A. § 311(a)(11), shall not be increased during fiscal year 2024 except for new positions authorized by the 2023 session. Limited service positions approved pursuant to 32 V.S.A. chapter 5 shall not be subject to this restriction.

Sec. A.108 LEGEND

(a) This act is organized by functions of government. The sections between B.100 and B.9999 contain appropriations of funds for the upcoming budget year. The sections between E.100 and E.9999 contain language that relates to specific appropriations or government functions, or both. The function areas by section numbers are as follows:

<u>B.100–B.199 and E.100–E.199</u>	<u>General Government</u>
<u>B.200–B.299 and E.200–E.299</u>	<u>Protection to Persons and Property</u>
<u>B.300–B.399 and E.300–E.399</u>	<u>Human Services</u>
<u>B.400–B.499 and E.400–E.499</u>	<u>Labor</u>
<u>B.500–B.599 and E.500–E.599</u>	<u>General Education</u>
<u>B.600–B.699 and E.600–E.699</u>	<u>Higher Education</u>
<u>B.700–B.799 and E.700–E.799</u>	<u>Natural Resources</u>
<u>B.800–B.899 and E.800–E.899</u>	<u>Commerce and Community Development</u>
<u>B.900–B.999 and E.900–E.999</u>	<u>Transportation</u>
<u>B.1000–B.1099 and E.1000–E.1099</u>	<u>Debt Service</u>
<u>B.1100–B.1199 and E.1100–E.1199</u>	<u>One-time and other appropriation actions</u>

(b) The C sections contain any amendments to the current fiscal year; the D sections contain fund transfers, reversions, and reserve allocations for the upcoming budget year; the F sections contain workforce and economic development policies; the G sections contain changes to Department of Motor Vehicles fees; and the H section contains effective dates.

* * * Fiscal Year 2024 Base Appropriations * * *

Sec. B.100 Secretary of administration - secretary's office	
Personal services	2,843,097
Operating expenses	160,849
Grants	<u>100,000</u>
Total	3,103,946
Source of funds	
General fund	2,359,270
Special funds	100,000
Internal service funds	403,239
Interdepartmental transfers	<u>241,437</u>
Total	3,103,946
Sec. B.101 Secretary of administration - finance	
Personal services	1,374,393
Operating expenses	<u>138,363</u>
Total	1,512,756
Source of funds	
Interdepartmental transfers	<u>1,512,756</u>
Total	1,512,756
Sec. B.102 Secretary of administration - workers' compensation insurance	
Personal services	895,051
Operating expenses	<u>91,550</u>
Total	986,601
Source of funds	
Internal service funds	<u>986,601</u>
Total	986,601
Sec. B.103 Secretary of administration - general liability insurance	
Personal services	545,717
Operating expenses	<u>63,558</u>
Total	609,275
Source of funds	
Internal service funds	<u>609,275</u>
Total	609,275
Sec. B.104 Secretary of administration - all other insurance	
Personal services	196,464
Operating expenses	<u>54,633</u>
Total	251,097

Source of funds	
Internal service funds	<u>251,097</u>
Total	251,097
Sec. B.104.1 Retired State Employees Pension Plus Funding	
Grants	<u>9,000,000</u>
Total	9,000,000
Source of funds	
General fund	<u>9,000,000</u>
Total	9,000,000
Sec. B.105 Agency of digital services - communications and information technology	
Personal services	102,479,935
Operating expenses	<u>36,148,517</u>
Total	138,628,452
Source of funds	
General fund	186,726
Special funds	471,611
Internal service funds	<u>137,970,115</u>
Total	138,628,452
Sec. B.106 Finance and management - budget and management	
Personal services	1,456,438
Operating expenses	<u>306,717</u>
Total	1,763,155
Source of funds	
General fund	1,143,286
Internal service funds	<u>619,869</u>
Total	1,763,155
Sec. B.107 Finance and management - financial operations	
Personal services	2,555,838
Operating expenses	<u>810,848</u>
Total	3,366,686
Source of funds	
Internal service funds	<u>3,366,686</u>
Total	3,366,686
Sec. B.108 Human resources - operations	
Personal services	10,175,933
Operating expenses	<u>1,483,759</u>
Total	11,659,692

Source of funds	
General fund	1,777,169
Special funds	263,589
Internal service funds	9,127,114
Interdepartmental transfers	<u>491,820</u>
Total	11,659,692
Sec. B.108.1 Human resources - VTHR operations	
Personal services	1,909,749
Operating expenses	<u>693,001</u>
Total	2,602,750
Source of funds	
Internal service funds	<u>2,602,750</u>
Total	2,602,750
Sec. B.109 Human resources - employee benefits & wellness	
Personal services	1,140,195
Operating expenses	<u>655,062</u>
Total	1,795,257
Source of funds	
Internal service funds	<u>1,795,257</u>
Total	1,795,257
Sec. B.110 Libraries	
Personal services	2,404,179
Operating expenses	906,958
Grants	<u>230,214</u>
Total	3,541,351
Source of funds	
General fund	2,088,614
Special funds	73,614
Federal funds	1,251,244
Interdepartmental transfers	<u>127,879</u>
Total	3,541,351
Sec. B.111 Tax - administration/collection	
Personal services	25,023,254
Operating expenses	<u>5,787,491</u>
Total	30,810,745

Source of funds	
General fund	22,406,475
Special funds	8,359,270
Interdepartmental transfers	<u>45,000</u>
Total	30,810,745
Sec. B.112 Buildings and general services - administration	
Personal services	988,938
Operating expenses	<u>333,561</u>
Total	1,322,499
Source of funds	
Interdepartmental transfers	<u>1,322,499</u>
Total	1,322,499
Sec. B.113 Buildings and general services - engineering	
Personal services	45,644
Operating expenses	<u>1,230,723</u>
Total	1,276,367
Source of funds	
General fund	<u>1,276,367</u>
Total	1,276,367
Sec. B.113.1 Buildings and General Services Engineering - Capital Projects	
Personal services	2,730,738
Operating expenses	<u>500,000</u>
Total	3,230,738
Source of funds	
General fund	2,730,738
Interdepartmental transfers	<u>500,000</u>
Total	3,230,738
Sec. B.114 Buildings and general services - information centers	
Personal services	3,646,408
Operating expenses	<u>1,801,847</u>
Total	5,448,255
Source of funds	
General fund	668,401
Transportation fund	4,235,134
Special funds	<u>544,720</u>
Total	5,448,255

Sec. B.115 Buildings and general services - purchasing	
Personal services	1,670,521
Operating expenses	<u>191,576</u>
Total	1,862,097
Source of funds	
General fund	1,481,008
Interdepartmental transfers	<u>381,089</u>
Total	1,862,097
Sec. B.116 Buildings and general services - postal services	
Personal services	800,527
Operating expenses	<u>173,126</u>
Total	973,653
Source of funds	
General fund	87,613
Internal service funds	<u>886,040</u>
Total	973,653
Sec. B.117 Buildings and general services - copy center	
Personal services	898,526
Operating expenses	<u>208,536</u>
Total	1,107,062
Source of funds	
Internal service funds	<u>1,107,062</u>
Total	1,107,062
Sec. B.118 Buildings and general services - fleet management services	
Personal services	888,607
Operating expenses	<u>245,134</u>
Total	1,133,741
Source of funds	
Internal service funds	<u>1,133,741</u>
Total	1,133,741
Sec. B.119 Buildings and general services - federal surplus property	
Operating expenses	<u>4,298</u>
Total	4,298
Source of funds	
Enterprise funds	<u>4,298</u>
Total	4,298

Sec. B.120 Buildings and general services - state surplus property	
Personal services	340,128
Operating expenses	<u>169,529</u>
Total	509,657
Source of funds	
Internal service funds	<u>509,657</u>
Total	509,657
Sec. B.121 Buildings and general services - property management	
Personal services	1,625,691
Operating expenses	<u>465,485</u>
Total	2,091,176
Source of funds	
Internal service funds	<u>2,091,176</u>
Total	2,091,176
Sec. B.122 Buildings and general services - fee for space	
Personal services	18,762,037
Operating expenses	<u>17,272,131</u>
Total	36,034,168
Source of funds	
Internal service funds	35,964,112
Interdepartmental transfers	<u>70,056</u>
Total	36,034,168
Sec. B.124 Executive office - governor's office	
Personal services	1,583,965
Operating expenses	<u>467,778</u>
Total	2,051,743
Source of funds	
General fund	1,801,931
Interdepartmental transfers	<u>249,812</u>
Total	2,051,743
Sec. B.125 Legislative counsel	
Personal services	3,633,429
Operating expenses	<u>291,348</u>
Total	3,924,777
Source of funds	
General fund	<u>3,924,777</u>
Total	3,924,777

Sec. B.126 Legislature	
Personal services	5,898,458
Operating expenses	<u>4,649,260</u>
Total	10,547,718
Source of funds	
General fund	<u>10,547,718</u>
Total	10,547,718
Sec. B.126.1 Legislative information technology	
Personal services	1,279,864
Operating expenses	<u>663,583</u>
Total	1,943,447
Source of funds	
General fund	<u>1,943,447</u>
Total	1,943,447
Sec. B.127 Joint fiscal committee	
Personal services	2,517,690
Operating expenses	<u>191,250</u>
Total	2,708,940
Source of funds	
General fund	<u>2,708,940</u>
Total	2,708,940
Sec. B.128 Sergeant at arms	
Personal services	1,404,247
Operating expenses	<u>130,514</u>
Total	1,534,761
Source of funds	
General fund	<u>1,534,761</u>
Total	1,534,761
Sec. B.129 Lieutenant governor	
Personal services	258,394
Operating expenses	<u>44,090</u>
Total	302,484
Source of funds	
General fund	<u>302,484</u>
Total	302,484

Sec. B.130 Auditor of accounts	
Personal services	4,160,946
Operating expenses	<u>183,967</u>
Total	4,344,913
Source of funds	
General fund	372,808
Special funds	53,145
Internal service funds	<u>3,918,960</u>
Total	4,344,913
Sec. B.131 State treasurer	
Personal services	5,374,687
Operating expenses	273,230
Grants	<u>400,000</u>
Total	6,047,917
Source of funds	
General fund	2,148,837
Special funds	3,737,463
Interdepartmental transfers	<u>161,617</u>
Total	6,047,917
Sec. B.132 State treasurer - unclaimed property	
Personal services	809,823
Operating expenses	<u>386,790</u>
Total	1,196,613
Source of funds	
Interdepartmental transfers	0
Private purpose trust funds	<u>1,196,613</u>
Total	1,196,613
Sec. B.133 Vermont state retirement system	
Personal services	221,698
Operating expenses	<u>2,768,981</u>
Total	2,990,679
Source of funds	
Pension trust funds	<u>2,990,679</u>
Total	2,990,679
Sec. B.134 Municipal employees' retirement system	
Personal services	222,371
Operating expenses	<u>1,499,452</u>
Total	1,721,823

Source of funds	
Pension trust funds	<u>1,721,823</u>
Total	1,721,823
Sec. B.134.1 Vermont Pension Investment Commission	
Personal services	2,129,637
Operating expenses	<u>248,561</u>
Total	2,378,198
Source of funds	
Special funds	<u>2,378,198</u>
Total	2,378,198
Sec. B.135 State labor relations board	
Personal services	258,094
Operating expenses	<u>49,671</u>
Total	307,765
Source of funds	
General fund	298,189
Special funds	6,788
Interdepartmental transfers	<u>2,788</u>
Total	307,765
Sec. B.136 VOSHA review board	
Personal services	86,954
Operating expenses	<u>15,054</u>
Total	102,008
Source of funds	
General fund	51,004
Interdepartmental transfers	<u>51,004</u>
Total	102,008
Sec. B.136.1 Ethics Commission	
Personal services	147,767
Operating expenses	<u>41,660</u>
Total	189,427
Source of funds	
Internal service funds	<u>189,427</u>
Total	189,427
Sec. B.137 Homeowner rebate	
Grants	<u>16,250,000</u>
Total	16,250,000

Source of funds	
General fund	<u>16,250,000</u>
Total	16,250,000
Sec. B.138 Renter rebate	
Grants	<u>9,500,000</u>
Total	9,500,000
Source of funds	
General fund	<u>9,500,000</u>
Total	9,500,000
Sec. B.139 Tax department - reappraisal and listing payments	
Grants	<u>3,394,500</u>
Total	3,394,500
Source of funds	
General fund	<u>3,394,500</u>
Total	3,394,500
Sec. B.140 Municipal current use	
Grants	<u>18,600,000</u>
Total	18,600,000
Source of funds	
General fund	<u>18,600,000</u>
Total	18,600,000
Sec. B.142 Payments in lieu of taxes	
Grants	<u>12,280,750</u>
Total	12,280,750
Source of funds	
Special funds	<u>12,280,750</u>
Total	12,280,750
Sec. B.143 Payments in lieu of taxes - Montpelier	
Grants	<u>184,000</u>
Total	184,000
Source of funds	
Special funds	<u>184,000</u>
Total	184,000
Sec. B.144 Payments in lieu of taxes - correctional facilities	
Grants	<u>40,000</u>
Total	40,000

Source of funds	
Special funds	<u>40,000</u>
Total	40,000
Sec. B.145 Total general government	
Source of funds	
General fund	118,585,063
Transportation fund	4,235,134
Special funds	28,493,148
Federal funds	1,251,244
Internal service funds	203,532,178
Interdepartmental transfers	5,157,757
Enterprise funds	4,298
Pension trust funds	4,712,502
Private purpose trust funds	<u>1,196,613</u>
Total	367,167,937
Sec. B.200 Attorney general	
Personal services	12,957,305
Operating expenses	1,696,265
Grants	<u>20,000</u>
Total	14,673,570
Source of funds	
General fund	6,974,796
Special funds	2,142,678
Tobacco fund	422,000
Federal funds	1,583,958
Interdepartmental transfers	<u>3,550,138</u>
Total	14,673,570
Sec. B.201 Vermont court diversion	
Personal services	1,250
Grants	<u>3,142,971</u>
Total	3,144,221
Source of funds	
General fund	2,886,224
Special funds	<u>257,997</u>
Total	3,144,221
Sec. B.202 Defender general - public defense	
Personal services	15,416,603
Operating expenses	<u>1,235,698</u>
Total	16,652,301

Source of funds	
General fund	15,912,648
Special funds	589,653
Interdepartmental transfers	<u>150,000</u>
Total	16,652,301
Sec. B.203 Defender general - assigned counsel	
Personal services	7,213,974
Operating expenses	<u>49,500</u>
Total	7,263,474
Source of funds	
General fund	<u>7,263,474</u>
Total	7,263,474
Sec. B.204 Judiciary	
Personal services	52,555,909
Operating expenses	11,583,876
Grants	<u>121,030</u>
Total	64,260,815
Source of funds	
General fund	58,250,863
Special funds	2,888,542
Federal funds	953,928
Interdepartmental transfers	<u>2,167,482</u>
Total	64,260,815
Sec. B.205 State's attorneys	
Personal services	14,787,744
Operating expenses	<u>1,999,496</u>
Total	16,787,240
Source of funds	
General fund	15,904,997
Special funds	109,778
Federal funds	233,490
Interdepartmental transfers	<u>538,975</u>
Total	16,787,240
Sec. B.206 Special investigative unit	
Personal services	64,287
Operating expenses	24,295
Grants	<u>2,140,047</u>
Total	2,228,629

Source of funds	
General fund	<u>2,228,629</u>
Total	2,228,629
Sec. B.206.1 Crime Victims Advocates	
Personal services	2,604,804
Operating expenses	<u>106,693</u>
Total	2,711,497
Source of funds	
General fund	<u>2,711,497</u>
Total	2,711,497
Sec. B.207 Sheriffs	
Personal services	4,698,652
Operating expenses	<u>390,662</u>
Total	5,089,314
Source of funds	
General fund	<u>5,089,314</u>
Total	5,089,314
Sec. B.208 Public safety - administration	
Personal services	4,539,941
Operating expenses	5,417,264
Grants	<u>357,986</u>
Total	10,315,191
Source of funds	
General fund	6,001,814
Special funds	4,105
Federal funds	547,260
Interdepartmental transfers	<u>3,762,012</u>
Total	10,315,191
Sec. B.209 Public safety - state police	
Personal services	67,754,321
Operating expenses	13,861,460
Grants	<u>1,591,501</u>
Total	83,207,282
Source of funds	
General fund	53,896,213
Transportation fund	20,250,000

Special funds	3,166,387
Federal funds	4,311,304
Interdepartmental transfers	<u>1,583,378</u>
Total	83,207,282
Sec. B.210 Public safety - criminal justice services	
Personal services	5,378,976
Operating expenses	<u>1,582,009</u>
Total	6,960,985
Source of funds	
General fund	1,467,321
Special funds	4,970,533
Federal funds	<u>523,131</u>
Total	6,960,985
Sec. B.211 Public safety - emergency management	
Personal services	4,561,578
Operating expenses	1,224,288
Grants	<u>25,350,252</u>
Total	31,136,118
Source of funds	
General fund	668,427
Special funds	710,000
Federal funds	29,561,807
Interdepartmental transfers	<u>195,884</u>
Total	31,136,118
Sec. B.212 Public safety - fire safety	
Personal services	8,663,478
Operating expenses	2,974,022
Grants	<u>107,000</u>
Total	11,744,500
Source of funds	
General fund	1,505,641
Special funds	9,567,787
Federal funds	626,072
Interdepartmental transfers	<u>45,000</u>
Total	11,744,500
Sec. B.213 Public safety - Forensic Laboratory	
Personal services	3,563,059
Operating expenses	<u>1,198,044</u>
Total	4,761,103

Source of funds	
General fund	3,626,083
Special funds	66,395
Federal funds	532,582
Interdepartmental transfers	<u>536,043</u>
Total	4,761,103
Sec. B.215 Military - administration	
Personal services	958,260
Operating expenses	746,963
Grants	<u>1,319,834</u>
Total	3,025,057
Source of funds	
General fund	<u>3,025,057</u>
Total	3,025,057
Sec. B.216 Military - air service contract	
Personal services	9,124,240
Operating expenses	<u>1,396,315</u>
Total	10,520,555
Source of funds	
General fund	665,922
Federal funds	<u>9,854,633</u>
Total	10,520,555
Sec. B.217 Military - army service contract	
Personal services	41,464,878
Operating expenses	<u>7,542,958</u>
Total	49,007,836
Source of funds	
Federal funds	<u>49,007,836</u>
Total	49,007,836
Sec. B.218 Military - building maintenance	
Personal services	789,478
Operating expenses	<u>937,403</u>
Total	1,726,881
Source of funds	
General fund	1,664,381
Special funds	<u>62,500</u>
Total	1,726,881

Sec. B.219 Military - veterans' affairs

Personal services	1,204,996
Operating expenses	202,180
Grants	<u>33,300</u>
Total	1,440,476
Source of funds	
General fund	1,092,634
Special funds	241,942
Federal funds	<u>105,900</u>
Total	1,440,476

Sec. B.220 Center for crime victim services

Personal services	1,967,547
Operating expenses	391,397
Grants	<u>9,181,723</u>
Total	11,540,667
Source of funds	
General fund	1,472,674
Special funds	3,461,972
Federal funds	<u>6,606,021</u>
Total	11,540,667

Sec. B.221 Criminal justice council

Personal services	2,360,658
Operating expenses	<u>1,711,725</u>
Total	4,072,383
Source of funds	
General fund	3,720,035
Interdepartmental transfers	<u>352,348</u>
Total	4,072,383

Sec. B.222 Agriculture, food and markets - administration

Personal services	2,648,873
Operating expenses	367,498
Grants	<u>217,222</u>
Total	3,233,593
Source of funds	
General fund	1,467,038
Special funds	1,242,062
Federal funds	<u>524,493</u>
Total	3,233,593

 Sec. B.223 Agriculture, food and markets - food safety and consumer protection

Personal services	4,963,520
Operating expenses	1,096,940
Grants	<u>2,780,000</u>
Total	8,840,460
Source of funds	
General fund	3,281,095
Special funds	3,942,188
Federal funds	1,605,177
Interdepartmental transfers	<u>12,000</u>
Total	8,840,460

Sec. B.224 Agriculture, food and markets - agricultural development

Personal services	6,409,252
Operating expenses	678,344
Grants	<u>15,063,425</u>
Total	22,151,021
Source of funds	
General fund	3,068,393
Special funds	627,904
Federal funds	<u>18,454,724</u>
Total	22,151,021

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

Personal services	2,594,186
Operating expenses	979,802
Grants	<u>212,000</u>
Total	3,785,988
Source of funds	
General fund	745,509
Special funds	2,297,266
Federal funds	390,117
Interdepartmental transfers	<u>353,096</u>
Total	3,785,988

Sec. B.225.1 Agriculture, food and markets - Vermont Agriculture and Environmental Lab

Personal services	1,711,447
Operating expenses	<u>1,363,276</u>
Total	3,074,723

Source of funds	
General fund	1,296,731
Special funds	1,715,459
Interdepartmental transfers	<u>62,533</u>
Total	3,074,723
Sec. B.225.2 Agriculture, Food and Markets - Clean Water	
Personal services	3,637,927
Operating expenses	575,499
Grants	<u>6,580,630</u>
Total	10,794,056
Source of funds	
General fund	1,732,136
Special funds	8,248,477
Federal funds	462,351
Interdepartmental transfers	<u>351,092</u>
Total	10,794,056
Sec. B.226 Financial regulation - administration	
Personal services	2,580,669
Operating expenses	<u>159,635</u>
Total	2,740,304
Source of funds	
Special funds	<u>2,740,304</u>
Total	2,740,304
Sec. B.227 Financial regulation - banking	
Personal services	2,426,962
Operating expenses	<u>510,179</u>
Total	2,937,141
Source of funds	
Special funds	<u>2,937,141</u>
Total	2,937,141
Sec. B.228 Financial regulation - insurance	
Personal services	4,872,900
Operating expenses	<u>634,698</u>
Total	5,507,598
Source of funds	
Special funds	<u>5,507,598</u>
Total	5,507,598

Sec. B.229 Financial regulation - captive insurance	
Personal services	5,294,300
Operating expenses	<u>710,775</u>
Total	6,005,075
Source of funds	
Special funds	<u>6,005,075</u>
Total	6,005,075
Sec. B.230 Financial regulation - securities	
Personal services	1,294,776
Operating expenses	<u>279,335</u>
Total	1,574,111
Source of funds	
Special funds	<u>1,574,111</u>
Total	1,574,111
Sec. B.232 Secretary of state	
Personal services	17,824,897
Operating expenses	<u>3,932,905</u>
Total	21,757,802
Source of funds	
Special funds	16,241,811
Federal funds	<u>5,515,991</u>
Total	21,757,802
Sec. B.233 Public service - regulation and energy	
Personal services	11,014,203
Operating expenses	1,730,270
Grants	<u>328,300</u>
Total	13,072,773
Source of funds	
Special funds	12,310,355
Federal funds	741,706
Enterprise funds	<u>20,712</u>
Total	13,072,773
Sec. B.233.1 VT Community Broadband Board	
Personal services	1,211,623
Operating expenses	155,443
Grants	<u>1,300,000</u>
Total	2,667,066

Source of funds	
Special funds	1,110,687
Federal funds	<u>1,556,379</u>
Total	2,667,066
Sec. B.234 Public utility commission	
Personal services	3,913,942
Operating expenses	<u>549,933</u>
Total	4,463,875
Source of funds	
Special funds	<u>4,463,875</u>
Total	4,463,875
Sec. B.235 Enhanced 9-1-1 Board	
Personal services	4,344,046
Operating expenses	<u>451,287</u>
Total	4,795,333
Source of funds	
Special funds	<u>4,795,333</u>
Total	4,795,333
Sec. B.236 Human rights commission	
Personal services	915,815
Operating expenses	<u>90,104</u>
Total	1,005,919
Source of funds	
General fund	920,110
Federal funds	<u>85,809</u>
Total	1,005,919
Sec. B.236.1 Liquor & Lottery Comm. Office	
Personal services	8,610,070
Operating expenses	<u>5,529,374</u>
Total	14,139,444
Source of funds	
Special funds	60,000
Tobacco fund	213,843
Interdepartmental transfers	70,000
Enterprise funds	<u>13,795,601</u>
Total	14,139,444

 Sec. B.240 Cannabis Control Board

Personal services	4,829,061
Operating expenses	<u>341,631</u>
Total	5,170,692
Source of funds	
Special funds	<u>5,170,692</u>
Total	5,170,692

Sec. B.241 Total protection to persons and property

Source of funds	
General fund	208,539,656
Transportation fund	20,250,000
Special funds	109,230,607
Tobacco fund	635,843
Federal funds	133,784,669
Interdepartmental transfers	13,729,981
Enterprise funds	<u>13,816,313</u>
Total	499,987,069

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

Personal services	14,083,686
Operating expenses	5,402,086
Grants	<u>2,895,202</u>
Total	22,380,974
Source of funds	
General fund	9,767,874
Special funds	135,517
Federal funds	11,678,441
Interdepartmental transfers	<u>799,142</u>
Total	22,380,974

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

Grants	<u>1,990,896,293</u>
Total	1,990,896,293
Source of funds	
General fund	648,528,785
Special funds	32,994,384
Tobacco fund	21,049,373
State health care resources fund	25,265,312
Federal funds	1,259,024,269
Interdepartmental transfers	<u>4,034,170</u>
Total	1,990,896,293

Sec. B.303 Developmental disabilities council

Personal services	458,902
Operating expenses	95,330
Grants	<u>191,595</u>
Total	745,827
Source of funds	
Special funds	12,000
Federal funds	<u>733,827</u>
Total	745,827

Sec. B.304 Human services board

Personal services	648,082
Operating expenses	<u>89,467</u>
Total	737,549
Source of funds	
General fund	452,996
Federal funds	<u>284,553</u>
Total	737,549

Sec. B.305 AHS - administrative fund

Personal services	330,000
Operating expenses	<u>13,170,000</u>
Total	13,500,000
Source of funds	
Interdepartmental transfers	<u>13,500,000</u>
Total	13,500,000

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

Personal services	136,568,959
Operating expenses	44,391,640
Grants	<u>2,912,301</u>
Total	183,872,900
Source of funds	
General fund	35,605,917
Special funds	4,753,011
Federal funds	134,621,243
Global Commitment fund	4,220,337
Interdepartmental transfers	<u>4,672,392</u>
Total	183,872,900

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

Personal services	547,983
Grants	<u>932,542,238</u>
Total	933,090,221
Source of funds	
Global Commitment fund	<u>933,090,221</u>
Total	933,090,221

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

Grants	<u>53,067,318</u>
Total	53,067,318
Source of funds	
General fund	53,062,626
Global Commitment fund	<u>4,692</u>
Total	53,067,318

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

Grants	<u>34,621,472</u>
Total	34,621,472
Source of funds	
General fund	12,634,069
Federal funds	<u>21,987,403</u>
Total	34,621,472

Sec. B.311 Health - administration and support

Personal services	8,154,782
Operating expenses	7,410,428
Grants	<u>16,697,133</u>
Total	32,262,343
Source of funds	
General fund	3,131,446
Special funds	2,160,065
Federal funds	20,169,147
Global Commitment fund	6,732,468
Interdepartmental transfers	<u>69,217</u>
Total	32,262,343

Sec. B.312 Health - public health

Personal services	64,592,946
Operating expenses	13,047,530
Grants	<u>45,946,724</u>
Total	123,587,200
Source of funds	
General fund	12,408,429
Special funds	25,017,725
Tobacco fund	1,088,918
Federal funds	66,753,896
Global Commitment fund	16,582,951
Interdepartmental transfers	1,710,281
Permanent trust funds	<u>25,000</u>
Total	123,587,200

Sec. B.313 Health - substance use programs

Personal services	6,253,749
Operating expenses	511,500
Grants	<u>61,041,638</u>
Total	67,806,887
Source of funds	
General fund	5,591,811
Special funds	1,435,054
Tobacco fund	949,917
Federal funds	21,771,442
Global Commitment fund	<u>38,058,663</u>
Total	67,806,887

Sec. B.314 Mental health - mental health

Personal services	47,716,644
Operating expenses	5,272,240
Grants	<u>264,539,814</u>
Total	317,528,698
Source of funds	
General fund	25,282,556
Special funds	1,708,155
Federal funds	10,999,654
Global Commitment fund	279,524,193
Interdepartmental transfers	<u>14,140</u>
Total	317,528,698

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

Personal services	44,446,942
Operating expenses	17,162,151
Grants	<u>3,919,106</u>
Total	65,528,199
Source of funds	
General fund	37,090,554
Special funds	2,781,912
Federal funds	23,540,549
Global Commitment fund	1,659,321
Interdepartmental transfers	<u>455,863</u>
Total	65,528,199

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

Personal services	43,987,652
Operating expenses	5,180,385
Grants	<u>93,421,639</u>
Total	142,589,676
Source of funds	
General fund	59,707,017
Special funds	729,587
Federal funds	33,937,204
Global Commitment fund	48,178,131
Interdepartmental transfers	<u>37,737</u>
Total	142,589,676

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

Personal services	5,670,999
Operating expenses	810,497
Grants	<u>95,860,842</u>
Total	102,342,338
Source of funds	
General fund	35,016,309
Special funds	16,745,000
Federal funds	37,419,258
Global Commitment fund	<u>13,161,771</u>
Total	102,342,338

Sec. B.319 Department for children and families - office of child support

Personal services	12,411,108
Operating expenses	<u>3,714,732</u>

Total	16,125,840
Source of funds	
General fund	4,900,195
Special funds	455,719
Federal funds	10,382,326
Interdepartmental transfers	<u>387,600</u>
Total	16,125,840
Sec. B.320 Department for children and families - aid to aged, blind and disabled	
Personal services	2,252,206
Grants	<u>10,431,118</u>
Total	12,683,324
Source of funds	
General fund	7,533,333
Global Commitment fund	<u>5,149,991</u>
Total	12,683,324
Sec. B.321 Department for children and families - general assistance	
Personal services	15,000
Grants	<u>10,323,574</u>
Total	10,338,574
Source of funds	
General fund	10,041,239
Federal funds	11,320
Global Commitment fund	<u>286,015</u>
Total	10,338,574
Sec. B.322 Department for children and families - 3SquaresVT	
Grants	<u>44,377,812</u>
Total	44,377,812
Source of funds	
Federal funds	<u>44,377,812</u>
Total	44,377,812
Sec. B.323 Department for children and families - reach up	
Operating expenses	30,633
Grants	<u>35,536,413</u>
Total	35,567,046
Source of funds	
General fund	23,233,869

Special funds	5,970,229
Federal funds	3,531,330
Global Commitment fund	<u>2,831,618</u>
Total	35,567,046
Sec. B.324 Department for children and families - home heating fuel assistance/LIHEAP	
Grants	<u>16,019,953</u>
Total	16,019,953
Source of funds	
Special funds	1,480,395
Federal funds	<u>14,539,558</u>
Total	16,019,953
Sec. B.325 Department for children and families - office of economic opportunity	
Personal services	758,166
Operating expenses	95,628
Grants	<u>27,534,109</u>
Total	28,387,903
Source of funds	
General fund	20,942,194
Special funds	83,135
Federal funds	4,935,273
Global Commitment fund	<u>2,427,301</u>
Total	28,387,903
Sec. B.326 Department for children and families - OEO - weatherization assistance	
Personal services	415,233
Operating expenses	251,470
Grants	<u>11,838,018</u>
Total	12,504,721
Source of funds	
Special funds	7,649,635
Federal funds	<u>4,855,086</u>
Total	12,504,721
Sec. B.327 Department for Children and Families - Secure Residential Treatment	
Personal services	258,100
Operating expenses	153,597

Grants	<u>3,476,862</u>
Total	3,888,559
Source of funds	
General fund	3,858,559
Global Commitment fund	<u>30,000</u>
Total	3,888,559
Sec. B.328 Department for children and families - disability determination services	
Personal services	7,486,999
Operating expenses	<u>489,130</u>
Total	7,976,129
Source of funds	
General fund	118,796
Federal funds	<u>7,857,333</u>
Total	7,976,129
Sec. B.329 Disabilities, aging, and independent living - administration & support	
Personal services	42,900,084
Operating expenses	<u>6,323,252</u>
Total	49,223,336
Source of funds	
General fund	21,899,725
Special funds	1,390,457
Federal funds	24,831,870
Global Commitment fund	35,000
Interdepartmental transfers	<u>1,066,284</u>
Total	49,223,336
Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants	
Grants	<u>22,380,328</u>
Total	22,380,328
Source of funds	
General fund	9,220,695
Federal funds	7,321,114
Global Commitment fund	<u>5,838,519</u>
Total	22,380,328

 Sec. B.331 Disabilities, aging, and independent living - blind and visually impaired

Grants	<u>1,907,604</u>
Total	1,907,604
Source of funds	
General fund	489,154
Special funds	223,450
Federal funds	890,000
Global Commitment fund	<u>305,000</u>
Total	1,907,604

Sec. B.332 Disabilities, aging, and independent living - vocational rehabilitation

Grants	<u>10,179,845</u>
Total	10,179,845
Source of funds	
General fund	1,371,845
Federal funds	7,558,000
Interdepartmental transfers	<u>1,250,000</u>
Total	10,179,845

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

Grants	<u>308,668,057</u>
Total	308,668,057
Source of funds	
General fund	155,125
Special funds	15,463
Federal funds	431,512
Global Commitment fund	308,015,957
Interdepartmental transfers	<u>50,000</u>
Total	308,668,057

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

Grants	<u>6,638,028</u>
Total	6,638,028
Source of funds	
Global Commitment fund	<u>6,638,028</u>
Total	6,638,028

Sec. B.334.1 Disabilities, aging and independent living - Long Term Care	
Grants	<u>268,715,683</u>
Total	268,715,683
Source of funds	
General fund	498,579
Federal funds	2,450,000
Global Commitment fund	<u>265,767,104</u>
Total	268,715,683
Sec. B.335 Corrections - administration	
Personal services	3,806,377
Operating expenses	<u>243,057</u>
Total	4,049,434
Source of funds	
General fund	<u>4,049,434</u>
Total	4,049,434
Sec. B.336 Corrections - parole board	
Personal services	412,972
Operating expenses	<u>59,257</u>
Total	472,229
Source of funds	
General fund	<u>472,229</u>
Total	472,229
Sec. B.337 Corrections - correctional education	
Personal services	3,648,027
Operating expenses	<u>245,425</u>
Total	3,893,452
Source of funds	
General fund	3,744,668
Education fund	0
Interdepartmental transfers	<u>148,784</u>
Total	3,893,452
Sec. B.338 Corrections - correctional services	
Personal services	139,473,576
Operating expenses	<u>24,600,099</u>
Total	164,073,675
Source of funds	
General fund	159,502,946
Special funds	935,963

Federal funds	492,196
Global Commitment fund	2,746,255
Interdepartmental transfers	<u>396,315</u>
Total	164,073,675
Sec. B.338.1 Corrections - Justice Reinvestment II	
Grants	<u>10,659,519</u>
Total	10,659,519
Source of funds	
General fund	8,081,831
Federal funds	13,147
Global Commitment fund	<u>2,564,541</u>
Total	10,659,519
Sec. B.339 Corrections - Correctional services-out of state beds	
Personal services	<u>4,130,378</u>
Total	4,130,378
Source of funds	
General fund	<u>4,130,378</u>
Total	4,130,378
Sec. B.340 Corrections - correctional facilities - recreation	
Personal services	598,105
Operating expenses	<u>455,845</u>
Total	1,053,950
Source of funds	
Special funds	<u>1,053,950</u>
Total	1,053,950
Sec. B.341 Corrections - Vermont offender work program	
Personal services	1,220,613
Operating expenses	<u>525,784</u>
Total	1,746,397
Source of funds	
Internal service funds	<u>1,746,397</u>
Total	1,746,397
Sec. B.342 Vermont veterans' home - care and support services	
Personal services	18,187,631
Operating expenses	<u>5,978,873</u>
Total	24,166,504

Source of funds	
General fund	4,199,478
Special funds	11,655,797
Federal funds	<u>8,311,229</u>
Total	24,166,504
Sec. B.343 Commission on women	
Personal services	396,540
Operating expenses	<u>74,880</u>
Total	471,420
Source of funds	
General fund	467,572
Special funds	<u>3,848</u>
Total	471,420
Sec. B.344 Retired senior volunteer program	
Grants	<u>155,490</u>
Total	155,490
Source of funds	
General fund	<u>155,490</u>
Total	155,490
Sec. B.345 Green Mountain Care Board	
Personal services	8,136,639
Operating expenses	<u>402,594</u>
Total	8,539,233
Source of funds	
General fund	3,392,339
Special funds	<u>5,146,894</u>
Total	8,539,233
Sec. B.346 Office of the Child, Youth, and Family Advocate	
Personal services	387,000
Operating expenses	<u>26,000</u>
Total	413,000
Source of funds	
General fund	<u>413,000</u>
Total	413,000
Sec. B.347 Total human services	
Source of funds	
General fund	1,231,153,062
Special funds	124,537,345

Tobacco fund	23,088,208
State health care resources fund	25,265,312
Education fund	0
Federal funds	1,785,709,992
Global Commitment fund	1,943,848,077
Internal service funds	1,746,397
Interdepartmental transfers	28,591,925
Permanent trust funds	<u>25,000</u>
Total	5,163,965,318
Sec. B.400 Labor - programs	
Personal services	40,642,780
Operating expenses	5,955,495
Grants	<u>12,432,900</u>
Total	59,031,175
Source of funds	
General fund	10,600,636
Special funds	10,806,858
Federal funds	37,373,681
Interdepartmental transfers	<u>250,000</u>
Total	59,031,175
Sec. B.401 Total labor	
Source of funds	
General fund	10,600,636
Special funds	10,806,858
Federal funds	37,373,681
Interdepartmental transfers	<u>250,000</u>
Total	59,031,175
Sec. B.500 Education - finance and administration	
Personal services	17,683,192
Operating expenses	4,387,522
Grants	<u>15,270,700</u>
Total	37,341,414
Source of funds	
General fund	7,415,742
Special funds	16,575,926
Education fund	3,486,447
Federal funds	9,220,942

Global Commitment fund	260,000
Interdepartmental transfers	<u>382,357</u>
Total	37,341,414
Sec. B.501 Education - education services	
Personal services	30,951,380
Operating expenses	1,074,585
Grants	<u>460,105,273</u>
Total	492,131,238
Source of funds	
General fund	5,293,183
Special funds	2,919,560
Tobacco fund	750,388
Federal funds	<u>483,168,107</u>
Total	492,131,238
Sec. B.502 Education - special education: formula grants	
Grants	<u>226,195,600</u>
Total	226,195,600
Source of funds	
Education fund	<u>226,195,600</u>
Total	226,195,600
Sec. B.503 Education - state-placed students	
Grants	<u>19,000,000</u>
Total	19,000,000
Source of funds	
Education fund	<u>19,000,000</u>
Total	19,000,000
Sec. B.504 Education - adult education and literacy	
Grants	<u>4,412,900</u>
Total	4,412,900
Source of funds	
General fund	3,496,850
Federal funds	<u>916,050</u>
Total	4,412,900
Sec. B.504.1 Education - Flexible Pathways	
Grants	<u>10,143,000</u>
Total	10,143,000

Source of funds	
General fund	921,500
Education fund	<u>9,221,500</u>
Total	10,143,000
Sec. B.505 Education - adjusted education payment	
Grants	<u>1,703,317,103</u>
Total	1,703,317,103
Source of funds	
Education fund	<u>1,703,317,103</u>
Total	1,703,317,103
Sec. B.506 Education - transportation	
Grants	<u>23,520,000</u>
Total	23,520,000
Source of funds	
Education fund	<u>23,520,000</u>
Total	23,520,000
Sec. B.507 Education - small school grants	
Grants	<u>8,300,000</u>
Total	8,300,000
Source of funds	
Education fund	<u>8,300,000</u>
Total	8,300,000
Sec. B.509 Education - Afterschool Grant Program	
Grants	<u>4,000,000</u>
Total	4,000,000
Source of funds	
Education fund	<u>4,000,000</u>
Total	4,000,000
Sec. B.510 Education - essential early education grant	
Grants	<u>8,350,389</u>
Total	8,350,389
Source of funds	
Education fund	<u>8,350,389</u>
Total	8,350,389

 Sec. B.511 Education - technical education

Grants	<u>17,030,400</u>
Total	17,030,400
Source of funds	
Education fund	<u>17,030,400</u>
Total	17,030,400

Sec. B.511.1 State Board of Education

Personal services	38,905
Operating expenses	<u>31,803</u>
Total	70,708
Source of funds	
General fund	<u>70,708</u>
Total	70,708

Sec. B.513 Retired Teachers Pension Plus Funding

Grants	<u>9,000,000</u>
Total	9,000,000
Source of funds	
General fund	<u>9,000,000</u>
Total	9,000,000

Sec. B.514 State teachers' retirement system

Grants	<u>184,811,051</u>
Total	184,811,051
Source of funds	
General fund	151,682,914
Education fund	<u>33,128,137</u>
Total	184,811,051

Sec. B.514.1 State teachers' retirement system administration

Personal services	359,615
Operating expenses	<u>3,088,640</u>
Total	3,448,255
Source of funds	
Pension trust funds	<u>3,448,255</u>
Total	3,448,255

Sec. B.515 Retired teachers' health care and medical benefits

Grants	<u>53,740,528</u>
Total	53,740,528

Source of funds	
General fund	38,318,167
Education fund	<u>15,422,361</u>
Total	53,740,528
Sec. B.516 Total general education	
Source of funds	
General fund	216,199,064
Special funds	19,495,486
Tobacco fund	750,388
Education fund	2,070,971,937
Federal funds	493,305,099
Global Commitment fund	260,000
Interdepartmental transfers	382,357
Pension trust funds	<u>3,448,255</u>
Total	2,804,812,586
Sec. B.600 University of Vermont	
Grants	<u>54,084,366</u>
Total	54,084,366
Source of funds	
General fund	<u>54,084,366</u>
Total	54,084,366
Sec. B.602 Vermont state colleges	
Grants	<u>30,500,464</u>
Total	30,500,464
Source of funds	
General fund	<u>30,500,464</u>
Total	30,500,464
Sec. B.602.2 Vermont state colleges - Transformation funding	
Grants	<u>17,500,000</u>
Total	17,500,000
Source of funds	
General fund	<u>17,500,000</u>
Total	17,500,000
Sec. B.603 Vermont state colleges - allied health	
Grants	<u>1,157,775</u>
Total	1,157,775

Source of funds	
General fund	748,314
Global Commitment fund	<u>409,461</u>
Total	1,157,775
Sec. B.605 Vermont student assistance corporation	
Grants	<u>25,378,588</u>
Total	25,378,588
Source of funds	
General fund	<u>25,378,588</u>
Total	25,378,588
Sec. B.605.1 VSAC - Flexible Pathways Stipend	
Grants	<u>82,450</u>
Total	82,450
Source of funds	
General fund	41,225
Education fund	<u>41,225</u>
Total	82,450
Sec. B.606 New England higher education compact	
Grants	<u>86,520</u>
Total	86,520
Source of funds	
General fund	<u>86,520</u>
Total	86,520
Sec. B.607 University of Vermont - Morgan Horse Farm	
Grants	<u>1</u>
Total	1
Source of funds	
General fund	<u>1</u>
Total	1
Sec. B.608 Total higher education	
Source of funds	
General fund	128,339,478
Education fund	41,225
Global Commitment fund	<u>409,461</u>
Total	128,790,164

Sec. B.700 Natural resources - agency of natural resources - administration	
Personal services	5,824,798
Operating expenses	<u>1,471,913</u>
Total	7,296,711
Source of funds	
General fund	4,914,987
Special funds	775,079
Interdepartmental transfers	<u>1,606,645</u>
Total	7,296,711
Sec. B.701 Natural resources - state land local property tax assessment	
Operating expenses	<u>2,674,517</u>
Total	2,674,517
Source of funds	
General fund	2,253,017
Interdepartmental transfers	<u>421,500</u>
Total	2,674,517
Sec. B.702 Fish and wildlife - support and field services	
Personal services	21,567,730
Operating expenses	7,140,027
Grants	<u>936,232</u>
Total	29,643,989
Source of funds	
General fund	7,173,206
Special funds	370,644
Fish and wildlife fund	10,921,090
Federal funds	9,793,589
Interdepartmental transfers	<u>1,385,460</u>
Total	29,643,989
Sec. B.703 Forests, parks and recreation - administration	
Personal services	1,200,585
Operating expenses	<u>1,596,687</u>
Total	2,797,272
Source of funds	
General fund	2,675,711
Special funds	<u>121,561</u>
Total	2,797,272

Sec. B.704 Forests, parks and recreation - forestry

Personal services	7,948,381
Operating expenses	921,952
Grants	<u>1,184,458</u>
Total	10,054,791
Source of funds	
General fund	6,033,830
Special funds	702,229
Federal funds	3,098,484
Interdepartmental transfers	<u>220,248</u>
Total	10,054,791

Sec. B.705 Forests, parks and recreation - state parks

Personal services	12,306,202
Operating expenses	3,741,476
Grants	<u>50,000</u>
Total	16,097,678
Source of funds	
General fund	690,613
Special funds	<u>15,407,065</u>
Total	16,097,678

Sec. B.706 Forests, parks and recreation - lands administration and recreation

Personal services	2,496,749
Operating expenses	395,675
Grants	<u>2,827,587</u>
Total	5,720,011
Source of funds	
General fund	1,110,710
Special funds	2,141,005
Federal funds	2,225,851
Interdepartmental transfers	<u>242,445</u>
Total	5,720,011

Sec. B.708 Forests, parks and recreation - forest and parks access roads

Personal services	130,000
Operating expenses	<u>99,925</u>
Total	229,925
Source of funds	
General fund	<u>229,925</u>
Total	229,925

Sec. B.709 Environmental conservation - management and support services	
Personal services	8,525,369
Operating expenses	4,700,521
Grants	<u>116,640</u>
Total	13,342,530
Source of funds	
General fund	2,039,082
Special funds	788,553
Federal funds	2,129,363
Interdepartmental transfers	<u>8,385,532</u>
Total	13,342,530
Sec. B.710 Environmental conservation - air and waste management	
Personal services	26,006,961
Operating expenses	10,026,393
Grants	<u>4,905,988</u>
Total	40,939,342
Source of funds	
General fund	193,565
Special funds	26,236,633
Federal funds	14,342,090
Interdepartmental transfers	<u>167,054</u>
Total	40,939,342
Sec. B.711 Environmental conservation - office of water programs	
Personal services	48,062,786
Operating expenses	7,982,625
Grants	<u>46,863,117</u>
Total	102,908,528
Source of funds	
General fund	9,971,201
Special funds	30,662,978
Federal funds	61,487,925
Interdepartmental transfers	<u>786,424</u>
Total	102,908,528
Sec. B.713 Natural resources board	
Personal services	3,082,659
Operating expenses	<u>397,315</u>
Total	3,479,974

Source of funds	
General fund	713,735
Special funds	<u>2,766,239</u>
Total	3,479,974
Sec. B.714 Total natural resources	
Source of funds	
General fund	37,999,582
Special funds	79,971,986
Fish and wildlife fund	10,921,090
Federal funds	93,077,302
Interdepartmental transfers	<u>13,215,308</u>
Total	235,185,268
Sec. B.800 Commerce and community development - agency of commerce and community development - administration	
Personal services	2,610,304
Operating expenses	982,307
Grants	<u>539,820</u>
Total	4,132,431
Source of funds	
General fund	3,666,442
Federal funds	351,000
Interdepartmental transfers	<u>114,989</u>
Total	4,132,431
Sec. B.801 Economic development	
Personal services	4,803,989
Operating expenses	1,050,879
Grants	<u>6,433,544</u>
Total	12,288,412
Source of funds	
General fund	5,489,902
Special funds	616,421
Federal funds	4,358,416
Interdepartmental transfers	<u>1,823,673</u>
Total	12,288,412
Sec. B.802 Housing and community development	
Personal services	6,428,334
Operating expenses	705,584
Grants	<u>23,739,005</u>
Total	30,872,923

Source of funds	
General fund	5,031,943
Special funds	6,937,054
Federal funds	15,854,615
Interdepartmental transfers	<u>3,049,311</u>
Total	30,872,923
Sec. B.806 Tourism and marketing	
Personal services	5,208,860
Operating expenses	8,930,168
Grants	<u>1,050,000</u>
Total	15,189,028
Source of funds	
General fund	4,630,975
Federal funds	10,483,053
Interdepartmental transfers	<u>75,000</u>
Total	15,189,028
Sec. B.808 Vermont council on the arts	
Grants	<u>896,940</u>
Total	896,940
Source of funds	
General fund	<u>896,940</u>
Total	896,940
Sec. B.809 Vermont symphony orchestra	
Grants	<u>145,320</u>
Total	145,320
Source of funds	
General fund	<u>145,320</u>
Total	145,320
Sec. B.810 Vermont historical society	
Grants	<u>1,060,699</u>
Total	1,060,699
Source of funds	
General fund	<u>1,060,699</u>
Total	1,060,699
Sec. B.811 Vermont housing and conservation board	
Grants	<u>86,519,068</u>
Total	86,519,068

Source of funds	
Special funds	24,552,855
Federal funds	<u>61,966,213</u>
Total	86,519,068
Sec. B.812 Vermont humanities council	
Grants	<u>300,000</u>
Total	300,000
Source of funds	
General fund	<u>300,000</u>
Total	300,000
Sec. B.813 Total commerce and community development	
Source of funds	
General fund	21,222,221
Special funds	32,106,330
Federal funds	93,013,297
Interdepartmental transfers	<u>5,062,973</u>
Total	151,404,821
Sec. B.900 Transportation - finance and administration	
Personal services	16,695,727
Operating expenses	5,232,777
Grants	<u>50,000</u>
Total	21,978,504
Source of funds	
Transportation fund	20,977,164
Federal funds	<u>1,001,340</u>
Total	21,978,504
Sec. B.901 Transportation - aviation	
Personal services	3,532,154
Operating expenses	13,397,252
Grants	<u>345,000</u>
Total	17,274,406
Source of funds	
Transportation fund	6,166,805
Federal funds	<u>11,107,601</u>
Total	17,274,406

 Sec. B.902 Transportation - buildings

Operating expenses	<u>1,525,000</u>
Total	1,525,000
Source of funds	
Transportation fund	<u>1,525,000</u>
Total	1,525,000

Sec. B.903 Transportation - program development

Personal services	65,810,461
Operating expenses	311,158,635
Grants	<u>25,916,923</u>
Total	402,886,019
Source of funds	
Transportation fund	50,411,002
TIB fund	22,129,870
Special funds	3,000,000
Federal funds	321,560,449
Interdepartmental transfers	1,411,518
Local match	<u>4,373,180</u>
Total	402,886,019

Sec. B.904 Transportation - rest areas construction

Personal services	800,000
Operating expenses	<u>846,444</u>
Total	1,646,444
Source of funds	
Transportation fund	166,964
Federal funds	<u>1,479,480</u>
Total	1,646,444

Sec. B.905 Transportation - maintenance state system

Personal services	42,637,277
Operating expenses	<u>65,043,488</u>
Total	107,680,765
Source of funds	
Transportation fund	106,934,950
Federal funds	645,815
Interdepartmental transfers	<u>100,000</u>
Total	107,680,765

Sec. B.906 Transportation - policy and planning

Personal services	4,984,735
Operating expenses	1,099,716
Grants	<u>7,227,544</u>
Total	13,311,995
Source of funds	
Transportation fund	3,260,534
Federal funds	9,989,315
Interdepartmental transfers	<u>62,146</u>
Total	13,311,995

Sec. B.906.1 Transportation - Environmental Policy and Sustainability

Personal services	2,009,518
Grants	<u>25,964,730</u>
Total	27,974,248
Source of funds	
Transportation fund	472,695
Federal funds	22,095,781
Local match	<u>5,405,772</u>
Total	27,974,248

Sec. B.907 Transportation - rail

Personal services	3,622,004
Operating expenses	<u>39,386,316</u>
Total	43,008,320
Source of funds	
Transportation fund	15,608,462
Federal funds	26,596,858
Interdepartmental transfers	671,000
Local match	<u>132,000</u>
Total	43,008,320

Sec. B.908 Transportation - public transit

Personal services	4,062,649
Operating expenses	90,285
Grants	<u>44,642,396</u>
Total	48,795,330
Source of funds	
Transportation fund	9,016,189
Federal funds	39,639,141
Interdepartmental transfers	<u>140,000</u>
Total	48,795,330

Sec. B.909 Transportation - central garage	
Personal services	5,367,400
Operating expenses	<u>18,588,985</u>
Total	23,956,385
Source of funds	
Internal service funds	<u>23,956,385</u>
Total	23,956,385
Sec. B.910 Department of motor vehicles	
Personal services	31,563,822
Operating expenses	<u>13,346,863</u>
Total	44,910,685
Source of funds	
Transportation fund	42,101,908
Federal funds	2,687,081
Interdepartmental transfers	<u>121,696</u>
Total	44,910,685
Sec. B.911 Transportation - town highway structures	
Grants	<u>7,416,000</u>
Total	7,416,000
Source of funds	
Transportation fund	<u>7,416,000</u>
Total	7,416,000
Sec. B.912 Transportation - town highway local technical assistance program	
Personal services	443,165
Operating expenses	<u>34,750</u>
Total	477,915
Source of funds	
Transportation fund	117,915
Federal funds	<u>360,000</u>
Total	477,915
Sec. B.913 Transportation - town highway class 2 roadway	
Grants	<u>8,858,000</u>
Total	8,858,000
Source of funds	
Transportation fund	<u>8,858,000</u>
Total	8,858,000

Sec. B.914 Transportation - town highway bridges

Personal services	16,970,000
Operating expenses	19,731,775
Grants	<u>500,000</u>
Total	37,201,775
Source of funds	
TIB fund	3,099,345
Federal funds	32,908,515
Local match	<u>1,193,915</u>
Total	37,201,775

Sec. B.915 Transportation - town highway aid program

Grants	<u>28,672,753</u>
Total	28,672,753
Source of funds	
Transportation fund	<u>28,672,753</u>
Total	28,672,753

Sec. B.916 Transportation - town highway class 1 supplemental grants

Grants	<u>128,750</u>
Total	128,750
Source of funds	
Transportation fund	<u>128,750</u>
Total	128,750

Sec. B.917 Transportation - town highway: state aid for nonfederal disasters

Grants	<u>1,150,000</u>
Total	1,150,000
Source of funds	
Transportation fund	<u>1,150,000</u>
Total	1,150,000

Sec. B.918 Transportation - town highway: state aid for federal disasters

Grants	<u>180,000</u>
Total	180,000
Source of funds	
Transportation fund	20,000
Federal funds	<u>160,000</u>
Total	180,000

 Sec. B.919 Transportation - municipal mitigation assistance program

Personal services	100,000
Operating expenses	275,000
Grants	<u>10,113,523</u>
Total	10,488,523
Source of funds	
Transportation fund	705,000
Special funds	5,000,000
Federal funds	<u>4,783,523</u>
Total	10,488,523

Sec. B.920 Transportation - public assistance grant program

Operating expenses	200,000
Grants	<u>1,050,000</u>
Total	1,250,000
Source of funds	
Special funds	50,000
Federal funds	1,000,000
Interdepartmental transfers	<u>200,000</u>
Total	1,250,000

Sec. B.921 Transportation board

Personal services	169,068
Operating expenses	<u>24,412</u>
Total	193,480
Source of funds	
Transportation fund	<u>193,480</u>
Total	193,480

Sec. B.922 Total transportation

Source of funds	
Transportation fund	303,903,571
TIB fund	25,229,215
Special funds	8,050,000
Federal funds	476,014,899
Internal service funds	23,956,385
Interdepartmental transfers	2,706,360
Local match	<u>11,104,867</u>
Total	850,965,297

Sec. B.1000 Debt service

Operating expenses	<u>75,705,398</u>
Total	75,705,398
Source of funds	
General fund	75,377,993
Transportation fund	<u>327,405</u>
Total	75,705,398

Sec. B.1001 Total debt service

Source of funds	
General fund	75,377,993
Transportation fund	<u>327,405</u>
Total	75,705,398

* * * Fiscal Year 2024 One-time Appropriations * * *

Sec. B.1100 MISCELLANEOUS FISCAL YEAR 2024 ONE-TIME
APPROPRIATIONS

(a) Agency of Administration. In fiscal year 2024, funds are appropriated for the following:

(1) \$2,300,000 General Fund to create, implement, and oversee a comprehensive statewide language access plan;

(2) \$15,000,000 General Fund to be used to offset the cost of denied claims for Federal Emergency Management Agency (FEMA) reimbursement.

(3) \$500,000 General Fund for community grants related to health equity. These funds shall not be released until the recommendation and report required by Sec. E.100.1 of this act, regarding the permanent administrative location for the Office of Health Equity, is provided to the committees of jurisdiction listed in Sec. E.100.1 of this act and the positions in the Office of Health Equity created by this act are filled.

(b) Vermont State Colleges. In fiscal year 2024, funds are appropriated for the following:

(1) \$3,820,000 General Fund and \$5,180,000 American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds for bridge funding to support ongoing system transformation; and

(2) \$4,000,000 General Fund for the Community College of Vermont to reduce the tuition fee for certificates, degrees, and courses that have a direct nexus to Vermont business and industry needs.

(c) Department of Human Resources. In fiscal year 2024, funds are appropriated for the following:

(1) \$725,000 General Fund to fund seven new permanent full-time positions in the Operations division in fiscal year 2024. These position costs shall be funded through the Department of Human Resources – Internal Service Fund beginning in fiscal year 2025;

(2) \$75,000 General Fund to fund one new permanent full-time position in the VTHR Operations division in fiscal year 2024. This position cost shall be funded through the Department of Human Resources – Internal Service Fund beginning in fiscal year 2025; and

(3) \$1,900,000 General Fund for the implementation of a Paid Family and Medical Leave Insurance program available to all State employees in fiscal year 2024. This program cost shall be funded through the Department of Human Resources – Internal Service Fund beginning in fiscal year 2025.

(d) \$200,000 General Fund to the Department of Libraries in fiscal year 2024 to support the FiberConnect project relating to Internet access in public libraries.

(e) Department of Public Safety. In fiscal year 2024, funds are appropriated for the following:

(1) \$190,000 General Fund for external carriers (vests) that improve the ergonomics of ballistic personal protective equipment; and

(2) \$500,000 General Fund for hiring incentives, including hiring bonuses, to be paid to all new sworn members and emergency communication dispatchers; recruitment awards to current members for successful recruitment of a new member (criteria dependent); and student loan debt repayment of up to \$10,000 per new hire toward the repayment of preexisting student loan debt.

(f) Military Department. In fiscal year 2024, funds are appropriated for the following:

(1) \$10,000 General Fund for a grant to the USS Vermont Support Group, a nonprofit organization supporting military members serving on the USS Vermont (SSN 792) and their families; and

(2) \$10,000 General Fund for a grant to North Country Honor Flight, an organization that sponsors escorted trips for veterans to visit the war memorials on the National Mall, to cover the expenses of 10 Vermont resident attendees.

(g) Criminal Justice Council. In fiscal year 2024, funds are appropriated for the following:

(1) \$1,200,000 General Fund for a three-phase accreditation process to include job task analysis, curriculum development and piloting;

(2) \$20,000 General Fund for a records management system to ensure efficient and compliant recordkeeping, including case management tracking, reporting, and compliance monitoring for remote learning; and

(3) \$200,000 General Fund for a request for proposals and contracts related to procedure development; off-site course development; records management system transition; developing pathways to certification; and medical personnel.

(h) \$210,000 General Fund to the Office of the Defender General in fiscal year 2024, for the case management system.

(i) Agency of Agriculture, Food and Markets. In fiscal year 2024, funds are appropriated for the following:

(1) \$110,000 General Fund for electric vehicle charger inspections. Funds shall be used for the purchase of two testing units and related equipment to support the development and implementation of the Commercial Electric Vehicle Fueling Systems regulatory program;

(2) \$1,070,000 General Fund for replacement of the existing Food Safety Inspection Database; and

(3) \$500,000 General Fund for a grant to Salvation Farms to expand access to locally grown food for all Vermonters.

(j) \$105,000 General Fund to the Department of Mental Health in fiscal year 2024 for expediting competency and sanity evaluations.

(k) Green Mountain Care Board. In fiscal year 2024, funds are appropriated for the following:

(1) \$620,000 General Fund for costs associated with the implementation of the Vermont Health Care Uniform Reporting and Evaluation System (VHCURES) database;

(2) \$120,500 General Fund for the implementation of a new financial database solution; and

(3) \$50,000 General Fund for the development of the statutorily required Health Resources Allocation Plan Tool.

(l) Agency of Human Services Central Office. In fiscal year 2024, funds are appropriated for the following:

(1) \$1,000,000 General Fund to the State Refugee Office for the Employment Assistance Grants program created in 2022 Acts and Resolves

No. 185, Sec. B.1100, as amended by 2023 Acts and Resolves No. 3, Sec. 45. Funds remaining at the end of fiscal year 2025 shall revert to the General Fund;

(2) \$8,834,000 General Fund and \$11,483,302 Federal Revenue Fund #22005 for a two-year pilot to expand the Blueprint for Health Hub and Spoke program. Funds shall be used to expand the substances covered by the program, include mental health and pediatric screenings, and make strategic investments with community partners;

(3) \$10,000,000 General Fund to continue to address the emergent and exigent circumstances impacting health care providers following the COVID-19 pandemic; and

(4) \$10,534,603 General Fund and \$13,693,231 Federal Revenue Fund #22005 for use as Global Commitment matching funds for one-time caseload pressures due to the suspension of Medicaid eligibility redeterminations.

(m) \$366,066 General Fund and \$372,048 Federal Revenue Fund #22005 to the Department of Vermont Health Access for a two-year pilot to expand the Blueprint for Health Hub and Spoke program and \$15,583,352 Global Commitment Fund #20405 to the Department of Health Access Medicaid program for a two-year pilot to expand the Blueprint for Health Hub and Spoke program.

(n) Department of Health. In fiscal year 2024, funds are appropriated for the following:

(1) \$4,595,448 Global Commitment Fund #20405 to the Division of Substance Use Programs for a two-year pilot to expand the Blueprint for Health Hub and Spoke program;

(2) \$30,000 General Fund for a housing voucher program administered by the Vermont Association of Recovery Residences and Jenna's Promise to pay for a recovery home residents' first month of rent;

(3) \$1,590,000 General Fund for the Division of Substance Use Programs, in conjunction with \$1,410,000 appropriated from the General Fund in Sec. B.313 of this act representing 30 percent of the fiscal year 2023 forecast for cannabis excise tax and used in a manner consistent with the Substance Misuse Prevention Coalition funding intent as stated in 2022 Acts and Resolves No. 185, Sec. B.1100(a)(12)(A)(i);

(4) \$500,000 Tobacco Settlement Fund for the Division of Substance Use Programs for tobacco and substance use disorder prevention and cessation activities. The Division shall require that information on the use of the funds appropriated in accordance with this section be provided to the Division by

grantees in an agreed-upon time frame, including the specific activities supported by the funds, a description of the number of individuals served, and information on the outcomes achieved by this investment. On or before, January 10, 2024, the Division shall report on these metrics to the House and Senate Committees on Appropriations, to the House Committee on Human Services, and to the Senate Committee on Health and Welfare;

(5) \$100,000 General Fund to the Department of Health to support the Regional Emergency Medical Services Coordination study, which may include hiring a consultant or others with technical expertise or both for the purpose of assisting the Department in conducting its study and writing a report on its findings and recommendations;

(6) \$100,000 General Fund to the Division of Substance Use Programs for a grant to Jenna's Promise;

(7) \$5,000,000 General Fund for the purpose of supporting the Community Violence Prevention Program established by legislation enacted in 2023. Unexpended appropriations shall carry forward into the subsequent fiscal year and remain available for use for this purpose. All or part of this appropriation may be transferred to the Department of Health for this Program if necessary;

(8) \$375,000 General Fund to be granted to the Vermont Foundation for Recovery for one-time program support; and

(9) \$350,000 General Fund to be granted to the Bridges to Health and University of Vermont Extension Community Health Worker Outreach program to support outreach, enrollment, education, transition, referral and care coordination to migrant workers and farm families through June 30, 2024.

(o) Department for Children and Families. In fiscal year 2024, funds are appropriated for the following:

(1) \$2,000,000 General Fund to implement the two-year Reach Ahead Pilot Program. Funds shall be used to increase monthly food assistance benefits to Reach Ahead participants, expand the eligibility window for those leaving Reach Up, and provide incentive payments;

(2) \$650,000 General Fund for the 2-1-1 service line. The Department, in consultation with the Agency of Human Services Central Office, shall report on the status of the service and its funding to the Joint Fiscal Committee on or before the Committee's November 2023 meeting;

(3) \$40,000 General Fund to fund the purchase of a driving school vehicle for the Youth Development Program to support foster and former foster youth access to driver's education;

(4) \$18,884,610 General Fund to address the estimated need for the Adverse Weather Conditions policy and General Assistance Emergency Housing hotel and motel expenditures in fiscal year 2024;

(5) \$5,000,000 General Fund to the Housing Opportunity Grant Program to expand and provide wraparound supports and services for homeless households;

(6) \$3,000,000 General Fund for a grant to the Vermont Food Bank to support increased capacity of services to meet persistent food insecurity;

(7) \$100,000 General Fund for a grant to the Vermont Food Bank in consultation with the Junior League of Vermont for the statewide distribution of diapers to families in need;

(8) \$50,000 General Fund for a grant to the Vermont Donor Milk Center for statewide activities;

(9) \$130,000 General Fund for a grant to the Snelling Center to restart the Early Childhood Education Leadership Program; and

(10) \$300,000 General Fund for a grant to Prevent Child Abuse Vermont to provide education regarding the prevention of unsafe infant sleep and to expand programming and support services regarding child abuse often related to parental substance misuse.

(p) Department of Labor. In fiscal year 2024, funds are appropriated for the following:

(1) \$200,000 General Fund to be granted to the State Workforce Development Board for the New American Labor Force Program; and

(2) \$1,000,000 General Fund to provide services under the Work-Based Learning and Training Program established pursuant to 10 V.S.A. § 547.

(q) Natural Resources Board. In fiscal year 2024, funds are appropriated for the following:

(1) \$1,000,000 General Fund for the digitization of Natural Resources Board documents. Funds shall be used for the continued digitization of permanent, paper-based Act 250 land use permit records currently located at the Natural Resources Board's five district offices; and

(2) \$200,000 General Fund for an Act 250 study contract. Funds shall be used to contract with a consultant to assist with the preparation of a report on updates necessary to the Act 250 program, per 2022 Acts and Resolves No. 182, Sec. 41(a).

(r) \$200,000 General Fund in fiscal year 2024 to the Agency of Education for the work of the School Construction Task Force.

(s) \$35,000 General Fund to the Vermont Symphony Orchestra to support the celebration of the Symphony's 90th season.

(t) \$1,200,000 General Fund to the Vermont Housing and Conservation Board to administer and support the activities of the Land Access and Opportunity Board.

(u) \$1,750,000 Tax – Current Use Administration Fund #21594 to the Department of Taxes for the digitization of the Current Use program.

(v) Public Service Department. In fiscal year 2024, funds are appropriated for the following:

(1) \$500,000 Regulation/Energy Efficiency Fund #21698 to upgrade and expand the ePSD case management system;

(2) \$400,000 Regulation/Energy Efficiency Fund #21698 to complete the Telecom Plan Update scheduled for June 2024; and

(3) \$300,000 Regulation/Energy Efficiency Fund #21698 to craft policy proposals to reform and streamline electric sector policy.

(w) Agency of Digital Services. In fiscal year 2024, funds are appropriated for the following:

(1) \$10,000,000 Technology Modernization Fund #21951 for Network and Security Infrastructure Modernization including planning and design and the replacement of legacy infrastructure, hardware and software, platforms underlying the network and security architecture.

(A) The Agency of Digital Services shall select a vendor through a competitive bid process. The Agency of Digital Services shall consider bids with options to buy or lease equipment. Per 3 V.S.A. § 3303, any project with a total cost of \$1,000,000 or greater shall be subject to an expert independent review. The review shall include an analysis of all options, although the Agency of Digital Services is limited to the bids that it receives. The Agency of Digital Services may also purchase or lease equipment through a separate competitive bid process.

(B) Once a vendor has been selected and an expert independent review completed, the Agency of Digital Services shall issue a verbal or written report to the Joint Information Technology Oversight Committee.

(x) \$4,680,000 General Fund to the Judiciary for the Judiciary network replacement project.

(A) Judiciary shall update the Joint Information Technology Oversight Committee on the status of this project on or before December 1, 2023.

(y) \$117,000 General Fund to the Agency of Commerce and Community Development for a grant to the Vermont 250th Anniversary Commission for the 250th celebration.

(z) Vermont Center for Crime Victims' Services. In fiscal year 2024, funds are appropriated for the following:

(1) \$25,000 General Fund for a grant for a monument to the survivors of St. Joseph's Orphanage; and

(2) \$10,000 General Fund to continue the work of the Intercollegiate Sexual Harm Prevention Council.

(aa) \$450,000 General Fund to the Department of Disabilities, Aging, and Independent Living to continue the SASH pilot for another year.

(bb) \$100,000 General Fund to the Vermont Pension Investment Commission for a study on the assets of the State's pension systems.

(cc) \$750,000 General Fund to the State Treasurer for the initial costs of the Vermont Saves program.

(dd) Secretary of State. In fiscal year 2024, funds are appropriated for the following:

(1) \$1,000,000 General Fund for a grant to the Vermont Access Network to offset declining cable revenues.

(2) \$100,000 General Fund for grants to municipalities for ranked choice voting.

(ee) Joint Fiscal Office. In fiscal year 2024, funds are appropriated for the following:

(1) \$250,000 for per diem compensation and reimbursement of expenses for members of the Task Force on Economic Development Incentives and for consulting services approved by the Task Force.

(2) \$75,000 for per diem compensation and reimbursement of expenses for members of the Legislative Working Group on Renewable Energy Standard Reform and for consulting services related to this Group's work.

* * * Workforce Development * * *

Sec. B.1101 WORKFORCE AND ECONOMIC DEVELOPMENT – FISCAL YEAR 2024 ONE-TIME APPROPRIATIONS

(a) Education workforce.

(1) In fiscal year 2024, the amount of \$500,000 is appropriated from the General Fund to the Agency of Education for the purpose of funding the Emerging Pathways Grant Program to encourage and support the development and retention of qualified and effective Vermont educators with the goal of increased program completion rates and increased rates of licensure of underrepresented demographics. These grants are to expand support, mentoring, and professional development to prospective educators seeking licensure through the Agency of Education’s emerging pathways, including peer review and apprentice pathways.

(A) Program administration. The Agency shall adopt policies, procedures, and guidelines necessary for implementation of the grant program. The Agency shall report to General Assembly on the status of the program on or before January 15, 2024.

(B) Eligibility criteria. The Agency shall issue grants to organizations, school districts, or a group of school districts for the development and administration of programs designed to provide prospective educators in emerging pathways with the support necessary for successful entry into the educator workforce. Recruitment, support, and retention of prospective educator candidates shall focus on diversity, equity, and inclusion. Support provided through the program may include:

(i) support through the Praxis exam process;

(ii) local, educator-led seminars designed around the Vermont licensure portfolio themes;

(iii) local educator mentors;

(iv) support in completing the peer review portfolio and licensing process; and

(v) continued professional development support within the first year of licensure.

(2) In fiscal year 2024, the amount of \$2,500,000 is appropriated from the General Fund to the Vermont Student Assistance Corporation for the Vermont Teacher Forgivable Loan Incentive Program to provide forgivable loans to students enrolled in an eligible school who meet the eligibility requirements in subdivision (A) of this subsection. The goal of the program is

to encourage students to enter into teaching professions, with an emphasis on encouraging Black, Indigenous, and Persons of Color, New Americans, and other historically underrepresented communities.

(A) To be eligible for a forgivable loan under the program an individual, whether a resident or nonresident of Vermont, shall satisfy all of the following requirements:

(i) be enrolled in a teaching program at an eligible school;

(ii) maintain good standing at the eligible school at which the individual is enrolled;

(iii) agree to work as a teacher in a Vermont public school for a minimum of one year following licensure for each year of forgivable loan awarded;

(iv) have executed a credit agreement or promissory note that will reduce the individual's forgivable loan benefit, in whole or in part, pursuant to subdivision (B) of this section, if the individual fails to complete the period of service required in this subdivision;

(v) have completed the program's application form, the Free Application for Federal Student Aid (FAFSA), and, for Vermont residents, the Vermont grant application each academic year of enrollment in accordance with a schedule determined by the Corporation; and

(vi) have provided such other documentation as the Corporation may require.

(B) If an eligible individual fails to serve as a teacher in a Vermont public school for a period that would entitle the individual to the full forgivable loan benefit received by the individual, other than for good cause as determined by the Corporation, then the individual shall receive only partial loan forgiveness for a pro rata portion of the loan pursuant to the terms of the interest-free credit agreement or promissory note signed by the individual at the time of entering the program.

(C) There shall be no deadline to apply for a forgivable loan under this section. Forgivable loans shall be awarded on a rolling basis provided funds are available, and any funds remaining at the end of a fiscal year shall roll over and shall be available to the Corporation in the following fiscal year to award additional forgivable loans as set forth in this section.

(D) The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section, including maximum forgivable loan amounts. The Corporation shall not use more than seven percent of the funds appropriated for the program for its costs of

administration and may recoup its reasonable costs of collecting the forgivable loans in repayment.

(3) In fiscal year 2024, the sum of \$30,000 is appropriated from the General Fund to the Agency of Education for the purpose of funding the Historically Underrepresented Educator Affinity Groups Grant Program to provide grants for the support of existing and development of new educator affinity groups for historically underrepresented groups. The Agency of Education shall administer the program.

(A) The Agency shall adopt policies, procedures, and guidelines necessary for the implementation of the program established pursuant to this subdivision.

(b) Youth workforce and high school completion.

(1) In fiscal year 2024, the amount of \$2,300,000 is appropriated from the General Fund to the Department of Forests, Parks and Recreation to fund the Vermont Serve, Learn, and Earn Program, which supports workforce development goals through creating meaningful paid service and learning opportunities for young adults, through the Serve, Learn, and Earn Partnership made up of the Vermont Youth Conservation Corps, Vermont Audubon, Vermont Works for Women, and Resource VT. The Department shall enter into a grant agreement with the Partnership that specifies the required services and outcomes for the Program.

(2) In fiscal year 2024, the amount of \$1,000,000 is appropriated from the General Fund to the Agency of Education for grants to Adult Basic Education programs to provide bridge funding for Adult Basic Education programs while the study and report required by Sec. E.504 of this act is completed.

(c) Higher education.

(1) In fiscal year 2024, the amount of \$500,000 is appropriated from the General Fund to the Vermont State Colleges to establish a Bachelor of Science program in restorative justice at Vermont State University.

(2) In fiscal year 2024 the amount of \$1,500,000 is appropriated from the General Fund to the Vermont State Colleges to establish the Certificate in 3-D Technology program.

(3) In fiscal year 2024, the amount of \$3,800,000 is appropriated from the General Fund to the Vermont State Colleges to provide Critical Occupations Scholarships for eligible students with a household income of \$75,000 or less enrolled in education programs that lead to a career in the

following: early childhood occupations, clinical mental health counseling, criminal justice occupations, dental hygienists, and all levels of nursing.

(4) In fiscal year 2024, the amount of \$1,500,000 is appropriated from the General Fund to the University of Vermont to provide additional free classes through the Upskill Vermont Scholarship Program for Vermont residents seeking to transition to a new career or to enhance job skills.

(5) In fiscal year 2024, the amount of \$1,500,000 is appropriated from the General Fund to the University of Vermont Office of Engagement, in consultation with the Vermont Student Assistance Corporation, for additional forgivable loans of \$5,000 per graduate for recent college graduates across all Vermont higher education institutions who commit to work in Vermont for two years after graduation.

(6) In fiscal year 2024, the amount of \$350,000 is appropriated from the General Fund to the Vermont Student Assistance Corporation for a subgrant to Advance Vermont to continue work pursuant to 2022 Acts and Resolves No. 183, Sec. 39 in support of the State's goal articulated in 10 V.S.A. § 546 that 70 percent of working-age Vermonters hold a credential of value by 2025. On or before December 15, 2023, Advance Vermont shall report to the General Assembly regarding outcomes achieved, the use of these State funds, and the other fund sources Advance Vermont has secured for this project.

(d) Healthcare and social services workforce.

(1) In fiscal year 2024, the amount of \$1,000,000 is appropriated from the General Fund to the Department of Health to be transferred as needed to the Vermont Student Assistance Corporation for the Vermont Psychiatric Mental Health Nurse Practitioner Forgivable Loan Incentive Program created in 18 V.S.A. § 39.

(2) In fiscal year 2024, the amount of \$1,000,000 is appropriated from the General Fund to the Department of Health to provide training for emergency medical services personnel.

(3) In fiscal year 2024, the amount of \$170,000 is appropriated from the General Fund to the Agency of Human Services to provide one additional year of funding for the classified, three-year limited service Health Care Workforce Coordinator position created in the Agency of Human Services, Office of Health Care Reform, pursuant to 2022 Acts and Resolves No. 183, Sec. 34(a).

(4) In fiscal year 2024, the amount of \$3,000,000 is appropriated from the General Fund to the Department of Mental Health to address workforce needs at the designated and specialized service agencies. These funds shall not be released until a plan to meet training and retention is mutually agreed upon by the Department of Disabilities, Aging, and Independent Living and the

designated and specialized service agencies and approved by the General Assembly or the Joint Fiscal Committee if the legislature is not in session. All or a portion of these funds may be used as matching funds to the Agency of Human Services Global Commitment program to provide State match if any part of the plan is eligible to draw federal funds. It is the intent of the General Assembly to maximize the value of this one-time funding through eligible Global Commitment investment.

(e) Corrections workforce.

(1) In fiscal year 2024, the amount of \$200,000 is appropriated from the General Fund to the Department of Corrections for the purpose of contracting or expanding an existing contract with a vendor to provide supervisory and management professional development services to the Department's employees in accordance with the Department's efforts to address an employee workforce crisis and strengthen workplace satisfaction, pursuant to Sec. F.16 of this act.

(f) Economic development.

(1) In fiscal year 2024, the amount of \$5,000,000 is appropriated from the General Fund to the Agency of Commerce and Community Development for the Vermont Training Program to fulfill Vermont's obligation to procure incentives in accordance with the Creating Helpful Incentives to Produce Semiconductors for America (CHIPS) Act.

(2) In fiscal year 2024, the amount of \$1,250,000 is appropriated from the General Fund to the Agency of Commerce and Community Development for a grant to the regional development corporations to provide small- and mid-sized businesses with professional and technical assistance.

(3) In fiscal year 2024, the amount of \$72,000 is appropriated from the General Fund to the Vermont Council on the Arts to provide a State match for National Endowment for the Arts funding to enable the Council to continue its work boosting the creative economy in Vermont.

(4) In fiscal year 2024, the amount of \$8,000,000 General Fund is appropriated to the Department of Economic Development for Brownfields redevelopment consistent with Sec. F.5 of this act.

(5) In fiscal year 2024, the amount of \$1,000,000 General Fund is appropriated to the Department for Children and Families to augment service support funding in the Reach Up program.

(6) In fiscal year 2024, the amount of \$90,000 is appropriated from the General Fund to the Agency of Commerce and Community Development for a subgrant to the Vermont Sustainable Jobs Fund to expand its Business

Coaching program to work with a group of existing energy services businesses interested in adopting a climate-centered mission and working with trades persons looking to start their own climate-centered business.

(g) Agriculture Economic Development

(1) In fiscal year 2024, the amount of \$1,000,000 General Fund is appropriated to the Agency of Agriculture, Food and Markets for the Working Lands Enterprise grant program.

(2) In fiscal year 2024, \$2,300,000 General Fund is appropriated to the Agency of Agriculture, Food and Markets to fund Agriculture Development Grants for meat, produce, and maple processing. The Secretary of Agriculture, Food and Markets shall determine that there are significant interests in establishing certain parameters in the grant program before making an award. Grants should be awarded to farmers, processors, and businesses, which shall not include hydroponic operations. Furthermore, the Secretary shall not allocate more than 25 percent of grant funds toward the maple industry. Of the funds appropriated under this subdivision, an amount not to exceed \$125,000 may be used by the Agency of Agriculture, Food and Markets to support the cost of temporary employees to administer the grants.

(3) In fiscal year 2024, the amount of \$6,900,000 General Fund is appropriated to the Agency of Agriculture, Food and Markets to fund Agriculture Development Grants for the Organic Dairy Farm Assistance Program.

(4) In fiscal year 2024, the amount of \$300,000 General Fund is appropriated to the Agency of Agriculture, Food and Markets for a grant to the Vermont Sustainable Jobs Fund as follows:

(A) \$100,000 to the Independent Retail Grocers Project; and

(B) \$200,000 to the Beef on Dairy Project.

(5) In fiscal year 2024, \$150,000 General Fund is appropriated to the Vermont Housing and Conservation Board for the establishment by the Farm Viability Program of a pilot program to award a grant for the use of virtual fences, solar powered collars, and solar powered transmitters to control livestock. As used in this section, "livestock" means cattle, horses, sheep, swine, and goats.

(6) In fiscal year 2024, \$415,000 General Fund is appropriated to the Agency of Agriculture, Food and Markets to fully fund the Dairy Risk Management Assistance Program for farmers who enroll in calendar year 2023. These funds are in addition to the unexpended funds appropriated under

2022 Acts and Resolves No. 83, Sec. 68 to implement the Dairy Risk Management Assistance Program.

(7) In fiscal year 2024, \$150,000 General Fund is appropriated to the Agency of Agriculture, Food and Markets for the Small Farmer Diversification and Transition Program. The Agency staff who support the Working Lands Enterprise Board shall administer the Program and provide small farmers in Vermont with State financial assistance in the form of grants.

(A) Program applicants shall:

(i) be a small farmer and not permitted as a medium farm or large farm at the time of application.

(ii) have a proposed plan for diversification or transition that includes possible markets for the proposed product and probable income; and

(iii) demonstrate to the Agency that there is potential from the proposed diversification or transition to create additional income for the applicant.

(B) Small Farmer Diversification and Transition Program grants shall be used for costs of:

(i) diversifying the farm products produced by the applicant;

(ii) transitioning the applicant from one form of farming to another;

(iii) processing of farm products on the farm owned or controlled by the applicant; and

(iv) development of an accessory on-farm business by the applicant.

(C) The Working Lands Enterprise Board shall not require applicants for a Small Farmer Diversification and Transition Program grant to provide a match or to pay a minimum percentage of eligible project cost for which the grant is proposed for use.

(D) The Secretary and the Working Lands Enterprise Board shall provide public notice of the availability of grants from the Small Farmer Diversification and Transition Program as separate from the Working Lands Enterprise Board's traditional grants. The Secretary shall publicize the Small Farmer Diversification and Transition Program grants in newsletters, press releases, e-mail, and other communications from the Agency of Agriculture, Food and Markets.

(E) As used in this subdivision B.1101(g)(7), “small farmer” means any person who:

(i) is engaged in “farming” as that term is defined in 10 V.S.A. § 6001(22), regardless of the size of the parcel, and whose gross income from the sale of the farm products equals at least one-half of the farmer’s annual gross income; or

(ii) a small farm subject to the Required Agricultural Practices.

Sec. B.1101.1 TRUTH AND RECONCILIATION COMMISSION

(a) In fiscal year 2024, \$240,000 General Fund is appropriated to the Truth and Reconciliation Commission. These funds, in combination with carryforward funds shall provide fiscal year 2024 funding for the Commission’s activities.

* * * Affordable Housing * * *

Sec. B.1102 AFFORDABLE HOUSING DEVELOPMENT – FISCAL YEAR 2024 ONE-TIME APPROPRIATIONS

(a) In fiscal year 2024, the amount of \$10,000,000 General Fund is appropriated to the Department of Housing and Community Development for the Vermont Rental Housing Improvement Program established in 10 V.S.A. § 699.

(b) In fiscal year 2024, the amount of \$300,000 General Fund is appropriated to the Department of Housing and Community Development for a grant to the Vermont Association of Planning and Development Agencies for the purpose of hiring Housing Navigators.

(c) In fiscal year 2024, the amount of \$50,000,000 General Fund is appropriated to the Vermont Housing and Conservation Board (VHCB):

(1) \$10,000,000 to provide support and enhance capacity for emergency shelter and permanent homes for those experiencing homelessness. The funds shall be used to expand Vermont’s shelter capacity, provide homes for those experiencing homelessness, and decrease reliance on the General Assistance Emergency Housing hotel and motel program. The Vermont Housing and Conservation Board shall consult with the Agency of Human Services to ensure new investments in homes and shelters are paired with appropriate support services for residents, including services supported through Medicaid. Funded projects may utilize a range of housing options, including the expansion of shelter capacity, the conversion of hotels to housing, creation of permanent supportive housing, and utilization of manufactured homes on infill sites.

(2) \$40,000,000 to provide support and enhance capacity for the production and preservation of affordable mixed-income rental housing and homeownership units, including improvements to manufactured homes and communities, permanent homes for those experiencing homelessness, recovery residences, and housing available to farm workers and refugees. The Board is authorized to utilize up to 10 percent of these resources for innovative approaches to helping communities meet their housing needs.

* * * Climate and Environment * * *

Sec. B.1103 CLIMATE AND ENVIRONMENT – FISCAL YEAR 2024
ONE-TIME APPROPRIATIONS

(a) In fiscal year 2024, the amount of \$700,000 General Fund is appropriated to the Agency of Natural Resources – Central Office for refrigerant management. Funds shall be used for incentives to improve or replace commercial and industrial refrigeration systems with the goal of reducing the use of high global warming potential (GWP) refrigerants.

(b) In fiscal year 2024, the amount of \$900,000 General Fund is appropriated to the Agency of Natural Resources – Climate Action Office for technical analyses, tools, and training. Funds shall be used for investments in ongoing evaluation, implementation support and tracking of the impact of programs, and policy approaches needed to reduce greenhouse gas emissions and improve landscape-level resilience consistent with the Global Warming Solutions Act.

(c) In fiscal year 2024, the amount of \$2,000,000 General Fund is appropriated to the Department of Public Service for the School Heating Assistance with Renewables and Efficiency Program (SHARE) to assist Title I eligible schools in repairing or renovating their existing wood chip or pellet heating systems or to install new wood chip or pellet heating systems.

(d) In fiscal year 2024, the amount of \$150,000 General Fund is appropriated to the Department of Fish and Wildlife for Wildlife Crop Damage Payments. Funds shall be used for payments to farmers under the provisions of 10 V.S.A. § 4829.

(e) In fiscal year 2024, the amount of \$500,000 General Fund is appropriated to the Department of Forests, Parks and Recreation for Parks personnel housing. Funds shall be used to renovate, remediate, and expand on-site housing opportunities, including installation of full hook-ups for RVs; splitting existing staff housing into multiple units; and making critical (health and safety) repairs to the existing housing stock for Vermont State Parks staff in critical locations statewide.

(f) In fiscal year 2024, the amount of \$1,000,000 General Fund is appropriated to the Department of Forests, Parks and Recreation for Small Communities Outdoor Recreation Grant matching funds. Funds shall be used to support Vermont communities by providing State match funds for federal recreation grants.

(g) In fiscal year 2024, the amount of \$500,000 General Fund is appropriated to the Department of Forests, Parks and Recreation for emerald ash borer mitigation and low income heating assistance. Funds shall be used to remove high-risk ash trees on Department of Forests, Parks and Recreation lands and provide free firewood to households with low income.

(h) In fiscal year 2024, the amount of \$2,500,000 General Fund is appropriated to the Department of Environmental Conservation for the Brownfields Reuse and Environmental Liability Limitation Act as codified in 10 V.S.A. chapter 159. Funds shall be used for the assessment and cleanup planning for a maximum of 25 brownfields sites.

(i) In fiscal year 2024, the amount of \$600,000 General Fund is appropriated to the Department of Environmental Conservation for the Emissions Repair Program. Funds shall be used for the Emissions Repair Program established by 2021 Acts and Resolves No. 55, Sec. 25 for fiscal years 2024 through 2026.

(j) In fiscal year 2024, the amount of \$6,100,000 American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds is appropriated to the Department of Environmental Conservation for the Healthy Homes Initiative. Funds shall be used to make repairs or improvements to drinking water, wastewater, or stormwater systems for Vermonters who have low to moderate income or who live in manufactured housing communities, or both.

(k) In fiscal year 2024, the amount of \$1,000,000 General Fund is appropriated to the Department of Environmental Conservation for Polyfluoroalkyl Substances (PFAS) technical assistance. Funds shall be used to support statewide groundwater Polyfluoroalkyl Substances (PFAS) remediation efforts.

(l) In fiscal year 2024, the amount of \$5,000,000 Environmental Contingency Fund #21275 is appropriated to the Department of Environmental Conservation for statewide Polyfluoroalkyl Substances (PFAS) groundwater remediation.

(m) In fiscal year 2024, the amount of \$850,000 Transportation Fund is appropriated to the Agency of Transportation for a grant to Green Mountain Transit to operate routes on a zero-fare basis and prepare for the transition to tiered-fare service.

* * * Retired Teachers' One-time COLA Payment * * *

Sec. B.1104 FISCAL YEAR 2024 ONE-TIME APPROPRIATION;
RETIRED TEACHERS' COST OF LIVING PAYMENT

(a) In fiscal year 2024, notwithstanding any provision of 16 V.S.A. § 4025 to the contrary, the amount of \$3,000,000 is appropriated to the Vermont State Teachers' Retirement System from the Education Fund for Calendar Year 2023 supplemental payments made in Sec. E.514.2(b) of this act and associated costs.

* * * Cash Fund for Capital and Essential Investments * * *

Sec. B.1105 CASH FUND FOR CAPITAL AND ESSENTIAL
INVESTMENTS – FISCAL YEAR 2024 ONE-TIME
APPROPRIATIONS

(a) In fiscal year 2024, \$17,685,000 is appropriated from the Capital Infrastructure sub account in the Cash Fund for Capital and Essential Investments for the following projects:

(1) \$400,000 is appropriated to the Department of Buildings and General Services for planning, reuse, and contingency;

(2) \$1,700,000 is appropriated to the Department of Buildings and General Services for roof replacement and brick façade repairs at the McFarland State Office Building in Barre;

(3) \$135,000 is appropriated to the Department of Buildings and General Services for 32 Cherry Street, parking garage repairs;

(4) \$1,000,000 is appropriated to the Department of Buildings and General Services for roof replacement at the Central Services complex in Middlesex;

(5) \$150,000 is appropriated to the Department of Buildings and General Services for design documents for the State House expansion in Montpelier;

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

(7) \$600,000 is appropriated to the Department of Buildings and General Services for planning for the boiler replacement at the Northern State Correctional Facility in Newport;

(8) \$750,000 is appropriated to the Department of Buildings and General Services for planning for renovations to the administration building, West Cottage, at the Criminal Justice Training Council in Pittsford;

(9) \$600,000 is appropriated to the Department of Buildings and General Services for the Agency of Human Services for the planning and design of the booking expansion at the Northwest State Correctional Facility;

(10) \$1,000,000 is appropriated to the Department of Buildings and General Services for the Agency of Human Services for the planning and design of the Department for Children and Families' short-term stabilization facility;

(11) \$750,000 is appropriated to the Department of Buildings and General Services for the Judiciary for renovations at the Washington County Superior Courthouse in Barre;

(12) \$250,000 is appropriated 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;

(13) \$250,000 is appropriated to the Department of Buildings and General Services for the Department of Public Safety for the planning and design of the Rutland Field Station;

(14) \$300,000 is appropriated to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for the planning and design of the Vermont Agriculture and Environmental Laboratory Heat Plant;

(15) \$1,000,000 is appropriated to the Department of Buildings and General Services for electric vehicle charging stations at State buildings;

(16) \$4,000,000 is appropriated to the Agency of Natural Resources for the Department of Environmental Conservation for the Municipal Pollution Control Grants for pollution control projects and planning advances for feasibility studies;

(17) \$3,000,000 is appropriated to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the maintenance facilities at the Gifford Woods State Park and Groton State Forest; and

(18) \$800,000 is appropriated to the Agency of Natural Resources for the Department of Fish and Wildlife for infrastructure maintenance and improvements of the Department's buildings, including conservation camps.

(b) In fiscal year 2024, \$31,025,000 is appropriated from the Other Infrastructure, Essential Investments, and Reserves subaccount in the Cash

Fund for Capital and Essential Investments for the following projects. This funding is provided by the General Fund transfer in Sec. D.101 of this act.

(1) \$9,800,000 is appropriated to the Agency of Natural Resources 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;

(2) \$4,500,000 is appropriated to the Agency of Natural Resources for the Department of Environmental Conservation for the Waterbury Dam rehabilitation;

(3) \$7,500,000 is appropriated 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; infrastructure transformation planning; and the planning, design, and construction of Green Hall and Vail Hall; and

(4) \$9,225,000 is appropriated to the Department of Mental Health for construction of a psychiatric youth inpatient facility in the State.

(c) In fiscal year 2024, \$3,000,000 as appropriated in Sec. B.903 – Transportation – program development of this act from the Cash Fund for Capital and Essential Investments is for projects as specified in the State transportation plan.

(d) In fiscal year 2024, to the extent funds are available from transfers made in Sec. C.109 of this act, the projects in this subsection (d) shall receive an appropriation from the Other Infrastructure, Essential Investments, and Reserves subaccount in the Cash Fund for Capital and Essential Investments in the following order:

(1) \$1,000,000 is appropriated to the Department of Mental Health for a grant to Pathways Vermont for the purchase and renovation of a building to serve as a permanent home for the Soteria House program.

(A) Prior to issuing the grant, the Commissioner of Mental Health, with the assistance of the Secretary of Human Services and Commissioner of Buildings and General Services, shall review the accuracy and comprehensiveness of the financial analysis of the Pathways Vermont proposal to purchase specified property and operate the Soteria House program.

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

(2) \$1,000,000 is appropriated to the Department of Housing and Community Development for a grant to the Vermont Housing Finance Agency for its first generation homebuyer program.

(3) \$10,000,000 is appropriated to the Department of Housing and Community Development for a grant to the Vermont Housing Finance Agency to provide capitalization of revolving loan fund for the development of 'missing middle' rental housing.

(4) \$1,000,000 is appropriated to the Agency of Transportation for rail trail grants.

(5) \$5,000,000 is appropriated to the Department of Economic Development for the Rural Industry Development Grant Program as established in this act.

(6) \$3,500,000 is appropriated to the Agency of Transportation for the Saint Albans garage replacement project.

(e) If a project described in this section has received an appropriation prior to the effective date of this act and is not in compliance with the requirements of 29 V.S.A. § 161, then the project shall not be subject to the requirements of 29 V.S.A. § 161 if any of the following apply as of the effective date of this act:

- (1) the project has been invited or advertised for bid;
- (2) the project is under contract; or
- (3) the funds are obligated.

* * * Fiscal Year 2023 Adjustments, Appropriations, and Amendments * * *

Sec. C.100 FISCAL YEAR 2023 GENERAL FUND UNALLOCATED
CARRYFORWARD

(a) After satisfying the requirements of 32 V.S.A. § 308, and after other reserve requirements have been met, but prior to satisfying the requirements of 32 V.S.A. § 308c, the first \$337,449,200 of remaining unreserved and undesignated funds at the close of fiscal year 2023 shall remain in the General Fund and be carried forward to fiscal year 2024.

Sec. C.100.1 2022 Acts and Resolves No. 185, Sec. D.101 as amended by 2023 Acts and Resolves No. 3, Sec. 48 is further amended to read:

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

* * *

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

* * *

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

21638 AG-Fees & reimbursement – Court order		\$2,000,000
21928 Secretary of State Services Funds		\$1,200,000
62100 Unclaimed Property Fund	<u>\$4,442,485</u>	<u>\$6,691,685</u>
Combined estimate for 21075 Insurance Regulatory and Supervision Fund, 21805 Captive Insurance Regulatory and Supervision Fund, 21080 Regulatory and Supervision Fund		\$58,564,476

* * *

Sec. C.101 2023 Acts and Resolves No. 3 Sec. 106(b) is amended to read:

(b) ~~\$290,000~~ \$1,290,000 of the funds appropriated to the Justice Reinvestment II in fiscal year 2023 are for the Department's Offender Management System (OMS) intelligence layer consistent with the actions of the Joint Legislative Justice Oversight Committee.

Sec. C.102 2021 Acts and Resolves No. 74, Sec. E.335, as amended by 2022 Acts and Resolves No. 83, Sec. 62, and 2022 Acts and Resolves No. 185, Sec. C.111 is further amended to read:

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

* * *

(c) Any funds ~~expended~~ authorized to be used on ~~community-based service programs~~ justice reinvestment programs pursuant to subsection (b) of this section shall be ~~included in the subsequent year Department of Corrections budget for the same purpose at the same amount~~ may be carried forward over multiple fiscal years until fully expended.

Sec. C.103 2022 Acts and Resolves No. 185, Sec. E.335 is amended to read:

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

* * *

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

Sec. C.104 DEPARTMENT OF ENVIRONMENTAL CONSERVATION
ARPA-SFR PROJECT FUNDS REVERSION

(a) \$1,100,000 of the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds appropriated to the Department of Environmental Conservation in 2021 Acts and Resolves No. 74, Sec. G.501(a)(2) shall revert to the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds for reallocation in fiscal year 2024.

Sec. C.105 32 V.S.A. § 1001b is amended to read:

§ 1001b. CASH FUND FOR CAPITAL EXPENDITURE CASH FUND AND ESSENTIAL INVESTMENTS

(a) Creation. There is hereby created the Capital Expenditure Cash Fund for Capital and Essential Investments to be administered by the Commissioner of Finance and Management, in consultation with the State Treasurer, for the purpose of using general funds. The Fund shall have the following two subaccounts:

(1) the Capital Infrastructure subaccount, to defray the costs of future capital expenditures that would otherwise be authorized in the capital construction act and paid for using the State's general obligation bonding authority and debt service obligations or paid for as a direct associated cost of a capital project; and

(2) the Other Infrastructure, Essential Investments, and Reserves subaccount, to fund essential investments and infrastructure needs, create reserves for these expenditures and make contingent appropriations for other infrastructure investments, as authorized by the General Assembly.

(b) Fund Accounts. The Fund may consist of:

(1) Capital Infrastructure subaccount. The Capital Infrastructure subaccount may consist of:

(A) transfers made by the General Assembly of four percent or less of the last completed fiscal year's General Fund appropriations, less the amount necessary to fund the State's general obligation debt service in the year for which the transfer is being made, as determined by the State Treasurer and the Commissioner of Finance and Management; and

(B) any interest earned by the subaccount.

(2) Other Infrastructure, Essential Investments, and Reserves subaccount. The Other Infrastructure, Essential Investments, and Reserves subaccount may consist of any appropriations or transfers made by the General Assembly; from the General Fund or any other State fund and

(2) any interest earned by the Fund. any contingent transfers made by the General Assembly from the General Fund after satisfying the requirements of 32 V.S.A. § 308 but prior to satisfying the requirements of 32 V.S.A. § 308c in any fiscal year and any contingent transfers made by the General Assembly from other State funds.

(c) Use of funds. Expenditure shall only be made from the Fund by appropriations by the General Assembly. Plans for use shall be submitted as part of the operating budget adjustment or operating budget process. Monies in the Fund Accounts shall only be used for as follows:

(1) costs associated with a proposed capital project that occur prior to the construction phase of that project, including feasibility, planning, design, and engineering and architectural costs; Expenditures shall only be made by the General Assembly from the Capital Infrastructure subaccount for:

(A) tangible capital investments, as described in section 309 of this title, with an anticipated lifespan of 20 years or more; and

(B) engineering and architectural costs directly associated with a proposed capital project.

(2) projects with an anticipated lifespan of less than 20 years; Expenditures shall only be made by the General Assembly from the Other Infrastructure, Essential Investments, and Reserves subaccount for:

(A) any expenditure eligible under subdivision (1) of this subsection (c); and

(B) any other essential investments and infrastructure needs, including transportation-related projects and capitalization of revolving loan funds.

(3) costs associated with the early redemption of general obligation bonds; and

~~(4) other eligible capital projects receiving an appropriation from the General Assembly.~~

(d) Fund balance. All balances in the Fund accounts at the end of any fiscal year shall be carried forward and remain part of the Fund accounts. Notwithstanding 32 V.S.A. § 511, the Commissioner of Finance and Management shall not anticipate receipts for the Fund accounts and issue warrants thereon.

~~(e) Early redemption transfer. If any expenditures are made from the Fund or the General Assembly appropriates general funds to pay for the early redemption of general obligation bonds pursuant to subdivision (e)(3) of this section, then an amount equal to the reduction in debt service required in any fiscal year resulting from that redemption shall be transferred to the Fund Spending authority. Any entity authorized to make expenditures from the Capital Infrastructure subaccount shall have not more than two years from the legislative session in which the act authorizing the expenditure was enacted to encumber the funds. Any remaining unencumbered funds shall remain part of the Fund account.~~

Sec. C.106 29 V.S.A. § 161 is amended to read:

§ 161. REQUIREMENTS ON STATE CONSTRUCTION PROJECTS

* * *

(b) Each contract awarded under this section for any State project with a construction cost exceeding \$100,000.00 ~~or~~ a construction project with a construction cost exceeding \$200,000.00 ~~which that~~ is authorized and is at least 50 percent funded by a capital construction act pursuant to 32 V.S.A. § 701a, or a construction project with a construction cost exceeding \$200,000.00 that is at least 50 percent funded by the Cash Fund for Capital Infrastructure and Other Essential Investments established in 32 V.S.A. § 1001 shall provide that all construction employees working on the project shall be paid ~~no~~ not less than the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey plus an additional fringe benefit of 42 and one-half percent of wage, as calculated by the current Vermont prevailing wage survey. As used in this section, “fringe benefits” means benefits, including paid vacations and holidays, sick leave, employer contributions and reimbursements to health insurance and retirement benefits, and similar benefits that are incidents of employment.

(c) In the construction of any State project, local capable labor shall be utilized whenever practicable, but this section shall not be construed to compel any person to discharge or lay off any regular employee.

(d) Subsections (a) through (c) of this section shall not apply to maintenance or construction projects carried out by the Agency of Transportation and by the Department of Forests, Parks and Recreation.

* * *

Sec. C.107 32 V.S.A. § 1001 is amended to read:

§ 1001. CAPITAL DEBT AFFORDABILITY ADVISORY COMMITTEE

* * *

(c) Committee estimate of a prudent amount of net State tax-supported debt; affordability considerations. On or before September 30 of each year, the Committee shall submit to the Governor and the General Assembly the Committee's estimate of net State tax-supported debt that prudently may be authorized for the next fiscal year, together with a report explaining the basis for the estimate. The Committee's estimate shall not take into consideration the balance remaining at the end of each fiscal year in the subaccounts of the Cash Fund for Capital and Essential Investments, established pursuant to section 1001b of this title. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subsection. In developing its annual estimate, and in preparing its annual report, the Committee shall consider:

* * *

Sec. C.108 RESERVES FOR INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA) MATCH

(a) In fiscal year 2023, the Cash Fund for Capital and Essential Investments initial balance amount of \$25,000,000 is reserved in the Other Infrastructure, Essential Investments, and Reserves subaccount to provide the State match in fiscal years 2025 and 2026 needed for federal funding for transportation related projects under the IIJA. These funds shall only be expended if authorized by the General Assembly.

(b) To the extent available in fiscal years 2023 and 2024, the amount of \$14,500,000 is reserved in the Other Infrastructure, Essential Investments, and Reserves subaccount of the Cash Fund for Capital and Essential Investments to provide the State match in fiscal years 2025 and 2026 needed for federal funding for water and wastewater related projects under the IIJA. These funds shall only be expended if authorized by the General Assembly.

Sec. C.109 SUPPLEMENTAL CONTINGENT TRANSFERS TO CASH
FUND FOR CAPITAL AND ESSENTIAL INVESTMENTS

(a) Notwithstanding any other law to the contrary, to the extent any fund specified in 2022 Acts and Resolves No. 185, Sec. D.101(b)(2) as amended by 2023 Acts and Resolves No. 3, Sec. 48 has an unobligated fund balance in fiscal year 2023, the Commissioner of Finance and Management shall transfer to the subaccount created under 32 V.S.A. 1001b(b)(2) the respective fiscal year 2023 unobligated special fund balances. The Commissioner shall report the amounts transferred pursuant to this provision to the Joint Fiscal Committee in July 2023.

(b) To the extent available in fiscal year 2023, \$22,500,000 shall be transferred from the General Fund to the Cash Fund for Capital and Essential Investments pursuant to the provisions of 32 V.S.A. § 1001b(b)(2).

Sec. C.110 2022 Acts and Resolves No. 183, Sec. 51a is amended to read:

Sec. 51a. COVID-19-RELATED PAID LEAVE GRANT PROGRAM

(a) Establishment and appropriation.

(1) There is established in the Department of Financial Regulation the COVID-19-Related Paid Leave Grant Program to administer and award grants to employers to reimburse the cost of providing COVID-19-related paid leave to employees as provided in subsection (e) of this section.

(2) The sum of ~~\$15,180,000~~ \$5,000,000 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Financial Regulation for fiscal years 2023 and 2024 for the provision of grants to reimburse employers for the cost of providing COVID-19-related paid leave. ~~Not more than seven percent of the amount appropriated pursuant to this subdivision may be used for expenses related to Program administration and outreach.~~

* * *

(c) Grant program.

* * *

(3)(A) Employers may submit applications for grants during the period beginning on October 1, 2022 and ending on September 30, 2023 and may submit an application not more than once each calendar quarter during that period. Grant applications shall be submitted for paid leave provided during the preceding calendar quarter and, subject to subdivision (B) of this subdivision (3), for calendar quarters in the program period prior to the preceding calendar quarter.

(B) An employer shall be permitted to request grant funds for costs related to COVID-19-related paid leave described in subsection (e) of this section in a calendar quarter prior to the preceding calendar quarter if:

(i) the employer has not already received grant funds in relation to the COVID-19-related leave; and

(ii) the costs of the COVID-19-related leave are eligible for a grant pursuant to the provisions of this section and any applicable federal requirements.

(4) An employer may combine grant funds with funding from other sources but shall not use grant funds from multiple sources for the same instance of paid leave provided to its employees for COVID-19-related reasons. As used in this subdivision, an “instance” means a calendar day in which the employee was absent from work for a COVID-19-related reason.

* * *

(6) Grants shall be awarded to eligible employers on a first-come, first-served basis, subject to available funding.

* * *

(e) Amount of grants.

(1) Employers may, subject to the limitations of subdivision (2) of this subsection, apply for grants to ~~either reimburse the cost of COVID-19-related paid leave provided to employees or to provide funds to be used to pay the cost to retroactively provide paid leave to employees who took unpaid leave for COVID-19-related reasons.~~

~~(A) For reimbursement of COVID-19-related paid leave that was already provided, the employer may, subject to the limitations of subdivision (2) of this subsection (e), apply for a grant in an amount equal to the number of hours of COVID-19-related paid leave provided to each employee multiplied by the greater of either the minimum wage established pursuant to 21 V.S.A. § 384 or the employee’s regular hourly wage.~~

~~(B) For COVID-19-related paid leave that will be provided retroactively to employees who took unpaid leave for COVID-19-related reasons, the employer may, subject to the limitations of subdivision (2) of this subsection (e), apply for a grant in an amount equal to the number of hours of COVID-19-related paid leave to be provided to each employee multiplied by the greater of either the minimum wage established pursuant to 21 V.S.A. § 384 or the employee’s regular hourly wage.~~

* * *

Sec. C.111 2021 Acts and Resolves No. 74, Sec. E.709.1, as amended by 2022 Acts and Resolves No. 166, Sec. 8, is amended to read

Sec. E.709.1 ENVIRONMENTAL CONTINGENCY FUND;
POLYCHLORINATED BIPHENYLS (PCBs) TESTING
IN SCHOOLS

(a) Notwithstanding 10 V.S.A. § 1283, of the funds transferred in Sec. D.101(a) of this act to the Environmental Contingency Fund, the Department of Environmental Conservation, in consultation with the Department of Health and the Agency of Education, shall use up to \$4,500,000 to complete air indoor quality testing for Polychlorinated Biphenyls (PCBs) in public schools and approved and recognized independent schools that were constructed or renovated before 1980. All schools subject to this subsection shall test for PCBs on or before July 1, ~~2025~~ 2027.

Sec. C.112 FUNDING OF POLYCHLORINATED BIPHENYLS (PCB)
REMEDICATION AND REMOVAL IN SCHOOLS

(a) Education Fund; PCB appropriations. Notwithstanding 2022 Acts and Resolves No. 178, Sec. 2(b):

(1) the funds reserved within the Education Fund for purposes of investigation, remediation, and removal of PCBs from schools are unreserved; and

(2) the unexpended or unobligated amount of the \$2,500,000 transferred by the Emergency Board to the Agency of Education for PCB remediation shall revert to the Education Fund for further allocation.

(b) Agency of Education; PCB remediation and removal reimbursement. Notwithstanding 16 V.S.A. § 4025(d), \$29,500,000 and the unexpended funds identified under subdivision (a)(2) of this section shall be appropriated from the Education Fund to the Agency of Education in fiscal year 2024 for the following purposes:

(1) Grants to schools in the State that are required to conduct investigation, remediation, or removal of PCB contamination in the school after Agency of Natural Resources testing but have not received a grant from the Agency of Education for the costs of investigation, remediation, or removal. The grants shall be in an amount sufficient to pay for 100 percent of the school's investigation, remediation, or removal costs required by the Agency of Natural Resources Investigation and Remediation of Contaminated Properties Rule, including the costs incurred, when necessary, under State or federal law to relocate students to a facility during remediation or removal activities.

(2) Grants to schools in the State that conducted investigation, remediation, or removal of PCBs in the school after Agency of Natural Resources testing and received a grant for 80 percent of the costs of remediation or removal from the Agency of Education. The grants under this subdivision (2) shall be in an amount that will reimburse the school for any remediation or removal costs not paid by the Agency of Natural Resources.

(3) A grant to the Burlington School District to reimburse the school district for the actual cost of demolition and removal of PCB contamination at Burlington High School, not to exceed \$16,000,000.

(c) Reimbursement. If a school district in the State recovers money from litigation or other award for work covered under a grant issued under this section, the school district shall reimburse the State the amount of the recovery or the amount of the grant awarded to the school district under subsection (b) of this section, whichever amount is less. Any reimbursed monies shall be deposited into the Education Fund and reserved for use for school construction as approved by the General Assembly.

(d) State action. The State may recover from a manufacturer of PCBs monies expended or awarded by the State for PCB investigation, testing, assessment, remediation, or removal of PCBs in a school above the relevant action level.

Sec. C.113 2022 Acts and Resolves No. 172, Sec. 8 is amended to read:

Sec. 8. MUNICIPAL ENERGY REVOLVING FUND; FY 2023
APPROPRIATION TRANSFER; REPORT

(a) ~~In FY 2023,~~ Upon receipt of the following federal funds and to the extent permitted by federal law, the following amounts shall be transferred to the Department of Buildings and General Services from the Department of Public Service for the Municipal Energy Revolving Fund, as established in 29 V.S.A. § 168b:

* * *

Sec. C.114 PUBLIC SAFETY COMMUNICATIONS SYSTEM;
DISPATCH; INVENTORY; DESIGN

(a) The General Assembly finds that protecting public safety and welfare is an essential function of State government and it is in the public interest to establish a statewide reliable, secure, and interoperable public safety communications system, comprising integrated 911 call-taking and regional dispatch systems, and to ensure that the system is equitably and sustainably financed and universally accessible by all persons throughout the State.

(b) It is not the intent of the General Assembly to establish a public safety communications system that disrupts or in any way jeopardizes the exceptional dispatch services currently in place or the existing 911 system, but rather to support, enhance, strengthen, and build upon those efforts and initiatives.

(c) The transition to a public safety communications system as specified in subsection (a) of this section shall be overseen and managed by the temporary Public Safety Communications Task Force established in subsection (d) of this section.

(d)(1) There is established a Public Safety Communications Task Force to oversee and manage all phases of the development, design, and implementation of a statewide public safety communications system as required by this section.

(2) The Task Force shall consist of seven members as follows:

(A) the Executive Director of the Enhanced 911 Board, who shall serve as Co-Chair;

(B) the Commissioner of Public Safety or designee, who shall serve as Co-Chair;

(C) one municipal official appointed by the Executive Director of the Vermont League of Cities and Towns;

(D) one representative from a public safety answering point overseen by a municipal police department appointed by the Vermont Association of Chiefs of Police;

(E) one emergency medical technician or paramedic appointed by the Vermont State Ambulance Association;

(F) one firefighter appointed by the Vermont State Firefighters' Association; and

(G) the Chair of the Regional Dispatch Working Group established by the General Assembly in Act 185 of 2022.

(3) At its initial organizational meeting the Task Force shall elect from among its members a vice chair. Meetings may be held at the call of a Co-Chair or at the request of two members. A majority of sitting members shall constitute a quorum, and action taken by the Task Force may be authorized by a majority of the members present and voting. Except for those members regularly employed by the State, members are entitled to a per diem in the amount of \$150 for each day spent in the performance of their duties. All members, including members otherwise regularly employed by the State, shall receive their actual and necessary expenses when away from home or office

upon their official duties pursuant to this section. A vacancy shall be filled by the respective appointing authority. If the Chair of the Regional Dispatch Working Group declines to participate as a member of the Task Force, the Task Force shall appoint one member who shall have expertise relevant to the purposes of this section.

(4) The Task Force is authorized to retain a project manager and one or more additional consultants with relevant expertise in public safety communications technology, design, and financing to assist with the requirements of this section.

(5) The Department of Public Safety shall provide the Task Force with administrative services and support.

(6)(A) The Task Force, in consultation with the Secretary of Administration, shall develop procedures and best practices for State agency cooperation and coordination on matters of overlapping jurisdiction. The primary purpose of this subdivision is to ensure the Task Force has access to expertise and data related to its mission, including expertise within and data maintained by the Department of Public Service, the Agency of Digital Services, the Division of Emergency Preparedness, Response and Injury within the Department of Health, the Department of Taxes, the Agency of Transportation, the Enhanced 911 Board, and the Department of Public Safety.

(B) Nothing in this subdivision shall be construed to waive any privilege or protection otherwise afforded information by law due solely to the fact that the information is shared with the Task Force pursuant to this subdivision.

(7) All meetings of the Task Force shall be open to the public and conducted in accordance with the Vermont Open Meeting Law. All records of the Task Force are subject to the Vermont Public Records Act.

(8) The Task Force shall cease to exist when a State entity authorized by legislative enactment to permanently oversee and manage the public safety communications system becomes operational.

(e) The establishment of a statewide public safety communications system shall occur in essentially three phases, which include data collection and analysis, design, and implementation. Certain aspects of each phase may occur simultaneously as deemed appropriate by the Task Force.

(1) Data collection and analysis. On or before September 15, 2024, the Task Force shall conduct a complete inventory and assessment of all aspects of dispatch service currently provided in Vermont and, to the extent possible, dispatch service currently provided outside Vermont for response agencies located in Vermont, which shall include:

(A) an inventory of all existing dispatch infrastructure and equipment, including facilities, hardware, software, applications, and land mobile radio systems, referring to and incorporating any existing relevant data collected by a State or municipal entity;

(B) the number of full-time and part-time personnel currently performing dispatch service, taking into account personnel who have other responsibilities in addition to providing dispatch service;

(C) the current total spending on dispatch service in Vermont that includes and itemizes for each municipality and dispatch center all federal, State, and municipal appropriations and fees, every contract for dispatch or first responder service, and projected budgets;

(D) identification of the communications dead zones in the State, meaning those areas that lack the infrastructure to support public safety land-mobile-radio communications or cellular voice and data service, or both, and taking into consideration all cell towers, including those that are part of the FirstNet statewide public safety radio access network; cellular mapping efforts conducted by the Department of Public Service; and any existing, relevant mapping data collected by a dispatch center or other entity;

(E) with the assistance of the Vermont League of Cities and Towns, a needs assessment to determine where and to what extent there are gaps in dispatch service or significant challenges to the delivery of dispatch service and to identify those municipalities that are likely to be most affected by either the curtailment of dispatch service from the two State-run public safety answering points or from a new financing mechanism for the continuation of such service;

(F) an assessment of the service provided by each dispatch center and identification of particular challenges or vulnerabilities, if any, including with regard to workforce, failover procedures, communications technology, costs, and governance; and

(G) collection and assessment of any other information the Task Force deems relevant.

(2) Design. On or before January 15, 2024, the Task Force shall develop findings and recommendations related to draft elements of a preliminary design for a public safety communications system, including identification of a proposed implementation timeline and any additional data and resources needed to develop a final design on or before December 15, 2024. The final design shall include:

(A) technical and operational standards and protocols that ensure an interoperable and resilient system that incorporates computer-aided dispatch systems and land mobile radios;

(B) technology life-cycle standards to ensure system and database upgrades are timely, sufficiently financed, and properly managed;

(C) system and database security and cybersecurity standards;

(D) continuity of operations standards and best practices that encompass failover procedures and other system redundancies to ensure the continuous performance of mission-critical operations;

(E) workforce training standards and other staffing best practices that support the retention and well-being of dispatch personnel;

(F) a resource allocation plan that ensures dispatch service is available in all regions of the State, including the establishment of new dispatch centers or expanded capacity and capability of existing dispatch centers, if deemed appropriate by the Task Force;

(G) a process for annually reviewing the budgets of dispatch centers;

(H) a recommended governance model to ensure effective State and regional oversight, management, and continuous improvement of the system, including identification of staffing or operational needs to support such oversight and management of the system;

(I) cost estimates for implementing the system in Vermont, including operational and capital costs;

(J) options for sustainably and equitably structuring the financing of the public safety communications system, taking into consideration:

(i) existing budgets for regional and local dispatch;

(ii) the population, grand list, and call volume of each municipality;

(iii) existing and potential State funding streams;

(iv) available federal funding opportunities for public safety agencies and emergency communications systems, including equipment, network infrastructure, and services;

(v) financing models adopted in other jurisdictions for public safety communications systems; and

(vi) any other standards or procedures deemed necessary or appropriate by the Task Force.

(f)(1) If the Task Force determines that sufficient minimum technical and operational standards have been developed to warrant the funding of one or more pilot projects, the Task Force may submit for approval a pilot project plan to the Joint Fiscal Committee in calendar year 2023.

(2) Pilot projects eligible for funding under this subsection may include new regional dispatch centers or expanded capacity at existing regional dispatch centers, provided the Task Force determines the pilot demonstrates project readiness and is otherwise consistent with the standards and purposes of this section.

(3) In evaluating proposed pilot projects, the Task Force shall give a high priority to projects in geographical areas of the State that presently face significant challenges with respect to reliably providing dispatch service.

(4) The pilot project plan shall include a description of each proposed project, the resources needed, and an explanation of how the project will align with, inform, and further the development of a statewide public safety communications system and ensure transparency and accountability particularly with respect to the expenditure of State funds pursuant to this subsection.

(5) The Joint Fiscal Committee is authorized to approve up to \$4,500,000.00 in total for pilot projects authorized by this subsection.

(g) On or before January 15, 2024, the Task Force shall submit a progress report on the data collection and analysis required by subdivision (e)(1) of this section, the findings and recommendations required by subdivision (e)(2) of this section, and a description and status report of any pilot projects funded pursuant to subsection (f) of this section in a written report to the Senate Committees on Government Operations and on Finance and the House Committees on Government Operations and Military Affairs, on Ways and Means, and on Environment and Energy. On or before December 15, 2024, the Task Force shall submit to the same legislative committees a written report containing its final design plan as required by subdivision (e)(2) of this section.

Sec. C.115 2022 Acts and Resolves No. 185, Sec. B.1100 is amended to read:

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

* * *

(b) \$11,000,000 is appropriated from the General Fund to the Department of Public Safety for regional dispatch funding. The funds are subject to the following conditions:

(1) \$4,500,000 shall be held in reserve until the report required by Sec. E.209.1 of this act is submitted and further approval to expend the funds is granted by the General Assembly. Up to \$1,000,000 shall be available for the retention of technical experts to assist the Task Force with the analysis and planning required by Sec. C.112 of this act and to fund the administrative expenses incurred by the Public Safety Communications Task Force. If the Task Force determines in calendar year 2023 that additional funding is necessary to achieve its purposes, it may submit a request to the Joint Fiscal Committee. The Joint Fiscal Committee is authorized to approve up to an additional \$1,000,000.

(2) \$6,500,000 to provide grants to regional dispatch facilities upon approval of the Joint Fiscal Committee subsequent to review of a Regional Dispatch Facility grant plan submitted by the Commissioner of Public Safety. The plan shall include the extent to which federal funding sources may be available for regional dispatch. Up to \$4,500,000 shall be available to provide funding for pilot projects pursuant to Sec. C.112(f), of this act.

(3) Any remaining amounts not obligated pursuant to subdivisions (1) and (2) of this subsection (b) shall be held in reserve until approval to expend the funds is authorized by further enactment of the General Assembly.

(4) It is the intent of the General Assembly that the Department of Public Safety seek to draw and deploy the \$9,000,000 in Congressionally Directed Spending to support Vermont's transition to a modernized, regional communications network in a manner that coordinates with and advances the goals of a statewide public safety communications system. The Commissioner of Public Safety shall consult with the Public Safety Communications Task Force as the federal parameters for expending the funds become available and as the Commissioner develops a plan to expend such funds. In addition, the Commissioner shall update the Joint Fiscal Committee on planned expenditures.

* * *

Sec. C.116 VERMONT UNIVERSAL SERVICE FUND; JOINT FISCAL OFFICE STUDY

On or before January 15, 2024, the Joint Fiscal Office shall analyze options for changing the financing mechanism for the Vermont Universal Service Fund to ensure the long-term sustainability of the programs funded through the Vermont Universal Service Fund, including the Enhanced 911 system. The Joint Fiscal Office may consider and further refine the analysis and recommendations included in the Secretary of Administration's report related

to the funding of Enhanced 911 operations, dated January 15, 2022, and required by 2021 Acts and Resolves No. 74, Sec. E.235.

Sec. C.117 ORGANIC DAIRY FARM ASSISTANCE PROGRAM

(a) The Agency of Agriculture, Food and Markets shall establish an organic dairy farm assistance program consistent with the requirements of this section.

(b) An organic dairy farm is eligible for assistance under this section if:

(1) the farm is currently operating as a dairy farm producing milk, either organic or conventional;

(2) the farm shipped organic milk or processed its own organic milk under the requirements of 6 V.S.A. chapter 151 during calendar year 2022 and provides documentation to the Agency of Agriculture, Food and Markets of the amount of organic milk shipped or processed during calendar year 2022 per hundredweight;

(3) the farm is in good standing with the Agency of Agriculture, Food and Markets; and

(4) the farm submits an application for assistance to the Agency of Agriculture, Food and Markets by a date specified by the Secretary of Agriculture, Food and Markets.

(c) The Agency of Agriculture, Food and Markets shall award eligible organic dairy farms financial assistance in the form of a grant in the amount of \$5 per hundredweight of organic milk shipped or sold by the organic dairy farm in calendar year 2022. Once the Agency of Agriculture, Food and Markets determines that applications under this section are administratively complete, the Agency shall process applications for payment in their order of receipt. If all funds appropriated for implementation of this section are awarded by the Agency, no further awards shall be made. If any funds appropriated for implementation of this section remain after all timely applications are processed, the remaining funds shall be transferred to the Working Lands Enterprise Fund not later than December 31, 2023 for distribution by the Working Lands Enterprise Board under the Small Farmer Diversification and Transition Program.

Sec. C.118 2022 Acts and Resolves No.185, Sec. G.600(a)(2), as amended by 2023 Acts and Resolves No. 3, Sec. 67 is further amended to read:

(2) \$35,000,000 to the Department of Public Service to grant to contract with Efficiency Vermont for the purpose of weatherization incentives to Vermonters with a moderate income. These funds shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be

available for use ~~by Efficiency Vermont~~ this purpose through December 31, 2026. Households approved for assistance in this section will also be offered services outlined in subdivision (4) of this subsection.

Sec. C.119 2022 Acts and Resolves No. 182, Sec. 3, as amended by 2023 Acts and Resolves No. 3, Sec. 75 is further amended to read:

Sec. 3. MANUFACTURED HOME IMPROVEMENT AND
REPLACEMENT PROGRAM

Of the amounts available from the American Rescue Plan Act (ARPA) recovery funds, ~~the following amounts are \$4,000,000~~ is appropriated to the Department of Housing and Community Development for the purposes specified:

(1) ~~\$2,500,000.00 for manufactured~~ Manufactured home community small-scale capital grants, through which the Department may award not more than \$20,000.00 for owners of manufactured housing communities to complete small-scale capital needs to help infill vacant lots with homes, which may include projects such as disposal of abandoned homes, lot grading/preparation, site electrical box issues/upgrades, E911 safety issues, legal fees, transporting homes out of flood zones, individual septic system, and marketing to help make it easier for home-seekers to find vacant lots around the State.

(2) ~~\$750,000.00 for manufactured~~ Manufactured home repair grants, through which the Department may award funding for minor rehab or accessibility projects, coordinated as possible with existing programs, for between 250 and 400 existing homes where the home is otherwise in good condition or in situations where the owner is unable to replace the home and the repair will keep them housed.

(3) ~~\$750,000.00 for new~~ New manufactured home foundation grants, through which the Department may award not more than \$15,000.00 per grant for a homeowner to pay for a foundation or HUD-approved slab, site preparation, skirting, tie-downs, and utility connections on vacant lots within manufactured home communities.

* * *

Sec. C.120 BALANCE RESERVE UNRESERVED; RESERVED FOR
VCBB

(a) In fiscal year 2024, \$20,000,000 is unreserved from the General Fund Balance Reserve established by 32 V.S.A. § 308c.

(b) In fiscal year 2024, \$20,000,000 is reserved in the General Fund for the exclusive benefit of the Vermont Community Broadband Board and for the sole purpose of securing federal funding under the National

Telecommunications and Information Administration's Enabling Middle Mile Broadband Infrastructure Program. The State's pending application requires a commitment to provide contingency reserve funding equal to 25 percent of the total award amount if the application is approved and the award is accepted by the State.

(1) In the fiscal year 2024 budget adjustment act, any funds reserved, but not required, for the purpose described in Sec. C.120(b) shall be unreserved and reserved within the General Fund Balance Reserve established by 32 V.S.A. § 308c.

Sec. C.121 2022 Acts and Resolves No. 185, Sec. B.1100 as amended by 2023 Acts and Resolves No. 3 Sec. 45 is further amended to read:

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

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

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

* * *

(37) \$1,200,000 to the Department for Children and Families for a grant to be awarded to the Lund Center for an unrestricted contribution to its Residential Treatment program when it is are operating at full 26-bed capacity.

* * *

Sec. C.122 FISCAL YEAR 2023 CARRYFORWARD AUTHORITY FOR
HEALTH CARE WORKFORCE PROGRAM

(a) In fiscal year 2023, the Department of Health shall carry forward unspent appropriations made for the following programs:

(1) the Vermont Nursing Forgivable Loan Program created in 18 V.S.A. § 34;

(2) the Medical Student Incentive Scholarship Program created in 18 V.S.A. § 33; and

(3) the health professional loan repayment programs created in 18 V.S.A §§ 32 35.

(b) The Department shall true up and adjust the balances for any of the programs listed above if past carryforward amounts were inconsistent with legislative intent.

(c) The report required by Sec. E.125.1 of this act shall specifically address carryforward requirements and any clarify statutory amendments.

Sec. C.123 HOUSING TRANSITION; RESOURCES FOR
COMPREHENSIVE COMMUNITY RESPONSE

(a) The additional funding provided in this section is to be used for a coordinated and collaborated effort between State agencies and community partners to address community impacts as individuals transition from hotel and motel settings. The Secretaries of Administration, of Human Services, and of Commerce and Community Development, and their respective designees, shall collaborate with local community partners, including the community action agencies; designated and specialized service agencies; homeless shelters; health care providers such as free clinics, hospitals, health networks, and community health teams; youth service agencies; and willing civic and religious community organizations to support individuals and households who are transitioning from hotels and motels to alternate housing or shelter arrangements or who may be homeless.

(b) The Agency of Human Services shall transition the Coordinated Care Housing Resource Teams into existing regional teams that shall take the lessons learned from the statewide response and systematize cross-agency, team-based complex care. The Agency's field directors shall lead this transition, working in collaboration with leaders from the Blueprint for Health and the regional partner organizations described in subsection (a) of this section.

(c) The sum of \$10,000,000 shall be made available to the Department for Children and Families in fiscal year 2023 as set forth in subsections (d) and (e) of this section, and may be carried forward into fiscal year 2024, to provide assistance to individuals and households experiencing homelessness. Funds may be distributed through payments to beneficiaries, through grants, or through contracts, at the Department's discretion. The amounts to be distributed to community partners shall be awarded as flexible grants through the Department for Children and Families' Office of Economic Opportunity Housing Opportunity Program that enable the grantees working with these individuals and households to respond to their short-term needs, which may include rental deposits; campsite fees and camping equipment; furniture and appliances; car repairs, if funds for repairs are not available from other programs; and transportation costs, including relocation expenses.

(d) \$9,400,000 of the funds described in subsection (c) of this section shall be transferred to the Department for Children and Families as set forth in this subsection. The Agency of Administration shall structure the program in accordance with the requirements of 31 C.F.R. Part 35 and in a manner designed to achieve rapid deployment and administrative efficiency, and may

reallocate funds across governmental units in a net-neutral manner as follows for a total of \$9,400,000:

(1) The Commissioner of Finance and Management is authorized to reallocate General Fund appropriations made to the Vermont Housing and Conservation Board in 2023 Acts and Resolves No. 3, Sec. 45. In exchange, the Secretary of Administration shall provide an amount equal to the reallocation amount to the Vermont Housing and Conservation Board from the federal funds appropriated through the Emergency Rental Assistance Program, which was originally approved by the Joint Fiscal Committee pursuant to Grant Request #3034.

(2) The Commissioner of Finance and Management is authorized to reallocate American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds appropriated to the Agency of Human Services in 2021 Acts and Resolves No. 74, Sec. G.300(a)(31), as amended by 2022 Acts and Resolves No. 83, Sec. 68.

(e) The remaining \$600,000 of the funds described in subsection (c) of this section are appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department for Children and Families for the purposes set forth in subsection (c) of this section.

(f) The funding provided in subsection (c) of this section is in addition to other funding for housing stability services allocated in this act or through other recent legislative action, including:

(1) \$15,200,000 in ARPA – Emergency Rental Assistance Program funds for three years of housing stability wraparound services through community partners;

(2) \$1,000,000 General Fund in 2023 Acts and Resolves No. 3, the fiscal year 2023 budget adjustment act, to provide coordinated care teams for wraparound support services;

(3) \$5,000,000 General Fund for a Housing Opportunity Program grant, of which \$500,000 was allocated from fiscal year 2022 surplus funds;

(4) \$1,500,000 General Fund and Global Commitment Fund in this act for Family Supported Housing programming;

(5) \$3,000,000 General Fund in 2023 Acts and Resolves No. 3 for the Housing Voucher Program for families experiencing homelessness;

(6) \$1,500,000 General Fund from fiscal year 2022 surplus funds for the Vermont Rental Subsidy program for families with very low income participating in the Reach Up program;

(7) \$18,776,814 General Fund for Office of Economic Opportunity annual base funding to provide grants to community agencies assisting individuals experiencing homelessness; and

(8) \$26,384,610 General Fund in combined annual base and one-time funding for the General Assistance Emergency Housing program under a hybrid adverse winter weather policy in fiscal years 2023 and 2024.

Sec. C.124 10 V.S.A. § 6081(y) is added to read:

* * *

(y) No permit or permit amendment is required for a retail electric distribution utility's rebuilding of existing electrical distribution lines and related facilities to improve reliability and service to existing customers, through overhead or underground lines in an existing corridor, road, or State or town road right-of-way. Nothing in this section shall be interpreted to exempt projects under this subsection from other required permits or the conditions on lands subject to existing permits required by this section.

* * *

Sec. C.125 EXEMPTION REPEAL

10 V.S.A. § 6081(y) is repealed on January 1, 2026.

Sec. C.126 ELECTRIC DISTRIBUTION UTILITY PROJECT REPORT

(a) On or before January 15, 2024, and annually until 2026, any distribution utility that takes an action exempt under 10 V.S.A. § 6081(y) shall report to the House Committee on Environment and Energy and the Senate Committees on Finance and on Natural Resources and Energy on the projects completed pursuant to that exemption in the preceding year. The report shall address: the location of the projects, including whether it is located in a "1-acre town" or a "10-acre town"; how many customers are affected by the project; whether the project involved lines being hardened in place, buried underground, or relocated to the right-of-way; how many poles were removed and how many poles were set; and what permits the projects were required to receive.

* * * Fiscal Year 2024 Fund Transfers and Reserve Allocations * * *

Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

(a) This act contains the following amounts appropriated from special funds that receive revenue from the property transfer tax. Expenditures from these appropriations shall not exceed available revenues.

(1) The sum of \$560,000 is appropriated from the Current Use Administration Special Fund to the Department of Taxes for administration of the Use Tax Reimbursement Program. Notwithstanding 32 V.S.A. § 9610(c), amounts in excess of \$560,000 from the property transfer tax deposited into the Current Use Administration Special Fund shall be transferred into the General Fund.

(2) The sum of \$21,462,855 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board (VHCB). Notwithstanding 10 V.S.A. § 312, amounts in excess of \$21,462,855 from the property transfer tax and surcharge established by 32 V.S.A. § 9602a that are deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.

(A) The dedication of \$2,500,000 in revenue from the property transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the affordable housing bond (10 V.S.A. § 314) shall be offset by the reduction of \$1,500,000 in the appropriation to the Vermont Housing and Conservation Board and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a. The fiscal year 2024 appropriation of \$21,462,855 to the Vermont Housing and Conservation Board reflects the \$1,500,000 reduction. The affordable housing bond and related property transfer tax and surcharge provisions are repealed after the life of the bond on July 1, 2039. Once the bond is retired, it is the intent of the General Assembly that the \$1,500,000 reduction in the appropriation to the Vermont Housing and Conservation Board should be restored.

(3) The sum of \$7,545,993 is appropriated from the Municipal and Regional Planning Fund. Notwithstanding 24 V.S.A. § 4306(a), amounts in excess of \$7,545,993 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$7,545,993 shall be allocated for the following:

(A) \$6,211,650 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

(B) \$898,283 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b); and

(C) \$436,060 to the Agency of Digital Services for the Vermont Center for Geographic Information.

Sec. D.100.1 LEGISLATIVE INTENT FOR FISCAL YEAR 2024
PLANNING FUNDS

(a) It is the intent of the General Assembly that an amount not to exceed \$500,000 of the planning funds provided in Sec. D.100 of this act be used for municipal bylaw modernization.

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

(a) Notwithstanding any other provision of law to the contrary, the following amounts shall be transferred from the funds indicated:

(1) From the General Fund to:

(A) the Environmental Contingency Fund (21275): \$5,000,000;

(B) the Enhanced 911 Board Fund (21711): \$2,115,000;

(i) Of the funds transferred to the Enhanced 911 Board Fund in this subdivision, \$815,000 shall be used to support necessary 911 system upgrades beginning in fiscal year 2024;

(C) the Technology Modernization Special Fund (21951): \$10,000,000;

(D) the Cash Fund for Capital and Essential Investments (21952):

(i) \$17,685,000 for the Capital Infrastructure subaccount for use on capital projects as authorized in the capital bill and appropriated in this act; and

(ii) \$49,540,000 for the Other Infrastructure, Essential Investments, and Reserves subaccount for other expenditures and reserves as authorized by the General Assembly.

(E) the Fire Prevention/Building Inspection Special Fund (21901): \$1,500,000; and

(F) the Tax Computer System Modernization Fund (21909): \$3,600,000.

(2) From the Education Fund to:

(A) the Tax Computer System Modernization Fund (21909): \$1,300,000.

(3) From the Clean Water Fund (21932) established by 10 V.S.A. § 1388 to:

(A) the Agricultural Water Quality Special Fund (21933) created under 6 V.S.A. § 4803: \$6,684,880; and

(B) the Lake in Crisis Response Program Special Fund (21938) created under 10 V.S.A. § 1315: \$120,000.

(4) From the Transportation Fund to:

(A) the Downtown Transportation and Related Capital Improvement Fund (21575) established by 24 V.S.A. § 2796 to be used by the Vermont Downtown Development Board for the purposes of the Fund: \$523,966.

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2024:

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

<u>22005</u>	<u>AHS Central Office Earned Federal Receipts</u>	<u>\$4,641,960</u>
<u>50300</u>	<u>Liquor Control Fund</u>	<u>\$21,200,000</u>
	<u>Sports Wagering Fund</u>	<u>\$1,204,000</u>
	<u>Caledonia Fair</u>	<u>\$5,000</u>
	<u>North Country Hospital Loan Repayment</u>	<u>\$24,047</u>
	<u>Springfield Hospital Promissory Note Repayment</u>	<u>\$121,416</u>

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

<u>21638</u>	<u>AG-Fees and reimbursement – Court order</u>	<u>\$1,000,000</u>
<u>621000</u>	<u>Unclaimed Property Fund</u>	<u>\$3,270,225</u>

(3) Notwithstanding 2016 Acts and Resolves No. 172, Sec. E.228, \$60,044,000 of the unencumbered balances in the Insurance Regulatory and Supervision Fund (21075), the Captive Insurance Regulatory and Supervision Fund (21085), and the Securities Regulatory and Supervision Fund (21080) shall be transferred to the General Fund.

(c) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the General Fund from the accounts indicated:

<u>3400004000</u>	<u>Agency of Human Services – Secretary’s Office – Global Commitment</u>	<u>\$15,103,683</u>
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(d) Notwithstanding any provisions of law to the contrary, in fiscal year 2024 the following estimated General Fund reserves shall be made:

(1) Pursuant to 32 V.S.A. § 308, an estimated amount of \$1,669,311 shall be unreserved from the General Fund Budget Stabilization Reserve.

Sec. D.102 27/53 RESERVE

(a) \$5,350,000 General Fund shall be reserved in the 27/53 reserve in fiscal year 2023. This action is the fiscal year 2024 contribution to the reserve for the 53rd week of Medicaid as required by 32 V.S.A. § 308e and the 27th payroll reserve as required by 32 V.S.A. § 308e.

Sec. D.103 UNRESERVED; INCENTIVE SCHOLARSHIP FUNDS

(a) In fiscal year 2024, \$700,000 in general funds reserved per 2022 Act and Resolves No. 185, Sec. C.107.2(b) are unreserved and available for appropriation.

Sec. D.104 EDUCATION FUND RESERVE; FUTURE SUPPLEMENTAL COST OF LIVING PAYMENTS

(a) In fiscal year 2024, notwithstanding any provision of 16 V.S.A. § 4025 to the contrary, the amount of \$9,100,000 is reserved in the Education Fund to fund future supplemental cost of living payments to qualifying retired members and beneficiaries of the Vermont State Teachers' Retirement System or the present value of any changes made to the methodology for calculating the postretirement adjustments allowance set forth in 16 V.S.A. § 1949, or both.

Sec. D.105 UPDATE REPORT ON ARPA – SFR APPROPRIATIONS

(a) The Joint Fiscal Committee shall ensure the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds report received in September 2023 per 2022 Acts and Resolves No. 185 Sec. G.200(a) is sent to the Chairs and Vice Chairs of the legislative standing committees. At the Committee's November 2023 meeting, the Committee shall identify any American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery appropriations that are available for reallocation to ensure these funds are utilized within the required time frame.

* * * General Government * * *

Sec. E.100 EXECUTIVE BRANCH POSITIONS

(a) The establishment of 68 permanent positions is authorized in fiscal year 2024 for the following:

(1) Permanent classified positions:

-
- (A) Agency of Agriculture, Food and Markets:
- (i) one Consumer Protection Specialist I; and
 - (ii) two Food Safety Specialist Is;
- (B) Criminal Justice Council: two FIP Instructors;
- (C) Department of Disabilities, Aging, and Independent Living:
- (i) five Quality and Program Participant Specialists;
 - (ii) one Dementia Coordinator; and
 - (iii) three Public Guardians;
- (D) Department of Financial Regulation: two Insurance Examiners;
- (E) Department of Human Resources:
- (i) one Compensation Analyst;
 - (ii) one Configuration Analyst II;
 - (iii) one Employee Support Specialist;
 - (iv) one FMLI Manager;
 - (v) one HR Administrator III;
 - (vi) one HR Administrator IV;
 - (vii) one HR Manager; and
 - (viii) one Talent Coordinator;
- (F) Department of Liquor and Lottery:
- (i) one Financial Analyst; and
 - (ii) one Sports Betting Director;
- (G) Department of Mental Health:
- (i) one Crisis Program Director;
 - (ii) one Mental Health Analyst I;
 - (iii) one Operations Manager; and
 - (iv) one Training and Curriculum Development Supervisor; and
 - (v) one Quality and Program Specialist;
- (H) Department of Taxes – State Appraisal and Litigation Assistance Program:
- (i) one Property Valuation and Review Program Manager;

(I) Office of the State Treasurer:

- (i) one Program Technician;
- (ii) one Administrative Services Coordinator;
- (iii) one Financial Specialist III;
- (iv) one Financial Manager I;
- (v) one Financial Manager II; and
- (vi) one Program Technician II;

(J) Enhanced 911 Board:

- (i) one Program Technician I;

(K) Department of Motor Vehicles:

- (i) three Motor Vehicle Inspectors;

(L) Office of the Defender General:

- (i) one Financial Director;

(M) Agency of Natural Resources:

- (i) one Aquatic Invasive Species Prevention Specialist;

(N) Agency of Transportation – Highway Division:

- (i) one Transportation Operations Technician III; and
- (ii) one Transportation Technician IV;

(O) Agency of Human Services – Central Office:

- (i) three Quality and Program Specialists;

(P) Vermont Pension Investment Commission:

- (i) one Investment Accountant;

(Q) Agency of Education:

- (i) one Afterschool and Summer Care Data Analyst; and
- (ii) one Afterschool and Summer Care Grant Program

Administrator.

(2) Permanent exempt positions:

(A) Department of Taxes – State Appraisal and Litigation Assistance Program: one Staff Attorney;

(B) Agency of Commerce and Community Development – Division for Historic Preservation – Vermont Commission on Native American Affairs: one Executive Director;

(C) Human Rights Commission – one Litigator;

(D) Office of the Attorney General – one Private Secretary;

(E) Department of State’s Attorneys and Sheriffs:

(i) five Deputy State’s Attorneys;

(ii) one Victim Advocate; and

(iii) two Legal Assistants;

(F) Office of the State Treasurer:

(i) one Director – VT Saves; and

(ii) one Communications and Outreach Manager – VT Saves

(G) Agency of Administration – Office of Health Equity

(i) one Director of Health Equity; and

(ii) one Private Secretary.

(b) The conversion of 49 limited service positions to classified permanent status is authorized in fiscal year 2024 as follows:

(1) Department of Public Safety, State Police:

(A) one Victim Services Specialist;

(2) Department of Vermont Health Access, Blueprint for Health Unit:

(A) one HCR Integration Manager;

(3) Department of Vermont Health Access, Health Care Reform Unit:

(A) one Administrative Services Manager I;

(B) five DVHA Program Consultants;

(C) one DVHA Quality Control Manager;

(D) one Health Reform Enterprise Director I;

(E) two Medicaid Operations Administrators;

(F) one Project and Operations Director;

(G) one Project and Operations Specialist; and

(H) one Project Director;

(4) Department of Vermont Health Access, Medicaid Policy Fiscal and Support Unit:

- (A) two Audit Liaison – Internal Control positions;
- (B) three DVHA Healthcare QC Auditors;
- (C) one DVHA Healthcare QC CAP Auditor;
- (D) two DVHA Program and Operations Auditors;
- (E) one DVHA Program Consultant;
- (F) one Health Reform Enterprise Director I; and
- (G) one Nurse Auditor;

(5) Department of Vermont Health Access, Payment Reform Unit:

- (A) one Admin HC Payment Reform Analytics position;
- (B) three Change Management Practitioners;
- (C) one Deputy Director of Payment Reform;
- (D) one Director of Operations for ACO Programs;
- (E) one Grant Programs Manager;
- (F) one Health Care Project Director;
- (G) one Payment Reform Special Project Lead; and
- (H) one Senior Policy Advisor;

(6) Agency of Transportation – Aviation Program:

- (A) nine Airport Maintenance Workers; and
- (B) one Airport Operations Specialist; and

(7) Agency of Natural Resources – Central Office:

- (A) one Environmental Justice and Civil Rights Director; and
- (B) two Environmental Justice Coordinators.

(c) The establishment of 9 new classified limited service positions is authorized in fiscal year 2024 as follows:

(1) Department for Children and Families for the Reach Ahead pilot program:

- (A) one Benefits Program Assistant Administrator; and
- (B) two Reach Up Case Manager IIs;

(2) Department of Forests, Parks and Recreation:

- (A) one Communications and Outreach Coordinator;
- (B) one Climate Forester;
- (C) three Forester IIs; and
- (D) one Land Acquisition Coordinator.

(d) The establishment of 23 new exempt limited service positions is authorized in fiscal year 2024 as follows:

(1) Department of State's Attorneys and Sheriffs:

- (A) six Deputy State's Attorneys;
- (B) six State's Attorney Legal Assistants;
- (C) six State's Attorney Victim Advocates; and
- (D) four State's Attorney Secretaries.

(2) Agency of Administration – Health Equity Advisory Commission:

- (A) one Private Secretary.

Sec. E.100.1 HEALTH EQUITY ADVISORY COMMISSION; OFFICE OF HEALTH EQUITY; ATTACHMENT FOR ADMINISTRATION; REPORT

(a) On or before January 15, 2024, the Health Equity Advisory Commission shall submit a written report to the House Committees on Appropriations, on Government Operations and Military Affairs, and on Health Care and the Senate Committees on Appropriations, on Government Operations, and on Health and Welfare regarding the appropriate State entity for the Office of Health Equity to be attached to for administrative purposes. The report shall identify various State entities to which the Office could be attached for administrative purposes in order to best position the Office to align with, coordinate with, and complement the State's health equity efforts, and shall examine the potential benefits and drawbacks of the Office being attached to each of the entities identified. The report shall also include a recommendation on how to administer community grants related to health equity.

(b) The Agency of Administration is authorized to expend funds appropriated to the Agency of Administration for the Health Equity Advisory Commission to fund administrative positions to complete the work required by this section or other legislation.

Sec. E.100.2 OFFICE OF HEALTH EQUITY POSITIONS

(a) \$250,000 of the funds appropriated in Sec. B.100 of this act are to fund two positions in the Office of Health Equity. These funds may only be expended, and the positions may only be filled, once the recommendation required by Sec. E.100.1 of this act regarding the permanent administrative location for the Office of Health Equity is provided.

Sec. E.104.1 DEPARTMENT OF FINANCE AND MANAGEMENT;
PENSION PLUS APPROPRIATION DIRECTIVE

(a) In fiscal year 2024, funds appropriated to the Department of Finance and Management and the Agency of Administration in Sec. B.104.1 of this act to fund additional payments to the Vermont State Retirement System made pursuant to 3 V.S.A. § 473(c)(8) shall be directly deposited in the Vermont State Retirement System.

(b) Beginning in fiscal year 2025, and in each applicable year thereafter, additional contributions pursuant to 3 V.S.A. § 473 (c)(8) shall be made through the percentage of payroll rate process pursuant to 3 V.S.A. § 473 (d).

Sec. E.107 3 V.S.A. § 473 is amended to read:

* * *

(c)(8) Annually, the Board shall certify an amount to pay the annual actuarially determined employer contribution, as calculated in this subsection, and additional amounts as follows:

(A) in fiscal year 2024, the amount of \$9,000,000.00;

(B) in fiscal year 2025, the amount of \$12,000,000.00;

(C) in fiscal year 2026 and in any year thereafter when the Fund is calculated to have a funded ratio of less than 90 percent, the amount of \$15,000,000.00.

(d) Contributions of State. As provided by law, the Retirement Board shall certify to the Governor or Governor-Elect a statement of the percentage of the payroll of all members sufficient to pay for all operating expenses of the Vermont State Retirement System and all contributions of the State that will become due and payable during the next biennium. The contributions of the State to pay the annual actuarially determined employer contribution and any additional amounts pursuant to section (c)(8) of this section shall be charged to the departmental appropriation from which members' salaries are paid and shall be included in each departmental budgetary request. Annually, on or before January 15, the Commissioner of Finance and Management shall provide to the General Assembly a breakdown of the components of the

payroll charge applied to each department's budget in the current fiscal year and anticipated to apply in the upcoming fiscal year. This report shall itemize the percentages of payroll assessments to fund:

(1) the actuarially determined employer contribution to the Vermont State Retirement System;

(2) any additional payments made pursuant to subdivision (c)(8) of this section to the Vermont State Retirement System; and

(3) the employer contribution to the State Employees' Postemployment Benefits Trust Fund made pursuant to 3 V.S.A. § 479a (e)(3).

Sec. E.108 3 V.S.A. § 479 is amended to read:

§ 479. GROUP INSURANCE

(a)(1) As provided under section 631 of this title, a member who is insured by the respective group insurance plans immediately preceding the member's effective date of retirement shall be entitled to continuation of group insurance as follows:

~~(A)(i)~~ coverage in the group medical benefit plan provided by the State of Vermont for active State employees; or

~~(B)(ii)~~ for a Group F and Group G plan member first included in the membership of the system on or after July 1, 2008, coverage in the group medical benefit plan offered by the State of Vermont for active State employees and pursuant to the following, provided:

~~(i)(I)~~ a member who has completed five years and less than 10 years of creditable service at the member's retirement shall pay the full cost of the premium;

~~(ii)(II)~~ a member who has completed 10 years and less than 15 years of creditable service at the member's retirement shall pay 60 percent of the cost of the premium;

~~(iii)(III)~~ a member who has completed 15 years and less than 20 years of creditable service at ~~his or her~~ the member's retirement shall pay 40 percent of the cost of the premium;

~~(iv)(IV)~~ a member who has completed 20 years or more of creditable service at ~~his or her~~ the member's retirement shall pay 20 percent of the cost of the premium; and

~~(2)(B)~~ members who have completed 20 years of creditable service at their effective date of retirement shall be entitled to the continuation of life insurance in the amount of \$10,000.00.

(2) Notwithstanding any provision of subdivision (1)(A)(i) or (ii) of this subsection to the contrary, a member may be offered health coverage other than coverage in the group medical benefit plan provided by the State of Vermont for active State employees if the following conditions are met:

(A) the alternative health coverage is substantially equivalent to the coverage offered through the group medical benefit plan provided by the State of Vermont for active State employees; and

(B) the alternative health coverage is mutually agreeable to:

(i) the State;

(ii) each employee organization that has been certified to represent one or more bargaining units pursuant to chapters 27 and 28 of this title; and

(iii) the Vermont Retired State Employees' Association.

(b) As of July 1, 2007, members of the Group C plan who separate from service prior to being eligible for retirement benefits under this chapter, who have at least 20 years of creditable service, and who participated in the group medical benefit plan at the time of separation from service shall have a one-time option at the time retirement benefits commence to participate in the group medical benefit plan provided by the State of Vermont for active State employees or any alternative health coverage provided pursuant to subdivision (a)(2) of this section. Premiums for the plan shall be prorated between the retired member and the Retirement System pursuant to section 631 of this title.

(c) Premiums for coverage of retired members of the Group C plan and their dependents in the group medical benefit plan or any alternative health coverage provided pursuant to subdivision (a)(2) of this section shall be prorated on the same basis as is provided for active employees by the current collective bargaining agreement for the nonmanagement unit. The amounts designated as the State's share of premium for the medical benefit plan and the total premium for group life insurance provided under subdivision (a)(2) of this section shall be paid by the Fund as an operating expense in accordance with subsection 473(d) of this title.

(d) After January 1, 2007, the State Treasurer may offer and administer a dental benefit plan for retired members, beneficiaries, eligible dependents, and eligible retirees of special affiliated groups and the dependents of members of those groups who are eligible for coverage in the State Employee Group Medical Benefit Plan or any alternative health coverage provided pursuant to subdivision (a)(2) of this section. The Plan shall be separate and apart from any dental benefit plan offered to Vermont State employees. The original plan of benefits, and any changes thereto, shall be determined by the State

Treasurer with due consideration of recommendations from the Retired Employees' Committee on Insurance established in section 636 of this title.

* * *

(3) Dependent eligibility shall be determined in the manner applied to determinations for coverage in the State Employee Medical Benefit Plan or any alternative health coverage provided pursuant to subdivision (a)(2) of this section.

(4) [Repealed.]

(e) As of January 1, 2007, and thereafter, upon retirement, members entitled to prorated group medical benefit plan premium payments from the Retirement System under the terms of this section shall have a one-time option to reduce the percentage of premium payments from the Retirement System during the member's life, with the provision that the Fund shall continue making an equal percentage of premium payments after the member's death for the life of the dependent beneficiary nominated by the member under section 468 of this title, should such dependent beneficiary survive the member. The Retirement Board, after consultation with its actuary, shall establish reduced premium payment percentages that are as cost neutral to the Fund as possible.

(f) [Repealed.]

(g) A member of the Group F or Group G plan who is first included in the membership of the System on or after July 1, 2008, who separates from service prior to being eligible for retirement benefits under this chapter, who has at least 20 years of creditable service, and who participated in the group medical benefit plan at the time of separation from service shall have a one-time option at the time retirement benefits commence to reinstate the same level of coverage, in the group medical benefit plan provided by the State of Vermont for active State employees or any alternative health coverage provided pursuant to subdivision (a)(2) of this section, that existed at the date of separation from service. Premiums for the plan shall be prorated between the retired member and the Retirement System pursuant to subsection 479(a) of this title.

* * *

Sec. E.108.1 3 V.S.A. § 631 is amended to read:

§ 631. GROUP INSURANCE FOR STATE EMPLOYEES; SALARY DEDUCTIONS FOR INSURANCE, SAVINGS PLANS, AND CREDIT UNIONS

(a)(1) The Secretary of Administration may contract on behalf of the State with any insurance company or nonprofit association doing business in this State to secure the benefits of franchise or group insurance. ~~Beginning July 1, 1978, the~~ The terms of coverage under the policy shall be determined under section 904 of this title, but it may include:

(A) life, disability, health, and accident insurance and benefits for any class or classes of State employees; and

(B) hospital, surgical, and medical benefits for any class or classes of State employees or for those employees and any class or classes of their dependents.

(2)(A)(i) As used in this section, the term “employees” includes any class or classes of elected or appointed officials, State’s Attorneys, sheriffs, employees of State’s Attorneys’ offices whose compensation is administered through the State of Vermont payroll system, except contractual and temporary employees, and deputy sheriffs paid by the State of Vermont pursuant to 24 V.S.A. § 290(b). The term “employees” shall not include members of the General Assembly as such, any person rendering service on a retainer or fee basis, members of boards or commissions, or persons other than employees of the Vermont Historical Society, the Vermont Film Corporation, the Vermont State Employees’ Credit Union, Vermont State Employees’ Association, and the Vermont Council on the Arts, whose compensation for service is not paid from the State Treasury, or any elected or appointed official unless the official is actively engaged in and devoting substantially full-time to the conduct of the business of ~~his or her~~ the official’s public office.

(ii) For purposes of group hospital-surgical-medical expense insurance, the term “employees” shall include employees as defined in subdivision (i) of this subdivision (2)(A) and former employees as defined in this subdivision who are retired and are receiving a retirement allowance from the Vermont State Retirement System or the State Teachers’ Retirement System of Vermont and, for the purposes of group life insurance only, are retired on or after July 1, 1961, and have completed 20 creditable years of service with the State before their retirement dates and are insured for group life insurance on their retirement dates.

* * *

(10) The Secretary of Administration shall not contract for any group hospital-surgical-medical expense insurance that provides a Medicare Advantage plan or similar plan established pursuant to Title XVIII of the Social Security Act without the explicit agreement of all employee organizations certified pursuant to chapters 27 and 28 of this title.

* * *

Sec. E.108.2 3 V.S.A. § 925 is amended to read:

§ 925. MEDIATION; FACT FINDING

* * *

(i)(1) In the case of the Vermont State Colleges or the University of Vermont, if the dispute remains unresolved 20 days after transmittal of findings and recommendations to the parties or within a time frame mutually agreed upon by the parties that may be not more than an additional 30 days, each party shall submit as a single package its last best offer on all disputed issues to the Board. Each party's last best offer shall be filed with the Board under seal and shall be unsealed and placed in the public record only when both parties' last best offers are filed with the Board. The Board shall hold one or more hearings. Within 30 days of the certifications, the Board shall select between the last best offers of the parties, considered in their entirety without amendment.

(2)(A) In the case of the State of Vermont or the Department of State's Attorneys and Sheriffs, if the dispute remains unresolved 20 days after transmittal of findings and recommendations to the parties or within a time frame mutually agreed upon by the parties that may be not more than an additional 30 days, each party shall submit as a single package its last best offer on all disputed issues to the Board, or upon the request of either party, to an arbitrator mutually agreed upon by the parties. If the parties cannot agree on an arbitrator, the American Arbitration Association shall appoint a neutral third party to act as arbitrator.

(B)(i) Each party's last best offer shall be filed with the Board or the arbitrator under seal and shall be unsealed and placed in the public record only when both parties' last best offers are filed with the Board or the arbitrator.

(ii) A party's last best offer shall not include a proposal to:

(I) provide alternative health coverage to retired State employees that has not been agreed to pursuant to the provisions of subdivision 479(a)(2) of this title; or

(II) provide health coverage that includes a Medicare Advantage plan or similar plan established pursuant to Title XVIII of the

Social Security Act unless the inclusion of the plan has been agreed to by both parties.

(iii) The Board or the arbitrator shall hold one or more hearings. Within 30 days of the certifications, the Board or the arbitrator shall select between the last best offers of the parties, considered in their entirety without amendment.

* * *

Sec. E.108.3 3 V.S.A. § 1018 is amended to read:

§ 1018. MEDIATION; FACT-FINDING; LAST BEST OFFER

* * *

(i)(1) If the dispute remains unresolved 20 days after transmittal of findings and recommendations or within a period of time mutually agreed upon by the parties that may be not more than an additional 30 days, each party shall submit to the Board or, upon the request of either party, to an arbitrator mutually agreed upon by the parties its last best offer on all disputed issues as a single package. If the parties cannot agree on an arbitrator, the American Arbitration Association shall appoint a neutral third party to act as arbitrator.

(2) Each party's last best offer shall be:

(A) filed with the Board or the arbitrator under seal;

(B) certified to the Board or the arbitrator by the fact finder; and

(C) unsealed and placed in the public record only when both parties' last best offers are filed with the Board or the arbitrator.

(3)(A) A party's last best offer shall not include a proposal to:

(i) provide alternative health coverage to retired State employees that has not been agreed to pursuant to the provisions of subdivision 479(a)(2) of this title; or

(ii) provide health coverage that includes a Medicare Advantage plan or similar plan established pursuant to Title XVIII of the Social Security Act unless the inclusion of the plan has been agreed to by both parties.

(4) The Board or the arbitrator shall hold one or more hearings and consider the recommendations of the fact finder.

~~(4)~~(5)(A) Within 30 days of the certifications, the Board or the arbitrator shall select between the last best offers of the parties, considered in their entirety without amendment, and shall determine its cost.

* * *

~~(5)~~(6) The Board or the arbitrator shall not issue an order under this subsection that is in conflict with any law or rule or that relates to an issue that is not bargainable.

~~(6)~~(7) The decision of the Board or the arbitrator shall be final and binding on the parties.

Sec. E.111.1 32 V.S.A. § 3209 is added as to read:

§ 3209. TAX COMPUTER SYSTEM MODERNIZATION FUND

(a) The Tax Computer System Modernization Fund #21909, as established in the State Treasury per 2007 Acts and Resolves No. 65, Sec. 282 as amended, is a special fund to support information technology improvements and initiatives of the Department of Taxes. Balances in the Fund shall be administered by the Department of Taxes and used exclusively for the purposes prescribed in subsection (c) of this section. Balances in the Fund at the end of each fiscal year shall be carried forward and remain part of the Fund. Interest earned by the Fund shall be deposited into the Fund.

(b) The Fund shall receive annual transfers from the General Fund and the Education Fund in amounts not to exceed 0.21 percent of total revenue collected in the prior fiscal year by the Department of Taxes. The fund may receive other receipts as directed or authorized by the General Assembly.

(c) The Fund shall be used for the development, implementation, enhancement, and maintenance of information technology systems and services for the administration of taxes and programs administered by the Department. This shall include requests for proposal, business requirements, analysis, implementation of new tax types, enhancements to existing systems, and payments due to vendors of information technology systems and services.

(d) The Commissioner of Taxes shall submit an annual report on the receipts, expenditures, and balances in the Tax Computer System Modernization Fund to the Joint Fiscal Committee each year at or prior to the Committee's November meeting each year.

Sec. E.111.2 TAX COMPUTER SYSTEM MODERNIZATION FUND
TRANSFER

(a) Any remaining funds on June 30, 2023 in the Tax Computer System Modernization Fund established by 2007 Acts and Resolves No. 65, Sec. 282, and amended from time to time, shall be deposited into the fund established by 32 V.S.A. § 3209.

Sec. E.111.3 24 V.S.A. § 138(c) is amended to read:

(c) Any tax imposed under the authority of this section shall be collected and administered by the Department of Taxes, in accordance with State law governing such State tax or taxes; provided, however, that a sales tax imposed under this section shall be collected on each sale that is subject to the Vermont sales tax using a destination basis for taxation. Except with respect to taxes collected on the sale of aviation jet fuel, a per-return fee of \$5.96 shall be assessed ~~to compensate the Department for the costs of administration and collection,~~ 70 percent of which shall be borne by the municipality, and 30 percent of which shall be borne by the State to be paid from the PILOT Special Fund. Notwithstanding 32 V.S.A. § 603 or any other provision of law or municipal charter to the contrary, revenue from the fee shall be used to compensate the Department for the costs of administering and collecting the local option tax and of administering the State appraisal and litigation program established in 32 V.S.A. § 5413. The fee shall be subject to the provisions of 32 V.S.A. § 605.

Sec. E.124 2018 (Sp. Sess.) Acts and Resolves No. 9, Sec. 8 is amended to read:

Sec. 8. REPEAL

~~On June 30, 2024:~~

~~(1) Sec. 3 of this act (creating the Executive Director of Racial Equity and Racial Equity Advisory Panel in 3 V.S.A. chapter 68) is repealed and the Executive Director position and Panel shall cease to exist; and~~

~~(2) Sec. 4 of this act (authorization for the Executive Director of Racial Equity position) is repealed. [Repealed.]~~

Sec. E.124.1 COUNCIL ON HOUSING AND HOMELESSNESS; INTENT

(a) It is the intent of the Vermont General Assembly to support the work of the Governor's Council on Housing and Homelessness, focusing on strategies for affordability and solving homelessness. The Council is encouraged to review and inventory the affordable housing that has been developed since January 2020, including the various public and private financing sources that have been utilized. The Council is also encouraged to review and inventory available housing assistance programs and funding levels.

Sec. E.125 2022 Acts and Resolves No. 126, Sec. 2 is amended to read:

Sec. 2. REPORT ON ACCESS TO CIVIL JUSTICE REMEDIES AND
LAW ENFORCEMENT QUALIFIED IMMUNITY IN
VERMONT

(a) On or before November 15, ~~2022~~ 2023, the Office of Legislative Counsel shall submit a written legal analysis to the Senate Committee on Judiciary, the House Committee on Judiciary, and the Joint Legislative Justice Oversight Committee concerning the impact of the doctrine of qualified immunity on access to civil justice remedies in the State of Vermont and the U.S. Court of Appeals for the Second Circuit. In particular, the analysis shall identify:

* * *

Sec. E.125.1 REVIEW OF WORKFORCE INCENTIVES, LOANS, AND
SCHOLARSHIP PROGRAMS

(a) On or before January 15, 2024, the Office of Legislative Counsel and the Joint Fiscal Office, in collaboration with the Agency of Human Services, the Department of Mental Health, the Department of Health, the Department of Disabilities, Aging, and Independent Living, the Vermont Student Assistance Corporation (VSAC), and the Office of Primary Care and Area Health Education Centers (AHEC) Program at the University of Vermont Larner College of Medicine shall issue a written report to the House and Senate Committees on Appropriations including:

(1) a complete inventory of existing State programs that provide workforce incentives in the form of scholarships, forgivable loans or loan repayment grants for a specified service obligation or other incentives with the objective of increasing the number of practitioners in health care and other social service occupations in Vermont;

(2) a summary of the amount and sources of funds for each program, both base and one-time, and any anticipated carryforward of unobligated balances at the close of fiscal year 2023;

(3) recommendations for streamlining or restructuring the existing programs with the goal of consolidating administration and making the programs easily accessible to potential students and existing or potential staff. There should be consideration of the level of program specificity that should be included in statute or remain within the authority of the administering entities. The report shall include the authorizing statute for each program and necessary statutory amendments to accomplish the recommendations.

Sec. E.127 FISCAL YEAR 2024 FEE REPORT; NATURAL RESOURCES
AND HUMAN SERVICES; NATURAL RESOURCES BOARD;
VETERANS' HOME

(a) Fiscal Year 2024 Fee Information. The Secretary of Natural Resources, the Secretary of Human Services, the Executive Director of the Natural Resources Board, and the Chief Executive Officer of the Vermont Veterans' Home shall, in collaboration with the Joint Fiscal Office, prepare a comprehensive fee report for the Agency of Natural Resources, the Agency of Human Services, the Natural Resources Board, and the Vermont Veterans' Home, respectively, for each fee in existence on July 1, 2023. Each fee report shall contain the following information:

- (1) the statutory authorization and termination date, if any;
- (2) the current rate or amount and date the fee was last set or adjusted by the General Assembly or Joint Fiscal Committee;
- (3) the Fund into which the fee revenues are deposited;
- (4) the revenues derived from each fee in the previous five fiscal years;
- (5) the number of instances that each fee was paid in the two most recent fiscal years;
- (6) a projection for fee revenues in the current fiscal year and the next fiscal year;
- (7) a description of the service or product provided or the regulatory function performed;
- (8) the relationship between the revenue raised and the cost of the service, product, or regulatory function supported by the fee;
- (9) the amount of the fee if it would have been adjusted by inflation since the fee was last set;
- (10) for any fees deposited in a special fund, the percent of the special fund that the fee represents;
- (11) whether any comparable fees exist in other jurisdictions;
- (12) any policies that might affect the viability of the fee amount; and
- (13) any other relevant considerations for setting the fee amount.

(b) Reports.

(1) On or before October 15, 2023, the Secretary of Natural Resources, the Secretary of Human Services, the Executive Director of the Natural Resources Board, and the Chief Executive Officer of the Vermont Veterans'

Home shall each submit a written draft report of the fiscal year 2024 fee information described in subsection (a) of this section to the Joint Fiscal Office for review and feedback. The Secretary of Natural Resources, the Secretary of Human Services, the Executive Director of the Natural Resources Board, and the Chief Executive Officer of the Vermont Veterans' Home shall each work with the Joint Fiscal Office to respond to feedback prior to submission of the final report described in subdivision (2) of this subsection.

(2) On or before December 15, 2023, the Secretary of Natural Resources, the Secretary of Human Services, the Executive Director of the Natural Resources Board, and the Chief Executive Officer of the Vermont Veterans' Home shall each submit a written final report of the fiscal year 2024 fee information described in subsection (a) of this section to the House Committees on Appropriations and on Ways and Means and the Senate Committees on Appropriations and on Finance.

(3) If any of the information on any fee that is requested in this section cannot be provided, the Secretary of Natural Resources, the Secretary of Human Services, the Executive Director of the Natural Resources Board, and the Chief Executive Officer of the Vermont Veterans' Home shall include in both the draft and final reports described in this subsection (b) a written explanation for why the information is not available.

(c) Fee report moratorium. Notwithstanding 32 V.S.A. § 605, in fiscal year 2024, the Governor shall not be required to submit the consolidated Executive Branch fee report and request to the General Assembly.

Sec. E.128 OFFICE OF THE SERGEANT AT ARMS; NEW POSITIONS

(a) The establishment of two new permanent exempt Capitol Police Officer positions in the Office of the Sergeant at Arms are authorized in fiscal year 2024.

Sec. E.128.1 2021 Acts and Resolves No. 74, Sec. E.126a is amended to read:

Sec. E.126a LEGISLATIVE – HUMAN RESOURCES ASSOCIATE POSITION

(a) One ~~limited-service~~ permanent exempt position, Human Resources Associate Generalist, is authorized for establishment in fiscal year 2022.

Sec. E.128.2 FARMERS' NIGHT CONCERT SERIES; APPROPRIATION

(a) The Office of the Sergeant at Arms is authorized to use not more than \$10,000 from resources available within the General Assembly's budget to provide honoraria to speakers and performing groups who are invited to participate in the 2024 Farmers' Night Concert Series and who are not otherwise sponsored or compensated for their participation.

Sec. E.131 TREASURER CLIMATE INFRASTRUCTURE FINANCING
COORDINATION

(a) The Treasurer may use funds appropriated in fiscal year 2024 to coordinate the State's climate infrastructure financing efforts. Use of funds can include administrative costs and third-party consultation. The Treasurer shall collaborate with, among others, the Vermont Climate Council, the Agency of Natural Resources – Climate Action Office, the Public Service Department, Vermont members of the Coalition for Green Capital, and the three financial instrumentalities of the State to create a framework for effective collaboration among Vermont organizations, agencies, and the financial instrumentalities of the State to maximize the amount of federal Greenhouse Gas Reduction Funds the State may receive and effectively coordinate the deployment of these and other greenhouse gas reduction funds. The Treasurer shall submit recommendations to the General Assembly regarding legislation for Vermont's climate infrastructure financing on or before January 15, 2024.

Sec. E.131.1 SCHOOL CONSTRUCTION AID TASK FORCE; REPORT

(a) Creation. The School Construction Aid Task Force is created to examine, evaluate, and report on issues relating to school construction aid.

(b) Membership. The Task Force shall be composed of the following members:

(1) two current members of the House of Representatives, who shall be appointed by the Speaker of the House;

(2) two current members of the Senate, who shall be appointed by the Committee on Committees;

(3) the State Treasurer or designee, who shall serve as co-chair;

(4) the Secretary of Education or designee, who shall serve as co-chair;

(5) the Executive Director of the Vermont National Education Association or designee;

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

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

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

(9) the Executive Director of the Municipal Bond Bank or designee;

(10) the President of the Vermont School Custodians and Maintenance Association or designee;

(11) a person with expertise in historic preservation, appointed by the Governor;

(12) a person with expertise in the construction industry specializing in school facilities projects, appointed by the Governor;

(13) a member of the American Industrial Hygiene Association, appointed by the Governor; and;

(14) a person with expertise in school energy efficiency and energy performance contracting, who shall be appointed by the Governor.

(c) Powers and duties. The Task Force shall review the results of the statewide school facilities inventory and conditions assessment and the school construction funding report required by 2021 Acts and Resolves No. 72 and study the following issues relating to school construction aid:

(1) the needs, both programmatic and health and safety, of statewide school construction projects;

(2) funding options for a statewide school construction program, including any incentive plans;

(3) a governance structure for the oversight and management of a school construction aid program;

(4) the appropriate state action level for response to polychlorinated biphenyl contamination in a school; and

(5) criteria for prioritizing school construction funding.

(d) Assistance.

(1) The Task Force shall have the administrative, technical, and legal assistance of the Agency of Education, the Department of Health, and the Office of the State Treasurer.

(2) The Office of the State Treasurer is authorized to contract for services for the Task Force for technical assistance from a school construction expert and any administrative, technical, financial, or legal assistance required by the Task Force.

(e) Report. On or before January 15, 2024, the Task Force shall submit a written report to the House Committees on Corrections and Institutions, on Education, and on Ways and Means and the Senate Committees on Education, on Finance, and on Institutions with its findings and any recommendations for

legislative action, including a recommendation on how the State should expend the funding in the Education Fund reserved for future school construction.

(f) Meetings.

(1) The State Treasurer shall call the first meeting of the Task Force to occur on or before July 15, 2023.

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

(3) The Task Force shall cease to exist on July 1, 2024.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Task Force serving in the member's capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than 10 meetings. These payments shall be made from monies appropriated to the General Assembly.

(2) Other members of the Task Force shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 10 meetings. These payments shall be made from monies appropriated to the Office of the State Treasurer.

Sec. E.133 VERMONT STATE EMPLOYEES' RETIREMENT SYSTEM
AND VERMONT PENSION INVESTMENT COMMISSION;
OPERATING BUDGET, SOURCE OF FUNDS

(a) Of the \$2,990,679 appropriated in Sec. B.133 of this act, \$2,018,947 constitutes the Vermont State Employees' Retirement System operating budget, and \$971,732 constitutes the portion of the Vermont Pension Investment Commission's budget attributable to the Vermont State Employees' Retirement System.

Sec. E.134 VERMONT MUNICIPAL EMPLOYEES' RETIREMENT
SYSTEM AND VERMONT PENSION INVESTMENT
COMMISSION; OPERATING BUDGET, SOURCE OF FUNDS

(a) Of the \$1,721,823 appropriated in Sec. B.134 of this act, \$1,361,777 constitutes the Vermont Municipal Employees' Retirement System operating budget, and \$360,046 constitutes the portion of the Vermont Pension Investment Commission's budget attributable to the Vermont State Employees' Retirement System.

Sec. E.134.1 PUBLIC PENSION FUNDS; CARBON FOOTPRINT;
REVIEW; VERMONT PENSION INVESTMENT
COMMISSION

(a) Review. The Vermont Pension Investment Commission, in consultation with the Office of the State Treasurer, shall complete a review of the carbon footprint of the holdings of the Vermont State Employees' Retirement System, the Vermont State Teachers' Retirement System, and the Vermont Municipal Employees' Retirement System. For purposes of the review, "carbon footprint" means the extent to which the holdings are invested in stocks, securities, or other obligations of any fossil fuel company or any subsidiary, affiliate, or parent of any fossil fuel company.

(b) Report. On or before February 15, 2024, the Commission shall submit a report on the review described in subsection (a) of this section to the House Committees on Appropriations and on Government Operations and Military Affairs, the Senate Committees on Appropriations and on Government Operations, and to the Joint Pension Oversight Committee. The report shall include the definition of "fossil fuel company" that the Commission used for purposes of conducting the review and whether there are any recommendations for legislative action to divest from holdings that contain assets in the fossil fuel industry.

Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

(a) Of the appropriation in Sec B.139 of this act, \$9,000 shall be transferred to the Attorney General and \$70,000 shall be transferred to the Department of Taxes, Division of Property Valuation and Review and reserved and used with any remaining funds from the amount previously transferred for final payment of expenses incurred by the Department or towns in defense of grand list appeals regarding the reappraisals of hydroelectric plants and other expenses incurred to undertake utility property appraisals in the State of Vermont.

Sec. E.142 PAYMENTS IN LIEU OF TAXES

(a) The appropriation in Sec. B.142 of this act is for State payments in lieu of property taxes under 32 V.S.A. chapter 123, subchapter 4. The payments shall be calculated in addition to and without regard to the appropriations for PILOT for Montpelier and for correctional facilities elsewhere in this act. Payments in lieu of taxes under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

(b) Notwithstanding subsection (a) of this section, the payments under this section shall be adjusted so that the total payments made under Secs. E.142,

E.143, and E.144 of this act do not exceed 100 percent of the assessed value of State buildings as defined by 32 V.S.A. § 3701(2).

Sec. E.143 PAYMENTS IN LIEU OF TAXES – MONTPELIER

(a) Payments in lieu of taxes under Sec. B.143 of this act shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

Sec. E.144 PAYMENTS IN LIEU OF TAXES – CORRECTIONAL FACILITIES

(a) Payments in lieu of taxes under Sec. B.144 of this act shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

* * * Protection * * *

Sec. E.200 ATTORNEY GENERAL

(a) Notwithstanding any provision of law to the contrary, the Office of the Attorney General, Medicaid Fraud and Residential Abuse Unit, is authorized to retain, subject to appropriation, one-half of the State share of any recoveries from Medicaid fraud settlements, excluding interest, that exceed the State share of restitution to the Medicaid Program. All such designated additional recoveries retained shall be used to finance Medicaid Fraud and Residential Abuse Unit activities.

(b) Of the revenue available to the Attorney General under 9 V.S.A. § 2458(b)(4), \$1,545,393 is appropriated in Sec. B.200 of this act.

Sec. E.204 JUDICIARY; NEW POSITIONS

(a) The establishment of seven new permanent exempt positions at the Judiciary are authorized in fiscal year 2024: five Judicial Assistants, one Superior Judge, and one Law Clerk.

(b) The Superior Judge position created pursuant to this section:

(1) shall be for a six-year term of office commencing on April 1, 2023, irrespective of the date when the initial appointment is made; and

(2) shall be subject to the judicial retention process under Chapter II, Sec. 34 of the Vermont Constitution.

Sec. E.204.1. 13 V.S.A. § 7282 is amended to read:

§ 7282. SURCHARGE

(a) In addition to any penalty or fine imposed by the court or ~~Judicial Bureau~~ for a criminal offense or any civil penalty imposed by the Judicial Bureau for a traffic violation, including any violation of a fish and wildlife statute or regulation, violation of a motor vehicle statute, or violation of any

local ordinance relating to the operation of a motor vehicle, except violations relating to seat belts and child restraints and ordinances relating to parking violations, the clerk of the court or Judicial Bureau shall levy an additional surcharge of:

* * *

(8)(A) For any offense or violation committed after June 30, 2006, but before July 1, 2008, \$26.00, of which \$18.75 shall be deposited in the Victims Compensation Special Fund.

(B) For any offense or violation committed after June 30, 2008, but before July 1, 2009, \$36.00, of which \$28.75 shall be deposited in the Victims' Compensation Special Fund.

(C) For any offense or violation committed after June 30, 2009, but before July 1, 2013, \$41, of which ~~\$23.75~~ \$27.50 shall be deposited in the Victims Compensation Special Fund created by section 5359 of this title, and of which ~~\$10.00~~ \$13.50 shall be deposited in the Domestic and Sexual Violence Special Fund created by section 5360 of this title.

(D) For any offense or violation committed after June 30, 2013, \$47.00, of which ~~\$29.75~~ \$33.50 shall be deposited in the Victims Compensation Special Fund created by section 5359 of this title, and of which ~~\$10.00~~ \$13.50 shall be deposited in the Domestic and Sexual Violence Special Fund created by section 5360 of this title.

* * *

(c) ~~SUI~~ SIU surcharge. In addition to any penalty or fine imposed by the court or Judicial Bureau for a criminal offense committed after July 1, 2009, the clerk of the court or Judicial Bureau shall levy an additional surcharge of \$100.00 to be deposited in the General Fund, in support of the Specialized Investigative Unit Grants Board created in 24 V.S.A. § 1940(c), and used to pay for the costs of Specialized Investigative Units.

Sec. E.208 PUBLIC SAFETY – ADMINISTRATION

(a) The Commissioner of Public Safety may enter into a performance-based contract with the Essex County Sheriff's Department to provide law enforcement service activities agreed upon by both the Commissioner of Public Safety and the Essex County Sheriff.

Sec. E.209 PUBLIC SAFETY – STATE POLICE

(a) Of the General Fund appropriation in Sec. B.209 of this act, \$35,000 shall be available to the Southern Vermont Wilderness Search and Rescue Team, which comprises State Police, the Department of Fish and Wildlife,

county sheriffs, and local law enforcement personnel in Bennington, Windham, and Windsor Counties, for snowmobile enforcement.

(b) Of the General Fund appropriation in Sec. B.209 of this act, \$405,000 is allocated for grants in support of the Drug Task Force. Of this amount, \$190,000 shall be used by the Vermont Drug Task Force to fund three town Task Force officers. These town Task Force officers shall be dedicated to enforcement efforts with respect to both regulated drugs as defined in 18 V.S.A. § 4201(29) and the diversion of legal prescription drugs. Any unobligated funds may be allocated by the Commissioner to the Drug Task Force or carried forward.

Sec. E.212 PUBLIC SAFETY – FIRE SAFETY

(a) Of the General Fund appropriation in Sec. B.212 of this act, \$55,000 shall be granted to the Vermont Rural Fire Protection Task Force to design dry hydrants.

Sec. E.215 MILITARY – ADMINISTRATION

(a) The amount of \$1,319,834 shall be disbursed to the Vermont Student Assistance Corporation for the National Guard Tuition Benefit Program established in 16 V.S.A. § 2857.

Sec. E.219 MILITARY – VETERANS’ AFFAIRS

(a) Of the funds appropriated in Sec. B.219 of this act, \$1,000 shall be used for continuation of the Vermont Medal Program, \$4,800 shall be used for the expenses of the Governor’s Veterans’ Advisory Council, \$7,500 shall be used for the Veterans’ Day parade, and \$10,000 shall be granted to the American Legion for the Boys’ State and Girls’ State programs.

Sec. E.223 9 V.S.A. § 2730 is amended to read:

§ 2730. LICENSING FOR OPERATION OF WEIGHING AND MEASURING DEVICES

(a) As used in this section:

* * *

(14) “Electric vehicle supply equipment” and “electric vehicle supply equipment available to the public” have the same meanings as in 30 V.S.A. § 201.

* * *

(f)(1) The Secretary shall charge, per unit, the following annual license fees:

(A) Retail motor fuel dispenser meter: \$25.00.

* * *

(E) Each distinct plug-in connection point of electric vehicle supply equipment available to the public: \$25.00.

Sec. E.232 30 V.S.A. § 3085 is added to read:

§ 3085. CERTIFICATE OF GOOD STANDING

(a) A district may apply to the Secretary of State for a certificate of good standing.

(b) A certificate of good standing shall include:

(1) the official name of the district;

(2) that the district is duly formed pursuant to this chapter;

(3) the date of the district's formation;

(4) that the fee required by this section has been paid; and

(5) that a plan of dissolution for the district has not been approved pursuant to section 3083 of this chapter.

(c) Subject to any qualification stated in the certificate, a certificate of good standing issued by the Secretary of State may be:

(1) relied upon as conclusive evidence that the district is in existence and is authorized to deliver communications services and operate a communications plant pursuant to this chapter; and

(2) taken as prima facie evidence of the facts stated in the certificate.

(d) A district that applies for a certificate of good standing under this section shall pay to the Secretary of State a nonrefundable application fee of \$25.00.

* * * Human Services * * *

Sec. E.300 FUNDING FOR THE OFFICE OF THE HEALTH CARE
ADVOCATE; VERMONT LEGAL AID

(a) Of the funds appropriated in Sec. B.300 of this act:

(1) \$1,847,406 shall be used for the contract with the Office of the Health Care Advocate;

(2) \$1,717,994 for Vermont Legal Aid services, including the Poverty Law Project and mental health services; and

(3) \$650,000 is for the purposes of maintaining current Vermont Legal Aid program capacity and addressing increased requests for services, including eviction prevention and protection from foreclosure and consumer debt.

Sec. E.300.1 DESIGNATED AND SPECIALIZED SERVICE AGENCIES;
INCREASE

(a) In fiscal year 2024, the Agency of Human Services shall increase funding to the designated and specialized service agencies in the following manner:

(1) A five percent base increase for developmental disability services effective July 1, 2023; and

(2) A three percent base increase for mental health services effective July 1, 2023.

(A) The remaining mental health service fund increase shall be used to provide payment equity across the provider agencies. These funds shall be distributed as determined by the Agency of Human Services in the annual agreements or appropriate valuation model allocations for providers. The Agency shall report to the General Assembly in the fiscal year 2024 budget adjustment process on the status of these payment changes.

Sec. E.300.2 BLUEPRINT FOR HEALTH HUB AND SPOKE PROGRAM
PILOT; FUND SOURCES

(a) The Agency of Human Services, in collaboration with the Departments of Vermont Health Access and of Health, shall identify alternative fund sources, including sales tax revenue from tobacco, cannabis, and liquor, for ongoing funding of the Blueprint for Health Hub and Spoke program and shall update the Joint Fiscal Committee on its findings on or before November 15, 2023.

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

(a) The Agency of Human Services shall use the funds appropriated in Sec. B.301 of this act for payment of the actuarially certified premium required under the intergovernmental agreement between the Agency of Human Services and the managed care entity, the Department of Vermont Health Access, as provided for in the Global Commitment to Health Section 1115 demonstration (Global Commitment) approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

(b) In addition to the State funds appropriated in Sec. B.301 of this act, a total estimated sum of \$25,231,644 is anticipated to be certified as State matching funds under Global Commitment as follows:

(1) \$21,957,400 certified State match available from local education agencies for eligible special education school-based Medicaid services under Global Commitment. This amount, combined with \$28,542,600 of federal funds appropriated in Sec. B.301 of this act, equals a total estimated expenditure of \$50,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) \$3,093,521 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

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

Sec. E.301.1 GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER;
REPORT

(a) To facilitate the end-of-year closeout for fiscal year 2024, the Secretary of Human Services, with approval from the Secretary of Administration, may make transfers among the appropriations authorized for Medicaid and Medicaid-waiver program expenses, including Global Commitment appropriations outside the Agency of Human Services. At least three business days prior to any transfer, the Agency of Human Services shall submit to the Joint Fiscal Office a proposal of transfers to be made pursuant to this section. A final report on all transfers made under this section shall be made to the Joint Fiscal Committee for review at the Committee's September 2024 meeting. The purpose of this section is to provide the Agency with limited authority to modify the appropriations to comply with the terms and conditions of the Global Commitment to Health Section 1115 demonstration approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

Sec. E.301.2 2022 Acts and Resolves No. 83, Sec. 72a, as amended by 2022 Acts and Resolves No. 185, Sec. C.105 is further amended to read:

Sec. 72a. MEDICAID HOME- AND COMMUNITY-BASED SERVICES
(HCBS) PLAN

* * *

(f) The Global Commitment Fund appropriated in subsection (e) of this section may be obligated in fiscal year 2023 and fiscal year 2024 for the

purposes of bringing HCBS plan spending authority forward into fiscal year 2024 and fiscal year 2025, respectively. The funds appropriated in subsections (b), (c), and (e) of this section may be transferred on a net-neutral basis in fiscal year 2023 and fiscal year 2024 in the same manner as the Global Commitment appropriations in ~~Sec. E.301 of H.740 of 2022~~ 2022 Acts and Resolves No, 185, Sec. E.301. The Agency shall report to the Joint Fiscal Committee in September 2023 and September 2024, respectively, on transfers of appropriations made and final amounts expended by each department in fiscal year 2023 and fiscal year 2024, respectively, and any obligated funds carried forward to be expended in fiscal year 2024 and fiscal year 2025, respectively.

Sec. E.301.3 GLOBAL COMMITMENT FUND; HOSPITAL DIRECTED PAYMENT PROGRAM

(a) The Agency of Human Services is authorized to seek a State Directed Payment model with the Centers for Medicare and Medicaid Services (CMS). This payment model will be for a Hospital Directed Payment (HDP) program. Upon approval from CMS, the Agency of Human Services' Department of Vermont Health Access, the University of Vermont, and the University of Vermont Medical Center may enter into a mutual agreement on the implementation of the HDP program.

(b) If CMS approves a Vermont HDP program within the State's Global Commitment to Health Section 1115 Demonstration Waiver in fiscal year 2024 while the General Assembly is not in session, then, pursuant to 32 V.S.A. § 511 and notwithstanding any other provision of law to the contrary, the Department of Finance and Management is authorized to approve the Agency of Human Services' allocation and expenditure of excess receipts for Global Commitment Fund spending up to the amount approved by CMS for the Vermont HDP program.

(c) In State fiscal year 2024, the Agency of Human Services is authorized, to the extent permitted under federal law, to reasonably manage the timing of federal fiscal year 2024 Disproportionate Share Hospital (DSH) payments to hospitals due to the impact the Vermont HDP program payments received in State fiscal year 2024 may have on hospitals' eligibility for DSH payments.

(d) The Agency of Human Services shall report on the status of the Vermont HDP program, the expenditure of excess receipts, and the status of the program's potential impacts on DSH payments at the September and November 2023 meetings of the Joint Fiscal Committee.

Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

(a) The Agency of Human Services may adopt rules pursuant to 3 V.S.A. chapter 25 to conform Vermont's rules regarding health care eligibility and enrollment and the operation of the Vermont Health Benefit Exchange to State and federal law and guidance. The Agency may use the emergency rules process pursuant to 3 V.S.A. § 844 prior to June 30, 2024, but only if new State or federal law or guidance requires Vermont to amend or adopt its rules in a time frame that cannot be accomplished under the traditional rulemaking process. An emergency rule adopted under these exigent circumstances shall be deemed to meet the standard for the adoption of emergency rules required pursuant to 3 V.S.A. § 844(a).

Sec. E.306.1 2013 Acts and Resolves No. 73, Sec. 60(10), as amended by 2017 Acts and Resolves No. 73, Sec. 14, 2018 Acts and Resolves No. 187, Sec. 5, 2019 Acts and Resolves No. 71, Sec. 21, and 2021 Acts and Resolves No. 73, Sec. 14, is further amended to read:

(10) Secs. 48–51 (health claims tax) shall take effect on July 1, 2013 and Sec. 52 (Health IT-Fund; sunset) shall take effect on July 1, ~~2023~~ 2025.

Sec. E.306.2 2019 Acts and Resolves No. 6, Sec. 105, as amended by 2019 Acts and Resolves No. 71, Sec. 19 and 2022 Acts and Resolves No. 83, Sec. 75, is further amended to read:

Sec. 105. EFFECTIVE DATES

* * *

(b) Sec. 73 (further amending 32 V.S.A. § 10402) shall take effect on July 1, ~~2023~~ 2025.

* * *

Sec. E.306.3 ADULT DAY PROGRAM; RATE REPORT

(a) On or before February 15, 2024, the Department of Vermont Health Access, in collaboration with the Department of Disabilities, Aging, and Independent Living and the Vermont Association of Adult Day Services, shall report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare on recommended payment methodologies that encourage increased enrollment or attendance, or both, and provide predictable funding levels for adult day programs.

Sec. E.307 2022 Acts and Resolves No. 185, Sec. E.334.1 is amended to read:

Sec. E.334.1 LONG-TERM CARE – PERSONAL NEEDS ALLOWANCE
INCREASE

(a) The amount of the State supplement for Medicaid beneficiaries who reside in a nursing home and receive Supplemental Security Income shall increase by 10 percent to the degree practicable effective January 1, 2023 but not later than January 1, 2024.

(b) The amount of the personal needs allowance for all Medicaid beneficiaries who reside in a nursing home shall increase by 10 percent to the degree practicable effective January 1, 2023 but not later than January 1, 2024.

Sec. E.307.1 33 V.S.A. § 1992 is amended to read:

§ 1992. MEDICAID COVERAGE FOR ADULT DENTAL SERVICES

(a) Vermont Medicaid shall provide coverage for medically necessary dental services provided by a dentist, dental therapist, or dental hygienist working within the scope of the provider's license as follows:

* * *

(2)(A) Diagnostic, restorative, and endodontic procedures, to a maximum of ~~\$1,000.00~~ \$1,500.00 per calendar year, provided that the Department of Vermont Health Access may ~~approve~~ adjust the maximum pursuant to the process outlined in subdivision (B) of this subdivision (2) and may approve expenditures in excess of that amount when exceptional medical circumstances so require.

(B) The Department may set the maximum for coverage of diagnostic, restorative, and endodontic procedures in excess of the amount set forth in subdivision (A) of this subdivision (2) for a calendar year based on the Department's annual assessment of available funds, provided that the Department submit a report to the House Committee on Health Care, the Senate Committee on Health and Welfare, and the House and Senate Committees on Appropriations, or to the Joint Fiscal Committee if the General Assembly is not in session, each time the Department adjusts the maximum.

* * *

Sec. E.307.2 DEPARTMENT OF VERMONT HEALTH ACCESS;
MEDICAID DENTAL SERVICES; REPORT

(a) On or before January 15, 2025, the Department of Vermont Health Access shall report to the House Committee on Health Care, the Senate Committee on Health and Welfare, and the House and Senate Committees on Appropriations on its analysis of the impact of Medicaid dental provider rate

increases on the participation of dental providers in the Medicaid program, the geographic and network adequacy of dental providers for the Medicaid population, utilization of emergency dental services due to allowable exceptional medical circumstances, and predictions on costs of increasing or eliminating the dental cap.

Sec. E.312 HEALTH – PUBLIC HEALTH

(a) HIV/AIDS funding:

(1) In fiscal year 2024, the Department of Health shall provide grants in the amount of \$475,000 in AIDS Medication Rebates special funds to Vermont AIDS service and peer-support organizations for client-based support services. The Department of Health AIDS Program shall meet at least quarterly with the Community Advisory Group (CAG) with current information and data relating to service initiatives. The funds shall be allocated according to an RFP process.

(2) In fiscal year 2024, the Department of Health shall provide grants in the amount of \$295,000 to the following organizations:

(A) Vermont CARES – \$140,000;

(B) AIDS Project of Southern Vermont – \$100,000; and

(C) HIV/HCV Resource Center – \$55,000.

(3) Ryan White Title II funds for AIDS services and the Vermont Medication Assistance Program (VMAP) shall be distributed in accordance with federal guidelines. The federal guidelines shall not apply to programs or services funded solely by State general funds.

(A) The Secretary of Human Services shall immediately notify the Joint Fiscal Committee if at any time there are insufficient funds in VMAP to assist all eligible individuals. The Secretary shall work in collaboration with persons living with HIV/AIDS to develop a plan to continue access to VMAP medications until such time as the General Assembly can act.

(B) The Secretary of Human Services shall work in collaboration with the VMAP Advisory Committee, which shall be composed of not less than 50 percent of members who are living with HIV/AIDS. If a modification to the program's eligibility requirements or benefit coverage is considered, the Committee shall make recommendations regarding the program's formulary of approved medication, related laboratory testing, nutritional supplements, and eligibility for the program.

(4) In fiscal year 2024, the Department of Health shall provide grants in the amount of \$100,000 in General Funds to Vermont AIDS service

organizations and other Vermont HIV/AIDS prevention providers for community-based HIV prevention programs and services. These funds shall be used for HIV/AIDS prevention purposes, including syringe exchange programs; improving the availability of confidential and anonymous HIV testing; prevention work with at-risk groups such as women, intravenous drug users, and people of color; and anti-stigma campaigns. Not more than 15 percent of the funds may be used for the administration of such services by the recipients of these funds. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health and the Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers.

(5) In fiscal year 2024, the Department of Health shall provide grants in the amount of \$300,000 in General Funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for syringe exchange programs. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health, the Vermont AIDS service organizations, and other Vermont HIV/AIDS prevention providers. The performance period for these grants shall be State fiscal year 2024. Grant reporting shall include outcomes and results.

(6) In fiscal year 2024, the Department of Health shall not reduce any grants to Vermont AIDS service and peer-support organizations or syringe service programs from funds appropriated for HIV/AIDS services to levels below those in fiscal year 2023 without receiving prior approval from the Joint Fiscal Committee.

Sec. E.312.1 DEPARTMENT OF HEALTH: EMERGENCY MEDICAL SERVICES COORDINATION; REPORT

(a) The Commissioner of Health shall provide a report to the General Assembly on or before January 15, 2024, on Emergency Medical Services in Vermont.

(b) The Commissioner shall design and conduct a stakeholder engagement process that ensures input and representation from all types of emergency medical service providers serving Vermonters, as well as hospital and health systems, public safety, and municipal government.

(c) The report shall identify issues and provide recommendations for legislative consideration that will sustain and improve the provision of emergency medical services for Vermonters. This may include:

- (1) issues related to costs of service and existing funding models;
- (2) issues related to coordination across agencies; and

(3) issues related to EMS District structure and authority, including consideration of recommendations on the number and configuration of EMS Districts and their powers, duties, and authority.

Sec. E.313 HEALTH; SUBSTANCE USE PROGRAMS

(a) In fiscal year 2024, the Department of Health shall provide additional grants from the Global Commitment fund in the amount of \$1,850,000 to Vermont's 12 recovery centers. The methods by which these funds are distributed shall be determined by mutual agreement of the Department and the recipients. The performance period of these grants shall be State fiscal year 2024. Recipients shall report outcomes to the Department.

(b) The Department of Health shall review and analyze the capital and operating model for recovery residences. This shall include the portion of capital investment for these facilities that is privately and publicly financed, a description of the existing operating models of these facilities, existence and content of sustainability plans, the current operating margins net of rental income generated and the array of existing other operating funding available to the facilities, and the annual amounts of depreciation claimed by investors related to these facilities. The Department shall report to the General Assembly on this analysis and any related recommendations.

Sec. E.316 STAKEHOLDER WORKING GROUP; FACILITY PLANNING
FOR JUSTICE-INVOLVED YOUTH

(a) The Department for Children and Families, in consultation with the Department of Buildings and General Services, shall assemble a stakeholder working group to provide regular input on the planning, design, development, and implementation of the temporary stabilization facility for youth and on the development of a long-term plan for the high-end system of care.

(b) The stakeholder working group, constituted as a subcommittee of, or drawn from, existing groups or created as a separate group, may include representatives from:

(1) the families of children in the Department's custody for delinquency offenses;

(2) youth who have been in custody for juvenile offenses;

(3) the Juvenile Defender's Office;

(4) the Office of State's Attorneys;

(5) the Family Court;

(6) the Office of Racial Equity;

- (7) the Vermont Family Network;
- (8) the Vermont Federation of Families;
- (9) the Children and Family Council for Prevention Programs;
- (10) the Vermont Protection and Advocacy;
- (11) the Department of Mental Health;
- (12) the Department of Disabilities, Aging, and Independent Living;
- (13) the State Program Standing Committees for Developmental Services, Children's Mental Health, and Adult Mental Health; and
- (14) any other groups the Department may select.

(c) The Department shall regularly present relevant information to the stakeholder working group established pursuant to this section and review recommendations from the working group regarding:

(1) facility design layout, programming, and policy development for the temporary stabilization facility, including data on the number of cases and types of case mix, as well as likely length of stay; and

(2) the Department's data and assumptions for size, type of treatment, and security levels for future permanent facilities included in the planning process proposed in the fiscal year 2024 capital bill; optimal locations, including whether a campus plan is appropriate; and any plans regarding the use of outside contractors for facility operations, including State oversight of appropriate quality of care.

(d) The stakeholder working group established in this section shall be subject to the requirements of the Vermont Open Meeting Law.

(e) On or before January 15, 2024, the Commissioner of Children and Families shall develop and submit a strategic plan to the House Committees on Corrections and Institutions and on Human Services and to the Senate Committees on Health and Welfare and Institutions, as part of the overall planning process for development of the high-end system of care, for preventing the disproportionality of youth who are Black, Indigenous, or Persons of Color in staff- or building-secure facilities. The strategic plan shall include mechanisms for collecting necessary data, and the process of development shall include input from relevant public stakeholders.

(f) The stakeholder working group shall cease to exist on June 30, 2025.

Sec. E.321 GENERAL ASSISTANCE HOUSING: ADVERSE WEATHER
CONDITIONS

(a) The Commissioner for Children and Families may, by policy, provide temporary housing for a limited duration in adverse weather conditions when appropriate shelter space is not available.

Sec. E.323 33 V.S.A. § 1001 is amended to read:

§ 1001. DEFINITIONS

As used in this chapter:

~~(1) “Able to work” means to be free of any physical, emotional, or mental condition that would prevent the individual from engaging in any combination of the work activities for at least 35 hours per week. [Repealed.]~~

~~(2) “Able to work part time” means having a physical, emotional, or mental condition that would allow the individual to engage in any combination of the work activities for at least 10 hours per week but would prevent the individual from engaging in such activities for 35 or more hours per week. [Repealed.]~~

* * *

~~(25) “Unable to work” means not able to work and not able to work part time. [Repealed.]~~

~~(26) “Work activities” means the following activities limited to the extent and degree that they are allowed and countable in accordance with Part A of Title IV of the Social Security Act:~~

~~(A) unsubsidized employment;~~

~~(B) subsidized private sector employment;~~

~~(C) subsidized public sector employment;~~

~~(D) work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;~~

~~(E) on-the-job training;~~

~~(F) job search and job readiness assistance;~~

~~(G) community service programs;~~

~~(H) vocational educational training (not to exceed 12 months with respect to any individual);~~

~~(I) job skills training directly related to employment;~~

~~(J) education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;~~

~~(K) satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate;~~

~~(L) the provision, consistent with the Department's rules applicable to self-employment, of child care services to an individual who is participating in a community service program;~~

~~(M) attendance at a financial literacy class; and~~

~~(N) any other work activity recognized in accordance with Part A of Title IV of the Social Security Act, as amended. [Repealed.]~~

~~(27) "Work-ready" means the participant possesses the education or skills demanded by the local job market or is capable of participating in one or more work activities at the level required by the participant's work requirement, and is not subject to any barrier. [Repealed.]~~

Sec. E.323.1 33 V.S.A. § 1004 is amended to read:

§ 1004. REACH FIRST PAYMENT

* * *

(c) For the purposes of calculating the payment, child support shall be treated as income, except that the first \$500.00 \$100.00 amount of child support shall be disregarded from income.

Sec. E.323.2 33 V.S.A. § 1005(b)(8) is amended to read:

~~(8) Assistance with obtaining documentation of an apparent or claimed physical, emotional, or mental condition that reasonably can be presumed to limit or eliminate the individual's capacity to engage in employment or other work activity. [Repealed.]~~

Sec. E.323.3 33 V.S.A. § 1006 is amended to read:

§ 1006. CASE MANAGEMENT; FAMILY DEVELOPMENT PLANS; COORDINATED SERVICES

* * *

(b) The family development plan shall include:

(1) Each parent parent's or caretaker's employment goal or plan to engage in the program, to the best of the parent's or caretaker's ability.

* * *

Sec. E.323.4 33 V.S.A. § 1011 is amended to read:

§ 1011. TRANSITION TO OTHER PROGRAMS

* * *

~~(b) If a family finds employment meeting or exceeding the work requirements for Reach Up for the family's size and composition, but is financially eligible for Reach Up, the Department shall transfer the family to Reach Up, unless the family chooses not to participate. A family transferring from Reach First to Reach Up shall be treated as a recipient for the purposes of income calculation. [Repealed.]~~

~~(c) If a family finds employment meeting or exceeding the work requirements for Reach Up for the family's size and composition, is not financially eligible for Reach Up, and is eligible for the Reach Ahead program, the Department shall transfer the family to Reach Ahead, unless the family chooses not to participate. A family transferring from Reach First to Reach Ahead shall be treated as a recipient for the purposes of income calculation. [Repealed.]~~

* * *

Sec. E.323.5 33 V.S.A. § 1203 is amended to read:

§ 1203. ELIGIBILITY

A family shall be eligible for Reach Ahead if the family resides in Vermont and:

(1) has left Reach Up or the postsecondary education program within the prior six months for employment that meets the federal work requirements for the ~~Reach Up~~ TANF program for the family's size and composition;

* * *

Sec. E.323.6 33 V.S.A. § 1212 is amended to read:

§ 1212. TRANSITION TO OTHER PROGRAMS

If a family loses employment meeting or exceeding the work requirements for ~~Reach Up~~ TANF for the family's size and composition and is financially eligible for Reach Up, the family shall be transferred to Reach First or Reach Up without an additional application process, unless the family chooses not to participate. Verification of income or other documentation may be required as provided for by rule.

Sec. E 323.7 REACH AHEAD PILOT PROGRAM

(a) Notwithstanding any provision to the contrary in 33 V.S.A. chapter 12, funds appropriated to the Department for Children and Families for the Reach Ahead Pilot Program in fiscal year 2024 shall be used to:

(1) enroll families that have left the Reach Up program or the postsecondary education program within the prior 12 months for employment that meets the federal work requirements for the Temporary Assistance for Needy Families program for the family's size and composition;

(2) increase the amount of monthly food assistance from \$50 to \$100 in the first 12 months of a family's participation in Reach Ahead;

(3) increase the amount of monthly food assistance from \$5 to \$50 in the second 12 months of a family's participation in Reach Ahead; and

(4) provide incentive payments to participating families in the amounts of:

(A) \$750, to be paid after participating in the Program for six months;

(B) \$1,000, to be paid after participating in the Program for 12 months;

(C) \$1,000, to be paid after participating in the Program for 18 months; and

(D) \$1,000, to be paid after participating in the Program for 24 months.

(b) Funding for this program is provided for in Sec. B.1100(o)(1) of this act and is only in effect for fiscal years 2024 and 2025, unless additional funding is authorized.

Sec. E.323.8 REACH AHEAD PILOT PROGRAM

(a) The Department for Children and Families – Economic Services Division shall collect and report data that measures outcomes for participants of the Reach Ahead Pilot Program established in Sec. E.323.7 of this act; the indicators used to measure participant and Pilot Program progress; and the strategies that are implemented.

Sec. E.324 EXPEDITED CRISIS FUEL ASSISTANCE

(a) The Commissioner for Children and Families or designee may authorize crisis fuel assistance to those income-eligible households that have applied for an expedited seasonal fuel benefit but have not yet received it if the benefit cannot be executed in time to prevent them from running out of fuel.

The crisis fuel grants authorized pursuant to this section count toward the one crisis fuel grant allowed per household for the winter heating season pursuant to 33 V.S.A. § 2609(b).

Sec. E.325 DEPARTMENT FOR CHILDREN AND FAMILIES – OFFICE
OF ECONOMIC OPPORTUNITY

(a) Of the General Fund appropriation in Sec. B.325 of this act, \$18,776,814 shall be granted to community agencies to assist individuals experiencing homelessness by preserving existing services, increasing services, or increasing resources available statewide. These funds may be granted alone or in conjunction with federal Emergency Solutions Grants funds. Funds shall be administered in consultation with the Vermont Coalition to End Homelessness.

(b) Of the General Fund appropriation in Sec. B.325 of this act, \$170,301 shall be granted to community agencies for financial coaching.

Sec. E.325.1 CHILD CARE FACILITIES FINANCING PROGRAM

(a) 33 V.S.A. § 3521 (Child Care Facilities Financing Program established) is repealed.

Sec. E.326 DEPARTMENT FOR CHILDREN AND FAMILIES – OFFICE
OF ECONOMIC OPPORTUNITY – WEATHERIZATION
ASSISTANCE

(a) Of the special fund appropriation in Sec. B.326 of this act, \$750,000 is for the replacement and repair of home heating equipment.

Sec. E.329 18 V.S.A. § 8725 is amended to read:

§ 8725. SYSTEM OF CARE PLAN

* * *

(e) Notwithstanding 2 V.S.A. § 20(d), on or before ~~January~~ February 15 of each year, the Department shall report to the Governor and the committees of jurisdiction regarding implementation of the plan, the extent to which the principles of service set forth in section 8724 of this title are achieved, and whether people with a developmental disability have any unmet service needs, including the number of people on waiting lists for developmental services.

* * *

Sec. E.330 SENIOR MEALS; MEAL PROVIDER EQUITY

(a) The Department of Disabilities, Aging, and Independent Living shall, in collaboration with the Vermont Area Agencies on Aging and the Vermont Association of Senior Centers and Meal Providers, identify a mechanism for

the direct distribution of the funds appropriated to the Department in Sec. B.330 of this act that ensures equity among meal providers to support quality meals and limit administrative costs.

Sec. E.333 DEPARTMENT OF DISABILITIES, AGING, AND
INDEPENDENT LIVING; QUALITY AND PROGRAM
PARTICIPANT SPECIALIST POSITIONS

(a) The five Department of Disabilities, Aging, and Independent Living Quality and Program Participant Specialist positions created in Sec. E.100 of this act shall be dedicated exclusively to the Developmental Disabilities Services division of the Department to ensure that quality oversight on-site visits for designated and specialized service agencies are performed at least annually and that Home and Community Based Services quality standards are implemented.

Sec. E.334 NURSING HOME RATE SETTING

(a) The Department of Disabilities, Aging, and Independent Living and the Department of Vermont Health Access shall report to the House Committees on Human Services and on Appropriations and the Senate Committees on Health and Welfare and on Appropriations not later than December 15, 2023 on the budgetary impact of eliminating the minimum occupancy threshold in the nursing home rate setting process and reducing the minimum occupancy threshold to not more than 80 percent in the nursing home rate setting process. The report shall include a recommendation on whether to eliminate or reduce the minimum occupancy requirement, timeline, and next steps for implementing the recommendation and anticipated impact on sustainability of Vermont nursing homes.

Sec. E.335 28 V.S.A. § 126 is added to read:

§ 126. DEPARTMENT OF CORRECTIONS; PEER SUPPORT PROGRAM;
CONFIDENTIALITY

(a) As used in this section:

(1) “Department” has the same meaning as in subdivision 3(4) of this title.

(2) “Participant” means a Department staff member who has been involved in a traumatic incident by reason of employment at the Department and who has agreed to participate in the Department’s peer support program.

(3) “Peer support” means appropriate support and services offered by a peer support specialist to a participant.

(4) “Peer support program” means a program established by the Department of Corrections to provide appropriate peer support services to Department staff members.

(5) “Peer support session” means a peer support program session for a Department staff member who has been involved in a traumatic incident by reason of employment at the Department or related to other personal matters.

(6) “Peer support specialist” means a Department staff member who, by reason of the staff member’s prior experience, training, or interest, has expressed a desire and has been selected to provide appropriate peer support services to a participant.

(7) “Staff member” means a supervising officer as defined in subdivision 3(9) of this title, a correctional officer as defined in subdivision 3(10) of this title, and any other employee of the Department.

(b)(1) Except as provided in subsection (d) of this section, any communication made by a participant or peer support specialist in a peer support session of the peer support program, including any oral or written information conveyed during a peer support session, shall not be disclosed by any individual participating in the peer support session.

(2) Except as provided by subsection (d) of this section, any communication relating to a peer support session between peer support specialists, between peer support specialists and participants of the peer support program, between participants of the peer support program, or between any other Department staff member, including any oral or written information, shall not be disclosed by any individual participating in the communication.

(3) Written communications described in this subsection, such as notes, records, and reports related to a peer support session, are exempt from public inspection and copying under the Public Records Act and shall be kept confidential. The Public Records Act exemptions created in this section shall not be subject to the provisions of 1 V.S.A. § 317(e) (repeal of Public Records Act exemptions).

(c) Except as provided by subsection (d) of this section, any communication made by a participant or peer support specialist in a peer support session, including any oral or written communication, such as notes, records, and reports related to the peer support session, shall not be admissible in a judicial, administrative, or arbitration proceeding. Limitations on disclosure imposed by this subsection include disclosure during any discovery conducted as part of an adjudicatory proceeding. Limitations on disclosure imposed by this subsection shall not include knowledge acquired by the

Department or staff members from observations made during the course of employment or information acquired by the Department or staff members during the course of employment that is otherwise subject to discovery or introduction into evidence.

(d)(1) Confidentiality protections described in subsections (b) and (c) of this section shall only apply to a peer support session conducted by an individual who has:

(A) been designated by the Department or the peer support program to act as a peer support specialist; and

(B) received and completed training in peer support and providing emotional and moral support to Department staff members who have been involved in emotionally traumatic incidents by reason of their employment or other personal matters.

(2) Confidentiality protections described in subsections (b) and (c) of this section shall not apply to the following information as it pertains to an individual designated to receive such information in the normal course the individual's professional responsibilities:

(A) any threat of suicide or homicide made by a participant of a peer support session or any information conveyed in a peer support session relating to a threat of suicide or homicide;

(B) any information relating to the abuse of a child or vulnerable adult, or other information that is required to be reported by law;

(C) any admission of criminal conduct; or

(D) any admission of a plan to commit a crime.

(e) Nothing in this section shall prohibit any communications between peer support specialists regarding a peer support session or between peer support specialists and participants of the peer support program.

Sec. E.338 CORRECTIONS – CORRECTIONAL SERVICES

(a) Notwithstanding 32 V.S.A. § 3709(a), the special funds appropriation of \$152,000 for the supplemental facility payments to Newport and Springfield shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

Sec. E.338.1 13 V.S.A. § 7554b is amended to read:

§ 7554b. HOME DETENTION PROGRAM

(a) Definition. As used in this section, “home detention” means a program of confinement and supervision that restricts a defendant to a preapproved

residence continuously, except for authorized absences, and is enforced by appropriate means of surveillance and electronic monitoring by the Department of Corrections, including the use of passive electronic monitoring. The court may authorize scheduled absences such as for work, school, or treatment. Any changes in the schedule shall be solely at the discretion of the Department of Corrections. A defendant who is on home detention shall remain in the custody of the Commissioner of Corrections with conditions set by the court.

* * *

Sec. E.338.2 HOME DETENTION PROGRAM; REVIEW; REPORT

(a) The Joint Legislative Justice Oversight Committee shall review the Home Detention Program under 13 V.S.A. § 7554b, including its historical and current use, defendant eligibility criteria, and any potential changes to the types of crimes for which it can be used.

(b) On or before November 15, 2023, the Committee shall submit any findings resulting from its review in the form of proposed legislation to the General Assembly.

Sec. E.338.3 REPEALS

(a) 13 V.S.A. § 7554(a)(1)(G) (Release prior to trial; reference to 13 V.S.A. § 7554d) is repealed.

(b) 13 V.S.A. § 7554(a)(2)(F) (Release prior to trial; reference to 13 V.S.A. § 7554d) is repealed.

(c) 13 V.S.A. § 7554d (Electronic Monitoring Pilot Program) is repealed.

Sec. E.338.4 28 V.S.A. chapter 11 is amended to read:

CHAPTER 11. SUPERVISION OF ADULT INMATES AT THE CORRECTIONAL FACILITIES

* * *

Subchapter 1A. Offender Reintegration

* * *

§ 722. DEFINITIONS

As used in this subchapter:

(1) “Absconding” means:

(A) the offender has not met supervision requirements, cannot be located with reasonable efforts, and has not made contact with Department

staff within three days if convicted of a listed crime as defined in 13 V.S.A. § 5301(7) or seven days if convicted of an unlisted crime;

(B) the offender flees from Department staff or law enforcement; or

(C) the offender left the State without Department authorization.

(2) “Conditional reentry” means the process by which a sentenced offender is released into a community for supervision while participating in programs that assist the reintegration process. The offender’s ability to remain in the community under supervision is conditioned on the offender’s progress in reentry programs.

~~(2)~~(3) “Listed crime” means any offense identified in 13 V.S.A. § 5301(7).

(4) “Technical violation” means a violation of conditions of furlough that does not constitute a new crime.

~~(3)~~(5) “Total effective sentence” means the sentence imposed under 13 V.S.A. §§ 7031 and 7032 as calculated by the Department in the offender’s records.

~~(4)~~(6) “Unlisted crime” means any offense that is a crime under Vermont law, but is not identified in 13 V.S.A. § 5301(7).

* * *

§ 724. TERMS AND CONDITIONS OF COMMUNITY SUPERVISION FURLOUGH

* * *

(d) Technical violations.

~~(1) As used in this section, “technical violation” means a violation of conditions of furlough that does not constitute a new crime.~~

(2) It shall be abuse of the Department’s discretion to revoke furlough or interrupt furlough status for 90 days or longer for a technical violation, unless:

~~(A)~~(1) The offender’s risk to reoffend can no longer be adequately controlled in the community, and no other method to control noncompliance is suitable.

~~(B)~~(2) The violation or pattern of violations indicate the offender poses a danger to others.

~~(C)~~(3) The offender’s violation is absconding from community supervision furlough. As used in this subdivision, “absconding” means:

~~(i) the offender has not met supervision requirements, cannot be located with reasonable efforts, and has not made contact with Department staff within three days if convicted of a listed crime as defined in 13 V.S.A. § 5301(7) or seven days if convicted of a crime not listed in 13 V.S.A. § 5301(7);~~

~~(ii) the offender flees from Department staff or law enforcement;~~
or

~~(iii) the offender left the State without Department authorization.~~

* * *

§ 808e. ABSCONDING FROM FURLOUGH; WARRANT

(a) “Absconded” has the same meaning as “absconding” as defined in subdivision 724(d)(2)(C) of this title.

(b) The Commissioner of Corrections may issue a warrant for the arrest of a person who has absconded from furlough status in violation of subsection 808(a) or section 723 or 808a, 808b, or 808e of this title, requiring the person to be returned to a correctional facility. A law enforcement officer who is provided with a warrant issued pursuant to this section shall execute the warrant and return the person who has absconded from furlough to the Department of Corrections.

~~(b)(c)~~ A person for whom an arrest warrant is issued pursuant to this section shall not earn credit toward service of ~~his or her~~ the person’s sentence for any days that the warrant is outstanding.

* * *

Sec. E.345 HOSPITAL SYSTEM TRANSFORMATION PLANNING; PILOT PROJECTS; UPDATE

(a) The Green Mountain Care Board shall submit an update to the Health Reform Oversight Committee on or before November 1, 2023 regarding the financial status of hospitals as reflected in the fiscal year 2022 actual operating results, any early indications for fiscal year 2023 hospital budget performance, and an overview of the fiscal year 2024 budget guidance provided to hospitals. The update shall address how budget guidance development aligns with the intent and requirements of 2022 Acts and Resolves No. 167.

* * * General Education * * *

Sec. E.500 EDUCATION – FINANCE AND ADMINISTRATION

(a) The Global Commitment funds appropriated in Sec. B.500 of this act shall be used for physician claims for determining medical necessity of

Individualized Education Programs (IEPs). These services are intended to increase access to quality health care for uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.500.1 16 V.S.A. § 4018 is added to read:

§ 4018. AFTERSCHOOL AND SUMMER LEARNING PROGRAMS

(a) Education Fund grants in an amount equal to the receipts from the sales and use tax imposed by 32 V.S.A. chapter 233 on retail sales of cannabis or cannabis products in this State, net of any administrative costs per subsection (b)(4) of this section, shall be used to fund grant programs for the expansion of summer and afterschool programs with an emphasis on increasing access in underserved areas of the State.

(b) The Secretary of Education shall administer the grant programs, as follows:

(1) Grants shall be used to support a mixed delivery system for afterschool and summer programming. Eligible recipients can be public, private, or nonprofit organizations.

(2) Grants may be used for technical assistance, program implementation, program expansion, program sustainability, and related costs.

(3) Grants may be used to directly target communities with low existing capacity to serve youth in afterschool and summer settings.

(4) The Agency may use up to \$500,000 for administrative costs to allow for the support of the grant program and technical assistance to communities. This could include subcontracts to support the grant programs.

(c) An Advisory Committee is created to support the Secretary of Education in administering funds pursuant to this section. The Agency shall provide administrative and technical support to the Committee. The Committee is to be composed of:

(1) the State's Chief Prevention Officer;

(2) the Commissioner for Children and Families or designee;

(3) the Commissioner of Health or designee;

(4) the Commissioner of Mental Health or designee;

(5) the Secretary of Natural Resources or designee;

(6) the Secretary of Commerce and Community Development or designee;

(7) the Vermont Afterschool Executive Director or designee; and

(8) a representative from the Governor's Office.

(d) On or before each November 15, the Agency of Education shall submit to the General Assembly a plan to fund grants in furtherance of the purposes of subsection (a) of this section and report outcomes data on the grants made during the previous year. The Agency shall also report on the number of programs, slots, weeks, or hours; geographic distribution; and what is known about costs to families. The report should be inclusive of 21C programming. The amount of grant funds awarded shall be in alignment with the actual revenue collected from the sales and use tax imposed by 32 V.S.A. § 233 on cannabis or cannabis products in this State. Discrepancies between the amount of grant funds awarded and actual revenue shall be reconciled through the budget adjustment process. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the plan to be made under this subsection.

Sec. E.500.2 REPEALS

(a) 2020 Acts and Resolves No. 164, Secs. 17c (dedicated use of sales and use tax on cannabis) and 17d (annual budgeting of sales and use tax revenue) are repealed.

Sec. E.502 EDUCATION – SPECIAL EDUCATION: FORMULA GRANTS

(a) Of the appropriation authorized in Sec. B.502 of this act, and notwithstanding any other provision of law, an amount not to exceed \$4,195,600 shall be used by the Agency of Education in fiscal year 2024 as funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the Secretary will not be limited by the restrictions contained within 16 V.S.A. § 2969(c)–(d).

Sec. E.503 EDUCATION – STATE-PLACED STUDENTS

(a) The Independence Place Program of the Lund Family Center shall be considered a 24-hour residential program for the purposes of reimbursement of education costs.

Sec. E.504 ADULT BASIC EDUCATION AND LITERACY HSCP STUDENT ACCESS STUDY; REPORT

(a) The High School Completion Program (HSCP) is experiencing decreased enrollment due to the COVID-19 pandemic, policy changes within the program, and lower literacy skills that limit acceptance into the program. Adult basic education programs overall are experiencing funding reductions due to decreased enrollment.

(b) There is created the Adult Education and Literacy HSCP Student Access Study Committee to review and report on decreased HSCP enrollment and subsequent adult basic education funding issues. The Committee shall

make recommendations to the Joint Fiscal Committee, the General Assembly, and the Agency of Administration on or before January 15, 2024 to increase enrollment in HSCP.

(c) Membership. The Committee shall be composed of the following members:

(1) a current member of the House, who shall be appointed by the Speaker of the House;

(2) a current member of the Senate, who shall be appointed by the Committee on Committees;

(3) the Secretary of Education or designee;

(4) the Executive Director of Racial Equity or designee; and

(5) the Executive Director of Central Vermont Adult Basic Education or designee.

(d) Powers and duties. The Committee shall review and make recommendations to reduce barriers for vulnerable Vermonters, including English learner applicants to Adult Education Programs, including any discrepancies between admission and testing standards for English learner applicants and all other applicants. The Committee shall provide recommendations in its report to the Joint Fiscal Committee and the House and Senate Committees on Education on how to increase equity and education access to Adult Education Programs. The Committee shall include in its report any administrative changes that could be made to help achieve these goals.

(e) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Agency of Education.

(f) The Committee shall submit a written report to the Joint Fiscal Committee, the General Assembly, and the Agency of Administration on or before January 15, 2024 with its findings and any recommendations for legislative action based on the analysis conducted pursuant to subsection (d) of this section. It is the intent of the General Assembly that the Committee report be used to inform fiscal year 2025 budget considerations and that the recommendations of the Committee be implemented to increase HSCP enrollment.

(g) The Secretary of Education or designee shall call the first meeting of the Committee. The Committee shall hold not more than five meetings, the first of which shall be on or before September 15, 2023.

Sec. E.504.1 EDUCATION – FLEXIBLE PATHWAYS

(a) Of the appropriation in Sec. B.504 of this act, \$1,900,000 from the Education Fund will be distributed to school districts for reimbursement of high school completion services pursuant to 16 V.S.A. § 943(c).

(b) Notwithstanding any provision of 16 V.S.A. § 4025 to the contrary, of this Education Fund appropriation, the amount of:

(1) \$921,500 is available for dual enrollment programs notwithstanding 16 V.S.A. § 944(f)(2);

(2) \$2,000,000 is available to support the Vermont Virtual Learning Cooperative at the River Valley Technical Center School District;

(3) \$400,000 is available for secondary school reform grants;

(4) \$4,000,000 is available for Early College pursuant to 16 V.S.A. § 946.

(c) Of the appropriation in Sec. B.504 of this act, \$921,500 from the General Fund is available for dual enrollment programs.

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

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

Sec. E.514 VERMONT STATE TEACHERS' RETIREMENT SYSTEM

(a) The total annual employer contribution to the Vermont State Teachers' Retirement System (VSTRS) in fiscal year 2024 shall be \$203,281,051.

(b) In accordance with 16 V.S.A. § 1944(g)(2), the annual contribution to the Vermont State Teachers' Retirement System (VSTRS) shall be \$194,281,051 of which \$184,811,051 shall be the State's contribution and \$9,470,000 shall be contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944(c).

(c) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$34,825,673 is the "normal contribution," and \$159,455,378 is the "accrued liability contribution."

(d) In accordance with 16 V.S.A. § 1944(c)(13)(A), \$9,000,000 shall be contributed from the General Fund for a supplemental plus accrued liability contribution.

Sec. E.514.1 VERMONT STATE TEACHERS' RETIREMENT SYSTEM
AND VERMONT PENSION INVESTMENT COMMISSION;
OPERATING BUDGET, SOURCE OF FUNDS

(a) Of the \$3,448,255 appropriated in Sec. B.514.1 of this act, \$2,401,835 constitutes the Vermont State Teachers' Retirement System operating budget, and \$1,046,420 constitutes the portion of the Vermont Pension Investment Commission's budget attributable to the Vermont State Teachers' Retirement System.

Sec. E.514.2 VERMONT STATE TEACHERS' RETIREMENT SYSTEM;
CALENDAR YEAR 2023–2024 SUPPLEMENTAL COST OF
LIVING PAYMENTS; INTENT; ACTUARIAL COST
ANALYSIS

(a) Intent. It is the intent of the General Assembly that:

(1) The maximum percentage value methodology set forth in 16 V.S.A. § 1949 that applies to the postretirement adjustment allowances for the Vermont State Teachers' Retirement System (VSTRS) shall be actuarially evaluated to determine the cost required to revert to the methodology used prior to the enactment of 2016 Acts and Resolves No. 114.

(2) The General Assembly further intends to make such a reversion by future legislative action amending 16 V.S.A. § 1949, provided that the present value of changes to the postretirement adjustment allowance methodology be fully funded at the time the change is made and not increase the unfunded liability in VSTRS.

(3) The General Assembly further intends that if the June 30, 2023, change in the Consumer Price Index exceeds the statutory maximum percentage values set forth in 16 V.S.A. § 1949 (b)(1), the General Assembly will provide a sufficient appropriation in the 2024 Budget Adjustment Act to make a one-time supplemental payment, similar in form to that described in subsection (b) of this section, to qualifying VSTRS retired members and beneficiaries in calendar year 2024.

(b) Calendar year 2023 supplemental payment. A one-time supplemental payment during calendar year 2023 shall be made to VSTRS retired members and beneficiaries who received a 2.5 percent postretirement adjustment allowance in an amount equal to the net difference between what members actually received in calendar year 2023 and what they would have received under a 3.8 percent postretirement adjustment allowance.

(c) Actuarial cost analysis. Following the completion of the next experience study, expected in fall 2023, the State Treasurer shall conduct an actuarial analysis to evaluate the cost of changing the current methodology for

calculating the postretirement adjustment allowance for the Vermont State Teachers' Retirement System to a methodology calculated by applying the maximum percentage values set forth in 16 V.S.A. § 1949(b)(1) to the postretirement adjustment allowance rather than applying the statutory maximum percentage values to the net percentage change in the Consumer Price Index. The actuarial analysis shall take into account any changes to actuarial assumptions that may occur following the experience study to be performed at the end of fiscal year 2023, as required by 16 V.S.A. § 1942.

(d) Report. Based on the actuarial cost analysis described in subsection (c) of this section, on or before January 15, 2024, the State Treasurer shall submit a report to the House and Senate Committees on Appropriations with an actuarial cost estimate for changing the VSTRS postretirement adjustment allowance methodology as set forth in subsection (c) of this section.

Sec. E.514.3 16 V.S.A. § 1944 is amended to read:

§ 1944. VERMONT TEACHERS' RETIREMENT FUND

(a) Pension Fund. All of the assets of the System shall be credited to the Vermont Teachers' Retirement Fund.

(b) Member contributions.

(1) Contributions deducted from the compensation of members shall be accumulated in the Pension Fund and separately recorded for each member.

(2) The proper authority or officer responsible for making up each employer payroll shall cause to be deducted from the compensation:

(A) Of each Group A member, five and one-half percent of the member's total earnable compensation, including compensation paid for absence as provided by subsection 1933(d) of this title.

(B) Of each Group C member, the following shall apply:

* * *

(ii) Beginning on July 1, 2023, a Group C member shall have the rate set forth in this subdivision (b)(2)(B)(ii) applied to the member's total earnable compensation for the fiscal year, which shall include compensation paid for absence as provided by subsection 1933(d) of this title, and any additional stipends identified as of July 1. A member's rate shall not be adjusted during the fiscal year unless the member's full-time equivalency status changes, which shall require that the member's rate be recalculated and the new rate applied for the remainder of that fiscal year. For a member who works a part-time equivalency status, the rate shall apply to the member's total earnable compensation and not to an amount equal to an annualized base

salary. If a member is employed on a part-time equivalency status with two or more employers, the highest rate shall be applied to the amounts deducted from each employer. A member's rate shall be calculated according to the following rates and income brackets:

* * *

(iii) ~~Beginning on July 1, 2024 and annually thereafter, a Group C member shall have an effective rate, rounded to the nearest hundredth of a percent, that is calculated based on the member's base salary as of July 1 each year, which equals the member's total earnable compensation, including compensation paid for absence as provided by subsection 1933(d) of this title, and any additional stipends identified as of July 1 for the next fiscal year. A member's effective rate shall not be adjusted during any fiscal year unless the member's full-time equivalency status changes, which shall require that the member's effective rate be recalculated and the new rate applied for the remainder of that fiscal year. For a member who works a part-time equivalency status, the effective rate shall apply to the member's total earnable compensation and not to an amount equal to an annualized base salary. If a member is employed on a part-time equivalency status with two or more employers, the highest effective rate shall be applied to the amounts deducted from each employer. Beginning on July 1, 2024, a Group C member shall have the rate set forth in this subdivision (b)(2)(B)(iii) applied to the member's total earnable compensation for the fiscal year, which shall include compensation paid for absence as provided by subsection 1933(d) of this title, and any additional stipends identified as of July 1. A member's rate shall not be adjusted during the fiscal year unless the member's full-time equivalency status changes, which shall require that the member's rate be recalculated and the new rate applied for the remainder of that fiscal year. For a member who works a part-time equivalency status, the rate shall apply to the member's total earnable compensation and not to an amount equal to an annualized base salary. If a member is employed on a part-time equivalency status with two or more employers, the highest rate shall be applied to the amounts deducted from each employer. A member's effective rate shall be calculated according to the following marginal rates and income brackets:~~

(I) if a member's base salary is at or below \$40,000.00, the rate is ~~6.25~~ 6.15 percent;

(II) if a member's base salary is \$40,000.01 or more but not more than \$60,000.00, the rate is ~~the equivalent of \$2,900.00 on \$40,000.00 and 6.75 percent of the member's salary that is \$40,000.01 or more~~ \$50,000.00, the rate is 6.20 percent;

(III) ~~if a member's base salary is \$60,000.01~~ \$50,000.01 or more but not more than ~~\$80,000.00~~ \$60,000.00, the rate is ~~the equivalent of \$3,850.00 on \$60,000.00 and 7.5 percent of the member's salary that is \$60,000.01 or more~~ 6.30 percent;

(IV) ~~if a member's base salary is \$80,000.01~~ \$60,000.01 or more but not more than ~~\$100,000.00~~ \$70,000.00, the rate is ~~the equivalent of \$5,350.00 on \$80,000.00 and 8.25 percent of the member's salary that is \$80,000.01 or more~~ 6.40 percent; and

(V) ~~if a member's base salary is \$100,000.01~~ \$70,000.01 or more but not more than ~~\$80,000.00~~, the rate is ~~the equivalent of \$7,000.00 on \$100,000.00 and 9.0 percent of the member's salary that is \$100,000.01 or more~~ 6.55 percent.

(VI) If a member's base salary is \$80,000.01 or more but not more than \$90,000.00, the rate is 6.80 percent.

(VII) If a member's base salary is \$90,000.01 or more but not more than \$100,000.00, the rate is 7.10 percent.

(VIII) If a member's base salary is \$100,000.01 or more, the rate is 7.35 percent.

Sec. E.515 RETIRED TEACHERS' HEALTH CARE AND MEDICAL BENEFITS

(a) In accordance with 16 V.S.A. § 1944b(b)(2), and 16 V.S.A. § 1944b(h)(1), the annual contribution to the Retired Teachers' Health and Medical Benefits plan shall be \$61,290,528, of which \$53,740,528 shall be the State's contribution and \$7,550,000 shall be from the annual charge for teacher health care contributed by employers pursuant to 16 V.S.A. §1944d. Of the annual contribution, \$17,589,046 is the "normal contribution," and \$43,701,482 is the "accrued liability contribution."

* * * Higher Education * * *

Sec. E.600 UNIVERSITY OF VERMONT

(a) The Commissioner of Finance and Management shall issue warrants to pay 1/12 of the appropriation in Sec. B.600 of this act to the University of Vermont on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$380,326 shall be transferred to the Experimental Program to Stimulate Competitive Research (EPSCoR) to comply with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. E.602 VERMONT STATE COLLEGES

(a) The Commissioner of Finance and Management shall issue warrants to pay 1/12 of the appropriation in Sec. B.602 of this act to the Vermont State Colleges on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$427,898 shall be transferred to the Vermont Manufacturing Extension Center to comply with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. E.603 VERMONT STATE COLLEGES – ALLIED HEALTH

(a) If Global Commitment fund monies are unavailable, the total grant funding for the Vermont State Colleges shall be maintained through the General Fund or other State funding sources.

(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in Sec. B.603 of this act to support the dental hygiene, respiratory therapy, and nursing programs that graduate approximately 315 health care providers annually. These graduates deliver direct, high-quality health care services to Medicaid beneficiaries or uninsured or underinsured persons.

Sec. E.605 VERMONT STUDENT ASSISTANCE CORPORATION

(a) Of the appropriation in Sec. B.605 of this act, \$25,000 is appropriated from the General Fund to the Vermont Student Assistance Corporation (VSAC) to be deposited into the Trust Fund established in 16 V.S.A. § 2845.

(b) Of this appropriation, not more than \$300,000 may be used by VSAC for a student aspirational initiative to serve one or more high schools.

(c) Of the appropriated amount remaining after accounting for subsections (a) and (b) of this section, not less than 93 percent of this appropriation shall be used for direct student aid.

(d) Up to seven percent of the funds appropriated to VSAC in this act or otherwise currently or previously appropriated to VSAC or provided to VSAC by an agency or department of the State for the administration of a program or initiative may be used by VSAC for its costs of administration. VSAC may recoup its reasonable costs of collecting the forgivable loans in repayment. Funds shall not be used for indirect costs. To the extent these are federal funds, allocation for expenses associated with administering the funds shall be consistent with federal grant requirements.

(e) \$1,000,000 of the General Fund appropriation in Sec. B.605 of this act shall be used to continue operating the Vermont Trades Scholarship Program in accordance with 2022 Acts and Resolves No. 183, Sec. 14.

Sec. E.605.1 NEED-BASED STIPEND FOR DUAL ENROLLMENT AND
EARLY COLLEGE STUDENTS

(a) Notwithstanding any provision of 16 V.S.A. § 4025 to the contrary, the sum of \$41,225 in education funds and \$41,225 in general funds is appropriated to the Vermont Student Assistance Corporation (VSAC) for dual enrollment and need-based stipend purposes to fund a flat-rate, need-based stipend or voucher program for financially needy students enrolled in a dual enrollment course pursuant to 16 V.S.A. § 944 or in early college pursuant to 16 V.S.A. § 946 to be used for the purchase of books, cost of transportation, and payment of fees. The Vermont Student Assistance Corporation shall establish the criteria for program eligibility. Funds shall be granted to eligible students on a first-come, first-served basis until funds are depleted.

(b) On or before January 15, 2024, the Vermont Student Assistance Corporation shall report on the program to the House Committees on Appropriations and on Commerce and Economic Development and the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs.

Sec. E.700 3 V.S.A. § 6006 is amended to read:

* * *

(d) Membership.

* * *

(7) Members of the Advisory Council who are not State employees shall be entitled to per diem compensation and reimbursement of expenses for each day spent in the performance of their duties, as permitted under 32 V.S.A. § 1010. These payments shall be made from monies appropriated to the Agency of Natural Resources.

* * *

Sec. E.702 10 V.S.A. § 4829(a) is amended to read:

(a) A person engaged in the business of farming who suffers damage by deer to the person's crops, fruit trees, or crop-bearing plants on land not posted against the hunting of deer, or a person engaged in the business of farming who suffers damage by black bear to the person's cattle, sheep, swine, poultry, or bees or bee hives on land not posted against hunting or trapping of black bear is entitled to reimbursement for the damage up to an amount not to exceed \$5,000.00 per year, and may apply to the Department of Fish and Wildlife within 72 hours of the occurrence of the damage for reimbursement for the damage. As used in this section, "post" means any signage that would lead a reasonable person to believe that hunting is prohibited on the land.

* * *

Sec. E.811 LAND ACCESS AND OPPORTUNITY BOARD;
ATTACHMENT FOR ADMINISTRATION; REPORT

(a) On or before December 15, 2024, the Land Access and Opportunity Board shall submit a written report to the House Committees on Appropriations and on Government Operations and Military Affairs and the Senate Committees on Appropriations and on Government Operations regarding the appropriate State entity for the Board to be attached to for administrative purposes. The report shall, in consideration of the mission, powers, and duties of the Board, identify various State entities to which the Board could be attached for administrative purposes and shall examine the potential benefits and drawbacks of the Board being attached to each of the entities identified. The report shall consider the benefits and drawbacks of the Board continuing to be attached to the Vermont Housing and Conservation Board for administrative purposes.

Sec. E.900 TRANSPORTATION FUND RESERVE – REVERSIONS
EXCLUDED

(a) To calculate the fiscal year 2024 Transportation Fund Stabilization Reserve requirement of five percent of prior year appropriations, reversions of \$20,727,012 are excluded from the fiscal year 2023 total appropriations amount.

Sec. E.1000 2022 Acts and Resolves No. 83 Sec. 53(b)(5)(B), as amended by 2022 Acts and Resolves No. 185, Sec. C.102, is further amended to read:

(B) \$20,000,000 shall be appropriated to the State Treasurer's Office and used for redeeming State of Vermont general obligation bonds prior to maturity. ~~Notwithstanding 32 V.S.A. §1001b(e), beginning in fiscal year 2024, to the extent bonds are redeemed, an amount equal to the reduction in payments for debt service required resulting from any redemption shall be transferred and reserved in the Capital Expenditure Cash Fund, as establish in 32 V.S.A. §1001b created in Sec. E.106.1 of H.740 of 2022.~~

* * * Workforce and Economic Development Policies (H.484) * * *

Sec. F.1 TEACHER LICENSING FEES; SUSPENSION

(a) Notwithstanding any provision of law to the contrary, peer review process one-time licensure fee requirements under 16 V.S.A. § 1697(a)(7) are suspended during fiscal years 2024 through 2029.

(b) In fiscal year 2024, the estimated fees that would have been collected under 16 V.S.A. § 1697(a)(7) shall be accounted for through funds appropriated to the Agency of Education from the General Fund.

Sec. F.2 EDUCATOR WORKFORCE DIVERSITY

(a) Educator demographics. In order to understand and improve the longstanding and well-documented issue of underrepresentation in the Vermont educator workforce, including underrepresentation of Black, Indigenous, and Persons of Color; New Americans; and other historically underrepresented communities, the Agency of Education shall collect demographic information from educators and report such information in its annual teacher and staff full-time equivalencies report. The Agency shall submit the educator demographic information section of the report annually to the General Assembly on or before each January 15.

Sec. F.3 18 V.S.A. § 39 is added to read:

§ 39. VERMONT PSYCHIATRIC MENTAL HEALTH NURSE
PRACTITIONER FORGIVABLE LOAN INCENTIVE PROGRAM

(a) As used in this section:

(1) “Corporation” means the Vermont Student Assistance Corporation established in 16 V.S.A. § 2821.

(2) “Eligible individual” means an individual who satisfies the eligibility requirements under this section for a forgivable loan.

(3) “Eligible school” means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(4) “Forgivable loan” means a loan awarded under this section covering tuition, which may also cover room, board, and the cost of required books and supplies for up to full-time attendance at an eligible school.

(5) “Program” means the Vermont Psychiatric Mental Health Nurse Practitioner Forgivable Loan Incentive Program created under this section.

(b) The Vermont Psychiatric Mental Health Nurse Practitioner Forgivable Loan Incentive Program is created and shall be administered by the Corporation in collaboration with the Department of Health. The Program provides forgivable loans to students enrolled in a master’s program at an eligible school who commit to working as a psychiatric mental health nurse practitioner in this State and who meet the eligibility requirements in subsection (d) of this section.

(c) The Corporation shall disburse forgivable loan funds under the Program on behalf of eligible individuals, subject to the appropriation of funds by the General Assembly for this purpose.

(d) To be eligible for a forgivable loan under the Program, an individual, whether a resident or nonresident, shall satisfy all of the following requirements:

(1) be enrolled at an eligible school in a program, whether through in-person or remote instruction, that leads to a master's degree or specialty in psychiatric mental health;

(2) maintain good standing at the eligible school at which the individual is enrolled;

(3) agree to work as a psychiatric mental health nurse practitioner in Vermont for a minimum of one year following licensure for each year of forgivable loan awarded;

(4) have executed a credit agreement or promissory note that will reduce the individual's forgivable loan benefit, in whole or in part, pursuant to subsection (f) of this section, if the individual fails to complete the period of service required in subdivision (3) of this subsection;

(5) have completed the Program's application form and the Free Application for Federal Student Aid (FAFSA), in accordance with a schedule determined by the Corporation; and

(6) have provided such other documentation as the Corporation may require.

(e) If an eligible individual fails to serve as a psychiatric mental health nurse practitioner in this State in compliance with the Program for a period that would entitle the individual to the full forgivable loan benefit received by the individual, other than for good cause as determined by the Corporation in consultation with the Vermont Department of Health, then the individual shall receive only partial loan forgiveness for a pro rata portion of the loan pursuant to the terms of the interest-free reimbursement promissory note signed by the individual at the time of entering the Program.

(f) The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section, including maximum forgivable loan amounts.

Sec. F.4 18 V.S.A. § 40 is added to read:

§ 40. VERMONT DENTAL HYGIENIST FORGIVABLE LOAN
INCENTIVE PROGRAM

(a) As used in this section:

(1) "Corporation" means the Vermont Student Assistance Corporation established in 16 V.S.A. § 2821.

(2) “Eligible individual” means an individual who satisfies the eligibility requirements under this section for a forgivable loan.

(3) “Eligible school” means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(4) “Forgivable loan” means a loan awarded under this section covering tuition, which may also include room, board, and the cost of required books and supplies for up to full-time attendance at an eligible school.

(5) “Program” means the Vermont Dental Hygienist Forgivable Loan Incentive Program created under this section.

(b) The Vermont Dental Hygienist Forgivable Loan Incentive Program is created and shall be administered by the Department of Health in collaboration with the Corporation. The Program provides forgivable loans to students enrolled in an eligible school who commit to working as a dental hygienist in this State and who meet the eligibility requirements in subsection (d) of this section.

(c) The Corporation shall disburse forgivable loan funds under the Program on behalf of eligible individuals, subject to the appropriation of funds by the General Assembly for this purpose.

(d) To be eligible for a forgivable loan under the Program, an individual, whether a resident or nonresident, shall satisfy all of the following requirements:

(1) be enrolled at a dental hygienist program at an eligible school;

(2) maintain good standing at the eligible school at which the individual is enrolled;

(3) agree to work as a dental hygienist in Vermont for a minimum of one year following licensure for each year of forgivable loan awarded;

(4) have executed a credit agreement or promissory note that will reduce the individual’s forgivable loan benefit, in whole or in part, pursuant to subsection (g) of this section, if the individual fails to complete the period of service required in this subsection;

(5) have completed the Program’s application form, the Free Application for Federal Student Aid (FAFSA), and the Vermont grant application each academic year of enrollment in accordance with a schedule determined by the Corporation; and

(6) have provided such other documentation as the Corporation may require.

(e) If an eligible individual fails to serve as a dental hygienist in this State for a period that would entitle the individual to the full forgivable loan benefit received by the individual, other than for good cause as determined by the Corporation in consultation with the Vermont Department of Health, then the individual shall receive only partial loan forgiveness for a pro rata portion of the loan pursuant to the terms of the interest-free credit agreement or promissory note signed by the individual at the time of entering the Program.

(f) There shall be no deadline to apply for a forgivable loan under this section. Forgivable loans shall be awarded on a rolling basis as long as funds are available, and any funds remaining at the end of a fiscal year shall roll over and shall be available to the Department of Health and the Corporation in the following fiscal year to award additional forgivable loans as set forth in this section.

(g) The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section, including maximum forgivable loan amounts.

Sec. F.5 BROWNFIELDS FUNDING; USE IN FISCAL YEAR 2024

(a) The Department of Economic Development shall use the funds appropriated in Sec. B.1101(f)(4) of this act for brownfields redevelopment for the assessment, remediation, and redevelopment of brownfield sites to be used in the same manner as the Brownfields Revitalization Fund established by 10 V.S.A. § 6654 except, notwithstanding the grant limitations in 10 V.S.A. § 6654, projects supported by this appropriation shall not be limited to a maximum amount per site. The Agency of Commerce and Community Development shall award the amount of \$1,000,000 in fiscal year 2024 to regional planning commissions for the purposes of brownfields assessment. In awarding funds under this section, the Secretary, in consultation with the Vermont Association of Planning and Development Agencies, shall select one regional planning commission to administer these funds. To ensure statewide availability, the selected regional planning commission shall subgrant to regional planning commissions with brownfield programs, with not more than 10 percent of the funds being used for administrative purposes.

Sec. F.6 10 V.S.A. § 6654(e) is amended to read:

(e) A grant may be awarded by the Secretary of Commerce and Community Development with the approval of the Secretary of Natural Resources, provided that:

(1) A grant may not exceed \$50,000 for characterization and assessment of a site.

(2) A grant may not exceed ~~\$200,000~~ \$500,000 for remediation of a site.

(3) A grant may be used by an applicant to purchase environmental insurance relating to the performance of the characterization, assessment, or remediation of a Brownfield site in accordance with a corrective action plan approved by the Secretary of Natural Resources.

(4) Financial assistance may be provided to applicants by developing a risk sharing pool, an indemnity pool, or other insurance mechanism designed to help applicants.

(5) All reports generated by financial assistance from the Brownfield Revitalization Fund, including site assessments, site investigations, feasibility studies, corrective action plans, and completion reports shall be provided as hard copies to the Secretaries of Commerce and Community Development and of Natural Resources.

Sec. F.7 2021 Acts and Resolves No. 74, Sec. H.18, as amended by 2022 Acts and Resolves No. 183, Sec. 46, is further amended to read:

Sec. H.18. COMMUNITY RECOVERY AND REVITALIZATION
GRANT PROGRAM

* * *

(b) Eligible applicants.

(1) To be eligible for a grant, the applicant must be located within the State and:

(A)(i) the applicant is a for-profit entity with not less than a 10 percent equity interest in the project, or a nonprofit entity, which has documented financial impacts from the COVID-19 pandemic; or

(ii) intends to utilize the funds for an enumerated use as defined in the U.S. Treasury Final Rule for Coronavirus State and Fiscal Recovery Funds;

(B)(i) the applicant is a municipality;

(ii) the municipality needs to make infrastructure improvements to incentivize community development; and

(iii) the proposed infrastructure improvements and the projected development or redevelopment are compatible with confirmed municipal and regional development plans and the project has clear local significance for employment.

(2) The applicant must demonstrate:

- (A) community and regional support for the project;
- (B) that grant funding is needed to complete the project;
- (C) leveraging of additional sources of funding from local, State, or federal economic development programs; and
- (D) an ability to manage the project, with requisite experience and a plan for fiscal viability.

(3) The following are ineligible to apply for a grant:

- (A) ~~a State or local government-operated business [Repealed.]~~
- (B) a business that, together with any affiliated business, owns or operates more than 20 locations, regardless of whether those locations do business under the same name or within the same industry; and
- (C) a publicly traded company.

* * *

(k) Limited grants for operating support. Notwithstanding any provision of this section or guidelines adopted pursuant to this subsection (j) of this section to the contrary, the Secretary may award a grant of not more than \$1,000,000.00 for operating support to an applicant that:

- (1) is a nonprofit entity with a documented financial impact from the COVID-19 pandemic;
- (2) promotes community benefit through educational services, agriculture, or food security;
- (3) demonstrates a risk of losing at least 20 jobs if the operating support is not received; and
- (4) is located in a rural municipality with fewer than 2,000 residents.

* * *

Sec. F.8 RURAL INDUSTRY DEVELOPMENT GRANT PROGRAM

(a) Creation; purpose.

(1) A Rural Industry Development Grant Program is created within the Agency of Commerce and Community Development to provide grant funding through local development corporations for business relocation and expansion efforts, including the purchase, demolition, and renovation of property for industrial use.

(2)(A) To the extent funding is appropriated, the Agency shall make grants through the Program to assist local development corporations with business relocation and expansion efforts throughout Vermont.

(B) The Agency shall ensure an accounting of the respective State and Grantee shares of investment in any property be maintained to refund to the State an appropriate share of any net proceeds resulting from future sale or transfer of such property acquired or improved through a grant awarded under this program.

(b) Grant considerations. In making grant awards, the Agency shall consider:

(1) the real estate needs of growing and relocating businesses, including nonprofit organizations, in the applicant's region;

(2) the ability of the proposed project to meet the site-specific needs of businesses considering whether to expand or locate in this State;

(3) the funding that the applicant has identified, or secured, to leverage a grant award; and

(4) the readiness of an applicant to move a project forward.

(c) Eligible applicants; priority.

(1) To be eligible for a grant, an applicant must be a local development corporation, as defined in subdivision 212(10) of this title, located within this State.

(2) The Secretary of Commerce and Community Development may designate projects and agreements as first priority based on rural communities that continue to experience insufficient economic and grand list growth.

(d) Eligible activities. A grant recipient may use funding for the following:

(1) to purchase land for potential industrial use;

(2) for the costs of site development, permitting, or providing infrastructure for property the recipient owns;

(3) for the equity investment required for a loan transaction through the Vermont Economic Development Authority under 10 V.S.A. chapter 12, subchapter 3; or

(4) for the matching requirement of another State or federal grant consistent with this section.

(e) Application; market assessment.

(1) An applicant shall include in its application a local and regional market assessment that demonstrates reasonable need for the proposed development and identifies imminent, potential, or existing business growth opportunities.

(2) An applicant shall submit the following to demonstrate a readiness to begin and complete the proposed project:

(A) community and regional support for the project;

(B) that grant funding is needed to complete the proposed project;

(C) an ability to manage the project, with requisite experience and a plan for fiscal viability; and

(D) a description of the permitting required to proceed with the project and a plan for obtaining the permits.

(f) Awards; amount.

(1) An award shall not exceed the lesser of \$1,000,000 or 20 percent of the total project cost.

(2) A recipient may combine grant funds with funding from other sources.

(3) The Agency shall release grant funds upon determining that the applicant has met all application conditions and requirements.

(4) A grant recipient may apply for additional grant funds if future amounts are appropriated for the Program and the funds are for a separate but eligible use.

(g) Deed restrictions; property sales. The Agency shall include deed restrictions that require the return of the principal amount to the state and may require the payment of a percentage of the sales profit.

Sec. F.9 24 V.S.A. § 2799 is amended to read:

§ 2799. BETTER PLACES PROGRAM; CROWD GRANTING

(a)(1) There is created the Better Places Program within the Department of Housing and Community Development, and the Better Places Fund, which the Department shall manage pursuant to 32 V.S.A. chapter 7, subchapter 5.

(2) The purpose of the Program is to utilize crowdfunding to spark community revitalization through collaborative grantmaking for projects that create, activate, or revitalize public spaces.

(3) The Department may administer the Program in coordination with and support from other State agencies and nonprofit and philanthropic partners.

(b) The Fund is composed of the following:

- (1) State or federal funds appropriated by the General Assembly;
- (2) gifts, grants, or other contributions to the Fund; and
- (3) any interest earned by the Fund.

(c) As used in this section, “public space” means an area or place that is open and accessible to all people with no charge for admission and includes village greens, squares, parks, community centers, town halls, libraries, and other publicly accessible buildings and connecting spaces such as sidewalks, streets, alleys, and trails.

(d)(1) The Department of Housing and Community Development shall establish an application process, eligibility criteria, and criteria for prioritizing assistance for awarding grants through the Program.

(2) The Department may award a grant to a municipality, a nonprofit organization, or a community group with a fiscal sponsor for a project that is located in or serves a designated downtown, village center, new town center, or neighborhood development area that will create a new public space or revitalize or activate an existing public space.

(3) The Department may award a grant to not more than ~~one project~~ three projects per calendar year within a municipality.

(4) The minimum amount of a grant award is \$5,000, and the maximum amount of a grant award is \$40,000.

(5) The Department shall develop matching grant eligibility requirements to ensure a broad base of community and financial support for the project, subject to the following:

(A) A project shall include in-kind support and matching funds raised through a crowdfunding approach that includes multiple donors.

(B) An applicant may not donate to its own crowdfunding campaign.

(C) A donor may not contribute more than \$10,000 or 35 percent of the campaign goal, whichever is less.

(D) An applicant shall provide matching funds raised through crowdfunding of not less than 33 percent of the grant award.

(e) The Department of Housing and Community Development, with the assistance of a fiscal agent, shall distribute funds under this section in a

manner that provides funding for projects of various sizes in as many geographical areas of the State as possible.

(f) The Department of Housing and Community Development may use up to 15 percent of any appropriation to the Fund from the General Fund to assist with crowdfunding, administration, training, and technological needs of the Program.

Sec. F.10 24 V.S.A. § 2792(d) is amended to read:

(d) The Department shall provide staff and administrative support to the State Board ~~and~~, shall produce guidelines to direct municipalities seeking to obtain designation under this chapter, and shall pay per diem compensation for board members pursuant to 32 V.S.A. § 1010(b).

Sec. F.11 24 V.S.A. § 2793(b) is amended to read:

(b) ~~Within 45 days of receipt of a completed application~~ At the first meeting of the State Board held after 45 days of receipt of a completed application, the State Board shall designate a downtown development district if the State Board finds in its written decision that the municipality has:

* * *

Sec. F.12 24 V.S.A. § 2793a(b) is amended to read:

(b) ~~Within 45 days of receipt of a completed application~~ At the first meeting of the State Board held after 45 days of receipt of a completed application, the State Board shall designate a village center if the State Board finds the applicant has met the requirements of subsection (a) of this section.

Sec. F.13 24 V.S.A. § 2793b(b) is amended to read:

(b) ~~Within 45 days of receipt of a completed application~~ At the first meeting of the State Board held after 45 days of receipt of a completed application, the State Board shall designate a new town center development district if the State Board finds, with respect to that district, the municipality has:

* * *

Sec. F.14 24 V.S.A. § 2793e(d) is amended to read:

(d) ~~Within 45 days of receipt of a completed application~~ Upon the first meeting of the State Board held after 45 days of receipt of a completed application, for designation of a neighborhood development area, the State Board, after opportunity for public comment, shall approve a neighborhood development area if the Board determines that the applicant has met the requirements of this section.

Sec. F.15 2018 Acts and Resolves No. 196, Sec. 1, as amended by 2019 Acts and Resolves No. 80, Sec. 13, is further amended to read:

Sec. 1. SIMPLIFYING GOVERNMENT FOR SMALL BUSINESSES

(a) The Secretary of ~~State~~ Digital Services shall serve as the chair of a steering committee, composed of the Secretary of State, the Secretary of Commerce and Community Development, the Secretary of Administration, and the Secretary of Digital Services or their designees.

(b) ~~The Secretary of State, in collaboration with the steering committee, and in collaboration with other State agencies and departments and interested stakeholders as necessary, shall:~~

(1) review and consider the necessary procedural and substantive steps to enhance the Secretary of State's one-stop business portal for businesses, entrepreneurs, and citizens to provide information about starting and operating a business in Vermont; and

(2) submit on or before December 15, ~~2019~~ 2023:

(A) a design proposal that includes a project scope, timeline, roadmap, and cost projections;

(B) any statutory or regulatory changes needed to implement the proposal; and

(C) a sustainable funding model for the portal.

(c) The steering committee shall evaluate the cost and efficacy, and integrate into the current one-stop portal to the extent feasible, features that:

(1) enhance State websites to simplify registrations and provide a ~~clear~~ comprehensive, one-stop compilation of other State business requirements, including permits and licenses;

(2) implement a data collection component that offers the registrant the option to self-identify, and make available to the public through the business search function, demographic information concerning ownership of the business, including whether the business is woman-owned, veteran-owned, BIPOC-owned, LGBTQ-owned, or minority-owned;

(3) simplify the mechanism for making payments to the State by allowing a person to pay amounts ~~he or she~~ the person owes to the State for taxes, fees, or other charges to a single recipient within State government;

~~(3)~~(4) simplify annual filing requirements by allowing a person to make a single filing to a single recipient within State government and check a box if nothing substantive has changed from the prior year;

~~(4)~~(5) provide guidance, assistance with navigation, and other support to persons who are forming or operating a small business;

~~(5)~~(6) after registration, provide information about additional and ongoing State requirements and a point of contact to discuss questions or explore any assistance needed;

~~(6)~~(7) provide guidance and information about State and federal programs and initiatives, as well as State partner organizations and Vermont-based businesses of interest; and

~~(7)~~(8) map communication channels for project updates, including digital channels such as e-mail, social media, and other communications.

(d) All State agencies and departments shall designate a single employee or team of employees who are charged with the duty to provide assistance to the steering committee upon its request.

(e) The steering committee shall focus its review on providing services through the one-stop business portal primarily for the benefit of businesses with 20 or fewer employees.

(f) The Agency of Digital Services shall assign a project manager or business analyst to report directly to the Secretary of State to assist with the implementation of this act through June 30, 2020 2025 for the purpose of developing and implementing a one-stop navigable portal for businesses, entrepreneurs, and citizens to access information about starting a business in Vermont, and to provide ongoing support to businesses interfacing with State government.

Sec. F.16 DEPARTMENT OF CORRECTIONS PROFESSIONAL DEVELOPMENT; INTENT; CONTRACT

(a) It is the intent of the General Assembly to assist the Department of Corrections to continue and further engage in a professional development initiative to enhance supervisory effectiveness and strengthen leadership development within the Department and among its employees. The Department's enhanced supervisory training is part of its effort to address an employee workforce crisis and strengthen workplace satisfaction.

(b) The Department of Corrections shall contract or expand an existing contract with a vendor to provide supervisory and management professional development services to the Department and among its employees.

(c) On or before March 15, 2024, the Department and the contracted vendor shall testify before the General Assembly about the progress and effectiveness of its professional development initiative. The Department shall make management, supervisory, and frontline staff available to testify.

* * * Department of Motor Vehicles Fees and Motor Vehicle Purchase and Use
Tax * * *

* * * Enhanced Driver's License * * *

Sec. G.100 23 V.S.A. § 7 is amended to read:

§ 7. ENHANCED DRIVER'S LICENSE; MAINTENANCE OF DATABASE
INFORMATION; FEE

* * *

(d) The fee for an enhanced license shall be ~~\$30.00~~ \$36.00 in addition to the fees otherwise established by this title.

* * *

* * * Department of Motor Vehicles; Miscellaneous Transactions * * *

Sec. G.101 23 V.S.A. § 114 is amended to read:

§ 114. FEES

(a) The Commissioner shall be paid the following fees for miscellaneous transactions:

(1) Listings of 1 through 4 registrations	\$8.00 <u>\$10.00</u>
(2) Certified copy of registration application	\$8.00 <u>\$10.00</u>
(3) Sample plates	\$18.00 <u>\$22.00</u>
(4) Lists of registered dealers, transporters, periodic inspection stations, fuel dealers, and distributors, including gallonage sold or delivered and rental vehicle companies	\$8.00 <u>\$10.00</u> per page
(5) [Repealed.]	
(6) Periodic inspection sticker record	\$8.00 <u>\$10.00</u>
(7) Certified copy individual crash report	\$12.00 <u>\$15.00</u>
(8) Certified copy police crash report	\$18.00 <u>\$22.00</u>
(9) Certified copy suspension notice	\$8.00 <u>\$10.00</u>
(10) Certified copy mail receipt	\$8.00 <u>\$10.00</u>
(11) Certified copy proof of mailing	\$8.00 <u>\$10.00</u>
(12) Certified copy reinstatement notice	\$8.00 <u>\$10.00</u>
(13) Certified copy operator's license application	\$8.00 <u>\$10.00</u>
(14) Certified copy three-year operating record	\$14.00 <u>\$17.00</u>

(15) [Repealed.]	
(16) Government official photo identification card	\$6.00 <u>\$8.00</u>
(17) Listing of operator's licenses of 1 through 4	\$8.00 <u>\$10.00</u>
(18) Statistics and research	\$42.00 <u>\$51.00</u> per hour
(19) Insurance information on crash	\$8.00 <u>\$10.00</u>
(20) Certified copy complete operating record	\$20.00 <u>\$24.00</u>
(21) Records not otherwise specified	\$8.00 <u>\$10.00</u> per page
(22) Public records request for Department records requiring custom computer programming	\$100.00 per hour, but not less than \$500.00
(23) Public records request for Department records requiring custom computer programming (updated)	\$119.00 <u>\$143.00</u>

* * *

Sec. G.102. 23 V.S.A. § 115 is amended to read:

§ 115. NONDRIVER IDENTIFICATION CARDS

(a) Any Vermont resident may make application to the Commissioner and be issued an identification card that is attested by the Commissioner as to true name, correct age, residential address unless the listing of another address is requested by the applicant or is otherwise authorized by law, and any other identifying data as the Commissioner may require that shall include, in the case of minor applicants, the written consent of the applicant's parent, guardian, or other person standing in loco parentis. Every application for an identification card shall be signed by the applicant and shall contain such evidence of age and identity as the Commissioner may require, consistent with subsection (1) of this section. New and renewal application forms shall include a space for the applicant to request that a "veteran" designation be placed on the applicant's identification card. If a veteran, as defined in 38 U.S.C. § 101(2), requests a veteran designation and provides a Department of Defense Form 214 or other proof of veteran status specified by the Commissioner, and the Office of Veterans Affairs confirms the veteran's status as an honorably discharged veteran or a veteran discharged under honorable conditions, the identification card shall include the term "veteran" on its face. The Commissioner shall require payment of a fee of ~~\$24.00~~ \$29.00 at the time application for an identification card is made, except that an initial nondriver identification card shall be issued at no charge to an individual who surrenders ~~his or her~~ the individual's license in connection with a suspension or

revocation under subsection 636(b) of this title due to a physical or mental condition.

(b) Every identification card shall expire, unless earlier canceled, at 12:00 midnight on the eve of the fourth anniversary of the date of birth of the cardholder following the date of original issue, and may be renewed every four years upon payment of a ~~\$24.00~~ \$29.00 fee. A renewed identification card shall expire, unless earlier canceled, at 12:00 midnight on the eve of the fourth anniversary of the date of birth of the cardholder following the expiration of the card being renewed. At least 30 days before an identification card will expire, the Commissioner shall mail first-class to the cardholder or send the cardholder electronically an application to renew the identification card; a cardholder shall be sent the renewal notice by mail unless the cardholder opts in to receive electronic notification. An individual born on February 29 shall, for the purposes of this section, be considered as born on March 1.

(c) In the event an identification card is lost, destroyed, mutilated, or a new name is acquired, a replacement may be obtained upon furnishing satisfactory proof to the Commissioner and paying a ~~\$20.00~~ \$24.00 fee.

* * *

* * * Registration; General Provisions * * *

Sec. G.103 23 V.S.A. § 304 is amended to read:

§ 304. REGISTRATION CERTIFICATES; NUMBER PLATES; VANITY
AND OTHER SPECIAL PLATES

* * *

(b) The authority to issue vanity motor vehicle number plates or special number plates for safety organizations and service organizations shall reside with the Commissioner. Determination of compliance with the criteria contained in this section shall be within the discretion of the Commissioner. Series of number plates for safety and service organizations that are authorized by the Commissioner shall be issued in order of approval, subject to the operating considerations in the Department as determined by the Commissioner. The Commissioner shall issue vanity and special organization number plates in the following manner:

(1) Vanity plates. Subject to the restrictions of this section, vanity plates shall be issued at the request of the registrant of a motor vehicle unless the vehicle is registered under the International Registration Plan, upon application and upon payment of an annual fee of ~~\$48.00~~ \$58.00 in addition to the annual fee for registration. The Commissioner shall not issue two sets of plates bearing the same initials or letters unless the plates also contain a

distinguishing number. Vanity plates are subject to reassignment if not renewed within 60 days of expiration of the registration.

(2) Special organization plates.

* * *

(B) The officer of a safety organization or service organization may apply to the Commissioner to approve special plates indicating membership in a qualifying organization to be issued to organization members for a ~~\$17.00~~ \$21.00 special fee for each set of plates in addition to the annual fee for registration. The application shall include designation of an officer or member to serve as the principal contact with the Department and a distinctive name or emblem, or both, for use on the proposed special plate. The name and emblem shall not be objectively obscene or confusing to the general public and shall not promote, advertise, or endorse a product, brand, or service provided for sale. The organization's name and emblem must not infringe on or violate a trademark, trade name, service mark, copyright, or other proprietary or property right, and the organization must have the right to use the name and emblem. After consulting with the principal contact, the Commissioner shall determine the design of the special plate on the basis that the primary purpose of motor vehicle number plates is vehicle identification. An organization may have only one design, regardless of the number of individual organizational units, squads, or departments within the State that may conduct the same or substantially similar activities.

(C) After the plate design is finalized and an officer or the principal contact provides the Commissioner a written statement authorizing issuance of the plates, the organization shall deposit ~~\$2,200.00~~ \$2,600.00 with the Commissioner. Of this deposit, \$500.00 shall be retained by the Department to recover costs of developing the organization plate. Notwithstanding 32 V.S.A. § 502, the Commissioner may charge the actual costs of production of the plates against the fees collected and the balance shall be deposited in the Transportation Fund. Upon application, special plates shall be issued to a registrant of a vehicle registered at the pleasure car rate or of a truck registered for less than 26,001 pounds (but excluding trucks registered under the International Registration Plan) who furnishes the Commissioner satisfactory proof that ~~he or she~~ the registrant is a member of an organization that has satisfied the requirements of this subdivision (b)(2). For each of the first 100 applicants to whom sets of plates are issued, the ~~\$17.00~~ \$21.00 special plate fee shall not be collected and shall be subtracted from the balance of the deposit. When the ~~\$1,700.00~~ \$2,100.00 balance of the deposit is depleted, applicants shall be required to pay the ~~\$17.00~~ \$21.00 fee as provided for in subdivision (2)(B) of this subsection. No organization shall charge its

members any additional fee or premium charge for the authorization, right, or privilege to display special number plates, but any organization may recover up to ~~\$1,700.00~~ \$2,100.00 from applicants for the special plates.

* * *

(f) Upon the request of a registrant of a motor vehicle with the previous issue number plates, the Commissioner shall issue current issue number plates bearing the same number as shown on the previous issue plates that are being replaced. The initial one-time fee for the plates shall be ~~\$24.00~~ \$29.00 in addition to the regular registration fee. Official plates and plates with numbers of 9999 or lower are specifically exempted.

* * *

Sec. G.104 23 V.S.A. § 304b is amended to read:

§ 304b. CONSERVATION MOTOR VEHICLE REGISTRATION PLATES

(a) The Commissioner shall, upon application, issue conservation registration plates for use only on vehicles registered at the pleasure car rate, on trucks registered for less than 26,001 pounds, and on vehicles registered to State agencies under section 376 of this title, but excluding vehicles registered under the International Registration Plan. Plates so acquired shall be mounted on the front and rear of the vehicle. The Commissioners of Motor Vehicles and of Fish and Wildlife shall determine the graphic design of the special plates in a manner that serves to enhance the public awareness of the State's interest in restoring and protecting its wildlife and major watershed areas. The Commissioners of Motor Vehicles and of Fish and Wildlife may alter the graphic design of these special plates, provided that plates in use at the time of a design alteration shall remain valid subject to the operator's payment of the annual registration fee. Applicants shall apply on forms prescribed by the Commissioner and shall pay an initial fee of ~~\$26.00~~ \$32.00 in addition to the annual fee for registration. In following years, in addition to the annual registration fee, the holder of a conservation plate shall pay a renewal fee of ~~\$26.00~~ \$32.00. The Commissioner may adopt rules under 3 V.S.A. chapter 25 to implement the provisions of this subsection.

* * *

Sec. G.105 23 V.S.A. § 304c is amended to read:

§ 304c. MOTOR VEHICLE REGISTRATION PLATES: BUILDING
BRIGHT SPACES FOR BRIGHT FUTURES FUND

(a) The Commissioner shall, upon application, issue "Building Bright Spaces for Bright Futures Fund," referred to as "the Bright Futures Fund," registration plates for use only on vehicles registered at the pleasure car rate,

on trucks registered for less than 26,001 pounds, on vehicles registered to State agencies under section 376 of this title, and excluding vehicles registered under the International Registration Plan. Plates so acquired shall be mounted on the front and rear of the vehicle. The Commissioner of Motor Vehicles shall utilize the graphic design recommended by the Commissioner for Children and Families for the special plates to enhance the public awareness of the State's interest in supporting children's services. Applicants shall apply on forms prescribed by the Commissioner of Motor Vehicles and shall pay an initial fee of ~~\$24.00~~ \$29.00 in addition to the annual fee for registration. In following years, in addition to the annual registration fee, the holder of a Bright Futures Fund plate shall pay a renewal fee of ~~\$24.00~~ \$29.00. The Commissioner of Motor Vehicles shall adopt rules under 3 V.S.A. chapter 25 to implement the provisions of this subsection.

* * *

Sec. G.106 23 V.S.A. § 307 is amended to read:

§ 307. CARRYING OF REGISTRATION CERTIFICATE; REPLACEMENT AND CORRECTED CERTIFICATES

* * *

(b) In case of the loss, mutilation, or destruction of a certificate, the owner of the vehicle described in it shall forthwith notify the Commissioner and remit a fee of ~~\$16.00~~ \$20.00, upon receipt of which the Commissioner shall furnish the owner with a duplicate certificate.

(c) A corrected registration certificate shall be furnished by the Commissioner upon request and receipt of a fee of ~~\$16.00~~ \$20.00.

(d) An operator cited for violating subsection (a) of this section with respect to a pleasure car, motorcycle, or truck that could be registered for less than 26,001 pounds shall be subject to a civil penalty of not more than \$5.00, which penalty shall be exempt from surcharges under 13 V.S.A. § 7282(a), if ~~he or she~~ the operator is cited within the 14 days following the expiration of the motor vehicle's registration.

Sec. G.107 23 V.S.A. § 323 is amended to read:

§ 323. TRANSFER FEES

A person who transfers the ownership of a registered motor vehicle to another, upon the filing of a new application and upon the payment of a fee of ~~\$25.00~~ \$30.00, may have registered in ~~his or her~~ the person's name another motor vehicle for the remainder of the registration period without payment of any additional registration fee, provided the proper registration fee of the motor vehicle sought to be registered is the same as the registration fee of the

transferred motor vehicle. However, if the proper registration fee of the motor vehicle sought to be registered by such person is greater than the registration fee of the transferred motor vehicle, the applicant shall pay, in addition to such fee of ~~\$25.00~~ \$30.00, the difference between the registration fee of the motor vehicle previously registered and the proper fee for the registration of the motor vehicle sought to be registered.

* * * Registration; Fees and Exemptions * * *

Sec. G.108 23 V.S.A. § 361 is amended to read:

§ 361. PLEASURE CARS

The annual registration fee for ~~registration of any motor vehicle of the a~~ pleasure car ~~type~~, as defined in subdivision 4(28) of this title, and all vehicles powered by electricity, shall be ~~\$74.00~~ \$89.00, and the biennial fee shall be ~~\$136.00~~ \$163.00.

Sec. G.109 23 V.S.A. § 364 is amended to read:

§ 364. MOTORCYCLES

The annual fee for registration of a motorcycle, with or without sidecar, shall be ~~\$46.00~~ \$56.00.

Sec. G.110 23 V.S.A. § 364a is amended to read:

§ 364a. MOTOR-DRIVEN CYCLES: REGISTRATION; FINANCIAL RESPONSIBILITY

(a) The annual fee for registration of a motor-driven cycle shall be ~~\$28.00~~ \$34.00.

* * *

Sec. G.111 23 V.S.A. § 364b is amended to read:

§ 364b. ALL-SURFACE VEHICLES; REGISTRATION

(a) The annual fee for registration of an all-surface vehicle (ASV) shall be the sum of the fees established by sections 3305 and 3504 of this title, plus ~~\$26.00~~ \$32.00.

* * *

Sec. G.112 23 V.S.A. § 367 is amended to read:

§ 367. TRUCKS

(a)(1) The annual fee for registration of tractors, truck-tractors, or motor trucks except truck cranes, truck shovels, road oilers, bituminous distributors, and farm trucks used as specified in subsection (f) of this section shall be

based on the total weight of the truck-tractor or motor truck, including body and cab plus the heaviest load to be carried. In computing the fees for registration of tractors, truck-tractors, or motor trucks with trailers or semi-trailers attached, except trailers or semi-trailers with a gross weight of less than 6,000 pounds, the fee shall be based upon the weight of the tractor, truck-tractor, or motor truck, the weight of the trailer or semi-trailer, and the weight of the heaviest load to be carried by the combined vehicles. In addition to the fee set out in the following schedule, the fee for vehicles weighing between 10,000 and 25,999 pounds inclusive shall be an additional ~~\$35.50~~ \$42.53, the fee for vehicles weighing between 26,000 and 39,999 pounds inclusive shall be an additional ~~\$70.98~~ \$85.03, the fee for vehicles weighing between 40,000 and 59,999 pounds inclusive shall be an additional ~~\$248.48~~ \$297.68, and the fee for vehicles 60,000 pounds and over shall be an additional ~~\$390.48~~ \$467.80. The fee shall be computed at the following rates per 1,000 pounds of weight determined pursuant to this subdivision and rounded up to the nearest whole dollar; the minimum fee for registering a tractor, truck-tractor, or motor truck to 6,000 pounds shall be the same as for the pleasure car type:

~~\$15.20~~ \$18.21 when the weight exceeds 6,000 pounds but does not exceed 8,000 pounds.

~~\$17.39~~ \$20.83 when the weight exceeds 8,000 pounds but does not exceed 12,000 pounds.

~~\$19.17~~ \$22.97 when the weight exceeds 12,000 pounds but does not exceed 16,000 pounds.

~~\$20.50~~ \$24.56 when the weight exceeds 16,000 pounds but does not exceed 20,000 pounds.

~~\$21.46~~ \$25.71 when the weight exceeds 20,000 pounds but does not exceed 30,000 pounds.

~~\$21.92~~ \$26.26 when the weight exceeds 30,000 pounds but does not exceed 40,000 pounds.

~~\$22.45~~ \$26.90 when the weight exceeds 40,000 pounds but does not exceed 50,000 pounds.

~~\$22.65~~ \$27.13 when the weight exceeds 50,000 pounds but does not exceed 60,000 pounds.

~~\$23.42~~ \$28.06 when the weight exceeds 60,000 pounds but does not exceed 70,000 pounds.

~~\$24.21~~ \$29.00 when the weight exceeds 70,000 pounds but does not exceed 80,000 pounds.

~~\$24.99~~ \$29.94 when the weight exceeds 80,000 pounds but does not exceed 90,000 pounds.

* * *

(b) The annual fee for registration of a category I special purpose vehicle shall be ~~\$178.00~~ \$214.00, and the annual fee for a category II special purpose vehicle shall be ~~\$415.00~~ \$498.00.

* * *

Sec. G.113 23 V.S.A. § 371 is amended to read:

§ 371. TRAILER AND SEMI-TRAILER

(a)(1) The one-year and two-year fees for registration of a trailer or semi-trailer, except a contractor's trailer or farm trailer, shall be as follows:

(A) ~~\$27.00~~ \$33.00 and ~~\$51.00~~ \$62.00, respectively, when such trailer or semi-trailer has a gross weight of trailer and load of 1,500 pounds or less;

(B) ~~\$52.00~~ \$63.00 and ~~\$102.00~~ \$123.00, respectively, when such trailer or semi-trailer has a gross weight of trailer and load of more than 1,500 pounds and is drawn by a vehicle of the pleasure car type;

(C) ~~\$52.00~~ \$63.00 and ~~\$102.00~~ \$123.00, respectively, when such trailer or semi-trailer is drawn by a motor truck or tractor, when such trailer or semi-trailer has a gross weight of more than 1,500 pounds but less than 3,000 pounds;

(D) ~~\$52.00~~ \$63.00 and ~~\$102.00~~ \$123.00, respectively, when such trailer or semi-trailer is used in combination with a truck-tractor or motor truck registered at the fee provided for combined vehicles under section 367 of this title. Excepting for the fees, the provisions of this subdivision shall not apply to trailer coaches as defined in section 4 of this title nor to modular homes being transported by trailer or semi-trailer.

(2) The one-year and two-year fees for registration of a contractor's trailer shall be ~~\$197.00~~ \$237.00 and ~~\$394.00~~ \$473.00, respectively.

* * *

Sec. G.114 23 V.S.A. § 372 is amended to read:

§ 372. MOTOR BUS

The annual fee for registration of a motor bus shall be based on the actual weight of such bus, plus passenger carrying capacity at 150 pounds per person, and shall be ~~\$2.00~~ \$2.40 per 100 pounds of such weight, except for motor buses registered under section 372a or 376 of this title. Fractions of a

hundred-weight shall be disregarded. The minimum fee for the registration of any motor bus shall be \$43.00.

Sec. G.115 23 V.S.A. § 372a is amended to read:

§ 372a. LOCAL TRANSIT PUBLIC TRANSPORTATION SERVICE

(a) The annual registration fee for any motor bus used in local transit or public transportation service shall be ~~\$62.00~~ \$75.00, except for those vehicles owned by a municipality for such service that are subject to the provisions of section 376 of this title. In the event a bus registered for local transit or public transportation service is subsequently registered for general use during the same registration year, such fee shall be applied toward the fee for general registration.

* * *

Sec. G.116 23 V.S.A. § 373 is amended to read:

§ 373. EXHIBITION VEHICLES; YEAR OF MANUFACTURE PLATES

(a) The annual fee for the registration of a motor vehicle that is maintained for use in exhibitions, club activities, parades, and other functions of public interest and that is not used for general daily transportation of passengers or property on any highway shall be ~~\$21.00~~ \$26.00, in lieu of fees otherwise provided by law. Permitted use shall include:

* * *

Sec. G.117 23 V.S.A. § 376 is amended to read:

§ 376. STATE, MUNICIPAL, FIRE DEPARTMENT, AND RESCUE ORGANIZATION MOTOR VEHICLES

* * *

(b) The fee for registration of a motor vehicle owned by any municipality in this State and used entirely by it or any other municipality for municipal purposes shall be ~~\$12.00~~ \$15.00 in lieu of fees otherwise specified in this chapter. ~~As used in~~ For purposes of this subsection, the term municipality shall include county-owned vehicles. The Commissioner shall issue specially designed registration plates for county-owned sheriffs' departments' vehicles.

(c) The registration fee for registration of a motor truck, trailer, ambulance, or other motor vehicle, owned by a volunteer fire department or other volunteer ~~fire-fighting~~ firefighting organization or other organization conducting rescue operations and used solely for fire fighting or rescue purposes shall be ~~\$12.00~~ \$15.00 in lieu of fees otherwise specified in this

chapter. A motor vehicle or trailer registered under this section shall be plainly marked on both sides of the body or cab to indicate its ownership.

* * *

(f) A replacement registration plate shall be provided by the Commissioner upon the payment of a fee of ~~\$9.00~~ \$11.00.

(g)(1) The fee for registration of a motor vehicle obtained from the government as excess government property, or a vehicle purchased with 100 percent federal funds and used for federally supported local programs, shall be \$14.00, in lieu of fees otherwise specified in this chapter. The Commissioner shall determine the eligibility as to whether or not the motor vehicle qualifies for this registration and ownership of the vehicle shall be plainly marked on both sides of the body or cab.

* * *

Sec. G.118 23 V.S.A. § 382 is amended to read:

§ 382. DIESEL-POWERED PLEASURE CARS

Notwithstanding any other provision of law, the annual registration fee for a pleasure car or tractor, truck-tractor, or motor truck up to 6,000 pounds powered by fuel as defined in section 3002 of this title shall be ~~\$74.00~~ \$89.00, and the biennial fee shall be ~~\$136.00~~ \$163.00.

* * * Registration; Registration of Dealers and Transporters * * *

Sec. G.119 23 V.S.A. § 453 is amended to read:

§ 453. FEES AND NUMBER PLATES

(a)(1) An application for registration as a dealer in new or used cars or motor trucks shall be accompanied by a fee of ~~\$503.00~~ \$603.00 for each certificate issued in such dealer's name. The Commissioner shall furnish free of charge with each dealer's registration certificate three number plates showing the distinguishing number assigned such dealer. The Commissioner may furnish additional plates according to the volume of the dealer's sales in the prior year or, in the case of an initial registration, according to the dealer's reasonable estimate of expected sales, as follows:

* * *

(2) If the issuance of additional plates is authorized under subdivision (1) of this subsection, up to two plates shall be provided free of charge, and the Commissioner shall collect ~~\$55.00~~ \$66.00 for each additional plate thereafter.

(b) Application by a "dealer in farm tractors or other self-propelled farm implements," which shall mean a person actively engaged in the business of

selling or exchanging new or used farm tractors or other self-propelled farm implements, for such dealer registration shall annually be accompanied by a fee of ~~\$78.00~~ \$94.00. The Commissioner shall furnish free of charge with each such dealer registration certificate two sets of number plates showing the distinguishing number assigned such dealer and in ~~his or her~~ the Commissioner's discretion may furnish further sets of plates at a fee of \$12.00 per set; such number plates may, however, be displayed only upon a farm tractor or other self-propelled farm implement.

(c) Application by a "dealer in motorized highway building equipment and road making appliances," which shall mean a person actively engaged in the business of selling or exchanging new or used motorized highway building equipment or road making appliances, for such dealer registration shall annually be accompanied by a fee of ~~\$123.00~~ \$148.00. The Commissioner shall furnish free of charge with each such dealer registration certificate two sets of number plates showing the distinguishing number assigned such dealer and in ~~his or her~~ the Commissioner's discretion may furnish further sets of plates at a fee of \$30.00 per set; such number plates may, however, be displayed only upon motorized highway building equipment or road making appliances.

(d) If a dealer is engaged only in the business of selling or exchanging motorcycles or motor-driven cycles, the registration fee shall be ~~\$62.00~~ \$75.00, which shall include three number plates. The Commissioner may, in ~~his or her~~ the Commissioner's discretion, furnish further sets of plates at a fee of \$10.00 for each set.

(e) If a dealer is engaged only in the business of selling or exchanging trailers, semi-trailers, or trailer coaches, the registration fee shall be ~~\$123.00~~ \$148.00, which shall include three number plates; such number plates may, however, be displayed only upon a trailer, semi-trailer, or trailer coach. The Commissioner may, in ~~his or her~~ the Commissioner's discretion, furnish further plates at a fee of \$10.00 for each such plate.

* * *

Sec. G.120 23 V.S.A. § 457 is amended to read:

§ 457. TEMPORARY PLATES

At the time of the issuance of a registration certificate to a dealer as provided in this chapter, the Commissioner shall furnish the dealer with a sufficient number of number plates and temporary validation stickers, temporary number plates, or temporary decals for use during the 60-day period immediately following sale of a vehicle or motorboat by the dealer. The plates and decals shall have the same general design as the plates or decals furnished

individual owners, but the plates and decals may be of a material and color as the Commissioner may determine. The Commissioner shall collect a fee of ~~\$5.00~~ \$6.00 for each temporary plate issued.

Sec. G.121 23 V.S.A. § 463 is amended to read:

§ 463. SALE OF VEHICLE TO GO OUT OF STATE

A registered motor vehicle dealer is authorized to issue an in-transit registration permit for the purpose of movement over the highways of certain motor vehicles otherwise required to be registered when these vehicles are sold in this State to be transported to and registered in another state or province. The Commissioner of Motor Vehicles shall, upon request, provide registered motor vehicle dealers with such numbers of applications and special in-transit number plates for vehicles sold in this State to be transported to and registered in another state or province as shall be necessary. The Commissioner is authorized to charge a fee of ~~\$6.00~~ \$8.00 for the processing of the plate application and the issuance of the plate. The dealer, upon the sale of a motor vehicle to be transported to and registered in another state or province, shall cause the application to be filled out and transmitted to the Commissioner and shall attach to the vehicle the in-transit number plate corresponding to the application. No registered motor vehicle dealer shall sell, exchange, give, or transfer any application or in-transit plate to any person other than the person to whom the dealer sells or exchanges a motor vehicle to be registered in another state or province. The application shall be in a form prescribed and furnished by the Commissioner. The special in-transit number plate to be attached to the vehicle will be issued in the form and design as prescribed by the Commissioner and shall be valid for a period of 30 days from the date of issue.

Sec. G.122 23 V.S.A. § 476 is amended to read:

§ 476. MOTOR VEHICLE WARRANTY FEE

A motor vehicle warranty fee of ~~\$6.00~~ \$8.00 is imposed on the registration of each new motor vehicle in this State, not including trailers, tractors, motorized highway building equipment, road-making appliances, snowmobiles, motorcycles, motor-driven cycles, or trucks with a gross vehicle weight over 12,000 pounds.

Sec. G.123 23 V.S.A. § 494 is amended to read:

§ 494. FEES

The annual fee for a transporter's registration certificate, number plate, or validation sticker is ~~\$123.00~~ \$148.00.

* * * Registration; Display of Number Plates * * *

Sec. G.124 23 V.S.A. § 514 is amended to read:

§ 514. REPLACEMENT NUMBER PLATES

(a) In case of the loss of a number plate, the owner of the motor vehicle to which it was assigned shall immediately notify the Commissioner of such loss, and the Commissioner shall furnish such owner with a new plate. The fee charged shall be ~~\$12.00~~ \$15.00 for each plate. The owner of a motor vehicle who has lost one number plate may operate ~~his or her~~ the owner's vehicle with only one number plate attached, until a new plate is furnished ~~him or her~~ to the owner, provided ~~he or she~~ the owner notified the Commissioner as required under this section.

(b) Any replacement number plate shall be issued at a fee of ~~\$12.00~~ \$15.00. However, if the Commissioner, in ~~his or her~~ the Commissioner's discretion, determines that a plate has become illegible as a result of deficiencies in the manufacturing process or by use of faulty materials, the replacement fee shall be waived.

Sec. G.125 23 V.S.A. § 516 is amended to read:

§ 516. SALE OF VEHICLE TO GO OUT OF STATE BY A PERSON
OTHER THAN DEALER

The Commissioner of Motor Vehicles is authorized to issue an in-transit registration permit for the purpose of movement over the highways of certain motor vehicles otherwise required to be registered when the vehicles are sold in this State by a person, other than a registered motor vehicle dealer, to be transported to and registered in another state or province. The registration may be obtained by submitting an application on a form prescribed and furnished by the Commissioner of Motor Vehicles. The Commissioner is authorized to charge a fee of ~~\$6.00~~ \$8.00 for the processing of the application and the issuance of the plate. The in-transit registration plate pursuant to this section shall be valid for a period of 30 days from issuance and shall be in the form and design prescribed by the Commissioner of Motor Vehicles. Issuance of an in-transit plate for vehicles sold by a registered motor vehicle dealer to a person to be transported to and registered in another state or province shall be governed by the provisions of section 463 of this title.

Sec. G.126 23 V.S.A. § 517 is amended to read:

§ 517. INTRASTATE IN-TRANSIT PERMIT

The Commissioner may issue an intrastate in-transit registration permit to authorize the movement within Vermont of a motor vehicle otherwise required to be registered, if the vehicle is sold in this State by a person other than a

registered motor vehicle dealer. The permit may be obtained after submission of an application on a form prescribed and furnished by the Commissioner and payment of a ~~\$6.00~~ \$8.00 fee. The permit shall be valid for a period of 10 days from the date of issuance and shall be in the form and design prescribed by the Commissioner.

* * * Operator's License; General Provisions * * *

Sec. G.127 23 V.S.A. § 608 is amended to read:

§ 608. FEES

(a) The four-year fee required to be paid the Commissioner for licensing an operator of motor vehicles or for issuing an operator's privilege card shall be ~~\$51.00~~ \$62.00. The two-year fee required to be paid the Commissioner for licensing an operator or for issuing an operator's privilege card shall be ~~\$32.00~~ \$39.00, and the two-year fee for licensing a junior operator or for issuing a junior operator's privilege card shall be ~~\$32.00~~ \$39.00.

(b) An additional fee of ~~\$3.00~~ \$4.00 per year shall be paid for a motorcycle endorsement. The endorsement may be obtained for either a two-year or four-year period, to be coincidental with the length of the operator's license.

Sec. G.128 23 V.S.A. § 613 is amended to read:

§ 613. REPLACEMENT LICENSE

(a) In case of the loss, mutilation, or destruction of a license or error in a license, the licensee shall forthwith notify the Commissioner who shall furnish such licensee with a replacement on receipt of ~~\$20.00~~ \$24.00.

* * *

Sec. G.129 23 V.S.A. § 617 is amended to read:

§ 617. LEARNER'S PERMIT

* * *

(b)(1) Notwithstanding the provisions of subsection (a) of this section, any licensed person may apply to the Commissioner of Motor Vehicles for a learner's permit for the operation of a motorcycle in the form prescribed by the Commissioner. The Commissioner shall offer both a motorcycle learner's permit that authorizes the operation of three-wheeled motorcycles only and a motorcycle learner's permit that authorizes the operation of any motorcycle. The Commissioner shall require payment of a fee of ~~\$20.00~~ \$24.00 at the time application is made.

(2) After the applicant has successfully passed all parts of the applicable motorcycle endorsement examination, other than a skill test, the Commissioner

may issue to the applicant a learner's permit that entitles the applicant, subject to subsection 615(a) of this title, to operate a three-wheeled motorcycle only, or to operate any motorcycle, upon the public highways for a period of 120 days from the date of issuance. The fee for the examination shall be ~~\$9.00~~ \$11.00.

(3) A motorcycle learner's permit may be renewed only twice upon payment of a ~~\$20.00~~ \$24.00 fee. If, during the original permit period and two renewals the permittee has not successfully passed the applicable skill test or motorcycle rider training course, ~~he or she~~ the permittee may not obtain another motorcycle learner's permit for a period of 12 months from the expiration of the permit unless:

* * *

(d) An applicant shall pay ~~\$20.00~~ \$24.00 to the Commissioner for each learner's permit or a duplicate or renewal thereof.

* * *

Sec. G.130 23 V.S.A. § 634 is amended to read:

§ 634. FEE FOR EXAMINATION

(a) The fee for an examination for a learner's permit shall be ~~\$32.00~~ \$39.00. The fee for an examination to obtain an operator's license when the applicant is required to pass an examination pursuant to section 632 of this title shall be ~~\$19.00~~ \$23.00. The fee for a motorcycle skill test to obtain a motorcycle endorsement shall be ~~\$19.00~~ \$23.00.

(b) A scheduling fee of ~~\$24.00~~ \$29.00 shall be paid by the applicant before ~~he or she~~ the applicant may schedule the road test required under section 632 of this title. Unless an applicant gives the Department at least 48 hours' notice of cancellation, if the applicant does not appear as scheduled, the ~~\$24.00~~ \$29.00 scheduling fee is forfeited. If the applicant appears for the scheduled road test, the fee shall be applied toward the license examination fee. The Commissioner may waive the scheduling fee until the Department is capable of administering the fee electronically.

* * *

* * * Operator's License; Suspension and Revocation * * *

Sec. G.131 23 V.S.A. § 675 is amended to read:

§ 675. FEE PRIOR TO TERMINATION OR REINSTATEMENT OF
SUSPENSION OR REVOCATION OF LICENSE

(a) Before a suspension or revocation issued by the Commissioner of a person's operator's license or privilege of operating a motor vehicle may be terminated or before a person's operator's license or privilege of operating a motor vehicle may be reinstated, there shall be paid to the Commissioner a fee of ~~\$80.00~~ \$96.00 in addition to any other fee required by statute. This section shall not apply to suspensions issued under the provisions of chapter 11 of this title nor suspensions issued for physical disabilities or failing to pass reexamination. The Commissioner shall not reinstate the license of a driver whose license was suspended pursuant to section 1205 of this title until the Commissioner receives certification from the court that the costs due the State have been paid.

* * *

* * * Operator's License; Driver Training School Licenses * * *

Sec. G.132 23 V.S.A. § 702 is amended to read:

§ 702. TRAINING SCHOOL AND INSTRUCTOR'S LICENSES

A person shall not operate a driver training school or act as an instructor unless the person has secured a license from the Commissioner. Applications for such licenses may be filed with the Commissioner and shall contain the information and shall be on the forms the Commissioner may prescribe. Each application for a driver's training school license shall be accompanied by an application fee of ~~\$150.00~~ \$180.00, which shall not be refunded. If the application is approved by the Commissioner, the applicant upon payment of an additional fee of ~~\$225.00~~ \$270.00 shall be granted a license, which shall become void two years after the first day of the month of issue unless sooner revoked as provided in this subchapter. The renewal fee shall be ~~\$225.00~~ \$270.00. Each application for an instructor's license shall be accompanied by an application fee of ~~\$105.00~~ \$126.00, which shall not be refunded. If the application is approved by the Commissioner, the applicant upon payment of an additional fee of ~~\$75.00~~ \$90.00 shall be granted a license, which shall become void two years after the first day of the month of issue unless sooner revoked as provided in this subchapter. The renewal fee shall be ~~\$75.00~~ \$90.00.

Sec. G.133 23 V.S.A. § 703 is amended to read:

§ 703. POSSESSION OF LICENSE

Each person granted a driver's training school license shall display the same conspicuously on the school premises. Each person granted an instructor's license shall carry the same in ~~his or her~~ the person's possession while engaged in giving driver training. In case of loss, mutilation, or destruction of a license

certificate, the Commissioner shall issue a duplicate certificate upon payment of a fee of ~~\$8.00~~ \$10.00.

* * * Operation of Vehicles; Equipment * * *

Sec. G.134 23 V.S.A. § 1230 is amended to read:

§ 1230. CHARGE

For each inspection certificate issued by the Department of Motor Vehicles, the Commissioner shall be paid ~~\$6.00~~ \$8.00, provided that State and municipal inspection stations that inspect only State or municipally owned and registered vehicles shall not be required to pay a fee. All vehicle inspection certificate charge revenue shall be allocated to the Transportation Fund with one-half reserved for bridge maintenance activities.

* * * Operation of Vehicles; Weight, Size, Loads * * *

Sec. G.135 23 V.S.A. § 1392 is amended to read:

§ 1392. GROSS WEIGHT LIMITS ON HIGHWAYS

Except as provided in section 1400 of this title, a person ~~or corporation~~ shall not operate or cause to be operated a motor vehicle in excess of the total weight, including vehicle, object, or contrivance and load, of:

* * *

(13) Despite the axle-load provisions of section 1391 of this title and the maximum gross load of subdivision (4) of this section, a special annual permit, which shall expire with the vehicle's registration, except for vehicles not registered in Vermont in which case the permit shall become void on January 1 following date of issue, may be issued to a person operating on designated routes on the State Highway System for a fee of ~~\$382.00~~ \$458.00 for each vehicle registered for a weight of 80,000 pounds. This special permit shall be issued only for a combination of vehicle and semi-trailer or trailer equipped with five or more axles, with a distance between axles that meets the minimum requirements of registering the vehicle to 80,000 pounds as allowed under subdivision (4) of this section. The maximum gross load under this special permit shall be 90,000 pounds. Unless authorized by federal law, this subdivision shall not apply to operation on the Dwight D. Eisenhower National System of Interstate and Defense Highways.

(14) Despite the axle-load provisions of section 1391 of this title and the axle spacing and maximum gross load provisions of subdivision (4) of this section, a special annual permit, which shall expire with the vehicle's registration, except for vehicles not registered in Vermont in which case the permit shall become void on January 1 following date of issue, may be issued

to a person transporting loads on vehicles on designated routes on the State Highway System for the following fees for each vehicle unit. Unless authorized by federal law, the provisions of this subdivision regarding weight limits or tolerances, or both, shall not apply to operation on the Dwight D. Eisenhower National System of Interstate and Defense Highways. This special permit shall be issued for the following vehicles and conditions:

(A) 3-axle trucks with a single steering axle and a rear tandem axle that have a maximum gross weight of not more than 60,000 pounds when registered for a minimum gross weight of not more than 55,000 pounds, the permit fee shall be ~~\$156.00~~ \$187.00.

(B) 4-axle trucks with a single steering axle and a rear tri-axle unit that have a maximum gross weight of not more than 69,000 pounds when registered for a minimum weight of 60,000 pounds, the permit fee shall be ~~\$352.00~~ \$422.00.

(C) 4-axle tractor semi-trailer or truck trailer combination with a maximum gross weight of not more than 72,000 pounds, provided the distance between the second axle of the tractor and the rear axle of the trailer is at least 24 feet measured to the nearest foot. For each foot or fraction of a foot less than 24 feet, measured to the nearest foot, a reduction of 2,000 pounds in the maximum gross weight shall be made. The permit fee shall be ~~\$15.00~~ \$18.00.

(D) 5- or more axle tractor semi-trailer or truck trailer combination with a maximum gross weight of not more than 76,000 pounds, provided that the distance between the first and last axle of two consecutive sets of tandem axles is at least 24 feet measured to the nearest foot. For each foot or fraction of a foot less than 24 feet, measured to the nearest foot, a reduction of 2,000 pounds in the maximum gross weight shall be made. The permit fee shall be ~~\$15.00~~ \$18.00.

* * *

(17) Notwithstanding the gross vehicle weight provisions of subdivision (4) of this section, a truck trailer combination or truck tractor, semi-trailer combination with six or more load-bearing axles registered for 80,000 pounds shall be allowed to bear a maximum of 99,000 pounds by special annual permit, which shall expire with the vehicle's registration, except for vehicles not registered in Vermont in which case the permit shall become void on January 1 following the date of issue, for operating on designated routes on State and town highways, subject to the following:

* * *

(F) The fee for the annual permit as provided in this subdivision (17) shall be ~~\$382.00~~ \$458.00 for vehicles bearing up to 90,000 pounds and ~~\$560.00~~ \$671.00 for vehicles bearing up to 99,000 pounds.

* * *

Sec. G.136 23 V.S.A. § 1402 is amended to read:

§ 1402. OVERWEIGHT, WIDTH, HEIGHT, AND LENGTH PERMITS;
FEES

(a) Overweight, overwidth, indivisible overlength, and overheight permits. Overweight, overwidth, indivisible overlength, and overheight permits shall be signed by the Commissioner or by ~~his or her~~ the Commissioner's agent and a copy shall be kept in the office of the Commissioner or in a location approved by the Commissioner. Except as provided in subsection (c) of this section, a copy shall also be available in the towing vehicle and must be available for inspection on demand of a law enforcement officer. Before operating a traction engine, tractor, trailer, motor truck, or other motor vehicle, the person to whom a permit to operate in excess of the weight, width, indivisible overlength, and height limits established by this title is granted shall pay a fee of ~~\$40.00~~ \$48.00 for each single trip permit or ~~\$112.00~~ \$135.00 for a blanket permit, except that the fee for a fleet blanket permit shall be ~~\$112.00~~ \$135.00 for the first unit and ~~\$6.00~~ \$8.00 for each unit thereafter. At the option of a carrier, an annual permit for the entire fleet, to operate over any approved route, may be obtained for ~~\$112.00~~ \$135.00 for the first tractor and ~~\$6.00~~ \$8.00 for each additional tractor, up to a maximum fee of \$1,000.00. The fee for a fleet permit shall be based on the entire number of tractors owned by the applicant. An applicant for a fleet permit may apply for any number of specific routes, each of which shall be reviewed with regard to the characteristics of the route and the type of equipment operated by the applicant. When the weight or size of the vehicle-load are considered sufficiently excessive for the routing requested, the Agency of Transportation shall, on request of the Commissioner, conduct an engineering inspection of the vehicle-load and route, for which a fee of \$300.00 will be added to the cost of the permit if the load is a manufactured home. For all other loads of any size or with gross weight limits less than 150,000 pounds, the fee shall be \$800.00 for any engineering inspection that requires up to eight hours to conduct. If the inspection requires more than eight hours to conduct, the fee shall be \$800.00 plus \$60.00 per hour for each additional hour required. If the vehicle and load weigh 150,000 pounds or more but not more than 200,000 pounds, the engineering inspection fee shall be \$2,000.00. If the vehicle and load weigh more than 200,000 pounds but not more than 250,000 pounds, the engineering inspection fee shall be \$5,000.00. If the vehicle and load weigh

more than 250,000 pounds, the engineering inspection fee shall be \$10,000.00. The study must be completed prior to the permit being issued. Prior to the issuance of a permit, an applicant whose vehicle weighs 150,000 pounds or more, or is 15 or more feet in width or height, shall file with the Commissioner a special certificate of insurance showing minimum coverage of \$250,000.00 for death or injury to one person, \$500,000.00 for death or injury to two or more persons, and \$250,000.00 for property damage, all arising out of any one crash.

(b) Overlength permits. Except as provided in subsections 1432(c) and (e) of this title, it shall be necessary to obtain an overlength permit as follows:

(1) For vehicles with a trailer or semitrailer longer than 75 feet, anywhere in the State on highways approved by the Agency of Transportation. In such cases, the vehicle may be operated with a single trip overlength permit issued by the Department of Motor Vehicles for a fee of ~~\$28.00~~ \$34.00. If the vehicle is 100 feet or more in length, the permit applicant shall file with the Commissioner of Motor Vehicles a special certificate of insurance showing minimum coverage of \$250,000.00 for death or injury to one person, \$500,000.00 for death or injury to two or more persons, and \$250,000.00 for property damage, all arising out of any one crash.

* * *

* * * Title to Motor Vehicles; General Provisions * * *

Sec. G.137 23 V.S.A. § 2002 is amended to read:

§ 2002. FEES

(a) The Commissioner shall be paid the following fees:

(1) for any certificate of title, including a salvage certificate of title, or an exempt vehicle title, ~~\$35.00~~ \$42.00;

(2) for each security interest noted upon a certificate of title, including a salvage certificate of title, ~~\$11.00~~ \$14.00;

(3) for a certificate of title after a transfer, ~~\$35.00~~ \$42.00;

(4) for each assignment of a security interest noted upon a certificate of title, ~~\$11.00~~ \$14.00;

(5) for a duplicate certificate of title, including a salvage certificate of title, ~~\$35.00~~ \$42.00;

(6) for an ordinary certificate of title issued upon surrender of a distinctive certificate, ~~\$35.00~~ \$42.00;

(7) for filing a notice of security interest, ~~\$11.00~~ \$14.00;

(8) for a certificate of search of the records of the Department of Motor Vehicles, for each motor vehicle searched against, ~~\$22.00~~ \$27.00;

(9) for filing an assignment of a security interest, ~~\$11.00~~ \$14.00;

(10) for a certificate of title after a security interest has been released, ~~\$35.00~~ \$42.00;

(11) for a certificate of title for a motor vehicle acquired by a veteran with financial assistance from the U.S. Department of Veterans Affairs and exempt from registration fees pursuant to section 378 of this title, no fee;

(12) for a corrected certificate of title, ~~\$35.00~~ \$42.00.

* * *

* * * Titling of Vessels, Snowmobiles, and All-terrain Vehicles * * *

Sec. G.138. 23 V.S.A. § 3802 is amended to read:

§ 3802. FEES

(a) The Commissioner shall be paid the following fees:

(1) for filing an application for a first certificate of title, ~~\$22.00~~ \$27.00;

(2) for each security interest noted upon a certificate of title, ~~\$11.00~~ \$14.00;

(3) for a certificate of title after a transfer, ~~\$22.00~~ \$27.00;

(4) for each assignment of a security interest noted upon a certificate of title, ~~\$11.00~~ \$14.00;

(5) for a duplicate certificate of title, ~~\$22.00~~ \$27.00;

(6) for an ordinary certificate of title issued upon surrender of a distinctive certificate, ~~\$22.00~~ \$27.00;

(7) for filing a notice of security interest, ~~\$11.00~~ \$14.00;

(8) for a certificate of search of the records of the Department of Motor Vehicles for each vessel, snowmobile, or all-terrain vehicle searched against, ~~\$22.00~~ \$27.00;

(9) for filing an assignment of a security interest, ~~\$11.00~~ \$14.00;

(10) for a certificate of clear title after the security interest or interests have been released, ~~\$22.00~~ \$27.00;

(11) for a corrected certificate of title, ~~\$22.00~~ \$27.00.

* * *

* * * Commercial Driver's License Act * * *

Sec. G.139 23 V.S.A. § 4108 is amended to read:

§ 4108. COMMERCIAL DRIVER'S LICENSE, COMMERCIAL
LEARNER'S PERMIT QUALIFICATION STANDARDS

* * *

(f) The fee for a knowledge test and the fee for a skills test shall each be ~~\$32.00~~ \$39.00. The fee for an endorsement test shall be ~~\$14.00~~ \$17.00. In the event that an applicant fails a test three times, ~~he or she~~ the applicant may not take the test again for at least six months. A fee of ~~\$24.00~~ \$29.00 shall be paid by the applicant before ~~he or she~~ the applicant may schedule a skills test. If an applicant does not appear for the scheduled skills test, the ~~\$24.00~~ \$29.00 scheduling fee is forfeited, unless the applicant has given the Department of Motor Vehicles at least 48 hours' notice of cancellation of the test. If the applicant appears for the skills test, the ~~\$24.00~~ \$29.00 scheduling fee for that test will be used as part of the test fee. Use of an interpreter is prohibited during the administration of the knowledge or skills tests.

* * *

Sec. G.140 23 V.S.A. § 4110 is amended to read:

§ 4110. APPLICATION FOR COMMERCIAL DRIVER'S LICENSE OR
COMMERCIAL LEARNER'S PERMIT

* * *

(8) The proper fee.

(A) The four-year fee for a commercial driver's license shall be ~~\$90.00~~ \$108.00. The two-year fee shall be ~~\$60.00~~ \$72.00. In those instances where the applicant surrenders a valid Vermont Class D license, the total fees due shall be reduced by:

* * *

(B) The fee for a commercial learner's permit is ~~\$15.00~~ \$18.00.

* * *

(b) When a licensee or permittee changes ~~his or her~~ the licensee's or permittee's name, mailing address, or residence or in the case of the loss, mutilation, or destruction of a license or permit, the licensee or permittee shall forthwith notify the Commissioner and apply in person for a duplicate license or permit in the same manner as set forth in subsection (a) of this section. The fee for a duplicate license or permit shall be ~~\$15.00~~ \$18.00.

* * *

* * * Motor Vehicle Purchase and Use Tax * * *

Sec. G.141 32 V.S.A. § 8903 is amended to read:

§ 8903. TAX IMPOSED

(a)(1) There is hereby imposed upon the purchase in Vermont of a motor vehicle by a resident a tax at the time of such purchase, payable as hereinafter provided. The amount of the tax shall be six percent of the taxable cost of a:

* * *

(2) For any other motor vehicle, it shall be six percent of the taxable cost of the motor vehicle or ~~\$2,075.00~~ \$2,486.00 for each motor vehicle, whichever is smaller, except that pleasure cars that are purchased, leased, or otherwise acquired for use in short-term rentals shall be subject to taxation under subsection (d) of this section.

(b)(1) There is hereby imposed upon the use within this State a tax of six percent of the taxable cost of a:

* * *

(2) For any other motor vehicle, it shall be six percent of the taxable cost of the motor vehicle or ~~\$2,075.00~~ \$2,486.00 for each motor vehicle, whichever is smaller, by a person at the time of first registering or transferring a registration to such motor vehicle payable as hereinafter provided, except no use tax shall be payable hereunder if the tax imposed by subsection (a) of this section has been paid, or the vehicle is a pleasure car that was purchased, leased, or otherwise acquired for use in short-term rentals, in which case the vehicle shall be subject to taxation under subsection (d) of this section.

* * *

* * * Effective Dates * * *

Sec. H.100 EFFECTIVE DATES

(a) This section and Secs. C.100 through C.126 (fiscal year 2023 adjustments, appropriations, and amendments) shall take effect upon passage.

(b) Sections G.100 through G.141 (Department of Motor Vehicles fee increases and Motor Vehicle Purchase and Use Tax increase) shall take effect on January 1, 2024.

(c) All remaining sections shall take effect on July 1, 2023.

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

*M. JANE KITCHEL
ANDREW J. PERCHLIK
RICHARD A. WESTMAN*

Committee on the part of the Senate

*DIANE M. LANPHER
ROBIN P. SCHEU
THERESA A. WOOD*

Committee on the part of the House

Addendum to the Report of Committee of Conference

H. 494.

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

By striking out Sec. C.112(a)(2) in its entirety and inserting in lieu thereof a new subsection (2) to read as follows:

(2) the unexpended or unobligated amount of the \$2,500,000 transferred by the Emergency Board to the Agency of Education for PCB remediation shall revert to the Education Fund and be reappropriated to 2022 Acts and Resolves No. 185 Sec. B.505 Education - adjusted education payment.

*M. JANE KITCHEL
ANDREW J. PERCHLIK
RICHARD A. WESTMAN*

Committee on the part of the Senate

*DIANE M. LANPHER
ROBIN P. SCHEU
THERESA A. WOOD*

Committee on the part of the House

Thereupon, the question, Shall the Senate accept and adopt the report of the Committee of Conference?, was decided in the affirmative.

Recess

On motion of Senator Baruth the Senate recessed until six o'clock in the evening.

Called to Order

The Senate was called to order by the President.

Recess

On motion of Senator Baruth the Senate recessed until seven o'clock and thirty minutes in the evening.

Message from the House No. 67

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 considered a bill originating in the Senate of the following title:

S. 39. An act relating to compensation and benefits for members of the Vermont General Assembly.

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

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

H. 217. An act relating to miscellaneous workers' compensation amendments.

And has concurred therein with further amendments in the passage of which the concurrence of the Senate is requested.

Called to Order

The Senate was called to order by the President.

Rules Suspended; House Proposals of Amendment Concurred In**S. 39.**

Pending entry on the calendar for notice, on motion of Senator Baruth, the rules were suspended and Senate bill entitled:

An act relating to compensation and benefits for members of the Vermont General Assembly.

Was taken up for immediate consideration.

The House proposes to the Senate to amend the bill as follows:

First: In Sec. 4, 32 V.S.A. § 1052, in subdivision (a)(3), by striking out "is entitled to" and inserting in lieu thereof "may claim"

Second: In Sec. 4, 32 V.S.A. § 1052, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b) Expenses. During any session of the General Assembly, each member is entitled to receive an allowance for or reimbursement of expenses as follows: set forth in this subsection.

(1) Mileage reimbursement. ~~Reimbursement~~ Each member shall receive reimbursement in an amount equal to the actual mileage traveled for each day of session in which the member travels between Montpelier and the member's home or from Montpelier or from the member's home to another site on officially sanctioned legislative business. Reimbursement of actual mileage traveled under this subdivision shall be at the rate per mile determined by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session.

(2) Meals and lodging allowance. Each member shall receive either a meals allowance or reimbursement of actual meals expenses. A member shall be presumed to have elected to receive the meals allowance unless the member informs the Office of Legislative Operations prior to the convening of the regular or adjourned session that the member wishes to receive reimbursement of actual meals expenses. A member's election to receive reimbursement of actual meals expenses shall remain in effect through the remainder of that session unless the member notifies the Office, in writing, that the member needs to change to the meals allowance due to a change in circumstances or for another compelling reason.

(A) Meals allowance. ~~A~~ A member who elects to receive a meals allowance shall receive an amount equal to the daily amount for meals and lodging determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session, for each day the House in which the member serves shall sit.

(B) Meals reimbursement. A member who elects to receive reimbursement of expenses shall receive reimbursement equal to the actual amounts expended by the member for meals for each day that the House in which the member serves shall sit, as well as meals for the night preceding the first legislative day of each week during the legislative session; provided, however, that the total amount of the weekly reimbursement available pursuant to this subdivision shall not exceed the amount the member would have received for the same week if the member had elected the meals allowance pursuant to subdivision (A) of this subdivision (2). The member shall provide meal receipts or otherwise substantiate the amounts expended to the Office of Legislative Operations in the form and manner prescribed by the Director of Legislative Operations.

(3) Lodging. Each member shall receive either a lodging allowance or reimbursement of actual lodging expenses. A member shall be presumed to

have elected to receive the lodging allowance unless the member informs the Office of Legislative Operations prior to the convening of the regular or adjourned session that the member wishes to receive reimbursement of actual lodging expenses. A member's election to receive reimbursement of actual lodging expenses shall remain in effect through the remainder of that session unless the member notifies the Office, in writing, that the member needs to change to the lodging allowance due to a change in circumstances or for another compelling reason.

(A) Lodging allowance. A member who elects to receive a lodging allowance shall receive an amount equal to the daily amount for lodging determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session for each day the House in which the member serves shall sit.

(B) Lodging reimbursement. A member who elects to receive reimbursement of expenses shall receive reimbursement equal to the actual amounts expended by the member for lodging for each day that the House in which the member serves shall sit, as well as lodging for the night preceding the first legislative day of each week during the legislative session; provided, however, that the total amount of the weekly reimbursement available pursuant to this subdivision for each week shall not exceed the amount the member would have received for the same week if the member had elected the lodging allowance pursuant to subdivision (A) of this subdivision (3). The member shall provide lodging receipts or otherwise substantiate the amounts expended to the Office of Legislative Operations in the form and manner prescribed by the Director of Legislative Operations.

(4) Absences. If a member is absent for reasons other than sickness or legislative business for one or more entire days while the house in which the member sits is in session, the member shall notify the Office of Legislative Operations of that absence, and ~~expenses received shall not include the amount that the legislator specifies was not incurred~~ the member shall not receive or be reimbursed for mileage, meals, or lodging expenses incurred during the period of that absence.

Third: In Sec. 6, Legislative Service Working Group, in subdivision (c)(1), by adding a new subdivision to be subdivision (C) to read as follows:

(C) the impact of making members eligible for the State employees' health plan as set forth in Sec. 1 of this act on members of different income levels;

and by relettering the remaining subdivisions in subdivision (c)(1) to be alphabetically correct

Fourth: In Sec. 6, Legislative Service Working Group, in subsection (g), by striking out “eight” preceding “meetings” in the first sentence and inserting in lieu thereof “six”

Fifth: By striking out Sec. 7, appropriation, and its reader assistance heading in their entirety and inserting in lieu thereof the following:

Sec. 7. [Deleted.]

Sixth: In Sec. 8, effective dates, by striking out subsections (b) and (c) in their entirety and inserting in lieu thereof the following:

(b) Secs. 3(b)(3) (expenses for Speaker and President Pro Tempore) and 4(b)–(d) (legislator expenses) shall take effect on January 1, 2024.

and by relettering the remaining subsections to be alphabetically correct

Seventh: In Sec. 6, Legislative Service Working Group, in subdivision (c)(1), by adding a new subdivision to be subdivision (E) to read as follows:

(E) options for establishing or engaging an independent entity to make adjustments to legislative compensation and benefits;

and by relettering the remaining subdivisions to be alphabetically correct

Eighth: In Sec. 6, Legislative Service Working Group, in subdivision (c)(1), by deleting the word “and” following the semicolon at the end of newly relettered subdivision (G), by adding the word “and” following the semicolon at the end of newly relettered subdivision (H), and by adding a new subdivision (I) to read as follows:

(I) how the salaries, benefits, and compensation structure in the Vermont General Assembly compare to the mean and median compensation and benefits of Vermont residents;

Ninth: In Sec. 6, Legislative Service Working Group, in subsection (e), by striking out the second sentence in its entirety and inserting in lieu thereof a new second sentence to read: “Drafts of the Working Group’s report that are in progress but have not yet been shared with the Working Group shall be confidential.”

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

Rules Suspended; House Proposals of Amendment to Senate Proposal of Amendment Concurred In

H. 217.

Pending entry on the calendar for notice, on motion of Senator Baruth, the rules were suspended and House bill entitled:

An act relating to miscellaneous workers' compensation amendments.

Was taken up for immediate consideration.

The House concurs in the Senate proposal of amendment with further proposal of amendment as follows:

First: In Sec. 1, legislative intent, subdivision (6), by striking out “and” after the semicolon

Second: In Sec. 1, legislative intent, by inserting a new subdivision (7) after subdivision (6) to read as follows:

(7) recognize that family child care homes are a key resource for families in rural communities and allow for ongoing financial support to:

(A) enable parents to choose to send their children to family child care homes; and

(B) provide technical assistance to family child care homes to ensure high-quality child care services are accessible throughout the State; and

and by renumbering the remaining subdivision to be numerically correct.

Third: In Sec. 2, Prekindergarten Education Implementation Committee; plan, in subsection (a), by inserting a third sentence to read: “As used in this section, “child” or “children” means a child or children who are four years of age on the date by which the child’s school district requires kindergarten students to have attained five years of age or who are five years of age and not yet enrolled in kindergarten, unless otherwise specified.”

Fourth: In Sec. 2, Prekindergarten Education Implementation Committee; plan, in subsection (c), in the second sentence, by inserting after “2026” the following phrase: “, including transitioning children who are three years of age from the 10-hour prekindergarten benefit to child care and early education”

Fifth: In Sec. 2, Prekindergarten Education Implementation Committee; plan, in subsection (c), by striking out the sentence “The Committee’s analysis may yield distinct recommendations for different prekindergarten ages.” in its entirety

Sixth: In Sec. 24, 32 V.S.A. chapter 246, in section 10552, by striking out subdivision (4) in its entirety and inserting in lieu thereof a new subdivision (4) to read as follows:

(4) “Self-employed individual” means an individual who earns self-employment income.

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

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.494, H.217.

Rules Suspended; Action Messaged

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

S.39.

Bills Delivered

Senator Baruth moved that pursuant to Joint Rule 15 that all bills passed by both the Senate and the House be ordered to the Governor.

Which was agreed to.

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 27.

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

By Senator Baruth,

J.R.S. 27. Joint resolution relating to adjournment.

Resolved by the Senate and House of Representatives:

That when the President of the Senate and the Speaker of the House of Representatives adjourn their respective houses on the twelfth or thirteenth of May, 2023 they shall do so to reconvene on the twentieth day of June, 2023, at ten o'clock in the forenoon.

House Concurrent Resolutions

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

By Reps. Ode and others,

By Senator Baruth,

H.C.R. 115.

House concurrent resolution congratulating the University of Vermont Catamounts women's basketball team on winning the 2023 America East Conference championship.

By Reps. Mulvaney-Stanak and others,

H.C.R. 116.

House concurrent resolution honoring the youth division snowboarders and skiers who represented Vermont with distinction at the 2023 United States of America Snowboard and Freeski Association National Championships.

By Reps. Ode and others,

By Senator Baruth,

H.C.R. 117.

House concurrent resolution congratulating the University of Vermont Catamounts men's basketball team on winning the 2023 America East Conference championship.

By Reps. Donahue and Goslant,

By Senators Cummings, Perchlik and Watson,

H.C.R. 118.

House concurrent resolution congratulating the Northfield Junior Rifle team on completing a memorable and successful 2022–2023 competitive season.

By Reps. Beck and others,

By Senator Kitchel,

H.C.R. 119.

House concurrent resolution congratulating the 2023 St. Johnsbury Academy Hilltoppers Science Olympiad team on its multi-medal-winning achievements.

By Reps. Masland and Holcombe,

By Senators MacDonald, Clarkson, McCormack and White,

H.C.R. 120.

House concurrent resolution congratulating Thetford Town Clerk and Treasurer Tracy Borst as the first Vermont and New England recipient of the International Institute of Municipal Clerks' Institute Directors Award of Excellence.

By Reps. Ode and others,

By Senators Baruth, Chittenden, Gulick, Lyons, Ram Hinsdale and Vyhovsky,

H.C.R. 121.

House concurrent resolution congratulating the 2023 Burlington High School Seahorses championship Vermont-NEA Scholars' Bowl team and wishing the students every success in their forthcoming national competitions.

By Reps. Brumsted and Lalley,

H.C.R. 122.

House concurrent resolution in memory of University of Vermont Professor Emeritus Samuel B. Feitelberg of Shelburne.

By Reps. Page and others,

By Senators Ingalls and Starr,

H.C.R. 123.

House concurrent resolution honoring William Boyd Davies for more than four decades of insightfully moderating the Northeast Kingdom Legislative Breakfast Series in Newport.

By Reps. Howard and others,

By Senators Collamore and Williams,

H.C.R. 124.

House concurrent resolution congratulating St. Peter Roman Catholic Church of Rutland on the 150th anniversary of the construction of its home.

By All Members of the House,
By Senators Kitchel and Ram Hinsdale,

H.C.R. 125.

House concurrent resolution recognizing May 2023 as Jewish American Heritage Month in Vermont.

By Reps. Christie and others,
By Senators Clarkson, McCormack and White,

H.C.R. 126.

House concurrent resolution in memory of clinical psychologist and social justice activist Dr. Ann Ellis Raynolds of Pomfret.

By All Members of the House,

H.C.R. 127.

House concurrent resolution recognizing May as Mental Health Awareness Month in Vermont.

Secretary Directed to Inform the House of Completion of Business

On motion of Senator Baruth, the Secretary was directed to inform the House that the Senate has completed the business of the session and is ready on its part to adjourn, pursuant to the provisions of J.R.S. 27.

Committee Appointed to Inform Governor of Completion of Business

On motion of Senator Baruth, the President appointed the following three Senators as members of a Committee to wait upon His Excellency, Philip B. Scott, the Governor, and inform him that the Senate has completed the business of the session and is ready on its part to adjourn, pursuant to the provisions of J.R.S. 27:

Senator Clarkson
Senator Brock
Senator Perchlik
Senator Vyhovsky

Report of Committee

The Committee appointed to wait upon His Excellency, the Governor, to inform him that the Senate had, on its part, completed the business of the session and was ready to adjourn, pursuant to the provisions of J.R.S. 27, performed the duties assigned to it and escorted the Governor to the rostrum.

Remarks of Governor

The Honorable Philip B. Scott, Governor of the State of Vermont, was escorted to the rostrum and briefly addressed the Senate.

Departure of Governor

The Governor, having completed the delivery of his message, was escorted from the Chamber by the Committee appointed by the Chair.

Final Adjournment

On motion of Senator Baruth, at eight o'clock and twenty-four minutes in the evening (8:24 P.M.), the Senate adjourned, pursuant to the provisions of J.R.S. 27.

Messages Received After Final Adjournment

After final adjournment, the following messages were received by the Secretary:

Message from the House No. 68

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

S. 138. An act relating to school safety.

And has concurred therein.

Message from the House No. 69

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 considered a bill originating in the Senate of the following title:

S. 80. An act relating to miscellaneous environmental conservation subjects.

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

Message from the House No. 70

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 on its part completed the business of the first half of the Biennial session and is ready to adjourn pursuant to the provisions of J.R.S. 27.

Message from the House No. 71

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 considered a bill originating in the Senate of the following title:

S. 103. An act relating to amending the prohibitions against discrimination.

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

The House has considered the report of the Committee of Conference upon the disagreeing votes of the two Houses on House bill of the following title:

H. 479. An act relating to the Transportation Program and miscellaneous changes to laws related to transportation.

And has adopted the same on its part.

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

H. 31. An act relating to aquatic nuisance control.

H. 62. An act relating to the interstate Counseling Compact.

H. 77. An act relating to Vermont's adoption of the Physical Therapy Licensure Compact.

H. 86. An act relating to Vermont's adoption of the Audiology and Speech-Language Pathology Interstate Compact.

H. 125. An act relating to boards and commissions.

H. 291. An act relating to the creation of the Cybersecurity Advisory Council.

H. 461. An act relating to making miscellaneous changes in education laws.

H. 476. An act relating to miscellaneous changes to law enforcement officer training laws.

H. 488. An act relating to approval of the adoption of the charter of the Town of Ludlow.

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

And has severally concurred therein.

The House has considered the Governor's veto on Senate bill of the following title:

S. 5. An act relating to affordably meeting the mandated greenhouse gas reductions for the thermal sector through efficiency, weatherization measures, electrification, and decarbonization.

And has passed the same, the refusal of the Governor to approve notwithstanding.

Message from the House No. 72

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 considered joint resolution originating in the Senate of the following title:

J.R.S. 27. Joint resolution relating to adjournment.

And has adopted the same in concurrence.

The House has considered the report of the Committee of Conference upon the disagreeing votes of the two Houses on House bill of the following title:

H. 494. An act relating to making appropriations for the support of government.

And has adopted the same on its part.

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

H. 67. An act relating to household products containing hazardous substances.

H. 126. An act relating to community resilience and biodiversity protection.

H. 227. An act relating to the Vermont Uniform Power of Attorney Act.

H. 270. An act relating to miscellaneous amendments to the adult-use and medical cannabis programs.

H. 471. An act relating to technical and administrative changes to Vermont's tax laws.

H. 472. An act relating to miscellaneous agricultural subjects.

H. 480. An act relating to property valuation and reappraisals.

H. 517. An act relating to approval of the dissolution of Duxbury-Moretown Fire District No. 1.

And has severally concurred therein.

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

H.C.R. 115. House concurrent resolution congratulating the University of Vermont Catamounts women's basketball team on winning the 2023 America East Conference championship.

H.C.R. 116. House concurrent resolution honoring the youth division snowboarders and skiers who represented Vermont with distinction at the 2023 United States of America Snowboard and Freeski Association National Championships.

H.C.R. 117. House concurrent resolution congratulating the University of Vermont Catamounts men's basketball team on winning the 2023 America East Conference championship.

H.C.R. 118. House concurrent resolution congratulating the Northfield Junior Rifle team on completing a memorable and successful 2022–2023 competitive season.

H.C.R. 119. House concurrent resolution congratulating the 2023 St. Johnsbury Academy Hilltoppers Science Olympiad team on its multi-medal-winning achievements.

H.C.R. 120. House concurrent resolution congratulating Thetford Town Clerk and Treasurer Tracy Borst as the first Vermont and New England recipient of the International Institute of Municipal Clerks' Institute Directors Award of Excellence.

H.C.R. 121. House concurrent resolution congratulating the 2023 Burlington High School Seahorses championship Vermont-NEA Scholars' Bowl team and wishing the students every success in their forthcoming

national competitions.

H.C.R. 122. House concurrent resolution in memory of University of Vermont Professor Emeritus Samuel B. Feitelberg of Shelburne.

H.C.R. 123. House concurrent resolution honoring William Boyd Davies for more than four decades of insightfully moderating the Northeast Kingdom Legislative Breakfast Series in Newport.

H.C.R. 124. House concurrent resolution congratulating St. Peter Roman Catholic Church of Rutland on the 150th anniversary of the construction of its home.

H.C.R. 125. House concurrent resolution recognizing May 2023 as Jewish American Heritage Month in Vermont.

H.C.R. 126. House concurrent resolution in memory of clinical psychologist and social justice activist Dr. Ann Ellis Raynolds of Pomfret.

H.C.R. 127. House concurrent resolution recognizing May as Mental Health Awareness Month in Vermont.

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

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

S.C.R. 6. Senate concurrent resolution honoring Vanessa Davison for her extraordinary dedication as a staff member of the General Assembly.

S.C.R. 7. Senate concurrent resolution honoring Stephanie Barrett for more than a quarter-century of public service excellence as a member of the Joint Fiscal Office staff.

And has adopted the same in concurrence.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the 30th day of May, 2023 he approved and signed bills originating in the Senate of the following titles:

S. 4. An act relating to reducing crimes of violence associated with juveniles and dangerous weapons.

S. 36. An act relating to crimes against health care workers at hospitals and against emergency medical treatment providers.

S. 47. An act relating to the transport of individuals requiring psychiatric care.

S. 73. An act relating to workers' compensation coverage for firefighters with cancer.

S. 89. An act relating to establishing a forensic facility.

S. 91. An act relating to competency to stand trial and insanity as a defense.

S. 138. An act relating to school safety.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the 31st day of May, 2023 he approved and signed bills originating in the Senate of the following titles:

S. 17. An act relating to sheriff reforms.

S. 48. An act relating to regulating the sale of catalytic converters.

S. 95. An act relating to banking and insurance.

S. 112. An act relating to miscellaneous subjects related to the Public Utility Commission.

Message from the Governor

A message was received from His Excellency, the Governor, by Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the 31st day of May, 2023 he returned without signature and *vetoed* a bill originating in the Senate of the following title:

S. 39. An act relating to compensation and benefits for members of the Vermont General Assembly.

Text of Communication from Governor

The text of the communication to the Senate from His Excellency, the Governor, whereby he vetoed and returned unsigned **Senate Bill No. 39** to the Senate is as follows:

“May 31, 2023

The Honorable John Bloomer, Jr.
Secretary of the Senate
115 State House
Montpelier, VT 05633-5401

Dear Mr. Bloomer:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I'm returning S.39, *An act relating to compensation and benefits for members of the Vermont General Assembly*, without my signature because of my objections described herein.

This year, the General Assembly passed several pieces of legislation that will significantly increase costs for Vermonters through new and higher taxes, fees and penalties. In my opinion, it does not seem fair for legislators to insulate themselves from the very costs they are imposing on their constituents by doubling their own future pay.

Sincerely,

Philip B. Scott
Governor

PBS/kp”

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the 1st day of June, 2023 he approved and signed bills originating in the Senate of the following titles:

- S. 14.** An act relating to a report on criminal justice-related investments and trends.
- S. 99.** An act relating to miscellaneous changes to laws related to vehicles.
- S. 115.** An act relating to miscellaneous agricultural subjects.
- S. 135.** An act relating to the establishment of VT Saves.
- S. 137.** An act relating to energy efficiency modernization.

Message from the Governor

A message was received from His Excellency, the Governor, by Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the 1st day of June, 2023, he returned without signature and *vetoed* a bill originating in the Senate of the following title:

S. 6. An act relating to law enforcement interrogation policies.

Text of Communication from Governor

The text of the communication to the Senate from His Excellency, the Governor, whereby he vetoed and returned unsigned **Senate Bill No. 6** to the Senate is as follows:

“June 1, 2023

The Honorable John Bloomer
Secretary of the Senate
115 State Street
Montpelier, VT 05633

Dear Secretary Bloomer:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I’m returning S.6, *An Act Relating to Law Enforcement Interrogation Policies* without my signature because of my objections described below.

This bill started out as a reasonable approach to expand existing constitutional protections prohibiting deceptive and coercive interrogations for juvenile offenders under the age of 18. As passed, this bill would make Vermont an outlier by offering these expanded protections to young adult offenders up to the age of 22, despite Vermont’s already robust constitutional protections. There was uniform testimony in opposition to this bill from the entities charged with promoting public safety, including crime victim services and child advocacy centers, that this bill will remove tools from law enforcement used to investigate very serious, violent crimes at a time when our communities are not feeling safe and are asking us to do more.

This bill would make it more difficult to investigate and prosecute young adult perpetrators involved in serious crimes, such as narcotics trafficking, sex offenses, including sexual assaults that happen on college campuses and child sex abuse cases, and internet crimes against children.

For this reason, I'm returning this legislation without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,
/s/Philip B. Scott
Governor

PBS/kp”

Message from the House No. 73

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 Governor has informed the House that on May 15, 2023, he approved and signed bills originating in the House of the following titles:

H. 150. An act relating to approval of an amendment to the charter of the Village of Alburgh.

H. 178. An act relating to commissioning Department of Corrections personnel as notaries public.

H. 288. An act relating to liability for the sale of alcoholic beverages.

The Governor has informed the House that on May 25, 2023, he approved and signed bills originating in the House of the following titles:

H. 53. An act relating to driver's license suspensions and revenue for the Domestic and Sexual Violence Special Fund.

H. 110. An act relating to extending the sunset under 30 V.S.A. § 248a.

H. 161. An act relating to issuance of burning permits.

H. 222. An act relating to reducing overdoses.

H. 495. An act relating to the approval of the amendment to the charter of the Town of Middlebury.

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.

The Governor has informed the House that on June 1, 2023, he approved and signed bills originating in the House of the following titles:

H. 62. An act relating to the interstate Counseling Compact.

H. 77. An act relating to Vermont's adoption of the Physical Therapy Licensure Compact.

H. 86. An act relating to Vermont's adoption of the Audiology and Speech-Language Pathology Interstate Compact.

H. 282. An act relating to the Psychology Interjurisdictional Compact.

H. 473. An act relating to radiologist assistants.

H. 517. An act relating to approval of the dissolution of Duxbury-Moretown Fire District No. 1 and to deputy State's Attorneys.

The Governor has informed the House that on May 27, 2023, he did not approve and allowed to become law without his signature a bill originating in the House of the following title:

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

Text of Communication from the Governor

The text of the communication to the House from His Excellency, the Governor, setting for his reasons for refusing to sign and *allowing to become law without his signature*, **House Bill No. 508**, as follows:

“May 27, 2023

Vermont General Assembly
115 State Street
Montpelier, VT 05633

Re: H.508, AN ACT RELATING TO APPROVAL OF AN AMENDMENT
TO THE RANKED CHOICE VOTING PROVISIONS OF THE
CHARTER OF THE CITY OF BURLINGTON

Dear Legislators:

Today, I am letting H.508, *An Act Relating to Approval of an Amendment to the Ranked Choice Voting Provisions of the Charter of the City of Burlington*, become law without my signature.

As I wrote last year when Burlington amended its charter to institute ranked choice voting for City Councilors, I am allowing this bill to move forward because its scope is limited to the method of elections of the Burlington Mayor, school commissioners and ward election officers. As we know, ranked choice voting went terribly wrong over a decade ago, resulting in Burlington abandoning the practice. Nevertheless, it appears the politics have changed in the City, for now, in favor of ranked choice voting.

To be clear, I remain opposed to a statewide system of ranked choice voting. I believe one person should get one vote, and candidates who get the most votes should win elections.

Sincerely,

/s/Philip B. Scott
Governor

PBS/kp”

The Governor has informed the House that on June 1, 2023, he did not approve and allowed to become law without his signature a bill originating in the House of the following title:

H. 230 An act relating to implementing mechanisms to reduce suicide and community violence.

Text of Communication from the Governor

The text of the communication to the House from His Excellency, the Governor, setting for his reasons for refusing to sign and *allowing to become law without his signature*, **House Bill No. 230**, as follows:

“June 1, 2023

Vermont General Assembly
115 State Street
Montpelier, VT 05633

Re: H.230, AN ACT RELATING TO IMPLEMENTING MECHANISMS
TO REDUCE SUICIDE AND COMMUNITY VIOLENCE

Dear Legislators:

Today I’m allowing H.230, *An act relating to implementing mechanisms to reduce suicide and community violence*, to become law without my signature.

This bill has come a long way. It started as something I could not support, but after a lot of time and effort from various parties, it ended in a better place, where I support two out of the three major provisions.

First, I believe the expansion of who can petition the court for an extreme risk protection order will prove to be helpful in keeping guns out of the hands of those who are at risk of doing harm to themselves or others.

Second, the provision relating to ‘safe storage’ creates a more palatable and effective approach to ensure guns are not readily accessible to those who shouldn’t have them.

Unfortunately, the third component, including the 72-hour waiting period is, in my opinion, problematic.

Given the relatively new legal landscape we find ourselves in following recent U.S. Supreme Court decisions, I have significant concerns about the provision's constitutionality. My struggle with the overall bill lies in the fact that I, and all legislators, took an oath to 'not do any act or thing injurious to the constitution.'

However, this matter is currently being taken up through constitutional legal tests across the country and will be decided in Federal Court. I would also not be surprised to see a Vermont entity challenge the constitutionality of this provision of the bill, as well.

With this in mind, knowing that my constitutional concerns will be addressed through the legal process, I will allow H.230 to become law without my signature, and await the judicial branch to decide the fate of waiting periods.

Sincerely,

/s/Philip B. Scott
Governor

PBS/kp”

The Governor has informed the House that on May 27, 2023, he returned without signature and *vetoed* a bill originating in the House of the following title:

H. 494. An act relating to making appropriations for the support of government.

Text of Communication from the Governor

The text of the communication to the House from His Excellency, the Governor, whereby he *vetoed* and returned unsigned **House Bill No. 494** to the House as follows:

“May 27, 2023

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

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I'm returning H.494— *An act relating to making appropriations for the support of government*, without my signature because of my objections described herein:

In my address to the Legislature in January, I reported that with organic revenue growth we could achieve our shared goals. My budget leveraged a historic \$390 million in surplus revenue to fund our shared priorities like childcare, voluntary paid family and medical leave, housing, climate change mitigation, and more – all without raising taxes or fees.

This approach is critical because Vermonters have made it clear that living in our state is not affordable; and the data backs that up as we are ranked as having one of the highest tax burdens in the nation. Adding to this pressure, Vermonters continue to pay more for everyday essentials due to persistent inflation.

With all of this in mind, we cannot and should not ask Vermonters to shoulder the burden of new and higher taxes, fees, and penalties.

And yet, across this budget and other bills, the Legislature's tax, fee and spending decisions this session may add an average of nearly \$1,200 to a household's burden each year – on top of higher property tax bills and inflation, which have already consumed the increase in most people's paychecks.

Specifically, this budget unnecessarily increases DMV fees by 20 percent and is reliant on a new and regressive, payroll tax in H.217. The DMV fee increase will once again place Vermont in the unenviable position of being the most expensive state in the northeast to maintain a driver's license and register a vehicle. The combination of this with so many other increases will hurt everyday Vermonters now and into the future.

I'm also concerned the substantial increase in ongoing base spending, that Vermonters must bear into the future, is not sustainable. This increase – more than twice the rate of current inflation – is especially concerning because it does not include the full cost of the new programs created this year that rely on new tax revenue or will otherwise add to Vermonters' costs, including the childcare expansion, universal school meals, the clean heat standard and more.

Here's the bottom line: I cannot support a budget that relies on new and regressive taxes and fees, combined with the overall increase in base spending that is far beyond our ability to sustain, especially because there is a way to achieve our shared policy goals without them. The risk to Vermonters is too great.

Vermonters have elected and reelected me, in part, to provide balance and fiscal responsibility in Montpelier and I will follow through on that mandate. I strongly urge the Legislature to work with me on a path forward that accomplishes our shared goals.

Sincerely,

/s/Philip B. Scott
Governor

PBS/kp”

The Governor has informed the House that on May 27, 2023, he returned without signature and *vetoed* a bill originating in the House of the following title:

H. 386. An act relating to approval of amendments to the charter of the Town of Brattleboro.

Text of Communication from the Governor

The text of the communication to the House from His Excellency, the Governor, whereby he *vetoed* and returned unsigned **House Bill No. 386** to the House as follows:

“May 27, 2023

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

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I’m returning H.386, *An Act Relating to Approval of Amendments to the Charter of the Town of Brattleboro* without my signature because of my objections described below.

This bill is almost identical in language and purpose to a bill passed last year, H.361, *An Act Relating to Approval of Amendments to the Charter of the Town of Brattleboro*, which I vetoed in 2022 (see attached veto message). As I said last year, I believe it is important to encourage young Vermonters to have an interest in issues affecting their schools, their communities, their state and their country. However, I do not support lowering the voting age in Brattleboro, nor lowering the age to run for Town office and sign contracts on behalf of taxpayers.

As I specified last year, “given how inconsistent Vermont law already is on the age of adulthood, this proposal will only worsen the problem. For example, the Legislature has repeatedly raised the age of accountability to reduce the consequences when young adults commit criminal offenses. They have argued this approach is justified because these offenders are not mature enough to contemplate the full range of risks and impacts of their actions.”

Adding to that inconsistency, just one month ago the Legislature passed, and I signed, H.148, *An act relating to the age of eligibility to marry*, or, “The Act to Ban Child Marriage,” which raised the age of eligibility to marry to age 18. Proponents rightly argued, “all young people in Vermont deserve equal opportunities to enjoy their childhood...”, they also pointed to undo influence by controlling parents.

Additionally, proponents of this bill have argued it represents the will of the voters. In fact, this is not the case. With H.386 the Legislature substantially changed and expanded the charter change, going against the intent of the voters (see attached Brattleboro sample ballot).

For all these reasons, I’m returning this legislation without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,

/s/Philip B. Scott
Governor

PBS/kp”

The Governor has informed the House that on May 27, 2023, he returned without signature and *vetoed* a bill originating in the House of the following title:

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

Text of Communication from the Governor

The text of the communication to the House from His Excellency, the Governor, whereby he *vetoed* and returned unsigned **House Bill No. 509** to the House as follows:

“May 27, 2023

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

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I am returning H.509, *An act relating to approval of amendments to the voter qualification provisions of the charter of the City of Burlington*, without my signature.

As I wrote when returning similar bills without signature in 2021, this highly variable town-by-town approach to municipal election policy creates separate and unequal classes of legal residents potentially eligible to vote on local voting issues. I am well aware of the recent Vermont Supreme Court decision, as well as a historic Vermont Supreme Court decision on the issue of constitutionality. I also have no objection to the policy direction. I am happy to see legal residents who are non-citizens calling Vermont home and participating in the issues affecting their communities.

However, the fundamentals of voting should be universal and implemented statewide. I again urge the Legislature to establish clarity and consistency on this matter with a template or uniform standards, before continuing to allow municipalities to move forward with changes to resident voter eligibility in their cities and towns. Returning this bill provides the opportunity to do this important work.

For these reasons, I am returning this legislation without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,

/s/Philip B. Scott

Governor

PBS/kp”

The Governor has informed the House that on June 1, 2023, he returned without signature and vetoed a bill originating in the House of the following title:

H. 305. An act relating to professions and occupations regulated by the Office of Professional Regulation.

Text of Communication from the Governor

The text of the communication to the House from His Excellency, the Governor, whereby he *vetoed* and returned unsigned **House Bill No. 305** to the House as follows:

“June 1, 2023

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

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I’m returning H.305, *An act relating to professions and occupations regulated by the Office*

of Professional Regulation, without my signature because of my objections described herein:

I've successfully partnered with the Secretary of State's Office of Professional Regulation on several occasions since taking office to remove employment barriers for licensed professionals, and to create civilian licensure pathways for military professionals. However, I'm concerned about the impact of raising licensing fees on workers we're trying to attract to these critical sectors and adding to the affordability challenges Vermont employees and employers already face.

While these fee increases may look modest, they contribute to the high cumulative impact of new costs being levied on Vermonters this session. I will continue to fight against creating new and higher taxes and fees during a time when Vermonters are grappling with persistent inflation, and when we have record surpluses available to assist us.

For all these reasons, I'm returning this legislation without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,

/s/Philip B. Scott
Governor

PBS/kp”

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the 5th day of June, 2023 he approved and signed bills originating in the Senate of the following titles:

S. 33. An act relating to miscellaneous judiciary procedures.

S. 100. An act relating to housing opportunities made for everyone.

Message from the House No. 74

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 Governor has informed the House that on June 6, 2023, he approved and signed bills originating in the House of the following titles:

H. 45. An act relating to abusive litigation filed against survivors of domestic abuse, stalking, or sexual assault.

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

H. 102. An act relating to the Art in State Buildings Program.

H. 206. An act relating to miscellaneous changes affecting the duties of the Department of Vermont Health Access.

H. 492. An act relating to setting the homestead property tax yields and the nonhomestead property tax rate.

The Governor has informed the House that on June 6, 2023, he returned without signature and vetoed a bill originating in the House of the following title:

H. 217. An act relating to child care, early education, workers' compensation, and unemployment insurance.

Text of Communication from Governor

The text of the communication to the Senate from His Excellency, the Governor, whereby he *vetoed* and returned unsigned **Senate Bill No. 217** to the Senate is as follows:

“June 6, 2023

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

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I'm returning H.217, *An act relating to childcare, early education, workers' compensation, and unemployment insurance*, without my signature because of my objections described herein:

Increasing the availability and affordability of childcare has been a priority throughout my time as Governor. In fact, in my first six years in office we doubled our investments in childcare and these appropriations would be substantially higher had previous legislatures supported fully funding my proposals.

I also put forward a plan in 2018 to dedicate tens of millions of dollars in new online sales tax revenue to childcare. If the Legislature had supported this

proposal, we would be investing an additional \$62 million this year alone, and much more in future years. And last year we expanded childcare subsidies to 350% of the federal poverty level. To put that in perspective, a four-member household (e.g., two adults and two children) earning \$105,000 per year is currently eligible for subsidies.

Knowing the Legislature and I both wanted to “go big” on childcare this year, I dedicated \$56 million in organic, ongoing base revenue growth to expand eligibility to families making up to 400% of the Federal Poverty Level (FPL). This would put Vermont at the top of the list of the most generous childcare states in the nation, giving households earning up to \$120,000 per year access to support, and helping about 4,000 more kids.

When the Senate and House were at stalemate in May, my team offered legislative leaders another path, expanding subsidies even higher (to 450% of the Federal Poverty Level) and funding a 10 percent increase in provider rates, without relying on new and regressive taxes.

In total this compromise would have covered 6,000 more kids than our existing investment, helping families making up to \$135,000 a year, and definitively establishing Vermont as the state most committed to affordable, accessible childcare for working families.

Unfortunately, there was no interest. Instead, the Legislature remained determined to raise a new tax. Ultimately landing on a regressive payroll tax that, if you are a lower income Vermonter already receiving free childcare, you will have to pay a tax, with no added benefit to you, so that families with higher incomes get support.

Vermont already has one of the highest tax burdens in the nation. The last thing we should be doing is making it worse. Raising new revenue from taxes and fees should be a last resort, not a first step.

Supporters of raising taxes and fees will always point to the relatively small amount raised for each individual program or service – trying to suggest it is not that much money. But that type of narrow here-and-there thinking adds up, year after year, and has made living in Vermont increasingly unaffordable.

For these reasons, I had to veto this regressive tax plan.

Sincerely,

/s/Philip B. Scott
Governor

PBS/kp”

The Governor has informed the House that on June 8, 2023, he approved and signed bills originating in the House of the following titles:

H. 125. An act relating to boards and commissions.

H. 157. An act relating to the Vermont basic needs budget.

H. 452. An act relating to expanding apprenticeship and other workforce opportunities.

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

H. 488. An act relating to approval of the adoption of the charter of the Town of Ludlow.

H. 489. An act relating to approval of an amendment to the charter of the Town of Shelburne.

H. 504. An act relating to approval of amendments to the charter of the Town of Berlin.

H. 505. An act relating to approval of an amendment to the charter of the City of Rutland.

Committees Appointed After Final Adjournment

Appointment of Senate Members to Cannabis Control Board Nominating Committee

Pursuant to the provisions of 7 V.S.A. § 842 (2)(b)(3), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Cannabis Control Board Nominating Committee during this biennium:

Senator Ram Hinsdale

Senator Vyhovsky

Appointment of Senate Members to Health Reform Oversight Committee

Pursuant to the provisions of 2 V.S.A. § 691, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Health Reform Oversight Committee:

Senator Kitchel

Senator Cummings

Senator Lyons

Senator Westman

Appointment of Senate Members to Committee to Oversee Planning and Design of the State House

Pursuant to the provisions of Act No. 43, § 28(b) (Acts of 2005), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Committee to Oversee Planning and Design of the State House:

Senator Ingalls
Senator Harrison

Appointment of Senate Members to Commission on Alzheimer's Disease and Related Disorders

Pursuant to the provisions of 3 V.S.A. § 3085b(b), the President announced the appointment by the President of the following Senator to serve on the Commission on Alzheimer's Disease and Related Disorders during this biennium:

Senator Brock

Appointment of Senate Member to Art in State Buildings Advisory Committee

Pursuant to the provisions of 29 V.S.A. § 47, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Art in State Buildings Advisory Committee during this biennium:

Senator Ingalls, *ex officio*

Appointment of Senate Member to the Access Board

Pursuant to the provisions of 20 V.S.A. § 2901, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Access Board for a term of two years:

Senator Ingalls, *ex officio*

Appointment of Senate Member to the Barre Granite and Ethnic Culture Museum Steering Committee

Pursuant to the provisions of Act. No. 233 § 6 (a)(7) (Acts of 1993) (Adj. Session), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Barre Granite and Ethnic Culture Museum Steering Committee during this biennium:

Senator Ingalls
Senator Perchlik
Senator Cummings
Senator Watson

**Appointment of Senate Member to Human Services and Educational
Facilities Grant Advisory Committee**

Pursuant to the provisions of 24 V.S.A. § 5606(b), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Human Services and Educational Facilities Grant Advisory Committee:

Senator Harrison

**Appointment of Senate Members to the Legislative Advisory Committee
on the State House**

Pursuant to the provisions of 2 V.S.A. § 651(b)(2), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Legislative Advisory Committee on the State House for terms of two years:

Senator Clarkson
Senator Hardy
Senator Perchlik

**Appointment of Senate Members to the Vermont Citizens Advisory
Committee on Lake Champlain's Future**

Pursuant to the provisions of 10 V.S.A. §1960, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Committee on Lake Champlain's Future for the current biennium:

Senator Brock
Senator Gulick

Commission on International Trade and State Sovereignty

Pursuant to the provisions of 3 V.S.A. §23(b)(2), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Commission on International Trade and State Sovereignty for a term of two years:

Senator Ram Hinsdale, *ex officio*

**Appointment of Senate Members to the Joint Information Technology
Oversight Committee**

Pursuant to the provisions of 2 V.S.A. § 614(b)(2), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Information Technology Oversight Committee during this biennium:

Senator Brock

Senator Chittenden
Senator Wrenner

Appointment of Senate Members to Advisory Council on Child Poverty and Strengthening Families

Pursuant to the provisions of Act No. 207. § 1(b)(1)(A) (Acts of 2017)(Adj. Session), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Advisory Council on Child Poverty and Strengthening Families during this biennium:

Senator Lyons
Senator Westman
Senator Gulick

Building Energy Code Study Committee

Pursuant to the provisions of Act No. 47. § 23(b) (2023 Session), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Building Energy Code Study Committee during this biennium:

Senator Bray

Renewable Energy Standard Working Group

Pursuant to the provisions of Act No. 33. § 10a(b)(1) (2023 Session), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Renewable Energy Standard Working Group during this biennium:

Senator Bray
Senator Watson

Mobile Home Task Force

Pursuant to the provisions of Act No. 47. § 32(b)(2) (2023 Session), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Mobile Home Task Force during this biennium:

Senator Harrison

Working Group on Policies Pertaining to Individuals with Intellectual Disabilities Who Are Criminal-Justice Involved

Pursuant to the provisions of Act No. 27. § 6(b)(1)(M) (2023 Session), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Working Group on

Policies Pertaining to Individuals with Intellectual Disabilities Who Are
Criminal-Justice Involved during this biennium:

Senator Sears
Senator Lyons