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BetsyAnn Wrask, Clerk of the House and Rebecca Silbernagel, Journal Clerk**

Monday, May 2, 2022

At twelve o'clock and thirty minutes in the afternoon, Rep. Hooper of Montpelier called the House to order.

Message from the Senate No. 59

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 553. An act relating to eligibility of domestic partners for reimbursement from the Victims Compensation Program.

H. 661. An act relating to licensure of mental health professionals.

H. 715. An act relating to the Clean Heat Standard.

H. 720. An act relating to the system of care for individuals with developmental disabilities.

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

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

H. 447. An act relating to approval of amendments to the charter of the Town of Springfield.

And has concurred therein.

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

H. 287. An act relating to patient financial assistance policies and medical debt protection.

And has passed the same in concurrence.

Message from the Senate No. 60

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 517. An act relating to the Vermont National Guard Tuition Benefit Program.

And has passed the same in concurrence with proposal of amendment in the

adoption of which the concurrence of the House is requested.

Pursuant to the request of the House for a Committee of Conference on the disagreeing votes of the two Houses on House bill entitled:

H. 510. An act relating to a Vermont Child Tax Credit and the Vermont Social Security income exclusion.

The President announced the appointment as members of such Committee on the part of the Senate:

Senator Cummings

Senator Pearson

Senator Westman

The Senate has on its part adopted Senate concurrent resolution of the following title:

S.C.R. 19. Senate concurrent resolution honoring Williamstown High School boys' basketball Head Coach Jack Carrier on his outstanding career.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

H.C.R. 150. House concurrent resolution designating April 2022 as Vermont Public Safety Telecommunicators Month.

H.C.R. 151. House concurrent resolution congratulating the Burlington High School Seahorses girls' Nordic skiing team on winning a second consecutive Division I championship.

H.C.R. 152. House concurrent resolution honoring the Vermont Thunder Ride on its 30th anniversary.

H.C.R. 153. House concurrent resolution celebrating the State Partnership Program recently established between the Vermont National Guard and Austria.

H.C.R. 154. House concurrent resolution honoring Waterville Selectboard Chair Donald W. Lynch Sr. for his outstanding municipal leadership.

H.C.R. 155. House concurrent resolution honoring Rita Markley for her superb leadership in the effort to eradicate homelessness in Vermont.

H.C.R. 156. House concurrent resolution recognizing National Foster Care Month in Vermont.

H.C.R. 157. House concurrent resolution honoring Vermont's correctional personnel and recognizing National Correctional Officers Week in Vermont.

H.C.R. 158. House concurrent resolution welcoming the 2022 International Workshop on Agritourism to Vermont.

H.C.R. 159. House concurrent resolution congratulating the 2022 West Rutland High School Golden Horde Division IV girls' basketball championship team.

H.C.R. 160. House concurrent resolution honoring the General Assembly's venerable head doorkeeper, Cornelius F. Reed Jr. of Wolcott.

Adjournment

Noting a lack of quorum, the House adjourned pursuant to House Rule 9.

Tuesday, May 3, 2022

At ten o'clock in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Pastor Leigh McCaffrey, Barre Congregational Church, Barre.

Pledge of Allegiance

Page Jacob Law of Essex led the House in the Pledge of Allegiance.

Message from the Senate No. 61

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Governor has informed the Senate that on May 2, 2022, he returned without signature and *vetoed* a bill originating in the Senate of the following title:

S. 286. An act relating to amending various public pension and other postemployment benefits.

Text of Communication from Governor

The text of the communication from His Excellency, the Governor, whereby he vetoed and returned unsigned **Senate Bill No. 286**, to the Senate is as follows:

“May 2, 2022

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 am returning S.286, *An act relating to amending various public pension and other postemployment benefits*, without my signature because of my objections described herein.

Since the day after this bill was introduced, before it was voted out of a single committee, in either chamber of the General Assembly, I have been clear it does not include enough structural change to solve the enormous unfunded liability problems the State faces. I offered balanced solutions, which were disregarded.

It is unfortunate this veto will likely be easily overridden, not for me, but for Vermont taxpayers and State employees who will bear the burden in the future. I will acknowledge, this bill takes some positive steps, and the easiest thing for me to do would be to sign it, assure the public we solved the problem, and move on.

But given the scope of this problem and the risk it poses to the financial health of our state, I cannot bring myself to do that. It would be disingenuous because I know we could have done better.

The fact is, in several years – despite adding a quarter of a billion dollars in *additional* money (on top of the roughly \$400 million for our regular, required payment) from taxpayers – the state will be faced with the same unsustainable system we have today.

I won't be governor when those chickens come home to roost, and many of you will not be serving in your current roles, either. But the Legislature's unwillingness to question the deal reached between a handful of union and legislative representatives will come back to haunt our state in the not-too-distant future.

And when it does, we won't have the unprecedented level of federal funds and state surplus dollars at our disposal, and the fix will be tougher on both taxpayers and public employees.

Sincerely,
/s/Philip B. Scott
Governor"

Bill Referred to Committee on Ways and Means

S. 181

Senate bill, entitled

An act relating to authorizing miscellaneous regulatory authority for municipal governments

Appearing on the Action Calendar, and pursuant to House Rule 35(a), affecting the revenue of the State or materially affecting the revenues of one or more municipalities, was referred to the Committee on Ways and Means.

Ceremonial Reading**H.C.R. 157**

House concurrent resolution honoring Vermont's correctional personnel and recognizing National Correctional Officers Week in Vermont

Offered by: Representatives Dolan of Essex, Anthony of Barre City, Arrison of Weathersfield, Black of Essex, Bluemle of Burlington, Bos-Lun of Westminster, Brownell of Pownal, Brumsted of Shelburne, Burditt of West Rutland, Campbell of St. Johnsbury, Coffey of Guilford, Emmons of Springfield, Gannon of Wilmington, Garofano of Essex, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Higley of Lowell, Houghton of Essex, Howard of Rutland City, Labor of Morgan, Laroche of Franklin, Lefebvre of Orange, Martel of Waterford, Masland of Thetford, McCoy of Poultney, Morgan, M. of Milton, Morrissey of Bennington, Murphy of Fairfax, Nicoll of Ludlow, Ode of Burlington, Page of Newport City, Scheu of Middlebury, Sims of Craftsbury, Squirrell of Underhill, Strong of Albany, Sullivan of Dorset, Taylor of Colchester, Toof of St. Albans Town, Walker of Swanton, White of Bethel, White of Hartford, Williams of Granby, Wood of Waterbury, and Yantachka of Charlotte

Having been adopted in concurrence on Friday, April 29, 2022 in accord with Joint Rule 16b, was read.

**Third Reading; Bill Passed in Concurrence With Proposal of
Amendment; Rules Suspended; Bill Messaged to Senate Forthwith**

S. 285

Senate bill, entitled

An act relating to health care reform initiatives, data collection, and access to home- and community-based services

Was taken up, read the third time, and passed in concurrence with proposal of amendment.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

Second Reading; Action on Bill Postponed

H. 742

House bill, entitled

An act relating to approval of amendments to the charter of the Town of Milton

Was taken up, read the second time, and pending the reading of the report of the Committee on Government Operations, on motion of **Rep. Higley of Lowell**, action on the bill was postponed until later in the day.

Second Reading; Bill Amended; Third Reading Ordered

H. 745

Rep. Lefebvre of Orange, for the Committee on Government Operations, to which had been referred House bill, entitled

An act relating to the approval of the adoption of the charter of the Town of Montgomery

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. CHARTER ADOPTION APPROVAL

The General Assembly approves the adoption of the charter of the Town of Montgomery as set forth in this act. The voters approved the adoption of the charter on March 1, 2022.

Sec. 2. 24 App. V.S.A. chapter 129B is added to read:

CHAPTER 129B. TOWN OF MONTGOMERY

§ 1. STATEMENT OF PURPOSE

Under the authority granted by the General Assembly of the State of Vermont, this charter establishes certain guidelines with respect to organization and functioning of local Town government in the Town of Montgomery.

§ 2. GENERAL LAW; APPLICATION

Except when changed by the provisions of this charter, all provisions of the statutes of the State of Vermont relating to municipalities shall apply to the Town of Montgomery.

§ 3. LOCAL OPTIONS TAX

(a) The Selectboard is authorized to impose a one percent sales tax, a one percent meals and alcoholic beverages tax, and a one percent rooms tax upon the sales within the Town that are subject to the State of Vermont tax on sales, meals, alcoholic beverages, and rooms.

(b) A tax imposed under the authority of this section may be rescinded and shall be collected and administered pursuant to 24 V.S.A. § 138, provided that the Town shall:

(1) receive on a quarterly basis not less than 70 percent of the tax collected, less the per-return fee; and

(2) pay not more than 70 percent of the per-return fee.

(c) The tax to be paid to the Town shall be set aside in the Sewer Reserve Fund to assist in the repayment of debt obligations related to the construction of a Municipal Wastewater System in Montgomery Center and Village.

§ 4. SEPARABILITY

If any provision of this charter is held invalid, the other provisions of the charter shall not be affected by that holding. If the application of the charter or any of its provisions to any person or circumstances is held invalid, the application of this charter and its provisions to other persons or circumstances shall not be affected by that holding.

§ 5. AMENDMENT

The amendment of this charter shall be as provided by law.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Ancel of Calais, for the Committee on Ways and Means, recommended that the bill ought to pass when amended as recommended by the Committee on Government Operations and when further amended as follows:

In Sec. 2, 24 App. V.S.A. chapter 163, in section 3, by adding a subsection (d) to read as follows:

(d) The taxes authorized by this section shall expire 90 days after the date that the Town has fully repaid the debt obligations related to the construction of the Municipal Wastewater System in Montgomery Center and Village.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Government Operations was amended as recommended by the Committee on Ways and Means. Report of the Committee on Government Operations, as amended, agreed to and third reading ordered.

Second Reading; Proposal of Amendment Agreed to; Third Reading Ordered

S. 148

Rep. Dolan of Waitsfield, for the Committee on Natural Resources, Fish, and Wildlife, to which had been referred Senate bill, entitled

An act relating to environmental justice in Vermont

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS

The General Assembly finds that:

(1) According to American Journal of Public Health studies published in 2014 and 2018 and affirmed by decades of research, Black, Indigenous, and Persons of Color (BIPOC) and individuals with low income are disproportionately exposed to environmental hazards and unsafe housing, facing higher levels of air and water pollution, mold, lead, and pests.

(2) The cumulative impacts of environmental harms disproportionately and adversely impact the health of BIPOC and communities with low income, with climate change functioning as a threat multiplier. These disproportionate adverse impacts are exacerbated by lack of access to affordable energy, healthy food, green spaces, and other environmental benefits.

(3) Since 1994, Executive Order 12898 has required federal agencies to make achieving environmental justice part of their mission by identifying and addressing disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and populations with low incomes in the United States.

(4) According to the Centers for Disease Control and Prevention, 30 percent of Vermont towns with high town household poverty have limited access to grocery stores. In addition, a study conducted at the University of Vermont showed that in Vermont, BIPOC individuals were twice as likely to have trouble affording fresh food and to go hungry in a month than white individuals.

(5) Inadequate transportation impedes job access, narrowing the scope of jobs available to individuals with low income and potentially impacting job performance.

(6) In 2020, the Center for American Progress found that 76 percent of BIPOC individuals in Vermont live in “nature deprived” census tracts with a higher proportion of natural areas lost to human activities than the Vermont median. In contrast, 27 percent of white individuals live in these areas.

(7) The U.S. Centers for Disease Control and Prevention states that systemic health and social inequities disproportionately increases the risk of racial and ethnic minority groups becoming infected by and dying from COVID-19.

(8) According to the Vermont Department of Health, inequities in access to and quality of health care, employment, and housing have contributed to disproportionately high rates of COVID-19 among BIPOC Vermonters.

(9) An analysis by University of Vermont researchers found that mobile homes are more likely than permanent structures to be located in a flood hazard area. During Tropical Storm Irene, mobile parks and over 561 mobile homes in Vermont were damaged or destroyed. Mobile homes make up 7.2 percent of all housing units in Vermont and were approximately 40 percent of sites affected by Tropical Storm Irene.

(10) A University of Vermont study reports that BIPOC individuals were seven times more likely to have gone without heat in the past year, over two times more likely to have trouble affording electricity, and seven times less likely to own a solar panel than white Vermonters.

(11) The U.S. Environmental Protection Agency recognized Vermont's deficiencies in addressing environmental justice concerns related to legacy mining and mobile home park habitability, providing grants for these projects in 1998 and 2005.

(12) Vermont State agencies receiving federal funds are subject to the antidiscrimination requirements of Title VI of the Civil Rights Act of 1964.

(13) In response to the documented inadequacy of state and federal environmental and land use laws to protect vulnerable communities, increasing numbers of states have adopted formal environmental justice laws and policies.

(14) At least 17 states have developed mapping tools to identify environmentally overburdened communities and environmental health disparities.

(15) The State of Vermont does not currently have a State-managed mapping tool that clearly identifies environmentally overburdened communities.

(16) The 1991 Principles of Environmental Justice adopted by The First National People of Color Environmental Leadership Summit demand the right of all individuals to participate as equal partners at every level of decision making, including needs assessment, planning, implementation, enforcement, and evaluation.

(17) Article VII of the Vermont Constitution establishes the government as a vehicle for the common benefit, protection, and security of Vermonters and not for the particular emolument or advantage of any single set of persons who are only a part of that community. This, coupled with Article I's guarantee of equal rights to enjoying life, liberty, and safety, and Article IV's

assurance of timely justice for all, encourages political officials to identify how particular communities may be unequally burdened or receive unequal protection under the law due to race, income, or geographic location.

(18) Lack of a clear environmental justice policy has resulted in a piecemeal approach to understanding and addressing environmental justice in Vermont and creates a barrier to establishing clear definitions, metrics, and strategies to ensure meaningful engagement and more equitable distribution of environmental benefits and burdens.

(19) It is the State of Vermont's responsibility to pursue environmental justice for its residents and to ensure that its agencies do not contribute to unfair distribution of environmental benefits to or environmental burdens on low-income, limited-English proficient, and BIPOC communities.

Sec. 2. 3 V.S.A. chapter 72 is added to read:

HA R 2. V R M A J S

§ 6001. PURPOSE

The purpose of this chapter is to identify, reduce, and eliminate environmental health disparities to improve the health and well-being of all Vermont residents.

§ 6002. DEFINITIONS

As used in this chapter:

(1) "Environmental benefits" means the assets and services that enhance the capability of communities and individuals to function and flourish in society. Examples of environmental benefits include access to a healthy environment and clean natural resources, including air, water, land, green spaces, constructed playgrounds, and other outdoor recreational facilities and venues; affordable clean renewable energy sources; public transportation; fulfilling and dignified green jobs; healthy homes and buildings; health care; nutritious food; Indigenous food and cultural resources; environmental enforcement; and training and funding disbursed or administered by governmental agencies.

(2) "Environmental burdens" means any significant impact to clean air, water, and land, including any destruction, damage, or impairment of natural resources resulting from intentional or reasonably foreseeable causes. Examples of environmental burdens include climate change impacts; air and water pollution; improper sewage disposal; improper handling of solid wastes and other noxious substances; excessive noise; activities that limit access to green spaces, nutritious food, Indigenous food or cultural resources, or constructed outdoor playgrounds and other recreational facilities and venues;

inadequate remediation of pollution; reduction of groundwater levels; increased flooding or stormwater flows; home and building health hazards, including lead paint, lead plumbing, asbestos, and mold; and damage to inland waterways and waterbodies, wetlands, forests, green spaces, or constructed playgrounds or other outdoor recreational facilities and venues from private, industrial, commercial, and government operations or other activities that contaminate or alter the quality of the environment and pose a risk to public health.

(3) “Environmental justice” means all individuals are afforded equitable access to and distribution of environmental benefits; equitable distribution of environmental burdens; and fair and equitable treatment and meaningful participation in decision-making processes, including the development, implementation, and enforcement of environmental laws, regulations, and policies. Environmental justice recognizes the particular needs of individuals of every race, color, income, class, ability status, gender identity, sexual orientation, national origin, ethnicity or ancestry, religious belief, or English language proficiency level. Environmental justice redresses structural and institutional racism, colonialism, and other systems of oppression that result in the marginalization, degradation, disinvestment, and neglect of Black, Indigenous, and Persons of Color. Environmental justice requires providing a proportional amount of resources for community revitalization, ecological restoration, resilience planning, and a just recovery to communities most affected by environmental burdens and natural disasters.

(4) “Environmental justice focus population” means any census block group in which:

(A) the annual median household income is not more than 80 percent of the State median household income;

(B) Persons of Color and Indigenous Peoples comprise at least six percent or more of the population; or

(C) at least one percent or more of households have limited English proficiency.

(5) “Limited English proficiency” means that a household does not have a member 14 years or older who speaks English “very well” as defined by the U.S. Census Bureau.

(6) “Meaningful participation” means that all individuals have the opportunity to participate in energy, climate change, and environmental decision making. Examples include needs assessments, planning, implementation, permitting, compliance and enforcement, and evaluation. Meaningful participation also integrates diverse knowledge systems, histories,

traditions, languages, and cultures of Indigenous communities in decision-making processes. It requires that communities are enabled and administratively assisted to participate fully through education and training. Meaningful participation requires the State to operate in a transparent manner with regard to opportunities for community input and also encourages the development of environmental, energy, and climate change stewardship.

§ 6003. ENVIRONMENTAL JUSTICE STATE POLICY

It is the policy of the State of Vermont that no segment of the population of the State should, because of its racial, cultural, or economic makeup, bear a disproportionate share of environmental burdens or be denied an equitable share of environmental benefits. It is further the policy of the State of Vermont to provide the opportunity for the meaningful participation of all individuals, with particular attention to environmental justice focus populations, in the development, implementation, or enforcement of any law, regulation, or policy.

§ 6004. IMPLEMENTATION OF STATE POLICY

(a) As used in this chapter, “covered agencies” means the following State agencies, departments, and bodies: the Agencies of Natural Resources, of Transportation, of Commerce and Community Development, of Agriculture, Food and Markets, and of Education; the Public Utility Commission; the Natural Resources Board; and the Departments of Health, of Public Safety, and of Public Service.

(b) The covered agencies shall consider cumulative environmental burdens, as defined by rule pursuant to subsection 6005(a) of this title, and access to environmental benefits when making decisions about the environment, energy, climate, and public health projects; facilities and infrastructure; and associated funding.

(c) Each of the covered agencies shall create and adopt on or before July 1, 2025 a community engagement plan that describes how the agency will engage with environmental justice focus populations as it evaluates new and existing activities and programs. Community engagement plans shall align with the core principles developed by the Interagency Environmental Justice Committee pursuant to subdivision 6006(c)(2)(B) of this title and take into consideration the recommendations of the Environmental Justice Advisory Council pursuant to subdivision 6006(c)(1)(B) of this title. Each plan shall describe how the agency plans to provide meaningful participation in compliance with Title VI of the Civil Rights Act of 1964.

(d) The covered agencies shall submit an annual summary beginning on January 15, 2024 and annually thereafter to the Environmental Justice

Advisory Council, detailing all complaints alleging environmental justice issues or Title VI violations and any agency action taken to resolve the complaints. The Advisory Council shall provide any recommendations concerning those reports within 60 days after receipt of the complaint summaries. Agencies shall consider the recommendations of the Advisory Council pursuant to subdivision 6006(c)(1)(E) of this title and substantively respond in writing if an agency chooses not to implement any of the recommendations, within 90 days after receipt of the recommendations.

(e) The Agency of Natural Resources, in consultation with the Environmental Justice Advisory Council and the Interagency Environmental Justice Committee, shall review the definitions contained in section 6002 of this title at least every five years and recommend revisions to the General Assembly to ensure the definition achieves the Environmental Justice State Policy.

(f) The Agency of Natural Resources, in consultation with the Interagency Environmental Justice Committee and the Environmental Justice Advisory Council, shall issue guidance on how the covered agencies shall determine which investments provide environmental benefits to environmental justice focus populations on or before September 15, 2023. A draft version of the guidance shall be released for a 40-day public comment period before being finalized.

(g)(1) On or before February 15, 2024, the covered agencies shall, in accordance with the guidance document developed by the Agency of Natural Resources pursuant to subsection (f) of this section, review the past three years and generate baseline spending reports that include:

(A) where investments were made, if any, and which geographic areas, at the municipal level and census block group, where practicable, received environmental benefits from those investments; and

(B) a description and quantification of the environmental benefits as an outcome of the investment.

(2) The covered agencies shall publicly post the baseline spending reports on their respective websites.

(h) On or before July 1, 2024, it shall be the goal of the covered agencies to direct investments proportionately in environmental justice focus populations.

(i)(1) Beginning on January 15, 2026, and annually thereafter, the covered agencies shall either integrate the following information into existing annual spending reports or issue annual spending reports that include:

(A) where investments were made and which geographic areas, at the municipal level and census block group, where practicable, received environmental benefits from those investments; and

(B) the percentage of overall environmental benefits from those investments provided to environmental justice focus populations.

(2) The covered agencies shall publicly post the annual spending reports on their respective websites.

(j) Beginning on January 15, 2025, the covered agencies shall each issue and publicly post an annual report summarizing all actions taken to incorporate environmental justice into its policies or determinations, rulemaking, permit proceedings, or project review.

§ 6005. RULEMAKING

(a) On or before July 1, 2025, the Agency of Natural Resources, in consultation with the Environmental Justice Advisory Council and the Interagency Environmental Justice Committee, shall adopt rules to:

(1) define cumulative environmental burdens;

(2) implement consideration of cumulative environmental burdens within the Agency of Natural Resources; and

(3) inform how the public and the covered agencies implement the consideration of cumulative environmental burdens and use the environmental justice mapping tool.

(b) On or before July 1, 2026 and as appropriate thereafter, the covered agencies, in consultation with the Environmental Justice Advisory Council, shall adopt or amend policies and procedures, plans, guidance, and rules, where applicable, to implement this chapter.

(c)(1) Prior to drafting new rules required by this chapter, agencies shall consult with the Environmental Justice Advisory Council to discuss the scope and proposed content of rules to be developed. Agencies shall also submit draft rulemaking concepts to the Advisory Council for review and comment. Any proposed rule and draft Administrative Procedure Act filing forms shall be provided to the Advisory Council not less than 45 days prior to submitting the proposed rule or rules to the Interagency Committee on Administrative Rules (ICAR).

(2) The Advisory Council shall vote and record individual members' support or objection to any proposed rule before it is submitted to ICAR. The Advisory Council shall submit the results of their vote to both ICAR and the Legislative Committee on Administrative Rules (LCAR).

§ 6006. ENVIRONMENTAL JUSTICE ADVISORY COUNCIL AND
INTERAGENCY ENVIRONMENTAL JUSTICE COMMITTEE

(a) Advisory Council and Interagency Committee.

(1) There is created:

(A) the Environmental Justice Advisory Council (Advisory Council) to provide independent advice and recommendations to State agencies and the General Assembly on matters relating to environmental justice, including the integration of environmental justice principles into State programs, policies, regulations, legislation, and activities; and

(B) the Interagency Environmental Justice Committee (Interagency Committee) to guide and coordinate State agency implementation of the Environmental Justice State Policy and provide recommendations to the General Assembly for amending the definitions and protections set forth in this chapter.

(2) Appointments to the groups created in this subsection shall be made on or before December 15, 2022.

(3) Both the Advisory Council and the Interagency Committee shall consider and incorporate the Guiding Principles for a Just Transition developed by the Just Transitions Subcommittee of the Vermont Climate Council in their work.

(b) Meetings. The Advisory Council and Interagency Committee shall each meet not more than nine times per year, with at least four meetings occurring jointly. Meetings may be held in person, remotely, or in a hybrid format to facilitate maximum participation and shall be recorded and publicly posted on the Secretary's website

(c) Duties.

(1) The Advisory Council shall:

(A) advise State agencies on environmental justice issues and on how to incorporate environmental justice into agency procedures and decision making as required under subsection 6004(b) of this title and evaluate the potential for environmental burdens or disproportionate impacts on environmental justice focus populations as a result of State actions and the potential for environmental benefits to environmental justice focus populations;

(B) advise State agencies in the development of community engagement plans;

(C) advise State agencies on the use of the environmental justice mapping tool established pursuant to section 6008 of this title and on the enhancement of meaningful participation, reduction of environmental burdens, and equitable distribution of environmental benefits;

(D) review and provide feedback to the relevant State agency, pursuant to subsection 6005(c) of this title, on any proposed rules for implementing this chapter; and

(E) receive and review annual State agency summaries of complaints alleging environmental justice issues, including Title VI complaints, and suggest options or alternatives to State agencies for the resolution of systemic issues raised in or by the complaints.

(2) The Interagency Committee shall:

(A) consult with the Agency of Natural Resources in the development of the guidance document required by subsection 6004(g) of this title on how to determine which investments provide environmental benefits to environmental justice focus populations; and

(B) on or before July 1, 2023, develop, in consultation with the Agency of Natural Resources and the Environmental Justice Advisory Council, a set of core principles to guide and coordinate the development of the State agency community engagement plans required under subsection 6004(d) of this title.

(3) The Advisory Council and the Interagency Committee shall jointly:

(A) consider and recommend to the General Assembly, on or before December 1, 2023, amendments to the terminology, thresholds, and criteria of the definition of environmental justice focus populations, including whether to include populations more likely to be at higher risk for poor health outcomes in response to environmental burdens; and

(B) examine existing data and studies on environmental justice and consult with State, federal, and local agencies and affected communities regarding the impact of current statutes, regulations, and policies on the achievement of environmental justice.

(d) Membership.

(1) Advisory Council. Each member of the Advisory Council shall be well informed regarding environmental justice principles and committed to achieving environmental justice in Vermont and working collaboratively with other members of the Council. To the greatest extent practicable, Advisory Council members shall represent diversity in race, ethnicity, age, gender, urban and rural areas, and different regions of the State. The Advisory Council shall

consist of the following 11 members, with a goal to have more than 50 percent residing in environmental justice focus populations:

(A) the Director of Racial Equity or designee;

(B) the following members appointed by the Committee on Committees:

(i) one representative of municipal government;

(ii) one representative of a social justice organization;

(iii) one representative of mobile home park residents;

(C) the following members appointed by the Speaker of the House:

(i) one representative who resides in a census block group that is designated as an environmental justice focus population;

(ii) one representative of an organization working on food security issues;

(iii) one representative of immigrant communities in Vermont;

(iv) one representative of a statewide environmental organization;

(D) one representative of a State-recognized Native American Indian tribe, recommended and appointed by the Vermont Commission on Native American Affairs;

(E) the Executive Director of the Vermont Housing and Conservation Board or designee; and

(F) the Chair of the Natural Resources Conservation Council or designee.

(2) Interagency Committee. The Interagency Committee shall consist of the following 11 members:

(A) the Secretary of Education or designee;

(B) the Secretary of Natural Resources or designee;

(C) the Secretary of Transportation or designee;

(D) the Commissioner of Housing and Community Development or designee;

(E) the Secretary of Agriculture, Food and Markets or designee;

(F) the Commissioner of Health or designee;

(G) the Director of Emergency Management or designee;

(H) the Commissioner of Public Service or designee;

(I) the Director of Racial Equity or designee;

(J) the Chair of the Natural Resources Board or designee; and

(K) the Chair of the Public Utility Commission or designee.

(3) The Advisory Council and the Interagency Committee may each elect two co-chairs.

(4) After initial appointments, all appointed members of the Advisory Council shall serve six-year terms and serve until a successor is appointed. The initial terms shall be staggered so that one third of the appointed members shall serve a two-year term, another third of the appointed members shall serve a four-year term, and the remaining members shall be appointed to a six-year term.

(5) Vacancies of the Advisory Council shall be appointed in the same manner as original appointments.

(6) The Advisory Council shall have the administrative, technical, and legal assistance of the Agency of Natural Resources.

(7) Members of the Advisory Council who are neither State nor municipal employees and 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. Members of the Advisory Council may also receive additional compensation up to \$150.00 per meeting as available in the Environmental Justice Advisory Council Special Fund established in section 6007 of this title.

§ 6007. ENVIRONMENTAL JUSTICE ADVISORY COUNCIL SPECIAL FUND

(a) There is established the Environmental Justice Advisory Council Special Fund that shall be managed in accordance with 32 V.S.A. chapter 7, subchapter 5.

(b) The Fund shall be administered by the Agency of Natural Resources and shall consist of:

(1) any monies appropriated to it; and

(2) any gifts, donations, and grants to it by the federal government, a political subdivision of the State, or a 501(c)(3) charitable organization.

(c) The funds shall be used to increase per diem amounts to eligible members the Environmental Justice Advisory Council, so that members may receive up to \$150.00 of additional compensation per meeting. Disbursements shall be made by the Secretary of Natural Resources.

§ 6008. ENVIRONMENTAL JUSTICE MAPPING TOOL

(a) The Agency of Natural Resources shall create and maintain the State environmental justice mapping tool. The Agency, in consultation with the Environmental Justice Advisory Council and the Interagency Environmental Justice Committee, shall determine indices and criteria to be included in the State mapping tool to depict environmental justice focus populations and measure environmental burdens at the smallest geographic level practicable.

(b) The Agency of Natural Resources may cooperate and contract with other states or private organizations when developing the mapping tool. The mapping tool may incorporate federal environmental justice mapping tools, such as EJSCREEN, as well as existing State mapping tools such as the Vermont Social Vulnerability Index.

(c) On or before January 1, 2025, the mapping tool shall be available for use by the public as well as by the State government.

Sec. 3. SPENDING REPORT

On or before December 15, 2025, the Agency of Natural Resources shall submit a report to the General Assembly describing whether the baseline spending reports completed pursuant to 3 V.S.A. § 6004(g) of this section indicate if any municipalities or portions of municipalities are routinely underserved with respect to environmental benefits, taking into consideration whether those areas receive, averaged across three years, a significantly lower percentage of environmental benefits from State investments as compared to other municipalities or portions of municipalities in the State. This report shall include a recommendation as to whether a statutory definition of “underserved community” and any other revisions to this chapter are necessary to best carry out the Environmental Justice State Policy.

Sec. 4. APPROPRIATIONS

(a) There is appropriated the sum of \$500,000.00 in fiscal year 2023 from the General Fund to the Agency of Natural Resources for the cost of developing the mapping tool required in 3 V.S.A. § 6008 including any necessary community outreach associated with calibrating and improving the mapping tool.

(b) There is appropriated the sum of \$200,000.00 in fiscal year 2023 from the General Fund to the Agency of Natural Resources to:

(1) convert one 0.5 position to one full-time Civil Rights and Nondiscrimination Compliance Officer; and

(2) fund two positions to assist in the implementation of the environmental justice policy and support the Environmental Justice Advisory

Council. This shall fund an existing position in the Agency and a second position which the Agency is authorized to repurpose from an existing vacant position.

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Feltus of Lyndon, for the Committee on Appropriations, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Natural Resources, Fish, and Wildlife and when further amended as follows:

First: In Sec. 2, 3 V.S.A. chapter 72, in section 6006, in subsection (b), by striking out the word “nine” and inserting in lieu thereof “eight”

Second: In Sec. 2, 3 V.S.A. chapter 72, in section 6006, in subdivision (d)(7), by striking out the second sentence in its entirety.

Third: In Sec. 2, 3 V.S.A. chapter 72, by striking out section 6007 in its entirety and by renumbering the remaining section to be numerically correct.

Fourth: By striking out Sec. 4, appropriations, in its entirety and inserting in lieu thereof the following:

Sec. 4. APPROPRIATIONS

(a) There is appropriated the sum of \$500,000.00 in fiscal year 2023 from the General Fund to the Agency of Natural Resources for the cost of developing the mapping tool required in 3 V.S.A. § 6007 and for conducting community outreach associated with the work of the Environmental Justice Advisory Council.

(b) There is appropriated the sum of \$250,000.00 in fiscal year 2023 from the General Fund to the Agency of Natural Resources for the following positions:

(1) one full-time Civil Rights Compliance Director; and

(2) two new full-time positions to assist in the implementation of the Environmental Justice State Policy and support the Environmental Justice Advisory Council, one to be hired after July 1, 2022 and one to be hired after December 31, 2022.

The bill having appeared on the Notice Calendar was taken up, read the second time, and the report of the Committee on Natural Resources, Fish, and Wildlife was amended as recommended by the Committee on Appropriations.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Natural Resources, Fish, and Wildlife, as amended?, **Rep. Dolan of Waitsfield** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Natural Resources, Fish, and Wildlife, as amended?, was decided in the affirmative. Yeas, 109. Nays, 31.

Those who voted in the affirmative are:

Ancel of Calais	Feltus of Lyndon	Noyes of Wolcott
Anthony of Barre City	Gannon of Wilmington	O'Brien of Tunbridge
Arrison of Weathersfield	Garofano of Essex	Ode of Burlington
Austin of Colchester	Goldman of Rockingham	Pajala of Londonderry
Bartholomew of Hartland	Grad of Moretown	Partridge of Windham
Beck of St. Johnsbury	Harrison of Chittenden	Patt of Worcester
Birong of Vergennes	Hooper of Montpelier	Pearl of Danville
Black of Essex	Hooper of Randolph	Pugh of South Burlington
Bluemle of Burlington	Houghton of Essex	Rachelson of Burlington
Bock of Chester	Howard of Rutland City	Rogers of Waterville
Bongartz of Manchester	James of Manchester	Satcowitz of Randolph
Bos-Lun of Westminster	Jerome of Brandon	Scheu of Middlebury
Brady of Williston	Jessup of Middlesex	Scheuermann of Stowe
Briglin of Thetford	Kascenska of Burke	Sheldon of Middlebury
Brown of Richmond	Killackey of South Burlington	Sibilia of Dover
Brownell of Pownal	Kimbell of Woodstock	Sims of Craftsbury
Brumsted of Shelburne	Kitzmiller of Montpelier	Small of Winooski
Burke of Brattleboro	Kornheiser of Brattleboro	Squirrel of Underhill
Burrows of West Windsor	LaLonde of South	Stebbins of Burlington
Campbell of St. Johnsbury	Burlington	Stevens of Waterbury
Chase of Colchester	Lanpher of Vergennes	Sullivan of Dorset
Christie of Hartford *	Lefebvre of Newark	Surprenant of Barnard
Cina of Burlington	Long of Newfane	Taylor of Colchester
Coffey of Guilford	Masland of Thetford	Till of Jericho
Colston of Winooski	Mattos of Milton	Toleno of Brattleboro
Conlon of Cornwall	McCarthy of St. Albans City	Townsend of South
Copeland Hanzas of	McCullough of Williston	Burlington
Bradford	McFaun of Barre Town	Troiano of Stannard
Corcoran of Bennington	Morgan, L. of Milton	Vyhovsky of Essex
Cordes of Lincoln	Morgan, M. of Milton	Walz of Barre City
Dolan of Essex	Morris of Springfield	Webb of Shelburne
Dolan of Waitsfield *	Mrowicki of Putney	White of Bethel
Donahue of Northfield	Mulvaney-Stanak of	White of Hartford
Donnelly of Hyde Park	Burlington	Whitman of Bennington
Durfee of Shaftsbury	Murphy of Fairfax	Wood of Waterbury
Elder of Starksboro	Nicoll of Ludlow	Yacovone of Morristown
Emmons of Springfield	Nigro of Bennington	Yantachka of Charlotte
Fagan of Rutland City	Notte of Rutland City	

Those who voted in the negative are:

Achey of Middletown Springs	Higley of Lowell	Norris of Shoreham
Brennan of Colchester	Labor of Morgan	Page of Newport City
Canfield of Fair Haven	LaClair of Barre Town	Parsons of Newbury
Cupoli of Rutland City	Laroche of Franklin	Peterson of Clarendon
Dickinson of St. Albans Town	Lefebvre of Orange	Rosenquist of Georgia
Goslant of Northfield	Leffler of Enosburgh	Shaw of Pittsford
Graham of Williamstown	Marcotte of Coventry	Smith of Derby
Hango of Berkshire	Martel of Waterford	Strong of Albany
Helm of Fair Haven	McCoy of Poultney	Toof of St. Albans Town
	Morrissey of Bennington	Walker of Swanton
	Norris of Sheldon	Williams of Granby

Those members absent with leave of the House and not voting are:

Burditt of West Rutland	Hooper of Burlington	Palasik of Milton
Colburn of Burlington	Lippert of Hinesburg	Smith of New Haven
Gregoire of Fairfield	McCormack of Burlington	Terenzini of Rutland Town

Rep. Christie of Hartford explained his vote as follows:

“Madam Speaker:

I voted yes for S.148 today because it clearly outlined our collective resolve to provide our Constitutional obligations to all Vermonters.”

Rep. Dolan of Waitsfield explained her vote as follows:

“Madam Speaker:

I support S.148, Vermont's environmental justice bill. The bill supports investments for our under-served communities, strengthens community engagement, improves collaboration among State agencies, and creates a Vermont-specific mapping tool to visualize environmental impacts and aid in decision making. The bill will go a long way to improving the health and welfare of many Vermonters.”

Thereupon, third reading was ordered.

Consideration Resumed; Bill Amended; Third Reading Ordered

H. 742

Consideration resumed on House bill, entitled

An act relating to approval of amendments to the charter of the Town of Milton

Rep. Higley of Lowell, for the Committee on Government Operations, reported in favor of its passage when amended as follows:

First: In Sec. 2, 24 App. V.S.A. chapter 129, by striking out section 508 in its entirety and inserting in lieu thereof a new section 508 to read as follows:

§ 508. SELECTBOARD POLICY

The Town Manager shall prepare and submit to the Selectboard proposals for Selectboard policies. The Town Manager may have the assistance of the Town Attorney and shall have the authority to request a committee of citizens to assist in the preparation of any proposals. Policies shall be generally applicable to Town government and shall be in writing, codified, and made available to the public. Policies shall be adopted by the Selectboard at regular or special Selectboard meetings. The Selectboard shall give notice of its intent to adopt a policy stating the substance of the proposed policy at least 10 days prior to its adoption.

Second: In Sec. 2, 24 App. V.S.A. chapter 129, in section 607, following the fifth sentence, by striking out “Policies shall be reviewed and readopted biennially.”

Third: In Sec. 2, 24 App. V.S.A. chapter 129, by striking out section 807 in its entirety.

The report of the Committee on Government Operations was agreed to, and third reading ordered.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 258

Rep. Pearl of Danville, for the Committee on Agriculture and Forestry, to which had been referred Senate bill, entitled

An act relating to agricultural water quality, enforcement, and dairy farming

Reported in favor of its passage in concurrence with proposal of amendment as follows:

First: In Sec. 6, 6 V.S.A. § 4828, in subsection (c), after “separation, or treatment; and before “and projects managed by nonprofit organizations” by inserting “equipment to be used to achieve the most significant or cost-effective benefits that advance the purposes of this section, including by reducing nitrogen runoff;”

Second: By striking out Sec. 10, effective date, in its entirety and inserting in lieu thereof new Secs. 10–13 to read as follows:

Sec. 10. 6 V.S.A. § 4802 is amended to read:

§ 4802. DEFINITIONS

As used in this chapter:

* * *

(2) “Farming” has the same meaning as used in 10 V.S.A. § 6001(22).

(3) “Good standing” means a participant in a program administered under this chapter:

(A) does not have an active enforcement violation that has reached a final order with the Secretary; and

(B) is in compliance with all terms of a current grant agreement or contract with the Agency.

* * *

(10) “Agricultural activities” means the operation and management of an entity engaged in farming, including all those activities defined as “farming” in this chapter, “agricultural activity” in 12 V.S.A. § 5752, and all of the following:

(A) selling agricultural products at roadside stands or farm markets;

(B) the generation of noise, odors, dust, fumes, and other associated conditions;

(C) the composting of material principally produced by the farm or to be used at least in part on the farm;

(D) the ditching and subsurface drainage of farm fields and the construction of farm ponds;

(E) the handling of livestock wastes and by-products;

(F) the operation of farm machinery and equipment, including irrigation and drainage systems, pumps, and on-farm grain dryers;

(G) the movement of farm vehicles, machinery, equipment, and products and associated inputs on the roadway;

(H) field preparation, crop protection, and ground and aerial seeding and spraying;

(I) the on-site storage and application of agricultural inputs, including lime, fertilizer, organic materials, conditioners, and pesticides;

(J) the use of alternative pest management techniques;

(K) the management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes;

(L) the expansion of farming practices or agricultural activities on a farm, or the change or conversion of farming practices of agricultural activities to other farming practices of agricultural activities on a farm; and

(M) the employment, use, and housing of farm labor.

Sec. 11. 6 V.S.A. § 4818 is added to read:

§ 4818. FARMING; SCOPE OF ACTIVITIES

(a) As used to determine the scope of nuisance protection in 12 V.S.A. chapter 195, “agricultural activities” shall include “farming” as defined in this title.

(b) For purposes of the application of 12 V.S.A. § 5753, all “agricultural activities” defined in this chapter, subject to the limitations and requirements set forth in 12 V.S.A. § 5753, are entitled to the rebuttable presumption that they do not constitute a nuisance.

Sec. 12. 12 V.S.A. § 5752 is amended to read:

§ 5752. DEFINITIONS

For the purpose of this chapter, “agricultural activity” means, but is not limited to:

(1) the cultivation or other use of land for producing food, fiber, Christmas trees, maple sap, or horticultural and orchard crops; the raising, feeding, or management of domestic animals as defined in 6 V.S.A. § 1151 or bees; the operation of greenhouses; the production of maple syrup; the on-site storage, preparation, and sale of agricultural products principally produced on the farm; and the on-site production of fuel or power from agricultural products or wastes principally produced on the farm;

(2) the preparation, tilling, fertilization, planting, protection, irrigation, and harvesting of crops; the composting of material principally produced by the farm or to be used at least in part on the farm; the ditching and subsurface drainage of farm fields and the construction of farm ponds; the handling of livestock wastes and by-products; and the on-site storage and application of agricultural inputs, including lime, fertilizer, and pesticides;

(3) “farming” as defined in 10 V.S.A. § 6001; and

(4) “agricultural” activities as defined in 6 V.S.A. § 4802.

Sec. 13. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Toleno of Brattleboro, for the Committee on Appropriations, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Agriculture and Forestry and when further amended as follows:

By striking out Sec. 9, extension of Task Force to Revitalize the Vermont Dairy Industry, in its entirety and inserting in lieu thereof a new Sec. 9 to read as follows:

Sec. 9. EXTENSION OF TASK FORCE TO REVITALIZE THE VERMONT DAIRY INDUSTRY

(a)(1) Notwithstanding 2020 Acts and Resolves No. 129, Sec. 31(c)(6), the Task Force to Revitalize the Vermont Dairy Industry shall continue to exist and retain the authority granted to it in 2020 Acts and Resolves No. 129, Sec. 31 until February 1, 2023.

(2) The Task Force shall consist of:

(A) two members of the House of Representatives, appointed by the Speaker of the House;

(B) two members of the Senate, appointed by the Committee on Committees; and

(C) four nonlegislators with experience or knowledge of the Vermont dairy industry, two of whom shall be appointed by the Speaker of the House and two of whom shall be appointed by the Committee on Committees.

(b)(1) For attendance of a meeting of the Task Force to Revitalize the Vermont Dairy Industry during adjournment of the General Assembly between the effective date of this act and February 1, 2023, a legislative member of the Task Force shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 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 that are not legislative members shall be entitled to both 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 Agency of Agriculture, Food and Markets.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Agriculture and Forestry was agreed to. Thereafter, the House's proposal of amendment was amended as recommended by the Committee on Appropriations and third reading was ordered.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 261

Rep. Elder of Starksboro, for the Committee on Ways and Means, to which had been referred Senate bill, entitled

An act relating to municipal retention of property tax collections

Reported in favor of its passage in concurrence with proposal of amendment as follows:

By striking out Sec. 2, effective date, in its entirety, and inserting in lieu thereof the following:

Sec. 2. 32 V.S.A. § 5412(e) is amended to read:

(e) A reduction made under this section shall be an amount equal to the loss in education grand list value multiplied by the tax rate applicable to the subject property in the year the request is submitted. However, the total amount for all reductions made under this section in one year shall not exceed ~~\$100,000.00~~ \$1,000,000.00. If total reductions for a calendar year would exceed this amount, the Director shall instead prorate the reductions proportionally among all municipalities eligible for a reduction so that total reductions equal ~~\$100,000.00~~ \$1,000,000.00.

Sec. 3. 32 V.S.A. § 5413 is added to read:

§ 5413. STATE APPRAISAL AND LITIGATION ASSISTANCE

PROGRAM

(a) A State appraisal and litigation assistance program shall be created within the Division of Property Valuation and Review of the Department of Taxes to assist municipalities with the valuation of complex commercial or other unique properties within a municipality's jurisdiction and to assist with any appeals arising from those valuations. The Commissioner of Taxes may contract with one or more commercial appraisers to provide State appraisal and litigation assistance to municipalities under this section. The Commissioner may adopt rules to administer the provisions of this section.

(b) The Commissioner shall:

(1) determine the conditions for a property to be eligible for State assistance, including the grand list value or category of the property or other relevant factors as determined by the Commissioner; and

(2) provide a process by which a municipality may apply for assistance under this section for one or more properties.

(c) Any municipality assisted under this section shall be considered to have followed best practices pursuant to subdivision 5412(a)(1)(D) of this title.

Sec. 4. COST ESTIMATE; NEW STATE PROGRAM

On or before January 15, 2023, the Commissioner of Taxes shall submit a cost estimate for the creation of a new State appraisal and litigation assistance program within the Division of Property Valuation and Review of the Department of Taxes to the House Committees on Appropriations and on Ways and Means and the Senate Committees on Appropriations and on Finance. The cost estimate under this section shall include the upfront and ongoing operating costs required to create, implement, and maintain a new program, including contracting with one or more commercial appraisers to provide State assistance to municipalities.

Sec. 5. 32 V.S.A. § 4461(a) is amended to read:

(a) A taxpayer or the selectboard members of a town aggrieved by a decision of the board of civil authority under subchapter 1 of this chapter may appeal the decision of the board to either the Director or the Superior Court of the county in which the property is located. The appeal to the Superior Court shall be heard without a jury. The appeal to either the Director or the Superior Court shall be commenced by filing a notice of appeal pursuant to Rule 74 of the Vermont Rules of Civil Procedure within 30 days after entry of the decision of the board of civil authority. The date of mailing of notice of the board's decision by the town clerk to the taxpayer shall be deemed the date of entry of the board's decision. The town clerk shall transmit a copy of the notice to the Director or to the Superior Court as indicated in the notice and shall record or attach a copy of the notice in the grand list book. The entry fee for an appeal to the Director is \$70.00; provided, however, that the Director may waive, reduce, or refund the entry fee in cases of hardship or to join appeals regarding the same parcel. If, in the opinion of the Director, an appeal under this subsection involves a complex or unique property or valuation that would be best adjudicated by the Superior Court, the Director may decline to assign a property valuation hearing officer pursuant to section 4465 of this title and shall forward the appeal to the Superior Court where it shall be heard. An appeal forwarded by the Director under this subsection shall be considered timely filed in the Superior Court if it was timely appealed to the Director.

Sec. 6. 32 V.S.A. § 4465 is amended to read:

§ 4465. APPOINTMENT OF PROPERTY VALUATION HEARING
OFFICER; OATH; PAY

When an appeal to the Director is not withdrawn or forwarded by the Director to Superior Court pursuant to subsection 4461(a) of this title, the

Director shall refer the appeal in writing to a person not employed by the Director, appointed by the Director as hearing officer. The Director shall have the right to remove a hearing officer for inefficiency, malfeasance in office, or other cause. In like manner, the Director shall appoint a hearing officer to fill any vacancy created by resignation, removal, or other cause. Before entering into their duties, persons appointed as hearing officers shall take and subscribe the oath of the office prescribed in the Constitution, which oath shall be filed with the Director. The Director shall pay each hearing officer a sum not to exceed \$150.00 per diem for each day wherein hearings are held, together with reasonable expenses as the Director may determine. A hearing officer may subpoena witnesses, records, and documents in the manner provided by law for serving subpoenas in civil actions and may administer oaths to witnesses.

Sec. 7. REPORT; TIME-SHARE PROJECT VALUATION

On or before January 15, 2023, the Commissioner of Taxes shall submit a report to the House Committee on Ways and Means and the Senate Committee on Finance proposing options for addressing the complexities of valuing time-share projects in this State. The report under this section shall include a review of other states' time-share project valuation laws and an evaluation of the feasibility of applying those formulas in Vermont. The report shall propose any recommendations for legislative changes to clarify the valuation of time-share projects.

Sec. 8. EFFECTIVE DATES

This act shall take effect on passage, except that:

(1) Sec. 2 (refund for reduction in grand list value) shall take effect on January 1, 2023 and shall apply to municipal requests for reduction submitted on or after January 1, 2023 for a final appeal or court action resolved within the previous calendar year, beginning with the 2022 calendar year.

(2) Sec. 3 (State appraisal and litigation assistance program) shall take effect on July 1, 2023, provided the General Assembly has, on or before July 1, 2023, appropriated funding to cover the Department of Taxes' operating costs required to create, implement, and maintain a new State appraisal and litigation assistance program.

and that after passage the title of the bill be amended to read: "An act relating to municipal retention of property tax collections and valuation for purposes of the education property tax"

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Ways and Means agreed to, and third reading ordered.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 283

Rep. Conlon of Cornwall, for the Committee on Education, to which had been referred Senate bill, entitled

An act relating to miscellaneous changes to education laws

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Community College of Vermont In-State Tuition for Refugees * * *

Sec. 1. 16 V.S.A. § 2185 is amended to read:

§ 2185. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

(a) The Board of Trustees shall adopt policies related to residency for tuition purposes, consistent with State and federal requirements.

(b) Any member of the U.S. Armed Forces on active duty who is transferred to Vermont for duty other than for the purpose of education shall, upon transfer and for the period of active duty served in Vermont, be considered a resident for in-state tuition purposes at the start of the next semester or academic period.

(c) For determination of residency for tuition to the Community College of Vermont, a person who resides in Vermont shall be considered a resident for in-state tuition purposes, beginning at the start of the next semester or academic period after arrival in Vermont, if that person:

(1) qualifies as a refugee pursuant to 8 U.S.C. 1101(a)(42);

(2) is granted parole to enter the United States pursuant to 8 U.S.C. 1182(d)(5); or

(3) is issued a special immigrant visa pursuant to the Afghan Allies Protection Act of 2009, as amended.

Sec. 2. INCENTIVE GRANT ELIGIBILITY; RESIDENCY

(a) Notwithstanding any provision of law to the contrary, a person who qualifies for in-state tuition to the Community College of Vermont under 16 V.S.A. § 2185(c) shall not be ineligible for the Vermont incentive grant program under 16 V.S.A. §§ 2841–2846 solely on account of that person's residency status.

(b) This section is repealed on July 1, 2023.

* * * Suspension or Expulsion of Students * * *

Sec. 3. 16 V.S.A. § 1162 is amended to read:

§ 1162. SUSPENSION OR EXPULSION OF STUDENTS

(a) A superintendent or principal may, pursuant to policies adopted by the school board that are consistent with State Board rules, suspend a student for up to 10 school days or, with the approval of the board of the school district, expel a student for up to the remainder of the school year or up to 90 school days, whichever is longer, for misconduct:

(1) on school property, on a school bus, or at a school-sponsored activity when the misconduct makes the continued presence of the student harmful to the welfare of the school;

(2) not on school property, on a school bus, or at a school-sponsored activity where direct harm to the welfare of the school can be demonstrated; or

(3) not on school property, on a school bus, or at a school-sponsored activity where the misconduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs.

(b) Nothing contained in this section shall prevent a superintendent or principal, subject to subsequent due process procedures, from removing immediately from a school a student who poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process of the school, or from expelling a student who brings a weapon to school pursuant to section 1166 of this title.

(c) Principals, superintendents, and school boards are authorized and encouraged to provide alternative education services or programs to students during any period of suspension or expulsion authorized under this section.

(d) Notwithstanding anything to the contrary in this chapter, a student enrolled in a public school, approved independent school, or prequalified private prekindergarten program who is under eight years of age shall not be suspended or expelled from the school; provided, however, that the school may suspend or expel the student if the student poses an imminent threat of harm or danger to others in the school.

Sec. 4. REPORT AND RECOMMENDATIONS ON SUSPENSION,
EXPULSION, AND EXCLUSIONARY PRACTICES IN EARLY
CHILDHOOD EDUCATION SETTINGS

The Building Bright Futures Council, established in 33 V.S.A. § 4602, shall collaborate with the Agencies of Human Services and Education to define

suspension, expulsion, and exclusionary practices in early childhood education settings and to establish best practices for supporting children who face such measures. The work of the Council shall include reviewing available data on exclusionary practices. On or before January 15, 2023 the Building Bright Futures Council shall issue a written report to the Senate and House Committees on Education, the Senate Committee on Health and Welfare, and the House Committee on Human Services detailing its work and findings and making recommendations for legislative action.

* * * Entrance Age Threshold for Public School Kindergarten * * *

Sec. 5. REPORT AND RECOMMENDATIONS ON THE IMPACT OF
STANDARDIZING THE ENTRANCE AGE THRESHOLD FOR
PUBLIC SCHOOL KINDERGARTEN

On or before December 15, 2022, the Agency of Education shall issue a written report to the Senate and House Committees on Education on the impact of standardizing the entrance age threshold for public school kindergarten attendance. In preparing the report, the Agency of Education shall consult with the Vermont Department for Children and Families, the Vermont Department of Health, the Vermont School Boards Association, the Vermont Principals' Association, the Vermont Superintendents Association, and the Vermont National Education Association. The report shall include any recommendations for legislative action.

* * * Statewide Uniform School Calendar * * *

Sec. 6. REPORT AND RECOMMENDATIONS FOR A STATEWIDE
UNIFORM SCHOOL CALENDAR

On or before January 15, 2024, the Agency of Education shall issue a written report to the Senate and House Committees on Education with a proposed statewide uniform school calendar, created to improve high-quality learning opportunities for all Vermont students. In creating the calendar, the Agency shall consider the impact on attendance at regional career and technical education centers as well as the impact on families and educators. The uniform calendar shall include student attendance days, periods of vacation, holidays, and teacher in-service education days.

* * * Remote Learning * * *

Sec. 7. REPORT AND RECOMMENDATIONS FOR STATEWIDE
REMOTE LEARNING POLICY

On or before January 15, 2023, the Agency of Education, in consultation

with the State Board of Education, shall issue a written report to the Senate and House Committees on Education with recommendations for a statewide remote learning policy that incorporates remote learning into the requirements for student attendance, school days, and cumulative instructional hours. The report shall define remote learning and recommend statewide quality standards to ensure substantially equal access to quality basic education. The report shall also include any recommendations for legislative action.

* * * PCBs * * *

Sec. 8. 2021 Acts and Resolves No. 74, Sec. E.709.1 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, 2024 2026. ~~It is the intent of the General Assembly to develop additional guidance during the 2022 legislative session.~~

(b) On or before January 15, 2023, the Secretary of Natural Resources, after consultation with the Secretary of Education and the Commissioner of Health, shall submit to the House Committees on Education and on Natural Resources, Fish, and Wildlife and the Senate Committees on Education and on Natural Resources and Energy the following information addressing the testing of air quality for PCBs in public schools and approved and recognized independent schools that were constructed or renovated before 1980:

(1) the testing methodology used, including where and how samples were collected;

(2) the results from schools that were tested, any immediate responses that were taken by the school, and any planned responses that will take place by a school;

(3) a cost estimate for the work planned to take place for schools that were tested and any cost projections based on the sampling that has taken place;

(4) a schedule for testing all remaining schools, including whether testing will occur when students and staff are present in the school; and

(5) a proposal for how any required response to the presence of PCBs in a school shall be funded, including any proposed financial assistance from the State to schools to implement a required response.

Sec. 9. 2021 Acts and Resolves No. 72, Sec. 3(b) is amended to read:

(b) The Secretary of Education shall contract with an independent third party to conduct the inventory and assessment described in subsection (a) of this section. The inventory shall be completed on or before January 15, 2022, and the assessment shall be completed on or before October 1, ~~2022~~ 2023.

Sec. 10. 2021 Acts and Resolves No. 72, Sec. 12 is amended to read:

Sec. 12. RADON TESTING; SCHOOL FACILITIES

(a) On or before June 30, ~~2023~~ 2026, each public school and approved independent school, as defined in 16 V.S.A. § 11, shall perform a radon measurement in accordance with the ANSI/AARST protocol for conducting Radon and Radon Decay Products in Schools and Large Buildings (MALB-2014) on any facility that has not had a test completed in five or more years; ~~provided, however, that any public school or approved independent school that is engaged in implementing an indoor air quality improvement project prior to June 30, 2023 shall perform a radon measurement on or before June 30, 2024.~~

(b) Each public school and approved independent school shall make available the results of the radon measurement described in subsection (a) of this section to each employee and student at the school.

* * * Crime Insurance for Incorporated School Districts * * *

Sec. 11. 16 V.S.A. § 492 is amended to read:

§ 492. POWERS, DUTIES, AND LIABILITIES; BONDS

(a) The powers, duties, and liabilities of the collector, treasurer, prudential committee, and clerk shall be like those of a town collector, treasurer, board of school directors, and the school board clerk, respectively.

(b) Before entering upon their duties, the collector and treasurer shall give a bond to the district conditioned for the faithful performance of their duties, in such sum as may be required. ~~When~~ In lieu of taking a personal bond from a collector or treasurer, or both, a school district may choose to provide suitable crime insurance covering the collector or treasurer, or both. If a school district has not provided suitable crime insurance in lieu of a bond and a collector or treasurer for ten days neglects to give a bond as required, his or her ~~that~~ office shall be vacant.

* * * Interstate School Districts * * *

Sec. 12. INTERSTATE SCHOOL DISTRICTS; INDIVIDUALIZED
EDUCATION PROGRAM

Notwithstanding any provision of law to the contrary, a Vermont resident who is enrolled in an interstate school district, is on an individualized education program (IEP), is 21 years of age or younger, and who is not entitled to receive special education services through the interstate school district due to an age limitation shall be entitled to enroll in a Vermont public high school and receive special education services through 21 years of age. The student may choose the Vermont public high school, provided that the school determines that it has capacity and is able to provide the services required under the student's IEP. The student's local education agency of residence shall be the student's local education agency for special education purposes. Tuition and special education expenses for the student shall be paid by the Agency of Education, and the Agency of Education shall include in its annual budget request to the General Assembly an amount to cover these expenses.

Sec. 13. CONTINGENT EFFECTIVE DATE OF INTERSTATE SCHOOL
DISTRICT INDIVIDUALIZED EDUCATION PLAN SERVICES
CHANGE

Sec. 12 of this act shall not take effect if, on or before July 1, 2023, the General Court of New Hampshire enacts legislation that extends the age through which a child is eligible to receive special education services to 21 years of age.

* * * Approved and Recognized Independent Schools * * *

Sec. 14. 16 V.S.A. § 166(b)(8) is amended to read:

(8)(A) If an approved independent school experiences any of the following financial reporting events during the period of its approved status, the school shall notify the Secretary of Education within five days after its knowledge of the event unless the failure is de minimis:

(i) the school's failure to file its federal or State tax returns when due, after permissible extension periods have been taken into account;

(ii) the school's failure to meet its payroll obligations as they are due or to pay federal or State payroll tax obligations as they are due;

(iii) the school's failure to maintain required retirement contributions;

(iv) the school's use of designated funds for nondesignated purposes;

(v) the school's inability to fully comply with the financial terms of its secured installment debt obligations over a period of two consecutive months, including the school's failure to make interest or principal payments as they are due or to maintain any required financial ratios;

(vi) the withdrawal or conditioning of the school's accreditation on financial grounds by a private, State, or regional agency recognized by the State Board for accrediting purposes; or

(vii) the school's insolvency, as defined in 9 V.S.A. § 2286(a).

(B)(i) If the ~~State Board~~ Secretary reasonably believes that an approved independent school lacks financial capacity to meet its stated objectives during the period of its approved status, then the ~~State Board~~ Secretary shall notify the school in writing of the reasons for this belief and permit the school a reasonable opportunity to respond.

(ii) If the ~~State Board~~ Secretary, after having provided the school a reasonable opportunity to respond, does not find that the school has satisfactorily responded or demonstrated its financial capacity, the ~~State Board~~ Secretary may establish a review team; that, with the consent of the school, includes a member of the Council of Independent Schools, to:

(I) conduct a school visit to assess the school's financial capacity;

(II) obtain from the school such financial documentation as the review team requires to perform its assessment; and

(III) submit a report of its findings and recommendations to the State Board.

(iii) If the State Board concludes that an approved independent school lacks financial capacity to meet its stated objectives during the period of its approved status, the State Board may take any action that is authorized by this section.

(iv) In considering whether an independent school lacks financial capacity to meet its stated objectives during the period of its approved status and what actions the State Board should take if it makes this finding, the State Board may consult with, and draw on the analytical resources of, the Vermont Department of Financial Regulation.

(C) Information provided by an independent school under this subsection that is not already in the public domain is exempt from public

inspection and copying under the Public Records Act and shall be kept confidential.

* * * Prekindergarten Prequalification Quality Standards * * *

Sec. 15. 16 V.S.A. § 829 is amended to read:

§ 829. PREKINDERGARTEN EDUCATION

* * *

(c) Prequalification. Pursuant to rules jointly developed and overseen by the Secretaries of Education and of Human Services and adopted by the State Board pursuant to 3 V.S.A. chapter 25, the Agencies jointly may determine that a private or public provider of prekindergarten education is qualified for purposes of this section and include the provider in a publicly accessible database of prequalified providers. At a minimum, the rules shall define the process by which a provider applies for and maintains prequalification status, shall identify the minimum quality standards for prequalification, and shall include the following requirements:

(1) A program of prekindergarten education, whether provided by a school district or a private provider, shall have received:

(A) National Association for the Education of Young Children (NAEYC) accreditation; or

(B) at least four stars in the Department for Children and Families' STARS system ~~with a plan to get to at least two points in each of the five arenas; or~~

(C) three stars in the STARS system if the provider has developed a plan, approved by the Commissioner for Children and Families and the Secretary of Education, to achieve four or more stars ~~with at least two points in each of the five arenas in no more than three years, and the provider has met intermediate milestones.~~

(2) A licensed provider shall employ or contract for the services of at least one teacher who is licensed and endorsed in early childhood education or in early childhood special education under chapter 51 of this title.

(3) A registered home provider that is not licensed and endorsed in early childhood education or early childhood special education shall receive regular, active supervision and training from a teacher who is licensed and endorsed in early childhood education or in early childhood special education under chapter 51 of this title.

* * *

* * * Agency of Education; School Facilities Position * * *

Sec. 16. 2021 Acts and Resolves No. 72, Sec. 7 is amended to read:

Sec. 7. AGENCY OF EDUCATION; CREATION OF POSITIONS OR
CONTRACT

(a) One limited-service position funded through January 15 September 30, 2023 is created in the Agency of Education to implement this act by using an existing position in the position pool. In the event the required expertise is not available through position recruitment, the Agency is authorized to contract for the service to implement this act.

(b) In fiscal years 2022 and 2023, the Agency of Education is authorized to use not more than \$127,500.00 from the amount allocated to the Agency of Education Elementary and Secondary School Emergency Relief Fund pursuant to Section 313(e) of the Consolidated Appropriations Act, 2021, Pub. L. No. 116–260 for the position or contract described in subsection (a) of this section.

* * * Effective Dates * * *

Sec. 17. EFFECTIVE DATES

This act shall take effect on passage, except that Secs. 12 (interstate school district individualized education plan services change) and 14 (prekindergarten qualification standards) shall take effect on July 1, 2023.

Rep. Scheu of Middlebury, for the Committee on Appropriations, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Education.

The bill having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Education was agreed to, and third reading ordered.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 188

Rep. O'Brien of Tunbridge, for the Committee on Agriculture and Forestry, to which had been referred Senate bill, entitled

An act relating to regulating licensed small cannabis cultivation as farming

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 7 V.S.A. § 861 is amended to read:

§ 861. DEFINITIONS

As used in this chapter:

* * *

(19) ~~“Enclosed, locked facility” means a building, room, greenhouse, outdoor fenced-in area, or other location that is enclosed on all sides and prevents cannabis from easily being viewed by the public. The facility shall be equipped with locks or other security devices that permit access only by:~~

~~(A) Employees, agents, or owners of the cultivator, all of whom shall be 21 years of age or older.~~

~~(B) Government employees performing their official duties.~~

~~(C) Contractors performing labor that does not include cannabis cultivation, packaging, or processing. Contractors shall be accompanied by an employee, agent, or owner of the cultivator when they are in areas where cannabis is being grown, processed, packaged, or stored.~~

~~(D) Registered employees of other cultivators, members of the media, elected officials, and other individuals 21 years of age or older visiting the facility, provided they are accompanied by an employee, agent, or owner of the cultivator. [Repealed.]~~

* * *

(27) “Hemp” means the plant Cannabis sativa L. and any part of the plant, including the seeds and all derivatives, extracts, cannabinoids, acids, salts, isomers, and salts of isomers, whether growing or not, with the federally defined tetrahydrocannabinol concentration level of hemp.

(28) “Hemp products” or “hemp-infused products” means all products with the federally defined tetrahydrocannabinol concentration level for hemp derived from, or made by, processing hemp plants or plant parts that are prepared in a form available for commercial sale, including cosmetics, personal care products, food intended for animal or human consumption, cloth, cordage, fiber, fuel, paint, paper, construction materials, plastics, and any product containing one or more hemp-derived cannabinoids, such as cannabidiol.

Sec. 2. 7 V.S.A. § 869 is amended to read:

§ 869. CULTIVATION OF CANNABIS; ENVIRONMENTAL AND LAND
USE STANDARDS; REGULATION OF SMALL CULTIVATORS

(a)(1) A cannabis establishment shall not be regulated as “farming” under the Required Agricultural Practices, 6 V.S.A. chapter 215, or other State law, and cannabis produced from cultivation shall not be considered an agricultural product, farm crop, or agricultural crop for the purposes of 32 V.S.A. chapter 124, 32 V.S.A. § 9741, or other relevant State law.

~~(2) Notwithstanding subdivision (1) of this subsection, the cultivation of cannabis on agricultural land and the use of farm buildings to dry or process that cannabis shall not disqualify the land or buildings from the use value appraisal program or constitute “development” under 32 V.S.A. § 3752(5), provided that:~~

~~(A) the agricultural land or farm building is enrolled in the use value appraisal program at the time cannabis cultivation commences;~~

~~(B) the agricultural land or farm building is not transferred to another owner;~~

~~(C) the cultivation, drying, or processing of cannabis is done by a licensed small cultivator on 1,000 square feet or less of agricultural land; and~~

~~(D) all other requirements under 32 V.S.A. chapter 124 continue to be met.~~

(b) The cultivation, processing, and manufacturing of cannabis regulated under this chapter shall comply with all applicable State, federal, and local environmental, energy, or public health law, unless otherwise provided under this chapter.

(c) A cannabis establishment regulated under this chapter shall be subject to regulation under 24 V.S.A. chapter 117 as authorized by this chapter.

(d)(1) The cultivation, processing, and manufacturing of cannabis by all cultivators regulated under this chapter shall comply with the following sections of the Required Agricultural Practices as administered and enforced by the Board:

(A) section 6, regarding conditions, restriction, and operating standards;

(B) section 8, regarding groundwater quality and groundwater quality investigations; and

(C) section 12, regarding subsurface tile drainage.

(2) Application of or compliance with the Required Agricultural Practices under subdivision (1) of this subsection shall not be construed to provide a presumption of compliance with or exemption to any applicable State, federal, and local environmental, energy, public health, or land use law required under subsections (b) and (c) of this section.

(e) Persons cultivating cannabis or handling pesticides for the purposes of the manufacture of cannabis products shall comply with the worker protection standard of 40 C.F.R. ~~part~~ Part 170.

(f) Notwithstanding subsection (a) of this section, a small cultivator licensed under this chapter who initiates cultivation of cannabis outdoors on a parcel of land that was subject to the Required Agricultural Practices prior to licensed cultivation of cannabis shall:

(1) be regulated in the same manner as “farming” and not as “development” on the tract of land where cultivation occurs for the purposes of permitting under 10 V.S.A. chapter 151;

(2) not be regulated by a municipal bylaw adopted under 24 V.S.A. chapter 117 in the same manner that Required Agricultural Practices are not regulated by a municipal bylaw under 24 V.S.A. § 4413(d)(1)(A);

(3) be eligible to enroll in the Use Value Appraisal Program under 32 V.S.A. chapter 124 for the cultivation of cannabis, provided that the agricultural land or farm building on the parcel where cannabis cultivation occurs was enrolled in the Use Value Appraisal Program prior to commencement of licensed cannabis cultivation and the parcel continues to qualify for enrollment; and

(4) be exempt under 32 V.S.A. § 9741(3), (25), and (50) from the tax on retail sales imposed under 32 V.S.A. § 9771.

Sec. 3. 7 V.S.A. § 881(a) is amended to read:

(a) The Board shall adopt rules to implement and administer this chapter in accordance with subdivisions (1)-(7) of this subsection.

(1) Rules concerning any cannabis establishment shall include:

* * *

(Q) policies and procedures for conducting outreach and promoting participation in the regulated cannabis market by diverse groups of individuals, including those who have been disproportionately harmed by cannabis prohibition; and

(R) advertising and marketing; and

(S) requirements for cannabis control testing of hemp, hemp-infused products, cannabis, and cannabis products.

* * *

Sec. 4. 7 V.S.A. § 885 is added to read:

§ 885. CANNABIS QUALITY CONTROL PROGRAM; TESTING

The Cannabis Control Board shall establish a cannabis quality control program for the following purposes:

(1) to develop potency and contaminant testing protocols for hemp, hemp-infused products, cannabis, and cannabis products;

(2) to verify cannabinoid label guarantees of hemp, hemp-infused products, cannabis, and cannabis products;

(3) to test for pesticides, solvents, heavy metals, mycotoxins, and bacterial and fungal contaminants in hemp, hemp-infused products, cannabis, and cannabis products; and

(4) to certify testing laboratories that can offer the services in subdivisions (2) and (3) of this subsection.

Sec. 5. REPEAL

6 V.S.A. § 567 (Agency of Agriculture, Food and Markets cannabis control program) is repealed.

Sec. 6. 7 V.S.A. § 904 is amended to read:

§ 904. CULTIVATOR LICENSE

(a) A cultivator licensed under this chapter may cultivate, process, package, label, transport, test, and sell cannabis to a licensed wholesaler, product manufacturer, retailer, integrated licensee, and dispensary and may purchase and sell cannabis seeds and immature cannabis plants to another licensed cultivator.

(b) Cultivation of cannabis shall occur only in an enclosed, locked facility:

(1) on property lawfully in possession of the cultivator or with the written consent of the person in lawful possession of the property; and

(2) in an area that is screened from public view and access is limited to the cultivator and persons 21 years of age or older who have permission from the cultivator.

* * *

Sec. 7. 7 V.S.A. § 905 is amended to read:

§ 905. WHOLESALER LICENSE

A wholesaler licensed under this chapter may:

(1) purchase cannabis from a licensed cultivator and integrated licensee, and cannabis products from a licensed product manufacturer, integrated licensee, and dispensary; and

(2) transport, process, package, and sell cannabis and cannabis products to a licensed product manufacturer, retailer, integrated licensee, and dispensary; and

(3) sell cannabis seeds or immature cannabis plants to a licensed cultivator.

Sec. 8. 18 V.S.A. § 4230e is amended to read:

§ 4230e. CULTIVATION OF CANNABIS BY A PERSON 21 YEARS OF AGE OR OLDER

(a)(1) Except as otherwise provided in this section, a person 21 years of age or older who cultivates ~~no~~ not more than two mature cannabis plants and four immature cannabis plants shall not be penalized or sanctioned in any manner by the State or any of its political subdivisions or denied any right or privilege under State law.

(2) Each dwelling unit shall be limited to two mature cannabis plants and four immature cannabis plants regardless of how many persons 21 years of age or older reside in the dwelling unit. As used in this section, “dwelling unit” means a building or the part of a building that is used as a primary home, residence, or sleeping place by one or more persons who maintain a household.

(3) Any cannabis harvested from the plants allowed pursuant to this subsection shall not count toward the one-ounce possession limit in section 4230a of this title, provided it is stored in an indoor facility on the property where the cannabis was cultivated and reasonable precautions are taken to prevent unauthorized access to the cannabis.

(4) Cultivation in excess of the limits provided in this subsection shall be punished in accordance with section 4230 of this title.

(b)(1) Personal cultivation of cannabis only shall occur:

(A) on property lawfully in possession of the cultivator or with the written consent of the person in lawful possession of the property; and

(B) in an enclosure area that is screened from public view and is ~~secure so that~~ access is limited to the cultivator and persons 21 years of age or older who have permission from the cultivator.

(2) A person who violates this subsection shall be assessed a civil penalty as follows:

(A) not more than \$100.00 for a first offense;

(B) not more than \$200.00 for a second offense; and

(C) not more than \$500.00 for a third or subsequent offense.

Sec. 9. CANNABIS CONTROL BOARD; REPORTS; REGULATION OF
HEMP PROCESSORS, MANUFACTURERS, AND PRODUCTS;
CANNABIS CULTIVATION AS FARMING

(a) On or before January 15, 2023, the Cannabis Control Board shall submit to the House Committees on Agriculture and Forestry and on Ways and Means and the Senate Committees on Agriculture and on Finance written recommendations on how the Cannabis Control Board would regulate hemp products, as that term is defined in 7 V.S.A. § 861; hemp processors; and hemp product manufacturers. The recommendations shall include:

(1) what hemp products the Cannabis Control Board would regulate;

(2) how the products would be regulated, including whether registration would be required and whether hemp processors and manufacturers should be licensed and regulated by the Board;

(3) any registration fees or other charges that would be assessed on hemp products and license fees assessed on hemp processors and manufacturers; and

(4) the resources required to regulate hemp processors, product manufacturers, and hemp products.

(b) If the federal government removes “marihuana” from the Schedule 1 list of controlled substances set forth in 21 U.S.C. § 812, the Executive Director of the Cannabis Control Board shall, after consultation with the Secretary of Agriculture, Food and Markets, submit to the Senate Committees on Judiciary and on Agriculture and the House Committees on Judiciary and on Agriculture and Forestry a recommendation as to whether the regulation of the cultivation of cannabis should be transferred from the jurisdiction of the Cannabis Control Board to the jurisdiction of the Agency of Agriculture, Food and Markets. The recommendation shall include whether cannabis cultivation should be regulated as “farming” and the estimated staff and budget necessary

for the Secretary of Agriculture, Food and Markets to administer regulations.

Sec. 10. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Elder of Starksboro, for the Committee on Ways and Means, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Agriculture and Forestry and when further amended as follows:

In Sec. 2, 7 V.S.A. § 869, in subsection (f), in subdivision (2), after the semicolon, by inserting the word “and”, in subdivision (3), after “qualify for enrollment” and before the end of the subdivision, by striking out “; and” and inserting in lieu thereof a period, and by striking out subdivision (4), sales tax exemption for small cannabis cultivators, in its entirety.

The bill having appeared on the Notice Calendar was taken up, read the second time, and the report of the Committee on Agriculture and Forestry was amended as recommended by the Committee on Ways and Means. Thereupon, the report of the Committee on Agriculture and Forestry, as amended, was agreed to and third reading was ordered.

Recess

At twelve o'clock and forty minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

Message from the Senate No. 62

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 482. An act relating to the Petroleum Cleanup Fund.

And has passed the same in concurrence.

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

H. 456. An act relating to establishing strategic goals and reporting requirements for the Vermont State Colleges.

H. 464. An act relating to miscellaneous changes to the Reach Up Program.

H. 523. An act relating to reducing hydrofluorocarbon emissions.

H. 729. An act relating to miscellaneous judiciary procedures.

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

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

S. 280. An act relating to miscellaneous changes to laws related to vehicles.

And has concurred therein with an amendment in the passage of which the concurrence of the House is requested.

House Called to Order

At two o'clock and fifteen minutes in the afternoon, the Speaker called the House to order.

**Second Reading; Proposal of Amendment Agreed to;
Proposal of Amendment Amended; Third Reading Ordered;
Rules Suspended; All Remaining Stages of Passage; Third Reading; Bill
Passed in Concurrence with Proposal of Amendment; Rules Suspended;
Bill Ordered Messaged to Senate Forthwith**

S. 11

Rep. Kimbell of Woodstock, for the Committee on Commerce and Economic Development, to which had been referred Senate bill, entitled

An act relating to prohibiting robocalls

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. IMMEDIATE STRATEGIES AND FUNDING FOR EXPANDING
THE LABOR FORCE; INCREASING THE NUMBER OF
PARTICIPANTS AND PARTICIPATION RATES;
APPROPRIATIONS

(a) In fiscal year 2023, the following amounts are appropriated from the General Fund to the following recipients for the purposes specified:

(1) \$2,500,000.00 to the University of Vermont Office of Engagement, in consultation with the Vermont Student Assistance Corporation, to administer a statewide forgivable loan program of \$5,000.00 per graduate for recent college graduates across all Vermont higher education institutions who commit to work in Vermont for two years after graduation.

(2) \$387,000.00 to Vermont Technical College to develop a skilled meat cutter training and apprenticeship facility.

(b) In fiscal year 2023, the amount of \$500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Human Services to provide grants, which may be administered through a performance-based contract, to refugee- or New American-focused programs working in Vermont to support increased immigration or retention of recent arrivals.

Sec. 2. CTE FUNDING AND GOVERNANCE; FINDINGS

(a) Vermont's career and technical education (CTE) system is critical to ensuring that all Vermonters have access to the high-quality resources they need to explore a wide variety of career pathways, earn a postsecondary credential of value, and establish a productive career.

(b) CTE is a vital component of our educational system, supporting and delivering on the goals established by the General Assembly in 2013 Acts and Resolves No. 77 (flexible pathways), 2018 Acts and Resolves No. 189 (workforce development), and in achieving our attainment goal, which is that 70 percent of working-age Vermonters have a credential of value by 2025 (10 V.S.A. § 546).

(c) CTE is also an equity lever, providing every student access to critical workforce training, postsecondary coursework, and the real-world skills and networks that prepare our youth to continue to earn and learn during and after high school.

(d) As of the fall semester of the 2021–2022 school year, students were enrolling in CTE programs at a higher rate than at the beginning of the

pandemic, increasing from 4,160 to 4,565. In the 2020–2021 school year, Vermont’s CTE system awarded Tier II credentials of value to 459 students.

(e) Since 2015, through legislative initiatives such as 2015 Acts and Resolves No. 51, 2017 Acts and Resolves No. 69, 2018 Acts and Resolves No. 189, 2019 Acts and Resolves No. 80, and most recently 2021 Acts and Resolves No. 74, the General Assembly and other stakeholders in education and in State government have been working to identify, understand, and resolve long-standing concerns related to the functioning of the CTE system.

(f) In 2018, the Agency of Education embarked on a collaborative process that included students, legislators, and communities across the State to develop a strategic vision and aspirational goals to help guide the transformation of the CTE system.

(g) The State Board of Education adopted the Agency of Education’s vision and goals for CTE that “all Vermont learners attain their postsecondary goals by having access to career and technical education systems that are equitable, efficient, integrated and collaborative.”

(h) 2018 Acts and Resolves No. 189 committed Vermont to a redesign of its workforce development and training system, including the approval of up to four pilot sites or projects to examine the way our CTE system is funded and governed.

(i) In a report dated June 14, 2021, the Agency of Education reported on its progress, which was interrupted by the COVID-19 pandemic. The report presented possible alternatives to our current funding structure, which is widely seen as a barrier to enrollment. However, these alternatives were based on an examination of only the CTE school district funding model and did not include the study of governance models. The report recommended completing this study of CTE funding and governance models to propose actionable implementation steps for the State.

(j) The Agency of Education’s State plan for federal Perkins funds is aligned to the vision and goals created through collaborative processes that included a public comment period. Processes required in the federal legislation like the biennial Comprehensive Local Needs Assessment will strengthen the role of CTE in each region and help to focus the use of limited federal funds to improve the system.

Sec. 3. FUNDING AND GOVERNANCE STRUCTURES OF

CAREER TECHNICAL EDUCATION IN VERMONT

(a) There is appropriated to the Joint Fiscal Office for fiscal year 2023 the amount of \$180,000.00 from the General Fund to contract for services to:

(1) complete a systematic examination of the existing funding structures of career technical education (CTE) in Vermont and how these structures impede or promote the State's educational and workforce development goals;

(2) examine CTE governance structures in relationship to those funding structures;

(3) examine the implications of the existing funding and governance structures for kindergarten through grade 12 schools and adult education;

(4) examine the funding and alignment of early college and dual enrollment;

(5) consider the CTE funding and governance structures in other states in relation to Vermont's unique system of funding education; and

(6) identify and prioritize potential new models of CTE funding and governance structures to reduce barriers to enrollment and to improve the quality, duration, impact, and access to CTE statewide.

(b) In performing its work, the contractor shall consult with the consultant and any other stakeholders involved in completing the report on the design, implementation, and costs of an integrated and coherent adult basic education, adult secondary education, and postsecondary career and technical education system pursuant to 2021 Acts and Resolves No. 74, Sec. H.3.

(c) On or before March 1, 2023, the Joint Fiscal Office shall issue a written report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on Ways and Means, and the Senate Committee on Finance on the work performed pursuant to subsection (a) of this section.

(d)(1) The Agency of Education shall consider the work performed and report issued pursuant to subsection (c) of this section and shall develop an implementation plan, including recommended steps to design and implement new funding and governance models.

(2) On or before July 1, 2023, the Agency shall issue a written report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on Ways and Means, and the Senate Committee on Finance that describes the results of its work under this subsection and the implementation plan and makes recommendations for legislative action.

Sec. 4. INVESTMENT IN THE UP-SKILLING OF PRIVATE SECTOR
EMPLOYERS TO SUPPORT THE EVOLUTION OF BUSINESS
AND ORGANIZATIONAL MODELS; APPROPRIATIONS

In fiscal year 2023, the amount of \$250,000.00 is appropriated from the General Fund to the Agency of Commerce and Community Development for a performance-based contract to provide statewide delivery of business coaching and other forms of training to BIPOC business owners, networking and special convenings, and career fairs, workshops and paid internships, career guidance, and other support for BIPOC workers across the State.

Sec. 5. REGIONAL WORKFORCE EXPANSION SYSTEM

(a) Findings. The General Assembly finds:

(1) Vermont is experiencing an acute labor shortage in 2022.

(2) According to the Employment and Labor Marketing Information Division of the Vermont Department of Labor:

(A) There are approximately 28,000 job openings in Vermont as of December 2021.

(B) 9,945 individuals meet the federal statistical definition of unemployed as of January 2022.

(C) 4,500 individuals are receiving unemployment insurance assistance as of March 2022.

(D) The workforce has shrunk by 26,000 individuals from 2019 to 2022, yet the unemployment rate is just three percent as of January 2022.

(E) The workforce participation rate has fallen from 66 percent to 60.6 percent.

(3) The Department receives approximately 80 percent of its funding from federal sources, which constrains the Department and its employees from adjusting its work to meet immediate needs.

(4) The federal funding for field staff in the Workforce Development Division has declined significantly over the past 20 years, supporting 75 persons in 2022 as compared to 135 in 2003.

(5) Though Vermont has a small population, the unique characteristics of its region's employers, educational institutions, demographics, and socioeconomic conditions make it best to address efforts to connect individuals with training and job placement on a regional basis.

(b) Regional Workforce Expansion System. The amount of \$1,500,000.00 is appropriated from the General Fund to the Department of Labor for a two-year pilot program to launch and lead a coordinated regional system, beginning in three regions of the State, to work toward accomplishing the following goals:

- (1) increase local labor participation rate;
- (2) decrease the number of open positions reported by local employers;
- (3) increase the wages of workers as they transition to new jobs; and
- (4) collect, organize, develop, and share information related to local career pathways with workforce development partners.

(c) Duties. In order to meet the goals specified in subsection (b) of this section, the Department shall:

- (1) create new capacity to address and support State activities related to workforce development, expansion, and alignment;
- (2) focus on the overarching goal of helping workers find jobs and employers find workers;
- (3) support employers in communicating and tailoring their work requirements, conditions, and expectations to better access local workers; and
- (4) collaborate with local education and training providers and regional workforce partners to create and regularly distribute data related to local labor force supply and demand.

(d) System infrastructure. The Department shall make investments that improve and expand regional capacity to strengthen networks who assist jobseekers, workers, and employers in connecting.

(1) The Department is authorized to create four classified, two-year limited-service positions, with funding allocated to perform the work described in this section, who shall report to the Workforce Development Division and of whom:

(A) three shall be Workforce Expansion Specialists assigned, one each, to three different regions of the State; and

(B) one shall provide oversight and State-level coordination of activities.

(2)(A) The Department shall use funds allocated to develop systems for coordination, information sharing, and enhanced support to regional partners, host regional meetings, develop regional plans, and provide localized resources

including labor market information, training and development opportunities, and support services.

(B) The Department shall develop labor market information reports to support discussion and decision making that will address local labor market challenges and opportunities and support a regional approach to solving local or unique labor supply challenges.

(e) Coordination.

(1) The Department shall convene regional meetings of education, training, business, and service provider partners; coordinate local workforce information collection and distribution; and assist in developing localized career resources, such as information for career counseling, local job fairs, and career expos, that will be available to a wide range of stakeholders.

(2) Service provider partners shall include community partners who directly serve mature workers, youth, individuals with disabilities, individuals who have been involved with the correction system, BIPOC Vermonters, New Americans, and other historically marginalized populations in efforts to align service delivery, share information, and achieve greater employment outcomes for Vermonters.

(f) Interim report. On or before January 15, 2023, the Department shall provide a narrative update on the progress made in hiring staff, establishing interagency agreements, developing regional information exchange systems, and supporting State-level work to expand the labor force to the House and Senate committees of jurisdiction.

(g) Implementation. The Department of Labor shall begin implementing the Regional Workforce Expansion System on or before July 1, 2022.

Sec. 6. INCARCERATED INDIVIDUALS; WORKFORCE

DEVELOPMENT; PILOT PROGRAM

(a) Purpose. The purpose of this section is to facilitate the education and vocational training of incarcerated individuals so that they have a greater likelihood of obtaining gainful employment and positively contributing to society upon reintegration into the community.

(b) Policy; appropriations.

(1)(A) In fiscal year 2023, the amount of \$420,000.00 is appropriated from the General Fund to the Department of Corrections, in consultation with the Vermont Department of Labor, to address education and vocational enhancement needs. These funds shall not be allocated from any amounts budgeted for Justice Reinvestment II initiatives.

(B) The Department shall use the funds allocated for the development of education and vocational training for incarcerated individuals residing in a Vermont correctional facility prior to community reintegration. The Department may allocate the funds over three years, consistent with the following:

(i) \$270,000.00 for transition development, including equipment and mobile labs in one or more sites;

(ii) \$100,000.00 for training partner support; and

(iii) \$50,000.00 for curriculum development.

(2) In fiscal year 2023, the amount of \$300,000.00 is appropriated from the General Fund to the Department of Corrections, which may be allocated over not more than three years, to establish a community-based pilot reentry program at the Chittenden Regional Correctional Facility in consultation with the Vermont Department of Labor. The Department of Corrections shall designate a service provider to administer the pilot program's goals to:

(A) provide continuity of services for incarcerated individuals;

(B) expand current employment readiness programs within the facility by building pathways for coordinated transition to employment;

(C) focus on the first six months after individuals are released from the facility;

(D) coordinate with local community resources, parole and probation offices, and other supports to ensure successful transition into the community;

(E) assist individuals in successfully transitioning into new jobs; and

(F) work with employers to support successful hiring and best practices to support incarcerated individuals.

(c) Report. On or before January 15, 2023, the Department of Corrections shall create and submit a report on workforce and education training programs in correctional facilities to the Joint Legislative Justice Oversight Committee; the House Committees on Corrections and Institutions and on Commerce and Economic Development; and the Senate Committees on Economic Development, Housing and General Affairs and on Judiciary. The report shall:

(1) identify program design, logistical needs, and policy changes to current Department of Corrections facility-based training and educational programs necessary to successfully enable incarcerated individuals' reintegration into their communities, including changes to programs that enhance individuals' skill development, knowledge, and other support needed to qualify for and secure a position in a critical occupation in Vermont;

(2) identify disparities of outcomes and recommend solutions for incarcerated Black, Indigenous, and Persons of Color concerning facility-based training, educational programming, and successful community reintegration;

(3) provide an update on the Department of Corrections' use of education and vocational enhancement funding in fiscal year 2023;

(4) provide recommendations on what aspects of the pilot program should be replicated in other correctional facilities in Vermont; and

(5) provide recommended legislation for the continuation of the pilot program or any changes.

Sec. 7. INTENT

It is the intent of the General Assembly to improve the recruitment and retention of correctional officers to ensure adequate staffing and safe working conditions in facilities operated by the Department of Corrections.

Sec. 8. IMPROVEMENT OF CORRECTIONAL OFFICER

RECRUITMENT AND RETENTION; REPORT

(a) On or before January 15, 2023, the Secretary of Human Services, in consultation with the Commissioners of Corrections and of Human Resources, shall submit a written report to the House Committees on Appropriations, on Commerce and Economic Development, on Corrections and Institutions, and on Government Operations and the Senate Committees on Appropriations, on Government Operations, and on Judiciary identifying conditions that pose an obstacle to the successful recruitment and retention of correctional officers and setting forth a plan to improve the recruitment and retention of correctional officers.

(b)(1) The report shall specifically analyze the impact of the following on the recruitment and retention of correctional officers:

(A) wages and benefits;

(B) terms and conditions of employment;

(C) working conditions in Department of Corrections facilities, including health and safety issues and the physical condition of the facilities; and

(D) staffing levels and overtime.

(2) The report shall, for each of the issues examined pursuant to subdivision (1) of this subsection, analyze how the following states compare to Vermont and shall identify any best practices in those states that could improve recruitment and retention of correctional officers in Vermont:

- (A) Maine;
- (B) New Hampshire;
- (C) New York;
- (D) Massachusetts;
- (E) Rhode Island; and
- (F) Connecticut.

(c) The report shall, as part of the plan to improve the recruitment and retention of correctional officers, identify specific administrative and legislative actions that are necessary to successfully improve the recruitment and retention of correctional officers.

Sec. 9. ASSESSMENT OF RECRUITMENT AND RETENTION INITIATIVES; REPORT

(a) On or before January 15, 2023, the Secretary of Human Services, in consultation with the Commissioner of Human Resources, shall submit to the House and Senate Committees on Appropriations a report regarding the use of funds appropriated pursuant to 2022 Acts and Resolves, No. 83:

(1) Sec. 14 for employee recruitment and retention at:

- (A) the secure residential recovery facility; and
- (B) the Vermont Psychiatric Care Hospital;

(2) Sec. 68 for employee retention with respect to:

- (A) the Department of Corrections; and
- (B) the Vermont Veteran's Home; and

(3) Sec. 72 for workforce recruitment and retention incentives with respect to designated and specialized service agencies, including shared living providers.

(b) The report shall assess how effective the appropriations identified pursuant to subsection (a) of this section were in addressing issues related to employee recruitment and retention; identify any ongoing or remaining employee recruitment and retention challenges that the recipients have; and identify any potential legislative, administrative, or programmatic changes that can address those ongoing or remaining employee retention issues.

(c) The report shall also include a recommendation as to whether and how to appropriate additional funds in the 2023 Budget Adjustment Act to address ongoing recruitment and retention challenges at:

- (1) the Vermont Veteran's Home;
- (2) the Vermont Psychiatric Care Hospital;
- (3) the secure residential recovery facility;
- (4) designated and specialized service agencies; and
- (5) the Department of Corrections' facilities with respect to individuals employed as a Correctional Officer I or a Correctional Officer II.

Sec. 10. REPEALS

10 V.S.A. §§ 544 and 545 are repealed.

Sec. 11. 10 V.S.A. § 547 is added to read:

§ 547. WORK-BASED LEARNING AND TRAINING PROGRAM

(a) Vermont Work-Based Learning and Training Program. The Department of Labor shall develop the statewide Work-Based Learning and Training Program that serves transitioning secondary and postsecondary students and Vermonters seeking work-based experience as part of a career experience or change and is designed to:

(1) support Vermonters who are graduating from postsecondary education or a secondary CTE program or who are pursuing a career change with a paid on-the-job work experience lasting 12 weeks or fewer;

(2) establish a statewide platform available to all employers to list their internships, returnships, pre-apprenticeships, and registered apprenticeship opportunities and for jobseekers to view and access information about specific opportunities; and

(3) support employers by providing them with assistance in developing and implementing meaningful work-based learning and training opportunities.

(b) Definitions. As used in this section:

(1) "Internship" means a work-based learning experience with an employer where the participant may, but does not necessarily, receive academic credit.

(2) "Returnship" means an on-the-job learning experience for an individual who is returning to the workforce after an extended absence or is seeking a limited-duration on-the-job work experience in a different occupation or occupational setting as part of a career change.

(c) Activities. The Department may use funds appropriated to it for the Program to:

(1) build and administer the Program;

(2) develop an online platform that will connect students and jobseekers with work-based learning and training opportunities within Vermont;

(3) support work-based learning and training opportunities with public and private employers available to prospective workers located in or relocating to Vermont;

(4) promote work-based learning and training as a valuable component of a talent pipeline; and

(5) assist employers in developing meaningful work-based learning and training opportunities.

(d) Data. The Department shall collect the following data:

(1) the total number of participants served;

(2) the number of participants who received wage assistance or other financial assistance as part of this Program and their employment status one year after completion;

(3) the average wage of participants in subdivision (2) of this subsection at the start of the Program and the average wage of participants one year after completion;

(4) the number of work-based learning or training opportunities listed on the platform; and

(5) the number of employers who offered a work-based learning or training opportunity.

(e) State participation. The Department shall engage appropriate State agencies and departments to expand Program opportunities with State government and with entities awarded State contracts.

(f) Reporting. On or before February 15, 2023, the Department shall report Program data to the relevant committees of jurisdiction.

Sec. 12. WORK-BASED LEARNING AND TRAINING PROGRAM;

APPROPRIATION

In fiscal year 2023, the amount of \$1,500,000.00 is appropriated from the General Fund to the Department of Labor to implement the Vermont Work-Based Learning and Training Program created in Sec. 11 of this act.

Sec. 13. SECONDARY STUDENT INDUSTRY-RECOGNIZED

CREDENTIAL PILOT PROJECT

(a) Pilot Project creation. The Department of Labor, in consultation with the Agency of Education, shall design and implement the Secondary Student

Industry-Recognized Credential Pilot Project to provide funding for an eligible secondary student to take an eligible adult career and technical education course.

(b) Eligible courses. A course is eligible for the Pilot Project if it is:

(1) offered at a regional CTE center, as defined in 16 V.S.A. § 1522(4), and qualifies as adult career technical education or postsecondary career technical education, as defined in 16 V.S.A. § 1522(11) and (12);

(2) offered during the summer, evening or weekend while secondary school is in session or during the summer; and

(3) included as an element of the student's personalized learning plan and reasonably related to the student's career goals.

(c) Eligible student. A student is eligible for the Pilot Project if:

(1) the student is a Vermont resident attending a Vermont public school or an independent secondary school that is eligible for public funding;

(2) the student has completed grade 11 and has not received a high school diploma; and

(3) the student's secondary school and the regional CTE center determine that the student:

(A) is prepared to succeed in the course;

(B) meets the prerequisites for the course; and

(C) has exhausted other sources of available funding prior to submitting an application.

(d) Administration.

(1) Not later than 30 days after the effective date of this section, the Department of Labor, in consultation with the Agency of Education, shall develop and make available an application for funding that includes:

(A) student's enrollment status;

(B) course information;

(C) a copy of the student's personalized learning plan;

(D) attestation that the secondary and adult career technical education programs find the program of study appropriate for the student;

(E) description of federal and local funding sources that were explored but insufficient or unavailable for use by the student; and

(F) other information the Department requires to determine eligibility.

(2) A student's secondary school shall timely complete and submit an application to the Department of Labor on behalf of the student.

(3) The Department of Labor shall:

(A) review the application and, if appropriate, meet with the student to determine eligibility for existing federal and State programs, including WIOA Title I Youth (in-school) and the Vermont Youth Employment Program; and

(B) provide a copy of the application to the Agency of Education, which shall determine whether Agency funding is available and notify the Department of its determination within 10 business days.

(4) The Department shall provide funding for the tuition cost for one course to eligible students on a first-come, first-served basis:

(A) from State or federal sources that are available through the Department or Agency; or

(B) if funding is unavailable from those sources, from the amounts available in the Department's fiscal year 2023 budget, not to exceed \$100,000.00.

(5) For students who meet annual low-income qualifications under the Workforce Innovation and Opportunity Act, the Department may provide funds to purchase books, supplies, exam fees, and equipment.

(6) A regional CTE center shall not receive more than \$20,000.00 through the program in each fiscal year.

(e) Regional CTE center report. The Department of Labor shall require a report from each regional CTE center providing information to support the Department's reporting requirements in subsections (f) and (g) of this section.

(f) Interim Report. The Department of Labor and Agency of Education shall report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, and the Senate Committee on Economic Development, Housing and General Affairs on or before the January 15, 2023 regarding the use of funds, including data relating to student circumstances, levels of participation, and how local school districts are able or unable to meet the career preparation and training needs of secondary students using the program.

(g) Final Report. The Department of Labor and Agency of Education shall report to the House and Senate Committees on Education, the House

Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on Ways and Means, and the Senate Committee on Finance within 45 days following the end of the fiscal year or exhaustion of funds, whichever comes first, regarding the use of funds, including data relating to the number of participants, student circumstances, levels of participation, what certifications were issued, how local school districts are able or unable to meet the career preparation and training needs of secondary students using the program, and recommendations on how to address gaps in access and funding for secondary students seeking professional certifications not offered through the secondary education system.

Sec. 14. THE VERMONT TRADES SCHOLARSHIP PROGRAM

(a) The Vermont Trades Scholarship Program is created and shall be administered by the Vermont Student Assistance Corporation. The Vermont Student Assistance Corporation shall disburse initial licensing fees, exam fees, and tuition payments under the Program on behalf of eligible individuals, subject to the appropriation of funds by the General Assembly for this purpose.

(b) To be eligible for a scholarship under the Program, an individual, whether a resident or nonresident, shall:

(1) be enrolled in an industry recognized training and certification program that leads to initial employment or career advancement in a building, mechanical, industrial, or medical trade, or in clean energy, energy efficiency, weatherization, or clean transportation;

(2) demonstrate financial need;

(3) register with the Vermont Department of Labor for the purpose of receiving relevant job referrals, if unemployed; and

(4) agree to work in their profession in Vermont for a minimum of one year following licensure or certification completion for each year of scholarship awarded.

(c)(1) The Corporation shall give preference to students attending a Vermont-based training program or, if one isn't available for their certification, an offer of employment or promotion from a Vermont employer upon completion.

(2) The Corporation shall give priority to applicants who have not received other assistance.

(d) There shall be no deadline to apply for a scholarship under this section. Scholarships shall be awarded on a rolling basis if funds are available, and any funds remaining at the end of a fiscal year shall roll over and shall be available

to the Vermont Student Assistance Corporation in the following fiscal year to award additional scholarships as set forth in this section.

(e) In fiscal year 2023 the amount of \$3,000,000.00 is appropriated from the General Fund to the Vermont Student Assistance Corporation for scholarships for trades students under the Vermont Trades Scholarship Program.

Sec. 15. THE VERMONT TRADES LOAN REIMBURSEMENT PROGRAM

(a) The Vermont Trades Loan Repayment Reimbursement Program is created and shall be administered by the Vermont Student Assistance Corporation. The Vermont Student Assistance Corporation shall disburse funds under the Program to eligible individuals, subject to the appropriation of funds by the General Assembly for this purpose.

(b) To be eligible for loan repayment under the Program, an individual, shall:

(1) be a Vermont resident; and

(2) be employed in an occupation in the building, mechanical, industrial, or medical trades, or in the clean energy, energy efficiency, weatherization, or clean transportation sectors, for an average of at least 30 hours per week for least one full calendar year before applying.

(c) For every year of work in a qualifying occupation, an individual shall be eligible for up to \$5,000.00 in loan repayment reimbursement. Reimbursements shall not exceed the total amount of educational debt owed.

(d) There shall be no deadline to apply for loan repayment reimbursement under this section. Loan repayment shall be awarded on a rolling basis if funds are available, and any funds remaining at the end of a fiscal year shall roll over and shall be available to the Vermont Student Assistance Corporation in the following fiscal year to award additional loan repayment as set forth in this section.

(e) In fiscal year 2023 the amount of \$500,000.00 is appropriated from the General Fund to the Vermont Student Assistance Corporation for loan repayment for trades professionals under the Program.

Sec. 16. CTE CONSTRUCTION AND REHABILITATION

EXPERIENTIAL LEARNING PROGRAM; REVOLVING LOAN
FUND

(a) Purpose. This section authorizes and provides funding for the CTE Construction and Rehabilitation Experiential Learning Program and Revolving Loan Fund, the purposes of which are to:

(1) expand the experiential and educational opportunities for high school and adult CTE students to work directly on construction projects;

(2) build community partnerships among CTE centers, housing organizations, government, and private businesses;

(3) beautify communities and rehabilitate buildings that are underperforming assets;

(4) expand housing access to Vermonters in communities throughout the State; and

(5) improve property values while teaching high school and adult students trade skills.

(b) Appropriation; creation of fund; administration.

(1) In fiscal year 2023, the amount of \$15,000,000.00 is appropriated from the Education Fund to the Vermont Housing and Conservation Board to create and administer the CTE Construction and Rehabilitation Experiential Learning Program and Revolving Loan Fund pursuant to this section.

(2) The Board may use not more than five percent of the Fund for its costs of administration.

(c) Proposals; applications; funding.

(1) A regional CTE center, working in collaboration with one or more housing and community partners, private businesses, nonprofit organizations, or municipalities, shall identify construction projects that would be relevant and appropriate for CTE students enrolled in construction, electrical, plumbing, design, business management, or other CTE programs, including:

(A) rehabilitation of residential properties that are blighted or not code-compliant;

(B) new residential construction projects or improvements to land in cases of critical community need; and

(C) commercial construction projects that have substantial community benefit.

(2) Prior to or during the application process, a CTE center and its partners may consult with the Board to identify and consider potential funding partners to leverage amounts available through the Fund.

(3) A CTE center and its partners shall apply to the Board for funding by submitting a project application that includes the information required by the Board and addresses the following:

(A) the educational benefits for students and fit with the CTE curriculum;

(B) the community benefits for the neighborhood, municipality, or region in which the project is located; and

(C) the partners with whom the CTE center is collaborating and the respective responsibility for the aspects of a project, including:

(i) educational instruction and academic credit;

(ii) project management;

(iii) insurance coverage for students and the property;

(iv) compensation and benefits, including compliance with labor laws, standards, and practices; and

(v) property acquisition, ownership, and transfer.

(4) A CTE center may use funding for, and shall specify in its application the allocation of costs associated with:

(A) acquisition, design, permitting, construction, marketing, and other building-related expenses; and

(B) costs for labor, including for student wages and for instructor compensation during the academic year as well as for summer or other work that is not otherwise budgeted during the academic year.

(d) Eligibility; review; approval. The Board may approve an application that includes the information required by subsection (c) of this section and provide funding for a project that meets the following eligibility criteria:

(1) The project involves the rehabilitation of blighted or otherwise noncode compliant property, or new residential construction projects or improvements to land in cases of critical need, and results in a building with not more than four residential dwelling units.

(2) The project includes a weatherization component.

(3) Students working on the project receive academic credit, a competitive wage, or both.

(e) Affordability; flexibility. If appropriate in the circumstances, the Board may condition funding for a project on the inclusion of one or mechanisms addressing the affordability of the property upon rent or sale.

(f) Funding; proceeds; revolving loans.

(1) The Board shall provide funding for projects from the amounts available in the Fund in the form of zero-interest loans, in an amount, for a period, and upon terms specified by the Board.

(2) The Board shall return to the Fund any proceeds realized to provide funding for future projects.

(g) Report. The Board shall address the implementation of this section in its annual report to the General Assembly.

Sec. 17. EARLY CHILDHOOD EDUCATION; FINDINGS

The General Assembly finds that:

(1) while child care is an essential component of Vermont's economy, research has shown that three out of five of Vermont's youngest children do not have access to the child care needed by their families;

(2) according to the Federal Reserve Bank of New York, early childhood educators are the lowest-paid college graduates of any degree program in the country;

(3) the Council for a Strong America found in a national economic impact study that the U.S. economy loses \$57 billion annually due to child care challenges;

(4) the U.S. Chamber of Commerce Foundation found that high-quality child care is a powerful two-generation workforce development strategy that strengthens today's workforce and puts children on the path to develop well and enter kindergarten ready to thrive in school, work, and life;

(5) the Vermont Early Care and Learning Dividend Study found that increased investment in early care and education, as described in the recommendations of Vermont's Blue Ribbon Commission on Financing High-Quality Affordable Child Care, would yield \$3.08 for every additional dollar invested into the system;

(6) 2021 Acts and Resolves No. 45 established goals that no Vermont family spend more than 10 percent of its income on child care and that early childhood educators receive compensation commensurate with their peers in similar fields as informed by a systems analysis and financing study;

(7) while the State works toward achieving these goals, the COVID-19 pandemic has exacerbated already pressing challenges, making it even harder for families to find affordable high-quality child care and more difficult for early childhood education programs to find and retain qualified educators; and

(8) according to a recent study by the National Association for the Education of Young Children, 71 percent of center-based child care programs in Vermont reported experiencing a staffing shortage.

Sec. 18. EARLY CHILDHOOD EDUCATION; LEGISLATIVE INTENT

It is the intent of the General Assembly that immediate action is necessary to support Vermont's economy; ensure that all families with young children have access to affordable, high-quality early childhood education; and ensure that Vermont's early childhood educators, the backbone of our economy, are well supported.

Sec. 19. HEALTH CARE WORKFORCE; LEGISLATIVE INTENT

(a) The General Assembly values all health care workers, at every level and in each component of the health care system. The General Assembly also acknowledges the many struggles faced by health care workers and that the pandemic has placed further strain on an already taxed system. Many health care workers have not had their pay adjusted over time to address increases in the cost of living, essentially amounting to pay cuts from year to year. Health care workers have experienced burnout, trauma, and moral injuries due to a history of underfunding and the present stress of the pandemic.

(b) In order to retain and recruit health care workers in Vermont, it is the intent of the General Assembly to invest in multiple solutions aimed at reinforcing our health care workforce in the present and sustaining our health care workers into the future.

Sec. 20. EMERGENCY GRANTS TO SUPPORT NURSE FACULTY AND STAFF

(a) In fiscal year 2023 the amount of \$3,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health and shall carry forward for the purpose of providing emergency interim grants to Vermont's nursing schools over three years to increase the compensation for their nurse faculty and staff, with \$1,000,000.00 to be distributed in each of fiscal years 2023, 2024, and 2025 to increase the compensation for each full-time-equivalent (FTE) member of the clinical and didactic nurse faculty and staff. The Department shall distribute the funds among the nursing schools in Vermont equitably based on each

school's proportion of nursing faculty and staff to the total number of FTE nursing faculty and staff across all nursing schools statewide.

(b) If the nurse faculty or staff, or both, of a nursing school receiving a grant under this section are subject to a collective bargaining agreement, the use of the grant funds provided to the nursing school for those faculty or staff, or both, shall be subject to impact bargaining between the nursing school and the collective bargaining representative of the nurse faculty or staff, or both, to the extent required by the applicable collective bargaining agreement.

Sec. 21. NURSE PRECEPTOR INCENTIVE GRANTS; HOSPITALS;

WORKING GROUP; REPORT

(a)(1) In fiscal year 2023 the amount of \$2,400,000.00 is appropriated from the General Fund to the Agency of Human Services to provide incentive grants to hospital-employed nurses in Vermont to serve as preceptors for nursing students enrolled in Vermont nursing school programs. The Agency shall distribute the funds to hospitals employing nurses who provide student preceptor supervision based on the number of preceptor hours to be provided, at a rate of \$5.00 per preceptor hour, or a lesser hourly rate if the need exceeds the available funds.

(2) If nurse preceptors receiving compensation pursuant to a grant awarded to a hospital under this section are subject to a collective bargaining agreement, the use of the grant funds provided to the hospital for the nurse preceptors shall be subject to impact bargaining between the hospital and the collective bargaining representative of the nurses to the extent required by the collective bargaining agreement.

(b)(1) The Director of Health Care Reform or designee in the Agency of Human Services shall convene a working group of stakeholders representing nursing schools, long-term care facilities, designated and specialized service agencies, federally qualified health centers, home health agencies, primary care practices, and other health care facilities to:

(A) identify ways to increase clinical placement opportunities across a variety of health care settings for nursing students enrolled in Vermont nursing school programs;

(B) establish sustainable funding models for compensating nurses serving as preceptors or for supporting the hiring of additional nurses to alleviate the pressures on nurse preceptors, or both; and

(C) develop an action plan for implementing the clinical placement expansion and sustainable funding models identified and established pursuant

to subdivisions (A) and (B) of this subdivision (1), including addressing the need for student housing opportunities.

(2) On or before January 15, 2023, the Director of Health Care Reform shall provide the working group's action plan and any recommendations for legislative action to the House Committees on Health Care, on Commerce and Economic Development, and on Appropriations and the Senate Committees on Health and Welfare, on Economic Development, Housing and General Affairs, and on Appropriations.

Sec. 22. HEALTH CARE EMPLOYER NURSING PIPELINE AND APPRENTICESHIP PROGRAM

(a) In fiscal year 2023 the amount of \$3,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Vermont Student Assistance Corporation and shall carry forward for the purpose of providing grants to health care employers, including hospitals, long-term care facilities, designated and specialized service agencies, federally qualified health centers, and other health care providers, to establish or expand partnerships with Vermont nursing schools to create nursing pipeline or apprenticeship programs, or both, that will train members of the health care employers' existing staff, including personal care attendants, licensed nursing assistants, and licensed practical nurses, to become higher-level nursing professionals. Through a combination of scholarship awards, grants awarded to health care employers pursuant to this section, and the health care employer's contributions, the trainees' tuition and fees shall be covered in full, and trainees shall be provided with assistance in meeting their living costs, such as housing and child care, while attending the program.

(b) In awarding grants pursuant to this section, VSAC shall give priority to health care employer proposals based on the following criteria:

(1) the extent to which the health care employer proposes to participate financially in the program;

(2) the extent of the health care employer's commitment to sustaining the program financially, including providing financial support for nurse preceptors, to create ongoing opportunities for educational advancement in nursing;

(3) the ability of the health care employer's staff to leverage nursing scholarship opportunities to maximize the reach of the grant funds;

(4) the employer's demonstrated ability to retain nursing students in the Vermont nursing workforce;

(5) the employer's geographic location, in order to ensure access to pipeline and apprenticeship programs for nursing staff across Vermont; and

(6) the employer's commitment to advancing the professional development of individuals from marginalized communities, especially those that have been historically disadvantaged in accessing educational opportunities and career advancement in the health care professions.

(c)(1) VSAC shall begin awarding grants under this section expeditiously in order to enable health care employer staff to begin enrolling in nursing school programs that commence in the fall of 2022.

(2) On or before September 15, 2022, VSAC shall provide an update to the Health Reform Oversight Committee on the status of program implementation.

Sec. 23. 18 V.S.A. § 34 is added to read:

§ 34. VERMONT NURSING FORGIVABLE LOAN INCENTIVE
PROGRAM

(a) The Vermont Nursing Forgivable Loan Incentive Program is created and shall be administered by the Department of Health in collaboration with the Vermont Student Assistance Corporation. The Vermont Student Assistance 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.

(b) To be eligible for a forgivable loan under the Program, an individual, whether a resident or nonresident, shall:

(1) be enrolled at an approved postsecondary education institution as defined in 16 V.S.A. § 2822;

(2) demonstrate financial need;

(3) demonstrate academic capacity by carrying the minimum grade point average in the individual's course of study prior to receiving the fund award; and

(4) agree to work as a nurse in Vermont for a minimum of one year following licensure for each year of forgivable loan awarded.

(c)(1) First priority for forgivable loan funds shall be given to students pursuing a practical nursing certificate who will be eligible to sit for the NCLEX-PN examination upon completion of the certificate.

(2) Second priority for forgivable loan funds shall be given to students pursuing an associate's degree in nursing who will be eligible to sit for the NCLEX-RN examination upon graduation.

(3) Third priority for forgivable loan funds shall be given to students pursuing a bachelor of science degree in nursing.

(4) Fourth priority shall be given to students pursuing graduate nursing education.

(d) Students attending an approved postsecondary educational institution in Vermont shall receive first preference for forgivable loans.

(e) 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 Vermont Student Assistance Corporation in the following fiscal year to award additional forgivable loans as set forth in this section.

Sec. 24. REPEAL

18 V.S.A. § 31 (educational assistance; incentives; nurses) is repealed.

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

In fiscal year 2023, the amount of \$100,000.00 in General Fund investment funds is appropriated to the Department of Health for forgivable loans for nursing students under the Vermont Nursing Forgivable Loan Incentive Program established in Sec. 23 of this act.

Sec. 26. 18 V.S.A. § 35 is added to read:

§ 35. VERMONT NURSING AND PHYSICIAN ASSISTANT LOAN REPAYMENT 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 for loan repayment under this section.

(3) "Eligible school" means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(4) "Loan repayment" means the cancellation and repayment of loans under this section.

(5) “Loans” means education loans guaranteed, made, financed, serviced, or otherwise administered by the Corporation under this subchapter for attendance at an eligible school.

(6) “Program” means the Vermont Nursing and Physician Assistant Loan Repayment Program created under this section.

(b) The Vermont Nursing and Physician Assistant Loan Repayment Program is created and shall be administered by the Department of Health in collaboration with the Corporation. The Program provides loan repayment on behalf of individuals who live and work as a nurse or physician assistant in this State and who meet the eligibility requirements in subsection (d) of this section.

(c) The loan repayment benefits provided under the Program shall be paid on behalf of the eligible individual by the Corporation, subject to the appropriation of funds by the General Assembly specifically for this purpose.

(d) To be eligible for loan repayment under the Program, an individual shall satisfy all of the following requirements:

(1) have graduated from an eligible school where the individual has, within the past five years, been awarded a nursing degree or a degree in physician assistant studies;

(2) had the minimum grade point average or better or the equivalent as determined by the Corporation if the eligible school does not use grade point averages from the eligible school;

(3) work as a nurse or physician assistant in this State; and

(4) be a resident of Vermont.

(e)(1) An eligible individual shall be entitled to an amount of loan cancellation and repayment under this section equal to one year of loans for each year of service as a nurse or physician assistant in this State.

(2) The Corporation shall award loan repayments in amounts that are sufficient to attract high-quality candidates while also making a meaningful increase in Vermont’s health care professional workforce.

(f) The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section.

Sec. 27. VERMONT NURSING AND PHYSICIAN ASSISTANT LOAN REPAYMENT PROGRAM; APPROPRIATION

In fiscal year 2023 the amount of \$2,000,000.00 is appropriated from the General Fund to the Department of Health for loan repayment for nurses and

physician assistants under the Vermont Nursing and Physician Assistant Loan Repayment Program established in Sec. 26 of this act.

Sec. 28. 18 V.S.A. § 36 is added to read:

§ 36. NURSE FACULTY FORGIVABLE LOAN AND LOAN
REPAYMENT PROGRAM

(a) Definitions. As used in this section:

(1) “Eligible individual” means an individual who satisfies the eligibility requirements under this section for a forgivable loan or loan repayment.

(2) “Eligible school” means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(3) “Forgivable loan” means a loan awarded under this section covering tuition, room, board, and the cost of required books and supplies for up to full-time attendance at an eligible school.

(4) “Gift aid” means grant or scholarship financial aid received from the federal government or from the State.

(5) “Loan repayment” means the cancellation and repayment of loans under this section.

(6) “Loans” means education loans guaranteed, made, financed, serviced, or otherwise administered by the Corporation under this subchapter for attendance at an eligible school.

(7) “Nurse faculty member” or “member of the nurse faculty” means a nurse with a master’s or doctoral degree that qualifies the individual to teach at a nursing school in this State.

(8) “Program” means the Nurse Faculty Forgivable Loan and Loan Repayment Program created under this section.

(b) Program creation. The Nurse Faculty Forgivable Loan and Loan Repayment 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 member of the nurse faculty at a nursing school in this State and who meet the eligibility requirements in subsection (d) of this section. The Program also provides loan repayment on behalf of individuals who work as nurse faculty members at a nursing school in this State and who meet the eligibility requirements in subsection (e) of this section.

(c) Payment. The forgivable loan and loan repayment benefits provided under the Program shall be paid on behalf of the eligible individual by the Corporation, subject to the appropriation of funds by the General Assembly specifically for this purpose.

(d) Eligibility for forgivable loans. 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 that leads to a graduate degree in nursing;

(2) continually demonstrate satisfactory academic progress by maintaining the minimum grade point average or better or the equivalent as determined by the Corporation if the eligible school does not use grade point averages;

(3) have used any available gift aid;

(4) have executed a contract with the Corporation committing the individual to work as a member of the nurse faculty at a nursing school in this State;

(5) have executed a promissory note that will reduce the individual's forgivable loan benefit, in whole or in part, if the individual fails to complete the period of service required in subsection (f) of this section; and

(6) 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.

(e) Eligibility for loan repayment. To be eligible for loan repayment under the Program, an individual shall satisfy all of the following requirements:

(1) graduated from an eligible school where the individual has, within the past five years, been awarded a graduate degree in nursing;

(2) had the minimum grade point average or better or the equivalent as determined by the Corporation if the eligible school does not use grade point averages from the eligible school;

(3) work as a member of the nurse faculty at a nursing school in this State; and

(4) be a resident of Vermont.

(f) Service commitment.

(1) Forgivable loans. For each year of service as a nurse faculty member at a nursing school in this State, an eligible individual shall be entitled to a full academic year of forgivable loan benefit under the Program. If an eligible individual fails to serve as a nurse faculty member at a nursing school 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 reimbursement promissory note signed by the individual at the time of entering the Program.

(2) Loan repayment. An eligible individual shall be entitled to an amount of loan cancellation and repayment under this section equal to one year of loans for each year of service as a member of the nurse faculty at a nursing school in this State.

(g) Adoption of policies, procedures, and guidelines. The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section.

Sec. 29. NURSE FACULTY FORGIVABLE LOAN AND LOAN
REPAYMENT PROGRAM; APPROPRIATION

In fiscal year 2023, the amount of \$500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health for forgivable loans and loan repayment for nurse faculty members under the Nurse Faculty Forgivable Loan and Loan Repayment Program established in Sec. 28 of this act.

Sec. 30. 18 V.S.A. § 9456 is amended to read:

§ 9456. BUDGET REVIEW

(a) The Board shall conduct reviews of each hospital's proposed budget based on the information provided pursuant to this subchapter and in accordance with a schedule established by the Board.

(b) In conjunction with budget reviews, the Board shall:

* * *

(10) require each hospital to provide information on administrative costs, as defined by the Board, including specific information on the amounts spent on marketing and advertising costs; and

(11) require each hospital to create or maintain connectivity to the State's Health Information Exchange Network in accordance with the criteria

established by the Vermont Information Technology Leaders, Inc., pursuant to subsection 9352(i) of this title, provided that the Board shall not require a hospital to create a level of connectivity that the State's Exchange is unable to support;

(12) review the hospital's investments in workforce development initiatives, including nursing workforce pipeline collaborations with nursing schools and compensation and other support for nurse preceptors; and

(13) consider the salaries for the hospital's executive and clinical leadership and the hospital's salary spread, including a comparison of median salaries to the medians of northern New England states.

* * *

Sec. 31. GREEN MOUNTAIN CARE BOARD; FISCAL YEAR 2023
HOSPITAL BUDGET REVIEW; NURSING WORKFORCE
DEVELOPMENT INITIATIVES

For hospital fiscal year 2023, the Green Mountain Care Board may exclude all or a portion of a hospital's investments in nursing workforce development initiatives from any otherwise applicable financial limitations on the hospital's budget or budget growth. Notwithstanding any provision of GMCB Rule 3.202, the Board may modify its hospital budget guidance for hospital fiscal year 2023 as needed to comply with this section.

Sec. 32. AGENCY OF HUMAN SERVICES; HEALTH CARE
WORKFORCE DATA CENTER

(a) In fiscal year 2023, the amount of \$1,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Office of Health Care Reform in the Agency of Human Services to enable the Agency to establish and operate the statewide Health Care Workforce Data Center. In order to enhance the State's public health data systems, respond to the COVID-19 public health emergency, and improve the State's COVID-19 mitigation and prevention efforts, the Center shall collect health care workforce data, shall collaborate with the Director of Health Care Reform to identify and propose solutions to address data gaps, and shall share the data with the Green Mountain Care Board as appropriate to inform the Board's Health Resource Allocation Plan responsibilities pursuant to 18 V.S.A. § 9405.

(b) The Center shall use existing statewide information to the extent practicable to avoid imposing administrative burdens on health care providers and to avoid duplication of efforts underway elsewhere in Vermont. The

Center shall expand its data collection practices over two years to include all levels of the health care workforce, beginning with the highest-level licensed health care professionals.

(c) In order to ensure the Center has access to accurate and timely health care workforce data, the Center:

(1) shall have the cooperation of other State agencies and departments in responding to the Center's requests for information;

(2) may enter into data use agreements with institutions of higher education and other public and private entities, to the extent permitted under State and federal law; and

(3) may collect vacancy and turnover information from health care employers.

(d) One permanent classified Health Care Workforce Data Center Manager position is created in the Agency of Human Services, Office of Health Care Reform in fiscal year 2023 to manage the Health Care Workforce Data Center created pursuant to this section.

(e) The Agency of Human Services may include proposals for additional funding or data access, or both, for the Center as part of the Agency's fiscal year 2024 budget request.

Sec. 33. OFFICE OF PROFESSIONAL REGULATION; BARRIERS TO MENTAL HEALTH LICENSURE; REPORT

The Office of Professional Regulation shall undertake a systematic review of the licensing processes for mental health and substance use disorder treatment professionals to identify barriers to licensure. On or before January 15, 2023, the Office shall provide its findings and recommendations to address any identified barriers to licensure to the House Committees on Health Care, on Human Services, on Commerce and Economic Development, and on Government Operations and the Senate Committees on Health and Welfare, on Economic Development, Housing and General Affairs, and on Government Operations.

Sec. 34. AGENCY OF HUMAN SERVICES; POSITION; APPROPRIATION

(a) One classified, three-year limited-service Health Care Workforce Coordinator position is created in the Agency of Human Services, Office of Health Care Reform in fiscal year 2023 to support the health care workforce initiatives set forth in this act and in the Health Care Workforce Development Strategic Plan. The Coordinator shall focus on building educational, clinical,

and housing partnerships and support structures to increase and improve health care workforce training, recruitment, and retention.

(b) In fiscal year 2023 the amount of \$170,000.00 is appropriated from the General Fund to the Agency of Human Services, Office of Health Care Reform for the Health Care Workforce Coordinator position, of which \$120,000.00 is for personal services and \$50,000.00 is for operating expenses.

Sec. 35. DEPARTMENT OF LABOR; GREEN MOUNTAIN CARE
BOARD; SUPPLY AND DEMAND MODELING

On or before January 15, 2023, the Department of Labor, in collaboration with the Green Mountain Care Board, shall explore and recommend to the House Committees on Health Care, on Human Services, and on Commerce and Economic Development and the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs a process, methodology, and necessary funding amounts to establish and maintain the capacity to perform health care supply and demand modeling based on information in the Health Care Workforce Data Center, for use by health care employers, health care educators, and policymakers.

Sec. 36. DEPARTMENT OF FINANCIAL REGULATION; GREEN
MOUNTAIN CARE BOARD; PRIOR AUTHORIZATIONS;
ADMINISTRATIVE COST REDUCTION; REPORT

(a) The Department of Financial Regulation shall explore the feasibility of requiring health insurers and their prior authorization vendors to access clinical data from the Vermont Health Information Exchange whenever possible to support prior authorization requests in situations in which a request cannot be automatically approved.

(b) The Department of Financial Regulation shall direct health insurers to provide prior authorization information to the Department in a format required by the Department in order to enable the Department to analyze opportunities to align and streamline prior authorization request processes. The Department shall share its findings and recommendations with the Green Mountain Care Board, and the Department and the Board shall collaborate to provide recommendations to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance on or before January 15, 2023 regarding the statutory changes necessary to align and streamline prior authorization processes and requirements across health insurers.

Sec. 37. 33 V.S.A. § 3543 is amended to read:

§ 3543. STUDENT LOAN REPAYMENT ASSISTANCE

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

(2) An eligible individual shall:

(A) work in a privately operated center-based child care program or in a family child care home that is regulated by the Division for at least an average of 30 hours per week for 48 weeks of the year, except that this minimum time requirement does not apply to an employee of Vermont Head Start to the extent it conflicts with any law or contract provision governing the terms of employment;

(B) receive an annual salary of not more than \$50,000.00; and

(C) have earned an associates or bachelor's degree with a major concentration in early childhood, child and human development, elementary education, special education with a birth to age eight focus, or child and family services within the preceding five years.

* * *

Sec. 38. PILOT PROGRAM; POSITIONS EMBEDDED WITHIN
RECOVERY CENTERS

(a)(1) In fiscal year 2023 the amount of \$1,290,000.00 is appropriated from the General Fund to the Department for Disabilities, Aging, and Independent Living's Division of Vocation Rehabilitation for the purpose of developing and implementing a two-year pilot program that authorizes 15 FTE new limited-service positions embedded within 12 recovery centers across the State.

(2) The 15 FTE limited-service positions shall be allocated as follows:

(A) Of the total appropriation, \$540,000.00 total shall be allocated in equal amounts to fund the following 2.5 FTE at each of two geographically diverse recovery centers:

(i) one FTE to serve as an employment counselor within the Division of Vocation Rehabilitation;

(ii) one FTE to serve as an employment consultant within the Vermont Association of Business Industry and Rehabilitation; and

(iii) 0.5 FTE to serve as Employment Assistance Program staff within the Division of Vocation Rehabilitation.

(B) Of the total appropriation, \$75,000.00 shall be allocated in equal amounts to fund one FTE who shall serve as an employment support counselor at each of the 10 remaining recovery centers in the State.

(b) On or before January 1, 2024, the Division of Vocational Rehabilitation, in collaboration with the Vermont Association of Business Industry and Rehabilitation, shall submit a report to the House Committees on Commerce and Economic Development and on Human Services and to the Senate Committees on Economic Development, Housing and General Affairs and on Health and Welfare summarizing the effectiveness of the pilot program, including:

- (1) educational attainment and achievement of program recipients;
- (2) acquisition of a credential of value pursuant to 10 V.S.A. § 546;
- (3) number of job placements; and
- (4) job retention rates.

Sec. 39. CREDENTIAL OF VALUE GOAL; PUBLIC-PRIVATE

PARTNERSHIP; APPROPRIATION

(a) Duties. In fiscal year 2023, the amount of \$150,000.00 is appropriated from the General Fund to the Vermont Student Assistance Corporation for a performance-based contract to perform the following duties, in coordination and alignment with State partners, 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 (Goal):

(1) increase public awareness of the value of postsecondary education and training to help persons of any age make informed decisions about the value of education and training that would further their advancement in educational pathways and pursuit of career goals, through targeted outreach as outlined in subsection (b) of this section;

(2) promote a broad understanding of the public good and value in achieving the State's Goal and of actions stakeholders can take to increase attainment;

(3) assist or coordinate with stakeholders, such as educational, business, governmental, nonprofit, and philanthropic organizations, in activities that seek to align the delivery of high-quality education and training opportunities with career advancement and support the policy priorities outlined in 10 V.S.A. § 546;

(4) collect and display publicly available, nonconfidential information about postsecondary credentials available to Vermonters;

(5) facilitate conversations or provide information about the national best practices in aligning, recognizing, measuring, tracking, and promoting postsecondary credentials of value to the Vermont Department of Labor and Agency of Education when requested;

(6) maintain web-based resources that provide information about opportunities to obtain a postsecondary credential of value, in coordination with State partners;

(7) support the Vermont Department of Labor and Agency of Education transition or integration of Advance Vermont's web-based resources and collected information referenced in subdivisions (4) and (6) of this subsection into a State-supported system in a coordinated way; and

(8) meet on a quarterly basis with the Vermont Department of Labor and Agency of Education about activities described in this subsection.

(b) Outreach. The contractor may use funds awarded by the State to:

(1) create and distribute public-facing communications and resources related to the duties described in this section; and

(2) offer support to career and education counselors, employment and training counselors, jobseekers and their families, and other stakeholders, consistent with best practice and State policy and programs, to help them better understand the postsecondary education and training landscape.

(c) Reports. The contractor shall provide written reports to:

(1) the Vermont Department of Labor and Agency of Education about anticipated work and activities using a simplified reporting template jointly developed by the contractor and the State entities on a quarterly basis; and

(2) on or before December 15, 2022, the House and Senate committees of jurisdiction regarding the use of funds, activities performed, and outcomes achieved pursuant to this section.

Sec. 40. VERMONT SERVE, LEARN, AND EARN PROGRAM;

APPROPRIATION

In fiscal year 2023, the amount of \$2,000,000.00 is appropriated from the General Fund to the Department of Forests, Parks and Recreation to provide funding for capital and operating needs of groups participating in the Vermont Serve, Learn, and Earn Program, which supports workforce development goals

through creating meaningful paid service and learning opportunities for young adults.

Sec. 41. ADULT EDUCATION AND LITERACY; FINDINGS

The General Assembly finds:

(1) Adult education and literacy services are a key piece of the workforce development system and serve as the entryway into career readiness and workforce development for tens of thousands of our most vulnerable Vermonters, those with low literacy, under-education, or those simply in need of increased skills so that they can succeed.

(2) 36,000 adults in Vermont do not have a high school credential, and tens of thousands more lack the skills to matriculate into and be successful in college, in career training programs, or both. Adult education and literacy providers are the first stop on the path to the transformative opportunities that Vermont is offering for these individuals.

(3) Adult education and literacy services help people build the assets they need to move out of poverty successfully, as well as the confidence to continue to move toward success throughout their lives. Students are supported to identify concrete goals and then break those goals down into steps. Students set goals in the domains of:

(A) family and life;

(B) academics; and

(C) career and college readiness.

Sec. 42. FINDINGS; FOREST FUTURE STRATEGIC ROADMAP

The General Assembly finds for the purposes of this section and Secs. 43 to 45 of this act:

(1) Private and public forestlands:

(A) constitute unique and irreplaceable resources, benefits, and values of statewide importance;

(B) contribute to the protection and conservation of wildlife habitat, air, water, and soil resources of the State;

(C) mitigate the effects of climate change; and

(D) benefit the general health and welfare of the persons of the State.

(2) The forest products sector, including maple sap collection:

(A) is a major contributor to and is valuable to the State's economy by providing nearly 14,000 jobs for Vermonters, generating \$2.1 billion in

annual sales, and supporting \$30.8 million in additional economic activity from trail uses and seasonal tourism;

(B) is essential to the manufacture of forest products that are used and enjoyed by the persons of the State; and

(C) benefits the general welfare of the persons of the State.

(3) Private and public forestlands are critical for and contribute significantly to the State's outdoor recreation and tourism economies.

(4) Eighty percent of Vermont's forestland is held in private ownership, of which 56 percent of private lands are enrolled in the forestland category of Vermont's Use Value Appraisal Program (UVA). UVA is Vermont's most important conservation program and contains the largest foundation of supply to support a vibrant forest-based rural economy.

(5) Economic realities and demand pressures for urban, commercial, and residential land uses throughout the State continue to challenge forest landowners trying to maintain intact forests. Forest fragmentation can adversely affect the natural environment and viable forest management. Addressing the economic and social needs of the forest products sector is paramount to keeping forests intact, viable, and healthy.

(6) The encouragement, development, improvement, and preservation of forestry operations will result in extant, intact, and functioning forests that will provide a general benefit to the health and welfare of the persons of the State and the State's economy.

(7) To strengthen, promote, and protect the Vermont forest products sector, the State should establish the Vermont Forest Future Strategic Roadmap.

Sec. 43. 10 V.S.A. chapter 82 is added to read:

CHAPTER 82. VERMONT FOREST FUTURE STRATEGIC ROADMAP

§ 2531. VERMONT FOREST FUTURE STRATEGIC ROADMAP

(a) Creation. The Commissioner of Forests, Parks and Recreation shall create the Vermont Forest Future Strategic Roadmap to strengthen, modernize, promote, and protect the forest products sector in Vermont. The Commissioner of Forests, Parks and Recreation may contract with a qualified contractor for the creation of the Vermont Forest Future Strategic Roadmap. During the contract proposal process, the Commissioner of Forests, Parks and Recreation shall seek a proposal to complete the Vermont Forest Future Strategic Roadmap from the Vermont Sustainable Jobs Fund.

(b) Intended outcomes. The intended outcomes of the Vermont Forest Future Strategic Roadmap are to:

(1) increase sustainable economic development and jobs in Vermont's forest economy;

(2) promote ways to expand the workforce and strengthen forest product enterprises in order to strengthen, modernize, promote, and protect the Vermont forest economy into the future;

(3) promote the importance of healthy, resilient, and sustainably managed working forests that provide a diverse array of high-quality products now and in the future; and

(4) identify actionable strategies designed to strengthen, modernize, promote, and protect the forest products sector in Vermont, including opportunities for new product development, opening new markets for Vermont forest products, adopting modern manufacturing processes, and utilizing new ways to market Vermont forest products.

(c) Strategic Roadmap content. In developing the Vermont Forest Future Strategic Roadmap, the Commissioner of Forests, Parks and Recreation or the relevant contractor shall:

(1) review all existing data, plans, and industry-level research completed over the past 10 years, including the Working Lands Enterprise Fund's Forest Sector Systems Analysis, and identify any recommendations in those reports in order to build upon previous efforts;

(2) identify infrastructure investment and funding to support and promote Vermont forest products enterprises;

(3) identify regulatory barriers and propose policy recommendations to support and strengthen the Vermont forest economy;

(4) identify opportunities for all State agencies to engage with and enhance the Vermont forest products sector, including the Department of Buildings and General Services, the Agency of Commerce and Community Development, the Department of Tourism and Marketing, the Agency of Education, the Agency of Transportation, the Department of Public Service, the Agency of Natural Resources, the Department of Financial Regulation, and the Department of Labor;

(5) develop recommendations to support education and training of the current and future workforce of the Vermont forest products sector;

(6) propose alternatives for the modernization of transportation and regulation of Vermont forest products enterprises, including modernization of local and State permits;

(7) identify methods or programs that Vermont forest enterprises can utilize to access business assistance services;

(8) recommend how to maintain access by Vermont forest products enterprises to forestland and how to maintain the stewardship and conservation of Vermont forests as a whole;

(9) propose methods to enhance market development and manufacturing by Vermont forest products enterprises, including value chain coordination and regional partnerships;

(10) recommend consumer education and marketing initiatives; and

(11) recommend how to clarify the roles of various public entities and nongovernmental organizations that provide certain services to the forestry sector and to ensure coordination and alignment of those functions in order to advance and maximize the strength of the forest products industry.

(d) Process for development of Vermont Forest Future Strategic Roadmap.

(1) The Commissioner of Forests, Parks and Recreation or relevant contractor shall develop the Vermont Forest Future Strategic Roadmap and all subsequent revisions through the use of a public stakeholder process that includes and invites participation by interested parties representing all users of Vermont's forests, including representatives of forest products enterprises, State agencies, investors, forestland owners, recreational interests, loggers, foresters, truckers, sawmills, firewood processors, wood products manufacturers, education representatives, and others.

(2) The Commissioner of Forests, Parks and Recreation, in collaboration with forest products sector stakeholders, shall review the Strategic Roadmap periodically and shall update the Strategic Roadmap at least every 10 years.

(e) Advisory panel; administration.

(1) The Commissioner of Forests, Parks and Recreation or relevant contractor shall convene a Vermont Forest Future Strategic Roadmap advisory panel to review and counsel in the development and implementation of the Vermont Forest Future Strategic Roadmap. The advisory panel shall include representatives of forest products enterprises, State agencies, investors, forestland owners, foresters, loggers, truckers, wood products manufacturers, recreational specialists, education representatives, trade organizations, and

other partners as deemed appropriate. The Commissioner of Forests, Parks and Recreation shall select representatives to the advisory panel.

(2) The Commissioner of Forests, Parks and Recreation or relevant contractor may seek grants or other means of assistance to support the development and implementation of the Vermont Forest Future Strategic Roadmap.

Sec. 44. IMPLEMENTATION

(a) The Commissioner of Forests, Parks and Recreation or relevant contractor shall submit to the General Assembly:

(1) draft recommendations for the Vermont Forest Future Strategic Roadmap on or before July 1, 2023; and

(2) a final report and recommendations for the Vermont Forest Future Strategic Roadmap on or before January 1, 2024.

(b) Any recommendation submitted under this section shall include recommended appropriations sufficient to implement the recommendation or the Vermont Forest Future Strategic Roadmap as a whole.

Sec. 45. APPROPRIATIONS

In addition to any other funds appropriated to the Department of Forests, Parks and Recreation, in fiscal year 2023 the amount of \$250,000.00 is appropriated from the General Fund to the Department to enter a two-year contract in fiscal year 2023 for the purpose of contracting for the development of the Vermont Forest Future Strategic Roadmap required by 10 V.S.A. § 2531.

* * * Capital Investment Grant Program * * *

Sec. 46. 2021 Acts and Resolves No. 74, Sec. H.18 is amended to read:

Sec. H.18 CAPITAL INVESTMENT GRANT PROGRAM

(a) Creation; purpose; regional outreach.

(1) The Agency of Commerce and Community Development shall use the \$10,580,000 appropriated to the Department of Economic Development in Sec. G.300(a)(12) of this act to design and implement a capital investment grant program consistent with this section.

(2) The purpose of the program is to make funding available for transformational projects that will provide each region of the State with the opportunity to attract businesses, retain existing businesses, create jobs, and invest in their communities by encouraging capital investments and economic growth.

(3) The Agency shall collaborate with other State agencies, regional development corporations, regional planning commissions, and other community partners to identify potential regional applicants and projects to ensure the distribution of grants throughout the regions of the State.

(b) Eligible applicants.

(1) To be eligible for a grant, an applicant shall comply with the Department of Treasury Final Rule implementing the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act and meet the following criteria:

(A) The applicant is located within this State.

(B) The applicant is:

(i)(I) a for-profit entity with not less than a 10 percent equity interest in the project; or

(II) a nonprofit entity; and

(ii) grant funding from the Program represents not more than 50 ~~20~~ percent of the total project cost.

(C) The applicant demonstrates:

(i) community and regional support for the project;

(ii) that grant funding is needed to complete the project;

(iii) leveraging of additional sources of funding from local, State, or federal economic development programs; and

(iv) an ability to manage the project, with requisite experience and a plan for fiscal viability.

(2) The following are ineligible to apply for a grant:

(A) a State or local government-operated business;

(B) a municipality;

(C) 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

(D) a ~~publicly-traded~~ publicly traded company.

(c) Awards; amount; eligible uses.

(1) An award shall not exceed the lesser of \$1,500,000.00 \$1,000,000 or ~~the estimated net State fiscal impact of the project based on Agency modeling~~ 20 percent of the total project cost.

(2) A recipient may use grant funds for the acquisition of property and equipment, construction, renovation, and related capital expenses.

(3) A recipient may combine grant funds with funding from other sources but shall not use grant funds from multiple sources for the same costs within the same project.

(4) The Agency shall release grant funds upon determining that the applicant has met all Program conditions and requirements.

(5) Nothing in this section is intended to prevent a grant recipient from applying for additional grant funds if future amounts are appropriated for the program.

(d) ~~Data model; approval.~~

~~(1) The Agency shall collaborate with the Legislative Economist to design a data model and related methodology to assess the fiscal, economic, and societal impacts of proposals and prioritize them based on the results.~~

~~(2) The Agency shall present the model and related methodology to the Joint Fiscal Committee for its approval not later than September 1, 2021. [Repealed.]~~

(e) Application process; decisions; awards.

(1)(A) The Agency shall accept applications on a rolling basis for three-month periods and shall review and consider for approval the group of applications it has received as of the conclusion of each three-month period.

(B) The Agency shall make application information available to the Legislative Economist and the Executive Economist in a timely manner.

~~(2) Using the data model and methodology approved by the Joint Fiscal Committee, the Agency shall analyze the information provided in an application to estimate the net State fiscal impact of a project, including the following factors:~~

~~(A) increase to grand list value;~~

~~(B) improvements to supply chain;~~

~~(C) jobs impact, including the number and quality of jobs; and~~

~~(D) increase to State GDP. [Repealed.]~~

(3) The Secretary of Commerce and Community Development shall appoint an interagency team, which may include members from among the Department of Economic Development, the Department of Housing and Community Development, the Agency of Agriculture, Food and Markets, the Department of Public Service, the Agency of Natural Resources, or other State

agencies and departments, which team shall review, analyze, and recommend projects for funding consistent with the guidelines the Agency develops in coordination with the Joint Fiscal Office and based on ~~the estimated net State fiscal impact of a project and on other contributing factors, including the following:~~

(A) transformational nature of the project for the region;

(B) project readiness, quality, and demonstrated collaboration with stakeholders and other funding sources;

(C) alignment and consistency with regional plans and priorities; and

(D) creation and retention of workforce opportunities.

(4) The Secretary of Commerce and Community Development shall consider the recommendations of the interagency team and shall give final approval to projects.

(f) Grant agreements; post award monitoring.

(1) If selected by the Secretary, the applicant and the Agency shall execute a grant agreement that includes audit provisions and minimum requirements for the maintenance and accessibility of records that ensures that the Agency and the Auditor of Accounts have access and authority to monitor awards.

(2) The Agency shall publish on its website not later than 30 days after approving an award a brief project description, the name of the grantee, and the amount of a grant.

(g) Report. On or before ~~December 15, 2021~~ February 15, 2023, the Agency shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs concerning the implementation of this section, including:

(1) a description of the implementation of the program;

(2) the promotion and marketing of the program;

(3) an analysis of the utilization and performance of the program, ~~including the projected revenue impacts and other qualitative and quantitative returns on investment in the program based on available data and modeling.~~

(h) Implementation.

(1) The Agency of Commerce and Community Development shall consult with the Legislative Joint Fiscal Office to develop guidelines and approval processes for the Capital Investment Grant Program and shall submit

the proposed guidelines and processes to the Joint Fiscal Committee and the chairs of the relevant legislative committees of jurisdiction prior to accepting applications for grants through the Program.

(2) When considering whether and how to prioritize economic sectors that have suffered economic harm due to the COVID-19 pandemic, the Agency may designate one or more sectors for priority consideration through the Program, including the arts and culture, travel, lodging, tourism, agriculture, and child care sectors.

* * * VEDA Short-Term Forgivable Loans * * *

Sec. 47. VEDA SHORT-TERM FORGIVABLE LOANS

(a) Creation. The Vermont Economic Development Authority shall create a Short-Term Forgivable Loan Program to support Vermont businesses experiencing continued working capital shortfalls as a result of the COVID-19 public health emergency.

(b) Eligible business. An eligible borrower is a for-profit or nonprofit business:

(1) with fewer than 500 employees;

(2) located in Vermont;

(3) that was in operation or had taken substantial steps toward becoming operational as of March 13, 2020; and

(4) that can identify economic harm caused by or exacerbated by the pandemic.

(c) Economic harm.

(1) An applicant shall demonstrate economic harm from lost revenue, increased costs, challenges covering payroll, rent or mortgage interest, or other operating costs that threaten the capacity of the business to weather financial hardships and result in general financial insecurity due to the COVID-19 public health emergency.

(2) The Authority shall measure economic harm by a material decline in the applicant's annual adjusted net operating income before the COVID-19 public health emergency relative to its annual adjusted net operating income during the COVID-19 public health emergency.

(3) When assessing an applicant's adjusted net operating income, the Authority shall consider previous COVID-19 State and federal subsidies, reasonable owner's compensation, noncash expenses, extraordinary items, and other adjustments deemed appropriate. The Authority shall also consider

whether other State or federal assistance is or may become available and appropriate for the business and shall not provide assistance for the same costs that are covered by another program.

(4) To be eligible for a loan, the Authority shall determine that a business has experienced at least a 20 percent reduction in its adjusted net operating income in calendar years 2020 and 2021 combined as compared to 2019, or other appropriate basis of comparison where necessary.

(d) Maximum loan. The Authority shall determine the amount of a loan award pursuant to guidelines adopted pursuant to subsection (f) of this section, provided that a loan shall not exceed the lesser of:

(1) \$500,000.00;

(2) six months of eligible operating expenses; or

(3) the amount of the cumulative decline in adjusted net operating income during the COVID-19 public health emergency in 2020 and 2021.

(e) Eligible use of loan; loan forgiveness.

(1) A loan recipient may use loan proceeds to pay for eligible operating expenses but shall not use the proceeds for capital expenditures.

(2) The Authority shall approve loan forgiveness based on documentation evidencing loan proceeds were used to pay for eligible operating expenses.

(f) Guidelines. The Vermont Economic Development Authority shall consult with the Legislative Joint Fiscal Office to develop guidelines and approval processes for the VEDA Short-Term Forgivable Loan Program and shall submit the proposed guidelines and processes to the Joint Fiscal Committee and the chairs of the relevant legislative committees of jurisdiction prior to accepting applications for grants through the Program.

(g) Priority sectors. When considering whether and how to prioritize economic sectors that have suffered economic harm due to the COVID-19 pandemic, the Agency of Commerce and Community Development may designate one or more sectors for priority funding through the Program, including the arts and culture, travel, lodging, tourism, agriculture, and child care sectors.

(h) Technical assistance. The Authority shall provide information to applicants on how to access technical assistance from the Small Business Development Center through the Community Navigator Pilot Program.

Sec. 48. WINDHAM COUNTY ECONOMIC DEVELOPMENT

(a) Findings.

(1) In 2014 Acts and Resolves No. 95, Sec. 80 created the Entergy Windham County Economic Development Special Fund pursuant to 32 V.S.A. chapter 7, subchapter 5, for the deposit and management of funds that were received pursuant to the settlement agreement between the State of Vermont and Entergy Nuclear Vermont Yankee, LLC, dated December 23, 2013.

(2) Pursuant to 2015 Acts and Resolves No. 4, Sec. 69, as further amended by 2016 Acts and Resolves No. 68, Sec. 69, the Secretary of Commerce and Community Development is authorized to make grants, repayable grants, and loans in the Special Fund for the purpose of promoting economic development in Windham County.

(3) From the amounts available in the Special Fund, the Agency of Commerce and Community Development has provided grant funds, and the Vermont Economic Development Authority, working in coordination with the Agency, has provided loans and loan servicing, for economic development projects in Windham County.

(b) Purpose: The purpose of this section is to ensure all program and interest funds received from the revolved loans originating from the Entergy Windham County Economic County Special Fund provide future economic development benefits for Windham County.

(c) Authority; Program Creation: Decisions for the use of any remaining and future funds shall be made through local administration by the Brattleboro Development Credit Corporation.

(d) Agency of Commerce and Community Development; transfer. On or before June 30, 2022 the Agency of Commerce and Community Development shall transfer any amounts remaining in the Entergy Windham County Economic Development Special Fund to the Brattleboro Development Credit Corporation.

(e) Vermont Economic Development Authority; transfer. On or before June 30, 2022, the Vermont Economic Development Authority shall take any steps necessary to transfer to the Brattleboro Development Credit Corporation any loans, loan servicing, future loan payments, and other legal rights, duties, or obligations related to its activities undertaken with funding from the Entergy Windham County Economic Development Special Fund.

(f) Brattleboro Economic Development Corporation; use of funds. The Brattleboro Economic Development Corporation shall use the funds

transferred pursuant to this section to provide grants and loans for projects that provide economic development benefits to Windham County.

(g) Entergy Windham County Economic Development Special Fund; termination. The purpose of the Entergy Windham County Economic Development Special Fund has been fulfilled as determined by the General Assembly. Upon the completion of the transfers required in this section, and pursuant to 32 V.S.A. § 587(b) the Entergy Windham County Economic Development Special Fund is terminated.

* * * Downtown Tax Credits * * *

Sec. 49. 32 V.S.A. § 5930ee is amended to read:

§ 5930ee. LIMITATIONS

Beginning in fiscal year ~~2010~~ 2023 and thereafter, the State Board may award tax credits to all qualified applicants under this subchapter, provided that:

(1) the total amount of tax credits awarded annually, together with sales tax reallocated under section 9819 of this title, does not exceed \$3,000,000.00 \$4,350,000.00 with up to \$1,000,000.00 awarded to qualified projects in neighborhood development areas;

* * *

Sec. 50. 32 V.S.A. § 5930ee is amended to read:

§ 5930ee. LIMITATIONS

Beginning in fiscal year ~~2023~~ 2025 and thereafter, the State Board may award tax credits to all qualified applicants under this subchapter, provided that:

(1) the total amount of tax credits awarded annually, together with sales tax reallocated under section 9819 of this title, does not exceed \$4,350,000.00 with up to \$1,000,000.00 awarded to qualified projects in neighborhood development areas \$3,000,000.00;

* * *

Sec. 51. FY 2024 DOWNTOWN AND VILLAGE CENTER TAX CREDIT
PROGRAM OFFSET

In fiscal year 2023, the amount of \$1,350,000.00 shall be carried forward within the General Fund to be available in fiscal year 2024 to provide one-time increased fiscal capacity for the Downtown and Village Center Tax Credit Program.

* * * Appropriations * * *

Sec. 52. APPROPRIATIONS

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

(b) COVID economic support. In fiscal year 2022, the amount of \$28,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds as follows:

(1) VEDA Short-Term Forgivable Loan Program. \$19,000,000.00 to the Vermont Economic Development Authority for the VEDA Short-Term Forgivable Loan Program.

(2) Creative economy grants. \$9,000,000.00 to the Vermont Arts Council to provide grants for monthly operating costs, including rent, mortgage, utilities, and insurance, to creative economy businesses and nonprofits that have sustained substantial losses due to the pandemic.

(c) General Fund.

(1) In fiscal year 2023 the amount of \$10,200,000.00 is appropriated from the General Fund to the Agency of Commerce and Community Development for the Capital Investment Grant Program.

(2) In fiscal year 2023 the amount of \$1,800,000.00 is appropriated from the General Fund to the Agency of Commerce and Community Development to grant to Southeastern Vermont Community Action for the Restaurants and Farmers Feeding the Hungry Program, known as Everyone Eats, to provide State funds to match Federal Emergency Management Agency (FEMA) funds available for the Program.

Sec. 53. 2020 Acts and Resolves No. 3, Sec. 64(c) is amended to read:

(c) Sec. 62 (32 V.S.A. § 3102 (e)(8)) shall take effect on July 1, 2022 2024.

* * * COVID-19-Related Paid Leave Grant Program * * *

Sec. 54. FINDINGS AND INTENT

(a) The General Assembly finds that:

(1) COVID-19 has caused increased employee absences due to illness, quarantine, and school and daycare closures.

(2) Many employees do not have sufficient paid time off to cover all of their COVID-19-related absences from work.

(3) Some employers have provided their employees with additional paid time off for COVID-19-related purposes.

(4) The surge in COVID-19 cases caused by the Omicron variant of the virus has made it financially difficult or impossible for employers to provide additional paid time off to their employees for COVID-19-related purposes.

(5) Providing grants to employers to reimburse a portion of the cost of providing paid time off to employees for COVID-19-related purposes will:

(A) help to mitigate some negative economic impacts of the COVID-19 pandemic on employers;

(B) improve employee retention;

(C) prevent the spread of COVID-19 in the workplace; and

(D) provide crucial income to employees and their families.

(6) The Front-Line Employees Hazard Pay Grant Program established pursuant to 2020 Acts and Resolves No. 136, Sec. 6 and expanded pursuant to 2020 Acts and Resolves No. 168, Sec. 1 successfully directed millions of dollars in hazard pay to front-line workers during the first year of the COVID-19 pandemic. By utilizing grants to employers, who in turn provided the hazard pay to their employees, the Program enabled employers to retain employees and reward them for their hard work during the uncertainty of the early months of the COVID-19 pandemic.

(b) It is the intent of the General Assembly that the COVID-19-Related Paid Leave Grant Program created pursuant to Sec. 2a of this act shall be modeled on the Front-Line Employees Hazard Pay Grant Program and shall assist employers in providing paid leave to their employees for COVID-19 related absences.

Sec. 54a. COVID-19-RELATED PAID LEAVE GRANT PROGRAM

(a)(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.

(2) The sum of \$16,500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Financial Regulation in fiscal year 2023 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.

(b) As used in this section:

(1) “Commissioner” means the Commissioner of Financial Regulation.

(2) “COVID-19-related reason” means the employee is:

(A) self-isolating because the employee has been diagnosed with COVID-19 or tested positive for COVID-19;

(B) self-isolating pursuant to the recommendation of a health care provider or a State or federal public health official because the employee has been exposed to COVID-19 or the employee is experiencing symptoms of COVID-19;

(C) caring for a parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child, because:

(i) the school or place of care where that individual is normally located during the employee’s workday is closed due to COVID-19;

(ii) that individual has been requested not to attend the school or the place of care where that individual is normally located during the employee’s workday due to COVID-19;

(iii) that individual has been diagnosed with or tested positive for COVID-19; or

(iv) that individual is self-isolating pursuant to the recommendation of a health care provider or a State or federal public health official because that individual has been exposed to or is experiencing symptoms of COVID-19;

(D) attending an appointment for the employee or the employee’s parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child to receive a vaccine or a vaccine booster for protection against COVID-19; or

(E) experiencing symptoms, or caring for a parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child who is experiencing symptoms, related to a vaccine or a vaccine booster for protection against COVID-19.

(3) “Department” means the Department of Financial Regulation.

(4) “Employee” means an individual who, in consideration of direct or indirect gain or profit, is employed by an employer to perform services in Vermont.

(5) “Employer” means any person that has one or more employees performing services for it in Vermont. “Employer” does not include the State or the United States.

(6) “Program” means the COVID-19-Related Paid Leave Grant Program established pursuant to this section.

(7) “Program period” means the period beginning on July 1, 2022 and ending on June 30, 2023.

(8) “Spouse” includes a civil union partner or a domestic partner, as that term is defined pursuant to 17 V.S.A. § 2414.

(c)(1) An employer may apply to the Commissioner for quarterly grants to reimburse the employer for the cost of paid leave provided to its employees for COVID-19-related reasons during the Program period.

(2) An employer’s grant amount may include reimbursement for retroactively provided COVID-19-related paid leave to employees who took unpaid leave for a COVID-19-related reason during the Program period because the employee did not have sufficient accrued paid leave available at the time that the employee took the leave.

(3) 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.

(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.

(5) For the sole purpose of administering grants related to paid leave provided to independent direct support providers for COVID-19-related reasons, ARIS Solutions, as the fiscal agent for the employers of the independent direct support providers, shall have the authority to apply for grants in the same manner as any employer.

(d)(1) The Commissioner shall:

(A) adopt procedures for implementing the Program, which shall include a simple grant application process, a process to allow employers to certify the amount of paid leave provided for COVID-19-related reasons, and a process to allow employers to report on their use of the grant funds awarded pursuant to this section;

(B) establish deadlines for the submission of quarterly grant applications;

(C) promote awareness of the Program to employers;

(D) provide information to employers regarding Program and application requirements;

(E) award grants to employers on a first-come, first-served basis, subject to available funding; and

(F) develop and implement an audit strategy to assess grant utilization, the performance of the Program, and compliance with Program requirements.

(2)(A) The Commissioner may, with the approval of the Secretary of Administration, delegate administration of one or more aspects of the Program to other agencies and departments of the State.

(B) The Commissioner may enter into agreements, memoranda of understanding, or contracts with private entities as necessary to implement or administer the Program and, notwithstanding any provision of law to the contrary, shall not be required to competitively bid any contracts entered into pursuant to this subdivision (2)(B). For the purposes of the Program, the ongoing public health risk posed by COVID-19 shall be deemed to be an emergency situation that justifies the execution of sole source contracts pursuant to Bulletin 3.5, the State's Procurement and Contracting Procedures.

(e)(1) Employers may apply for grants to either reimburse 67 percent of the cost of COVID-19-related paid leave provided to employees or to provide funds to be used to pay 67 percent of 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 the number of hours of COVID-19-related paid leave provided to each employee multiplied by the greater of either the 67 percent of the minimum wage established pursuant to 21 V.S.A. § 384 or 67 percent of 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 the number of hours of COVID-19-related paid leave to be provided to each employee multiplied by

the greater of either the 67 percent of the minimum wage established pursuant to 21 V.S.A. § 384 or 67 percent of the employee's regular hourly wage.

(2)(A) An employer may only apply for a grant in relation to COVID-19-related leave that was taken by an employee during the Program period.

(B) The maximum number of hours of COVID-19-related leave for each employee that an employer may seek grant funding for through the Program shall equal the lesser of 80 hours or two times the employee's average weekly hours worked for the employer during the six months preceding the date on which the employee first took COVID-19-related leave during the Program period.

(C) The maximum amount that an employer shall be eligible to receive for COVID-19-related paid leave for each employee shall be not more than \$27.50 per hour of leave, with an aggregate maximum of \$2,200.00 per employee during the Program period.

(f) As a condition of being eligible to receive a grant through the Program, each employer shall be required to certify:

(1) that the employer is not seeking funds in relation to any amounts of paid leave that were deducted from the employee's accrued paid leave balance at the time the COVID-19-related leave was taken unless those amounts have been restored to the employee's accrued paid leave balance;

(2) grant funds shall only be used in relation to the payment of an employee's wages for the period when the employee was absent from work for a COVID-19-related reason; and

(3) employees receiving paid leave funded by a grant shall not be required to pay an administrative fee or other charge in relation to the employer requesting the grant.

(g) Each employer that receives a grant shall, not later than October 31, 2023, report to the Department on a form provided by the Commissioner the amount of grant funds used to provide paid leave to employees and the amount of any remaining grant funds that were not spent. All unspent grant funds shall be returned to the Department pursuant to a procedure adopted by the Commissioner.

(h) Any personally identifiable information that is collected by the Program, any entity of State government performing a function of the Program, or any entity that the Commissioner contracts with to perform a function of the Program shall be kept confidential and shall be exempt from inspection and copying under the Public Records Act.

* * * Unemployment Insurance Benefits * * *

Sec. 55. FINDINGS

The General Assembly finds that the General Assembly previously enacted a \$25.00 supplemental increase to the weekly unemployment insurance benefit amount in 2021 Acts and Resolves No. 51, Sec. 11. However, the terms of that supplemental increase did not conform to federal requirements, and it never took effect. Enacting a future \$25.00 increase in the weekly unemployment insurance benefit amount will fulfill the commitment made by the General Assembly in 2021 Acts and Resolves No. 51, Sec. 11.

Sec. 55a. 2021 Acts and Resolves No. 51, Sec. 17(a)(4) is amended to read:

(4) Sec. 12 (repeal of supplemental weekly benefit) shall take effect ~~upon the payment of a cumulative total of \$100,000,000.00 in supplemental benefits pursuant to 21 V.S.A. § 1338(e)(2) on October 7, 2021~~ and shall apply prospectively to all benefit payments in the next week and each subsequent week.

Sec. 55b. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(e) An individual's weekly benefit amount shall be determined by dividing the individual's two high quarter total subject wages required under subdivision (d)(1) of this section by 45 and adding \$25.00 to the resulting quotient, provided that the weekly benefit amount so determined shall not exceed the maximum weekly benefit amount computed pursuant to subsection (f) of this section.

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to the sum of \$25.00 plus 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

* * *

Sec. 55c. UNEMPLOYMENT INSURANCE; INFORMATION

TECHNOLOGY MODERNIZATION; ANNUAL REPORT;

INDEPENDENT VERIFICATION

(a)(1) The Secretary of Digital Services and the Commissioner of Labor shall, to the greatest extent possible, plan and carry out the development and implementation of a modernized information technology system for the unemployment insurance program so that the modernized system is available

in time to implement on July 1, 2025 the changes to the unemployment insurance weekly benefit amount enacted pursuant to Sec. 55b of this act.

(2) The Secretary of Digital Services and the Commissioner of Labor shall plan and carry out the development and implementation of the modernized information technology system for the unemployment insurance program so that the modernized system is capable of:

(A) implementing the weekly benefit increase enacted pursuant to Sec. 55b of this act;

(B) adapting to the evolving needs of the unemployment insurance program in the future;

(C) incorporating future advances in information technology;

(D) implementing future legislative changes to all aspects of the unemployment insurance program, including:

(i) benefits,

(ii) eligibility;

(iii) taxes;

(iv) penalties; and

(v) recovery of overpayments; and

(E) implementing short-term changes that respond to specific indicators economic health.

(b) The Secretary of Digital Services and the Commissioner of Labor shall, on or before January 15, 2023 and January 15, 2024, submit a written report to the House Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, and the Legislative Information Technology Consultant retained by the Joint Fiscal Office detailing the actions taken and progress made in carrying out the requirements of subsection (a) of this section, the anticipated timeline for being able to implement the changes to the unemployment insurance weekly benefit amount enacted pursuant to Sec. 55b of this act, and potential implementation risks identified during the development process.

(c) The Legislative Information Technology Consultant shall, on or before February 15, 2023 and February 15, 2024, submit to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs a review of the report submitted pursuant to subsection (b) of this section. The review shall include an assessment of whether the Agency of Digital Services and the Department

of Labor will be able to implement the changes to the unemployment insurance weekly benefit amount enacted pursuant to Sec. 55b of this act by July 1, 2025 and shall identify any potential risks or concerns related to implementation that are not addressed in the report submitted pursuant to subsection (b) of this section.

Sec. 55d. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(e) An individual's weekly benefit amount shall be determined by dividing the individual's two high quarter total subject wages required under subdivision (d)(1) of this section by 45 ~~and adding \$25.00 to the resulting quotient~~, provided that the weekly benefit amount so determined shall not exceed the maximum weekly benefit amount computed pursuant to subsection (f) of this section.

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to ~~the sum of \$25.00 plus~~ 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

* * *

Sec. 56. EFFECTIVE DATES

(a) This act shall take effect on July 1, 2022, except that:

(1) Sec. 13 (Secondary Student Industry Recognized Credential Pilot Project) shall take effect on passage.

(2) Sec. 30 (18 V.S.A. § 9456) shall take effect on January 1, 2023 and shall apply to hospital fiscal years 2024 and after.

(3) Sec. 48 (Windham County Economic Development) shall take effect on passage.

(4) Sec. 53 (Pandemic Unemployment Assistance Program extension) shall take effect on passage.

(b)(1) Notwithstanding 1 V.S.A. § 214, Sec. 55a (repeal of prior unemployment insurance supplemental benefit) shall take effect retroactively on October 7, 2021.

(2) Sec. 55b (increase in unemployment insurance weekly benefit amount) shall take effect on July 1, 2025 and shall apply to benefit weeks beginning after that date.

(3) Sec. 55d (prospective repeal of unemployment insurance benefit increase) shall take effect upon the payment of a cumulative total of \$100,000,000.00 in additional benefits pursuant to 21 V.S.A. § 1338(e) when compared to the rate at which benefits would have been paid under the formula set forth in 21 V.S.A. § 1338(e) on June 30, 2025 and shall apply to benefit weeks beginning after that date.

(4) Sec. 55c (report on implementation of change to unemployment insurance weekly benefit) shall take effect on passage.

and that after passage the title of the bill be amended to read: “An act relating to economic and workforce development”

Rep. Ancel of Calais, for the Committee on Ways and Means, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Commerce and Economic Development and when further amended as follows:

First: By striking out Secs. 2–3 in their entirety and inserting in lieu thereof the following:

Sec. 2. [Reserved.]

Sec. 3. [Reserved.]

Second: By striking out Secs. 49–51 in their entirety and inserting in lieu thereof the following:

Sec. 49. APPROPRIATION; DOWNTOWN AND VILLAGE CENTER TAX
CREDIT PROGRAM

There is appropriated the sum of \$2,700,000.00 from the General Fund to the Vermont Downtown and Village Center Tax Credit Program to be used in fiscal years 2023 and 2024. Notwithstanding 32 V.S.A. § 5930ee, the funds shall be used to increase the amount of tax credits that may be awarded to qualified projects. Of those tax credits awarded in fiscal years 2023 and 2024, up to \$2,000,000.00 may be awarded to qualified projects located in designated neighborhood development areas.

Sec. 50. [Reserved.]

Sec. 51. [Reserved.]

Rep. Toleno of Brattleboro, for the Committee on Appropriations, recommended that the bill ought to pass in concurrence with proposals of amendment as recommended by the Committee on Commerce and Economic Development and by the Committee on Ways and Means.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Commerce and Economic Development was amended as recommended by the Committee on Ways and Means.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Commerce and Economic Development, as amended?, **Reps. Kimbell of Woodstock, Dickinson of St. Albans Town, Jerome of Brandon, Kascenska of Burke, Laroche of Franklin, Marcotte of Coventry, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Nigro of Bennington, and White of Bethel** moved that the report of the Committee on Commerce and Economic Development, as amended, be further amended as follows:

First: By striking out Sec. 37, 33 V.S.A. § 3543, in its entirety and inserting in lieu thereof the following:

Sec. 37. 33 V.S.A. § 3543 is amended to read:

§ 3543. STUDENT LOAN REPAYMENT ASSISTANCE

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

(2) An eligible individual shall:

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

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

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

(C) have earned an associates or bachelor's degree with a major concentration in early childhood, child and human development, elementary education, special education with a birth to age eight focus, or child and family services within the preceding five years.

* * *

Second: In Sec. 43, in 10 V.S.A. § 2531(a), by striking out the third sentence in its entirety.

Third: By striking out Sec. 46 and its reader assistance in their entirety and inserting in lieu thereof the following:

* * * Community Recovery and Revitalization Grant Program * * *

Sec. 46. 2021 Acts and Resolves No. 74, Sec. H.18 is amended to read:

Sec. H.18 CAPITAL INVESTMENT COMMUNITY RECOVERY AND
REVITALIZATION GRANT PROGRAM

(a) Creation; purpose; regional outreach.

(1) The Agency of Commerce and Community Development shall use the \$10,580,000 appropriated to the Department of Economic Development in Sec. G.300(a)(12) of this act to design and implement ~~a capital investment grant program~~ the Community Recovery and Revitalization Grant Program consistent with this section.

(2) The purpose of the ~~program~~ Program is to make funding available for transformational projects that will ~~provide each region of the State with the opportunity to attract businesses, retain existing businesses, create jobs, and invest in their communities by encouraging capital investments and economic growth~~ make investments to retain and expand existing businesses and nonprofit organizations, attract new businesses and nonprofit organizations, and create new jobs with a preference for projects located in regions and communities with declining or stagnant grand list values.

(3) The Agency shall collaborate with other State agencies, regional development corporations, regional planning commissions, and other community partners to identify potential regional applicants and projects to ensure the distribution of grants throughout the regions of the State.

(b) Eligible applicants.

~~(1) To be eligible for a grant, an applicant shall meet the following criteria:~~

~~(A) The applicant is located within this State.~~

~~(B) The applicant is:~~

~~(i) a for-profit entity with not less than a 10 percent equity interest in the project; or~~

~~(ii) a nonprofit entity; and~~

~~(iii) grant funding from the Program represents not more than 50 percent of the total project cost.~~

(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; and

(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; or

(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.

(C)(2) The applicant ~~demonstrates~~ must demonstrate:

(i)(A) community and regional support for the project;

(ii)(B) that grant funding is needed to complete the project;

(iii)(C) leveraging of additional sources of funding from local, State, or federal economic development programs; and

(iv)(D) an ability to manage the project, with requisite experience and a plan for fiscal viability.

(2)(3) The following are ineligible to apply for a grant:

(A) a State or local government-operated business;

(B) a ~~municipality~~;

(C) 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

(D)(C) a ~~publicly-traded~~ publicly traded company.

(c) Grant funds; eligible uses for municipalities. A municipality is only authorized to utilize program funding under this section if:

(1) the project clearly requires substantial public investment over and above the normal municipal operating or bonded debt expenditures;

(2) the public improvements being requested are integral to the expected private development; and

(3) the project meets one of the following criteria:

(A) the development includes new or rehabilitated affordable housing, as defined in 24 V.S.A. § 4303;

(B) the development will include at least one entirely new business or business operation or expansion of an existing business within the project, and this business will provide new, quality, full-time jobs that meet or exceed the prevailing wage for the region as reported by the Department of Labor; or

(C) the development will enhance transportation by creating improved traffic patterns and flow or creating or improving public transportation system.

(d) Grant Funds; eligible uses; private and nonprofit entities. A project of a business or nonprofit organization is eligible if:

(1) the project had a COVID-related impact that delayed the project;

(2) project costs have increased as a result of the COVID-19 pandemic;
or

(3) the project involves enumerated uses of funds, as defined by the U.S. Treasury Final Rule, and determined by the Agency of Commerce and Community Development.

~~(e)~~(e) Awards; amount; eligible uses.

(1) An award shall not exceed the lesser of \$1,500,000.00 \$1,000,000.00 or the estimated net State fiscal impact of the project based on Agency modeling 20 percent of the total project cost.

~~(2) A recipient may use grant funds for the acquisition of property and equipment, construction, renovation, and related capital expenses.~~

~~(3)~~ A recipient may combine grant funds with funding from other sources but shall not use grant funds from multiple sources for the same costs within the same project.

~~(4)~~(3) The Agency shall release grant funds upon determining that the applicant has met all Program conditions and requirements.

~~(5)~~(4) Nothing in this section is intended to prevent a grant recipient from applying for additional grant funds if future amounts are appropriated for the program.

~~(d) Data model; approval.~~

~~(1) The Agency shall collaborate with the Legislative Economist to design a data model and related methodology to assess the fiscal, economic, and societal impacts of proposals and prioritize them based on the results.~~

~~(2) The Agency shall present the model and related methodology to the Joint Fiscal Committee for its approval not later than September 1, 2021.~~

(f) Approval process.

(1) For an application submitted by a municipality pursuant to this section, the Vermont Economic Progress Council shall review each application to determine that the infrastructure improvements proposed to serve the project and the proposed development in the project would not have occurred as proposed in the application, or would have occurred in a significantly different and less desirable manner than as proposed in the application, but for the proposed utilization of the grant application funds.

(2) The review shall take into account:

(A) the amount of additional time, if any, needed to complete the proposed development for the project and the amount of additional cost that might be incurred if the project were to proceed without the grant funding;

(B) how the proposed project components and size would differ, if at all, including, if applicable to the project, in the number of units of affordable housing, as defined in 24 V.S.A. § 4303 without grant funding; and

(C) the lack of new construction in the municipality, indicated by a stagnant or declining grand list value as determined by the Department of Taxes, considering both the total full listed value and the equalized education grand list value.

(e)(g) Application process; decisions; awards.

(1)(A) The Agency shall accept applications on a rolling basis for three-month periods and shall review and consider for approval the group of applications it has received as of the conclusion of each three-month period. Under the grant program established in this section, a municipality, upon approval of its legislative body, may apply to the Vermont Economic Progress Council pursuant to the process set forth in this section to use grant funding for a project.

(B) The Agency shall accept applications from for profit or nonprofit entities on a rolling basis until Program funds are expended.

(B) The Agency shall make application information available to the Legislative Economist and the Executive Economist in a timely manner.

~~(2) Using the data model and methodology approved by the Joint Fiscal Committee, the Agency shall analyze the information provided in an application to estimate the net State fiscal impact of a project, including the following factors:~~

- ~~(A) increase to grand list value;~~
- ~~(B) improvements to supply chain;~~
- ~~(C) jobs impact, including the number and quality of jobs; and~~
- ~~(D) increase to State GDP. [Repealed.]~~

(3) The Secretary of Commerce and Community Development shall appoint an interagency team, which may include members from among the Department of Economic Development, the Department of Housing and Community Development, the Agency of Agriculture, Food and Markets, the Department of Public Service, the Agency of Natural Resources, or other State agencies and departments, which team shall review, analyze, and recommend projects for funding ~~based on the estimated net State fiscal impact of a project and on other contributing factors, including~~ consistent with the guidelines the Agency develops in coordination with the Joint Fiscal Office and the following:

- (A) ~~transformational nature of the project for the region;~~
 - (B) project readiness, quality, and demonstrated collaboration with stakeholders and other funding sources;
 - ~~(C)~~(B) alignment and consistency with regional plans and priorities;
- and
- ~~(D)~~(C) creation and retention of workforce opportunities.

(4) The Secretary of Commerce and Community Development shall consider the recommendations of the interagency team and shall give final approval to projects.

~~(F)~~(h) Grant agreements; post award monitoring.

(1) If selected by the Secretary, the applicant and the Agency shall execute a grant agreement that includes audit provisions and minimum requirements for the maintenance and accessibility of records that ensures that the Agency and the Auditor of Accounts have access and authority to monitor awards.

(2) The Agency shall publish on its website not later than 30 days after approving an award a brief project description the name of the grantee and the amount of a grant.

~~(g)~~(i) Report. On or before ~~December 15, 2021~~ February 15, 2023, the Agency shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs concerning the implementation of this section, including:

(1) a description of the implementation of the ~~program~~ Program;

(2) the promotion and marketing of the program; and

(3) an analysis of the utilization and performance of the ~~program, including the projected revenue impacts and other qualitative and quantitative returns on investment in the program based on available data and modeling~~ Program.

(j) Implementation.

(1) The Agency of Commerce and Community Development shall consult with the Legislative Joint Fiscal Office to develop guidelines and approval processes for the Program and shall submit the proposed guidelines and processes to the Joint Fiscal Committee and the chairs of the relevant legislative committees of jurisdiction prior to accepting applications for grants through the Program.

(2) When considering whether and how to prioritize economic sectors that have suffered economic harm due to the COVID-19 pandemic, the Agency may designate one or more sectors for priority consideration through the Program, including the arts and culture, travel, lodging, tourism, agriculture, and child care sectors.

Which was agreed to. Thereupon, the proposal of amendment recommended by the Committee on Commerce and Economic Development, as amended, was agreed to, and third reading was ordered.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed in all remaining stages of passage. Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

**Second Reading; Question Divided; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 234

Rep. Bongartz of Manchester, for the Committee on Natural Resources, Fish, and Wildlife, to which had been referred Senate bill, entitled

An act relating to changes to Act 250

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Municipal Zoning * * *

Sec. 1. 24 V.S.A. § 2793e is amended to read:

§ 2793e. NEIGHBORHOOD PLANNING AREAS; DESIGNATION OF
NEIGHBORHOOD DEVELOPMENT AREAS

(a) Purpose. This section is intended to encourage a municipality to plan for new and infill housing in the area including and immediately encircling its designated downtown, village center, new town center, or within its designated growth center in order to provide needed housing and to further support the commercial establishments in the designated center. To support this goal, this section sets out a two-component process.

* * *

(b) Definitions.

(1) “Neighborhood planning area” means an automatically delineated area including and encircling a downtown, village center, or new town center designated under this chapter or within a growth center designated under this chapter. A neighborhood planning area is used for the purpose of identifying locations suitable for new and infill housing that will support a development pattern that is compact, oriented to pedestrians, and consistent with smart growth principles. To ensure a compact settlement pattern, the outer boundary of a neighborhood planning area shall be located entirely within the boundaries of the applicant municipality, unless a joint application is submitted by more than one municipality, and shall be determined:

* * *

(c) Application for designation of a neighborhood development area. The State Board shall approve a neighborhood development area if the application demonstrates and includes all of the following elements:

* * *

(5) The proposed neighborhood development area consists of those portions of the neighborhood planning area that are appropriate for new and infill housing, excluding identified flood hazard and fluvial erosion areas, except those areas containing preexisting development in areas suitable for infill development as defined in § 29-201 of the Vermont Flood Hazard Area and River Corridor Rule. In determining what areas are most suitable for new and infill housing, the municipality shall balance local goals for future land use, the availability of land for housing within the neighborhood planning area, and the smart growth principles. Based on those considerations, the municipality shall select an area for neighborhood development area designation that:

(A) Avoids or ~~that~~ minimizes to the extent feasible the inclusion of “important natural resources” as defined in subdivision 2791(14) of this title. If an “important natural resource” is included within a proposed neighborhood development area, the applicant shall identify the resource, explain why the resource was included, describe any anticipated disturbance to such resource, and describe why the disturbance cannot be avoided or minimized. If the neighborhood development area includes flood hazard areas or river corridors, the local bylaws shall contain provisions consistent with the Agency of Natural Resources’ rules required under 10 V.S.A. § 754(a) to ensure that new infill development within a neighborhood development area occurs outside the floodway and will not cause or contribute to fluvial erosion hazards within the river corridor. If the neighborhood development area includes flood hazard areas or river corridors, local bylaws shall also contain provisions to protect river corridors outside the neighborhood development area consistent with the Agency of Natural Resources’ rules required under 10 V.S.A. § 754(a).

* * *

(6) ~~The neighborhood development area is served by:~~

~~(A) municipal sewer infrastructure; or~~

~~(B) a community or alternative wastewater system approved by the Agency of Natural Resources. [Repealed.]~~

(7) The municipal bylaws allow minimum net residential densities within the neighborhood development area greater than or equal to four ~~single-family detached~~ dwelling units per acre for all identified residential uses or residential building types, exclusive of accessory dwelling units, or ~~no~~ not fewer than the average existing density of the surrounding neighborhood, whichever is greater. The methodology for calculating density shall be established in the guidelines developed by the Department pursuant to subsection 2792(d) of this title.

* * *

Sec. 2. 24 V.S.A. § 2793b is amended to read:

§ 2793b. DESIGNATION OF NEW TOWN CENTER DEVELOPMENT
DISTRICTS

* * *

(b) Within 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:

* * *

(2) Provided a community investment agreement that has been executed by authorized representatives of the municipal government, businesses and property owners within the district, and community groups with an articulated purpose of supporting downtown interests, and contains the following:

* * *

(B) Regulations enabling ~~high~~ densities that are ~~greater~~ not less than four dwelling units, including all identified residential uses or residential building types, per acre and not less than those allowed in any other part of the municipality not within an area designated under this chapter.

* * *

Sec. 3. 24 V.S.A. § 4449 is amended to read:

§ 4449. ZONING PERMIT, CERTIFICATE OF OCCUPANCY, AND
MUNICIPAL LAND USE PERMIT

(a) Within any municipality in which any bylaws have been adopted:

* * *

(4) No municipal land use permit issued by an appropriate municipal panel or administrative officer, as applicable, for a site plan or conditional use shall be considered abandoned or expired unless more than two years has passed since the permit approval was issued.

* * * Municipal Bylaw Grants * * *

Sec. 4. 24 V.S.A. § 4306 is amended to read:

§ 4306. MUNICIPAL AND REGIONAL PLANNING FUND

(a)(1) The Municipal and Regional Planning Fund for the purpose of assisting municipal and regional planning commissions to carry out the intent of this chapter is hereby created in the State Treasury.

(2) The Fund shall be composed of 17 percent of the revenue from the property transfer tax under 32 V.S.A. chapter 231 and any monies from time to time appropriated to the Fund by the General Assembly or received from any other source, private or public. All balances at the end of any fiscal year shall be carried forward and remain in the Fund. Interest earned by the Fund shall be deposited in the Fund.

(3) Of the revenues in the Fund, each year:

(A) 10 percent shall be disbursed to the Vermont Center for Geographic Information;

(B) 70 percent shall be disbursed to the Secretary of Commerce and Community Development for performance contracts with regional planning commissions to provide regional planning services pursuant to section 4341a of this title; and

(C) 20 percent shall be disbursed to municipalities.

* * *

(c) Funds allocated to municipalities shall be used for the purposes of:

* * *

(4) reasonable and necessary costs of administering the Fund by the Department of Housing and Community Development, not to exceed six percent of the municipality allocation.

(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.

Sec. 5. 24 V.S.A. § 4307 is added to read:

§ 4307. MUNICIPAL BYLAW MODERNIZATION GRANTS

(a) There are created Municipal Bylaw Modernization Grants to assist municipalities in updating their land use and development bylaws. Bylaws updated under this section shall increase housing choice, affordability, and opportunity in areas planned for smart growth. The Grants shall be funded by

monies allocated from the municipality allocation of the Municipal and Regional Planning Funds established in subdivision 4306(a)(3)(C) of this title and any other monies appropriated for this purpose.

(b) Disbursement to municipalities shall be administered by the Department of Housing and Community Development through a competitive process providing the opportunity for all regions and any eligible municipality to compete regardless of size.

(c) Funds may be disbursed by the Department in installments to ensure the municipal bylaw updates meet the goals of this section.

(d) Funding may be used for the cost of regional planning commission staff or consultant time and any other purpose approved by the Department.

(e) A municipality grantee shall use the funds to prepare amendments to bylaws to increase housing choice, affordability, and opportunity and that support a neighborhood development pattern that is pedestrian oriented in areas planned for smart growth consistent with the smart growth principles established in section 2791 of this title and that prioritize projects in designated areas in accordance with chapter 76A of this title.

(f) To receive the grant, the municipality shall:

(1) identify municipal water and wastewater disposal infrastructure, municipal water and sewer service areas, and the constraints on that infrastructure based on the best available data;

(2) increase allowed housing types and uses, which may include duplexes to the same extent as single-family homes;

(3) include parking waiver provisions in areas planned for smart growth consistent with smart growth principles as defined in section 2791 of this title and appropriate situations;

(4) review and modify street standards that implement the complete streets principles as described in 19 V.S.A. § 309d and that are oriented to pedestrians;

(5) reduce nonconformities by making the allowed standards principally conform to the existing settlement within any area designated under chapter 76A of this title and increase allowed lot/building/dwelling unit density by adopting dimensional, use, parking, and other standards that allow compact neighborhood form and support walkable lot and dwelling unit density, which may be achieved with a standard allowing at least four units per acre or allowing the receipt of a State or municipal water and wastewater permit to determine allowable density or by other means established in guidelines issued by the Department;

(6) restrict development of and minimize impact to important natural resources, including new development in flood hazard areas, undeveloped floodplains, and river corridor areas, unless lawfully allowed for infill development in §29-201 of the Vermont Flood Hazard Area and River Corridor Rule;

(7) update the municipal plan's housing element as provided in subdivision 4382(a)(10) of this title related to addressing lower- and moderate-income housing needs, implement that element of the plan including through the bylaw amendments, and demonstrate how those bylaws support the implementation of the housing element; and

(8) comply with State and Federal Fair Housing Act, including the fair housing provisions of Vermont's Planning and Development Act.

(g) On or before September 1, 2022, the Department shall adopt guidelines to assist municipalities applying for grants under this section.

Sec. 6. APPROPRIATION

To the extent that increased funding is provided in fiscal year 2023 to the Municipal and Regional Planning Fund, \$650,000.00 shall be used for Municipal Bylaw Modernization Grants established in 24 V.S.A. § 4307.

* * * Accessory Dwelling Units * * *

Sec. 7. 24 V.S.A. § 4414 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. These bylaws may also include provisions covering the location, size, design, access, landscaping, and screening of those facilities. In determining the number 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.

* * *

* * * Act 250 * * *

Sec. 8. 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:

(I) A priority housing project shall constitute a development under this subdivision (iv) only if the number of housing units in the project is:

(aa) [Repealed.]

(bb) [Repealed.]

(cc) 75 or more, in a municipality with a population of 6,000 or more but less than 10,000.

(dd) 50 or more, in a municipality with a population of 3,000 or more but less than 6,000.

(ee) 25 or more, in a municipality with a population of less than 3,000. [Repealed.]

(ff) Notwithstanding subdivisions (cc) through (ee) of this subdivision (3)(A)(iv)(I), 10 or more if the construction involves the demolition of one or more buildings that are listed on or eligible to be listed on the State or National Register of Historic Places. However, demolition shall not be considered to create jurisdiction under this subdivision (ff) if the Division for Historic Preservation has determined that the proposed demolition will have no adverse effect, will have no adverse effect if specified conditions are met, or will have an adverse effect that will be adequately mitigated. Any imposed conditions shall be enforceable through a grant condition, deed covenant, or other legally binding document.

* * *

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

* * *

(6) “Floodway” means the channel of a watercourse that is expected to flood on an average of at least once every 100 years and the adjacent land areas that are required to carry and discharge the flood of the watercourse, as determined by the Secretary of Natural Resources with full consideration given to upstream impoundments and flood control projects “Flood hazard area” has the same meaning as under section 752 of this title.

(7) “Floodway fringe” means an area that is outside a floodway and is flooded with an average frequency of once or more in each 100 years, as determined by the Secretary of Natural Resources with full consideration given to upstream impoundments and flood control projects “River corridor” has the same meaning as under section 752 of this title.

* * *

(27) “Mixed income housing” means a housing project in which the following apply:

(A) Owner-occupied housing. At the option of the applicant, owner-occupied housing may be characterized by either of the following:

(i) ~~at least 15 percent of the housing units have a purchase price that at the time of first sale does not exceed 85 percent of the new construction, targeted area purchase price limits established and published annually by the Vermont Housing Finance Agency; or~~

(ii) ~~at least 20 percent of the housing units have a purchase price that at the time of first sale does not exceed 90 percent of the new construction, targeted area purchase price limits established and published annually by the Vermont Housing Finance Agency~~ meet the requirements of affordable owner-occupied housing under subdivision (29)(A) of this section, adjusted for the number of bedrooms, as established and published annually by the Vermont Housing Finance Agency.

(B) Rental housing. ~~At least 20 percent of the housing units that are rented constitute affordable housing and have a duration of affordability of For not less than 15 years~~ following the date that rental housing is initially placed in service, at least 20 percent of the housing units meet the requirements of affordable rental housing under subdivision (29)(B) of this section, adjusted for the number of bedrooms, as established and published annually by the Vermont Housing Finance Agency.

* * *

(35) “Priority housing project” means a discrete project located on a single tract or multiple contiguous tracts of land that consists exclusively of:

(A) mixed income housing or mixed use, or any combination thereof, and is located entirely within a designated downtown development district, designated new town center, designated growth center, or designated village center ~~that is also a designated~~ neighborhood development area under 24 V.S.A. chapter 76A; or

~~(B) mixed income housing and is located entirely within a designated Vermont neighborhood or designated neighborhood development area under 24 V.S.A. chapter 76A.~~

* * *

Sec. 9. 10 V.S.A. § 6081(p) is amended to read:

~~(p)(1) No permit or permit amendment is required for any change to a project that is located entirely within a downtown development district designated pursuant to 24 V.S.A. § 2793, if the change consists exclusively of any combination of mixed use and mixed income housing, and the cumulative changes within any continuous period of five years, commencing on or after May 28, 2002, remain below any applicable jurisdictional threshold specified in subdivision 6001(3)(A)(iv)(I) of this title.~~

~~(2) No permit or permit amendment is required for a priority housing project in a designated center other than a downtown development district if the project remains below any applicable jurisdictional threshold specified in subdivision 6001(3)(A)(iv)(I) of this title and will comply with all conditions of any existing permit or permit amendment issued under this chapter that applies to the tract or tracts on which the project will be located. If such a priority housing project will not comply with one or more of these conditions, an application may be filed pursuant to section 6084 of this title.~~

Sec. 10. 10 V.S.A. § 6084(f) is amended to read:

~~(f) This subsection concerns an application for a new permit amendment to change the conditions of an existing permit or existing permit amendment in order to authorize the construction of a priority housing project described in subdivision 6081(p)(2) of this title.~~

~~(1) The District Commission may authorize a district coordinator to issue such an amendment, without notice and a hearing, if the applicant demonstrates that all parties to the existing permit or existing permit amendment, which contains the condition or conditions proposed to be changed, or their successors in interest have consented to the proposed changes to conditions relative to the criteria for which the party obtained party status.~~

(2) If the applicant is not able to obtain the consent of a party or parties or their successors in interest with respect to one or more of the conditions in the existing permit or permit amendment proposed to be changed, the applicant shall file a permit application pursuant to this section. However, review by the District Commission shall be limited to whether the changes to conditions not consented to by the party or parties or their successors in interest enable positive findings to be made under subsection 6086(a) and are authorized under subsection 6086(c) of this title. [Repealed.]

* * * Criterion 1(D) * * *

Sec. 11. 10 V.S.A. § 6086 is amended to read:

§ 6086. ISSUANCE OF PERMIT; CONDITIONS AND CRITERIA

(a) Before granting a permit, the District Commission shall find that the subdivision or development:

* * *

(D) Floodways Flood hazard areas; river corridors. A permit will be granted whenever it is demonstrated by the applicant that, in addition to all other applicable criteria:

(i) the development or subdivision of lands within a floodway flood hazard area or river corridor will not restrict or divert the flow of flood waters floodwaters, cause or contribute to fluvial erosion, and endanger the health, safety, and welfare of the public or of riparian owners during flooding; and

(ii) the development or subdivision of lands within a floodway fringe will not significantly increase the peak discharge of the river or stream within or downstream from the area of development and endanger the health, safety, or welfare of the public or riparian owners during flooding.

* * *

* * * Municipal Response to Act 250 Requests * * *

Sec. 12. 10 V.S.A. 6086(g) is added to read:

(g) If a municipality fails to respond to a request by the applicant within 90 days as to the impacts related to subdivision (a)(6) or (7) of this section, the application will be presumed not to have an unreasonable burden on educational, municipal, or governmental services.

* * * Forest Blocks * * *

Sec. 13. 10 V.S.A. § 6001 is amended to read:

§ 6001. DEFINITIONS

As used in this chapter:

* * *

(43) “Connecting habitat” means land or water, or both, that links patches of habitat within a landscape, allowing the movement, migration, and dispersal of wildlife and plants and the functioning of ecological processes. A connecting habitat may include features including recreational trails and improvements constructed for farming, logging, or forestry purposes.

(44) “Forest block” means a contiguous area of forest in any stage of succession and not currently developed for nonforest use. A forest block may include features including recreational trails, wetlands, or other natural features that do not themselves possess tree cover and improvements constructed for farming, logging, or forestry purposes.

(45) “Habitat” means the physical and biological environment in which a particular species of plant or wildlife lives.

Sec. 14. 10 V.S.A. § 6086(a)(8) is amended to read:

(8) Ecosystem protection; scenic beauty; historic sites.

(A) Aesthetics. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, or historic sites ~~or rare and irreplaceable natural areas.~~

(A)(B) Necessary wildlife habitat and endangered species. A permit will not be granted if it is demonstrated by any party opposing the applicant that a development or subdivision will destroy or significantly imperil necessary wildlife habitat or any endangered species; and:

(i) the economic, social, cultural, recreational, or other benefit to the public from the development or subdivision will not outweigh the economic, environmental, or recreational loss to the public from the destruction or imperilment of the habitat or species; ~~or~~

(ii) all feasible and reasonable means of preventing or lessening the destruction, diminution, or imperilment of the habitat or species have not been or will not continue to be applied; or

(iii) a reasonably acceptable alternative site is owned or controlled by the applicant ~~which~~ that would allow the development or subdivision to fulfill its intended purpose.

(C) Forest blocks and connecting habitat. Will not result in an undue adverse impact on forest blocks, connecting habitat, or rare and irreplaceable natural areas. If a project as proposed would result in an undue adverse impact, a permit may only be granted if effects are avoided or minimized and mitigated in accordance with rules adopted by the Board.

Sec. 15. CRITERION 8(C) RULEMAKING

(a) The Natural Resources Board (Board), in collaboration with the Agency of Natural Resources, shall adopt rules to implement the requirements for the administration of 10 V.S.A. § 6086(a)(8)(C). Rules adopted by the Board shall include:

(1) How forest blocks and connecting habitat are further defined, including their size, location, and function, which may include:

(A) information that will be available to the public to determine where forest blocks and connecting habitat are located; or

(B) advisory mapping resources, how they will be made available, how they will be used, and how they will be updated.

(2) Standards establishing how impacts can be avoided or minimized, including how fragmentation of forest blocks or connecting habitat is avoided or minimized, which may include steps to promote proactive site design of buildings, roadways and driveways, utility location, and location relative to existing features such as roads, tree lines, and fence lines.

(3)(A) As used in this section “fragmentation” generally means dividing land that has naturally occurring vegetation and ecological processes into smaller and smaller areas as a result of land uses that remove vegetation and create physical barriers that limit species’ movement and interrupt ecological processes between previously connected natural vegetation. However, the rules shall further define “fragmentation” for purposes of avoiding, minimizing, and mitigating undue adverse impacts on forest blocks and connecting habitat. “Fragmentation” does not include the division or conversion of a forest block or connecting habitat by an unpaved recreational trail or by improvements constructed for farming, logging, or forestry purposes below the elevation of 2,500 feet.

(B) As used in this subsection, “recreational trail” has the same meaning as “trails” in 10 V.S.A. § 442.

(4) Criteria to identify the circumstances when a forest block or connecting habitat is eligible for mitigation.

(5) Standards for how impacts to a forest block or connecting habitat may be mitigated. Standards may include:

(A) appropriate ratios for compensation;

(B) appropriate forms of compensation such as conservation easements, fee interests in land, and other forms of compensation; and

(C) appropriate uses of on-site and off-site mitigation.

(b) The Board shall convene a working group of stakeholders to provide input to the rule prior to prefilng with the Interagency Committee on Administrative Rules. The Board shall convene the working group on or before June 1, 2023.

(c) The Board shall file a final proposed rule with the Secretary of State and Legislative Committee on Administrative Rules on or before June 15, 2024.

Sec. 16. 10 V.S.A. § 127 is amended to read:

§ 127. RESOURCE MAPPING

~~(a) On or before January 15, 2013, the~~ The Secretary of Natural Resources shall complete and maintain resource mapping based on the Geographic Information System (GIS) or other technology. The mapping shall identify natural resources throughout the State, including forest blocks and connecting habitat, that may be relevant to the consideration of energy projects and projects subject to chapter 151 of this title. The Center for Geographic Information shall be available to provide assistance to the Secretary in carrying out the GIS-based resource mapping.

~~(b) The Secretary of Natural Resources~~ shall consider the GIS-based resource maps developed under subsection (a) of this section when providing evidence and recommendations to the Public Utility Commission under 30 V.S.A. § 248(b)(5) and when commenting on or providing recommendations under chapter 151 of this title to District Commissions on other projects.

(c) The Secretary shall establish and maintain written procedures that include a process and science-based criteria for updating resource maps developed under subsection (a) of this section. Before establishing or revising these procedures, the Secretary shall provide opportunities for affected parties and the public to submit relevant information and recommendations.

* * * Wood Products Manufacturers * * *

Sec. 17. 10 V.S.A. § 6001 is amended to read:

§ 6001. DEFINITIONS

* * *

(47) “Wood products manufacturer” means a manufacturer that aggregates wood products from forestry operations and adds value through processing or marketing in the wood products supply chain or directly to consumers through retail sales. “Wood products manufacturer” includes sawmills; veneer mills; pulp mills; pellet mills; producers of firewood, woodchips, mulch, and fuel wood; and log and pulp concentration yards. “Wood products manufacturer” does not include facilities that purchase, market, and resell finished goods, such as wood furniture, wood pellets, and milled lumber, without first receiving wood products from forestry operations.

(48) “Wood product” means logs, pulpwood, veneer wood, bolt wood, wood chips, stud wood, poles, pilings, biomass, fuel wood, maple sap, and bark.

Sec. 18. 10 V.S.A. § 6086(c) is amended to read:

(c)(1) Permit conditions. A permit may contain such requirements and conditions as are allowable proper exercise of the police power and which that are appropriate within the respect to subdivisions (a)(1) through (10) of this section, including those set forth in 24 V.S.A. §§ 4414(4), 4424(a)(2), 4414(1)(D)(i), 4463(b), and 4464, the dedication of lands for public use, and the filing of bonds to ensure compliance. The requirements and conditions incorporated from Title 24 may be applied whether or not a local plan has been adopted. General requirements and conditions may be established by rule of the Natural Resources Board.

(2) Permit conditions on a wood products manufacturer.

(A) When issuing a permit with conditions on wood products manufacturing and delivery, the District Commission shall account for the seasonal, weather-dependent, land-dependent, and varied conditions unique to the industry.

(B) A permit condition that sets hours of operation for a wood products manufacturer shall only be imposed to mitigate an impact under subdivision (a)(1), (5), or (8) of this section. If an adverse impact under would result, a permit with conditions shall allow the manufacturer to operate while allowing for flexible timing of deliveries of wood products from forestry operations to the manufacturer outside permitted hours of operation, including nights, weekends, and holidays, for the number of days demonstrated by the manufacturer as necessary to enable deliveries, not to exceed 90 days per year.

(C) Permit with conditions on the delivery of wood heat fuels. A permit with conditions issued to a wood products manufacturer that produces wood chips, pellets, cord wood, or other fuel wood used for heat shall allow for flexible delivery of that fuel wood from the manufacturer to the end user

outside permitted hours of operation, including nights, weekends, and holidays, from October 1 through April 30 of each year. Permits with conditions shall mitigate the undue adverse impacts while enabling deliveries by the manufacturer.

(D) Permit amendments. A wood products manufacturer holding a permit may request an amendment to existing permit conditions related to hours of operation and seasonal restrictions to be consistent with subdivisions (2) and (3) of this subsection. Requests for condition amendments under this subsection shall not be subject to Act 250 Rule 34(E).

Sec. 19. 10 V.S.A. § 6093 is amended to read:

§ 6093. MITIGATION OF PRIMARY AGRICULTURAL SOILS

(a) Mitigation for loss of primary agricultural soils. Suitable mitigation for the conversion of primary agricultural soils necessary to satisfy subdivision 6086(a)(9)(B)(iv) of this title shall depend on where the project tract is located.

* * *

(5) Wood products manufacturers. Notwithstanding any provision of this chapter to the contrary, a conversion of primary agricultural soils by a wood products manufacturer shall be allowed to pay a mitigation fee computed according to the provisions of subdivision (1) of this subsection, except that it shall be entitled to a ratio of 1:1 protected acres to acres of affected primary agricultural soil.

* * * One-acre towns * * *

Sec. 20. INTENT; AMENDMENT OF 10 V.S.A. § 6001(3)(A)(ii)

The General Assembly's intent in the amendments to 10 V.S.A. § 6001(3)(A)(ii) set forth in Sec. 21 of this act is to clarify the text to reflect the way jurisdiction over commercial and industrial development in towns without permanent zoning and subdivision bylaws has been determined since the passage of Act 250 in 1970. The General Assembly does not intend any provision of this act to be interpreted as a substantive change to determining jurisdiction under 10 V.S.A. § 6001(3)(A)(ii).

Sec. 21. 10 V.S.A. § 6001 is amended to read:

§ 6001. DEFINITIONS

* * *

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

(i) The construction of improvements on a tract or tracts of land, owned or controlled by a person, involving more than 10 acres of land within a radius of five miles of any point on any involved land, for commercial or industrial purposes in a municipality that has adopted permanent zoning and subdivision bylaws.

(ii) The construction of improvements on a tract or tracts of land, owned or controlled by a person, involving more than one acre of land within a radius of five miles of any point on any involved land, for commercial or industrial purposes on more than one acre of land within in a municipality that has not adopted permanent zoning and subdivision bylaws.

* * *

* * * Reports * * *

Sec. 22. REPORT; ACT 250 JURISDICTION OVER AGRICULTURAL BUSINESSES

On or before January 15, 2023, the Natural Resources Board shall submit to the General Assembly a report with recommendations on how Act 250 jurisdiction should be applied to agricultural businesses, including those located on properties already operating as farms. The Board shall consult with the Agency of Agriculture, Food and Markets, the Vermont Planners Association, the regional planning commissions, and other interested stakeholders. The report shall include recommendations as to how to clarify what is and what is not an accessory on-farm business. The report shall address the current land use planning requirements for farms and farms with accessory on-farm businesses and whether different types of businesses associated with farms and farming require different levels of review. The report may consider whether or not the location of such businesses is relevant and may consider the designation or adoption of agricultural business innovation zones with different levels of review.

Sec. 23. DESIGNATED AREA REPORT; APPROPRIATION

(a) The sum of \$150,000.00 is appropriated from the General Fund to the Department of Housing and Community Development in fiscal year 2023 for the purpose of hiring a consultant to evaluate the State designation programs established in 24 V.S.A. chapter 76A pursuant to subsection (b) of this section.

(b)(1) The Department of Housing and Community Development shall hire an independent consultant to:

(A) review and assess the State designation programs and incentives established in 24 V.S.A. chapter 76A that recognize and invest in the vitality of Vermont's compact settlement areas; and

(B) conduct statewide stakeholder outreach to support the evaluation of and future improvements to the programs, including participation by State, regional, municipal, and advocacy and non-governmental organizations.

(2) The consultant shall make recommendations on how to:

(A) objectively define and map existing compact settlements as a basis for broader recognition;

(B) improve the consistency between and among regional plans and future land use maps;

(C) modernize these programs, including consideration of program reform or consolidation;

(D) make the designation programs and associated benefits more accessible to municipalities;

(E) apply regulatory and non-regulatory benefits;

(F) strengthen designation and incentives as a platform for place-based economic development, climate-action, complete streets, and equity and efficiency of public investment and service delivery;

(G) implement the smart growth principles established by 24 V.S.A. § 2791; and

(H) achieve the goals established in 24 V.S.A. § 4302.

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

Sec. 24. 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 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 their costs on applicants.

* * * Natural Resources Board * * *

Sec. 25. PURPOSE

The purpose of this act is to strengthen the administration of the Act 250 program by changing the structure, function, and name of the Natural Resources Board. This act requires that appeals of Act 250 permit decisions be heard by a five-member board called the Environmental Review Board. The Environmental Division of the Superior Court would continue to hear the other types of cases within its jurisdiction. The Environmental Review Board would keep the current duties of the Natural Resources Board in addition to hearing appeals. This change would allow the Act 250 program to return to how it was originally envisioned when enacted by being a citizen-friendly process. The Board would provide oversight, management, and training to the Act 250 program staff and District Commissions and develop Act 250 program policy through permit decisions and rulemaking.

Sec. 26. 10 V.S.A. § 6021 is amended to read:

§ 6021. BOARD; VACANCY; REMOVAL

(a) A Natural Resources Board established. The Environmental Review Board is created to administer the Act 250 program and hear appeals.

(1) The Board shall consist of five members appointed by the Governor, after review and approval by the Environmental Review Board Nominating Committee in accordance with subdivision (2) of this section and confirmed with the advice and consent of the Senate, so that one appointment expires in

each year. The Chair shall be a full-time position, and the other four members shall be half-time positions. In making these appointments, the Governor and the Senate shall give consideration to candidates who have experience, expertise, or skills relating to the environment or land use one or more of the following areas: environmental science, natural resources law and policy, land use planning, community planning, or environmental justice.

(A) The Governor shall appoint a chair of the Board, a position that shall be a full-time position. The Governor shall ensure Board membership shall reflect, to the extent possible, the racial, ethnic, gender, and geographic diversity of the State. The Board shall not contain two members who reside in the same county.

(B) Following initial appointments, the members, except for the Chair, shall be appointed for terms of four five years. All terms shall begin on July 1 and expire on June 30. A member may continue serving until a successor is appointed. The initial appointments shall be for staggered terms.

~~(2) The Governor shall appoint up to five persons, with preference given to former Environmental Board, Natural Resources Board, or District Commission members, with the advice and consent of the Senate, to serve as alternates for Board members.~~

~~(A) Alternates shall be appointed for terms of four years, with initial appointments being staggered. The Environmental Review Board Nominating Committee shall advertise the position when a vacancy will occur on the Environmental Review Board.~~

~~(B) The Chair of the Board may assign alternates to sit on specific matters before the Board in situations where fewer than five members are available to serve. The Nominating Committee shall review the applicants to determine which are well-qualified for appointment to the Board and shall recommend those candidates to the Governor. The names of candidates shall be confidential.~~

~~(C) The Governor shall appoint, with the advice and consent of the Senate, a chair and four members of the Board from the list of well-qualified candidates sent to the Governor by the Committee.~~

~~(b) Any vacancy occurring in the membership of the Board shall be filled by the Governor for the unexpired portion of the term. Terms; vacancy; succession. The term of each appointment subsequent to the initial appointments described in subsection (a) of this section shall be five years. Any appointment to fill a vacancy shall be for the unexpired portion of the term vacated. A member may seek reappointment by informing the Governor.~~

If the Governor decides not to reappoint the member, the Nominating Committee shall advertise the vacancy.

(c) Removal. Notwithstanding the provisions of 3 V.S.A. § 2004, members shall only be removable for cause only, ~~except the Chair, who shall serve at the pleasure of the Governor by the remaining members of the Board in accordance with the Vermont Administrative Procedures Act. The Board shall adopt rules pursuant to 3 V.S.A. chapter 25 to define the basis and process for removal.~~

(d) Disqualified members. The Chair of the Board, upon request of the Chair of a District Commission, may appoint and assign former Commission members to sit on specific Commission cases when some or all of the regular members and alternates of the District Commission are disqualified or otherwise unable to serve.

(e) Retirement from office. When a Board member who hears all or a substantial part of a case retires from office before the case is completed, the member may remain a member of the Board, at the member's discretion, for the purpose of concluding and deciding that case and signing the findings and judgments involved. A retiring Chair shall also remain a member for the purpose of certifying questions of law if a party appeals to the Supreme Court. For the service, the member shall receive a reasonable compensation to be fixed by the remaining members of the Board and necessary expenses while on official business.

Sec. 27. 10 V.S.A. § 6032 is added to read:

§ 6032. ENVIRONMENTAL REVIEW BOARD NOMINATING
COMMITTEE

(a) Creation. The Environmental Review Board Nominating Committee is created for the purpose of assessing the qualifications of applicants for appointment to the Environmental Review Board in accordance with section 6021 of this title.

(b) Members. The Committee shall consist of seven members who shall be appointed as follows:

(1) The Governor shall appoint three members from the Executive Branch, with at least one being an employee of the Department of Human Resources.

(2) The Speaker of the House of Representatives shall appoint two members from the House of Representatives.

(3) The Senate Committee on Committees shall appoint two members from the Senate.

(c) Terms. The members of the Committee shall serve for terms of two years. Members shall serve until their successors are appointed. Members shall serve not more than three consecutive terms in any capacity. A legislative member who is appointed as a member of the Committee shall retain the position for the term appointed to the Committee even if the member is subsequently not reelected to the General Assembly during the member's term on the Committee.

(d) Chair. The members shall elect their own chair.

(e) Quorum. A quorum of the Committee shall consist of four members.

(f) Staff and services. The Committee is authorized to use the staff and services of appropriate State agencies and departments as necessary to conduct investigations of applicants.

(g) Confidentiality. Except as provided in subsection (h) of this section, proceedings of the Committee, including the names of candidates considered by the Committee and information about any candidate submitted to the Governor, shall be confidential. The provisions of 1 V.S.A. § 317(e) (expiration of Public Records Act exemptions) shall not apply to the exemptions or confidentiality provisions in this subsection.

(h) Public information. The following shall be public:

(1) operating procedures of the Committee;

(2) standard application forms and any other forms used by the Committee, provided they do not contain personal information about a candidate or confidential proceedings;

(3) all proceedings of the Committee prior to the receipt of the first candidate's completed application; and

(4) at the time the Committee sends the names of the candidates to the Governor, the total number of applicants for the vacancies and the total number of candidates sent to the Governor.

(i) Reimbursement. Legislative members of the Committee shall be entitled to per diem compensation and reimbursement for expenses in accordance with 2 V.S.A. § 23. Compensation and reimbursement shall be paid from the legislative appropriation.

(j) Duties.

(1) When a vacancy occurs, the Committee shall review applicants to determine which are well-qualified for the Board and submit those names to the Governor. The Committee shall submit to the Governor a summary of the qualifications and experience of each candidate whose name is submitted to the Governor, together with any further information relevant to the matter.

(2) An applicant for the position of member of the Environmental Review Board shall not be required to be an attorney. If the candidate is admitted to practice law in Vermont or practices a profession requiring licensure, certification, or other professional regulation by the State, the Committee shall submit the candidate's name to the Court Administrator or the applicable State professional regulatory entity, and that entity shall disclose to the Committee any professional disciplinary action taken or pending concerning the candidate.

(3) Candidates shall be sought who have experience, expertise, or skills relating to one or more of the following areas: environmental science, natural resources law and policy, land use planning, community planning, or environmental justice.

(4) The Committee shall ensure a candidate possesses the following attributes:

(A) Integrity. A candidate shall possess a record and reputation for excellent character and integrity.

(B) Impartiality. A candidate shall exhibit an ability to make judicial determinations in a manner free of bias.

(C) Work ethic. A candidate shall demonstrate diligence.

(D) Availability. A candidate shall have adequate time to dedicate to the position.

Sec. 28. 10 V.S.A. § 6025 is amended to read:

§ 6025. RULES

(a) The Board may adopt rules of procedure for itself and the District Commissions. The Board shall adopt rules of procedure that govern appeals and other contested cases before it that are consistent with this chapter.

* * *

Sec. 29. 10 V.S.A. § 6027 is amended to read:

§ 6027. POWERS

(a) The Board and District Commissions each shall have supervisory authority in environmental matters respecting projects within their jurisdiction and shall apply their independent judgment in determining facts and interpreting law. Each shall have the power, with respect to any matter within its jurisdiction, to:

(1) administer oaths, take depositions, subpoena and compel the attendance of witnesses, and require the production of evidence;

(2) allow parties to enter upon lands of other parties for the purposes of inspecting and investigating conditions related to the matter before the Board or Commission;

(3) enter upon lands for the purpose of conducting inspections, investigations, examinations, tests, and site evaluations as it deems necessary to verify information presented in any matter within its jurisdiction; and

(4) apply for and receive grants from the federal government and from other sources.

(b) The powers granted under this chapter are additional to any other powers ~~which~~ that may be granted by other legislation.

(c) ~~The Natural Resources Board~~ may designate or establish ~~such~~ regional offices as it deems necessary to implement the provisions of this chapter and the rules adopted ~~hereunder~~. ~~The Natural Resources Board~~ may designate or require a regional planning commission to receive applications, provide administrative assistance, perform investigations, and make recommendations.

(d) At the request of a District Commission, if the Board Chair determines that the workload in the requesting district is likely to result in unreasonable delays or that the requesting District Commission is disqualified to hear a case, the Chair may authorize the District Commission of another district to sit in the requesting district to consider one or more applications.

(e) ~~The Natural Resources Board~~ may by rule allow joint hearings to be conducted with specified State agencies or specified municipalities.

(f) The Board shall publish its decisions online. The Board may publish online or contract to publish annotations and indices of its decisions, the decisions of the Environmental Division of the Superior Court and the Supreme Court, and the text of those decisions. The published product shall be available at a reasonable rate to the general public and at a reduced rate to libraries and governmental bodies within the State.

(g) The ~~Natural Resources~~ Board shall manage the process by which land use permits are issued under section 6086 of this title, may initiate enforcement on related matters under the provisions of chapters 201 and 211 of this title, and may ~~petition the Environmental Division~~ initiate and hear petitions for revocation of land use permits issued under this chapter. Grounds for revocation are:

(1) noncompliance with this chapter, rules adopted under this chapter, or an order that is issued that relates to this chapter;

(2) noncompliance with any permit or permit condition;

(3) failure to disclose all relevant and material facts in the application or during the permitting process;

(4) misrepresentation of any relevant and material fact at any time;

(5) failure to pay a penalty or other sums owed pursuant to, or other failure to comply with, court order, stipulation agreement, schedule of compliance, or other order issued under Vermont statutes and related to the permit; or

(6) failure to provide certification of construction costs, as required under subsection 6083a(a) of this title, or failure to pay supplemental fees as required under that section.

(h) The ~~Natural Resources~~ Board may hear appeals of fee refund requests under section 6083a of this title. The Board shall hear appeals of decisions made by District Commissions and district coordinators.

(i) The Chair, subject to the direction of the Board, shall have general charge of the offices and employees of the Board and the offices and employees of the District Commissions.

(j) ~~The Natural Resources Board may participate as a party in all matters before the Environmental Division that relate to land use permits issued under this chapter.~~ [Repealed.]

* * *

Sec. 30. 10 V.S.A. § 6022 is amended to read:

§ 6022. PERSONNEL

(a) Regular personnel. The Board may appoint legal counsel, scientists, engineers, experts, investigators, temporary employees, and administrative personnel as it finds necessary in carrying out its duties; unless the Governor shall otherwise provide in providing personnel to assist the District Commissions and in investigating matters within its jurisdiction.

(b) Executive Director. The Board shall appoint an Executive Director. The Director shall be a full-time State employee, shall be exempt from the State classified system, and shall serve at the pleasure of the Board. The Director shall be responsible for:

(1) supervising and administering the operation and implementation of this chapter and the rules adopted by the Board as directed by the Board;

(2) assisting the Board in its duties and administering the requirements of this chapter;

(3) employing such staff as may be required to carry out the functions of the Board; and

(4) preparing an annual budget for submission to the Board.

Sec. 31. 10 V.S.A. § 6084 is amended to read:

§ 6084. NOTICE OF APPLICATION; HEARINGS; COMMENCEMENT OF
REVIEW

~~(a) On or before the date of~~ Upon the filing of an application with the District Commission, the applicant District Commission shall send, by electronic means, notice and a copy of the initial application to the owner of the land if the applicant is not the owner; the municipality in which the land is located; the municipal and regional planning commissions for the municipality in which the land is located; the Vermont Agency of Natural Resources; and any adjacent Vermont municipality and municipal and regional planning commission if the land is located on a municipal or regional boundary. The applicant shall furnish to the District Commission the names of those furnished notice by affidavit, and shall post send by electronic means a copy of the notice in to the town clerk's office of the town or towns in which the project lies. The town clerk shall post the notice in the town office. The applicant shall also provide a list of adjoining landowners to the District Commission. Upon request and for good cause, the District Commission may authorize the applicant to provide a partial list of adjoining landowners in accordance with Board rules.

* * *

(e) Any notice for a major or minor application; as required by this section; shall also be published by the District Commission in a local newspaper generally circulating in the area where the development or subdivision is located and on the Board's website not more than ten days after receipt of a complete application.

* * *

Sec. 32. 10 V.S.A. § 6086(f) is amended to read:

(f) Prior to any appeal of a permit issued by a District Commission, any aggrieved party may file a request for a stay of construction with the District Commission together with a declaration of intent to appeal the permit. The stay request shall be automatically granted for seven days upon receipt and notice to all parties and pending a ruling on the merits of the stay request pursuant to Board rules. The automatic stay shall not extend beyond the 30-day appeal period unless a valid appeal has been filed with the ~~Environmental Division Board~~. The automatic stay may be granted only once under this subsection during the 30-day appeal period. Following appeal of the District Commission decision, any stay request must be filed with the ~~Environmental Division pursuant to the provisions of chapter 220 of this title~~ Board. A District Commission shall not stay construction authorized by a permit processed under the Board's minor application procedures.

Sec. 33. 10 V.S.A. § 6089 is amended to read:

§ 6089. APPEALS

~~Appeals of any act or decision of a District Commission under this chapter or a district coordinator under subsection 6007(c) of this title shall be made to the Environmental Division in accordance with chapter 220 of this title. For the purpose of this section, a decision of the Chair of a District Commission under section 6001e of this title on whether action has been taken to circumvent the requirements of this chapter shall be considered an act or decision of the District Commission.~~

(a)(1) An appeal of any act or decision of a District Commission shall be to the Board and shall be accompanied by a fee prescribed by section 6083a of this title.

(2) Participation before District Commission. A person shall not appeal an act or decision that was made by a District Commission unless the person was granted party status by the District Commission pursuant to subdivision 6085(c)(1)(E) of this title, participated in the proceedings before the District Commission, and retained party status at the end of the District Commission proceedings. In addition, the person may only appeal those issues under the criteria with respect to which the person was granted party status. However, notwithstanding these limitations, a person may appeal an act or decision of the District Commission if the Board determines that:

(A) there was a procedural defect that prevented the person from obtaining party status or participating in the proceeding;

(B) the decision being appealed is the grant or denial of party status;
or

(C) some other condition exists that would result in manifest injustice if the person's right to appeal was disallowed.

(3) An appellant to the Board, under this section, shall file with the notice of appeal a statement of the issues to be addressed in the appeal, a summary of the evidence that will be presented, and a preliminary list of witnesses who will testify on behalf of the appellant.

(4) The Board shall hold a de novo hearing on all findings requested by any party that files an appeal or cross appeal, according to the rules of the Board. The hearing shall be held in the municipality where the project subject to the appeal is located, if possible, or as close as possible.

(5) Notice of appeal shall be filed with the Board within 30 days following the act or decision by the District Commission. The Board shall notify the parties who had party status before the District Commission of the filing of any appeal.

(6) Prehearing discovery.

(A) A party may obtain discovery of expert witnesses who may provide testimony relevant to the appeal. Expert witness prefiled testimony shall be in accordance with the Vermont Rules of Evidence. The use of discovery for experts shall comply with the requirements in the Vermont Rules of Civil Procedure 26–37.

(B) Interrogatories served on nonexpert witnesses shall be limited to discovery of the identity of witnesses and a summary of each witness' testimony, except by order of the Board for cause shown. Interrogatories served on expert witnesses shall be in accordance with the Vermont Rules of Civil Procedure.

(C) Parties may submit requests to produce and requests to enter upon land pursuant to the Vermont Rule of Civil Procedure 34.

(D) Parties may not take depositions of witnesses, except by order of the Board for cause shown.

(E) The Board may require a party to supplement, as necessary, any prehearing testimony that is provided.

(b) Prior decisions of the former Environmental Board, Water Resources Board, Waste Facilities Panel, and Environmental Division of the Superior Court shall be given the same weight and consideration as prior decisions of the Environmental Review Board.

(c) An appeal from a decision of the Board under subsection (a) of this section shall be to the Supreme Court by a party as set forth in subsection 6085(c) of this title.

(d) No objection that has not been raised before the Board may be considered by the Supreme Court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances.

(e) An appeal of a decision by the Board shall be allowed pursuant to 3 V.S.A. § 815, including the unreasonableness or insufficiency of the conditions attached to a permit. An appeal from the District Commission shall be allowed for any reason, except no appeal shall be allowed when an application has been granted and no hearing was requested.

(f) Precedent from the former Environmental Board and of the Environmental Review Board that interpret Act 250 shall be provided the same deference by the Supreme Court as precedents accorded to other Executive Branch agencies charged with administering their enabling act. On appeal to the Supreme Court from the Environmental Review Board, decisions of the Environmental Review Board interpreting this act also shall be accorded that deference.

(g) Upon appeal to the Supreme Court, the Board's findings of fact shall be accepted unless clearly erroneous.

(h) Completion of case. A case shall be deemed completed when the Board enters a final decision even though that decision is appealed to the Supreme Court and remanded by that Court.

(i) Court of record; jurisdiction. The Board shall have the powers of a court of record in the determination and adjudication of all matters within its jurisdiction. It may initiate proceedings on any matter within its jurisdiction. It may render judgments and enforce the same by any suitable process issuable by courts in this State. An order issued by the Board on any matter within its jurisdiction shall have the effect of a judicial order. The Board's jurisdiction shall include:

(1) the issuance of declaratory rulings on the applicability of this chapter and rules or orders issued under this chapter, pursuant to 3 V.S.A. § 808; and

(2) the issuance of decisions on appeals pursuant to sections 6007 and 6089 of this title.

Sec. 34. 10 V.S.A. § 6007 is amended to read:

§ 6007. ACT 250 DISCLOSURE STATEMENT; JURISDICTIONAL
DETERMINATION

* * *

(c) With respect to the partition or division of land, or with respect to an activity that might or might not constitute development, any person may submit to the district coordinator an “Act 250 Disclosure Statement” and other information required by the rules of the Board and may request a jurisdictional opinion from the district coordinator concerning the applicability of this chapter. If a requestor wishes a final determination to be rendered on the question, the district coordinator, at the expense of the requestor and in accordance with rules of the Board, shall publish notice of the issuance of the opinion in a local newspaper generally circulating in the area where the land that is the subject of the opinion is located and shall serve the opinion on all persons listed in subdivisions 6085(c)(1)(A) through (D) of this title. In addition, the requestor who is seeking a final determination shall consult with the district coordinator and obtain approval of a subdivision 6085(c)(1)(E) list of persons who shall be notified by the district coordinator because they are adjoining property owners or other persons who would be likely to be able to demonstrate a particularized interest protected by this chapter that may be affected by an act or decision by a District Commission.

(d) A person who seeks review of a jurisdictional opinion issued by a district coordinator may bring to the Board an appeal of issues addressed in the opinion.

(1) The appellant shall provide notice of the filing of an appeal to each person entitled to notice under subdivisions 6085(c)(1)(A) through (D) of this title and to each person on an approved subdivision 6085(c)(1)(E) list.

(2) Failure to appeal within 30 days following the issuance of the jurisdictional opinion shall render the decision of the district coordinator under subsection (c) of this section the final determination regarding jurisdiction unless the underlying jurisdictional opinion was not properly served on persons listed in subdivisions 6085(c)(1)(A) through (D) of this title and on persons on a subdivision 6085(c)(1)(E) list approved under subsection (c) of this section.

Sec. 35. 10 V.S.A. § 6083a is amended to read:

§ 6083a. ACT 250 FEES

* * *

(i) All persons filing an appeal, cross appeal, or petition from a District Commission decision or jurisdictional determination shall pay a fee of \$295.00, plus publication costs.

* * * Appeals * * *

Sec. 36. 10 V.S.A. chapter 220 is amended to read:

CHAPTER 220. CONSOLIDATED ENVIRONMENTAL APPEALS

§ 8501. PURPOSE

It is the purpose of this chapter to:

(1) consolidate existing appeal routes for municipal zoning and subdivision decisions and acts or decisions of the Secretary of Natural Resources, ~~district environmental coordinators, and District Commissions,~~ excluding enforcement actions brought pursuant to chapters 201 and 211 of this title and the adoption of rules under 3 V.S.A. chapter 25;

(2) standardize the appeal periods, the parties who may appeal these acts or decisions, and the ability to stay any act or decision upon appeal, taking into account the nature of the different programs affected;

(3) ~~encourage people to get involved in the Act 250 permitting process at the initial stages of review by a District Commission by requiring participation as a prerequisite for an appeal of a District Commission decision to the Environmental Division;~~

(4) ~~assure~~ ensure that clear appeal routes exist for acts and decisions of the Secretary of Natural Resources; and

~~(5)~~(4) consolidate appeals of decisions related to renewable energy generation plants and telecommunications facilities with review under, respectively, 30 V.S.A. §§ 248 and 248a, with appeals and consolidation of proceedings pertaining to telecommunications facilities occurring only while 30 V.S.A. § 248a remains in effect.

§ 8502. DEFINITIONS

As used in this chapter:

(1) ~~“District Commission” means a District Environmental Commission established under chapter 151 of this title. [Repealed.]~~

(2) ~~“District coordinator” means a district environmental coordinator attached to a District Commission established under chapter 151 of this title. [Repealed.]~~

(3) “Environmental Court” or “Environmental Division” means the Environmental Division of the Superior Court established by 4 V.S.A. § 30.

(4) “~~Natural Resources~~ Environmental Review Board” or “Board” means the Board established under chapter 151 of this title.

(5) “Party by right” means the following:

(A) the applicant;

(B) the landowner, if the applicant is not the landowner;

(C) the municipality in which the project site is located and the municipal and regional planning commissions for that municipality;

(D) if the project site is located on a boundary, any Vermont municipality adjacent to that border and the municipal and regional planning commissions for that municipality;

(E) the solid waste management district in which the land is located, if the development or subdivision constitutes a facility pursuant to subdivision 6602(10) of this title;

(F) any State agency affected by the proposed project.

(6) “Person” means any individual; partnership; company; corporation; association; joint venture; trust; municipality; the State of Vermont or any agency, department, or subdivision of the State; any federal agency; or any other legal or commercial entity.

(7) “Person aggrieved” means a person who alleges an injury to a particularized interest protected by the provisions of law listed in section 8503 of this title, attributable to an act or decision by ~~a district coordinator, District Commission,~~ the Secretary, or the Environmental Division that can be redressed by the Environmental Division or the Supreme Court.

(8) “Secretary” means the Secretary of Natural Resources or the Secretary’s duly authorized representative. As used in this chapter, “Secretary” shall also mean the Commissioner of Environmental Conservation, the Commissioner of Forests, Parks and Recreation, and the Commissioner of Fish and Wildlife, with respect to those statutes that refer to the authority of that commissioner or department.

§ 8503. APPLICABILITY

(a) This chapter shall govern all appeals of an act or decision of the Secretary, excluding enforcement actions under chapters 201 and 211 of this title and rulemaking, under the following authorities and under the rules adopted under those authorities:

* * *

(b) ~~This chapter shall govern:~~

(1) ~~all appeals from an act or decision of a District Commission under chapter 151 of this title, excluding appeals of application fee refund requests;~~

(2) ~~appeals from an act or decision of a district coordinator under subsection 6007(e) of this title;~~

(3) ~~appeals from findings of fact and conclusions of law issued by the Natural Resources Board in its review of a designated growth center for conformance with the criteria of subsection 6086(a) of this title, pursuant to authority granted at 24 V.S.A. § 2793e(f). [Repealed.]~~

(c) This chapter shall govern all appeals arising under 24 V.S.A. chapter 117, the planning and zoning chapter.

(d) This chapter shall govern all appeals from an act or decision of the Environmental Division under this chapter.

(e) This chapter shall not govern appeals from rulemaking decisions by the Natural Resources Environmental Review Board under chapter 151 of this title or enforcement actions under chapters 201 and 211 of this title.

(f) This chapter shall govern all appeals of acts or decisions of the legislative body of a municipality arising under 24 V.S.A. chapter 61, subchapter 10, relating to the municipal certificate of approved location for salvage yards.

(g) This chapter shall govern all appeals of an act or decision of the Secretary of Natural Resources that a solid waste implementation plan for a municipality proposed under 24 V.S.A. § 2202a conforms with the State Solid Waste Implementation Plan adopted pursuant to section 6604 of this title.

§ 8504. APPEALS TO THE ENVIRONMENTAL DIVISION

(a) ~~Act 250 and Agency appeals.~~ Within 30 days of the date of following the act or decision, any person aggrieved by an act or decision of the Secretary, ~~a District Commission, or a district coordinator~~ under the provisions of law listed in section 8503 of this title, or any party by right, may appeal to the Environmental Division, except for an act or decision of the Secretary under subdivision 6086b(3)(E) of this title or governed by section 8506 of this title.

* * *

(c) Notice of the filing of an appeal.

(1) ~~Upon filing an appeal from an act or decision of the District Commission, the appellant shall notify all parties who had party status as of the end of the District Commission proceeding, all friends of the Commission, and the Natural Resources Board that an appeal is being filed. In addition, the~~

appellant shall publish notice not more than 10 days after providing notice as required under this subsection, at the appellant's expense, in a newspaper of general circulation in the area of the project that is the subject of the decision. [Repealed.]

* * *

(d) Requirement to participate before the ~~District Commission~~ or the Secretary.

(1) ~~Participation before District Commission. An aggrieved person shall not appeal an act or decision that was made by a District Commission unless the person was granted party status by the District Commission pursuant to subdivision 6085(c)(1)(E) of this title, participated in the proceedings before the District Commission, and retained party status at the end of the District Commission proceedings. In addition, the person may only appeal those issues under the criteria with respect to which the person was granted party status. However, notwithstanding these limitations, an aggrieved person may appeal an act or decision of the District Commission if the Environmental judge determines that:~~

~~(A) there was a procedural defect that prevented the person from obtaining party status or participating in the proceeding;~~

~~(B) the decision being appealed is the grant or denial of party status;~~
or

~~(C) some other condition exists that would result in manifest injustice if the person's right to appeal was disallowed. [Repealed.]~~

(2) Participation before the Secretary.

* * *

(e) ~~Act 250 jurisdictional determinations by a district coordinator.~~

~~(1) The appellant shall provide notice of the filing of an appeal to each person entitled to notice under subdivisions 6085(c)(1)(A) through (D) of this title, to each person on an approved subdivision 6085(c)(1)(E) list, and to the Natural Resources Board.~~

~~(2) Failure to appeal within the time required under subsection (a) of this section shall render the decision of the district coordinator under subsection 6007(c) of this title the final determination regarding jurisdiction under chapter 151 of this title unless the underlying jurisdictional opinion was not properly served on persons listed in subdivisions 6085(c)(1)(A) through (D) of this title and on persons on a subdivision 6085(c)(1)(E) list approved under subsection 6007(c) of this title. [Repealed.]~~

* * *

(g) Consolidated appeals. The Environmental Division may consolidate or coordinate different appeals where those appeals all relate to the same project.

* * *

~~(i) Deference to Agency technical determinations. In the adjudication of appeals relating to land use permits under chapter 151 of this title, technical determinations of the Secretary shall be accorded the same deference as they are accorded by a District Commission under subsection 6086(d) of this title. [Repealed.]~~

* * *

(k) Limitations on appeals. Notwithstanding any other provision of this section:

~~(1) there shall be no appeal from a District Commission decision when the Commission has issued a permit and no hearing was requested or held, or no motion to alter was filed following the issuance of an administrative amendment;~~

(2) a municipal decision regarding whether a particular application qualifies for a recorded hearing under 24 V.S.A. § 4471(b) shall not be subject to appeal;

~~(3) if a District Commission issues a partial decision under subsection 6086(b) of this title, any appeal of that decision must be taken within 30 days of the date of that decision.~~

(l) Representation. The Secretary may represent the Agency of Natural Resources in all appeals under this section. ~~The Chair of the Natural Resources Board may represent the Board in any appeal under this section, unless the Board directs otherwise. If more than one State agency, other than the Board, either appeals or seeks to intervene in an appeal under this section, only the Attorney General may represent the interests of those agencies of the State in the appeal.~~

(m) Precedent. Prior decisions of the Environmental Board, Water Resources Board, and Waste Facilities Panel shall be given the same weight and consideration as prior decisions of the Environmental Division.

(n) Intervention. Any person may intervene in a pending appeal if that person:

(1) appeared as a party in the action appealed from and retained party status;

- (2) is a party by right;
- (3) ~~is the Natural Resources Board; [Repealed.]~~
- (4) is a person aggrieved, as defined in this chapter;
- (5) qualifies as an “interested person,” as established in 24 V.S.A. § 4465, with respect to appeals under 24 V.S.A. chapter 117; or
- (6) meets the standard for intervention established in the Vermont Rules of Civil Procedure.

(o) With respect to review of an act or decision of the Secretary pursuant to 3 V.S.A. § 2809, the Division may reverse the act or decision or amend an allocation of costs to an applicant only if the Division determines that the act, decision, or allocation was arbitrary, capricious, or an abuse of discretion. In the absence of such a determination, the Division shall require the applicant to pay the Secretary all costs assessed pursuant to 3 V.S.A. § 2809.

(p) Administrative record. The Secretary shall certify the administrative record as defined in chapter 170 of this title and shall transfer a certified copy of that record to the Environmental Division when:

(1) there is an appeal of an act or decision of the Secretary that is based on that record; ~~or~~

~~(2) there is an appeal of a decision of a District Commission, and the applicant used a decision of the Secretary based on that record to create a presumption under a criterion of subsection 6086(a) of this title that is at issue in the appeal.~~

§ 8505. APPEALS TO THE SUPREME COURT

(a) Any person aggrieved by a decision of the Environmental Division pursuant to this subchapter, any party by right, or any person aggrieved by a decision of the Environmental Review Board may appeal to the Supreme Court within 30 days ~~of~~ following the date of the entry of the order or judgment appealed from, provided that:

- (1) the person was a party to the proceeding before the Environmental Division; ~~or~~
- (2) the decision being appealed is the denial of party status; or
- (3) the Supreme Court determines that:

(A) there was a procedural defect that prevented the person from participating in the proceeding; or

(B) some other condition exists that would result in manifest injustice if the person’s right to appeal were disallowed.

* * *

* * * Environmental Division * * *

Sec. 37. 4 V.S.A. § 34 is amended to read:

§ 34. JURISDICTION; ENVIRONMENTAL DIVISION

The Environmental Division shall have:

(1) jurisdiction of matters arising under 10 V.S.A. chapters 201 and 220;
and

(2) jurisdiction of matters arising under 24 V.S.A. chapter 61,
subchapter 12 and 24 V.S.A. chapter 117; and

~~(3) original jurisdiction to revoke permits under 10 V.S.A. chapter 151.~~

* * * Appropriation; Transition; Revision Authority * * *

Sec. 38. ENVIRONMENTAL REVIEW BOARD POSITIONS;

APPROPRIATION

(a) The following new positions are created at the Environmental Review Board for the purposes of carrying out this act:

(1) one Staff Attorney 1; and

(2) four half-time Environmental Review Board members.

(b) The sum of \$384,000.00 is appropriated to the Environmental Review Board from the General Fund in fiscal year 2023 for the positions established in subsection (a) of this section and for additional operating costs required to implement the appeals process established in this act.

Sec. 39. NATURAL RESOURCES BOARD TRANSITION

(a) The Governor shall appoint the members of Environmental Review Board on or before July 1, 2023, and the terms of any Natural Resources Board member not appointed consistent with the requirements of 10 V.S.A. § 6021(a)(1)(A) or (B) shall expire on that day.

(b) As of July 1, 2023, all appropriations and employee positions of the Natural Resources Board are transferred to the Environmental Review Board.

(c) The Environmental Review Board shall adopt rules of procedure for its hearing process pursuant to 10 V.S.A. § 6025(a) on or before July 1, 2024.

Sec. 40. ENVIRONMENTAL DIVISION; CONTINUED JURISDICTION

Notwithstanding the repeal of its jurisdictional authority to hear appeals relative to land use permits under Sec. 36 of this act, the Environmental

Division of the Superior Court shall continue to have jurisdiction to complete its consideration of any appeal that is pending before it as of July 1, 2024 if the act or appeal has been filed. The Environmental Review Board shall have authority to be a party in any appeals pending under this section until July 1, 2024.

Sec. 41. REVISION AUTHORITY

In preparing the Vermont Statutes Annotated for publication in 2022, the Office of Legislative Counsel shall replace all references to the “Natural Resources Board” with the “Environmental Review Board” in Title 3, Title 10, Title 24, Title 29, Title 30, and Title 32.

* * * Effective Dates * * *

Sec. 42. EFFECTIVE DATES

This act shall take effect on passage except that Sec. 14 (10 V.S.A. § 6086(a)(8)) shall take effect on September 1, 2024 and Secs. 36 and 37 (10 V.S.A. chapter 220; 4 V.S.A. § 34) shall take effect on July 1, 2024.

Rep. Ode of Burlington, for the Committee on Ways and Means, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Natural Resources, Fish, and Wildlife.

Rep. Squirrell of Underhill, for the Committee on Appropriations, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Natural Resources, Fish, and Wildlife and when the proposal of amendment is amended as follows:

By striking Sec. 6, appropriation, in its entirety and inserting in lieu thereof the following:

Sec. 6. MUNICIPAL BYLAW MODERNIZATION GRANT FUNDING

Of the funds appropriated in fiscal year 2023 to the municipality allocation of the Municipal and Regional Planning Fund, up to \$650,000.00 shall be used for Municipal Bylaw Modernization Grants as established in 24 V.S.A. § 4307.

The bill having appeared on the Notice Calendar was taken up, read the second time, and the report of the Committee on Natural Resources, Fish, and Wildlife was amended as recommended by the Committee on Appropriations.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Natural Resources, Fish, and Wildlife, as amended?, **Rep. Donahue of Northfield** requested that the question be divided by first considering Secs. 1-24 and their related effective

dates in Sec. 42 of the report of the Committee on Natural Resources, Fish, and Wildlife, as amended, then second, Secs. 25-41 and their related effective dates in Sec. 42 of that same report, which the Speaker confirmed was allowable.

Thereupon, the question of the first division, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Natural Resources, Fish and Wildlife, as amended, in Secs. 1-24 and their effective dates in Sec. 42?, was agreed to.

Thereafter, the question of the second division, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Natural Resources, Fish, and Wildlife, as amended, in Secs. 25-41 and their related effective dates in Sec. 42?, was agreed to in a vote by division: Yeas, 94; Nays, 45.

Pending the question, Shall the bill be read a third time?, **Rep. Sheldon of Middlebury** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be read a third time?, was decided in the affirmative. Yeas, 99. Nays, 43.

Those who voted in the affirmative are:

Ancel of Calais	Gannon of Wilmington	Ode of Burlington
Anthony of Barre City	Garofano of Essex	Pajala of Londonderry
Arrison of Weathersfield	Goldman of Rockingham	Partridge of Windham
Austin of Colchester	Grad of Moretown	Patt of Worcester
Bartholomew of Hartland	Hooper of Montpelier	Pugh of South Burlington
Birong of Vergennes	Hooper of Randolph	Rachelson of Burlington
Black of Essex	Houghton of Essex	Rogers of Waterville
Bluemle of Burlington	Howard of Rutland City	Satcowitz of Randolph
Bock of Chester	James of Manchester	Scheu of Middlebury
Bongartz of Manchester	Jerome of Brandon	Sheldon of Middlebury
Bos-Lun of Westminster	Jessup of Middlesex	Sibilia of Dover
Brady of Williston	Killacky of South Burlington	Sims of Craftsbury *
Briglin of Thetford	Kimbell of Woodstock	Small of Winooski
Brown of Richmond	Kitzmiller of Montpelier	Squirrell of Underhill
Brownell of Pownal	Kornheiser of Brattleboro	Stebbins of Burlington
Brumsted of Shelburne	LaLonde of South	Stevens of Waterbury
Burke of Brattleboro	Burlington	Sullivan of Dorset
Burrows of West Windsor	Lanpher of Vergennes	Surprenant of Barnard
Campbell of St. Johnsbury	Lefebvre of Newark	Taylor of Colchester
Chase of Colchester	Lippert of Hinesburg	Till of Jericho
Christie of Hartford	Long of Newfane	Toleno of Brattleboro
Cina of Burlington	Masland of Thetford	Townsend of South
Coffey of Guilford	McCarthy of St. Albans City	Burlington
Colston of Winooski	McCormack of Burlington	Troiano of Stannard
Conlon of Cornwall	McCullough of Williston	Vyhovsky of Essex

Copeland Hanzas of Bradford	Morris of Springfield	Walz of Barre City
Corcoran of Bennington	Mrowicki of Putney	Webb of Shelburne
Cordes of Lincoln	Mulvaney-Stanak of Burlington	White of Bethel
Dolan of Essex	Murphy of Fairfax	White of Hartford
Dolan of Waitsfield	Nicoll of Ludlow	Whitman of Bennington
Donnally of Hyde Park	Nigro of Bennington	Wood of Waterbury
Durfee of Shaftsbury	Notte of Rutland City	Yacovone of Morristown
Elder of Starksboro	Noyes of Wolcott	Yantachka of Charlotte
Emmons of Springfield	O'Brien of Tunbridge	

Those who voted in the negative are:

Achey of Middletown Springs	Harrison of Chittenden	Morgan, M. of Milton
Beck of St. Johnsbury	Helm of Fair Haven	Morrissey of Bennington
Brennan of Colchester	Higley of Lowell	Norris of Sheldon
Canfield of Fair Haven	Kascenska of Burke	Norris of Shoreham
Cupoli of Rutland City	Labor of Morgan	Page of Newport City
Dickinson of St. Albans Town	LaClair of Barre Town	Parsons of Newbury
Donahue of Northfield *	Laroche of Franklin	Peterson of Clarendon
Fagan of Rutland City	Lefebvre of Orange	Rosenquist of Georgia
Feltus of Lyndon	Leffler of Enosburgh	Scheuermann of Stowe
Goslant of Northfield *	Marcotte of Coventry	Shaw of Pittsford
Graham of Williamstown	Martel of Waterford	Smith of Derby
Gregoire of Fairfield	Mattos of Milton	Strong of Albany
Hango of Berkshire	McCoy of Poultney	Toof of St. Albans Town
	McFaun of Barre Town	Walker of Swanton
	Morgan, L. of Milton	Williams of Granby

Those members absent with leave of the House and not voting are:

Burditt of West Rutland	Palasik of Milton	Terenzini of Rutland Town
Colburn of Burlington	Pearl of Danville	
Hooper of Burlington	Smith of New Haven	

Rep. Donahue of Northfield explained her vote as follows:

“Madam Speaker:

It is unfortunate when a separate bill that is a detriment to our processes is tacked on to one that could move us forward, because it forces my ‘no’ vote. I can at least hope that a positive iteration returns to this body for further action.”

Rep. Goslant of Northfield explained his vote as follows:

“Madam Speaker:

I voted no. This could have been a bill that we all could have been closer in agreement. Act 250 is outdated and needs reform. It is my hope in the future we work closer together to establish a fair, timely, and equitable process that benefits all of Vermont. After all we all want a better climate to protect the beauty of all of Vermont.”

Rep. Sims of Craftsbury explained her vote as follows:

“Madam Speaker:

Vermont’s landmark Act 250 law has been instrumental in sustaining the Vermont we love, balancing the preservation of our unique landscape with the economic and development needs of our communities. As we face a growing housing crisis, new pressures on our working landscape, and the adverse impacts of climate change, this bill takes important steps to modernize Act 250 to better serve the needs of today’s businesses and communities.”

Favorable Report; Second Reading; Third Reading Ordered

H. 746

Rep. Gannon of Wilmington, for the Committee on Government Operations, to which had been referred House bill, entitled

An act relating to an amendment to the charter of the City of Burlington

Reported in favor of its passage. The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be read a third time?, **Rep. LaClair of Barre Town** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be read a third time?, was decided in the affirmative. Yeas, 105. Nays, 33.

Those who voted in the affirmative are:

Ancl of Calais	Gannon of Wilmington	Noyes of Wolcott
Anthony of Barre City	Garofano of Essex	O'Brien of Tunbridge
Arrison of Weathersfield	Goldman of Rockingham	Ode of Burlington
Austin of Colchester	Grad of Moretown	Pajala of Londonderry
Bartholomew of Hartland	Gregoire of Fairfield	Partridge of Windham
Beck of St. Johnsbury	Helm of Fair Haven	Patt of Worcester
Birong of Vergennes	Hooper of Randolph	Pugh of South Burlington
Black of Essex	Houghton of Essex	Rachelson of Burlington

Bluemle of Burlington	Howard of Rutland City	Rogers of Waterville
Bongartz of Manchester	James of Manchester	Satcowitz of Randolph
Bos-Lun of Westminster	Jerome of Brandon	Scheu of Middlebury
Brady of Williston	Jessup of Middlesex	Shaw of Pittsford
Briglin of Thetford	Kascenska of Burke	Sheldon of Middlebury
Brown of Richmond	Killackey of South Burlington	Sibilia of Dover
Brownell of Pownal	Kimbell of Woodstock	Sims of Craftsbury
Brumsted of Shelburne	Kitzmiller of Montpelier	Small of Winooski
Burke of Brattleboro	Kornheiser of Brattleboro *	Squirrell of Underhill
Burrows of West Windsor	LaLonde of South	Stebbins of Burlington
Campbell of St. Johnsbury	Burlington	Stevens of Waterbury
Chase of Colchester	Lanpher of Vergennes	Sullivan of Dorset
Christie of Hartford	Leffler of Enosburgh	Surprenant of Barnard
Cina of Burlington	Lippert of Hinesburg	Taylor of Colchester
Coffey of Guilford	Long of Newfane	Toleno of Brattleboro
Colston of Winooski	Marcotte of Coventry	Townsend of South
Conlon of Cornwall	Masland of Thetford	Burlington
Copeland Hanzas of	McCarthy of St. Albans City	Troiano of Stannard
Bradford	McCormack of Burlington	Vyhovsky of Essex *
Corcoran of Bennington	McCullough of Williston	Walz of Barre City
Cordes of Lincoln	Morris of Springfield	Webb of Shelburne
Dolan of Essex	Mrowicki of Putney	White of Bethel
Dolan of Waitsfield	Mulvaney-Stanak of	White of Hartford
Donahue of Northfield	Burlington *	Whitman of Bennington
Donnally of Hyde Park	Murphy of Fairfax	Wood of Waterbury
Durfee of Shaftsbury	Nicoll of Ludlow	Yacovone of Morristown
Elder of Starksboro	Nigro of Bennington	Yantachka of Charlotte
Emmons of Springfield	Norris of Shoreham	
Feltus of Lyndon	Notte of Rutland City	

Those who voted in the negative are:

Achey of Middletown	Higley of Lowell	Norris of Sheldon
Springs	Labor of Morgan	Page of Newport City
Brennan of Colchester	LaClair of Barre Town	Parsons of Newbury
Canfield of Fair Haven	Laroche of Franklin	Peterson of Clarendon
Cupoli of Rutland City	Lefebvre of Newark	Rosenquist of Georgia
Dickinson of St. Albans	Lefebvre of Orange	Scheuermann of Stowe
Town	Martel of Waterford	Smith of Derby
Fagan of Rutland City	Mattos of Milton	Strong of Albany
Goslant of Northfield	McCoy of Poultney	Toof of St. Albans Town
Graham of Williamstown	McFaun of Barre Town	Walker of Swanton
Hango of Berkshire	Morgan, M. of Milton	Williams of Granby
Harrison of Chittenden	Morrissey of Bennington	

Those members absent with leave of the House and not voting are:

Bock of Chester	Hooper of Burlington	Smith of New Haven
Burditt of West Rutland	Morgan, L. of Milton	Terenzini of Rutland Town
Colburn of Burlington	Palasik of Milton	Till of Jericho
Hooper of Montpelier	Pearl of Danville	

Rep. Kornheiser of Brattleboro explained her vote as follows:

“Madam Speaker:

I vote yes today as an affirmation of people’s rights over their own bodies and towards the increased safety and security and self-determination that right provides.”

Rep. Mulvaney-Stanak of Burlington explained her vote as follows:

“Madam Speaker:

I voted yes because language matters. And addressing and eradicating sexism, wherever it exists, matters.”

Rep. Vyhovsky of Essex explained her vote as follows:

“Madam Speaker:

This charter change was supported by over 69% of Burlington voters. This change removes arcane and dehumanizing language. The stigma this language creates does far more harm to sex workers and victims of trafficking than it does to protect them. I vote yes to affirm the humanity of sex workers and victims of trafficking and to eliminate oppressive language.”

**Favorable Report; Second Reading;
Third Reading Ordered**

S. 122

Rep. Vyhovsky of Essex, for the Committee on Government Operations, to which had been referred Senate bill, entitled

An act relating to the required votes of presidential electors

Reported in favor of its passage in concurrence.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and third reading ordered.

Action on Bill Postponed

S. 139

Senate bill, entitled

An act relating to nondiscriminatory school branding

Was taken up, and pending the reading of the report of the Committee on Education, on motion of **Rep. Webb of Shelburne**, action on the bill was postponed until May 5, 2022.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 161

Rep. Patt of Worcester, for the Committee on Energy and Technology, to which had been referred Senate bill, entitled

An act relating to extending the baseload renewable power portfolio requirement

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 30 V.S.A. § 8009 is amended to read:

§ 8009. BASELOAD RENEWABLE POWER PORTFOLIO
REQUIREMENT

* * *

(b) Notwithstanding subsection 8004(a) and subdivision 8005(c)(1) of this title, commencing November 1, 2012, each Vermont retail electricity provider shall purchase the provider's pro rata share of the baseload renewable power portfolio requirement, which shall be based on the total Vermont retail kWh sales of all such providers for the previous calendar year. The obligation created by this subsection shall cease on November 1, ~~2024~~ 2032 unless terminated earlier pursuant to subsection (k) of this section.

* * *

(d) ~~The~~ On or before November 1, 2026, the Commission shall determine, for the period beginning on November 1, 2026 and ending on November 1, 2032, the price to be paid to a plant used to satisfy the baseload renewable power portfolio requirement. The Commission shall not be required to make this determination as a contested case under 3 V.S.A. chapter 25. The price shall be the avoided cost of the Vermont composite electric utility system. ~~In~~ As used in this subsection, the term "avoided cost" means the incremental cost to retail electricity providers of electric energy or capacity, or both, which, but for the purchase from the plant proposed to satisfy the baseload renewable power portfolio requirement, such providers would obtain from a source using the same generation technology as the proposed plant. ~~In~~ For the purposes of this subsection, the term "avoided cost" also includes the Commission's consideration of each of the following:

(1) The relevant cost data of the Vermont composite electric utility system.

(2) The terms of the potential contract, including the duration of the obligation.

(3) The availability, during the system's daily and seasonal peak periods, of capacity or energy from a proposed plant.

(4) The relationship of the availability of energy or, capacity, renewable energy credits and attributes, and other ISO New England revenue streams from the proposed plant to the ability of the Vermont composite electric utility system or a portion thereof to avoid costs. Vermont retail electricity providers shall receive all output of the baseload renewable plant unless the contract price is reduced to reflect the value of all products, attributes, and services that are retained by the seller.

(5) The costs or savings resulting from variations in line losses from those that would have existed in the absence of purchases from the proposed plant.

(6) The supply and cost characteristics of the proposed plant, including the costs of operation and maintenance of an existing plant during the term of a proposed contract.

(7) Mechanisms for encouraging dispatch of the plant relative to the ISO New England wholesale energy price and value of regional renewable energy credits while also respecting the physical operating parameters, the fixed costs of the proposed plant, and the impact on the forest economy.

(8) The appropriate assignment of risks associated with the ISO New England Forward Capacity Market Pay for Performance program.

(e) In determining the price under subsection (d) of this section, the Commission:

(1) may require a plant proposed to be used to satisfy the baseload renewable power portfolio requirement to produce such information as the Commission reasonably deems necessary;

(2) shall not consider the following in the determination of avoided cost:

(A) capital investments made to meet the efficiency goal established in subsection (k) of this section;

(B) revenue generated by the capital investment made to meet the efficiency goal established in subsection (k) of this section; and

(C) operational costs and operational impacts associated with the project or projects implemented to meet the efficiency goals established in subsection (k) of this section; and

(3) notwithstanding subdivision (2)(C), shall consider sharing with Vermont retail electricity providers the benefits associated with waste heat that may be used to benefit a facility that does not provide baseload renewable energy.

(f) With respect to a plant used to satisfy the baseload renewable power portfolio requirement:

* * *

(2) Any tradeable renewable energy credits and attributes that are attributable to the electricity purchased shall be transferred to the Vermont retail electricity providers in accordance with their pro rata share of the costs for such electricity as determined under subdivision (1) of this subsection unless the Commission approves the plant owner retaining renewable energy credits and attributes or other ISO New England revenue streams. If the Commission approves the plant owner retaining renewable energy credits and attributes, or other ISO New England revenue streams, the price paid by the Vermont retail electricity providers pursuant to this section may be reduced by the Commission to reflect the value of those credits, attributes, products, or services.

* * *

(j) The Commission shall authorize any Agency participating in a proceeding pursuant to this section or an order issued under this section to assess its costs against a proposed plant consistent with section 21 of this title.

(k) Collocation and efficiency requirements.

(1) The owner of the plant used to satisfy the baseload renewable power portfolio requirement shall cause the plant's overall efficiency to be increased by at least 50 percent relative to the 12-month period preceding July 1, 2022. In achieving this efficiency, the owner shall comply with the requirements of this subsection.

(2) On or before July 1, 2023, the owner of the plant shall submit to the Commission and the Department:

(A) A signed contract providing for the construction of a facility at the plant that utilizes the excess thermal heat generated at the plant for a beneficial purpose. As used in this subdivision (A), beneficial purpose may include the displacement of fossil fuel use for the sustainable production of a product or service or more efficient or less costly generation of electricity.

(B) A certification by a qualified professional engineer that the construction of the facility shall meet the requirement of subdivision (1) of this subsection (k).

(3) On or before October 1, 2024, the owner of the plant shall submit to the Commission and the Department a certification that the main components of the facility used to meet the requirement of subdivision (1) of this subsection (k) have been completed.

(4) If the contract and certification required under subdivision (2) of this subsection are not submitted to the Commission and Department on or before July 1, 2023 or if the certification required under subdivision (3) is not submitted to the Commission and Department on or before October 1, 2024, then the obligation under this section for each Vermont retail electricity provider to purchase a pro rata share of the baseload renewable power portfolio requirement shall cease on November 1, 2024, and the Commission is not required to conduct the rate determination provided for in subsection (d) of this section.

(5) On or before September 1, 2025, the Department shall investigate and submit a recommendation to the Commission on whether the plant has achieved the requirement of subdivision (1) of this subsection. If the Department recommends that the plant has not achieved the requirement of subdivision (1) of this subsection, the obligation under this section shall cease on November 1, 2025, and the Commission is not required to conduct the rate determination provided for in subsection (d) of this section.

(6) After November 1, 2026, the owner of the plant shall report annually to the Department and the Department shall verify the overall efficiency of the plant for the prior 12-month period. If the overall efficiency of the plant falls below the requirement of subdivision (1) of this subsection, the report shall include a plan to return the plant to the required efficiency within one year.

(7) If, after implementing the plan in subdivision (6) of this subsection, the owner of the plant does not achieve the efficiency required in subdivision (1) of this subsection, the Department shall request that the Commission commence a proceeding to terminate the obligation under this section.

(8) The Department may retain research, scientific, or engineering services to assist it in making the recommendation required under subdivision (5) of this subsection and in reviewing the information required under subdivision (6) of this subsection and may allocate the expense incurred or authorized by it to the plant's owner.

(l) Annual report. Beginning on August 1, 2023, the owner of the plant used to satisfy the baseload renewable power portfolio shall report annually to the House Committee on Energy and Technology and Senate Committee on Finance, the Commissioner of Forests, Parks and Recreation, and the Secretary

of Commerce and Community Development on the wood fuel purchases for the plant. The report shall include the average monthly price paid for the wood fuel and the source of the wood fuel, including location, number, types, and sources of non-forest-derived wood.

Sec. 2. 2021 Acts and Resolves No. 39, Sec. 2 is amended to read:

Sec. 2. PUBLIC UTILITY COMMISSION ORDER EXTENSION

All decisions and orders of the former Public Service Board and the Public Utility Commission in the matter Investigation into the Establishment of a Standard-Offer Price for Baseload Renewable Power under the Sustainably Priced Energy Enterprise Development (SPEED) Program, Docket No. 7782, shall remain in full force and effect through October 31, 2024 2026. For years 2023 ~~and~~, 2024, and 2025 and the period from January 1, 2026 to October 31, 2026, the purchase price shall be the levelized value determined in Docket No. 7782.

Sec. 3. REPORT; RYEGATE DECOMMISSIONING FUND

On or before January 15, 2023, the Department of Public Service (Department) shall assess the current value of the Ryegate decommissioning fund and determine if it is sufficient to cover the costs necessary to decommission the plant. The Department shall submit the report to the General Assembly and include any recommendations.

Sec. 4. REPORT; WOOD FUEL PRICES

(a) The Commissioner of Forests, Parks and Recreation in consultation with the Secretary of Commerce and Community Development shall conduct analysis and calculate a minimum fair market price for wood fuel to be used by the plant used to satisfy the baseload renewable power portfolio requirement. The Commissioner may hire a forest economist and interview wood chip fuel producers and examine their costs to determine a range in cost of production that accounts for different equipment types, delivery distance, average wages paid to employees, and return on investment of the enterprises.

(b) The Commissioner of Forests, Parks and Recreation may assess the costs of hiring a consultant for the purposes of the report in subsection (a) of this section on the owners of the baseload renewable power plant, up to \$10,000.00.

(c) On or before July 1, 2024, the Commissioner shall submit the calculation to the House Committee on Energy and Technology, the Senate Committee on Finance, and the Public Utility Commission.

Sec. 5. HARVESTING PRACTICES

The Secretary of Natural Resources shall review the Memorandum of Understanding (MOU) that is part of Docket No. 5217 regarding the harvesting policy for Ryegate's wood procurement. On or before July 1, 2023, the Secretary shall provide an update to the House Committee on Energy and Technology and the Senate Committee on Finance on any recommended or completed modifications to the MOU to promote sustainable and healthy forests and forest economy in the region.

Sec. 6. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Masland of Thetford, for the Committee on Ways and Means, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Energy and Technology.

The bill having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Energy and Technology was agreed to, and third reading ordered.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 269

Rep. Yantachka of Charlotte, for the Committee on Energy and Technology, to which had been referred Senate bill, entitled

An act relating to extending the Energy Savings Account Partnership Pilot Program

Reported in favor of its passage in concurrence.

Rep. Kornheiser of Brattleboro, for the Committee on Ways and Means, recommended that the House propose to the Senate to amend the bill as follows:

By striking out Sec. 3, effective date, in its entirety and inserting in lieu thereof the following:

* * * Home Weatherization Assistance Program * * *

Sec. 3. 33 V.S.A. § 2502 is amended to read:

§ 2502. HOME WEATHERIZATION ASSISTANCE PROGRAM

* * *

(b) In addition, the Director shall supplement, or supplant, any federal program with the State Home Weatherization Assistance Program.

(1) The State program shall provide an enhanced weatherization assistance amount exceeding the federal per unit limit allowing amounts up to an average of \$8,500.00 per unit allocated on a cost-effective basis. The allowable average per unit may be adjusted to account for the lower cost per unit of multifamily buildings. In units where costs exceed the allowable average by more than 25 percent, prior approval of the Director of the State Economic Opportunity Office shall be required before work commences. This amount shall be adjusted annually ~~by increasing the last year's amount by the percentage increase in the Consumer Price Index for the previous year to~~ account for inflation of materials and labor.

* * *

* * * Reauthorization and Extension of VEGI * * *

Sec. 4. FY 2020–2022; VEGI AWARDS

Any awards for a Vermont Employment Growth Incentive under 32 V.S.A. chapter 105, subchapter 2 granted by the Vermont Economic Progress Council between January 1, 2021 and enactment of this act are authorized by the General Assembly.

Sec. 5. 2016 Acts and Resolves No. 157, Sec. H.12 is amended to read:

Sec. H.12. VEGI; REPEAL OF AUTHORITY TO AWARD

INCENTIVES

Notwithstanding any provision of law to the contrary, the Vermont Economic Progress Council shall not accept or approve an application for a Vermont Employment Growth Incentive under 32 V.S.A. chapter 105, subchapter 2 on or after January 1, ~~2024~~ 2024.

Sec. 6. EFFECTIVE DATES

This act shall take effect on passage except that, notwithstanding 1 V.S.A. § 214, Sec. 4 (VEGI awards) shall take effect retroactively on December 31, 2020.

The bill having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Ways and Means was agreed to, and third reading ordered.

Recess

At five o'clock and fourteen minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

At six o'clock and fourteen minutes in the evening, the Speaker called the House to order.

House Resolution Adopted**H.R. 26**

House resolution relating to the remote authority of the House Ethics Panel, the House Sexual Harassment Prevention Panel, and the House Discrimination Prevention Panel

Was taken up and adopted.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered****S. 90**

Rep. Small of Winooski, for the Committee on Human Services, to which had been referred Senate bill, entitled

An act relating to establishing an amyotrophic lateral sclerosis registry

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. chapter 4A is added to read:

CHAPTER 4A. AMYOTROPHIC LATERAL SCLEROSIS REGISTRY

§ 171. DEFINITIONS

As used in this chapter:

(1) “Amyotrophic lateral sclerosis” or “ALS” means a progressive neurodegenerative disease that affects nerve cells in the brain and the spinal cord.

(2) “Health care provider” means a person, partnership, corporation, facility, or institution licensed or certified or authorized by law to provide professional health care service in this State to an individual during that individual’s medical care, treatment, or confinement.

(3) “Registry” means the statewide amyotrophic lateral sclerosis incidence registry.

§ 172. REGISTRY ESTABLISHED

The Commissioner shall establish, maintain, and operate a statewide amyotrophic lateral sclerosis incidence registry.

§ 173. DUTY OF HEALTH CARE PROVIDERS

A health care provider that screens for, diagnoses, or provides therapeutic services to patients with amyotrophic lateral sclerosis shall report to the Department all individuals diagnosed as having amyotrophic lateral sclerosis not later than six months for the date of diagnosis. The report shall include information on each individual's usual occupation and industry of employment and other elements determined by rule to be appropriate.

§ 174. CONFIDENTIALITY

(a)(1) All identifying information regarding an individual patient or health care provider is exempt from public inspection and copying under the Public Records Act and shall be kept confidential.

(2) Notwithstanding subdivision (1) of this subsection, the Commissioner may enter into data sharing and protection agreements with researchers or state, regional, or national amyotrophic lateral sclerosis registries for bidirectional data exchange, provided access under such agreements is consistent with the privacy, security, and disclosure protections in this chapter. In the case of researchers, the Commissioner shall also first obtain evidence of the approval of their academic committee for the protection of human subjects established in accordance with 45 C.F.R. Part 46. The Commissioner shall disclose the minimum information necessary to accomplish a specified research purpose.

(b) The Department may disclose aggregated and deidentified information from the registry.

§ 175. ANNUAL REPORT

Annually, on or before January 15, the Department shall submit a written report to the Governor, the House Committee on Human Services, and the Senate Committee on Health and Welfare containing the statewide prevalence and incidence estimates of amyotrophic lateral sclerosis, including any trends occurring over time across the State. Reports shall not contain information that directly or indirectly identifies an individual patient or health care provider.

§ 176. RULEMAKING

The Commissioner shall adopt rules pursuant to 3 V.S.A. chapter 25 to implement this chapter, including rules to govern the operation of the registry, data reported to the registry, and data release protocols.

§ 177. LIABILITY

(a) No action for damages arising from the disclosure of confidential or privileged information shall be maintained against any person, or the employer or employee of any person, who participates in good faith in the reporting of amyotrophic lateral sclerosis registry data or data for amyotrophic lateral sclerosis morbidity or mortality studies in accordance with this chapter.

(b) No license of a health care provider shall be denied, suspended, or revoked for the good faith disclosure of confidential or privileged information in the reporting of amyotrophic lateral sclerosis registry data or data for amyotrophic lateral sclerosis morbidity or mortality studies in accordance with this chapter.

(c) Nothing in this section shall be construed to apply to the unauthorized disclosure of confidential or privileged information when such disclosure is due to gross negligence or willful misconduct.

Sec. 2. DEPARTMENT OF HEALTH; EDUCATIONAL MATERIALS

(a) On or before December 31, 2022, the Commissioner of Health shall develop and make available written educational materials that provide information about the National Amyotrophic Lateral Sclerosis Registry, including:

(1) information regarding how to participate in the National Amyotrophic Lateral Sclerosis Registry and resources that can provide assistance with the registration process;

(2) information regarding the eligibility requirements for participation in the National Amyotrophic Lateral Sclerosis Registry; and

(3) contact information for the National Amyotrophic Lateral Sclerosis Registry and local and national research entities investigating the causes of amyotrophic lateral sclerosis.

(b) On or before December 31, 2022, the Department of Health, in cooperation with appropriate professional licensing boards and professional membership associations, shall ensure the educational materials developed pursuant to subsection (a) of this section are made available to all licensed health care providers in Vermont.

Sec. 3. GRANT APPLICATIONS TO FUND AMYOTROPHIC LATERAL SCLEROSIS REGISTRY

The Department of Health shall seek and apply for grants to fund the amyotrophic lateral sclerosis registry established in 18 V.S.A. chapter 4A. As part of its fiscal year 2024 budget presentation, the Department shall describe any grants applied for or awarded for this purpose or other identified funding sources, such as within existing budgets or from other external funding sources.

Sec. 4. EFFECTIVE DATES

This act shall take effect on July 1, 2022, except that Sec. 1 (amyotrophic lateral sclerosis registry) shall take effect on July 1, 2023.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Human Services agreed to, and third reading ordered.

Action on Bill Postponed

S. 140

Senate bill, entitled

An act relating to prohibiting civil arrests at courthouses

Was taken up and, pending the reading of the report of the Committee on Judiciary, on motion of **Rep. Grad of Moretown**, action on the bill was postponed until May 4, 2022.

Senate Proposal of Amendment Concurred in

H. 715

The Senate proposed to the House to amend House bill, entitled

An act relating to the Clean Heat Standard

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

Sec. 1. FINDINGS

The General Assembly finds:

(1) All of the legislative findings made in 2020 Acts and Resolves No. 153, Sec. 2, the Vermont Global Warming Solutions Act of 2020, remain true and are incorporated by reference here.

(2) Under the Vermont Global Warming Solutions Act of 2020 and

10 V.S.A. § 578, Vermont has a legal obligation to reduce greenhouse gas emissions to specific levels by 2025, 2030, and 2050.

(3) The Vermont Climate Council was established under the Vermont Global Warming Solutions Act of 2020 and was tasked with, among other things, recommending necessary legislation to reduce greenhouse gas emissions. The Initial Vermont Climate Action Plan calls for the General Assembly to adopt legislation authorizing the Public Utility Commission to administer the Clean Heat Standard consistent with the recommendations of the Energy Action Network's Clean Heat Standard Working Group.

(4) As required by the Vermont Global Warming Solutions Act of 2020, the Vermont Climate Council published the Initial Vermont Climate Action Plan on December 1, 2021. As noted in that plan, over one-third of Vermont's greenhouse gas emissions come from the thermal sector. Approximately 72 percent of Vermont's thermal energy use is fossil-based, including 43 percent from the combustion of fossil gas and propane and 29 percent from the burning of heating oil.

(5) To meet the greenhouse gas emission reductions required by the Vermont Global Warming Solutions Act of 2020, Vermont needs to transition away from its current carbon-intensive building heating practices to lower-carbon alternatives. It also needs to do this equitably, recognizing economic effects on energy users, especially energy-burdened users; on the workforce currently providing these services; and on the overall economy.

Sec. 2. 30 V.S.A. chapter 94 is added to read:

CHAPTER 94. CLEAN HEAT STANDARD

§ 8121. CLEAN HEAT STANDARD

(a) The Clean Heat Standard is established. Under this program, obligated parties shall reduce greenhouse gas emissions attributable to the Vermont thermal sector by retiring required amounts of clean heat credits to meet the thermal sector portion of the greenhouse gas emission reduction obligations of the Global Warming Solutions Act.

(b) By rule or order, the Commission shall establish or adopt a system of tradeable clean heat credits earned from the delivery of clean heat measures that reduce greenhouse gas emissions.

(c) An obligated party may obtain the required amount of clean heat credits through delivery of eligible clean heat measures, through contracts for delivery of eligible clean heat measures, through the market purchase of clean heat credits, or through delivery of eligible clean heat measures by a designated statewide default delivery agent.

(d) The Public Utility Commission shall adopt rules and may issue orders to design and implement the Clean Heat Standard.

§ 8122. DEFINITIONS

As used in this chapter:

(1) “Clean heat credit” means a tradeable, non-tangible commodity that represents the amount of greenhouse gas reduction caused by a clean heat measure. The Commission shall establish a system of recognition for clean heat credits pursuant to this chapter.

(2) “Clean heat measure” means fuel and technologies delivered and installed to end-use customers in Vermont that reduce greenhouse gas emissions. Clean heat measures shall not include switching from one fossil fuel use to another fossil fuel use. The Commission may adopt a list of acceptable actions that qualify as clean heat measures.

(3) “Commission” means the Public Utility Commission.

(4) “Default delivery agent” means the entity designated by the Commission to provide services that generate tradeable clean heat credits.

(5) “Entity” means any individual, trustee, agency, partnership, association, corporation, company, municipality, political subdivision, or any other form of organization.

(6) “Heating fuel” means fossil-based heating fuel, including oil, propane, natural gas, coal, and kerosene.

(7) “Obligated party” means:

(A) a regulated natural gas utility serving customers in Vermont; or

(B) for other heating fuels, the entity that makes the first sale of the heating fuel into or in the State for consumption within the State.

(8) “Thermal sector” has the same meaning as the “Residential, Commercial and Industrial Fuel Use” sector as used in the Vermont Greenhouse Gas Emissions Inventory and Forecast.

(9) “Energy burden” means the annual spending on thermal energy as a percentage of household income.

§ 8123. CLEAN HEAT STANDARD COMPLIANCE

(a) Required amounts.

(1) The Commission shall establish the number of clean heat credits that each obligated party is required to retire each calendar year. The size of the annual requirement shall be set at a pace sufficient for Vermont’s thermal

sector to achieve lifecycle carbon dioxide equivalent (CO2e) emission reductions consistent with the requirements of 10 V.S.A. § 578(a) expressed as lifecycle greenhouse gas emissions pursuant to subsection 8124(d) of this title.

(2) Annual requirements shall be expressed as a percent of each obligated party's contribution to the thermal sector's lifecycle CO2e emissions in the previous year with the annual percentages being the same for all parties. To ensure understanding among obligated parties, the Commission shall, in a timely manner, publicly provide a description of the annual requirements in plain terms.

(3) The Commission may adjust the annual requirements for good cause after notice and opportunity for public process. Good cause may include a shortage of clean heat credits or undue adverse financial impacts on particular customers or demographic segments. Any downward adjustment shall be allowed for only a short, temporary period.

(4) To support the ability of the obligated parties to plan for the future, the Commission shall establish annual clean heat credit requirements for 10 years with the required amounts being updated so 10 years' worth of requirements are always available. Every three years, the Commission shall extend the requirements three years, shall assess emission reductions actually achieved in the thermal sector, and, if necessary, revise the pace of clean heat credit requirements for future years to ensure that the thermal sector portion of the emission reduction requirements of 10 V.S.A. § 578(a) for 2030 and 2050 will be achieved.

(b) Annual registration.

(1) Each entity that sells heating fuel into or in Vermont shall register annually with the Commission by an annual deadline established by the Commission. The form and information required in the registration shall be determined by the Commission and shall include all data necessary to establish annual requirements under this chapter. The Commission shall use the information provided in the registration to determine whether the entity shall be considered an obligated party and the amount of its annual requirement.

(2) At a minimum, the Commission shall require registration information to include legal name, doing business as name if applicable, municipality, state, type of heating fuel sold, and the volume of sales of heating fuels into or in the State for final sale or consumption in the State in the calendar year immediately preceding the calendar year in which the entity is registering with the Commission.

(3) Each year, and not later than 30 days following the annual registration deadline established by the Commission, the Commission shall

share complete registration information of obligated parties with the Agency of Natural Resources and the Department of Public Service for purposes of conducting the Vermont Greenhouse Gas Emissions Inventory and Forecast and meeting the requirements of 10 V.S.A. § 591(b)(3).

(4) The Commission shall maintain, and update annually, a list of registered entities on its website that contains the required registration information, except that the public list shall not include heating fuel volumes reported.

(5) For any entity not registered, the first registration form shall be due 30 days after the first sale of heating fuel to a location in Vermont.

(6) Clean heat requirements shall transfer to entities that acquire an obligated party.

(c) Early action credits. Beginning on January 1, 2022, clean heat measures that are installed and provide emission reductions are creditable and therefore count towards the future clean heat credit requirements of an obligated party. Upon the establishment of the clean heat credit system, entities may register credits for actions taken starting in 2022.

(d) Equitable distribution of clean heat measures.

(1) The Clean Heat Standard shall be designed and implemented to enhance social equity by minimizing adverse impacts to low-income and moderate-income customers and those households with the highest energy burdens. The design shall ensure all customers have an equitable opportunity to participate in, and benefit from, clean heat measures regardless of heating fuel used, income level, geographic location, or homeownership status.

(2) A substantial portion of clean heat credits retired by each obligated party shall be sourced from clean heat measures delivered to low-income and moderate-income customers. The portion of each obligated party's required amount needed to satisfy the annual Clean Heat Standard requirement shall be at least 16 percent from low-income customers and 16 percent from moderate-income customers. The definitions of low-income customer and moderate-income customer shall be set by the Commission in consultation with the Equity Advisory Group and in alignment with other existing definitions.

(3) The Commission may consider frontloading the credit requirements for low-income and moderate-income customers so that the greatest proportion of clean heat measures reach low-income and moderate-income Vermonters in the earlier years.

(4) In order to best serve low-income and moderate-income customers, the Commission shall have authority to change these portions and the criteria

used to define low-income and moderate-income customers for good cause, after notice and opportunity for public process.

(5) In determining whether to exceed the minimum percentages of clean heat measures that must be delivered to low-income and moderate-income customers, the Commission shall take into account participation in other government-sponsored low-income and moderate-income weatherization programs.

(6) A clean heat measure delivered to a customer qualifying for a government-sponsored, low-income energy subsidy shall qualify for clean heat credits required by subdivision (2) of this subsection.

(e) Credit banking. The Commission shall allow an obligated party that has met its annual requirement in a given year to retain clean heat credits in excess of that amount for future sale or application to the obligated party's annual requirements in future compliance periods as determined by the Commission.

(f) Default delivery agent.

(1) An obligated party may meet its annual requirement through a designated default delivery agent appointed by the Commission. The default delivery agent shall deliver creditable clean heat measures to Vermont homes and businesses when:

(A) an obligated party chooses to assign its annual requirement to the default delivery agent; or

(B) an obligated party fails to produce or acquire its required amount of clean heat credits.

(2) The Commission shall designate the default delivery agent. The default delivery agent shall be a single statewide entity capable of providing a variety of clean heat measures and contracted for a multiyear period through a competitive procurement process. The entity selected as the default delivery agent may also be a market participant but shall not be an obligated party.

(3) By rule or order, the Commission shall adopt annually the cost per clean heat credit to be paid to the default delivery agent by an obligated party that chooses this option. In adjusting the default delivery agent credit cost, the Commission shall consider the default delivery agent's anticipated costs to deliver clean heat measures and costs borne by customers, among other factors determined by the Commission. Changes to the cost of credits shall take effect not less than 180 days after adopted.

(4) All funds received from noncompliance payments pursuant to subdivision (g)(2) of this section shall be used by the default delivery agent to

provide clean heat measures to low-income customers.

(g) Enforcement.

(1) The Commission shall have the authority to enforce the requirements of this chapter and any rules or orders adopted to implement the provisions of this chapter. The Commission may use its existing authority under this title. As part of an enforcement order, the Commission may order penalties and injunctive relief.

(2) The Commission may order an obligated party that fails to retire the number of clean heat credits required in a given year, including the required amounts from low-income and moderate-income customers, to make a noncompliance payment to the default delivery agent. The per-credit amount of the noncompliance payment shall be three times the amount established by the Commission under subsection (f) of this section for timely per-credit payments to the default delivery agent.

(3) Any statements or other representations made by obligated parties related to compliance with the Clean Heat Standard are subject to the Commission's enforcement authority, including the power to investigate and assess penalties, under this title.

(h) Records. The Commission shall establish requirements for the types of records to be submitted by obligated parties, a record retention schedule for required records, and a process for verification of records and data submitted in compliance with the requirements of this chapter.

(i) Reports.

(1) For purposes of this subsection, "standing committees" means the House Committees on Energy and Technology and on Natural Resources, Fish, and Wildlife and the Senate Committees on Finance and on Natural Resources and Energy.

(2) After the adoption of the rules implementing this chapter, the Commission shall submit a written report to the standing committees detailing the efforts undertaken to establish the Clean Heat Standard pursuant to this chapter.

(3) On or before August 31 of each year following the year in which the rules are first adopted under this section, the Commission shall submit to the standing committees a written report detailing the implementation and operation of the Clean Heat Standard. This report shall include an assessment on the equitable adoption of clean heat measures required by subsection (d) of this section, along with recommendations to increase participation for the households with the highest energy burdens. 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.

§ 8124. TRADEABLE CLEAN HEAT CREDITS

(a) By rule or order, the Commission shall establish or adopt a system of tradeable clean heat credits that may be earned by reducing greenhouse gas emissions through the delivery of clean heat measures. While credit denominations may be in simple terms for public understanding and ease of use, the underlying value shall be based on units of carbon dioxide equivalent (CO₂e). The system shall provide a process for the recognition, approval, and monitoring of the clean heat credits. The Department of Public Service shall perform the verification of clean heat credit claims and submit results of the verification and evaluation to the Commission annually.

(b) Clean heat credits shall be based on the lifecycle CO₂e emission reductions that result from the delivery of eligible clean heat measures to end-use customer locations into or in Vermont. For clean heat measures that are installed, the value of the clean heat credits in each year shall be the lifecycle CO₂e emissions of the heating fuel avoided by the installation of the measure, minus the lifecycle CO₂e emissions of the energy that is used instead. Eligible clean heat measures delivered to or installed in Vermont shall include:

- (1) thermal energy efficiency improvements and weatherization;
- (2) the supply of sustainably sourced biofuels;
- (3) renewable natural gas;
- (4) green hydrogen;
- (5) cold-climate heat pumps and efficient electric appliances providing thermal end uses;
- (6) advanced wood heating; and
- (7) renewable energy-based district heating services.

(c) For pipeline renewable natural gas and other renewably generated natural gas substitutes to be eligible, an obligated party shall purchase renewable natural gas and its associated renewable attributes and demonstrate that it has secured a contractual pathway for the physical delivery of the gas from the point of injection into the pipeline to the obligated party's delivery system.

(d) To promote certainty for obligated parties and clean heat providers, the Commission shall, by rule or order, establish a schedule of lifecycle emission rates for heating fuels and eligible clean heat measures. The schedule shall be based on transparent and accurate emissions accounting adapting the Argonne

National Laboratory GREET Model, Intergovernmental Panel on Climate Change (IPCC) modeling, or an alternative of comparable analytical rigor to achieve the thermal sector greenhouse gas emissions reductions necessary in order to meet the sector's share of the requirements of 10 V.S.A. § 578(a), to accurately account for emissions from biogenic and geologic sources, and to deter substantial unintended harmful consequences. The schedule may be amended based upon changes in technology or evidence on emissions, but clean heat credits previously awarded shall not be adjusted retroactively.

(e) Clean heat credits shall be "time stamped" for the year in which the clean heat measure is delivered as well as each subsequent year during which the measure produces emission reductions. Only clean heat credits with the current year time stamp, and credits banked from previous years, shall be eligible to satisfy the current year obligation.

(f) Clean heat credits can be earned only in proportion to the deemed or measured thermal sector greenhouse gas emission reductions achieved by a clean heat measure delivered in Vermont. Other emissions offsets, wherever located, shall not be eligible measures.

(g)(1) All eligible clean heat measures that are delivered in Vermont shall be eligible for clean heat credits and may be retired and count towards an obligated party's emission reduction obligations, regardless of who creates or delivers them and regardless of whether their creation or delivery was required by other State policies and programs. This includes individual initiatives, emission reductions resulting from the State's energy efficiency programs, the low-income weatherization program, and the Renewable Energy Standard Tier 3 program.

(2) The Commission shall determine whether the total value of a clean heat credit for an installed measure shall be claimed in the year it is installed or whether the annual value of that credit shall be applied each year of the measure's life.

(3) The Commission shall determine whether to require a certain portion of clean heat credits be acquired each year from weatherization projects in order to further the State's building efficiency goals. The Commission shall recommend legislative changes, if needed, to accomplish this.

(h)(1) The Commission shall create a registration system to lower administrative barriers to individuals and businesses seeking to register qualified actions eligible to earn clean heat credits and to facilitate the transfer of credits to obligated parties. The Commission may hire a third-party consultant to evaluate, develop, implement, maintain, and support a database

or other means for tracking clean heat credits and compliance with the annual requirements of obligated parties.

(2) The system shall require entities to submit the following information to receive the credit: the location of the clean heat measure, whether the customer or tenant has a low or moderate income, the type of property where the clean heat measure was installed or sold, the type of clean heat measure, and any other information as required by the Commission.

(i) Nothing in this chapter shall limit the authority of the Secretary of Natural Resources to compile and publish the Vermont Greenhouse Gas Emissions Inventory and Forecast in accordance with 10 V.S.A. § 582.

§ 8125. CLEAN HEAT STANDARD TECHNICAL ADVISORY GROUP

(a) The Commission shall establish the Clean Heat Standard Technical Advisory Group (TAG) to assist the Commission in the ongoing management of the Clean Heat Standard. Its duties shall include:

(1) establishing and revising the lifecycle carbon dioxide equivalent (CO₂e) emissions accounting methodology to be used to determine each obligated party's annual requirement pursuant to subdivision 8123(a)(2) of this chapter;

(2) establishing and revising the clean heat credit value for different clean heat measures;

(3) periodically assessing and reporting to the Commission on the sustainability of the production of clean heat measures by considering factors including greenhouse gas emissions; carbon sequestration and storage; human health; land use changes; ecological and biodiversity impacts; groundwater and surface water impacts; air, water, and soil pollution; and impacts on food costs;

(4) setting the lifespan length of clean heat measures for the purpose of calculating credit values;

(5) establishing credit values for each year over a clean heat measure's life, including adjustments to account for increasing interactions between clean heat measures over time so as to not double-count emission reductions;

(6) facilitating the program's coordination with other energy programs;

(7) calculating the impact of the cost of clean heat credits and the cost savings associated with delivered clean heat measures on per-unit heating fuel prices;

(8) coordinating with the Agency of Natural Resources to ensure that greenhouse gas emissions reductions achieved in another sector through the implementation of the Clean Heat Standard are not double-counted in the

Vermont Greenhouse Gas Emissions Inventory and Forecast produced by the Agency of Natural Resources;

(9) advising the Commission on the periodic assessment and revision requirement established in subdivision 8123(a)(4) of this chapter; and

(10) any other matters referred to the TAG by the Commission.

(b) Members of the TAG shall be appointed by the Commission and shall include the Department of Public Service, the Agency of Natural Resources, and parties who have, or whose representatives have, expertise in one or more of the following areas: technical and analytical expertise in measuring lifecycle greenhouse gas emissions; energy modeling and data analysis; clean heat measures and energy technologies; sustainability and non-greenhouse gas emissions strategies designed to reduce and avoid impacts to the environment; delivery of heating fuels in cold climates; and climate change mitigation policy and law. The Commission shall accept and review motions to join the TAG from interested parties who have, or whose representatives have, expertise in one or more of the areas listed in this subsection. Members who are not otherwise compensated by their employer shall be entitled to per diem compensation and reimbursement for expenses under 32 V.S.A. § 1010.

(c) The Commission shall hire a third-party consultant responsible for developing clean heat measure characterizations and relevant assumptions, including CO₂e lifecycle emissions analyses. The TAG shall provide input and feedback on the consultant's work.

(d) Emission analyses and associated assumptions developed by the consultant shall be reviewed and approved annually by the Commission. In reviewing the consultant's work, the Commission shall provide a public comment period on the work. The Commission may approve or adjust the consultant's work as it deems necessary based on its review and the public comments received.

§ 8126. CLEAN HEAT STANDARD EQUITY ADVISORY GROUP

(a) The Commission shall establish the Clean Heat Standard Equity Advisory Group to assist the Commission in developing and implementing the Clean Heat Standard in a manner that ensures an equitable share of clean heat measures are delivered to low-income and moderate-income Vermonters, and that low-income and moderate-income Vermonters who are not early participants in clean heat measures are not negatively impacted in their ability to afford heating fuel. Its duties shall include:

(1) providing feedback to the Commission on strategies for engaging low-income and moderate-income Vermonters in the public process around development of the Clean Heat Standard;

(2) supporting the Commission in assessing whether customers are equitably served by clean heat measures and how to increase equity in this area;

(3) identifying actions needed to provide better service to and mitigate the fuel price impacts calculated in section 8125 of this title on low-income and moderate-income customers;

(4) assisting the Commission in defining low-income and moderate-income customers;

(5) recommending any additional programs, incentives, or funding needed to support low-income and moderate-income customers, and organizations that provide social services to Vermonters, in affording heating fuel and other heating expenses;

(6) providing feedback to the Commission on the impact of the Clean Heat Standard on the everyday experience of low-income and moderate-income Vermonters; and

(7) providing information to the Commission on the challenges renters face in being equitably served by clean heat measures and recommendations to ensure that renters have equitable access to clean heat measures.

(b) The Clean Heat Standard Equity Advisory Group shall consist of up to 10 members appointed by the Commission and at a minimum shall include at least one representative from each of the following groups: the Department of Public Service; the Department for Children and Families Office of Economic Opportunity; community action agencies; Efficiency Vermont; individuals with socioeconomically, racially, and geographically diverse backgrounds; renters and rental property owners; and a member of the Vermont Fuel Dealers Association. Members who are not otherwise compensated by their employer shall be entitled to per diem compensation and reimbursement for expenses under 32 V.S.A. § 1010.

§ 8127. SEVERABILITY

If any provision of this chapter or its application to any person or circumstance is held invalid or in violation of the Constitution or laws of the United States or in violation of the Constitution or laws of Vermont, the invalidity or the violation shall not affect other provisions of this chapter that can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are severable.

§ 8128. INTENT

It is the intent of the General Assembly that the Clean Heat Standard be designed and implemented in a manner that achieves Vermont's thermal sector

greenhouse gas emissions reductions necessary to meet the requirements of 10 V.S.A. § 578(a), minimizes costs to customers, and recognizes that affordable heating is essential for Vermonters. It shall minimize adverse impacts to low-income and moderate-income customers and those households with the highest energy burdens.

§ 8129. RULEMAKING AUTHORITY

Notwithstanding any other provision of law to the contrary, the Commission shall not file proposed rules with the Secretary of State or issue any orders implementing the Clean Heat Standard without specific authorization enacted by the General Assembly.

Sec. 3. PUBLIC UTILITY COMMISSION IMPLEMENTATION

(a) Commencement.

(1) On or before August 31, 2022, the Public Utility Commission shall commence a proceeding to implement Sec. 2 (Clean Heat Standard) of this act.

(2) On or before October 1, 2023, the Commission shall submit to the General Assembly an interim report on the development of the Clean Heat Standard.

(b) Facilitator. On or before October 1, 2022, the Commission shall hire a third-party consultant to design and conduct public engagement. The Commission may use funds appropriated under this act on hiring the consultant.

(c) Public engagement process. Before commencing rulemaking, the Commission shall use the forms of public engagement described in this subsection to inform the design and implementation of the Clean Heat Standard. Any failure by the Commission to meet the specific procedural requirements of this section shall not affect the validity of the Commission's actions.

(1) The Commission shall hold at least six public meetings and of those meetings three shall allow members of the public to participate in person and remotely. The meetings shall be held in at least six different geographically diverse counties of the State. The meetings shall be recorded and publicly posted on the Commission's website.

(2) In order to receive focused feedback from specific constituents, the Commission, with the assistance of the consultant, may also hold at least four meetings using deliberative polling or another method of receiving focused feedback from specific constituents. The facilitator shall assist the Commission in developing a format for soliciting feedback at the meetings. Each of these meetings shall focus on seeking input from a specific group,

including heating fuel dealers; low-income, moderate-income, and fixed-income customers and advocates; and customers who use large amounts of heating fuel.

(3) The Commission shall hold at least two workshops to solicit the input of potentially affected parties. To reach as many potentially interested entities as possible, such as Vermont's fuel wholesalers and retail fuel suppliers, renewable energy advocacy organizations, environmental and consumer advocacy organizations, organizations that specialize in serving low- and moderate-income Vermonters, organizations that specialize in serving older Vermonters, entities that provide weatherization services, energy transition providers, regional planning commissions, municipal energy commissions, community action agencies, environmental justice organizations, financial institutions that specialize in implementing low-income financing programs, affordable housing advocates, the Office of Economic Opportunity, and regional development corporations, the Commission shall provide notice of the workshops on its website, shall publish the notice once in a newspaper of general circulation in each county of Vermont, and shall also provide direct notice to any person that requests direct notice or to whom the Commission may consider direct notice appropriate. The Commission also shall provide an opportunity for submission of written comments, which the notice shall include.

(d) Draft proposed rules. The Commission shall publicly publish draft proposed rules and provide notice of it to the stakeholders who registered their names and e-mail addresses with the Commission during the workshops. The Commission shall provide a 30-day comment period on the draft and accept written comments from the public and stakeholders. The Commission shall incorporate necessary changes in response to the public comments before filing the proposed rules with the Secretary of State and the Legislative Committee on Rules.

(e) Advertising. The Commission shall use funding appropriated in this act on advertising the public meetings in order to provide notice to a wide variety of segments of the public.

(f) Final rules.

(1) On or before January 15, 2024, the Commission shall submit to the General Assembly final proposed rules to implement the Clean Heat Standard. The Commission shall not file the final proposed rules with the Secretary of State until specific authorization is enacted by the General Assembly to do so.

(2) Notwithstanding 3 V.S.A. §§ 820, 831, 836–840, and 841(a), upon affirmative authorization enacted by the General Assembly authorizing the

adoption of rules implementing the Clean Heat Standard, the Commission shall file, as the final proposed rule, the rules implementing the Clean Heat Standard approved by the General Assembly with the Secretary of State and Legislative Committee on Administrative Rules pursuant to 3 V.S.A. § 841. The filing shall include everything that is required under 3 V.S.A. §§ 838(a)(1)–(5), (8)–(13), (15), and (16) and 841(b)(1).

(3) The review, adoption, and effect of the rules implementing the Clean Heat Standard shall be governed by 3 V.S.A. §§ 841(c); 842, exclusive of subdivision (b)(4); 843; 845; and 846, exclusive of subdivision (a)(3).

(4) Once adopted and effective, any amendments to the rules implementing the Clean Heat Standard shall be made in accordance with the Administrative Procedure Act, 3 V.S.A. chapter 25.

(g) Consultant. On or before January 15, 2023, the Commission shall contract with a consultant to assist with implementation of 30 V.S.A. § 8124 (clean heat credits).

(h) Funding. On or before January 15, 2023, the Commission shall report to the General Assembly on suggested revenue streams that may be used or created to fund the Commission’s administration of the Clean Heat Standard program.

(i) Check-back reports.

(1) On or before February 15, 2023 and January 15, 2024, the Commission shall submit a written report to and be available to provide oral testimony to the House Committees on Energy and Technology and on Natural Resources, Fish, and Wildlife and the Senate Committees on Finance and on Natural Resources and Energy detailing the efforts undertaken to establish the Clean Heat Standard. The reports shall include, to the extent available, estimates of the impact of the Clean Heat Standard on customers, including impacts to customer rates and fuel bills for participating and nonparticipating customers, net impacts on total spending on energy for thermal sector end uses, fossil fuel reductions, greenhouse gas emission reductions and, if possible, impacts on economic activity and employment. In conducting this analysis, the Commission shall incorporate the social cost of carbon as established by the Vermont Climate Council, take into account the economic modeling conducted in the Vermont Pathways Analysis Report 2.0, and consider the potential costs of delaying action to achieve the requirements of 10 V.S.A. § 578(a). The modeled impacts shall estimate high-, medium-, and low-price impacts. The reports shall recommend any legislative action needed to address enforcement of the Clean Heat Standard.

(2) Based on the information regarding projected costs and benefits, the

Commission shall recommend cost-containment mechanisms to be included in statute.

(3) Upon receiving the recommendations regarding cost-containment mechanisms provided by the Commission, the General Assembly shall determine whether to enact legislation adopting the Commission's recommendations.

Sec. 4. PUBLIC UTILITY COMMISSION AND DEPARTMENT OF PUBLIC SERVICE POSITIONS; APPROPRIATION

(a) The following new positions are created in the Public Utility Commission for the purpose of carrying out this act:

(1) one permanent exempt Staff Attorney 3;

(2) one permanent exempt analyst; and

(3) one limited-service exempt analyst.

(b) The sum of \$600,000.00 is appropriated to the Public Utility Commission from the General Fund in fiscal year 2023 for the positions established in subsection (a) of this section, for the consultant required by Sec. 3 of this act, and for additional operating costs required to implement the Clean Heat Standard, including marketing and public outreach for Sec. 3 of this act.

(c) The following new positions are created in the Department of Public Service for the purpose of carrying out this act:

(1) one permanent exempt Staff Attorney; and

(2) two permanent classified program analysts.

(d) The sum of \$600,000.00 is appropriated to the Department of Public Service from the General Fund in fiscal year 2023 for the positions established in subsection (c) of this section, to retain consultants that may be required to support verification and evaluation required by 30 V.S.A. § 8124(a), and for associated operating costs related to the implementation of the Clean Heat Standard.

Sec. 5. SECTORAL PROPORTIONALITY REPORT

(a)(1) On or before November 15, 2023, the Agency of Natural Resources and the Department of Public Service, in consultation with the Agencies of Agriculture, Food and Markets, of Commerce and Community Development, and of Transportation and the Vermont Climate Council, shall report to the House Committees on Energy and Technology and on Natural Resources, Fish, and Wildlife and to the Senate Committees on Finance and on Natural

Resources and Energy regarding:

(A) the role of individual economic sectors in achieving the greenhouse gas emission reduction requirements pursuant to 10 V.S.A. § 578(a);

(B) each economic sector's proportional contribution to greenhouse gas emissions in Vermont as inventoried pursuant to 10 V.S.A. 582; and

(C) the extent to which cost-effective, feasible, and co-beneficial reasonably available greenhouse gas emission reduction measures are available commensurate with each sector's proportional contribution and emissions reduction impact.

(2) The report shall consider the analyses performed in support of the December 1, 2021 Climate Action Plan and the 2022 Comprehensive Energy Plan. The report shall consider additional analyses, as necessary.

(b) The report shall make recommendations to the General Assembly to amend 10 V.S.A. § 578 to include sector-specific greenhouse emissions reduction requirements and, as necessary, subsector-specific greenhouse emission reduction requirements for the purposes of informing and appropriately scaling the implementation of programs and policies that achieve greenhouse gas emission reductions. As used in this section, "sector" means those established in the annual Vermont Greenhouse Gas Emissions Inventory and Forecast produced by the Agency of Natural Resources pursuant to 10 V.S.A. § 582. The recommendations shall be made in consideration of the factors established in 10 V.S.A. § 592(d).

(c) The Agency of Natural Resources and the Department of Public Service, in consultation with the Vermont Climate Council, shall submit an updated report and any corresponding recommendations in accordance with this section on July 1 of a year immediately preceding a year in which an updated Climate Action Plan is adopted pursuant to 10 V.S.A. § 592(a).

Sec. 6. EFFECTIVE DATE

This act shall take effect on passage.

Proposal of amendment was considered.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Rep. LaClair of Barre Town** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the House concur in the Senate proposal of amendment?, was decided in the affirmative. Yeas, 88. Nays, 37.

Those who voted in the affirmative are:

Ancel of Calais	Emmons of Springfield	Noyes of Wolcott
Anthony of Barre City	Gannon of Wilmington	Ode of Burlington
Arrison of Weathersfield	Garofano of Essex	Pajala of Londonderry
Austin of Colchester	Goldman of Rockingham	Partridge of Windham
Bartholomew of Hartland	Grad of Moretown	Patt of Worcester
Birong of Vergennes	Hooper of Montpelier	Pugh of South Burlington
Black of Essex	Hooper of Randolph	Rachelson of Burlington
Bluemle of Burlington	Houghton of Essex	Rogers of Waterville
Bongartz of Manchester	Howard of Rutland City	Satcowitz of Randolph
Bos-Lun of Westminster	James of Manchester	Scheu of Middlebury
Brady of Williston	Jessup of Middlesex	Sheldon of Middlebury
Briglin of Thetford	Killacky of South Burlington	Sibilia of Dover
Brown of Richmond	Kimbell of Woodstock	Sims of Craftsbury
Brumsted of Shelburne	Kornheiser of Brattleboro	Squirrell of Underhill
Burke of Brattleboro	LaLonde of South	Stebbins of Burlington
Burrows of West Windsor	Burlington	Stevens of Waterbury
Campbell of St. Johnsbury	Lanpher of Vergennes	Taylor of Colchester
Chase of Colchester	Lefebvre of Newark	Toleno of Brattleboro
Christie of Hartford	Lippert of Hinesburg	Townsend of South
Coffey of Guilford	Long of Newfane	Burlington
Colston of Winooski	Masland of Thetford	Troiano of Stannard
Conlon of Cornwall	McCarthy of St. Albans City	Vyhovsky of Essex
Copeland Hanzas of	McCormack of Burlington	Walz of Barre City
Bradford	McCullough of Williston	Webb of Shelburne
Corcoran of Bennington	Morris of Springfield	White of Bethel
Cordes of Lincoln	Mrowicki of Putney	White of Hartford
Dolan of Essex	Mulvaney-Stanak of	Whitman of Bennington
Dolan of Waitsfield	Burlington	Wood of Waterbury
Donahue of Northfield	Nicoll of Ludlow	Yacovone of Morristown
Donnally of Hyde Park	Nigro of Bennington	Yantachka of Charlotte
Durfee of Shaftsbury	Notte of Rutland City	

Those who voted in the negative are:

Achey of Middletown	Helm of Fair Haven	Norris of Sheldon
Springs	Higley of Lowell	Norris of Shoreham
Brennan of Colchester	Kascenska of Burke	Parsons of Newbury
Brownell of Pownal	LaClair of Barre Town	Peterson of Clarendon
Canfield of Fair Haven	Laroche of Franklin	Rosenquist of Georgia
Cupoli of Rutland City	Lefebvre of Orange	Scheuermann of Stowe
Dickinson of St. Albans	Leffler of Enosburgh	Shaw of Pittsford
Town	Marcotte of Coventry	Small of Winooski
Fagan of Rutland City	McCoy of Poultney	Strong of Albany
Feltus of Lyndon	McFaun of Barre Town	Surprenant of Barnard
Goslant of Northfield	Morgan, M. of Milton	Toof of St. Albans Town
Gregoire of Fairfield	Morrissey of Bennington	Walker of Swanton
Hango of Berkshire	Murphy of Fairfax	Williams of Granby

Those members absent with leave of the House and not voting are:

Beck of St. Johnsbury	Hooper of Burlington	Page of Newport City
Bock of Chester	Jerome of Brandon	Palasik of Milton
Burditt of West Rutland	Kitzmiller of Montpelier	Pearl of Danville
Cina of Burlington	Labor of Morgan	Smith of Derby
Colburn of Burlington	Martel of Waterford	Smith of New Haven
Elder of Starksboro	Mattos of Milton	Sullivan of Dorset
Graham of Williamstown	Morgan, L. of Milton	Terenzini of Rutland Town
Harrison of Chittenden	O'Brien of Tunbridge	Till of Jericho

Action on Bill Postponed

H. 517

House bill, entitled

An act relating to the Vermont National Guard Tuition Benefit Program

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment?, on motion of **Rep. Stevens of Waterbury**, action on the bill was postponed until May 5, 2022.

Senate Proposal of Amendment Concurred in

H. 553

The Senate proposed to the House to amend House bill, entitled

An act relating to eligibility of domestic partners for reimbursement from the Victims Compensation Program

The Senate proposed to the House to amend the bill as follows:

In Sec. 1, 13 V.S.A. § 5351, subdivision (2), by striking out “prohibited from legally marrying one another by 15 V.S.A. § 1a” and inserting in lieu thereof not be related by blood closer than would bar marriage under State law

Proposal of amendment was considered and concurred in.

Senate Proposal of Amendment Concurred in

H. 661

The Senate proposed to the House to amend House bill, entitled

An act relating to licensure of mental health professionals

The Senate proposed to the House to amend the bill as follows:

First: In Sec. 8, mental health professional licensure; study, in subdivision

(b)(4), following “organizations” by inserting and a representative of Vermont Care Partners

Second: By striking out Sec. 10, effective date, and its reader assistance heading in their entirety and inserting in lieu thereof two new sections with reader assistance headings to be Secs. 10–11 to read as follows:

* * * Position Created * * *

Sec. 10. CREATION OF POSITION WITHIN THE OFFICE OF
SECRETARY OF STATE; OFFICE OF PROFESSIONAL
REGULATION

There is created within the Secretary of State’s office one new classified Licensing Board Administrator position in the Office of Professional Regulation.

* * * Effective Dates * * *

Sec. 11. EFFECTIVE DATES

This act shall take effect on July 1, 2022, except that Secs. 1–7 (continuing education units) shall take effect on July 1, 2023.

Proposal of amendment was considered and concurred in.

**Senate Proposal of Amendment Not Concurred in;
Committee of Conference Requested and Appointed**

H. 720

The Senate proposed to the House to amend House bill, entitled

An act relating to the system of care for individuals with developmental disabilities

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

* * * Legislative Intent * * *

Sec. 1. LEGISLATIVE INTENT

It is the intent of the General Assembly that:

(1) Individuals who qualify for developmental services and who meet a funding priority as outlined in the State system of care plan for developmental services receive full and complete information in plain language regarding their options and services.

(2) Individuals with developmental disabilities, their family members,

allies, and advocates be respected and active participants in systems change activities, including payment reform, development of resources to comply with the federal home- and community-based services regulations, and development of additional residential service options. Information provided to stakeholders shall be in plain language.

* * * System of Care Plan * * *

Sec. 2. 18 V.S.A. § 8725 is amended to read:

§ 8725. SYSTEM OF CARE PLAN

(a) Every three years, the Department shall adopt a plan for the nature, extent, allocation, and timing of services consistent with the principles of service set forth in section 8724 of this title that will be provided to people with developmental disabilities and their families. ~~Each plan shall include the following categories, which shall be adopted by rule pursuant to 3 V.S.A. chapter 25:~~

- ~~(1) priorities for continuation of existing programs or development of new programs;~~
- ~~(2) criteria for receiving services or funding;~~
- ~~(3) type of services provided; and~~
- ~~(4) a process for evaluating and assessing the success of programs.~~

* * *

(c) ~~No Not later than 60 days before adopting the proposed plan, the Commissioner shall submit it to the Advisory Board established in section 8733 of this title, for advice and recommendations, except that the Commissioner shall submit those categories within the plan subject to 3 V.S.A. chapter 25 to the Advisory Board at least 30 days prior to filing the proposed plan in accordance with the Vermont Administrative Procedure Act. The Advisory Board shall provide the Commissioner with written comments on the proposed plan. It may also submit public comments pursuant to 3 V.S.A. chapter 25.~~

* * *

(f) If the Department requires an extension to complete the system of care plan, it shall submit a written request indicating the anticipated completion date to the House Committee on Human Services and to the Senate Committee on Health and Welfare at least two months prior to the expiration of the existing system of care plan. The request for an extension may be granted upon the approval of both the Chairs of the House Committee on Human Services and the Senate Committee on Health and Welfare.

Sec. 3. REPORT; CASE MANAGER QUALITY ASSURANCE REVIEW

On or before November 15, 2022, the designated and specialized service agencies and other contracted agencies providing services to individuals with developmental disabilities shall jointly submit a written report to the House Committee on Human Services and to the Senate Committee on Health and Welfare regarding the oversight of residential placements for individuals with developmental disabilities. The report shall, at a minimum:

(1) address the quality of services provided, including health and safety, in accordance with personalized service plans for the individuals served in these settings;

(2) identify the current required level of oversight and on-site visitation by case managers at the designated and specialized service agencies and other contracted agencies providing services to individuals with developmental disabilities and recommend any modifications to these requirements; and

(3) analyze the fiscal and workforce impacts of ensuring at least one annual on-site visit is made by the Department of Disabilities, Aging, and Independent Living to the designated and specialized service agencies and other contracted agencies providing services to individuals with developmental disabilities.

* * * Creation of New Position * * *

Sec. 4. DEPARTMENT OF DISABILITIES, AGING, AND INDEPENDENT LIVING; RESIDENTIAL PROGRAM DEVELOPER

(a) There is created a limited-service position of the Residential Program Developer within the Department of Disabilities, Aging, and Independent Living for the purposes of:

(1) expanding housing and residential services options for individuals with developmental disabilities, in accordance with federal home- and community-based services regulations;

(2) assisting individuals with developmental disabilities and their families navigate publicly and privately funded housing and residential services options;

(3) investigating public and private funding opportunities for residential program development for individuals with developmental disabilities;

(4) working with individuals with developmental disabilities, their families, and allies to identify potential models for residential services;

(5) developing requests for proposals and identifying at least three pilot planning grants for different regions of the State focused on the needs

identified in those regions; and

(6) working with appropriate designated and specialized service agencies or other providers to implement selected pilots.

(b) In fiscal year 2023, \$102,000.00 is allocated to the Department of Disabilities, Aging, and Independent Living from the Global Commitment Federal Medical Assistance Percentage (FMAP) home- and community-based services monies to fund the Residential Program Developer position established in subsection (a) of this section.

* * * Housing and Residential Service Pilot Planning Grants * * *

Sec. 5. DEPARTMENT OF DISABILITIES, AGING, AND INDEPENDENT LIVING; DEVELOPMENT OF HOUSING AND RESIDENTIAL SERVICES PILOT PLANNING GRANTS

(a) The Department of Disabilities, Aging, and Independent Living shall work with the Vermont Developmental Disabilities Council and a statewide self-advocacy group to review housing models in other states for the purpose of informing the pilot planning grants developed pursuant to subsection (b) of this section.

(b)(1) In fiscal year 2023, \$500,000.00 is allocated to the Department of Disabilities, Aging, and Independent Living from the Global Commitment Federal Medical Assistance Percentage (FMAP) home- and community-based services monies to develop housing and residential service pilot planning grants in at least three regions of the State, in partnership with designated and specialized service agencies, for individuals with developmental disabilities and their families. The Department shall consult with the Vermont Housing and Conservation Board and other housing providers to prioritize successful housing projects for adults with developmental disabilities. The Department shall issue a request for proposals seeking entities to develop regional pilot planning grants with not more than one grant per designated agency catchment area.

(2) The pilot planning grants shall:

(A) reflect the diversity of needs expressed by individuals with developmental disabilities and their families, including individuals with high support needs who require 24-hour care and those with specific communication needs;

(B) be consistent with the federal home- and community-based services regulations;

(C) include new service-supported housing models; and

(D) include a vision statement, the number of and description of the support needs of individuals with developmental disabilities anticipated to be served, a draft budget, and an implementation plan.

(c)(1) The Department shall convene a steering committee to provide advice and guidance as it develops and selects the pilot planning grants required pursuant to this section.

(2) The steering committee shall be composed of the following members:

(A) three individuals with a developmental disability, appointed by the Green Mountain Self Advocates;

(B) two family members of individuals with a developmental disability, appointed by the Vermont Family Network;

(C) two advocates who are either individuals with a developmental disability or a family member of an individual with a developmental disability, appointed by the State Program Standing Committee and the Advisory Board established pursuant to 18 V.S.A. § 8733; and

(D) two representatives of the designated and specialized service agencies, appointed by Vermont Care Partners.

(3)(A) The steering committee shall have the technical, legal, and administrative assistance of the Department.

(B) The steering committee shall cease to exist on January 1, 2024.

(4) Information provided for the steering committee's consideration shall be in plain language.

(5) Members of the steering committee shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than eight meetings. These payments shall be made from monies appropriated to the Department.

(d) On or before April 15, 2023, the Department shall submit a report to the House Committee on Human Services and to the Senate Committee on Health and Welfare describing the pilot planning grant selection process, the implementation plan, and any resources necessary for implementation of selected pilots.

* * * Payment Reform and Conflict-Free Case Management * * *

Sec. 6. PAYMENT REFORM AND CONFLICT-FREE CASE MANAGEMENT

(a) At a minimum, the following shall be included in the payment reform

process impacting individuals with developmental disabilities, their families, and designated and specialized service agencies:

(1) in addition to any standardized assessment utilized by the Department of Disabilities, Aging, and Independent Living, a process for consideration of additional information relevant to the life circumstances of service recipients or applicants;

(2) in addition to any standardized rates or rate ranges developed by the Department, a process for consideration of budgets to reflect the individualized support needs of service recipients or applicants; and

(3) a process for evaluating the fiscal and service impact on individual service recipients and the designated and specialized service agencies.

(b)(1) Prior to implementing the federally required conflict-free case management system, the Department shall seek and consider input from a variety of stakeholders, including individuals with developmental disabilities, their families, designated and specialized service agencies, and other providers and advocates.

(2) As part of the changes necessary to come into federal compliance, consideration shall be given to performing initial clinical eligibility and service planning within the Department.

(c) On or before February 1, 2023, the Department shall present any proposed policy changes related to payment reform and conflict-free case management to the House Committee on Human Services and the Senate Committee on Health and Welfare and seek and consider input from the Committees.

* * * HCBS Spending Plan Amendment * * *

Sec. 7. HOME- AND COMMUNITY-BASED SERVICE SPENDING PLAN AMENDMENT

The Agency of Human Services shall seek to amend its federal Home- and Community-Based Service Spending Plan to enable the Department of Disabilities, Aging, and Independent Living to use Global Commitment Federal Medical Assistance Percentage (FMAP) home- and community-based services monies to fund the new Residential Program Developer position created in Sec. 4 of this act and the pilot planning grants in Sec. 5 of this act.

* * * Effective Dates * * *

Sec. 8. EFFECTIVE DATES

This section and Sec. 2 (system of care plan) shall take effect on passage, and the remaining sections shall take effect on July 1, 2022.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Rep. Wood of Waterbury** moved that the House refuse to concur and ask for a Committee of Conference, which was agreed to, and the Speaker appointed as members of the Committee of Conference on the part of the House:

Rep. Wood of Waterbury
Rep. McFaun of Barre Town
Rep. Noyes of Wolcott

**Senate Proposal of Amendment Concurred in
With a Further Amendment Thereto**

H. 444

The Senate proposed to the House to amend House bill, entitled

An act relating to approval of amendments to the charter of the City of Barre

The Senate proposed to the House to amend the bill as follows:

By striking out Sec. 2, 24 App. V.S.A. chapter 1, in its entirety and inserting in lieu thereof a new Sec. 2 to read as follows:

Sec. 2. 24 App. V.S.A. chapter 1 is amended to read:

CHAPTER 1. CITY OF BARRE

* * *

§ 104. GENERAL CORPORATE POWERS

* * *

(d) The City of Barre shall fly only the City, State, United States, and POW/MIA flags.

§ 105. ORDINANCES - SUBJECT MATTER

(a) The general grant of ordinance promulgating authority in section 104 shall include the authority:

* * *

(7) To adopt and enforce ordinances relating to the mediation of landlord tenant issues by the Housing Board of Review Notwithstanding any contrary provision of 23 V.S.A. § 1007, to adopt and enforce ordinances establishing a speed limit of less than 25 miles per hour on specified City streets, or sections thereof, within City boundaries as may be required for the safety and general

welfare of the City.

* * *

§ 111. BONDING OF CITY OFFICIALS

The Mayor, councilors, members of the Police Department, City Manager, ~~First Constable~~ Finance Director, Superintendent of Public Works, Tax Collector, and Clerk and Treasurer shall annually be bonded by the City for the faithful discharge of their respective duties, as provided by State statute, and the expense of said bonds to be paid by the City.

* * *

§ 205. OFFICERS ELECTED

(a)(1) The legal voters shall elect biennially a Mayor, ~~a First Constable~~, and one person to serve as Clerk and Treasurer.

* * *

Subchapter 4. City Officials

* * *

ARTICLE 8. ~~CONSTABLE~~ [Repealed.]

* * *

§ 418. ~~DUTIES~~

~~The City Constable shall have the same powers and be under the same duties and liabilities as are prescribed by State statutes for constables of towns. [Repealed.]~~

* * *

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Rep. Anthony of Barre City**, for the Committee on Government Operations, moved to concur in the Senate proposal of amendment with a further amendment thereto by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendments to the charter of the City of Barre as set forth in this act. The voters approved the proposals of amendment on March 2, 2021 and March 1, 2022.

Sec. 2. 24 App. V.S.A. chapter 1 is amended to read:

CHAPTER 1. CITY OF BARRE

* * *

§ 104. GENERAL CORPORATE POWERS

* * *

(b) The City may purchase real property, or interest in real property, within or without its corporate limits, for the public benefit. The City may acquire real property by gift, devise, lease, easement, or condemnation and may sell, lease, mortgage, hold, convey by easement, manage and control such property as its interest may require. Any acquisition or conveyance of property through the means listed in this section shall require approval of the council and shall also be subject to notice as required by 24 V.S.A. § 1061 or any successor provision.

* * *

(d) The City of Barre shall fly only the City, State, United States, and POW/MIA flags.

§ 105. ORDINANCES - SUBJECT MATTER

The general grant of ordinance promulgating authority in section 104 of this charter shall include the authority:

* * *

(g) ~~To adopt and enforce ordinances relating to the mediation of landlord tenant issues by the Housing Board of Review~~ Notwithstanding any contrary provision of general law, to adopt and enforce ordinances establishing a speed limit of less than 25 miles per hour on specified City streets, or sections thereof, within City boundaries as may be required for the safety and general welfare of the City.

* * *

§ 111. BONDING OF CITY OFFICIALS

The Mayor, councilors, members of the Police Department, City Manager, ~~First Constable~~ Finance Director, Superintendent of Public Works, Tax Collector, and Clerk and Treasurer shall annually be bonded by the City for the faithful discharge of their respective duties, as provided by State statute, and the expense of said bonds to be paid by the City.

* * *

§ 205. OFFICERS ELECTED

(a)(1) The legal voters shall elect biennially a Mayor, ~~a First Constable,~~ and one person to serve as Clerk and Treasurer.

* * *

§ 307. POWERS OF CITY; POLICY MATTERS; APPOINTMENT OF CERTAIN OFFICERS

All powers of the City and the determination of all matters of policy shall be vested in the City Council except as otherwise provided by this charter or by general law. The City Council shall annually appoint a City Attorney, a ~~City Grand Juror,~~ a Library Liaison, and may provide for any Planning Board, Zoning Board of Adjustment, Recreation Board, or Personnel Board, and may create commissions or other bodies with advisory powers and may appoint personnel to serve on said boards or commissions.

* * *

Subchapter 4. City Officials

* * *

§ 407. APPOINTMENTS

* * *

(b) There shall be appointed by the City Manager after the annual City election in the manner as hereinafter provided a Superintendent of Streets, a Superintendent of Waterworks, a Recreation Director, a City Engineer, a Building Inspector, an Inspector of Electric Wiring, ~~an Inspector of Plumbing,~~ a Tree Warden, and three members of the Board of Health (see section 512 of this charter, Board of Health). All officers shall hold their offices respectively for one year or until their successors shall be appointed and qualified. The City Manager may also appoint such other subordinate officers as may be elected or appointed in towns. Members of the various boards shall be appointed in the same manner, who shall hold office as otherwise herein provided or until their successor shall be appointed and qualified.

* * *

§ 409. CAPITAL IMPROVEMENT PLAN

(a) Preparation and submission. The Manager, after consultation with department heads, shall submit a proposed five-year capital improvement plan to the council at least three months prior to the annual meeting.

(b) Contents. The capital expenditure plan shall include:

- (1) a clear narrative summary of needs;
 - (2) a list of all capital expenditures to be proposed for the next five years with appropriate supporting data;
 - (3) actual cost estimates, proposed methods of financing, and necessary time schedules for each improvement; and
 - (4) estimated annual cost of operating and maintaining the facilities to be constructed or acquired.
- (c) Revision and update. The capital expenditure plan shall be revised and extended each year to reflect progress or projects still pending.

* * *

ARTICLE 8. ~~CONSTABLE~~ [Repealed.]

* * *

§ 418. DUTIES

~~The City Constable shall have the same powers and be under the same duties and liabilities as are prescribed by State statutes for constables of towns.~~
[Repealed.]

* * *

§ 501. CREATION AND ORGANIZATION

For the purpose of coordinating and integrating the inspection services and allied services of the City, and to provide proper and effective administration of building, electrical, ~~plumbing~~, fire prevention, housing, and zoning laws of the City and State within the City, the City Council shall, by ordinance, create a department to be designated the Department of Buildings and Housing, and prescribe its powers, duties, and functions. Within the Department shall be:

* * *

- (2) the Inspector of Electrical Wiring; and
- (3) ~~the Plumbing Inspector;~~ [Repealed.]

* * *

§ 605. LOCAL SALES, ROOMS, MEALS, AND ALCOHOLIC BEVERAGES OPTION TAXES

Local option taxes are authorized under this section for the purpose of affording the City an alternative method of raising municipal revenues. Accordingly:

(1) The City Council may assess sales, rooms, meals, and alcohol taxes of one percent.

* * *

(3) Revenues received through a tax imposed under this section shall be designated solely for street and sidewalk reconstruction, capital equipment, and capital improvement needs under section 406a of this charter.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Which was agreed to.

Action on Bill Postponed

S. 281

Senate bill, entitled

An act relating to hunting coyotes with dogs

Was taken up, and on motion of **Rep. Sheldon of Middlebury**, action on the bill was postponed until May 4, 2022.

Bill Ordered to Lie

S. 247

House bill, entitled

An act relating to prohibiting discrimination based on genetic information

Having appeared on the Notice Calendar was taken up, and pending second reading of the bill, on motion of **Rep. Cordes of Lincoln**, the bill was ordered to lie.

Action on Bill Postponed

H. 739

House bill, entitled

An act relating to capital construction and State bonding budget adjustment

Was taken up, and pending the question, Shall the House concur in the Senate proposal of amendment?, on motion of **Rep. Emmons of Springfield**, action on the bill was postponed until May 5, 2022.

Rules Suspended; House Actions Messaged to Senate Forthwith**H. 720**

House bill, entitled

An act relating to the system of care for individuals with developmental disabilities

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the House's actions on the bill were ordered messaged to the Senate forthwith.

Bill Ordered Delivered to Governor Forthwith**H. 715**

House bill, entitled

An act relating to the Clean Heat Standard

On motion of **Rep. Bartholomew of Hartland**, the bill was ordered delivered to the Governor forthwith.

Rules Suspended; House Actions Messaged to Senate Forthwith**H. 444**

House bill, entitled

An act relating to approval of amendments to the charter of the City of Barre

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the House's actions on the bill were ordered messaged to the Senate forthwith.

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. Speaker:

I am directed by the Governor to inform the House of Representatives that on the 3rd day of May, 2022, he returned without signature and *vetoed* a bill originating in the House of Representatives of the following title:

H. 708 An act relating to the approval of an amendment to the charter of the City of Burlington

Governor's Veto Letter

"May 3, 2022

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 am returning H.708, *An Act Relating to Approval of Amendments to the Charter of the City of Burlington*, without my signature.

Investing in housing has been and continues to be a top priority of my Administration. The lack of housing working Vermonters can afford is a significant challenge that contributes to our crisis of affordability and impairs our ability to keep and attract the families we need to revitalize our communities.

In addition to supporting investments and policies that will address Vermont's housing affordability crisis, we must not add policies that will remove much-needed housing units from the market. By eliminating a property owner's ability to end a lease agreement at the time of the mutually agreed upon end date within a lease, this "just cause eviction" law effectively creates the potential for perpetual tenancy, undermining private property rights and a foundational principle of choosing to rent your property.

Vermont already has some of the most progressive landlord-tenant laws in the country. By making it exceedingly difficult to remove tenants from a rental unit, even at the end of a signed lease, my fear is this bill will discourage property owners from renting to vulnerable prospective tenants, or to rent their units at all. Property owners will be less willing to take the risk of renting to individuals who are perceived to be greater risks, whether that's based on income level, past rental history, experience with homelessness or the criminal justice system, are being resettled from countries in distress or other factors. Instead, more preference will be given to renters with high credit scores, no criminal history, and positive references from previous landlords, creating further disparity for Vermonters. This will increase both costs and inequity in the housing market.

If we want to help tenants find housing, we must build new and revitalized housing more quickly, support exemptions from permitting in designated areas, and stop making it more and more expensive to rent, own, build and live in Vermont.

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”

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 3rd day of May, 2022, he signed a bill originating in the House of the following title:

H. 629 An act relating to access to adoption records

Adjournment

At seven o'clock and twenty-seven minutes in the evening, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at one o'clock in the afternoon.

Wednesday, May 4, 2022

At one o'clock in the afternoon the Speaker called the House to order.

Devotional Exercises

A moment of silence was observed in lieu of a devotion.

Message from the Senate No. 63

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part considered the Governor's veto of a Senate bill of the following title:

S. 286. An act relating to amending various public pension and other postemployment benefits.

And has passed the same, the refusal of the Governor to approve notwithstanding.

The Governor has informed the Senate that on the third day of May, 2022, he approved and signed bills originating in the Senate of the following titles:

S. 72. An act relating to the Interstate Compact on the Placement of Children.

S. 171. An act relating to adoption of a State code of ethics.

S. 265. An act relating to expanding criminal threatening to include threats to third persons.

Message from the Senate No. 64

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 500. An act relating to prohibiting the sale of mercury lamps in the State.

And has passed the same in concurrence.

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

H. 96. An act relating to creating the Truth and Reconciliation Commission.

H. 279. An act relating to miscellaneous changes affecting the duties of the Department of Vermont Health Access.

H. 410. An act relating to the use and oversight of artificial intelligence in State government.

H. 546. An act relating to racial justice statistics.

H. 551. An act relating to prohibiting racially and religiously restrictive covenants in deeds.

H. 728. An act relating to opioid overdose response services.

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

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

J.R.H. 18. Joint resolution relating to the Russian invasion of Ukraine.

And has adopted the same in concurrence.

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

S. 127. An act relating to the procedures and review of community supervision furlough revocation or interruption appeals.

S. 220. An act relating to State-paid deputy sheriffs.

And has concurred therein.

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

S. 210. An act relating to rental housing health and safety and affordable housing.

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

Pursuant to the request of the House for a Committee of Conference on the disagreeing votes of the two Houses on House bill entitled:

H. 720. An act relating to the system of care for individuals with developmental disabilities.

The President announced the appointment as members of such Committee on the part of the Senate:

Senator Hooker
Senator Hardy
Senator Terenzini

Ceremonial Reading**H.C.R. 155**

House concurrent resolution honoring Rita Markley for her superlative leadership in the effort to eradicate homelessness in Vermont

Offered by: Representatives Bluemle of Burlington, Killackey of South Burlington, and Rachelson of Burlington

Having been adopted in concurrence on Friday, April 29, 2022 in accord with Joint Rule 16b, was read.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered****S. 140**

Rep. Colburn of Burlington, for the Committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to prohibiting civil arrests at courthouses

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. LEGISLATIVE INTENT

It is the intent of the General Assembly to ensure that every person in the State of Vermont retains the right to free and unfettered access to justice under the law. No person should be denied access to justice because they fear being subject to civil arrest when attending a court hearing or traveling to or from a courthouse. All persons should have the opportunity to use the court system to advocate for themselves and their interests. Prohibiting civil arrests at a courthouse prevents disruption of court proceedings, protects the proper functioning of courts, provides a safe and secure location for the resolution of disputes, and promotes public safety by ensuring that victims and witnesses are not discouraged from attending court proceedings. It is the intent of the General Assembly, consistent with long-established common law, to prohibit civil arrests of individuals at courthouses or traveling to and from a courthouse to uphold the principle set forth in Article 4 of the Vermont Constitution that provides, in part, that “every person within this state ought to find a certain remedy, by having recourse to our laws, for all injuries and wrongs,” and that “every person ought to obtain [that] right freely . . . completely and without denial . . . [or] delay.”

Sec. 2. 12 V.S.A. § 3577 is amended to read:

§ 3577. PRIVILEGE FROM ARREST

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

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

(c)(1) Prohibition. A person shall not be subject to civil arrest while traveling to, entering, remaining at, or returning from a court proceeding.

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

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

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

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

(3) Remedies.

(A) A person who violates this subsection by knowingly and willfully executing or assisting with an arrest prohibited by subdivision (1) of this subsection (c) shall be subject to contempt proceedings and may be liable in a civil action for false imprisonment.

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

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

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

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

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

(4) Definition. As used in this subsection, “civil arrest” means an arrest for purposes of obtaining a person’s presence or attendance at a civil proceeding, including an immigration proceeding.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Judiciary agreed to, and third reading ordered.

Action on Bill Postponed

H. 548

House bill, entitled

An act relating to miscellaneous cannabis establishment procedures

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment?, on motion of **Rep. Gannon of Wilmington**, action on the bill was postponed until May 5, 2022.

Third Reading; Bills Passed

House bills of the following titles were severally taken up, read the third time, and passed:

H. 742

House bill, entitled

An act relating to approval of amendments to the charter of the Town of Milton

H. 745

House bill, entitled

An act relating to the approval of the adoption of the charter of the Town of Montgomery

H. 746

House bill, entitled

An act relating to an amendment to the charter of the City of Burlington

**Third Reading; Bill Passed in Concurrence
With Proposal of Amendment**

S. 90

Senate bill, entitled

An act relating to establishing an amyotrophic lateral sclerosis registry

Was taken up, read the third time, and passed in concurrence with proposal of amendment.

Third Reading; Bill Passed in Concurrence

S. 122

Senate bill, entitled

An act relating to the required votes of presidential electors

Was taken up, read the third time, and passed in concurrence.

**Third Reading; Bills Passed in Concurrence
With Proposal of Amendment**

Senate bills of the following titles were severally taken up, read the third time, and passed in concurrence with proposal of amendment:

S. 148

Senate bill, entitled

An act relating to environmental justice in Vermont

S. 161

Senate bill, entitled

An act relating to extending the baseload renewable power portfolio requirement

S. 188

Senate bill, entitled

An act relating to regulating licensed small cannabis cultivation as farming

**Proposal of Amendment Disagreed to; Third Reading;
Bill Passed in Concurrence with Proposal of Amendment**

S. 234

Senate bill, entitled

An act relating to changes to Act 250

Was taken up and, pending third reading of the bill, **Rep. Laroche of Franklin** moved to amend the House proposal of amendment as follows:

First: By striking out Secs. 13-16, forest blocks, and their reader assistance heading in their entirety

Second: By striking out Secs. 25-41, Natural Resources Board, and their reader assistance heading in their entirety

Third: By striking out Sec. 42, effective dates, and its reader assistance heading in their entirety and inserting in lieu thereof the following:

* * * Effective Date * * *

Sec. 42. EFFECTIVE DATE

This act shall take effect on passage.

and by renumbering the remaining sections to be numerically correct.

Pending the question, Shall the House amend its proposal of amendment as offered by Rep. Laroche of Franklin?, **Rep. McCoy of Poultney** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the House amend its proposal of amendment as offered by Rep. Laroche of Franklin?, was decided in the negative. Yeas, 44. Nays, 97.

Those who voted in the affirmative are:

Achey of Middletown
Springs
Brennan of Colchester
Burditt of West Rutland
Canfield of Fair Haven
Cupoli of Rutland City
Dickinson of St. Albans
Town

Higley of Lowell
Kascenska of Burke
Labor of Morgan
LaClair of Barre Town
Laroche of Franklin
Lefebvre of Orange
Leffler of Enosburgh
Marcotte of Coventry

Page of Newport City
Parsons of Newbury
Pearl of Danville
Peterson of Clarendon
Rosenquist of Georgia
Scheuermann of Stowe
Shaw of Pittsford
Smith of Derby

Donahue of Northfield	Mattos of Milton	Strong of Albany
Fagan of Rutland City	McCoy of Poultney	Sullivan of Dorset
Feltus of Lyndon	McFaun of Barre Town	Terenzini of Rutland Town
Goslant of Northfield	Morgan, L. of Milton	Toof of St. Albans Town
Graham of Williamstown	Morgan, M. of Milton	Walker of Swanton
Hango of Berkshire	Morrissey of Bennington	Williams of Granby
Harrison of Chittenden	Norris of Sheldon	
Helm of Fair Haven	Norris of Shoreham	

Those who voted in the negative are:

Ancel of Calais	Elder of Starksboro	Notte of Rutland City
Anthony of Barre City	Emmons of Springfield	Noyes of Wolcott
Arrison of Weathersfield	Gannon of Wilmington	O'Brien of Tunbridge
Austin of Colchester	Garofano of Essex	Ode of Burlington
Bartholomew of Hartland	Goldman of Rockingham	Pajala of Londonderry
Birong of Vergennes	Grad of Moretown	Partridge of Windham
Black of Essex	Hooper of Montpelier	Patt of Worcester
Bluemle of Burlington	Hooper of Randolph	Pugh of South Burlington
Bock of Chester	Hooper of Burlington	Rachelson of Burlington
Bongartz of Manchester	Houghton of Essex	Rogers of Waterville
Bos-Lun of Westminster	Howard of Rutland City	Scheu of Middlebury
Brady of Williston	James of Manchester	Sheldon of Middlebury
Briglin of Thetford	Jerome of Brandon	Sibilia of Dover
Brown of Richmond	Jessup of Middlesex	Sims of Craftsbury
Brownell of Pownal	Killackey of South Burlington	Small of Winooski
Brumsted of Shelburne	Kimbell of Woodstock	Squirrell of Underhill
Burke of Brattleboro	Kornheiser of Brattleboro	Stebbins of Burlington
Burrows of West Windsor	LaLonde of South	Stevens of Waterbury
Campbell of St. Johnsbury	Burlington	Surprenant of Barnard
Chase of Colchester	Lanpher of Vergennes	Taylor of Colchester
Christie of Hartford	Lefebvre of Newark	Till of Jericho
Cina of Burlington	Lippert of Hinesburg	Toleno of Brattleboro
Coffey of Guilford	Long of Newfane	Townsend of South
Colburn of Burlington	Masland of Thetford	Burlington
Colston of Winooski	McCarthy of St. Albans City	Troiano of Stannard
Conlon of Cornwall	McCormack of Burlington	Vyhovsky of Essex
Copeland Hanzas of	McCullough of Williston	Walz of Barre City
Bradford	Morris of Springfield	Webb of Shelburne
Corcoran of Bennington	Mrowicki of Putney	White of Hartford
Cordes of Lincoln	Mulvaney-Stanak of	Whitman of Bennington
Dolan of Essex	Burlington	Wood of Waterbury
Dolan of Waitsfield	Murphy of Fairfax	Yacovone of Morristown
Donnally of Hyde Park	Nicoll of Ludlow	Yantachka of Charlotte
Durfee of Shaftsbury	Nigro of Bennington	

Those members absent with leave of the House and not voting are:

Beck of St. Johnsbury	Martel of Waterford	Smith of New Haven
Gregoire of Fairfield	Palasik of Milton	White of Bethel

Kitzmiller of Montpelier

Saticowicz of Randolph

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

**Third Reading; Bills Passed in Concurrence
With Proposal of Amendment**

Senate bills of the following titles were severally taken up, read the third time, and passed in concurrence with proposal of amendment:

S. 258

Senate bill, entitled

An act relating to agricultural water quality, enforcement, and dairy farming

S. 261

Senate bill, entitled

An act relating to municipal retention of property tax collections

S. 269

Senate bill, entitled

An act relating to extending the Energy Savings Account Partnership Pilot Program

S. 283

Senate bill, entitled

An act relating to miscellaneous changes to education laws

Recess

At two o'clock and twenty-two minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

Message from the Senate No. 65

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

S. 11. An act relating to prohibiting robocalls.

And has concurred therein with an amendment in the passage of which the concurrence of the House is requested.

House Called to Order

At two o'clock and forty five minutes in the afternoon, the Speaker called the House to order.

**Rules Suspended; Immediate Consideration;
Senate Proposal of Amendment Not Concurred in;
Committee of Conference Requested and Appointed;
Rules Suspended; House Actions Messaged to Senate Forthwith**

S. 11

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and Senate bill, entitled

An act relating to prohibiting robocalls

Was taken up for immediate consideration.

The Senate concurred in the House proposal of amendment with the following proposal of amendment thereto:

By striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. PURPOSE; IMPLEMENTATION

(a) The purpose of Secs. 1–45 of this act is to expand opportunities for workforce education, training, and development for Vermonters and to make meaningful investments to support and expand the workforce across the State.

(b) It is the intent of the General Assembly that each recipient of funding through Secs. 1–45 of this act shall conduct significant outreach to ensure that all Vermonters, and particularly populations that have experienced unequal access to public or private economic benefits due to geography, socioeconomic status, disability status, gender or gender identity, age, immigration or refugee status, or race, have the opportunity to benefit from the financial and programmatic benefits made available through this act.

Sec. 2. IMMEDIATE STRATEGIES AND FUNDING FOR EXPANDING THE LABOR FORCE; INCREASING THE NUMBER OF PARTICIPANTS AND PARTICIPATION RATES; APPROPRIATIONS

(a) In fiscal year 2023, the following amounts are appropriated from the General Fund to the following recipients for the purposes specified:

(1) \$2,500,000.00 to the University of Vermont Office of Engagement, in consultation with the Vermont Student Assistance Corporation, to administer a statewide forgivable loan program of \$5,000.00 per graduate for recent college graduates across all Vermont higher education institutions who commit to work in Vermont for two years after graduation.

(2) \$387,000.00 to Vermont Technical College to develop a skilled meat cutter training and apprenticeship facility.

(b) In fiscal year 2023, the amount of \$500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Human Services to provide grants, which may be administered through a performance-based contract, to refugee- or New American-focused programs working in Vermont to support increased immigration or retention of recent arrivals.

Sec. 3. CTE FUNDING AND GOVERNANCE; FINDINGS

(a) Vermont's career and technical education (CTE) system is critical to ensuring that all Vermonters have access to the high-quality resources they need to explore a wide variety of career pathways, earn a postsecondary credential of value, and establish a productive career.

(b) CTE is a vital component of our educational system, supporting and delivering on the goals established by the General Assembly in 2013 Acts and Resolves No. 77 (flexible pathways), 2018 Acts and Resolves No. 189 (workforce development), and in achieving our attainment goal, which is that 70 percent of working-age Vermonters have a credential of value by 2025 (10 V.S.A. § 546).

(c) CTE is also an equity lever, providing every student access to critical workforce training, postsecondary coursework, and the real-world skills and networks that prepare our youth to continue to earn and learn during and after high school.

(d) As of the fall semester of the 2021–2022 school year, students were enrolling in CTE programs at a higher rate than at the beginning of the pandemic, increasing from 4,160 to 4,565. In the 2020–2021 school year, Vermont's CTE system awarded Tier II credentials of value to 459 students.

(e) Since 2015, through legislative initiatives such as 2015 Acts and Resolves No. 51, 2017 Acts and Resolves No. 69, 2018 Acts and Resolves No. 189, 2019 Acts and Resolves No. 80, and most recently 2021 Acts and Resolves No. 74, the General Assembly and other stakeholders in education and in State government have been working to identify, understand, and resolve long-standing concerns related to the functioning of the CTE system.

(f) In 2018, the Agency of Education embarked on a collaborative process that included students, legislators, and communities across the State to develop a strategic vision and aspirational goals to help guide the transformation of the CTE system.

(g) The State Board of Education adopted the Agency of Education's vision and goals for CTE that "all Vermont learners attain their postsecondary goals by having access to career and technical education systems that are equitable, efficient, integrated and collaborative."

(h) 2018 Acts and Resolves No. 189 committed Vermont to a redesign of its workforce development and training system, including the approval of up to four pilot sites or projects to examine the way our CTE system is funded and governed.

(i) In a report dated June 14, 2021, the Agency of Education reported on its progress, which was interrupted by the COVID-19 pandemic. The report presented possible alternatives to our current funding structure, which is widely seen as a barrier to enrollment. However, these alternatives were based on an examination of only the CTE school district funding model and did not include the study of governance models. The report recommended completing this study of CTE funding and governance models to propose actionable implementation steps for the State.

(j) The Agency of Education's State plan for federal Perkins funds is aligned to the vision and goals created through collaborative processes that included a public comment period. Processes required in the federal legislation like the biennial Comprehensive Local Needs Assessment will strengthen the role of CTE in each region and help to focus the use of limited federal funds to improve the system.

Sec. 3a. FUNDING AND GOVERNANCE STRUCTURES OF CAREER TECHNICAL EDUCATION IN VERMONT

(a) There is appropriated to the Agency of Education for fiscal year 2023 the amount of \$180,000.00 from the General Fund to contract for services to:

(1) complete an examination, which was interrupted by COVID-19, of the existing funding structures of career technical education (CTE) in Vermont and identify the best approach moving forward;

(2) examine CTE governance structures in relationship to those funding structures and identify the best approach moving forward;

(3) examine the implications of the existing funding and governance structures for kindergarten through grade 12 schools and adult education;

(4) propose an implementation plan for new models of CTE funding and governance structures to improve the quality, duration, and access to CTE statewide.

(b) In performing its work, the contractor shall consult with the consultant and any other stakeholders involved in completing the report on the design, implementation, and costs of an integrated and coherent adult basic education, adult secondary education, and postsecondary career and technical education system pursuant to 2021 Acts and Resolves No. 74, Sec. H.3.

(c) On or before March 1, 2023, the Agency of Education shall issue a written report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on Ways and Means, and the Senate Committee on Finance on the work performed pursuant to subsection (a) of this section.

(d)(1) The Agency of Education shall consider the work performed by the contractor and shall develop an implementation plan, including recommended steps to design and implement new funding and governance models.

(2) On or before July 1, 2023, the Agency shall issue a written report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on Ways and Means, and the Senate Committee on Finance that describes the results of its work under this subsection and the implementation plan and makes recommendations for legislative action.

Sec. 4. INVESTMENT IN THE UP-SKILLING OF PRIVATE SECTOR EMPLOYERS TO SUPPORT THE EVOLUTION OF BUSINESS AND ORGANIZATIONAL MODELS; APPROPRIATIONS

In fiscal year 2023, the amount of \$250,000.00 is appropriated from the General Fund to the Agency of Commerce and Community Development for a performance-based contract to provide statewide delivery of business coaching and other forms of training to BIPOC business owners, networking and special convenings, and career fairs, workshops and paid internships, career guidance, and other support for BIPOC workers across the State.

Sec. 4a. EDUCATOR WORKFORCE DEVELOPMENT;
APPROPRIATION; REPORT

(a) Purpose. The purpose of this section is to encourage and support the development and retention of qualified and effective Vermont educators. To combat the growing educator shortage throughout the State and meet the needs of Vermont students, it is necessary to invest in nontraditional educator training programs.

(b) Grant program.

(1) Program creation. In fiscal year 2023, there is established the Peer Review Support Grant Program, to be administered by the Agency of Education, to provide grants to expand support, mentoring, and professional development to prospective educators seeking licensure through the Agency of Education's peer review process, with the goal of increased program completion rates.

(2) Program administration. The Agency shall adopt policies, procedures, and guidelines necessary for implementation of the Program described in subdivision (1) of this subsection.

(3) Eligibility criteria. The Agency shall issue grants to organizations or school districts with programs designed to provide prospective educators in the peer review program the support necessary for successful completion of the peer review process by providing:

(A) support through the Praxis exam process;

(B) local educator lead seminars designed around the Vermont licensure portfolio themes;

(C) local educator mentors;

(D) support in completing the peer review portfolio and licensing process; and

(E) continued professional development support within the first year of licensure.

(4) Report. On or before January 15, 2023, the Agency of Education shall report to the Senate and House Committees on Education on the status of the implementation of the Peer Review Support Grant Program and a summary and performance review of the programs to which grants were awarded. The report shall include any metrics used in the performance review, the number of program participants, endorsement areas of participants, feedback from participants and mentors, and any recommendation for legislative action.

(c) Appropriation. Notwithstanding 16 V.S.A. § 4025(d), the sum of

\$712,500.00 is appropriated from the Education Fund to the Agency of Education in fiscal year 2023 for the purpose of funding the Peer Review Support Grant Program.

Sec. 5. OFFICE OF WORKFORCE INNOVATION TO LEAD AND
COORDINATE STATEWIDE WORKFORCE SYSTEM

(a) Findings. The General Assembly finds:

(1) Vermont is experiencing an acute labor shortage in 2022.

(2) According to the Employment and Labor Marketing Information Division of the Vermont Department of Labor:

(A) There are approximately 28,000 job openings in Vermont as of December 2021.

(B) 9,945 individuals meet the federal statistical definition of unemployed as of January 2022.

(C) 4,500 individuals are receiving unemployment insurance assistance as of March 2022.

(D) The workforce has shrunk by 26,000 individuals from 2019 to 2022, yet the unemployment rate is just three percent as of January 2022.

(E) The workforce participation rate has fallen from 66 percent to 60.6 percent.

(F) The total volume of hires made each year is approximately 200,000 nonunique individuals.

(3) The Department receives approximately 80 percent of its funding from federal sources, which constrains the Department and its employees from adjusting its work to meet immediate needs.

(4) The federal funding for field staff in the Workforce Development Division has declined significantly over the past 20 years, supporting 75 persons in 2022 as compared to 135 in 2003.

(5) Though Vermont has a small population, the unique characteristics of its region's employers, educational institutions, demographics, and socioeconomic conditions make it best to address efforts to connect individuals with training and job placement on a regional basis.

(6) Because most State agencies and departments touch the workforce system in some way, there is a need for more coordination and alignment across State government to serve both job seekers and employers.

(7) Vermont needs a statewide workforce development, training, and education system in which all Vermonters who want to work, and all

employers who want workers, can connect.

(b) Creation of Office of Workforce Innovation. The Office of Workforce Innovation is created within the Governor's office to coordinate statewide and regional workforce expansion across all agencies and departments in State government and among a diverse stakeholder community. The State Workforce Development Board shall be managed by the Office.

(1) Purpose. The purposes of the Office of Workforce Innovation include:

(A) interagency coordination around Governor's work force agenda;

(B) serving as the developer and holder of a statewide work force development plan, including supporting the work of the State Workforce Development Board and contracting with outside process entities as needed to help convene all system actors;

(C) occasionally convening stakeholders;

(D) connecting to National Governors Association best practices research;

(E) endeavoring to have practices implemented throughout the system;

(F) coordinating across State entities to ensure well-coordinated State responses and programs to carry out Governor's work force agenda;

(G) overseeing service delivery by State employees and outside contracts at the local and regional levels;

(H) ensuring interagency communication;

(I) coordination and collaboration to break down silos and to maximize communication flow; and

(J) collaborating with State-level organizations, service providers, and educational institutions.

(2) Personnel. The Director of the Office of Workforce Innovation is created. There shall be two full-time exempt staff to accomplish the duties of the Office. One of these staff positions shall be the current Executive Director of the State Workforce Developmental Board.

(3) Duties. The Director of the Office of the Workforce Innovation shall:

(A) lead Workforce Development and Expansion for the State;

(B) provide interagency coordination and strategic and

comprehensive policy leadership for the purpose of workforce development, expansion, training, and education in the State;

(C) determine where Adult CTE should live and how it should be financed; and

(D) complete a feasibility study to assess creating a recyclable and outcome-based funding mechanism to deploy State workforce training funding for re- and up- skilling individuals in strategic sectors and submit findings and recommendations in a report to the Vermont Workforce Development Board;

(E) perform any other duties that are relevant based on the purpose of this section.

(4) Coordination. The Office shall convene interagency and State-level service provider partners, coordinate State-level workforce information collection and distribution, establish interagency working agreements, manage the State Workforce Development Board, and consider other improvements to the structure, coordination, and collaboration of the workforce development system in general. This may include creating a Vermont workforce development network.

(5) Implementation.

(A) The Office of Workforce Innovation shall be established as of July 1, 2022.

(B) On or before January 15, 2023, the Office shall submit an interim report to the House Committee on Commerce and Economic Development and Senate Committee on Economic Development, Housing and General Affairs proposing goals and metrics to measure, and action steps to accomplish, how the Office can effectively coordinate the workforce development system and improve workforce development conditions in this State relative to the data points specified in subsection (a) of this section.

(C) On or before December 1, 2023, the Office shall submit a final report to the House Committee on Commerce and Economic Development and Senate Committee on Economic Development, Housing and General Affairs that addresses its performance relative to the goals, metrics, and action items it has adopted, and that includes findings and any recommendations for legislative action concerning the workforce development system.

(6) Appropriation. The amount of \$1,000,000.00 is appropriated from the General Fund to create the Office and perform its duties.

Sec. 5a. REGIONAL WORKFORCE EXPANSION SYSTEM

(a) Regional Workforce Expansion System. The amount of \$500,000.00 is

appropriated from the General Fund to the Department of Labor for a one-year pilot program to launch and lead a coordinated regional system, beginning in two regions of the State, to work toward accomplishing the following goals:

- (1) increase local labor participation rate;
- (2) decrease the number of open positions reported by local employers;
- (3) increase the wages of workers as they transition to new jobs; and
- (4) collect, organize, develop, and share information related to local career pathways with workforce development partners.

(b) Duties. In order to meet the goals specified in subsection (b) of this section, the Department shall:

- (1) create new capacity to address and support State activities related to workforce development, expansion, and alignment;
- (2) focus on the overarching goal of helping workers find jobs and employers find workers;
- (3) support employers in communicating and tailoring their work requirements, conditions, and expectations to better access local workers; and
- (4) collaborate with local education and training providers and regional workforce partners to create and regularly distribute data related to local labor force supply and demand.

(c) System infrastructure. The Department shall make investments that improve and expand regional capacity to strengthen networks who assist jobseekers, workers, and employers in connecting.

(1) The Department is authorized to create three classified, one-year limited-service positions, with funding allocated to perform the work described in this section, who shall report to the Workforce Development Division and of whom:

(A) two shall be Workforce Expansion Specialists assigned, one each, to two different regions of the State; and

(B) one shall provide oversight and State-level coordination of activities.

(2)(A) The Department shall use funds allocated to develop systems for coordination, information sharing, and enhanced support to regional partners, host regional meetings, develop regional plans, and provide localized resources including labor market information, training and development opportunities, and support services.

(B) The Department shall develop labor market information reports

to support discussion and decision making that will address local labor market challenges and opportunities and support a regional approach to solving local or unique labor supply challenges.

(e) Interim report. On or before January 15, 2023, the Department shall provide a narrative update on the progress made in hiring staff, establishing interagency agreements, developing regional information exchange systems, and supporting State-level work to expand the labor force to the House and Senate committees of jurisdiction.

(f) Implementation. The Department of Labor shall begin implementing the Regional Workforce Expansion System on or before July 1, 2022.

Sec. 6. INCARCERATED INDIVIDUALS; WORKFORCE DEVELOPMENT; PILOT PROGRAM

(a) Purpose. The purpose of this section is to facilitate the education and vocational training of incarcerated individuals so that they have a greater likelihood of obtaining gainful employment and positively contributing to society upon reintegration into the community.

(b) Policy; appropriations.

(1)(A) In fiscal year 2023, the amount of \$420,000.00 is appropriated from the General Fund to the Department of Corrections, in consultation with the Vermont Department of Labor, to address education and vocational enhancement needs. These funds shall not be allocated from any amounts budgeted for Justice Reinvestment II initiatives.

(B) The Department shall use the funds allocated for the development of education and vocational training for incarcerated individuals residing in a Vermont correctional facility prior to community reintegration. The Department may allocate the funds over three years, consistent with the following:

(i) \$270,000.00 for transition development, including equipment and mobile labs in one or more sites;

(ii) \$100,000.00 for training partner support; and

(iii) \$50,000.00 for curriculum development.

(2) In fiscal year 2023, the amount of \$300,000.00 is appropriated from the General Fund to the Department of Corrections, which may be allocated over not more than three years, to establish a community-based pilot reentry program at the Chittenden Regional Correctional Facility in consultation with the Vermont Department of Labor. The Department of Corrections shall designate a service provider to administer the pilot program's goals to:

(A) provide continuity of services for incarcerated individuals;

(B) expand current employment readiness programs within the facility by building pathways for coordinated transition to employment;

(C) focus on the first six months after individuals are released from the facility;

(D) coordinate with local community resources, parole and probation offices, and other supports to ensure successful transition into the community;

(E) assist individuals in successfully transitioning into new jobs; and

(F) work with employers to support successful hiring and best practices to support incarcerated individuals.

(c) Report. On or before January 15, 2023, the Department of Corrections shall create and submit a report on workforce and education training programs in correctional facilities to the Joint Legislative Justice Oversight Committee; the House Committees on Corrections and Institutions and on Commerce and Economic Development; and the Senate Committees on Economic Development, Housing and General Affairs and on Judiciary. The report shall:

(1) identify program design, logistical needs, and policy changes to current Department of Corrections facility-based training and educational programs necessary to successfully enable incarcerated individuals' reintegration into their communities, including changes to programs that enhance individuals' skill development, knowledge, and other support needed to qualify for and secure a position in a critical occupation in Vermont;

(2) identify disparities of outcomes and recommend solutions for incarcerated Black, Indigenous, and Persons of Color concerning facility-based training, educational programming, and successful community reintegration;

(3) provide an update on the Department of Corrections' use of education and vocational enhancement funding in fiscal year 2023;

(4) provide recommendations on what aspects of the pilot program should be replicated in other correctional facilities in Vermont; and

(5) provide recommended legislation for the continuation of the pilot program or any changes.

Sec. 7. INTENT

It is the intent of the General Assembly to improve the recruitment and retention of correctional officers to ensure adequate staffing and safe working conditions in facilities operated by the Department of Corrections.

Sec. 8. IMPROVEMENT OF CORRECTIONAL OFFICER
RECRUITMENT AND RETENTION; REPORT

(a) On or before January 15, 2023, the Secretary of Human Services, in consultation with the Commissioners of Corrections and of Human Resources, shall submit a written report to the House Committees on Appropriations, on Commerce and Economic Development, on Corrections and Institutions, and on Government Operations and the Senate Committees on Appropriations, on Government Operations, and on Judiciary identifying conditions that pose an obstacle to the successful recruitment and retention of correctional officers and setting forth a plan to improve the recruitment and retention of correctional officers.

(b)(1) The report shall specifically analyze the impact of the following on the recruitment and retention of correctional officers:

(A) wages and benefits;

(B) terms and conditions of employment;

(C) working conditions in Department of Corrections facilities, including health and safety issues and the physical condition of the facilities; and

(D) staffing levels and overtime.

(2) The report shall, for each of the issues examined pursuant to subdivision (1) of this subsection, analyze how the following states compare to Vermont and shall identify any best practices in those states that could improve recruitment and retention of correctional officers in Vermont:

(A) Maine;

(B) New Hampshire;

(C) New York;

(D) Massachusetts;

(E) Rhode Island; and

(F) Connecticut.

(c) The report shall, as part of the plan to improve the recruitment and retention of correctional officers, identify specific administrative and legislative actions that are necessary to successfully improve the recruitment and retention of correctional officers.

Sec. 9. ASSESSMENT OF RECRUITMENT AND RETENTION
INITIATIVES; REPORT

(a) On or before January 15, 2023, the Secretary of Human Services, in consultation with the Commissioner of Human Resources, shall submit to the House and Senate Committees on Appropriations a report regarding the use of funds appropriated pursuant to 2022 Acts and Resolves, No. 83:

(1) Sec. 14 for employee recruitment and retention at:

(A) the secure residential recovery facility; and

(B) the Vermont Psychiatric Care Hospital;

(2) Sec. 68 for employee retention with respect to:

(A) the Department of Corrections; and

(B) the Vermont Veteran's Home; and

(3) Sec. 72 for workforce recruitment and retention incentives with respect to designated and specialized service agencies, including shared living providers.

(b) The report shall assess how effective the appropriations identified pursuant to subsection (a) of this section were in addressing issues related to employee recruitment and retention; identify any ongoing or remaining employee recruitment and retention challenges that the recipients have; and identify any potential legislative, administrative, or programmatic changes that can address those ongoing or remaining employee retention issues.

(c) The report shall also include a recommendation as to whether and how to appropriate additional funds in the 2023 Budget Adjustment Act to address ongoing recruitment and retention challenges at:

(1) the Vermont Veteran's Home;

(2) the Vermont Psychiatric Care Hospital;

(3) the secure residential recovery facility;

(4) designated and specialized service agencies; and

(5) the Department of Corrections' facilities with respect to individuals employed as a Correctional Officer I or a Correctional Officer II.

Sec. 10. REPEALS

10 V.S.A. §§ 544 and 545 are repealed.

Sec. 11. 10 V.S.A. § 547 is added to read:

§ 547. WORK-BASED LEARNING AND TRAINING PROGRAM

(a) Vermont Work-Based Learning and Training Program. The Department of Labor shall develop the statewide Work-Based Learning and Training Program that serves transitioning secondary and postsecondary students and Vermonters seeking work-based experience as part of a career experience or change and is designed to:

(1) support Vermonters who are graduating from postsecondary education or a secondary CTE program or who are pursuing a career change with a paid on-the-job work experience lasting 12 weeks or fewer;

(2) establish a statewide platform available to all employers to list their internships, returnships, pre-apprenticeships, and registered apprenticeship opportunities and for jobseekers to view and access information about specific opportunities; and

(3) support employers by providing them with assistance in developing and implementing meaningful work-based learning and training opportunities.

(b) Definitions. As used in this section:

(1) “Internship” means a work-based learning experience with an employer where the participant may, but does not necessarily, receive academic credit.

(2) “Returnship” means an on-the-job learning experience for an individual who is returning to the workforce after an extended absence or is seeking a limited-duration on-the-job work experience in a different occupation or occupational setting as part of a career change.

(c) Activities. The Department may use funds appropriated to it for the Program to:

(1) build and administer the Program;

(2) develop an online platform that will connect students and jobseekers with work-based learning and training opportunities within Vermont;

(3) support work-based learning and training opportunities with public and private employers available to prospective workers located in or relocating to Vermont;

(4) promote work-based learning and training as a valuable component of a talent pipeline; and

(5) assist employers in developing meaningful work-based learning and training opportunities.

(d) Data. The Department shall collect the following data:

(1) the total number of participants served;

(2) the number of participants who received wage assistance or other financial assistance as part of this Program and their employment status one year after completion;

(3) the average wage of participants in subdivision (2) of this subsection at the start of the Program and the average wage of participants one year after completion;

(4) the number of work-based learning or training opportunities listed on the platform; and

(5) the number of employers who offered a work-based learning or training opportunity.

(e) State participation. The Department shall engage appropriate State agencies and departments to expand Program opportunities with State government and with entities awarded State contracts.

(f) Reporting. On or before February 15, 2023, the Department shall report Program data to the relevant committees of jurisdiction.

Sec. 12. WORK-BASED LEARNING AND TRAINING PROGRAM; APPROPRIATION

In fiscal year 2023, the amount of \$1,500,000.00 is appropriated from the General Fund to the Department of Labor to implement the Vermont Work-Based Learning and Training Program created in Sec. 11 of this act. Of this amount, the Department may use not more than \$100,000.00 for the cost of administration.

Sec. 13. [Reserved.]

Sec. 14. THE VERMONT TRADES SCHOLARSHIP PROGRAM

(a) The Vermont Trades Scholarship Program is created and shall be administered by the Vermont Student Assistance Corporation. The Vermont Student Assistance Corporation shall disburse initial licensing fees, exam fees, and tuition payments under the Program on behalf of eligible individuals, subject to the appropriation of funds by the General Assembly for this purpose.

(b) To be eligible for a scholarship under the Program, an individual, whether a resident or nonresident, shall:

(1) be enrolled in an industry-recognized training and certification program that leads to initial employment or career advancement in a building, mechanical, industrial, or medical trade; emergency services, including

paramedics; energy; transportation; broadband; or robotics; or other high demand sector;

(2) demonstrate financial need;

(3) register with the Vermont Department of Labor for the purpose of receiving relevant job referrals, if unemployed; and

(4) agree to work in their profession in Vermont for a minimum of one year following licensure or certification completion for each year of scholarship awarded.

(c)(1) The Corporation shall give preference to students attending a Vermont-based training program or, if one isn't available for their certification, an offer of employment or promotion from a Vermont employer upon completion.

(2) The Corporation shall give priority to applicants who have not received other assistance.

(d) There shall be no deadline to apply for a scholarship under this section. Scholarships shall be awarded on a rolling basis if funds are available, and any funds remaining at the end of a fiscal year shall roll over and shall be available to the Vermont Student Assistance Corporation in the following fiscal year to award additional scholarships as set forth in this section.

(e) In fiscal year 2023 the amount of \$3,500,000.00 is appropriated from the General Fund to the Vermont Student Assistance Corporation for scholarships for trades students under the Vermont Trades Scholarship Program.

Sec. 15. EMERGENCY MEDICAL SERVICES; OUTREACH

The Department of Health, the Department of Labor, and the Vermont Student Assistance Corporation shall coordinate outreach efforts to ensure that emergency service personnel are aware of, and able to access, the opportunities for professional development available through programs in this act.

Sec. 16. CTE CONSTRUCTION AND REHABILITATION

EXPERIENTIAL LEARNING PROGRAM; REVOLVING LOAN FUND

(a) Purpose. This section authorizes and provides funding for the CTE Construction and Rehabilitation Experiential Learning Program and Revolving Loan Fund, the purposes of which are to:

(1) expand the experiential and educational opportunities for high school and adult CTE students to work directly on construction projects;

(2) build community partnerships among CTE centers, housing organizations, government, and private businesses;

(3) beautify communities and rehabilitate buildings that are underperforming assets;

(4) expand housing access to Vermonters in communities throughout the State; and

(5) improve property values while teaching high school and adult students trade skills.

(b) Appropriation; creation of fund; administration. Notwithstanding 16 V.S.A. § 4025(d):

(1) In fiscal year 2023, the amount of \$10,000,000.00 is appropriated from the Education Fund to the Vermont Housing and Conservation Board to create and administer the CTE Construction and Rehabilitation Experiential Learning Program and Revolving Loan Fund pursuant to this section.

(2) The Board may use not more than five percent of the Fund for its costs of administration.

(c) Proposals; applications; funding.

(1) A regional CTE center, working in collaboration with one or more housing and community partners, private businesses, nonprofit organizations, or municipalities, shall identify construction projects that would be relevant and appropriate for CTE students enrolled in construction, electrical, plumbing, design, business management, or other CTE programs.

(2) Prior to or during the application process, a CTE center and its partners shall consult with the Board and other organizations to identify and consider potential funding partners to leverage amounts available through the Fund.

(3) A CTE center and its partners shall apply to the Board for funding by submitting a project application that includes the information required by the Board and addresses the following:

(A) the educational benefits for students and fit with the CTE curriculum;

(B) the community benefits for the neighborhood, municipality, or region in which the project is located; and

(C) the partners with whom the CTE center is collaborating and the respective responsibility for the aspects of a project, including:

(i) educational instruction and academic credit;

(ii) project management;

(iii) insurance coverage for students and the property;

(iv) compensation and benefits, including compliance with labor laws, standards, and practices; and

(v) property acquisition, ownership, and transfer.

(4) A CTE center may use funding for, and shall specify in its application the allocation of costs associated with:

(A) acquisition, design, permitting, construction, marketing, and other building-related expenses; and

(B) costs for labor, including for student wages and for instructor compensation during the academic year as well as for summer or other work that is not otherwise budgeted during the academic year.

(d) Eligibility; review; approval. The Board may approve an application that includes the information required by subsection (c) of this section and provide funding for a project that meets the following eligibility criteria:

(1) The project involves the rehabilitation of one of the following types of property that require repair and improvement:

(A) blighted or otherwise non-code-compliant residential property that results in a building with not more than four dwelling units that are affordable to seniors, households with lower income, or other communities that need access to affordable housing;

(B) municipal facilities;

(C) school buildings or related educational facilities; or

(D) commercial construction projects that have substantial community benefit.

(2) The project includes a weatherization component.

(3) Students working on the project receive academic credit, a competitive wage, or both.

(e) Affordability; flexibility. If appropriate in the circumstances, the Board shall condition funding for a project on the inclusion of one or mechanisms addressing the affordability of the property upon rent or sale.

(f) Funding; proceeds; revolving loans.

(1) The Board shall provide funding for projects from the amounts available in the Fund in the form of zero-interest loans, in an amount, for a period, and upon terms specified by the Board.

(2) If a completed project results in a gain for a CTE center, upon the sale or transfer of a completed project, or upon completion of any rehabilitation work, the CTE center shall return any loan proceeds and any profits realized to the Board to provide funding for future projects through the Fund.

(3) If a completed project results in a loss for the CTE center, upon the sale or transfer of a completed project, or upon completion of any rehabilitation work, the Board shall hold the CTE center harmless for the amount of the loss and the CTE center shall return any remaining loan funds to the Board to provide funding for future projects through the Fund.

(g) Eligible CTE Center. For purposes of the Program, an existing alternative technical education provider that receives funding from the Education Fund may participate in the Program if:

(1) the regional CTE Center for a region chooses not to participate in the Program; and

(2) the alternative technical education provider can offer a comparable educational opportunity through the Program for technical students in that region.

(h) Report. The Board shall address the implementation of this section in its annual report to the General Assembly.

Sec. 17. [Reserved.]

Sec. 18. AGENCY OF HUMAN SERVICES; EMPLOYEE EDUCATION PROGRAMS

On or before January 15, 2023, the Agency of Human Services shall catalogue all educational programs and opportunities it makes available to its employees, including identifying which programs and opportunities are offered to which employees, and report those findings to the House Committees on Health Care and on Human Services and the Senate Committee on Health and Welfare.

Sec. 19. HEALTH CARE WORKFORCE; LEGISLATIVE INTENT

(a) The General Assembly values all health care workers, at every level and in each component of the health care system. The General Assembly also acknowledges the many struggles faced by health care workers and that the pandemic has placed further strain on an already taxed system. Many health care workers have not had their pay adjusted over time to address increases in the cost of living, essentially amounting to pay cuts from year to year. Health care workers have experienced burnout, trauma, and moral injuries due to a history of underfunding and the present stress of the pandemic. In addition,

the combination of the pandemic and continued health care workforce shortages has created an unsustainable reliance on traveling nurses that must be addressed.

(b) In order to retain and recruit health care workers in Vermont, it is the intent of the General Assembly to invest in multiple solutions aimed at reinforcing our health care workforce in the present and sustaining our health care workers into the future.

Sec. 20. EMERGENCY GRANTS TO SUPPORT NURSE FACULTY AND STAFF

(a) In fiscal year 2023 the amount of \$1,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health and shall carry forward for the purpose of providing emergency interim grants to Vermont's nursing schools over two years to increase the compensation for their nurse faculty and staff, with \$500,000.00 to be distributed in each of fiscal years 2023 and 2024 to increase the compensation for each full-time-equivalent (FTE) member of the clinical and didactic nurse faculty and staff. The Department shall distribute the funds among the nursing schools in Vermont equitably based on each school's proportion of nursing faculty and staff to the total number of FTE nursing faculty and staff across all nursing schools statewide.

(b) If the nurse faculty or staff, or both, of a nursing school receiving a grant under this section are subject to a collective bargaining agreement, the use of the grant funds provided to the nursing school for those faculty or staff, or both, shall be subject to impact bargaining between the nursing school and the collective bargaining representative of the nurse faculty or staff, or both, to the extent required by the applicable collective bargaining agreement.

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

(a)(1) In fiscal year 2023 the amount of \$1,400,000.00 is appropriated from the General Fund to the Agency of Human Services to provide incentive grants to hospital-employed nurses in Vermont to serve as preceptors for nursing students enrolled in Vermont nursing school programs. The Agency shall distribute the funds to hospitals employing nurses who provide student preceptor supervision based on the number of preceptor hours to be provided, at a rate of \$5.00 per preceptor hour, or a lesser hourly rate if the need exceeds the available funds. The Agency shall prioritize funding for hospitals that provide matching funds for additional preceptor compensation or that commit to providing future compensation and support to expanding the number of preceptors.

(2) If nurse preceptors receiving compensation pursuant to a grant awarded to a hospital under this section are subject to a collective bargaining agreement, the use of the grant funds provided to the hospital for the nurse preceptors shall be subject to impact bargaining between the hospital and the collective bargaining representative of the nurses to the extent required by the collective bargaining agreement.

(b)(1) The Director of Health Care Reform or designee in the Agency of Human Services shall convene a working group of stakeholders representing nursing schools, the Vermont Area Health Education Centers, long-term care facilities, designated and specialized service agencies, federally qualified health centers, home health agencies, primary care practices, and other health care facilities to:

(A) identify ways to increase clinical placement opportunities across a variety of health care settings for nursing students enrolled in Vermont nursing school programs, including exploring opportunities for participation through remote means;

(B) establish sustainable funding models for compensating nurses serving as preceptors or for supporting the hiring of additional nurses to alleviate the pressures on nurse preceptors, or both; and

(C) develop an action plan for implementing the clinical placement expansion and sustainable funding models identified and established pursuant to subdivisions (A) and (B) of this subdivision (1), including addressing the need for student housing opportunities.

(2) On or before January 15, 2023, the Director of Health Care Reform shall provide the working group's action plan and any recommendations for legislative action to the House Committees on Health Care, on Commerce and Economic Development, and on Appropriations and the Senate Committees on Health and Welfare, on Economic Development, Housing and General Affairs, and on Appropriations.

Sec. 22. HEALTH CARE EMPLOYER NURSING PIPELINE AND APPRENTICESHIP PROGRAM

(a) In fiscal year 2023 the amount of \$2,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Vermont State College System and shall carry forward for the purpose of providing grants to health care employers, including hospitals, long-term care facilities, designated and specialized service agencies, federally qualified health centers, and other health care providers, to establish or expand partnerships with Vermont nursing schools to create nursing pipeline or apprenticeship programs, or both, that will train members of the health care

employers' existing staff, including personal care attendants, licensed nursing assistants, and licensed practical nurses, to become higher-level nursing professionals. Through a combination of scholarship awards, grants awarded to health care employers pursuant to this section, and the health care employer's contributions, the trainees' tuition and fees shall be covered in full, and trainees shall be provided with assistance in meeting their living costs, such as housing and child care, while attending the program.

(b) In awarding grants pursuant to this section, the Vermont State College System shall give priority to health care employer proposals based on the following criteria:

(1) the extent to which the health care employer proposes to participate financially in the program;

(2) the extent of the health care employer's commitment to sustaining the program financially, including providing financial support for nurse preceptors, to create ongoing opportunities for educational advancement in nursing;

(3) the ability of the health care employer's staff to leverage nursing scholarship opportunities to maximize the reach of the grant funds;

(4) the employer's demonstrated ability to retain nursing students in the Vermont nursing workforce;

(5) the employer's geographic location, in order to ensure access to pipeline and apprenticeship programs for nursing staff across Vermont; and

(6) the employer's commitment to advancing the professional development of individuals from marginalized communities, especially those that have been historically disadvantaged in accessing educational opportunities and career advancement in the health care professions.

(c)(1) The Vermont State College System shall begin awarding grants under this section expeditiously in order to enable health care employer staff to begin enrolling in nursing school programs that commence in the fall of 2022.

(2) On or before September 15, 2022, the Vermont State College System shall provide an update to the Health Reform Oversight Committee on the status of program implementation.

Sec. 23. 18 V.S.A. § 34 is added to read:

§ 34. VERMONT NURSING 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) “Gift aid” means grant or scholarship financial aid received from the federal government or from the State.

(6) “Program” means the Vermont Nursing Forgivable Loan Incentive Program created under this section.

(b) The Vermont Nursing 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 nurse 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 nursing program at an eligible school;

(2) demonstrate financial need;

(3) maintain good standing at the eligible school at which the individual is enrolled;

(4) agree to work as a nurse in Vermont directly for a Vermont health care provider for a minimum of one year following licensure for each year of forgivable loan awarded.

(5) 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;

(6) have provided such other documentation as the Corporation may

require; and

(7) 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.

(e)(1) First priority for forgivable loan funds shall be given to students pursuing a practical nursing certificate who will be eligible to sit for the NCLEX-PN examination upon completion of the certificate.

(2) Second priority for forgivable loan funds shall be given to students pursuing an associate's degree in nursing who will be eligible to sit for the NCLEX-RN examination upon graduation.

(3) Third priority for forgivable loan funds shall be given to students pursuing a bachelor of science degree in nursing.

(4) Fourth priority shall be given to students pursuing graduate nursing education.

(f) In addition to the priorities established in subsection (e) of this section:

(1) Vermont residents attending an eligible school in Vermont shall receive first priority for forgivable loans;

(2) Vermont residents attending an eligible school in another state shall receive second priority for forgivable loans;

(3) Nonresidents attending an eligible school in Vermont shall receive third priority for forgivable loans; and

(4) Nonresidents attending an eligible school in another state shall receive fourth priority for forgivable loans.

(g) If an eligible individual fails to serve as a nurse 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.

(h) 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.

(i) The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section, including maximum forgivable loan amounts.

Sec. 24. REPEAL

18 V.S.A. § 31 (educational assistance; incentives; nurses) is repealed.

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

In fiscal year 2023, the amount of \$100,000.00 in General Fund investment funds is appropriated to the Department of Health for forgivable loans for nursing students under the Vermont Nursing Forgivable Loan Incentive Program established in Sec. 23 of this act.

Sec. 26. 18 V.S.A. § 35 is added to read:

§ 35. VERMONT CARE PROFESSIONAL LOAN REPAYMENT PROGRAM

(a) As used in this section:

(1) “AHEC” means the Vermont Area Health Education Centers program.

(2) “Eligible individual” means an individual who satisfies the eligibility requirements for loan repayment under this section.

(3) “Eligible school” means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(4) “Loan repayment” means the cancellation and repayment of loans under this section.

(5) “Loans” means education loans guaranteed, made, financed, serviced, or otherwise administered by an accredited educational lender for attendance at an eligible school.

(6) “Program” means the Vermont Health Care Professional Loan Repayment Program created under this section.

(b) The Vermont Health Care Professional Loan Repayment Program is created and shall be administered by the Department of Health in collaboration with AHEC. The Program provides loan repayment on behalf of individuals who live and work in this State as a health care professional, including as a nurse, physician assistant, dental hygienist, medical technician, primary care provider, child psychiatrist, general surgeon, emergency medical service professional, paramedic, or in another field experiencing a health care workforce shortage and who meet the eligibility requirements in subsection (d)

of this section.

(c) The loan repayment benefits provided under the Program shall be paid on behalf of the eligible individual by AHEC, subject to the appropriation of funds by the General Assembly specifically for this purpose.

(d) To be eligible for loan repayment under the Program, an individual shall satisfy all of the following requirements:

(1) have graduated from an eligible school where the individual was awarded a degree in a field experiencing a health care workforce shortage in this State;

(2) work in this State as a nurse, physician assistant, dental hygienist, medical technician, primary care provider, child psychiatrist, general surgeon, emergency medical service professional, paramedic, or in another field experiencing a health care workforce shortage; and

(3) be a resident of Vermont.

(e)(1) An eligible individual shall be entitled to an amount of loan cancellation and repayment under this section equal to one year of loans for each year of service as a health care professional in this State.

(2) AHEC shall award loan repayments in amounts that are sufficient to attract high-quality candidates while also making a meaningful increase in Vermont's health care professional workforce. AHEC shall prioritize awards to candidates working in fields in which Vermont is experiencing the greatest health care workforce shortages.

Sec. 27. VERMONT HEALTH CARE PROFESSIONAL LOAN REPAYMENT PROGRAM; APPROPRIATION

In fiscal year 2023 the amount of \$3,000,000.00 is appropriated from the General Fund to the Department of Health for loan repayment for health care professionals under the Vermont Health Care Professional Loan Repayment Program established in Sec. 26 of this act.

Sec. 28. 18 V.S.A. § 36 is added to read:

§ 36. NURSE FACULTY 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) “Gift aid” means grant or scholarship financial aid received from the federal government or from the State.

(6) “Nurse faculty member” or “member of the nurse faculty” means an individual with a master’s or doctoral degree that qualifies the individual to teach at a nursing school in this State.

(7) “Program” means the Nurse Faculty Forgivable Loan Program created under this section.

(b) The Nurse Faculty Forgivable Loan 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 member of the nurse faculty at a nursing school 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 specifically 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 that leads to a graduate degree in nursing;

(2) maintain good standing at the eligible school at which the individual is enrolled;

(3) agree to work as member of the nurse faculty at a nursing school 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 (e) 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 nurse faculty member at a nursing school 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 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. 29. NURSE FACULTY FORGIVABLE LOAN PROGRAM; APPROPRIATION

In fiscal year 2023, the amount of \$500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health for forgivable loans for nurse faculty members under the Nurse Faculty Forgivable Loan Program established in Sec. 28 of this act.

Sec. 29a. 18 V.S.A. § 37 is added to read:

§ 37. NURSE FACULTY LOAN REPAYMENT PROGRAM

(a) As used in this section:

(1) “AHEC” means the Vermont Area Health Education Centers program.

(2) “Eligible individual” means an individual who satisfies the eligibility requirements under this section for loan repayment.

(3) “Eligible school” means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(4) “Gift aid” means grant or scholarship financial aid received from the federal government or from the State.

(5) “Loan repayment” means the cancellation and repayment of loans under this section.

(6) “Loans” means education loans guaranteed, made, financed, serviced, or otherwise administered by an accredited educational lender for attendance at an eligible school.

(7) “Nurse faculty member” or “member of the nurse faculty” means a nurse with a master’s or doctoral degree that qualifies the individual to teach at a nursing school in this State.

(8) “Program” means the Nurse Faculty Loan Repayment Program created under this section.

(b) The Nurse Faculty Loan Repayment Program is created and shall be administered by the Department of Health in collaboration with AHEC. The Program provides loan repayment on behalf of individuals who work as nurse faculty members at a nursing school in this State and who meet the eligibility requirements in subsection (d) of this section.

(c) The loan repayment benefits provided under the Program shall be paid on behalf of the eligible individual by AHEC, subject to the appropriation of funds by the General Assembly specifically for this purpose.

(d) To be eligible for loan repayment under the Program, an individual shall satisfy all of the following requirements:

(1) graduated from an eligible school where the individual was awarded a graduate degree in nursing;

(2) work as a member of the nurse faculty at a nursing school in this State; and

(3) be a resident of Vermont.

(e) An eligible individual shall be entitled to an amount of loan cancellation and repayment under this section equal to one year of loans for each year of service as a member of the nurse faculty at a nursing school in this State.

**Sec. 29b. NURSE FACULTY LOAN REPAYMENT PROGRAM;
APPROPRIATION**

In fiscal year 2023, the amount of \$500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health for loan repayment for nurse faculty members under the Nurse Faculty Loan Repayment Program established in Sec. 29a of this act.

Sec. 29c. 18 V.S.A. § 38 is added to read:

**§ 38. VERMONT MENTAL HEALTH PROFESSIONAL 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 a school in the Vermont State College System.

(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) “Gift aid” means grant or scholarship financial aid received from the federal government or from the State.

(6) “Program” means the Vermont Mental Health Professional Forgivable Loan Incentive Program created under this section.

(b) The Vermont Mental Health Professional 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 a master’s program at an eligible school who commit to working as a mental health professional in this State and who meet the eligibility requirements in subsection (d) of this section.

(c) The Vermont Student Assistance 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 school in this State in a program, whether through in-person or remote instruction, that leads to a master’s degree in a mental health field;

(2) maintain good standing at the eligible school at which the individual is enrolled;

(3) have used any available gift aid;

(4) agree to work as a mental health professional in Vermont for a minimum of one year following licensure for each year of forgivable loan awarded;

(5) 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 (e) of this section if the individual fails to complete the period of

service required in subdivision (4) of this subsection;

(6) 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

(7) have provided such other documentation as the Corporation may require.

(e) If an eligible individual fails to serve as a mental health professional 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.

Sec. 29d. VERMONT MENTAL HEALTH PROFESSIONAL FORGIVABLE
LOAN INCENTIVE PROGRAM; APPROPRIATION

In fiscal year 2023, the amount of \$1,500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health for forgivable loans under the Vermont Mental Health Professional Forgivable Loan Incentive Program established in Sec. 29c of this act.

Sec. 29e. AGENCY OF HUMAN SERVICES; DESIGNATED AND
SPECIALIZED SERVICE AGENCIES; WORKFORCE
DEVELOPMENT

(a) In fiscal year 2023, the amount of \$1,250,000.00 is appropriated to the Agency of Human Services, of which \$1,000,000 is from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds and \$250,000.00 is from the General Fund, to be distributed to the designated and specialized service agencies equitably based on each agency's proportion of full-time equivalent (FTE) mental health and substance use disorder treatment staff to the total number of FTE mental health and substance use disorder treatment staff across all designated and specialized service agencies statewide. The designated and specialized service agencies shall use these funds for loan repayment and tuition assistance to promote the recruitment and retention of high-quality mental health and substance use disorder treatment professionals available to Vermont residents in need of their services, as set forth in subsection (b) of this section.

(b)(1) Each designated and specialized service agency shall make the funds received pursuant to subsection (a) of this section available to its current and

prospective employees as set forth in subdivisions (A) and (B) of this subdivision (1) on a rolling basis in exchange for a one-year service obligation to provide mental health services or substance use disorder treatment services, or both, at a designated or specialized service agency in this State. The funds may be used for the following purposes:

(A) loan repayment for master's-level clinicians, bachelor's-level direct service staff, and nurses; and

(B) tuition assistance for individuals pursuing degrees to become master's-level clinicians, bachelor's-level direct service staff, and nurses.

(2) Loan repayment and tuition assistance funds shall be available to the current and prospective employees of designated and specialized service agencies in the form of forgivable loans, with the debt forgiven upon the employee's completion of the required service obligation.

(c) On or before March 1, 2023, the Agency of Human Services shall make a presentation available to the House Committees on Appropriations, on Health Care, and on Human Services; the Senate Committees on Appropriations and on Health and Welfare on the use of the funds appropriated in this section.

Sec. 30. 18 V.S.A. § 9456 is amended to read:

§ 9456. BUDGET REVIEW

(a) The Board shall conduct reviews of each hospital's proposed budget based on the information provided pursuant to this subchapter and in accordance with a schedule established by the Board.

(b) In conjunction with budget reviews, the Board shall:

* * *

(10) require each hospital to provide information on administrative costs, as defined by the Board, including specific information on the amounts spent on marketing and advertising costs; and

(11) require each hospital to create or maintain connectivity to the State's Health Information Exchange Network in accordance with the criteria established by the Vermont Information Technology Leaders, Inc., pursuant to subsection 9352(i) of this title, provided that the Board shall not require a hospital to create a level of connectivity that the State's Exchange is unable to support;

(12) review the hospital's investments in workforce development initiatives, including nursing workforce pipeline collaborations with nursing schools and compensation and other support for nurse preceptors; and

(13) consider the salaries for the hospital's executive and clinical leadership and the hospital's salary spread, including a comparison of median salaries to the medians of northern New England states.

* * *

Sec. 31. GREEN MOUNTAIN CARE BOARD; FISCAL YEAR 2023
HOSPITAL BUDGET REVIEW; NURSING WORKFORCE
DEVELOPMENT INITIATIVES

For hospital fiscal year 2023, the Green Mountain Care Board may exclude all or a portion of a hospital's investments in nursing workforce development initiatives from any otherwise applicable financial limitations on the hospital's budget or budget growth. Notwithstanding any provision of GMCB Rule 3.202, the Board may modify its hospital budget guidance for hospital fiscal year 2023 as needed to comply with this section.

Sec. 32. AGENCY OF HUMAN SERVICES; HEALTH CARE
WORKFORCE DATA CENTER

(a) In fiscal year 2023, the amount of \$750,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Office of Health Care Reform in the Agency of Human Services to enable the Agency to establish and operate the statewide Health Care Workforce Data Center. In order to enhance the State's public health data systems, respond to the COVID-19 public health emergency, and improve the State's COVID-19 mitigation and prevention efforts, the Center shall collect health care workforce data, shall collaborate with the Director of Health Care Reform to identify and propose solutions to address data gaps, and shall share the data with the Green Mountain Care Board as appropriate to inform the Board's Health Resource Allocation Plan responsibilities pursuant to 18 V.S.A. § 9405.

(b) The Center shall use existing statewide information to the extent practicable to avoid imposing administrative burdens on health care providers and to avoid duplication of efforts underway elsewhere in Vermont. The Center shall expand its data collection practices over two years to include all levels of the health care workforce, beginning with the highest-level licensed health care professionals.

(c) In order to ensure the Center has access to accurate and timely health care workforce data, the Center:

(1) shall have the cooperation of other State agencies and departments in responding to the Center's requests for information;

(2) may enter into data use agreements with institutions of higher

education and other public and private entities, to the extent permitted under State and federal law; and

(3) may collect vacancy and turnover information from health care employers.

(d) One permanent classified Health Care Workforce Data Center Manager position is created in the Agency of Human Services, Office of Health Care Reform in fiscal year 2023 to manage the Health Care Workforce Data Center created pursuant to this section.

(e) The Agency of Human Services may include proposals for additional funding or data access, or both, for the Center as part of the Agency's fiscal year 2024 budget request.

Sec. 33. [Reserved.]

Sec. 34. AGENCY OF HUMAN SERVICES; POSITION;
APPROPRIATION

(a) One classified, three-year limited-service Health Care Workforce Coordinator position is created in the Agency of Human Services, Office of Health Care Reform in fiscal year 2023 to support the health care workforce initiatives set forth in this act and in the Health Care Workforce Development Strategic Plan. The Coordinator shall focus on building educational, clinical, and housing partnerships and support structures to increase and improve health care workforce training, recruitment, and retention.

(b) In fiscal year 2023 the amount of \$170,000.00 is appropriated from the General Fund to the Agency of Human Services, Office of Health Care Reform for the Health Care Workforce Coordinator position, of which \$120,000.00 is for personal services and \$50,000.00 is for operating expenses.

Sec. 35. DEPARTMENT OF LABOR; GREEN MOUNTAIN CARE
BOARD; SUPPLY AND DEMAND MODELING

On or before January 15, 2023, the Department of Labor, in collaboration with the Green Mountain Care Board, shall explore and recommend to the House Committees on Health Care, on Human Services, and on Commerce and Economic Development and the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs a process, methodology, and necessary funding amounts to establish and maintain the capacity to perform health care supply and demand modeling based on information in the Health Care Workforce Data Center, for use by health care employers, health care educators, and policymakers.

Sec. 36. DEPARTMENT OF FINANCIAL REGULATION; GREEN MOUNTAIN CARE BOARD; PRIOR AUTHORIZATIONS; ADMINISTRATIVE COST REDUCTION; REPORT

(a) The Department of Financial Regulation shall explore the feasibility of requiring health insurers and their prior authorization vendors to access clinical data from the Vermont Health Information Exchange whenever possible to support prior authorization requests in situations in which a request cannot be automatically approved.

(b) The Department of Financial Regulation shall direct health insurers to provide prior authorization information to the Department in a format required by the Department in order to enable the Department to analyze opportunities to align and streamline prior authorization request processes. The Department shall share its findings and recommendations with the Green Mountain Care Board, and the Department and the Board shall collaborate to provide recommendations to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance on or before January 15, 2023 regarding the statutory changes necessary to align and streamline prior authorization processes and requirements across health insurers.

Sec. 37. 33 V.S.A. § 3543 is amended to read:

§ 3543. STUDENT LOAN REPAYMENT ASSISTANCE

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

(2) An eligible individual shall:

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

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

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

(C) have earned an associates or bachelor's degree with a major concentration in early childhood, child and human development, elementary education, special education with a birth to age eight focus, or child and family services within the preceding five years.

* * *

Sec. 38. PILOT PROGRAM; POSITIONS EMBEDDED WITHIN
RECOVERY CENTERS

(a)(1) In fiscal year 2023 the amount of \$1,290,000.00 is appropriated from the General Fund to the Department for Disabilities, Aging, and Independent Living's Division of Vocation Rehabilitation for the purpose of developing and implementing a two-year pilot program that authorizes 15 FTE new limited-service positions embedded within 12 recovery centers across the State.

(2) The 15 FTE limited-service positions shall be allocated as follows:

(A) Of the total appropriation, not more than \$540,000.00 total may be allocated in equal amounts to fund the following 2.5 FTE at each of two geographically diverse recovery centers:

(i) one FTE to serve as an employment counselor within the Division of Vocation Rehabilitation;

(ii) one FTE to serve as an employment consultant within the Vermont Association of Business Industry and Rehabilitation; and

(iii) 0.5 FTE to serve as Employment Assistance Program staff within the Division of Vocation Rehabilitation.

(B) Of the total appropriation, \$75,000.00 may be allocated in equal amounts to fund a minimum of one-half FTE position, who shall serve as an employment support counselor, at each of the 10 remaining recovery centers in the State.

(C) Any amounts not appropriated for positions may be used to provide stipends for transportation, child care, or other costs necessary to enable clients to work.

(b) On or before January 1, 2024, the Division of Vocational Rehabilitation, in collaboration with the Vermont Association of Business Industry and Rehabilitation and the Division of Alcohol and Drug Abuse Programs, shall submit a report to the House Committees on Commerce and Economic Development and on Human Services and to the Senate Committees on Economic Development, Housing and General Affairs and on Health and Welfare summarizing the effectiveness of the pilot program, including:

(1) educational attainment and achievement of program recipients;

(2) acquisition of a credential of value pursuant to 10 V.S.A. § 546;

(3) number of job placements; and

(4) job retention rates.

Sec. 39. CREDENTIAL OF VALUE GOAL; PUBLIC-PRIVATE
PARTNERSHIP; APPROPRIATION

(a) Duties. In fiscal year 2023, the amount of \$150,000.00 is appropriated from the General Fund to the Vermont Student Assistance Corporation for a performance-based contract to perform the following duties, in coordination and alignment with State partners, 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 (Goal):

(1) increase public awareness of the value of postsecondary education and training to help persons of any age make informed decisions about the value of education and training that would further their advancement in educational pathways and pursuit of career goals, through targeted outreach as outlined in subsection (b) of this section;

(2) promote a broad understanding of the public good and value in achieving the State's Goal and of actions stakeholders can take to increase attainment;

(3) assist or coordinate with stakeholders, such as educational, business, governmental, nonprofit, and philanthropic organizations, in activities that seek to align the delivery of high-quality education and training opportunities with career advancement and support the policy priorities outlined in 10 V.S.A. § 546;

(4) collect and display publicly available, nonconfidential information about postsecondary credentials available to Vermonters;

(5) facilitate conversations or provide information about the national best practices in aligning, recognizing, measuring, tracking, and promoting postsecondary credentials of value to the Vermont Department of Labor, the Department of Economic Development, the State Workforce Development Board, and the Agency of Education when requested;

(6) maintain web-based resources that provide information about opportunities to obtain a postsecondary credential of value, in coordination with State partners;

(7) support the Vermont Department of Labor and Agency of Education transition or integration of Advance Vermont's web-based resources and collected information referenced in subdivisions (4) and (6) of this subsection into a State-supported system in a coordinated way; and

(8) meet on a quarterly basis with the Vermont Department of Labor and Agency of Education about activities described in this subsection.

(b) Outreach. The contractor may use funds awarded by the State to:

(1) create and distribute public-facing communications and resources related to the duties described in this section; and

(2) offer support to career and education counselors, employment and training counselors, jobseekers and their families, and other stakeholders, consistent with best practice and State policy and programs, to help them better understand the postsecondary education and training landscape.

(c) Reports. The contractor shall provide written reports to:

(1) the Vermont Department of Labor and Agency of Education about anticipated work and activities using a simplified reporting template jointly developed by the contractor and the State entities on a quarterly basis; and

(2) on or before December 15, 2022, the House and Senate committees of jurisdiction regarding the use of funds, activities performed, and outcomes achieved pursuant to this section.

Sec. 40. VERMONT SERVE, LEARN, AND EARN PROGRAM; APPROPRIATION

(a) In fiscal year 2023, the amount of \$2,000,000.00 is appropriated from the General Fund to the Department of Forests, Parks and Recreation to continue funding through the pilot project Vermont Serve, Learn, and Earn Program, which supports workforce development goals through creating meaningful paid service and learning opportunities for young adults, and which has a goal to serve 1,700 participants and complete 13,000 service weeks over the next three years, through the Vermont Youth Conservation Corps, Vermont Audubon, Vermont Works for Women, and Resource VT.

(b) The Department shall provide the legislative committees of jurisdiction an interim Program reports on or before January 15, 2023 and 2024 and a final Program report on or before January 15, 2025.

Sec. 41. ADULT EDUCATION AND LITERACY; FINDINGS

The General Assembly finds:

(1) Adult education and literacy services are a key piece of the workforce development system and serve as the entryway into career readiness and workforce development for tens of thousands of our most vulnerable Vermonters, those with low literacy, under-education, or those simply in need of increased skills so that they can succeed.

(2) 36,000 adults in Vermont do not have a high school credential, and tens of thousands more lack the skills to matriculate into and be successful in college, in career training programs, or both. Adult education and literacy

providers are the first stop on the path to the transformative opportunities that Vermont is offering for these individuals.

(3) Adult education and literacy services help people build the assets they need to move out of poverty successfully, as well as the confidence to continue to move toward success throughout their lives. Students are supported to identify concrete goals and then break those goals down into steps. Students set goals in the domains of:

(A) family and life;

(B) academics; and

(C) career and college readiness.

Sec. 42. FINDINGS; FOREST FUTURE STRATEGIC ROADMAP

The General Assembly finds for the purposes of this section and Secs. 43 to 45 of this act:

(1) Private and public forestlands:

(A) constitute unique and irreplaceable resources, benefits, and values of statewide importance;

(B) contribute to the protection and conservation of wildlife habitat, air, water, and soil resources of the State;

(C) mitigate the effects of climate change; and

(D) benefit the general health and welfare of the persons of the State.

(2) The forest products sector, including maple sap collection:

(A) is a major contributor to and is valuable to the State's economy by providing nearly 14,000 jobs for Vermonters, generating \$2.1 billion in annual sales, and supporting \$30.8 million in additional economic activity from trail uses and seasonal tourism;

(B) is essential to the manufacture of forest products that are used and enjoyed by the persons of the State; and

(C) benefits the general welfare of the persons of the State.

(3) Private and public forestlands are critical for and contribute significantly to the State's outdoor recreation and tourism economies.

(4) Eighty percent of Vermont's forestland is held in private ownership, of which 56 percent of private lands are enrolled in the forestland category of Vermont's Use Value Appraisal Program (UVA). UVA is Vermont's most important conservation program and contains the largest foundation of supply to support a vibrant forest-based rural economy.

(5) Economic realities and demand pressures for urban, commercial, and residential land uses throughout the State continue to challenge forest landowners trying to maintain intact forests. Forest fragmentation can adversely affect the natural environment and viable forest management. Addressing the economic and social needs of the forest products sector is paramount to keeping forests intact, viable, and healthy.

(6) The encouragement, development, improvement, and preservation of forestry operations will result in extant, intact, and functioning forests that will provide a general benefit to the health and welfare of the persons of the State and the State's economy.

(7) To strengthen, promote, and protect the Vermont forest products sector, the State should establish the Vermont Forest Future Strategic Roadmap.

Sec. 43. 10 V.S.A. chapter 82 is added to read:

CHAPTER 82. VERMONT FOREST FUTURE STRATEGIC ROADMAP

§ 2531. VERMONT FOREST FUTURE STRATEGIC ROADMAP

(a) Creation. The Commissioner of Forests, Parks and Recreation shall create the Vermont Forest Future Strategic Roadmap to strengthen, modernize, promote, and protect the forest products sector in Vermont. The Commissioner of Forests, Parks and Recreation may contract with a qualified contractor for the creation of the Vermont Forest Future Strategic Roadmap. During the contract proposal process, the Commissioner of Forests, Parks and Recreation shall seek a proposal to complete the Vermont Forest Future Strategic Roadmap from the Vermont Sustainable Jobs Fund.

(b) Intended outcomes. The intended outcomes of the Vermont Forest Future Strategic Roadmap are to:

(1) increase sustainable economic development and jobs in Vermont's forest economy;

(2) promote ways to expand the workforce and strengthen forest product enterprises in order to strengthen, modernize, promote, and protect the Vermont forest economy into the future;

(3) promote the importance of healthy, resilient, and sustainably managed working forests that provide a diverse array of high-quality products now and in the future; and

(4) identify actionable strategies designed to strengthen, modernize, promote, and protect the forest products sector in Vermont, including opportunities for new product development, opening new markets for Vermont

forest products, adopting modern manufacturing processes, and utilizing new ways to market Vermont forest products.

(c) Strategic Roadmap content. In developing the Vermont Forest Future Strategic Roadmap, the Commissioner of Forests, Parks and Recreation or the relevant contractor shall:

(1) review all existing data, plans, and industry-level research completed over the past 10 years, including the Working Lands Enterprise Fund's Forest Sector Systems Analysis, and identify any recommendations in those reports in order to build upon previous efforts;

(2) identify infrastructure investment and funding to support and promote Vermont forest products enterprises;

(3) identify regulatory barriers and propose policy recommendations to support and strengthen the Vermont forest economy;

(4) identify opportunities for all State agencies to engage with and enhance the Vermont forest products sector, including the Department of Buildings and General Services, the Agency of Commerce and Community Development, the Department of Tourism and Marketing, the Agency of Education, the Agency of Transportation, the Department of Public Service, the Agency of Natural Resources, the Department of Financial Regulation, and the Department of Labor;

(5) develop recommendations to support education and training of the current and future workforce of the Vermont forest products sector;

(6) propose alternatives for the modernization of transportation and regulation of Vermont forest products enterprises, including modernization of local and State permits;

(7) identify methods or programs that Vermont forest enterprises can utilize to access business assistance services;

(8) recommend how to maintain access by Vermont forest products enterprises to forestland and how to maintain the stewardship and conservation of Vermont forests as a whole;

(9) propose methods to enhance market development and manufacturing by Vermont forest products enterprises, including value chain coordination and regional partnerships;

(10) recommend consumer education and marketing initiatives; and

(11) recommend how to clarify the roles of various public entities and nongovernmental organizations that provide certain services to the forestry sector and to ensure coordination and alignment of those functions in order to

advance and maximize the strength of the forest products industry.

(d) Process for development of Vermont Forest Future Strategic Roadmap.

(1) The Commissioner of Forests, Parks and Recreation or relevant contractor shall develop the Vermont Forest Future Strategic Roadmap and all subsequent revisions through the use of a public stakeholder process that includes and invites participation by interested parties representing all users of Vermont's forests, including representatives of forest products enterprises, State agencies, investors, forestland owners, recreational interests, loggers, foresters, truckers, sawmills, firewood processors, wood products manufacturers, education representatives, and others.

(2) The Commissioner of Forests, Parks and Recreation, in collaboration with forest products sector stakeholders, shall review the Strategic Roadmap periodically and shall update the Strategic Roadmap at least every 10 years.

(e) Advisory panel; administration.

(1) The Commissioner of Forests, Parks and Recreation or relevant contractor shall convene a Vermont Forest Future Strategic Roadmap advisory panel to review and counsel in the development and implementation of the Vermont Forest Future Strategic Roadmap. The advisory panel shall include representatives of forest products enterprises, State agencies, investors, forestland owners, foresters, loggers, truckers, wood products manufacturers, recreational specialists, education representatives, trade organizations, and other partners as deemed appropriate. The Commissioner of Forests, Parks and Recreation shall select representatives to the advisory panel.

(2) The Commissioner of Forests, Parks and Recreation or relevant contractor may seek grants or other means of assistance to support the development and implementation of the Vermont Forest Future Strategic Roadmap.

Sec. 44. IMPLEMENTATION

(a) The Commissioner of Forests, Parks and Recreation or relevant contractor shall submit to the General Assembly:

(1) draft recommendations for the Vermont Forest Future Strategic Roadmap on or before July 1, 2023; and

(2) a final report and recommendations for the Vermont Forest Future Strategic Roadmap on or before January 1, 2024.

(b) Any recommendation submitted under this section shall include recommended appropriations sufficient to implement the recommendation or

the Vermont Forest Future Strategic Roadmap as a whole.

Sec. 45. APPROPRIATIONS

In addition to any other funds appropriated to the Department of Forests, Parks and Recreation, in fiscal year 2023 the amount of \$250,000.00 is appropriated from the General Fund to the Department to enter a two-year contract in fiscal year 2023 for the purpose of contracting for the development of the Vermont Forest Future Strategic Roadmap required by 10 V.S.A. § 2531.

* * * Purpose * * *

Sec. 46. PURPOSE

The purpose of Secs. 47–59b of this act is to address the negative economic impacts of COVID-19 on Vermont’s economy, employers, workers, and families while simultaneously leveraging opportunities to grow Vermont’s economy.

* * * Relocating Employee Incentives * * *

Sec. 47. 10 V.S.A. § 4 is amended to read:

§ 4. NEW RELOCATING EMPLOYEE INCENTIVES

(a) The Agency of Commerce and Community Development shall design and implement a program to award incentive grants to relocating employees as provided in this section and subject to the policies and procedures the Agency adopts to implement the program.

(b) A relocating employee may be eligible for a grant under the program for qualifying expenses, subject to the following:

(1) A base grant shall not exceed \$5,000.00.

(2) The Agency may award an enhanced grant, which shall not exceed \$7,500.00, for a relocating employee who becomes a resident in a labor market area in this State in which:

(A) the average annual unemployment rate in the labor market area exceeds the average annual unemployment rate in the State; or

(B) the average annual wage in the State exceeds the annual average wage in the labor market area.

(c) The Agency shall:

(1) adopt procedures for implementing the program, which shall include a simple certification process to certify relocating employees and qualifying expenses;

(2) promote awareness of the program, including through coordination with relevant trade groups and by integration into the Agency's economic development marketing campaigns;

(3) ~~award grants to relocating employees on a first-come, first-served basis beginning on July 1, 2021, subject to available funding~~ adopt procedures to initially approve an applicant for a grant after verifying a relocating employee's eligibility and to make final payment of a grant after verifying that the relocating employee has completed relocation to this State; and

(4) adopt measurable goals, performance measures, and an audit strategy to assess the utilization and performance of the program.

(d) ~~On~~ Annually, on or before January 15, 2022, the Agency shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs concerning the implementation of this section, including:

(1) a description of the policies and procedures adopted to implement the program;

(2) the promotion and marketing of the program; and

(3) an analysis of the utilization and performance of the program, including the projected revenue impacts and other qualitative and quantitative returns on investment in the program based on available data and modeling.

(e) As used in this section:

(1) "Qualifying expenses" means the actual costs a relocating employee incurs for relocation expenses, which may include moving costs, closing costs for a primary residence, rental security deposit, one month's rent payment, and other relocation expenses established in Agency guidelines.

(2) "Relocating employee" means an individual who meets the following criteria:

(A)(i) On or after July 1, 2021:

(I) the individual becomes a full-time resident of this State;

(II) the individual becomes a full-time employee at a Vermont location of a for-profit or nonprofit business organization domiciled or authorized to do business in this State, or of a State, municipal, or other public sector employer; and

(III) ~~the individual becomes employed in one of the "Occupations with the Most Openings" identified by the Vermont Department of Labor in its "Short Term Employment Projections 2020-2022"; and~~

(IV) the employer attests to the Agency that, after reasonable time and effort, the employer was unable to fill the employee's position from among Vermont applicants; or

(ii) on or after February 1, 2022:

(I) the individual becomes a full-time resident of this State; and

(II) the individual is a full-time employee of an out-of-state business and performs the majority of his or her employment duties remotely from a home office or a co-working space located in this State.

(B) The individual receives gross salary or wages that equal or exceed the Vermont livable wage rate calculated pursuant to 2 V.S.A. § 526.

(C) The individual is subject to Vermont income tax.

Sec. . H V RM R G A R R M A

RELOCATION NETWORK

(a) Regional recruitment and relocation network. The Department of Tourism and Marketing shall launch and lead a coordinated regional relocation network to facilitate the successful recruitment and relocation of individuals to Vermont. The Department of Tourism and Marketing shall build capacity to facilitate lead generation and support a network of regional and local entities embedded in their communities who will act as resource coordinators to transform leads into permanent residents. These network partners shall be responsible for providing quick, customized information, resources, and referrals. The network shall be designed to:

(1) leverage all available State and federal resources;

(2) provide a regionally customized customer support pathway for potential residents;

(3) receive, respond to, and track leads generated by State marketing efforts;

(4) ensure that every inquiry is responded to in a timely, appropriate way in support of future employment and successful relocation;

(5) collaborate with regional employers on their recruitment efforts to maximize the sharing of information about employment opportunities and promote placements or matching of applicants;

(6) track, share, and report information between other regional contacts, State agencies, and departments; and

(7) evolve and respond to new needs and resources.

(b) System infrastructure.

(1) The Department shall establish a competitive RFP process, with the goal of contracting with an entity, based on responses received, in each of 12 designated regions. The competitive process will help the Department ensure that there is capacity within responding entities to perform the scope of work required.

(2) The Department shall score the RFP responses and utilize a scoring system to choose a partner entity in each region of the State.

(3) The Department shall create one full-time staff position to maintain oversight and management of the regional network and report on outcomes and relocation services delivered.

(4) The regional network shall be integrated into current recruitment efforts to maximize existing tools such as ThinkVermont.com.

(5) The Department shall leverage its existing programmatic footprint to ensure that relocation assistance is available in every region of the State.

(6) To the extent possible, the regional relocation network shall not duplicate or replace existing public or private recruitment programs.

(7) The Department shall work to coordinate and enhance these efforts to create a wraparound system of support, information, and recordkeeping.

(c) Coordination. The Department shall coordinate with statewide and community-based organizations, as well as Agencies and Departments in State government, including the Department of Labor, the Agency of Human Services, Vocational Rehabilitation, Regional Development Corporations and Regional Planning Commissions, and statewide and local chambers of commerce.

(d) Promotion and marketing.

(1) The Department shall promote Vermont as a relocation destination to attract new residents to the State and generate leads for the regional relocation network.

(2) The Department shall use a mix of marketing tactics, each with specific benchmarks to define success, including:

(A) secure and maintain positive earned media coverage in

national, regional, and other news media;

(B) extend the reach of positive news coverage through owned media channels;

(C) utilize paid media opportunities to advertise Vermont as a place to live, work, visit, and do business; and

(D) utilize targeting techniques to reach key populations in high demand occupations in sectors facing workforce shortages in Vermont as well as individuals of diverse backgrounds.

(e) Report. The Department shall include the following metrics in addition to a progress update and any recommendations annually to the General Assembly:

(1) the number of inquiries received and individuals served in each region, by region; and

(2) employment and relocation status data on all individuals served.

(f) Implementation. The Department of Tourism and Marketing shall launch the RFP and select regional network partners based on the responses on or before November 15, 2022.

* * * Capital Investment Grant Program * * *

Sec. 49. 2021 Acts and Resolves No. 74, Sec. H.18 is amended to read:

Sec. H.18 CAPITAL INVESTMENT GRANT PROGRAM

(a) Creation; purpose; regional outreach.

(1) The Agency of Commerce and Community Development shall use the \$10,580,000 appropriated to the Department of Economic Development in Sec. G.300(a)(12) of this act to design and implement a capital investment grant program consistent with this section.

(2) The purpose of the program is to make funding available for transformational projects that will provide each region of the State with the opportunity to attract businesses, retain existing businesses, create jobs, and invest in their communities by encouraging capital investments and economic growth.

(3) The Agency shall collaborate with other State agencies, regional development corporations, regional planning commissions, and other community partners to identify potential regional applicants and projects to ensure the distribution of grants throughout the regions of the State.

(b) Eligible applicants.

(1) To be eligible for a grant, an applicant shall comply with the Department of Treasury Final Rule implementing the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act and meet the following criteria:

(A) The applicant is located within this State.

(B) The applicant is:

(i)(I) a for-profit entity with not less than a 10 percent equity interest in the project; or

(II) a nonprofit entity; and

(ii) grant funding from the Program represents not more than ~~50~~ 20 percent of the total project cost.

(C) The applicant demonstrates:

(i) community and regional support for the project;

(ii) that grant funding is needed to complete the project;

(iii) leveraging of additional sources of funding from local, State, or federal economic development programs; and

(iv) an ability to manage the project, with requisite experience and a plan for fiscal viability.

(2) The following are ineligible to apply for a grant:

(A) a State or local government-operated business;

(B) a municipality;

(C) 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

(D) a ~~publicly-traded~~ publicly traded company.

(c) Awards; amount; eligible uses.

(1) An award shall not exceed the lesser of ~~\$1,500,000.00~~ \$1,000,000 or ~~the estimated net State fiscal impact of the project based on Agency modeling~~ 20 percent of the total project cost.

(2) A recipient may use grant funds for the acquisition of property and equipment, construction, renovation, and related capital expenses.

(3) A recipient may combine grant funds with funding from other

sources but shall not use grant funds from multiple sources for the same costs within the same project.

(4) The Agency shall release grant funds upon determining that the applicant has met all Program conditions and requirements.

(5) Nothing in this section is intended to prevent a grant recipient from applying for additional grant funds if future amounts are appropriated for the program.

~~(d) Data model; approval.~~

~~(1) The Agency shall collaborate with the Legislative Economist to design a data model and related methodology to assess the fiscal, economic, and societal impacts of proposals and prioritize them based on the results.~~

~~(2) The Agency shall present the model and related methodology to the Joint Fiscal Committee for its approval not later than September 1, 2021.~~

(e) Application process; decisions; awards.

(1)(A) The Agency shall accept applications on a rolling basis for three-month periods and shall review and consider for approval the group of applications it has received as of the conclusion of each three-month period.

(B) The Agency shall make application information available to the Legislative Economist and the Executive Economist in a timely manner.

~~(2) Using the data model and methodology approved by the Joint Fiscal Committee, the Agency shall analyze the information provided in an application to estimate the net State fiscal impact of a project, including the following factors:~~

~~(A) increase to grand list value;~~

~~(B) improvements to supply chain;~~

~~(C) jobs impact, including the number and quality of jobs; and~~

~~(D) increase to State GDP. [Repealed.]~~

(3) The Secretary of Commerce and Community Development shall appoint an interagency team, which may include members from among the Department of Economic Development, the Department of Housing and Community Development, the Agency of Agriculture, Food and Markets, the Department of Public Service, the Agency of Natural Resources, or other State agencies and departments, which team shall review, analyze, and recommend projects for funding consistent with the guidelines the Agency develops in coordination with the Joint Fiscal Office and approved by the Joint Fiscal Committee and ~~based on the estimated net State fiscal impact of a project and~~

on other contributing factors, including the following:

- (A) transformational nature of the project for the region;
- (B) project readiness, quality, and demonstrated collaboration with stakeholders and other funding sources;
- (C) alignment and consistency with regional plans and priorities; and
- (D) creation and retention of workforce opportunities.

(4) The Secretary of Commerce and Community Development shall consider the recommendations of the interagency team and shall give final approval to projects.

(f) Grant agreements; post award monitoring.

(1) If selected by the Secretary, the applicant and the Agency shall execute a grant agreement that includes audit provisions and minimum requirements for the maintenance and accessibility of records that ensures that the Agency and the Auditor of Accounts have access and authority to monitor awards.

(2) The Agency shall publish on its website not later than 30 days after approving an award a brief project description, the name of the grantee, and the amount of a grant.

(g) Report. On or before ~~December 15, 2021~~ February 15, 2023, the Agency shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs concerning the implementation of this section, including:

- (1) a description of the implementation of the program;
- (2) the promotion and marketing of the program;
- (3) an analysis of the utilization and performance of the program; ~~including the projected revenue impacts and other qualitative and quantitative returns on investment in the program based on available data and modeling.~~

(h) Implementation.

(1) The Agency of Commerce and Community Development shall consult with the Legislative Joint Fiscal Office to develop guidelines and approval processes for the Capital Investment Grant Program and shall submit the proposed guidelines and processes to the Joint Fiscal Committee for approval prior to accepting applications for grants through the Program.

(2) When considering whether and how to prioritize economic sectors that have suffered economic harm due to the COVID-19 pandemic, the

Agency may designate one or more sectors for priority consideration through the Program, including the arts and culture, travel, lodging, tourism, agriculture, and child care sectors.

* * * VEDA Short-Term Forgivable Loans * * *

Sec. 50. VEDA SHORT-TERM FORGIVABLE LOANS

(a) Creation. The Vermont Economic Development Authority shall create a Short-Term Forgivable Loan Program to support Vermont businesses experiencing continued working capital shortfalls as a result of the COVID-19 public health emergency.

(b) Eligible business. An eligible borrower is a for-profit or nonprofit business:

(1) with fewer than 500 employees;

(2) located in Vermont;

(3) that was in operation or had taken substantial steps toward becoming operational as of March 13, 2020; and

(4) that can identify economic harm caused by or exacerbated by the pandemic.

(c) Economic harm.

(1) An applicant shall demonstrate economic harm from lost revenue, increased costs, challenges covering payroll, rent or mortgage interest, or other operating costs that threaten the capacity of the business to weather financial hardships and result in general financial insecurity due to the COVID-19 public health emergency.

(2) The Authority shall measure economic harm by a material decline in the applicant's annual adjusted net operating income before the COVID-19 public health emergency relative to its annual adjusted net operating income during the COVID-19 public health emergency.

(3) When assessing an applicant's adjusted net operating income, the Authority shall consider previous COVID-19 State and federal subsidies, reasonable owner's compensation, noncash expenses, extraordinary items, and other adjustments deemed appropriate.

(4) To be eligible for a loan, the Authority shall determine that a business has experienced at least a 25 percent reduction in its adjusted net operating income in calendar years 2020 and 2021 combined as compared to 2019, or other appropriate basis of comparison where necessary, and that 50 percent or more of the reduction occurred in 2021.

(d) Maximum loan. The Authority shall determine the amount of a loan award pursuant to guidelines adopted pursuant to subsection (f) of this section, provided that a loan shall not exceed the lesser of:

(1) \$200,000.00;

(2)(A) six months of eligible fixed costs; or

(B) if, due to the nature of the business and its historical experience fixed costs are not an accurate measure of ongoing operational need, another amount based on a comparable measure of cost; or

(3) the amount of the cumulative decline in adjusted net operating income during the COVID-19 public health emergency in 2020 and 2021.

(e) Eligible use of loan; loan forgiveness.

(1) A loan recipient may use loan proceeds to pay for eligible fixed costs or operating expenses but shall not use the proceeds for capital expenditures.

(2) The Authority shall approve loan forgiveness based on documentation evidencing loan proceeds were used to pay for eligible fixed costs or operating expenses.

(f) Guidelines. The Vermont Economic Development Authority shall consult with the Legislative Joint Fiscal Office to develop guidelines and approval processes for the VEDA Short-Term Forgivable Loan Program and shall submit the proposed guidelines and processes to the Joint Fiscal Committee for approval prior to accepting applications for grants through the Program.

(g) Priority sectors. When considering whether and how to prioritize economic sectors that have suffered economic harm due to the COVID-19 pandemic, the Agency of Commerce and Community Development may designate one or more sectors for priority funding through the Program, including the arts and culture, travel, lodging, tourism, agriculture, and child care sectors.

Sec. 51. INTENT; WINDHAM COUNTY ECONOMIC DEVELOPMENT

It is the intent of the General Assembly to take any legislative action necessary:

(1) to transfer all unobligated Windham County Economic Development Program grant funds and Program special fund balances from the Agency of Commerce and Community Development to the Brattleboro Development Credit Corporation not later than October 1, 2022;

(2) to move all Program-related loans and loan servicing functions from the Vermont Economic Development Authority to the Corporation not later than October 1, 2022; and

(3) to ensure that future payments of principal and interest on outstanding loans originally issued by the Authority are paid to the Corporation.

* * * Project-Based Tax Increment Financing * * *

Sec. 52. 24 V.S.A. 1892(d) is amended to read:

(d) The following municipalities have been authorized to use education tax increment financing for a tax increment financing district:

- (1) the City of Burlington, Downtown;
- (2) the City of Burlington, Waterfront;
- (3) ~~the Town of Milton, North and South~~ Town of Bennington;
- (4) ~~the City of Newport~~ City of Montpelier;
- (5) the City of Winooski;
- (6) ~~the Town of Colechester~~;
- ~~(7) the~~ Town of Hartford;
- ~~(8)(7)~~ the City of St. Albans;
- ~~(9)(8)~~ the City of Barre;
- ~~(10)(9)~~ the Town of Milton, Town Core; and
- ~~(11)(10)~~ the City of South Burlington.

Sec. 52a. 32 V.S.A. § 5404a is amended to read:

§ 5404a. TAX STABILIZATION AGREEMENTS; TAX INCREMENT FINANCING DISTRICTS

(a) A tax agreement or exemption shall affect the education property tax grand list of the municipality in which the property subject to the agreement is located if the agreement or exemption is:

* * *

(b)(1) An agreement affecting the education property tax grand list defined under subsection (a) of this section shall reduce the municipality's education property tax liability under this chapter for the duration of the agreement or exemption without extension or renewal, and for a maximum of 10 years. A municipality's property tax liability under this chapter shall be reduced by any

difference between the amount of the education property taxes collected on the subject property and the amount of education property taxes that would have been collected on such property if its fair market value were taxed at the equalized nonhomestead rate for the tax year.

(2) Notwithstanding any other provision of law, if a municipality has entered into an agreement that reduces the municipality's education property tax liability under this chapter and the municipality establishes a tax increment financing district under 24 V.S.A. chapter 53, subchapter 5, the municipality's municipal and education tax increment shall be calculated based on the assessed value of the properties in the municipality's grand list and not on the stabilized value.

* * *

(f) A municipality that establishes a tax increment financing district under 24 V.S.A. chapter 53, subchapter 5 shall collect all property taxes on properties contained within the district and apply not more than 70 percent of the State education property tax increment, and not less than 85 percent of the municipal property tax increment, to repayment of financing of the improvements and related costs for up to 20 years pursuant to 24 V.S.A. § 1894, if approved by the Vermont Economic Progress Council pursuant to this section, subject to the following:

(1) In a municipality with one or more approved districts, the Council shall not approve an additional district until the municipality retires the debt incurred for all of the districts in the municipality.

(2) The Council shall not approve more than ~~six~~ four districts in the State, and not more than two per county, provided:

(A) The districts listed in 24 V.S.A. § 1892(d) shall not be counted against the limits imposed in this subdivision (2).

(B) The Council shall consider complete applications in the order they are submitted, except that if during any calendar month the Council receives applications for more districts than are actually available in a county, the Council shall evaluate each application and shall approve the application that, in the Council's discretion, best meets the economic development needs of the county.

(C) If, while the General Assembly is not in session, the Council receives applications for districts that would otherwise qualify for approval but, if approved, would exceed the ~~six-district~~ four-district limit in the State, the Council shall make one or more presentations to the Emergency Board concerning the applications, and the Emergency Board may, in its discretion, increase the ~~six-district~~ limit.

(D) The Council shall not approve more than one district in Bennington County and one district in Washington County.

* * *

(4) In any year that the assessed valuation of real property in a district decreases in comparison to the original taxable value of the real property in a district, a municipality shall pay the amount equal to the tax calculated based on the original taxable value to the Education Fund.

* * *

(h) To approve utilization of incremental revenues pursuant to subsection (f) of this section:

* * *

(4) Project criteria. Determine that the proposed development within a tax increment financing district will accomplish at least three of the following five criteria:

* * *

(C) The project will affect the remediation and redevelopment of a brownfield located within the district. In the case of a brownfield, the Vermont Economic Progress Council is authorized to adopt rules pursuant to subsection (j) of this section to clarify what is a reasonable improvement, as defined in 24 V.S.A. § 1891, to remediate and stimulate the development or redevelopment in the district. As used in this section, “brownfield” means an area in which a hazardous substance, pollutant, or contaminant is or may be present, and that situation is likely to complicate the expansion, development, redevelopment, or reuse of the property.

* * *

Sec. 52b. TAX INCREMENT FINANCING PROJECT DEVELOPMENT; PILOT PROGRAM

(a) Definitions. As used in this section:

(1) “Committed” means pledged and appropriated for the purpose of the current and future payment of tax increment financing and related costs as defined in this section.

(2) “Coordinating agency” means any public or private entity from outside the municipality’s departments or offices and not employing the municipality’s staff, which has been designated by a municipality to administer and coordinate a project during creation, public hearing process, approval process, or administration and operation during the life of the project,

including overseeing infrastructure development, real property development and redevelopment, assisting with reporting, and ensuring compliance with statute and rule.

(3) “Financing” means debt incurred, including principal, interest, and any fees or charges directly related to that debt, or other instruments or borrowing used by a municipality to pay for improvements and related costs for the approved project, only if authorized by the legal voters of the municipality in accordance with 24 V.S.A. § 1894. Payment for eligible related costs may also include direct payment by the municipality using the district increment. However, such anticipated payments shall be included in the vote by the legal voters of the municipality in accordance with subsection (f) of this section. If interfund loans within the municipality are used as the method of financing, no interest shall be charged. Bond anticipation notes may be used as a method of financing and may qualify as a municipality’s first incurrence of debt. A municipality that uses a bond anticipation note during the third or sixth year that a municipality may incur debt pursuant to subsection (f) of this section shall incur all permanent financing not more than one year after issuing the bond anticipation note.

(4) “Improvements” means the installation, new construction, or reconstruction of infrastructure that will serve a public purpose, including utilities, transportation, public facilities and amenities, land and property acquisition and demolition, brownfield remediation, and site preparation. “Improvements” also means the funding of debt service interest payments for a period of up to five years, beginning on the date on which the first debt is incurred.

(5) “Legislative body” means the mayor and alderboard, the city council, the selectboard, and the president and trustees of an incorporated village, as appropriate.

(6) “Municipality” means a city, town, or incorporated village.

(7) “Nexus” means the causal relationship that must exist between the improvements and the expected development and redevelopment in the TIF Project Zone or the expected outcomes in the TIF Project Zone.

(8) “Original taxable value” means the total valuation as determined in accordance with 32 V.S.A. chapter 129 of all taxable real property located within the project as of the creation date, provided that no parcel within the project shall be divided or bisected.

(9) “Project” means a public improvement, as defined in subdivision (4) of this subsection, with a total debt ceiling, including related costs, and principal and interest payments, of not more than \$5,000,000.00. A project

must:

(A) Clearly require substantial public investment over and above the normal municipal operating or bonded debt expenditures.

(B) Only include public improvements that are integral to the expected private development.

(C) Meet one of the following four criteria:

(i) The development includes new or rehabilitated affordable housing, as defined in 24 V.S.A. § 4303.

(ii) The project will affect the remediation and redevelopment of a brownfield located within the district. As used in this section, “brownfield” means an area in which a hazardous substance, pollutant, or contaminant is or may be present, and that situation is likely to complicate the expansion, development, redevelopment, or reuse of the property.

(iii) The development will include at least one entirely new business or business operation or expansion of an existing business within the project, and this business will provide new, quality, full-time jobs that meet or exceed the prevailing wage for the region as reported by the Department of Labor.

(iv) The development will enhance transportation by creating improved traffic patterns and flow or creating or improving public transportation systems.

(10) “Related costs” means expenses incurred and paid by the municipality, exclusive of the actual cost of constructing and financing improvements, that are directly related to the creation and implementation of the project, including reimbursement of sums previously advanced by the municipality for those purposes. Related costs may not include direct municipal expenses such as departmental or personnel costs.

(11) “TIF project zone” means an area located within one or more active designations approved by the Vermont Downtown Development Board under 24 V.S.A. chapter 76A, or located within an industrial park as defined in 10 V.S.A. § 212(7), for the parcels in a municipality that have nexus to the project.

(b) Pilot program. Beginning on January 1, 2023 and ending on December 31, 2027, the Vermont Economic Progress Council is authorized to approve a total of not more than four tax increment financing projects, with not more than three projects per year; provided, however, that there shall not be more than one project per municipality.

(c) General authority. Under the pilot program established in subsection (b) of this section, a municipality, upon approval of its legislative body, may apply to the Vermont Economic Progress Council pursuant to the process set forth in subsection (e) of this section to use tax increment financing for a project.

(d) Eligibility.

(1) A municipality is only authorized to apply for a project under this section if:

(A) the project will serve one or more active designations approved by the Vermont Downtown Development Board under 24 V.S.A. chapter 76A, or is located within an industrial park as defined in 10 V.S.A. § 212(7); and

(B) 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 and regional significance for employment, housing, brownfield remediation, or transportation improvements.

(2) A municipality with an approved tax increment financing district as set forth in 24 V.S.A. 1892(d) is not authorized to apply for a project under this section.

(e) Approval process. The Vermont Economic Progress Council shall do all of the following to approve an application submitted pursuant to subsection (c) of this section:

(1)(A) Review each application to determine that the infrastructure improvements proposed to serve the project and the proposed development in the project would not have occurred as proposed in the application, or would have occurred in a significantly different and less desirable manner than as proposed in the application, but for the proposed utilization of the incremental tax revenues.

(B) The review shall take into account:

(i) the amount of additional time, if any, needed to complete the proposed development for the project and the amount of additional cost that might be incurred if the project were to proceed without education property tax increment financing;

(ii) how the proposed project components and size would differ, if at all, including, if applicable to the project, in the number of units of affordable housing, as defined in 24 V.S.A. § 4303, without education property tax increment financing;

(iii)(I) the amount of additional revenue expected to be generated as a result of the proposed project;

(II) the percentage of that revenue that shall be paid to the Education Fund;

(III) the percentage that shall be paid to the municipality; and

(IV) the percentage of the revenue paid to the municipality that shall be used to pay financing incurred for development of the project; and

(iv) the nexus between the improvement and the expected development and redevelopment for the project and expected outcomes in the TIF Project Zone.

(2) Process requirements. Determine that each application meets all of the following requirements:

(A) The municipality held public hearings and established a project.

(B) The municipality has developed a tax increment financing project plan, including a project description; a development financing plan; a pro forma projection of expected costs; a projection of revenues; a statement and demonstration that the project would not proceed without the allocation of a tax increment; evidence that the municipality is actively seeking or has obtained other sources of funding and investment; and a development schedule that includes a list, a cost estimate, and a schedule for public improvements and projected private development to occur as a result of the improvements. The creation of the project shall occur at 12:01 a.m. on April 1 of the calendar year the municipal legislative body votes to approve the tax increment financing project plan.

(C) the municipality has approved or pledged the utilization of incremental municipal tax revenues for the purposes of the project in the proportion set for in subdivision (i)(2) of this section.

(f) Incurring indebtedness.

(1) A municipality approved under the process set forth in subsection (e) of this section may incur indebtedness against revenues to provide funding to pay for improvements and related costs for tax increment financing project development.

(2) Notwithstanding any provision of any municipal charter, the municipality shall only require one authorizing vote to incur debt through one instance of borrowing to finance or otherwise pay for the tax increment financing project improvements and related costs; provided, however, that a municipality may present one or more subsequent authorization votes in the

event a vote fails. The municipality shall be authorized to incur indebtedness only after the legal voters of the municipality, by a majority vote of all voters present and voting on the question at a special or annual municipal meeting duly warned for the purpose, authorize the legislative body to pledge the credit of the municipality, borrow, or otherwise secure the debt for the specific purposes so warned.

(3) Any indebtedness shall be incurred within three years from the date of approval by the Vermont Economic Progress Council, unless the Vermont Economic Progress Council grants an extension of an additional three years pursuant to the substantial change process set forth in the 2015 TIF Rule; provided, however, that an updated plan is submitted prior to the three-year termination date of the project.

(g) Original taxable value. As of the date the project is approved by the legislative body of the municipality, the lister or assessor for the municipality shall certify the original taxable value and shall certify to the legislative body in each year thereafter during the life of the project the amount by which the total valuation as determined in accordance with 32 V.S.A. chapter 129 of all taxable real property located within the project has increased or decreased relative to the original taxable value.

(h) Tax increments.

(1) In each year following the approval of the project, the lister or assessor shall include not more than the original taxable value of the real property in the assessed valuation upon which the treasurer computes the rates of all taxes levied by the municipality and every other taxing district in which the project is situated, but the treasurer shall extend all rates so determined against the entire assessed valuation of real property for that year. In each year, the municipality shall hold apart, rather than remit to the taxing districts, that proportion of all taxes paid that year on the real property within the project that the excess valuation bears to the total assessed valuation. The amount held apart each year is the "tax increment" for that year. Not more than the percentages established pursuant to subsection (i) of this section of the municipal and State education tax increments received with respect to the project and committed for the payment for financing for improvements and related costs shall be segregated by the municipality in a special tax increment financing project account and in its official books and records until all capital indebtedness of the project has been fully paid. The final payment shall be reported to the treasurer, who shall thereafter include the entire assessed valuation of the project in the assessed valuations upon which municipal and other tax rates are computed and extended, and thereafter no taxes from the project shall be deposited in the project's tax increment financing account.

(2) In each year, a municipality shall remit not less than the aggregate original taxable value to the Education Fund.

(3) Notwithstanding any charter provision or other provision, all property taxes assessed within a project shall be subject to the provision of subdivision (1) of this subsection. Special assessments levied under 24 V.S.A. chapter 76A or 87 or under a municipal charter shall not be considered property taxes for the purpose of this section if the proceeds are used exclusively for operating expenses related to properties within the project and not for improvements as defined in subdivision (a)(3) of this section.

(4) Amounts held apart under subdivision (1) of this subsection shall only be used for financing and related costs as defined in subsection (a) of this section.

(i) Use of tax increment.

(1) Education property tax increment. For only debt incurred within the period permitted under subdivision (e)(3) of this section after approval of the project, up to 70 percent of the education tax increment may be retained for up to 20 years, beginning with the education tax increment generated the year in which the first debt incurred for the project financed in whole or in part with incremental education property tax revenue. Upon incurring the first debt, a municipality shall notify the Department of Taxes and the Vermont Economic Progress Council of the beginning of the 20-year retention period of the education tax increment.

(2) Use of the municipal property tax increment. For only debt incurred within the period permitted under subdivision (e)(3) of this section after approval of the project, not less than 85 percent of the municipal tax increment shall be retained to service the debt, beginning the first year in which debt is incurred, pursuant to subdivision (1) of this subsection.

(j) Distribution. Of the municipal and education tax increments received in any tax year that exceed the amounts committed for the payment of the financing for improvements and related costs for the project, equal portions of each increment may be retained for the following purposes: prepayment of principal and interest on the financing, placed in a special account required by subdivision (g)(1) of this section and used for future financing payments or used for defeasance of the financing. Any remaining portion of the excess municipal tax increment shall be distributed to the city, town, or village budget, in the proportion that each budget bears to the combined total of the budgets, unless otherwise negotiated by the city, town, or village, and any remaining portion of the excess education tax increment shall be distributed to the Education Fund.

(k) Information reporting. Every municipality with an approved project pursuant to this section shall:

(1) Develop a system, segregated for the project, to identify, collect, and maintain all data and information necessary to fulfill the reporting requirements of this section, including performance measures.

(2) Provide, as required by events, notification to the Vermont Economic Progress Council and the Department of Taxes regarding any tax increment financing development project debt obligations, public votes, or votes by the municipal legislative body immediately following such obligation or vote on a form prescribed by the Council, including copies of public notices, agendas, minutes, vote tally, and a copy of the information provided to the public in accordance with 24 V.S.A. § 1894(i).

(3) Annually:

(A) Ensure that the tax increment financing project account required by subdivision (h)(1) is subject to the annual audit prescribed in subsection (m) of this section. Procedures must include verification of the original taxable value and annual and total municipal and education tax increments generated, expenditures for debt and related costs, and current balance.

(B) On or before October 1 of each year, on a form prescribed by the Council, submit an annual report to the Vermont Economic Progress Council and the Department of Taxes, including the information required by subdivision (2) of this section if not already submitted during the year, all information required by subdivision (A) of this subdivision (3), and the information required by 32 V.S.A. § 5404a(i), including performance measures and any other information required by the Council or the Department of Taxes.

(l) Annual report. The Vermont Economic Progress Council and the Department of Taxes shall submit an annual report to the Senate Committees on Economic Development, Housing and General Affairs and on Finance and the House Committees on Commerce and Economic Development and on Ways and Means on or before January 1 each year. The report shall include the date of approval, a description of the project, the original taxable value of the property subject to the project development, the scope and value of projected and actual improvements and developments in the TIF Project Zone, projected and actual incremental revenue amounts, and division of the increment revenue between project debt, the Education Fund, the special account required by subdivision (h)(1) and the municipal General Fund, projected and actual financing, and a set of performance measures developed by the Vermont Economic Progress Council, which may include outcomes related to the criteria for which the municipality applied and the amount of

infrastructure work performed by Vermont firms.

(m) Audit; financial reports.

(1) The State Auditor of Accounts shall conduct performance audits of all projects approved under this section. The cost of conducting each audit shall be considered a “related cost” as defined in subdivision (a)(10) of this section and shall be billed back to the municipality pursuant to 32 V.S.A. § 168(b). Audits conducted pursuant to this subsection shall include a review of a municipality’s adherence to relevant statutes and policies adopted by the Vermont Economic Progress Council pursuant to subsection (o) of this section, verification of the original taxable value, an assessment of record keeping related to revenues and expenditures, a validation of the portion of the tax increment retained by the municipality and used for debt repayment and the portion directed to the Education Fund, and current balance.

(2) The State Auditor shall conduct the audits described in subdivision (1) of this subsection based on the following schedule:

(A) a first audit shall be conducted five years after the first debt is incurred;

(B) a second audit shall be conducted seven years after completion of the first audit; and

(C) a final audit shall be conducted at the end of the period for retention of education increment.

(n) Authority to issue decisions.

(1) The Secretary of Commerce and Community Development, after reasonable notice to a municipality and an opportunity for a hearing, is authorized to issue decisions to a municipality on questions and inquiries concerning the administration of projects, statutes, rules, noncompliance with this section, and any instances of noncompliance identified in audit reports conducted pursuant to subsection (m) of this section.

(2) The Vermont Economic Progress Council shall prepare recommendations for the Secretary prior to the issuance of a decision. As appropriate, the Council may prepare such recommendations in consultation with the Commissioner of Taxes, the Attorney General, and the State Treasurer. In preparing recommendations, the Council shall provide a municipality with a reasonable opportunity to submit written information in support of its position. The Secretary shall review the recommendations of the Council and issue a final written decision on each matter within 60 days following the receipt of the recommendations. The Secretary may permit an appeal to be taken by any party to a Superior Court for determination of

questions of law in the same manner as the Supreme Court may by rule provide for appeals before final judgment from a Superior Court before issuing a final decision.

(o) The Vermont Economic Progress Council is authorized to adopt policies that are consistent with the 2015 TIF Rule, as may be modified by subsequent rule, to implement this section.

Sec. 52c. 24 V.S.A. § 1891 is amended to read:

§ 1891. DEFINITIONS

~~When~~ As used in this subchapter:

* * *

(4) “Improvements” means the installation, new construction, or reconstruction of infrastructure that will serve a public purpose and fulfill the purpose of tax increment financing districts as stated in section 1893 of this subchapter, including utilities, transportation, public facilities and amenities, land and property acquisition and demolition, and site preparation. “Improvements” also means the funding of debt service interest payments for a period of up to five years, beginning on the date in which the first debt is incurred.

* * *

(7) “Financing” means debt incurred, including principal, interest, and any fees or charges directly related to that debt, or other instruments or borrowing used by a municipality to pay for improvements in a tax increment financing district, only if authorized by the legal voters of the municipality in accordance with section 1894 of this subchapter. Payment for the cost of district improvements and related costs may also include direct payment by the municipality using the district increment. However, such payment is also subject to a vote by the legal voters of the municipality in accordance with section 1894 of this subchapter and, if not included in the tax increment financing plan approved under subsection 1894(d) of this subchapter, is also considered a substantial change and subject to the review process provided by subdivision 1901(2)(B) of this subchapter. If interfund loans within the municipality are used as the method of financing, no interest shall be charged. Bond anticipation notes may be used as a method of financing and may qualify as a district’s first incurrence of debt. A municipality that uses a bond anticipation note during the fifth year or tenth year that a district may incur debt pursuant to section 1894 of this title shall incur all permanent financing not more than one year after issuing the bond anticipation note.

* * *

Sec. 52d. 24 V.S.A. § 1895 is amended to read:

§ 1895. ORIGINAL TAXABLE VALUE

(a) Certification. As of the date the district is created, the lister or assessor for the municipality shall certify the original taxable value and shall certify to the legislative body in each year thereafter during the life of the district the amount by which the total valuation as determined in accordance with 32 V.S.A. chapter 129 of all taxable real property located within the tax increment financing district has increased or decreased relative to the original taxable value.

(b) Boundary of the district. Any parcel within a district shall be located wholly within the boundaries of a district. No adjustments to the boundary of a district are permitted after the approval of a tax increment financing district plan as described in section 1894 of this title.

* * * Vermont Film and Media Industry * * *

Sec. 53. VERMONT FILM AND MEDIA INDUSTRY TASK FORCE;
STUDY; REPORT

(a) There is created the Vermont Film and Media Industry Task Force composed of the following members:

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

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

(3) the Secretary of Commerce and Community Development or designee; and

(4) a member, appointed by the Vermont Arts Council, who shall serve as chair and shall convene meetings of the Task Force.

(b)(1) The Task Force shall have legal assistance from the Office of Legislative Counsel and fiscal assistance from the Joint Fiscal Office.

(2) Members of the Task Force shall receive per diem compensation and reimbursement for expenses as provided in 32 V.S.A. § 1010 for not more than four meetings.

(c) On or before January 15, 2023, the Task Force shall consult relevant stakeholders in the film and media industry and shall study and submit a report to the House Committee on Commerce and Economic Development and to the Senate Committee on Economic Development, Housing and General Affairs that reviews the history of State efforts to cultivate the film and media industry

in Vermont and what financial and other support the State may provide in the future to revitalize the industry following the COVID-19 pandemic and to invigorate the industry in the future, including:

- (1) successes and failures of past State involvement;
- (2) opportunities to invigorate the industry, attract filmmakers and media entrepreneurs, and promote Vermont as an attractive destination for tourism and for business development;
- (3) how Vermont can differentiate and compete with other jurisdictions that also seek to cultivate a more expansive film and media industry;
- (4) a survey of which entities, in State government and in the private sector, provide outreach and support to businesses in the industry;
- (5) opportunities for employing federal COVID-19 relief funds to revive the industry; and
- (6) a cost-benefit analysis of establishing new State financial, administrative, or other supports for the industry.

* * * Minimum Wage * * *

Sec. 54. FINDINGS

The General Assembly finds:

- (1) The COVID-19 pandemic has caused the labor market to tighten, which has resulted in employers offering higher starting wages to workers in many occupations.
- (2) Supply chain disruptions and labor shortages related to the COVID-19 pandemic have caused significant inflation and increases in the cost of living for Vermonters.
- (3) Increasing Vermont's minimum wage will better align the statutory minimum wage with the actual conditions in Vermont's labor market and will help lower-wage workers to better afford the cost of essential goods and services.

Sec. 54a. 21 V.S.A. § 384 is amended to read:

§ 384. EMPLOYMENT; WAGES

(a)(1) An employer shall not employ any employee at a rate of less than \$10.96. ~~Beginning on January 1, 2021, an employer shall not employ any employee at a rate of less than \$11.75. Beginning on January 1, 2022, an employer shall not employ any employee at a rate of less than \$12.55. Beginning on January 1, 2023, an employer shall not employ any employee at a rate of less than \$13.75. Beginning on January 1, 2024, an employer shall~~

not employ any employee at a rate of less than \$15.00, and on each subsequent January 1, the minimum wage rate shall be increased by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller, but in no event shall the minimum wage be decreased. The minimum wage shall be rounded off to the nearest \$0.01.

* * *

* * * COVID-19-Related Paid Leave Grant Program * * *

Sec. 55. FINDINGS AND INTENT

(a) The General Assembly finds that:

(1) COVID-19 has caused increased employee absences due to illness, quarantine, and school and daycare closures.

(2) Many employees do not have sufficient paid time off to cover all of their COVID-19-related absences from work.

(3) Some employers have provided their employees with additional paid time off for COVID-19-related purposes.

(4) The surge in COVID-19 cases caused by the Omicron variant of the virus has made it financially difficult or impossible for employers to provide additional paid time off to their employees for COVID-19-related purposes.

(5) Providing grants to employers to reimburse a portion of the cost of providing paid time off to employees for COVID-19-related purposes will:

(A) help to mitigate some negative economic impacts of the COVID-19 pandemic on employers;

(B) improve employee retention;

(C) prevent the spread of COVID-19 in the workplace; and

(D) provide crucial income to employees and their families.

(6) The Front-Line Employees Hazard Pay Grant Program established pursuant to 2020 Acts and Resolves No. 136, Sec. 6 and expanded pursuant to 2020 Acts and Resolves No. 168, Sec. 1 successfully directed millions of dollars in hazard pay to front-line workers during the first year of the COVID-19 pandemic. By utilizing grants to employers, who in turn provided the hazard pay to their employees, the Program enabled employers to retain employees and reward them for their hard work during the uncertainty of the early months of the COVID-19 pandemic.

(b) It is the intent of the General Assembly that the COVID-19-Related Paid Leave Grant Program created pursuant to section 14a of this act shall be modeled on the Front-Line Employees Hazard Pay Grant Program and shall assist employers in providing paid leave to their employees for COVID-19 related absences.

Sec. 55a. COVID-19-RELATED PAID LEAVE GRANT PROGRAM

(a)(1) There is established in the Agency of Administration 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 provided to employees.

(2) The sum of \$16,500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Administration in fiscal year 2023 for the provision of grants to reimburse employers for the cost of providing COVID-19-related sick leave. Not more than five percent of the amount appropriated pursuant to this subdivision (2) may be used for expenses related to program administration and outreach.

(b) As used in this section:

(1) “Agency” means the Agency of Administration.

(2) “COVID-19-related reason” means the employee is:

(A) self-isolating because the employee has been diagnosed with COVID-19 or tested positive for COVID-19;

(B) self-isolating pursuant to the recommendation of a health care provider or a State or federal public health official because the employee has been exposed to COVID-19 or the employee is experiencing symptoms of COVID-19;

(C) caring for a parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child, because:

(i) the school or place of care where that individual is normally located during the employee’s workday is closed due to COVID-19;

(ii) that individual has been requested not to attend the school or the place of care where that individual is normally located during the employee’s workday due to COVID-19;

(iii) that individual has been diagnosed with or tested positive for COVID-19; or

(iv) that individual is self-isolating pursuant to the

recommendation of a health care provider or a State or federal public health official because that individual has been exposed to or is experiencing symptoms of COVID-19;

(D) attending an appointment for the employee or the employee's parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child to receive a vaccine or a vaccine booster for protection against COVID-19; or

(E) experiencing symptoms, or caring for a parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child who is experiencing symptoms, related to a vaccine or a vaccine booster for protection against COVID-19.

(3) "Employee" means an individual who, in consideration of direct or indirect gain or profit, is employed by an employer to perform services in Vermont.

(4) "Employer" means any person that has one or more employees performing services for it in Vermont. "Employer" does not include the State or the United States.

(5) "Program" means the COVID-19-Related Paid Leave Grant Program established pursuant to this section.

(6) "Program period" means the period beginning on January 1, 2022 and ending on December 31, 2022.

(7) "Secretary" means the Secretary of Administration.

(c)(1) An employer may apply to the Secretary for one or more grants to reimburse the employer for the cost of paid leave provided to its employees for COVID-19-related reasons during the program period.

(2) An employer's grant amount may include reimbursement for retroactively provided COVID-19-related paid leave to employees who took unpaid leave for a COVID-19-related reason during the program period because the employee did not have sufficient accrued paid leave available at the time that the employee took the leave.

(3) Employers may submit applications for grants not more than once each calendar month for paid leave provided during the program period between the beginning of the program period or the employer's previous application, whichever is later, and the date of the employer's current application.

(4) For the sole purpose of administering grants related to paid leave provided to independent direct support providers for COVID-19-related

reasons, ARIS Solutions, as the fiscal agent for the employers of the independent direct support providers, shall have the authority to apply for a grant in the same manner as any employer.

(d)(1) The Secretary shall:

(A) adopt procedures for implementing the Program, which shall include a simple grant application process, a process to allow employers to certify the amount of paid leave provided for COVID-19-related reasons, and a process to allow employers to report on their use of the grant funds awarded pursuant to this section;

(B) promote awareness of the Program to employers;

(C) award grants to employers on a first-come, first-served basis, subject to available funding; and

(D) develop and implement an audit strategy to assess grant utilization, the performance of the Program, and compliance with Program requirements.

(2)(A) The Secretary may delegate administration of one or more aspects of the Program to other agencies and departments of the State.

(B) The Secretary may enter into agreements, memoranda of understanding, or contracts with private entities as necessary to implement or administer the Program and, notwithstanding any provision of law to the contrary, shall not be required to competitively bid any contracts entered into pursuant to this subdivision (2)(B). For the purposes of the Program, the ongoing public health risk posed by COVID-19 shall be deemed to be an emergency situation that justifies the execution of sole source contracts pursuant to Bulletin 3.5, the State's Procurement and Contracting Procedures.

(e)(1) Employers may apply for grants to either reimburse a portion of the cost of COVID-19-related paid leave provided to employees or to provide funds to be used 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 the number of hours of COVID-19-related paid leave provided to each employee multiplied by the greater of either the 67 percent of the minimum wage established pursuant to 21 V.S.A. § 384 or 67 percent of 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 the number of hours of COVID-19-related paid leave to be provided to each employee multiplied by the greater of either the 67 percent of the minimum wage established pursuant to 21 V.S.A. § 384 or 67 percent of the employee's regular hourly wage.

(2)(A) An employer may only apply for a grant in relation to COVID-19-related leave that was taken by an employee during the program period.

(B) The maximum number of hours of COVID-19-related leave for each employee that an employer may seek grant funding for through the Program shall equal the lesser of 80 hours or two times the employee's average weekly hours worked for the employer during the six months preceding the date of the first application relating to that employee.

(C) The maximum amount that an employer shall be eligible to receive for COVID-19-related paid leave for each employee shall be not more than \$27.50 per hour of leave, with an aggregate maximum of \$2,200.00 per employee during the program period.

(f) As a condition of being eligible to receive a grant through the Program, each employer shall be required to certify:

(1) that the employer is not seeking funds in relation to any amounts of paid leave that were deducted from the employee's accrued paid leave balance at the time the COVID-19-related leave was taken unless those amounts have been restored to the employee's accrued paid leave balance;

(2) grant funds shall only be used in relation to the payment of an employee's wages for the period when the employee was absent from work for a COVID-19-related reason; and

(3) employees receiving paid leave funded by a grant shall not be required to pay an administrative fee or other charge in relation to the employer requesting the grant.

(g) Each employer that receives a grant shall, not later than March 1, 2023, report to the Agency on a form provided by the Secretary the amount of grant funds used to provide paid leave to employees and the amount of any remaining grant funds that were not spent. All unspent grant funds shall be returned to the Agency pursuant to a procedure adopted by the Secretary.

(h) Any personally identifiable information that is collected by the Program, any entity of State government performing a function of the Program, or any entity that the Secretary contracts with to perform a function of the Program shall be kept confidential and shall be exempt from inspection and copying under the Public Records Act.

* * * Study of Paid Family and Medical Leave Insurance * * *

Sec. 55b. FINDINGS

The General Assembly finds that:

(1) The COVID-19 pandemic highlighted the challenges that a lack of paid leave poses to employees who must be absent from work for an extended period of time due to illness or caregiving needs.

(2) Paid family and medical leave insurance would provide essential income replacement for employees who must be absent from work for an extended period of time due to illness, caregiving needs, or the birth or adoption of a child.

(3) Paid family and medical leave insurance would mitigate the impact of absences on employers by providing an affordable means of providing paid leave to employees while improving employee retention.

Sec. 55c. PAID FAMILY AND MEDICAL LEAVE; TASK FORCE;
REPORT

(a) Creation. There is created the Paid Family and Medical Leave Insurance Task Force to reexamine the work and report of the Study Committee on Employee Funded Paid Leave created pursuant to 2013 Acts and Resolves No. 31, Sec. 13 and to investigate proven and tested paid family and medical leave insurance programs in the United States in order to develop an understanding of the best practices and implementation possibilities for the potential enactment of an equitable and affordable paid family and medical leave insurance program in Vermont, which may include both universal and voluntary models.

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

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

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

(c) Powers and duties.

(1) The Task Force shall examine the establishment of a paid family and medical leave program in Vermont, including the following:

(A) the potential for creating a paid family and medical leave insurance program in Vermont based on the experience of and best practices

from currently operating paid family and medical leave insurance solutions in the United States that provide leave for the following purposes:

- (i) bonding with a newborn or adopted child;
- (ii) caring for an ill or injured family member;
- (iii) the employee's own illness or injury; and
- (iv) exigencies related to a family member serving in the U.S. Armed Forces;

(B) based on the solutions examined pursuant to subdivision (1) of this subsection, develop and examine models and projections for the startup and implementation of similar solutions in Vermont, including:

- (i) potential start-up and administrative costs;
- (ii) administrative requirements and considerations;
- (iii) advantages relative to the other models;
- (iv) examples from other jurisdictions and the experience of the programs in those jurisdictions;
- (v) benefits and drawbacks; and
- (vi) any other considerations that the Task Force determines are relevant;

(C) opportunities to utilize tested and proven administrative models or public-private partnerships to reduce administrative costs of a paid family and medical leave insurance program or to enable a paid family and medical leave insurance benefits to be established more quickly; and

(D) considerations related to the potential enactment of a federal paid family and medical leave insurance program, including any measures that may be necessary to ensure that a potential State program could adapt to and complement the coverage provided by any federal program.

(2) The Task Force shall consult with affected stakeholders and interested parties, including stakeholders and interested parties representing:

- (A) the labor community;
- (B) Vermont businesses;
- (C) groups advocating for gender equity;
- (D) Vermonters who are Black, Indigenous, or a Person of Color; and
- (E) children and families.

(d) Assistance.

(1) The Task Force shall have the administrative assistance of the Office of Legislative Operations, the technical assistance of the Joint Fiscal Office, and the legal assistance of the Office of Legislative Counsel.

(2) The Task Force may contract with one or more entities or individuals for purposes of modeling and actuarial projections.

(e) Report. On or before January 15, 2023, the Task Force shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action. The Task Force's report may take the form of draft legislation.

(f) Meetings.

(1) The Office of Legislative Operations shall call the first meeting of the Committee to occur on or before September 15, 2022.

(2) The Task Force 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 30, 2023.

(g) Compensation and reimbursement. 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.

(h) Appropriation. The sum of \$200,000.00 is appropriated to the General Assembly from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds in fiscal year 2023 for per diem compensation and reimbursement of expenses for members of the Task Force and for expenses related to modeling and actuarial projections.

* * * Unemployment Insurance Benefits * * *

Sec. 55d. FINDINGS

The General Assembly finds that:

(1) The COVID-19 pandemic caused significant disruption to Vermont's economy and resulted in unprecedented levels of unemployment.

(2) Unemployment insurance benefits provide only partial wage replacement, making it hard for unemployed individuals to afford basic necessities and living expenses.

(3) Significant inflation caused by supply chain, economic, and

workforce disruptions related to the COVID-19 pandemic are making it increasingly difficult for unemployed individuals to afford basic necessities and living expenses.

(4) Temporarily increasing the weekly unemployment insurance benefit amount for unemployed individuals will help to mitigate the impact of the COVID-19 pandemic on the unemployed individuals' ability to afford basic necessities and living expenses.

(5) The General Assembly previously enacted a \$25.00 supplemental increase to the weekly unemployment insurance benefit amount in 2021 Acts and Resolves No. 51, Sec. 11. However, the terms of that supplemental increase did not conform to federal requirements, and it never took effect. Enacting a supplemental \$25.00 weekly unemployment insurance benefit that will later be replaced by a temporary \$25.00 increase in the weekly unemployment insurance benefit amount will fulfill the commitment made by the General Assembly in 2021 Acts and Resolves No. 51, Sec. 11.

Sec. 55e. 2021 Acts and Resolves No. 51, Sec. 17(a)(4) is amended to read:

(4) Sec. 12 (repeal of supplemental weekly benefit) shall take effect upon the payment of a cumulative total of \$100,000,000.00 in supplemental benefits pursuant to 21 V.S.A. § 1338(e)(2) on October 7, 2021 and shall apply prospectively to all benefit payments in the next week and each subsequent week.

Sec. 55f. 21 V.S.A. § 1341 is added to read:

§ 1341. UNEMPLOYMENT INSURANCE COVID-19 SUPPLEMENTAL BENEFIT

(a) Beginning on July 1, 2022, in addition to the amount of regular unemployment insurance benefits provided pursuant to section 1338 of this title, each individual who qualifies for benefits pursuant to the provisions of this chapter shall receive a separate supplemental benefit of \$25.00 each week.

(b) Benefits provided pursuant to this section shall be paid from the Unemployment Insurance COVID-19 Supplemental Benefit Special Fund established pursuant to section 1342 of this chapter.

Sec. 55g. 21 V.S.A. § 1342 is added to read:

§ 1342. UNEMPLOYMENT INSURANCE COVID-19 SUPPLEMENTAL BENEFIT SPECIAL FUND

There is established the Unemployment Insurance COVID-19 Supplemental Benefit Special Fund, which shall be managed in accordance with 32 V.S.A. chapter 7, subchapter 5. The Fund shall consist of any amounts appropriated

to the Fund. The Commissioner may seek and accept grants from any source, public or private, to be dedicated for deposit into the Special Fund. The Commissioner shall use the Fund to provide the Supplemental Benefit established pursuant to section 1341 of this chapter and to pay all necessary costs associated with the administration of the Supplemental Benefit and of the Fund.

Sec. 55h. APPROPRIATION

\$8,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Unemployment Insurance COVID-19 Supplemental Benefit Special Fund established pursuant to 21 V.S.A. § 1342. Not more than five percent of the amount appropriated may be used for administrative costs related to the implementation and payment of the Unemployment Insurance COVID-19 Supplemental Benefit established pursuant to 21 V.S.A. § 1341.

Sec. 55i. REPEALS

21 V.S.A. § 1341 (Unemployment Insurance COVID-19 Supplemental Benefit) and 21 V.S.A. § 1342 (Unemployment Insurance COVID-19 Supplemental Benefit Special Fund) are repealed on July 1, 2024.

Sec. 55j. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(e) An individual's weekly benefit amount shall be determined by dividing the individual's two high quarter total subject wages required under subdivision (d)(1) of this section by 45 and adding \$25.00 to the resulting quotient, provided that the weekly benefit amount so determined shall not exceed the maximum weekly benefit amount computed pursuant to subsection (f) of this section.

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to the sum of \$25.00 plus 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

* * *

Sec. 55k. MODIFICATION OF UNEMPLOYMENT INSURANCE
MAINFRAME CODE; ANNUAL REPORT; INDEPENDENT
VERIFICATION

(a)(1) The Commissioner of Labor shall develop and implement changes to the unemployment insurance mainframe software or develop a modernized

information technology system necessary to implement on January 1, 2025 the changes to the unemployment insurance weekly benefit amount enacted pursuant to Sec. 14j of this act. The changes to the mainframe or the modernized information technology system, as applicable, shall be developed and implemented in a manner that minimizes risk to the operation of the mainframe and the functions of the unemployment insurance program.

(2) The Commissioner of Labor and the Secretary of Digital Services shall, to the greatest extent possible, plan and carry out the development and implementation of a modernized information technology system for the unemployment insurance program so that the modernized system is available in time to implement on January 1, 2025 the changes to the unemployment insurance weekly benefit amount enacted pursuant to Sec. 14j of this act.

(b) The Commissioner of Labor shall, on or before January 15, 2023 and January 15, 2024, submit a written report to the House Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, and the Legislative Information Technology Consultant retained by the Joint Fiscal Office detailing the actions taken and progress made in carrying out the requirements of subsection (a) of this section, the anticipated timeline for being able to implement the changes to the unemployment insurance weekly benefit amount enacted pursuant to Sec. 14j of this act, and potential implementation risks identified during the development process.

(c) The Legislative Information Technology Consultant shall, on or before February 15, 2023 and February 15, 2024, submit to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs a review of the report submitted pursuant to subsection (b) of this section. The review shall include an assessment of whether the Department of Labor will be able to implement the changes to the unemployment insurance weekly benefit amount enacted pursuant to Sec. 14j of this act by January 1, 2025 and shall identify any potential risks or concerns related to implementation that are not addressed in the Commissioner's report.

Sec. 55l. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(e) An individual's weekly benefit amount shall be determined by dividing the individual's two high quarter total subject wages required under subdivision (d)(1) of this section by 45 ~~and adding \$25.00 to the resulting quotient~~, provided that the weekly benefit amount so determined shall not

exceed the maximum weekly benefit amount computed pursuant to subsection (f) of this section.

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to ~~the sum of~~ \$25.00 plus 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

* * *

* * * Appropriations * * *

Sec. 56. APPROPRIATIONS

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

(b) Recruitment and marketing. In fiscal year 2023, the following amounts are appropriated from the sources, to the recipients, and for the purposes specified:

(1) Worker recruitment. The amount of \$6,000,000.00 is appropriated from the General Fund to the Agency of Commerce and Community Development for worker recruitment activities and for the relocated and remote worker program.

(2) Tourism and marketing; relocation. In fiscal year 2023, the following amounts are appropriated from the General Fund to the Department of Tourism and Marketing, which the Department shall expend over two years:

(A) \$1,200,000.00 to support a regional relocation network; and

(B) \$3,000,000.00 for marketing and promotion.

(c) COVID economic support. In fiscal year 2022, the amount of \$20,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds as follows:

(1) VEDA Short-Term Forgivable Loan Program. \$15,000,000.00 to the Vermont Economic Development Authority for the VEDA Short-Term Forgivable Loan Program.

(2) Creative economy grants. \$5,000,000.00 to the Vermont Arts Council to provide grants for monthly operating costs, including rent, mortgage, utilities, and insurance, to creative economy businesses and

nonprofits that have sustained substantial losses due to the pandemic.

(d) Downtown development. Of the amounts appropriated to the Agency of Commerce and Community Development in fiscal year 2023 for the Better Places Program, Think Vermont initiative, or other programs that promote downtown development, the Agency may allocate not more than \$485,000.00 to provide funding to one or more nonprofit organizations that sponsor a downtown designation to:

(1) expand the ability of the downtown organizations to educate, guide, and partner with businesses, nonprofits, and community organizations to strengthen downtown models and leverage State funding to incentivize broader participation;

(2) support marketing, content development, and increased digital reach for downtown organizations, individually and collectively; and

(3) support communication within the coordinated effort of these State-mandated organizations to leverage successes.

(e) Community-based economic development. It is the intent of the General Assembly that up to \$11,000,000.00 of funding be provided in fiscal year 2023 in other legislation for the following community-based economic development initiatives:

(1) the Department of Forests, Parks and Recreation Vermont Outdoor Recreation Economic Collaborative (VOREC) Community Grant Program; and

(2) the Department of Economic Development grant program for remediation and redevelopment of brownfield sites.

* * * Sports Betting Study Committee * * *

Sec. 57. SPORTS BETTING; FINDINGS

The General Assembly finds that:

(1) An estimated 28 percent of adults in the United States bet on sports and 46 percent of adults say that they have an interest in betting on sports.

(2) Based on current participation rates and expected growth, it is estimated that Vermont could generate from \$640,000.00 to \$4.8 million in the first year of sports betting revenue taxes and \$1.3 million to \$10.3 million in the second year, depending on the regulatory model chosen by the General Assembly.

(3) As of March 2022, 31 states and the District of Columbia have some form of active legal sports betting operations while an additional three states

have enacted laws or adopted ballot measures to permit legal sports betting.

(4) Legislation has also been introduced in at least 14 of the states without a legal sports betting market, including Vermont, to legalize, regulate, and tax sports betting.

(5) Given the widespread participation in sports betting, the General Assembly finds that careful examination of whether and how best to regulate sports betting in Vermont and protect Vermonters involved in sports betting is necessary.

Sec. 57a. SPORTS BETTING; STUDY COMMITTEE; REPORT

(a) Creation. There is created the Sports Betting Study Committee to examine whether and how to regulate sports betting in Vermont.

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

(1) the Attorney General or designee;

(2) the Commissioner of Liquor and Lottery or designee;

(3) the Commissioner of Taxes or designee;

(4) the Secretary of State or designee;

(5) the Secretary of Commerce and Community Development or designee;

(6) two current members of the Senate, who shall be appointed by the Committee on Committees; and

(7) two current members of the House, who shall be appointed by the Speaker of the House.

(c) Powers and duties. The Study Committee shall examine the sports betting study conducted by the Office of Legislative Counsel and Joint Fiscal Office and shall study various models for legalizing, taxing, and regulating sports betting, including the following issues:

(1) studies carried out by other states concerning the legalization, taxation, and regulation of sports betting;

(2) laws enacted by other states to legalize, tax, and regulate sports betting;

(3) potential models for legalizing and regulating sports betting in Vermont, including any advantages or drawbacks to each model;

(4) potential models for legalizing and regulating online sports betting, including any advantages or drawbacks to each model;

(5) potential tax and fee structures for sports betting activities;

(6) potential restrictions or limitations on the types of sports that may be bet on, including whether and to what extent restrictions should be imposed with respect to the participant age, amateur status, and location of sporting events that may be bet on; and

(7) potential impacts on various socioeconomic and demographic groups and on problem gambling and the resources necessary to address the identified impacts.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Council and the Joint Fiscal Office.

(e) Report. On or before December 15, 2022, the Study Committee shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs with its findings, recommendations for legislative action, and a draft of proposed legislation.

(f) Meetings.

(1) The Attorney General or designee shall call the first meeting of the Committee to occur on or before September 1, 2022.

(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 Committee shall cease to exist on December 30, 2022.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee serving in their capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than four meetings. These payments shall be made from monies appropriated to the General Assembly.

* * * SALT Deduction Cap Work-Around * * *

Sec. 58. 32 V.S.A. chapter 151, subchapter 10C is added to read:

Subchapter 10C. Elective Pass-Through Entity Business Income Tax

§ 5921a. DEFINITIONS

As used in this subchapter:

(1) “Distributive proceeds” means the net income, dividends, royalties,

interest, rents, guaranteed payments, and gains of a pass-through entity derived from or connected with sources within the State.

(2) “Member” means a member of a limited liability company; a partner in a general, limited, or limited liability partnership; or a shareholder of an S corporation, provided the member is a natural person.

(3) “Pass-through entity” means a limited liability company, a partnership, or an S corporation.

(4) “Pass-through entity business income tax” means the tax imposed under this subchapter.

(5) “Share of distributive proceeds” means the portion of distributive proceeds attributable to a member of a pass-through entity during a taxable year.

§ 5921b. PASS-THROUGH ENTITY BUSINESS INCOME TAX;
ELECTION

(a) A pass-through entity may elect to be liable for and pay a pass-through entity business income tax during the taxable year, provided:

(1) at least one member of the entity is liable for income tax under this chapter on that member’s share of distributive proceeds of the pass-through entity during a taxable year;

(2) each member of the pass-through entity is a natural person and no member is a C corporation or a pass-through entity; and

(3) consent is given by:

(A) each member of the electing entity who is a member at the time the election is filed; or

(B) any officer, manager, or member of the electing entity who is authorized, under law or the entity’s organizational documents, to make the election and who represents having such authority under penalties of perjury.

(b) The tax imposed on a pass-through entity under this section shall be equal to the sum of each member’s share of taxable distributive proceeds attributable to the pass-through entity for the taxable year, multiplied by the second-highest marginal tax rate in section 5822 of this chapter.

(c) The election under this section shall be made annually, on or before the due date for filing the entity’s return as established by the Commissioner, and shall not apply retroactively. An election made under this section shall be binding on all members of the pass-through entity for the year in which the election is made. If the members decide to revoke an election, that revocation

shall occur on or before the due date for filing the entity's return.

(d) Each pass-through entity that makes an election for a taxable year under this section shall annually report to each of its members the member's share of distributive proceeds for the taxable year.

(e) Each pass-through entity that makes an election for a taxable year under this section shall file an entity tax return and make payments on or before the 15th day of the third month following the close of each entity's taxable year as determined for federal income tax purposes. A pass-through entity shall make estimated entity tax payments as provided under subchapters 10A and 10B of this chapter except that a pass-through entity shall make the estimated entity tax payments for residents and nonresidents alike.

(f) A member of a pass-through entity shall not be liable for the individual income tax imposed under section 5822 of this chapter and shall not be required to file an individual income tax return as prescribed under section 5861 of this chapter, provided:

(1) the member is a nonresident of this State; and

(2) the member's only Vermont income during the taxable year is derived from a pass-through entity that has paid the tax imposed under this section on the member's Vermont income.

§ 5921c. REFUNDABLE INCOME TAX CREDIT; INDIVIDUAL
MEMBERS OF PASS-THROUGH ENTITIES

An individual taxpayer of this State shall be entitled to a refundable credit against the income tax paid under this chapter for the taxable year, provided the individual is a member of a pass-through entity that elects under section 5921b of this chapter to be liable for and pay the pass-through entity business income tax during the taxable year. For each pass-through entity of which the individual is a member, the amount of the credit shall equal 90 percent of the individual's pro rata share of the tax paid under section 5921b of this chapter for the taxable year, and that credit shall be available to the member during the same taxable year. The credit under this section shall be available after the application of all other credits allowed by law and claimed by the individual during the taxable year.

Sec. 58a. 32 V.S.A. § 5825 is amended to read:

§ 5825. CREDIT FOR TAXES PAID TO OTHER STATES AND
PROVINCES

* * *

(c) The credit claimed under this section shall include an amount of the tax

paid to another state that imposes a tax on the distributive proceeds of a pass-through entity, provided the other state's tax is substantially similar to the pass-through entity business income tax imposed under subchapter 10C of this chapter. The nonrefundable credit under this subsection shall equal 90 percent of the taxpayer's pro rata share of tax paid to another state, provided the amount of the credit does not exceed the amount of pass-through entity business income tax owed or that would have been owed if the pro rata share of tax paid were subject to the pass-through entity business income tax under subchapter 10C of this chapter. As used in this subsection, "distributive proceeds" and "pass-through entity" shall have the same meanings as under section 5921a of this chapter.

Sec. 58b. CONSENSUS ESTIMATE; REPORT; SALT DEDUCTION CAP
WORK-AROUND

The Commissioner of Taxes, in consultation with the Joint Fiscal Office, shall conduct a fiscal analysis and reach a consensus estimate of the revenue impact to this State of the elective pass-through entity business income tax and credits created under this act. On or before January 15, 2023, the Commissioner and the Joint Fiscal Office shall submit a written report to the House Committees on Commerce and Economic Development and on Ways and Means and the Senate Committees on Economic Development, Housing and General Affairs and on Finance detailing the consensus estimate conducted under this section, including whether the consensus estimate demonstrates that the tax and credits created under this act are projected to have a neutral or positive impact on the revenues of this State.

* * * Downtown Tax Credits * * *

Sec. 59. 32 V.S.A. § 5930ee is amended to read:

§ 5930ee. LIMITATIONS

Beginning in fiscal year ~~2010~~ 2023 and thereafter, the State Board may award tax credits to all qualified applicants under this subchapter, provided that:

(1) the total amount of tax credits awarded annually, together with sales tax reallocated under section 9819 of this title, does not exceed \$3,000,000.00 \$4,350,000.00 with up to \$1,000,000.00 awarded to qualified projects in neighborhood development areas;

* * *

Sec. 59a. 32 V.S.A. § 5930ee is amended to read:

§ 5930ee. LIMITATIONS

Beginning in fiscal year ~~2023~~ 2025 and thereafter, the State Board may award tax credits to all qualified applicants under this subchapter, provided that:

(1) the total amount of tax credits awarded annually, together with sales tax reallocated under section 9819 of this title, does not exceed ~~\$4,350,000.00 with up to \$1,000,000.00 awarded to qualified projects in neighborhood development areas~~ \$3,000,000.00;

* * *

Sec. 59b. FY 2024 DOWNTOWN AND VILLAGE CENTER TAX CREDIT PROGRAM OFFSET

In fiscal year 2023, the amount of \$1,350,000.00 shall be carried forward within the General Fund to be available in fiscal year 2024 to provide onetime increased fiscal capacity for the Downtown and Village Center Tax Credit Program.

Sec. 60. 9 V.S.A. § 2464e is added to read:

§ 2464e. ROBOCALLS; PROHIBITION; PENALTY

(a) Intent. It is the intent of the General Assembly in adopting this section:

(1) to create a State law prohibition on the use of automatic telephone dialing systems and on the placement of robocalls to Vermont consumers that is coextensive with the federal limitations created in the Telephone Consumer Protection Act and the Telemarketing and Consumer Fraud and Abuse Prevention Act; and

(2) to continue to permit certain robocalls to the extent they are allowed under federal law, including:

(A) calls made for an emergency purpose;

(B) calls made with the prior express written consent of the called party;

(C) calls conveying messages that are purely informational;

(D) calls concerning the collection of a debt but not including calls that attempt to sell consumers services to reduce debt;

(E) political calls;

(F) calls from health care providers; and

(G) messages from charities, provided that if the call originates from a person whom the charity hires to make a call on the charity's behalf, the call may only go to members of the charity or prior donors, and provided further that such callers include an automated option to allow a consumer to stop future calls.

(b) Definitions. As used in this section, "automatic telephone dialing system" means equipment that has the capacity:

(1) to store or produce telephone numbers to be called, using a random or sequential number generator; and

(2) to dial such numbers.

(c) Prohibition. A person shall not initiate a telephone call to a Vermont consumer using an automatic telephone dialing system or an artificial or prerecorded voice in violation of the federal Telephone Consumer Protection Act, 47 U.S.C. § 227, or the federal Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. §§ 6101–6108, and the regulations adopted pursuant to those laws.

(d) Civil violation.

(1) A violation of this section constitutes a violation of section 2453 of this title.

(2) Each prohibited telephone call constitutes a separate violation under this subsection.

(3)(A) A person who receives a telephone call in violation of this section may bring an action in Superior Court for damages or a civil penalty, injunctive relief, punitive damages in the case of a willful violation, and reasonable costs and attorney's fees.

(B) The court may issue an award for the greater of a person's damages or a civil penalty of \$500.00 for a first violation and \$1,000.00 for each subsequent violation.

(e) Criminal penalties.

(1) A person who violates this section shall be imprisoned for not more than 90 days or fined not more than \$1,000.00 per violation, or both.

(2) Each telephone call constitutes a separate violation under this subsection.

(f) The Attorney General shall exercise his or her authority and discretion to work cooperatively with other state and federal government entities to identify callers who initiate robocalls to consumers in violation of this section

and to enforce the provisions of this section regardless of the location of the caller.

Sec. 61. EFFECTIVE DATES

(a) This act shall take effect on July 1, 2022, except as otherwise provided in this section.

(b) Sec. 30 (18 V.S.A. § 9456) shall take effect on January 1, 2023 and shall apply to hospital fiscal years 2024 and after.

Pending the question, Shall the House concur in the Senate proposal of amendment to the House proposal of amendment?, **Rep. Kimbell of Woodstock** moved that the House refuse to concur and ask for a Committee of Conference, which was agreed to, and the Speaker appointed as members of the Committee of Conference on the part of the House:

Rep. Marcotte of Coventry
Rep. Kimbell of Woodstock
Rep. Jerome of Brandon

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the House's actions on the bill were ordered messaged to the Senate forthwith.

**Amendment to House Proposal of Amendment Offered;
Bill Committed**

S. 281

Senate bill, entitled

An act relating to hunting coyotes with dogs

Was taken up and, pending third reading of the bill, **Rep. Till of Jericho** moved to amend the House's proposal of amendment as follows:

By striking out Sec. 4, effective dates, in its entirety and inserting in lieu thereof the following:

Sec. 4. 13 V.S.A. § 4010 is amended to read:

§ 4010. GUN SUPPRESSORS

(a) As used in this section:

(1) "Gun suppressor" means any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or

fabricating a gun suppressor, and any part intended only for use in such assembly or fabrication.

(2) “Sport shooting range” shall have the same meaning as used in 10 V.S.A. § 5227(a).

(b) A person shall not manufacture, make, or import a gun suppressor, except for:

(1) a licensed manufacturer, as defined in 18 U.S.C. § 921, who is registered as a manufacturer pursuant to 26 U.S.C. § 5802;

(2) a licensed importer, as defined in 18 U.S.C. § 921, who is registered as an importer pursuant to 26 U.S.C. § 5802; or

(3) a person who makes a gun suppressor in compliance with the requirements of 26 U.S.C. § 5822.

(c) A person shall not use a gun suppressor in the State, except for use by:

(1) a Level III certified law enforcement officer or Department of Fish and Wildlife employee in connection with ~~his or her~~ the officer’s or employee’s duties and responsibilities and in accordance with the policies and procedures of that officer’s or employee’s agency or department;

(2) the Vermont National Guard in connection with its duties and responsibilities;

(3) a licensed manufacturer or a licensed importer, as defined in 18 U.S.C. § 921, who is also registered as a manufacturer or an importer pursuant to 26 U.S.C. § 5802, who in the ordinary course of ~~his or her~~ the manufacturer’s or importer’s business as a manufacturer or as an importer tests the operation of the gun suppressor; ~~or~~

(4) a person lawfully using a sport shooting range; or

(5) a person taking game as authorized under 10 V.S.A. § 4701.

(d)(1) A person who violates subsection (b) of this section shall be fined not less than \$500.00 for each offense.

(2) A person who violates subsection (c) of this section shall be fined \$50.00 for each offense.

Sec. 5. 10 V.S.A. § 4701 is amended to read:

§ 4701. USE OF GUN, BOW AND ARROW, AND CROSSBOW; LEGAL DAY; DOGS

(a) Unless otherwise provided by statute, a person shall not take game except with:

- (1) a gun fired at arm's length;
- (2) a bow and arrow; or
- (3) a crossbow as authorized by the rules of the Board.

(b) A person shall not take game between one-half hour after sunset and one-half hour before sunrise unless otherwise provided by statute or by the rules of the Board.

(c) A person may take game and fur-bearing animals during the open season therefor, with the aid of a dog, unless otherwise prohibited by statute or by the rules of the Board.

(d) A person taking game with a gun may possess, carry, or use a gun suppressor in the act of taking game.

Sec. 6. 10 V.S.A. § 4704 is amended to read:

§ 4704. USE OF MACHINE GUNS, AND AUTOLOADING RIFLES, ~~AND~~
GUN SUPPRESSORS

(a) A person engaged in hunting for wild animals shall not use, carry, or have in ~~his or her~~ the person's possession:

- (1) a machine gun of any kind or description; or
- (2) an autoloading rifle with a magazine capacity of over six cartridges, except a .22 caliber rifle using rim fire cartridges; ~~or~~
- ~~(3) a gun suppressor.~~

~~(b) As used in this section, "gun suppressor" means any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a gun suppressor, and any part intended only for use in such assembly or fabrication. [Repealed.]~~

Sec. 7. 10 V.S.A. § 4001 is amended to read:

§ 4001. DEFINITIONS

Words and phrases used in this part, unless otherwise provided, shall be construed to mean as follows:

* * *

(9) Game: game birds or game quadrupeds, or both.

(10) Game birds: quail, partridge, woodcock, pheasant, plover of any kind, Wilson snipe, other shore birds, rail, coot, gallinule, wild ducks, wild geese, and wild turkey.

* * *

(15) Wild animals or wildlife: all animals, including birds, fish, amphibians, and reptiles, other than domestic animals, domestic fowl, or domestic pets.

* * *

(23) Take and taking: pursuing, shooting, hunting, killing, capturing, trapping, snaring, and netting fish, birds, and quadrupeds and all lesser acts, such as disturbing, harrying, worrying, or wounding or placing, setting, drawing, or using any net or other device commonly used to take fish or wild animals, whether they result in the taking or not; and shall include every attempt to take and every act of assistance to every other person in taking or attempting to take fish or wild animals, provided that when taking is allowed by law, reference is had to taking by lawful means and in a lawful manner.

* * *

(41) Gun suppressor: any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a gun suppressor, and any part intended only for use in such assembly or fabrication.

Sec. 8. EFFECTIVE DATES

(a) This section and Sec. 3 (Fish and Wildlife Board rules) shall take effect on passage.

(b) Secs. 2 (moratorium on hunting coyote with aid of dogs) and 4–7 (gun suppressors) shall take effect on July 1, 2022.

(c) Sec. 1 (permit requirement and prohibition on pursuing coyote with aid of dogs) shall take effect on the effective date of the Fish and Wildlife Board rules required under Sec. 3 of this act.

Pending the question, Shall the House proposal of amendment be amended as offered by Rep. Till of Jericho?, **Rep. Till of Jericho** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. Thereupon, **Rep. Cina of Burlington** moved to commit the bill to the Committee on Judiciary.

Pending the question, Shall the bill be committed to the Committee on Judiciary?, **Rep. McCoy of Poultney** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to

call the roll and the question, Shall the bill be committed to the Committee on Judiciary?, was decided in the affirmative. Yeas, 89. Nays, 49.

Those who voted in the affirmative are:

Anthony of Barre City	Emmons of Springfield	Pajala of Londonderry
Arrison of Weathersfield	Gannon of Wilmington	Partridge of Windham
Austin of Colchester	Garofano of Essex	Patt of Worcester
Bartholomew of Hartland	Goldman of Rockingham	Pearl of Danville
Birong of Vergennes	Grad of Moretown	Pugh of South Burlington
Black of Essex	Hooper of Montpelier	Rachelson of Burlington
Bluemle of Burlington	Houghton of Essex	Rogers of Waterville
Bongartz of Manchester	Howard of Rutland City	Scheu of Middlebury
Bos-Lun of Westminster	James of Manchester	Sheldon of Middlebury
Brady of Williston	Jerome of Brandon	Sibilia of Dover
Briglin of Thetford	Jessup of Middlesex	Sims of Craftsbury
Brown of Richmond	Killackey of South Burlington	Small of Winooski
Brownell of Pownal	Kimbell of Woodstock	Squirrell of Underhill
Brumsted of Shelburne	Kitzmiller of Montpelier	Stebbins of Burlington
Burke of Brattleboro	LaLonde of South	Stevens of Waterbury
Burrows of West Windsor	Burlington	Sullivan of Dorset
Campbell of St. Johnsbury	Lanpher of Vergennes	Surprenant of Barnard
Chase of Colchester	Leffler of Enosburgh	Till of Jericho
Cina of Burlington	Lippert of Hinesburg	Toleno of Brattleboro
Coffey of Guilford	Long of Newfane	Townsend of South
Colburn of Burlington	Masland of Thetford	Burlington
Colston of Winooski	McCarthy of St. Albans City	Troiano of Stannard
Conlon of Cornwall	McCormack of Burlington	Vyhovsky of Essex
Copeland Hanzas of	Mrowicki of Putney	Walz of Barre City
Bradford	Mulvaney-Stanak of	Webb of Shelburne
Corcoran of Bennington	Burlington	White of Hartford
Cordes of Lincoln	Nicoll of Ludlow	Whitman of Bennington
Dolan of Essex	Nigro of Bennington	Wood of Waterbury
Dolan of Waitsfield	Notte of Rutland City	Yacovone of Morristown
Donnally of Hyde Park	Noyes of Wolcott	
Durfee of Shaftsbury	O'Brien of Tunbridge	
Elder of Starksboro	Ode of Burlington	

Those who voted in the negative are:

Achey of Middletown	Higley of Lowell	Murphy of Fairfax
Springs	Hooper of Randolph	Norris of Sheldon
Beck of St. Johnsbury	Kascenska of Burke	Norris of Shoreham
Brennan of Colchester	Labor of Morgan	Page of Newport City
Burditt of West Rutland	LaClair of Barre Town	Parsons of Newbury
Canfield of Fair Haven	Laroche of Franklin	Peterson of Clarendon
Cupoli of Rutland City	Lefebvre of Newark	Rosenquist of Georgia
Dickinson of St. Albans	Lefebvre of Orange	Scheuermann of Stowe
Town	Marcotte of Coventry	Shaw of Pittsford
Donahue of Northfield	Mattos of Milton	Smith of Derby
Fagan of Rutland City	McCoy of Poultney	Strong of Albany

Feltus of Lyndon	McCullough of Williston	Taylor of Colchester
Goslant of Northfield	McFaun of Barre Town	Terenzini of Rutland Town
Graham of Williamstown	Morgan, L. of Milton	Toof of St. Albans Town
Hango of Berkshire	Morgan, M. of Milton	Walker of Swanton
Harrison of Chittenden	Morris of Springfield	Williams of Granby
Helm of Fair Haven	Morrissey of Bennington	Yantachka of Charlotte

Those members absent with leave of the House and not voting are:

Ancel of Calais	Hooper of Burlington	Satcowitz of Randolph
Bock of Chester	Kornheiser of Brattleboro	Smith of New Haven
Christie of Hartford	Martel of Waterford	White of Bethel
Gregoire of Fairfield	Palasik of Milton	

Rules Suspended; Bills Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House actions on the following bills were ordered messaged to the Senate forthwith:

H. 742

House bill, entitled

An act relating to approval of amendments to the charter of the Town of Milton

H. 745

House bill, entitled

An act relating to the approval of the adoption of the charter of the Town of Montgomery

H. 746

House bill, entitled

An act relating to an amendment to the charter of the City of Burlington

S. 90

Senate bill, entitled

An act relating to establishing an amyotrophic lateral sclerosis registry

S. 122

Senate bill, entitled

An act relating to the required votes of presidential electors

S. 148

Senate bill, entitled

An act relating to environmental justice in Vermont

S. 161

Senate bill, entitled

An act relating to extending the baseload renewable power portfolio requirement

S. 188

Senate bill, entitled

An act relating to regulating licensed small cannabis cultivation as farming

S. 258

Senate bill, entitled

An act relating to agricultural water quality, enforcement, and dairy farming

S. 261

Senate bill, entitled

An act relating to municipal retention of property tax collections

S. 269

Senate bill, entitled

An act relating to extending the Energy Savings Account Partnership Pilot Program

S. 283

Senate bill, entitled

An act relating to miscellaneous changes to education laws

Message from the Senate No. 66

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

Pursuant to the request of the House for a Committee of Conference on the disagreeing votes of the two Houses on Senate bill entitled:

S. 11. An act relating to prohibiting robocalls.

The President announced the appointment as members of such Committee on the part of the Senate:

Senator Sirotkin
Senator Clarkson
Senator Brock

Adjournment

At four o'clock and nine minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at one o'clock in the afternoon.

Thursday, May 5, 2022

At one o'clock in the afternoon Rep. Ann Pugh of South Burlington called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rep. Page of Newport City.

Ceremonial Reading

H.C.R. 103

House concurrent resolution congratulating the 2021 class of Eagle Scouts in the State of Vermont

Offered by: Representatives Fagan of Rutland City, Krowinski of Burlington, Achey of Middletown Springs, Anthony of Barre City, Arrison of Weathersfield, Austin of Colchester, Beck of St. Johnsbury, Birong of Vergennes, Black of Essex, Bongartz of Manchester, Brady of Williston, Brennan of Colchester, Briglin of Thetford, Brownell of Pownal, Brumsted of Shelburne, Burditt of West Rutland, Burke of Brattleboro, Canfield of Fair Haven, Chase of Colchester, Cina of Burlington, Coffey of Guilford, Conlon of Cornwall, Corcoran of Bennington, Cupoli of Rutland City, Dolan of Essex,

Dolan of Waitsfield, Donahue of Northfield, Durfee of Shaftsbury, Emmons of Springfield, Feltus of Lyndon, Garofano of Essex, Goslant of Northfield, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Helm of Fair Haven, Higley of Lowell, Houghton of Essex, Howard of Rutland City, James of Manchester, Jessup of Middlesex, Killackey of South Burlington, Labor of Morgan, LaClair of Barre Town, LaLonde of South Burlington, Lanpher of Vergennes, Lefebvre of Orange, Lippert of Hinesburg, Long of Newfane, Marcotte of Coventry, Martel of Waterford, Masland of Thetford, Mattos of Milton, McCoy of Poultney, McCullough of Williston, McFaun of Barre Town, Morgan, L. of Milton, Morgan, M. of Milton, Morris of Springfield, Morrissey of Bennington, Murphy of Fairfax, Nicoll of Ludlow, Nigro of Bennington, Norris of Shoreham, Notte of Rutland City, Noyes of Wolcott, Ode of Burlington, Page of Newport City, Palasik of Milton, Parsons of Newbury, Partridge of Windham, Patt of Worcester, Peterson of Clarendon, Rosenquist of Georgia, Scheuermann of Stowe, Shaw of Pittsford, Smith of Derby, Smith of New Haven, Squirrell of Underhill, Stebbins of Burlington, Stevens of Waterbury, Strong of Albany, Sullivan of Dorset, Taylor of Colchester, Till of Jericho, Toleno of Brattleboro, Townsend of South Burlington, Troiano of Stannard, Vyhovsky of Essex, Webb of Shelburne, White of Hartford, Whitman of Bennington, Williams of Granby, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte

Having been adopted in concurrence on Friday, February 11, 2022 in accord with Joint Rule 16b, was read.

Ceremonial Reading

H.C.R. 156

House concurrent resolution recognizing National Foster Care Month in Vermont

Offered by: All Members of the House

Having been adopted in concurrence on Friday, April 29, 2022 in accord with Joint Rule 16b, was read.

Rep. Krowinski of Burlington presiding.

Favorable Report; Second Reading; Third Reading Ordered**S. 139**

Rep. Brown of Richmond, for the Committee on Education, to which had been referred Senate bill, entitled

An act relating to nondiscriminatory school branding

Reported in favor of its passage in concurrence.

The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be read a third time?, **Rep. Mulvaney-Stanak of Burlington** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be read a third time?, was decided in the affirmative. Yeas, 96. Nays, 47.

Those who voted in the affirmative are:

Ancel of Calais	Elder of Starksboro	Pajala of Londonderry
Anthony of Barre City	Emmons of Springfield	Patt of Worcester
Austin of Colchester	Gannon of Wilmington	Pearl of Danville
Bartholomew of Hartland	Garofano of Essex *	Pugh of South Burlington
Birong of Vergennes	Goldman of Rockingham	Rachelson of Burlington
Black of Essex	Grad of Moretown	Rogers of Waterville
Bluemle of Burlington	Hooper of Randolph	Satcowitz of Randolph
Bock of Chester	Hooper of Burlington	Scheu of Middlebury
Bongartz of Manchester	Houghton of Essex	Sheldon of Middlebury
Bos-Lun of Westminster	Howard of Rutland City	Sibilia of Dover
Brady of Williston	James of Manchester	Sims of Craftsbury
Briglin of Thetford	Jerome of Brandon	Small of Winooski
Brown of Richmond	Kascenska of Burke	Squirrell of Underhill
Brownell of Pownal	Killacky of South Burlington	Stebbins of Burlington
Brumsted of Shelburne	Kimbell of Woodstock	Stevens of Waterbury
Burke of Brattleboro	Kornheiser of Brattleboro	Sullivan of Dorset
Burrows of West Windsor	LaLonde of South	Surprenant of Barnard
Campbell of St. Johnsbury	Burlington	Taylor of Colchester
Chase of Colchester	Lanpher of Vergennes	Till of Jericho
Christie of Hartford	Lippert of Hinesburg	Toleno of Brattleboro
Cina of Burlington	Long of Newfane	Townsend of South
Coffey of Guilford	Masland of Thetford	Burlington
Colburn of Burlington	McCarthy of St. Albans City	Troiano of Stannard
Colston of Winooski	McCormack of Burlington	Vyhovsky of Essex
Conlon of Cornwall	McCullough of Williston	Walz of Barre City
Copeland Hanzas of	Mrowicki of Putney	Webb of Shelburne
Bradford	Mulvaney-Stanak of	White of Bethel
Corcoran of Bennington	Burlington	White of Hartford
Cordes of Lincoln	Nicoll of Ludlow	Whitman of Bennington
Dolan of Essex	Nigro of Bennington	Wood of Waterbury

Dolan of Waitsfield	Notte of Rutland City	Yacovone of Morristown *
Donahue of Northfield	Noyes of Wolcott	Yantachka of Charlotte
Donnally of Hyde Park	O'Brien of Tunbridge	
Durfee of Shaftsbury	Ode of Burlington	

Those who voted in the negative are:

Achey of Middletown	Higley of Lowell	Norris of Sheldon
Springs	Labor of Morgan	Norris of Shoreham
Arrison of Weathersfield *	LaClair of Barre Town	Page of Newport City
Beck of St. Johnsbury	Laroche of Franklin	Palasik of Milton
Brennan of Colchester	Lefebvre of Newark	Parsons of Newbury
Burditt of West Rutland	Lefebvre of Orange	Peterson of Clarendon
Canfield of Fair Haven	Leffler of Enosburgh	Rosenquist of Georgia
Cupoli of Rutland City	Marcotte of Coventry	Scheuermann of Stowe *
Dickinson of St. Albans	Martel of Waterford	Shaw of Pittsford
Town	Mattos of Milton	Smith of Derby
Feltus of Lyndon	McCoy of Poultney	Strong of Albany
Goslant of Northfield	McFaun of Barre Town	Terenzini of Rutland Town
Graham of Williamstown	Morgan, L. of Milton	Toof of St. Albans Town
Gregoire of Fairfield	Morgan, M. of Milton	Walker of Swanton
Hango of Berkshire	Morris of Springfield	Williams of Granby
Harrison of Chittenden	Morrissey of Bennington	
Helm of Fair Haven	Murphy of Fairfax	

Those members absent with leave of the House and not voting are:

Fagan of Rutland City	Jessup of Middlesex	Partridge of Windham
Hooper of Montpelier	Kitzmiller of Montpelier	Smith of New Haven

Rep. Arrison of Weathersfield explained his vote as follows:

“Madam Speaker:

Leave the decision at the local level. Engage the students, the school board, and the public. Use the opportunity as a learning tool. Legislation will only widen and split the community further.”

Rep. Garofano of Essex explained her vote as follows:

“Madam Speaker:

I voted yes because as a mother of a Black child in our public schools I have first-hand knowledge of racism in our schools. This bill takes an important step in ensuring my daughter, who has experienced racism in every school she has attended, will feel safer and protected in our public schools.”

Rep. Scheuermann of Stowe explained her vote as follows:

“Madam Speaker:

Once again, this body has ripped local control of - and local decision-making for - education from our local communities. From the Montpelier-centric funding of our education to its delivery; from decisions on what curriculum to offer to what kind of cleaning products to buy; from forcing proficiency-based learning and grading onto our schools to forcing the actual elimination of school districts; this body has decided over and over again that we know better than the local officials in our communities. And, we have done it again today. We know better than our local school boards, our local teachers, our local administrators, the parents and students of our communities. And, damn it, if they disagree with us, then we will just force it on them.”

Rep. Yacovone of Morristown explained his vote as follows:

“Madam Speaker:

This is a serious issue. Yet, I found myself sitting in amusement during the discussion. Some of those same champions of local control who plead with us to let the locals rule are the same people who recoil at charter changes despite overwhelming local support. Madam Speaker, our inconsistencies define us.”

Senate Proposal of Amendment Concurred in

H. 517

The Senate proposed to the House to amend House bill, entitled

An act relating to the Vermont National Guard Tuition Benefit Program

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

* * * Vermont National Guard Tuition Benefit Program * * *

Sec. 1. 16 V.S.A. § 2857 is amended to read:

§ 2857. VERMONT NATIONAL GUARD TUITION BENEFIT PROGRAM

(a) Program creation. The Vermont National Guard Tuition Benefit Program (Program) is created, under which a member of the Vermont National Guard (member) who meets the eligibility requirements in subsection (c) of this section is entitled to the following tuition benefit for up to full-time attendance:

(1) For courses at ~~either campus of the Northern Vermont University (NVU), the Vermont Technical College (VTC), the University of Vermont and~~

~~State Agricultural College (UVM), or at the Community College of Vermont (CCV) any Vermont State College institution or the University of Vermont and State Agricultural College (UVM),~~ the benefit shall be the in-state residence tuition rate for the relevant institution.

(2) For courses at a ~~Vermont State College, other than NVU, VTC, or CCV, or at~~ any eligible Vermont private postsecondary institution, the benefit shall be the in-state tuition rate charged by ~~NVU~~ UVM.

(3) For courses at an eligible training institution offering nondegree, certificate training, or continuing education programs, the benefit shall be the lower of the institution's standard tuition or the in-state tuition rate charged by ~~NVU~~ UVM.

* * *

(c) Eligibility.

(1) To be eligible for the Program, an individual, whether a resident or nonresident, shall satisfy all of the following requirements:

~~(1)(A)~~ be an active member of the Vermont National Guard;

~~(2)(B)~~ have successfully completed basic training;

~~(3)(C)~~ be enrolled at UVM, a Vermont State College, or any other college or university located in Vermont in a program that leads to an undergraduate certificate or degree or at an eligible training institution in a program that leads to a certificate or other credential recognized by VSAC;

~~(4)(D)~~ have not previously earned an undergraduate bachelor's degree;

~~(5)(E)~~ continually demonstrate satisfactory academic progress as determined by criteria established by the Vermont National Guard and VSAC, in consultation with the educational institution at which the individual is enrolled under the Program;

~~(6)(F)~~ have used available post-September 11, 2001 tuition benefits and other federally funded military tuition assistance; provided, however, that this subdivision shall not apply to:

~~(A)(i)~~ tuition benefits and other federally funded military tuition assistance for which the individual has not yet earned the full amount of the benefit or tuition;

~~(B)(ii)~~ Montgomery GI Bill benefits;

~~(C)(iii)~~ post-September 11, 2001 educational program housing allowances;

~~(D)(iv)~~ federal educational entitlements;

~~(E)~~(v) National Guard scholarship grants;

~~(F)~~(vi) loans under section 2856 of this title; and

~~(G)~~(vii) other nontuition benefits; and

~~(7)~~(G) have submitted a statement of good standing to VSAC signed by the individual's commanding officer within 30 days prior to the beginning of each semester.

(2) An individual may receive more than one undergraduate certificate or other credential recognized by VSAC under the Program, provided that the cost of all certificates and credentials received by the individual under the Program does not exceed the full-time in-state tuition rate charged by UVM for completion of an undergraduate baccalaureate degree.

* * *

Sec. 2. VERMONT NATIONAL GUARD TUITION BENEFIT
PROGRAM EXTENSION; MASTER'S DEGREE OR A SECOND
BACCALAUREATE DEGREE; PILOT

(a) The provisions of this section shall apply notwithstanding 16 V.S.A. § 2857.

(b) A National Guard member shall be eligible to pursue a second undergraduate baccalaureate degree under the Vermont National Guard Tuition Benefit Program, whether a resident or nonresident, if the individual received a first undergraduate baccalaureate degree that was not funded under the Program or any other State funding source designed exclusively for members of the Vermont National Guard.

(c)(1) A National Guard member shall be eligible to pursue a graduate degree under the Program, whether a resident or nonresident, if the individual agrees in the promissory note under 16 V.S.A. § 2857(b) to, upon receipt of the graduate degree and until the individual's service commitment under 16 V.S.A. § 2857(d) is satisfied, be employed full time in Vermont or, if unemployed, be actively seeking full-time employment in Vermont.

(2) An individual may pursue a graduate degree under the Program even if the individual has received an undergraduate baccalaureate degree under the Program.

(3) The Office of the Vermont Adjutant and Inspector General may terminate the tuition benefit provided to an individual who has earned a graduate degree under the Program for failure to satisfy the work requirement under subdivision (1) this subsection.

Sec. 3. REPEAL

Sec. 2 of this act is repealed on July 1, 2025.

* * * Education of Military Families * * *

Sec. 4. 16 V.S.A. § 1073 is amended to read:

§ 1073. “LEGAL PUPIL” DEFINED; ACCESS TO SCHOOL

* * *

(d) If one or both of a child’s parents or guardians are being relocated to the State under military orders, a school district shall allow registration of the student by mail, telephone, or electronically and shall not require the parent or legal guardian of the student or the student themselves to physically appear at a location within the district to register the student. Proof of required residency shall not be required at the time of the remote registration but shall be required within 10 days of the student’s attendance in the school district.

Sec. 5. 16 V.S.A. § 2185 is amended to read:

§ 2185. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

(a) The Board of Trustees shall adopt policies related to residency for tuition purposes, consistent with State and federal requirements.

(b) Any member of the U.S. Armed Forces on active duty who is transferred to Vermont for duty other than for the purpose of education shall, upon transfer and for the period of active duty served in Vermont, be considered a resident for in-state tuition purposes at the start of the next semester or academic period.

(c) The spouse and dependent child of any person who is a member of the U.S. Armed Forces and stationed in this State pursuant to military orders shall be entitled to be considered, upon taking up a residence in the State, a resident for in-state tuition purposes at the start of the next semester or academic period. The spouse or dependent child shall not lose classification as an in-state student if the spouse or dependent child continues to reside in the State and the member of the U.S. Armed Forces is transferred on military orders or retires. The spouse or dependent child shall lose this classification as an in-state student under this subsection if the spouse or dependent child no longer resides in the State and shall regain this classification upon again taking up a residency in the State only if the member of the U.S. Armed Forces is stationed in this State pursuant to military orders.

Sec. 6. 16 V.S.A. § 2282a is amended to read:

§ 2282a. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

(a) Enrollment at an institution for higher learning, or presence within the State for the purposes of attending an institution of higher learning, shall not by itself constitute residence for in-state tuition purposes or for the purpose of eligibility for assistance from the Vermont Student Assistance Corporation.

(b) Any member of the U.S. Armed Forces ~~of the United States~~ on active duty who is transferred to Vermont for duty other than for the purpose of education shall, upon transfer and for the period of active duty served in Vermont, be considered a resident for in-state tuition purposes at the start of the next semester or academic period.

(c) The spouse and dependent child of any person who is a member of the U.S. Armed Forces and stationed in this State pursuant to military orders shall be entitled to be considered, upon taking up a residence in the State, a resident for in-state tuition purposes at the start of the next semester or academic period. The spouse or dependent child shall not lose classification as an in-state student if the spouse or dependent child continues to reside in the State and the member of the U.S. Armed Forces is transferred on military orders or retires. The spouse or dependent child shall lose this classification as an in-state student under this subsection if the spouse or dependent child no longer resides in the State and shall regain this classification upon again taking up a residency in the State only if the member of the U.S. Armed Forces is stationed in this State pursuant to military orders.

* * * Purple Star School Programs * * *

Sec. 7. 16 V.S.A. § 568 is added to read:

§ 568. PURPLE STAR CAMPUS DESIGNATION

(a) As used in this section, “military-connected student” means a student who is a dependent of a current or former member of:

(1) the U.S. military serving in the Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard on active duty;

(2) the Vermont National Guard;

(3) a reserve force of the U.S. Armed Forces; or

(4) a member of a military or reserve force described in subdivision (1), (2), or (3) of this subsection who was killed in the line of duty.

(b) The Agency of Education shall designate a school district as a Purple Star Campus if the school district applies and qualifies for the designation under this section.

(c) To qualify as a Purple Star Campus, a school district shall:

(1) designate a staff member as a military liaison, whose duties include:

(A) identifying military-connected students enrolled in the district's schools;

(B) serving as the point of contact between the school district and military-connected students and their families;

(C) determining appropriate school services available to military-connected students; and

(D) assisting in coordinating school programs relevant to military-connected students;

(2) maintain within the school district an Internet website with an easily accessible web page that includes resources for military-connected students and their families, including information regarding:

(A) relocation to, enrollment at, registration at, and transferring records to the school district;

(B) academic planning, course sequences, and advanced classes available at the school district; and

(C) counseling and other support services available for military-connected students enrolled in the school district;

(3) maintain a transition program led by students, where appropriate, that assists military-connected students in transitioning into the school district;

(4) offer professional development for staff members on issues related to military-connected students; and

(5) offer at least one of the following initiatives:

(A) a resolution showing support for military-connected students and their families;

(B) recognition of the Month of the Military Child or Military Family Month with relevant events hosted by the school district; or

(C) a partnership with a local military installation that provides opportunities for active duty military members to volunteer with the school district, speak at an assembly, or host a field trip.

(d) To comply with the requirements under subdivisions (c)(2), (4), or (5)

of this section, a school district may partner with a third party to provide those services and initiatives.

* * * Eligibility for Election to Serve as Adjutant and Inspector General * * *

Sec. 8. 2 V.S.A. § 10 is amended to read:

§ 10. ELECTION OF STATE AND JUDICIAL OFFICERS

(a) At 10 o'clock and 30 minutes, forenoon, on the seventh Thursday after their biennial meeting and organization, the Senate and House of Representatives shall meet in joint assembly and proceed therein to elect the State officers, except judicial officers, whose election by the Constitution and laws devolves in the first instance upon them in joint assembly, including the Sergeant at Arms, ~~the Adjutant and Inspector General~~, and legislative trustees of the University of Vermont and State Agricultural College. In case election of all such officers shall not be made on that day, they shall meet in joint assembly at 10 o'clock and 30 minutes, forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election, until all such officers are elected.

* * *

(c) At 10 o'clock and 30 minutes, forenoon, on the seventh Thursday of the second year of the biennial session, the Senate and House of Representatives shall meet in joint assembly and proceed therein to elect the ~~legislative trustees of the Vermont State Colleges Corporation~~ State Officers, whose election by the Constitution and laws devolves in the first instance upon them in joint assembly, including the legislative trustees of the Vermont State Colleges Corporation and the Adjutant and Inspector General. In case election of all such ~~legislative trustees~~ officers shall not be made on that day, they shall meet in joint assembly at 10 o'clock and 30 minutes, forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election, until all such ~~legislative trustees~~ officers are elected.

Sec. 9. 20 V.S.A. § 363 is amended to read:

§ 363. OFFICERS GENERALLY

(a)(1) The General Assembly shall biennially elect an Adjutant and Inspector General for a term of two years.

* * *

(3) In order to be eligible for election to serve as Adjutant and Inspector General, an individual shall:

(A) have attained the rank of Colonel (O-6) or above;

(B) be a current member of the U.S. Army, the U.S. Air Force, the U.S. Army Reserve, the U.S. Air Force Reserve, the Army National Guard, or the Air National Guard or be eligible to return to active service in the Army National Guard or the Air National Guard;

(C) be a graduate of a Senior Service College; and

(D) be eligible for federal recognition.

* * *

Sec. 10. CURRENT TERM OF ADJUTANT AND INSPECTOR GENERAL

Notwithstanding any provision of law to the contrary, the term of the Adjutant and Inspector General in office on the effective date of this act shall end on March 1, 2024.

* * * Effective Date * * *

Sec. 11. EFFECTIVE DATE

This act shall take effect on passage.

And that after passage the title of the bill be amended to read:

An act relating to educational benefits for members of the military and their families and eligibility for election to serve as Adjutant and Inspector General.

Proposal of amendment was considered and concurred in.

Senate Proposal of Amendment Concurred in With a Further Amendment Thereto

H. 548

The Senate proposed to the House to amend House bill, entitled

An act relating to miscellaneous cannabis establishment procedures

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

Sec. 1. 7 V.S.A. § 861 is amended to read:

§ 861. DEFINITIONS

As used in this chapter:

* * *

(16) “Child-deterrent packaging” means tear-resistant packaging that can be sealed in a manner that would deter children under five years of age from easily accessing the contents of the package within a reasonable time and

not difficult for normal adults to use properly.

(17) “Child-resistant packaging” means packaging that is designed or constructed to be significantly difficult for children under five years of age to open or obtain a toxic or harmful amount of the substance in the container within a reasonable time and not difficult for normal adults to use properly; but does not mean packaging that all children under five years of age cannot open or obtain a toxic or harmful amount of the substance in the container within a reasonable time.

~~(17)~~(18) “Controls,” “is controlled by,” and “under common control” mean the power to direct, or cause the direction or management and policies of a person, whether through the direct or beneficial ownership of voting securities, by contract, or otherwise. A person who directly or beneficially owns 10 percent or more equity interest, or the equivalent thereof, of another person shall be deemed to control the person.

~~(18)~~(19) “Dispensary” means a business organization licensed pursuant to chapter 37 of this title or 18 V.S.A. chapter 86.

~~(19)~~(20) “Enclosed, locked facility” means a building, room, greenhouse, outdoor fenced-in area, or other location that is enclosed on all sides and prevents cannabis from easily being viewed by the public. The facility shall be equipped with locks or other security devices that permit access only by:

(A) Employees, agents, or owners of the cultivator, all of whom shall be 21 years of age or older.

(B) Government employees performing their official duties.

(C) Contractors performing labor that does not include cannabis cultivation, packaging, or processing. Contractors shall be accompanied by an employee, agent, or owner of the cultivator when they are in areas where cannabis is being grown, processed, packaged, or stored.

(D) Registered employees of other cultivators, members of the media, elected officials, and other individuals 21 years of age or older visiting the facility, provided they are accompanied by an employee, agent, or owner of the cultivator.

~~(20)~~(21) “Flavored oil cannabis product” means any oil cannabis product that contains an additive to give it a characterizing flavor.

~~(21)~~(22) “Integrated licensee” means a person licensed by the Board to engage in the activities of a cultivator, wholesaler, product manufacturer, retailer, and testing laboratory in accordance with this chapter.

(22)(23) “Municipality” means a town, city, or incorporated village.

(24) “Owner” means a natural person who controls, or shares control of, a Cannabis Establishment.

(23)(25) “Person” shall include any natural person; corporation; municipality; the State of Vermont or any department, agency, or subdivision of the State; and any partnership, unincorporated association, or other legal entity.

(24)(26) “Plant canopy” means the square footage dedicated to live plant production and does not include areas such as office space or areas used for the storage of fertilizers, pesticides, or other products.

(25)(27) “Principal” means ~~an individual vested with the authority to conduct, manage, or supervise the business affairs of a person, and may include the president, vice president, secretary, treasurer, manager, or similar executive officer of a business; a director of a corporation, nonprofit corporation, or mutual benefit enterprise; a member of a nonprofit corporation, cooperative, or member-managed limited liability company; and a partner of a partnership~~ one of the following:

(A) the president, vice president, secretary, treasurer, manager, or similar officer of a corporation as provided for by 11A V.S.A. § 8.40, nonprofit corporation as provided for by 11B V.S.A. § 8.40, mutual benefit enterprise as provided for by 11C V.S.A. § 822, cooperative as provided for by 11 V.S.A. § 1013, or worker cooperative corporation as provided for by 11 V.S.A. § 1089;

(B) a director of a corporation as provided for by 11A V.S.A. § 8.01, nonprofit corporation as provided for by 11B V.S.A. § 8.01, mutual benefit enterprise as provided for by 11C V.S.A. § 801, cooperative as provided for by 11 V.S.A. § 1006, or worker cooperative corporation as provided for by 11 V.S.A. § 1089;

(C) a member of a member-managed limited liability company as provided for by 11 V.S.A. § 4054;

(D) manager of a manager-managed limited liability company as provided for by 11 V.S.A. § 4054; or

(E) a partner of a partnership as provided for by 11 V.S.A. § 3212 or a general partner of a limited partnership as provided for by 11 V.S.A. chapter 23.

(26)(28) “Small cultivator” means a cultivator with a plant canopy or space for cultivating plants for breeding stock of not more than 1,000 square feet.

Sec. 2. 7 V.S.A. § 862a is added to read:

§ 862a. SYNTHETIC AND HEMP-DERIVED CANNABINOIDS

The Board shall have the authority to regulate synthetic cannabinoids and hemp-derived cannabinoids, including delta-8 and delta-10 tetrahydrocannabinol.

Sec. 3. 7 V.S.A. § 868 is amended to read:

§ 868. PROHIBITED PRODUCTS

(a) The following are prohibited products and may not be cultivated, produced, or sold pursuant to a license issued under this chapter:

(1) cannabis flower with greater than 30 percent tetrahydrocannabinol;

(2) ~~solid concentrate cannabis products with greater than 60 percent tetrahydrocannabinol;~~

~~(3) oil cannabis products except for those that are sold prepackaged for use with battery-powered devices;~~

(4) flavored oil cannabis products sold prepackaged for use with battery-powered devices and any cannabis flower that contains characterizing flavor that is not naturally occurring in the cannabis;

~~(5)~~(3) cannabis products that contain delta-9 tetrahydrocannabinol and nicotine or alcoholic beverages; and

~~(6)~~(4) any cannabis, cannabis products, or packaging of such items that are designed to make the product more appealing to persons under 21 years of age.

Sec. 4. 7 V.S.A. § 881 is amended to read:

§ 881. RULEMAKING; CANNABIS ESTABLISHMENTS

(a) The Board shall adopt rules to implement and administer this chapter in accordance with subdivisions (1)–(7) of this subsection.

(1) Rules concerning any cannabis establishment shall include:

* * *

(I) regulation of additives to cannabis and cannabis products, including these cannabidiol derived from hemp and substances that are toxic or designed to make the product more addictive, more appealing to persons under 21 years of age, or to mislead consumers;

* * *

(3) Rules concerning product manufacturers shall include:

(A) requirements that a single package of a cannabis product shall not contain more than 50 milligrams of THC, except in the case of:

(i) cannabis products that are not consumable, including topical preparations; ~~and~~

(ii) solid concentrates, oils, and tinctures; and

(iii) cannabis products sold to a dispensary pursuant to 18 V.S.A. chapter 86 and regulations issued pursuant to that chapter;

* * *

(5) Rules concerning retailers shall include:

* * *

(C) requirements that if the retailer sells hemp or hemp products, the hemp and hemp products are clearly labeled as such ~~and displayed separately from cannabis and cannabis products;~~

(D) requirements for opaque, child-resistant packaging of ~~cannabis and cannabis products~~ and child-deterrent packaging for cannabis at point of sale to customer; and

* * *

Sec. 5. 7 V.S.A. § 883 is amended to read:

§ 883. CRIMINAL BACKGROUND RECORD CHECKS; APPLICANTS

(a) The Board shall obtain from the Vermont Crime Information Center a copy of a ~~license applicant's~~ fingerprint-based Vermont criminal history records, out-of-state criminal history records, and criminal history records from the Federal Bureau of Investigation for each license applicant, principal of an applicant, and person who controls an applicant who is a natural person.

(b) The Board shall adopt rules that set forth standards for determining whether an applicant should be denied a cannabis establishment license because of his or her criminal history record based on factors that demonstrate whether the applicant presently poses a threat to public safety or the proper functioning of the regulated market. Nonviolent drug offenses shall not automatically disqualify an applicant.

(c) Notwithstanding subsection (a) of this section, the Board may accept third-party criminal background checks submitted by an applicant for a cannabis establishment license or renewal in lieu of obtaining the records from the Vermont Crime Information Center a copy of the person's Vermont fingerprint-based criminal history records, out-of-state criminal history

records, and criminal history records from the Federal Bureau of Investigation. Any such third-party background check shall:

(1) be conducted by a third-party consumer reporting agency or background screening company that is in compliance with the federal Fair Credit Reporting Act; and

(2) include a multistate and multi-jurisdiction criminal record locator.

Sec. 6. 7 V.S.A. § 884 is amended to read:

§ 884. CANNABIS ESTABLISHMENT IDENTIFICATION CARD

(a) Every owner, principal, and employee of a cannabis establishment shall obtain an identification card issued by the Board. A person may apply for an identification card prior to obtaining employment with a licensee. An employee identification card shall authorize the person to work for any licensee.

(b)(1)(A) Prior to issuing the identification card to an owner or principal of a cannabis establishment, the Board shall obtain from the Vermont Crime Information Center a copy of the person's Vermont fingerprint-based criminal history records, out-of-state criminal history records, and criminal history records from the Federal Bureau of Investigation.

(B) Prior to issuing the identification card to an employee of a cannabis establishment, the Board shall obtain a copy of a fingerprint-based identity history summary record from the Federal Bureau of Investigation.

(2) The Board shall adopt rules that set forth standards for determining whether a person should be denied a cannabis establishment identification card because of his or her criminal history record based on factors that demonstrate whether the applicant presently poses a threat to public safety or the proper functioning of the regulated market. Nonviolent drug offenses shall not automatically disqualify an applicant.

(c) Once an identification card application has been submitted, a person may serve as an employee of a cannabis establishment pending the background check, provided the person is supervised in his or her duties by someone who is a cardholder. The Board shall issue a temporary permit to the person for this purpose, which shall expire upon the issuance of the identification card or disqualification of the person in accordance with this section.

(d) An identification card shall expire one year after its issuance or, in the case of owners and principals, upon the expiration of the cannabis establishment's license, whichever occurs first.

Sec. 7. 7 V.S.A. § 901(d)(3) is amended to read:

(3)(A) Except as provided in ~~subdivision~~ subdivisions (B) ~~and (C)~~ of this subdivision (3), an applicant and its affiliates may obtain a maximum of one type of each type of license as provided in subdivisions (1)(A)–(E) of this subsection (d). Each license shall permit only one location of the establishment.

(B) An applicant and its affiliates that ~~are~~ control a dispensary registered ~~pursuant to 18 V.S.A. chapter 86 on April 1, 2022~~ may obtain one integrated license provided in subdivision (1)(F) of this subsection (d) or a maximum of one of each type of license provided in subdivisions (1)(A)–(E) of this subsection (d). An integrated licensee may not hold a separate cultivator, wholesaler, product manufacturer, retailer, or testing laboratory license, and no applicant or its affiliates that control a dispensary shall hold more than one integrated license. An integrated license shall permit only one location for each of the types of activities permitted by the license: cultivation, wholesale operations, product manufacturing, retail sales, and testing.

(C) An applicant and its affiliates may obtain multiple testing laboratory licenses.

Sec. 8. PURPOSE; LEGISLATIVE INTENT

The purpose of the amendment to 7 V.S.A. § 901(d)(3)(B) in Sec. 7 of this act is solely to make the language consistent with the defined terms used throughout 7 V.S.A. chapter 33. The amendment should not be construed to alter the meaning of the provision as it was originally enacted in 2019 Acts and Resolves No. 164, Sec. 7.

Sec. 9. 7 V.S.A. § 907 is amended to read:

§ 907. RETAILER LICENSE

(a) A retailer licensed under this chapter may:

(1) purchase cannabis from a licensed cultivator, wholesaler, or integrated licensee; and cannabis products from a licensed wholesaler, product manufacturer, integrated licensee, and dispensary; and

(2) transport, possess, package, and sell cannabis and cannabis products to the public for consumption off the registered premises.

* * *

(e) ~~Internet ordering and delivery~~ Delivery of cannabis to customers ~~are~~ is prohibited.

Sec. 10. 7 V.S.A. § 909(c) is added to read:

(c) An integrated licensee shall comply with the provisions of subsection 908(f) of this title and have its cannabis or cannabis products tested by an independent licensed testing laboratory.

Sec. 11. 18 V.S.A. § 4230h is amended to read:

§ 4230h. CHEMICAL EXTRACTION VIA BUTANE OR HEXANE
PROHIBITED

(a) No person shall manufacture concentrated cannabis by chemical extraction or chemical synthesis using butane or hexane ~~unless authorized as a dispensary pursuant to a registration issued by the Department of Public Safety pursuant to chapter 86 of this title.~~

* * *

Sec. 12. 2019 Acts and Resolves No. 164, Sec. 8(a)(1) is amended to read:

(a)(1) The cannabis plant, cannabis product, and useable cannabis possession limits for a registered dispensary set forth in 18 V.S.A. chapter 86 shall no longer apply on and after February 1, 2022. A dispensary shall be permitted to cultivate cannabis and manufacture cannabis products for the purpose of transferring or selling such products to an integrated licensee on or after April 1, 2022 until October 1, 2022 and engaging in the activities permitted by 7 V.S.A. chapter 33.

Sec. 13. EFFECTIVE DATE

This act shall take effect on passage.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Rep. Gannon of Wilmington** moved to concur in the Senate proposal of amendment with a further amendment thereto as follows:

First: By striking out Sec. 3, 7 V.S.A. § 868, in its entirety and inserting in lieu thereof the following:

Sec. 3. 7 V.S.A. § 868 is amended to read:

§ 868. PROHIBITED PRODUCTS

(a) The following are prohibited products and may not be cultivated, produced, or sold pursuant to a license issued under this chapter:

(1) cannabis flower with greater than 30 percent tetrahydrocannabinol;

(2) ~~solid concentrate cannabis products with greater than 60 percent tetrahydrocannabinol;~~

~~(3) oil cannabis products except for those that are sold prepackaged for use with battery-powered devices;~~

(4) flavored oil cannabis products sold prepackaged for use with battery-powered devices and any cannabis flower that contains characterizing flavor that is not naturally occurring in the cannabis;

~~(5)~~(3) cannabis products that contain delta-9 tetrahydrocannabinol and nicotine or alcoholic beverages; and

~~(6)~~(4) any cannabis, cannabis products, or packaging of such items that are designed to make the product more appealing to persons under 21 years of age.

(b)(1) Except as provided by subdivision (2) of this subsection, solid and liquid concentrate cannabis products with greater than 60 percent tetrahydrocannabinol may be produced by a licensee and sold to another licensee in accordance with subchapter 3 of this chapter but shall not be sold to the public by a licensed retailer.

(2) Liquid concentrate cannabis products with greater than 60 percent tetrahydrocannabinol that are prepackaged for use with battery-powered devices shall be permitted to be sold to the public by a licensed retailer.

Second: By adding a new section to be Sec. 12a to read as follows:

Sec. 12a. 7 V.S.A. § 910(8) is amended to read:

(8) Products. ~~Retailers and integrated licensees~~ Cannabis establishments licensed by the Board shall be assessed an annual product licensing fee of \$50.00 for every type of cannabis and cannabis product that is sold in accordance with this chapter.

Which was agreed to.

Action on Bill Postponed

H. 739

House bill, entitled

An act relating to capital construction and State bonding budget adjustment

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment?, on motion of **Rep. Coffey of Guilford**, action on the bill was postponed for two legislative days.

**Third Reading; Bill Passed in Concurrence
With Proposal of Amendment**

S. 140

Senate bill, entitled

An act relating to prohibiting civil arrests at courthouses

Was taken up, read the third time, and passed in concurrence with proposal of amendment.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 224

Rep. Donnally of Hyde Park, for the Committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to juvenile proceedings

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Pause of Juvenile Jurisdiction Expansion * * *

Sec. 1. 2018 Acts and Resolves No. 201, Sec. 21 is amended to read:

Sec. 21. EFFECTIVE DATES

* * *

(d) Secs. 17–19 shall take effect on ~~July 1, 2022~~ July 1, 2023.

Sec. 2. 2020 Acts and Resolves No. 124, Sec. 12 is amended to read:

Sec. 12. EFFECTIVE DATES

(a) Secs. 3 (~~33 V.S.A. § 510(e)~~) (33 V.S.A. § 5103(c)) and 7 (33 V.S.A. § 5206) shall take effect on ~~July 1, 2022~~ July 1, 2023.

* * *

* * * Victims Compensation and Restitution in Juvenile Proceedings * * *

Sec. 3. 33 V.S.A. § 5119 is amended to read:

§ 5119. SEALING OF RECORDS

* * *

(i) Upon receipt of a court order to seal a record relating to an offense for which there is an identifiable victim, a State's Attorney shall record the name

and date of birth of the victim, the offense, and the date of the offense. The name and any identifying information regarding the defendant shall not be recorded. Victim information retained by a State's Attorney pursuant to this subsection shall be available only to victims' advocates, the ~~Vietims~~² Victims Compensation Program, and the victim and shall otherwise be confidential. The Victims Compensation Program may be provided with a copy, redacted of all information identifying the youth or delinquent child, of the affidavit for the sole purpose of verifying the expenses in a victims compensation application submitted pursuant to 13 V.S.A. § 5353.

* * *

Sec. 4. 33 V.S.A. § 5235 is amended to read:

§ 5235. JUVENILE RESTITUTION

* * *

(e) In the event the juvenile is unable to pay the restitution judgment order at the time of disposition, the court shall fix the amount thereof, which shall not exceed an amount the juvenile can or will be able to pay, ~~and shall fix the manner of performance or refer to a restorative justice program that will address how loss resulting from the delinquency will be addressed, and~~ establish a restitution payment schedule based upon the juvenile's current and reasonably foreseeable future ability to pay, subject to modification under section 5264 of this title.

* * *

(k)(1) The Restitution Unit may bring an action to enforce a restitution order issued under this section in the Superior or Small Claims Court of the county where the offender resides or in the county where the order was issued. In an action under this subsection, a restitution order issued in a juvenile proceeding shall be enforceable in Superior or Small Claims Court in the same manner as a civil judgment. Superior and Small Claims Court filing fees shall be waived for an action under this subsection and for an action to renew a restitution judgment.

(2) An action under this subsection may be brought only after the offender reaches 18 years of age and shall not be subject to any limitations period.

(3) For purposes of this subsection, a restitution order issued in a juvenile proceeding shall not be confidential. The sealing of a juvenile record shall not affect the authority of the Restitution Unit to enforce a restitution order in the same manner as a civil judgment under subdivision (1) of this subsection.

* * * Rights of Victims in Juvenile and Youthful Offender Proceedings * * *

Sec. 5. 13 V.S.A. § 5304 is amended to read:

§ 5304. VICTIMS ASSISTANCE PROGRAM

* * *

(2) Notification. ~~Victims, other than victims of acts of delinquency,~~ shall be notified in a timely manner when a court proceeding involving their case is scheduled to take place and when a court proceeding to which they have been summoned will not take place as scheduled. Victims shall also be notified as to the final disposition of the case, and shall be notified of their right to request notification of a person's release or escape under section 5305 of this title. Notwithstanding this subdivision, the notification rights of victims of delinquent acts are governed by 33 V.S.A. chapters 52 and 52A.

* * *

Sec. 6. 13 V.S.A. § 5305 is amended to read:

§ 5305. INFORMATION CONCERNING RELEASE FROM CUSTODY

(a) ~~Victims, other than victims of acts of delinquency,~~ and affected persons shall have the right to request notification by the agency having custody of the defendant before the defendant is released, including a release on bail or conditions of release, furlough, or other community program; upon termination or discharge from probation; or whenever the defendant escapes, is recaptured, dies, or receives a pardon or commutation of sentence. Notice shall be given to the victim or affected person as expeditiously as possible at the address or telephone number provided to the agency having custody of the defendant by the person requesting notice. Any address or telephone number so provided shall be kept confidential. The prosecutor's office shall ensure that victims are made aware of their right to notification of an offender's scheduled release date pursuant to this section. Notwithstanding this subsection, the right to information for victims of delinquent acts is governed by 33 V.S.A. chapters 52 and 52A.

* * *

Sec. 7. 33 V.S.A. § 5110 is amended to read:

§ 5110. CONDUCT OF HEARINGS

(a) Hearings under the juvenile judicial proceedings chapters shall be conducted by the court without a jury and shall be confidential.

(b) The general public shall be excluded from hearings under the juvenile judicial proceedings chapters, and only the parties, their counsel, witnesses,

persons accompanying a party for ~~his or her~~ the party's assistance, and such other persons as the court finds to have a proper interest in the case or in the work of the court, including a foster parent or a representative of a residential program where the child resides, may be admitted by the court. An individual without party status seeking inclusion in the hearing in accordance with this subsection may petition the court for admittance by filing a request with the clerk of the court. ~~This subsection shall not prohibit a victim's exercise of his or her rights under sections 5233 and 5234 of this title, and as otherwise provided by law.~~

(c) There shall be no publicity given by any person to any proceedings under the authority of the juvenile judicial proceedings chapters except with the consent of the child, the child's guardian ad litem, and the child's parent, guardian, or custodian. A person who violates this provision may be subject to contempt proceedings pursuant to Rule 16 of the Vermont Rules for Family Proceedings. This subsection shall not prohibit a victim from discussing underlying facts of the alleged offense that resulted in death or physical, emotional, or financial injury to the victim, provided that, unless otherwise provided by law or court order, a victim shall not disclose what occurs during a court proceeding or information learned through a court proceeding that is not an underlying fact of the alleged offense that resulted in death or physical, emotional, or financial injury to the victim.

(d) This section shall not prohibit a victim's exercise of rights provided by section 5234 of this title and as otherwise provided by law.

Sec. 8. 33 V.S.A. § 5126 is added to read:

§ 5126. INFORMATION FROM LAW ENFORCEMENT AGENCY

(a) Information to all victims in juvenile and youthful offender proceedings. After initial contact between a victim and a law enforcement agency responsible for investigating the offense, the agency shall promptly give in writing to the victim:

(1) an explanation of the victim's rights under this chapter and chapters 52 and 52A of this title; and

(2) information concerning the availability of:

(A) assistance to victims, including medical, housing, counseling, and emergency services;

(B) compensation for victims under 13 V.S.A. chapter 167 and the name, street address, and telephone number of the Center for Crime Victim Services;

(C) protection for the victim, including protective court orders; and

(D) access by the victim and the offender to records related to the case that are public under the provisions of 1 V.S.A. chapter 5, subchapter 3 (access to public records).

(b) Information to victims of listed crimes. As soon as practicable, the law enforcement agency shall use reasonable efforts to give to the victim of a listed crime, as relevant, all of the following:

(1) information as to the offender's identity unless inconsistent with law enforcement purposes;

(2) information as to whether the offender has been taken into custody;

(3) the file number of the case and the name, office street address, and telephone number of the law enforcement officer currently assigned to investigate the case;

(4) the prosecutor's name, office street address, and telephone number;

(5) an explanation that no individual is under an obligation to respond to questions that may be asked outside a courtroom or deposition; and

(6) information concerning any conditions of release imposed on the offender prior to an initial court appearance, unless otherwise limited by court order.

Sec. 9. 33 V.S.A. § 5127 is added to read:

§ 5127. VICTIM'S RIGHT TO PRESENCE OF VICTIM'S ADVOCATE

When a victim in a juvenile or youthful offender proceeding is ordered by the court to attend or has a right to attend the proceeding, the victim may be accompanied at the proceeding by a victim's advocate.

Sec. 10. 33 V.S.A. § 5234 is amended to read:

§ 5234. RIGHTS OF VICTIMS IN DELINQUENCY PROCEEDINGS INVOLVING A LISTED CRIME

(a) The victim in a delinquency proceeding involving a listed crime shall have the following rights:

(1) To be notified by the prosecutor's office in a timely manner of the following:

(A) when a delinquency petition has been filed, the name of the child and any conditions of release initially ordered for the child or modified by the court that are related to the victim or a member of the victim's family or current household, unless otherwise limited by court order;

(B) ~~his or her~~ the victim's rights as provided by law, information regarding how a case proceeds through a delinquency proceeding, the confidential nature of delinquency proceedings, and that it is unlawful to disclose confidential information concerning the proceedings to another person;

(C) when a predispositional or dispositional court proceeding is scheduled to take place and when a court proceeding of which ~~he or she~~ the victim has been notified will not take place as scheduled; and

(D) whether delinquency has been found and disposition has occurred, and any conditions of release or conditions of probation ~~that are related to the victim or a member of the victim's family or current household~~ and any restitution, ~~when ordered~~ unless otherwise limited by court order.

(2) To file with the court a written or recorded statement of the impact of the delinquent act on the victim and the need for restitution.

(3) To be present during all court proceedings subject to the provisions of Rule 615 of the Vermont Rules of Evidence; to attend the disposition hearing and to present a victim impact statement and to express reasonably the victim's views concerning the offense and the youth, including testimony in support of his or her the victim's claim for restitution pursuant to section 5235 of this title, and; to be notified as to the disposition, including probation; and to submit oral or written statements to the court at such other times as the court may allow. The court shall consider the victim's statement when ordering disposition. ~~The victim shall not be personally present at any portion of the disposition hearing except to present a victim impact statement or to testify in support of his or her claim for restitution unless the court finds that the victim's presence is necessary in the interest of justice.~~

(4) ~~Upon request, to~~ To be notified by the agency having custody of the delinquent child before he or she the child is discharged released into the community from a secure or staff-secured residential facility. The name of the facility shall not be disclosed. An agency's inability to give notification shall not preclude the release. However, in such an event, the agency shall take reasonable steps to give notification of the release as soon thereafter as practicable. Notification efforts shall be deemed reasonable if the agency attempts to contact the victim at the address or telephone number provided to the agency in the request for notification.

(5) To have the court take ~~his or her~~ the victim's views into consideration in the court's disposition order. If the victim is not present, the court shall consider whether the victim has expressed, either orally or in

writing, views regarding disposition and shall take those views into account when ordering disposition.

(6) [Repealed.]

(b) The prosecutor's office shall keep the victim informed and consult with the victim through the delinquency proceedings.

Sec. 11. 33 V.S.A. § 5234a is amended to read:

§ 5234a. RIGHTS OF VICTIMS IN DELINQUENCY PROCEEDINGS
INVOLVING A NONLISTED CRIME

(a) The victim in a delinquency proceeding involving an offense that is not a listed crime shall have the following rights:

(1) To be notified by the prosecutor's office in a timely manner of the following:

(A) ~~his or her~~ the victim's rights as provided by law, information regarding how a delinquency proceeding is adjudicated, the confidential nature of juvenile proceedings, and that it is unlawful to disclose confidential information concerning the proceedings;

(B) when a delinquency petition is filed;

(C) the child's name and the conditions of release ordered for the child or modified by the court ~~if the conditions relate to the victim or a member of the victim's family or current household~~ unless otherwise limited by court order; and

(D) when a dispositional court proceeding is scheduled to take place and when a court proceeding of which ~~he or she~~ the victim has been notified will not take place as scheduled.

(2) That delinquency has been found and disposition has occurred, ~~and any conditions of release or conditions of probation that are related to the victim or a member of the victim's family or current household,~~ and any restitution ordered unless otherwise limited by court order.

(3) To file with the court a written or recorded statement of the impact of the delinquent act on the victim and any need for restitution.

(4) To attend the disposition hearing for the sole purpose of presenting to the court a victim impact statement, including testimony in support of ~~his or her~~ the victim's claim for restitution pursuant to section 5235 of this title. The victim shall not be personally present at any portion of the disposition hearing except to present a victim impact statement or to testify in support of ~~his or her~~

the victim's claim for restitution unless the court finds that the victim's presence is necessary in the interest of justice.

(5) To be notified by the agency having custody of the child, if agreed to by the parties, before the child is released into the community from a secure or staff-secured residential facility.

(6) To have the court take ~~his or her~~ the victim's views into consideration in the court's disposition order. If the victim is not present, the court shall consider whether the victim has expressed, either orally or in writing, views regarding disposition and shall take those views into account when ordering disposition. The court shall order that the victim be notified as to the identity of the child upon disposition if the court finds that release of the child's identity to the victim is in the best interests of both the child and the victim and serves the interests of justice.

(b) The prosecutor's office shall keep the victim informed and consult with the victim through the delinquency proceedings.

Sec. 12. 33 V.S.A. § 5288 is amended to read:

§ 5288. RIGHTS OF VICTIMS IN YOUTHFUL OFFENDER

PROCEEDINGS

(a) The victim in a proceeding involving a youthful offender shall have the following rights:

(1) ~~to~~ To be notified by the prosecutor in a timely manner;

(A) when a court proceeding is scheduled to take place and when a court proceeding to which ~~he or she~~ the victim has been notified will not take place as scheduled; and

(B) of any conditions of release or conditions of probation and of any restitution unless otherwise limited by court order.

(2) ~~to~~ To be present during all court proceedings subject to the provisions of Rule 615 of the Vermont Rules of Evidence ~~and to express reasonably his or her views concerning the offense and the youth; to attend the disposition hearing to present a victim impact statement and to express reasonably the victim's views concerning the offense and the youth, including testimony in support of the victim's claim for restitution; and to submit oral or written statements to the court at such other times as the court may allow. The court shall consider the victim's statement when ordering disposition.~~

(3) ~~to request notification~~ To be notified by the agency having custody of the youth before the youth is released into the community from a secure or staff-secured residential facility.

(4) ~~to~~ To be notified by the prosecutor as to the final disposition of the case; and.

(5) ~~to~~ To be notified by the prosecutor of the victim's rights under this section.

(b) In accordance with court rules, at a hearing on a motion for youthful offender treatment, the court shall ask if the victim is present and, if so, whether the victim would like to be heard regarding disposition. In ordering disposition, the court shall consider any views offered at the hearing by the victim. If the victim is not present, the court shall ask whether the victim has expressed, either orally or in writing, views regarding disposition and shall take those views into consideration in ordering disposition.

(c) No youthful offender proceeding shall be delayed or voided by reason of the failure to give the victim the required notice or the failure of the victim to appear.

(d) As used in this section, "victim" shall have the same meaning as in 13 V.S.A. § 5301(4).

(e) This section shall not prohibit a victim from discussing underlying facts of the alleged offense that resulted in death or physical, emotional, or financial injury to the victim, provided that, unless otherwise provided by law or court order, a victim shall not disclose what occurs during a court proceeding or information learned through a court proceeding that is not an underlying fact of the alleged offense that resulted in death or physical, emotional, or financial injury to the victim.

* * * Public Safety Requirement in Juvenile and Youthful

Offender Cases * * *

Sec. 13. 33 V.S.A. § 5284 is amended to read:

§ 5284. YOUTHFUL OFFENDER DETERMINATION AND DISPOSITION
ORDER

(a)(1) In a hearing on a motion for youthful offender status, the court shall first consider whether public safety will be protected by treating the youth as a youthful offender. If the court finds that public safety will not be protected by treating the youth as a youthful offender, the court shall deny the motion and transfer the case to the Criminal Division of the Superior Court pursuant to subsection 5281(d) of this title. If the court finds that public safety will be protected by treating the youth as a youthful offender, the court shall proceed to make a determination under subsection (b) of this section.

(2) When determining whether public safety will be protected by treating the youth as a youthful offender, the court shall consider, on the basis of the evidence admitted:

(A) the nature and circumstances of the charge and whether violence was involved;

(B) the youth's mental health treatment history and needs;

(C) the youth's substance abuse history and needs;

(D) the youth's residential housing status;

(E) the youth's employment and educational situation;

(F) whether the youth has complied with conditions of release;

(G) the youth's criminal record and whether the youth has engaged in subsequent criminal or delinquent behavior since the original charge;

(H) whether supervising the youth on youthful offender probation is appropriate considering the nature of the charged offense and the age and specialized needs of the youth;

(I) whether the youth has connections to the community; and

(J) the youth's history of violence and history of illegal or violent conduct involving firearms or other deadly weapons.

* * *

Sec. 14. 33 V.S.A. § 5204 is amended to read:

§ 5204. TRANSFER FROM FAMILY DIVISION OF THE SUPERIOR COURT

(a) After a petition has been filed alleging delinquency, upon motion of the State's Attorney and after hearing, the Family Division of the Superior Court may transfer jurisdiction of the proceeding to the Criminal Division of the Superior Court, if the child had attained 16 years of age but not 19 years of age at the time the act was alleged to have occurred and the delinquent act set forth in the petition is a felony not specified in subdivisions (1)–(12) of this subsection or if the child had attained 12 years of age but not 14 years of age at the time the act was alleged to have occurred, and if the delinquent act set forth in the petition was any of the following:

(1) arson causing death as defined in 13 V.S.A. § 501;

(2) assault and robbery with a dangerous weapon as defined in 13 V.S.A. § 608(b);

-
- (3) assault and robbery causing bodily injury as defined in 13 V.S.A. § 608(c);
 - (4) aggravated assault as defined in 13 V.S.A. § 1024;
 - (5) murder as defined in 13 V.S.A. § 2301;
 - (6) manslaughter as defined in 13 V.S.A. § 2304;
 - (7) kidnapping as defined in 13 V.S.A. § 2405;
 - (8) unlawful restraint as defined in 13 V.S.A. § 2406 or 2407;
 - (9) maiming as defined in 13 V.S.A. § 2701;
 - (10) sexual assault as defined in 13 V.S.A. § 3252(a)(1) or (a)(2);
 - (11) aggravated sexual assault as defined in 13 V.S.A. § 3253; or
 - (12) burglary into an occupied dwelling as defined in 13 V.S.A. § 1201(c).

(b) The State's Attorney of the county where the juvenile petition is pending may move in the Family Division of the Superior Court for an order transferring jurisdiction under subsection (a) of this section at any time prior to adjudication on the merits. The filing of the motion to transfer jurisdiction shall automatically stay the time for the hearing provided for in section 5225 of this title, which stay shall remain in effect until such time as the Family Division of the Superior Court may deny the motion to transfer jurisdiction.

(c) Upon the filing of a motion to transfer jurisdiction under subsection (b) of this section, the Family Division of the Superior Court shall conduct a hearing in accordance with procedures specified in subchapter 2 of this chapter to determine whether:

(1) there is probable cause to believe that the child committed the charged offense; and

(2) public safety and the interests of the community would not be served by treatment of the child under the provisions of law relating to the Family Division of the Superior Court and delinquent children.

(d) In making its determination as required under subsection (c) of this section, the court may consider, among other matters:

(1) the maturity of the child as determined by consideration of ~~his or her~~ the child's age, home, and environment; emotional, psychological, and physical maturity; and relationship with and adjustment to school and the community;

(2) the extent and nature of the child's prior record of delinquency;

(3) the nature of past treatment efforts and the nature of the child's response to them, including the child's mental health treatment and substance abuse treatment and needs;

(4) the nature and circumstances of the alleged offense, including whether the alleged offense was committed in an aggressive, violent, premeditated, or willful manner;

(5) the nature of any personal injuries resulting from or intended to be caused by the alleged act;

(6) the prospects for rehabilitation of the child by use of procedures, services, and facilities available through juvenile proceedings;

(7) whether the protection of the community would be better served by transferring jurisdiction from the Family Division to the Criminal Division of the Superior Court;

(8) the youth's residential housing status;

(9) the youth's employment and educational situation;

(10) whether the youth has complied with conditions of release;

(11) the youth's criminal record and whether the youth has engaged in subsequent criminal or delinquent behavior since the original charge;

(12) whether the youth has connections to the community; and

(13) the youth's history of violence and history of illegal or violent conduct involving firearms.

* * *

* * * Youthful Offender Risk and Needs Screening * * *

Sec. 15. 33 V.S.A. § 5280 is amended to read:

§ 5280. COMMENCEMENT OF YOUTHFUL OFFENDER

PROCEEDINGS IN THE FAMILY DIVISION

* * *

(d)(1) Within 15 days after the commencement of a youthful offender proceeding pursuant to subsection (a) of this section, ~~the youth shall be offered a risk and needs screening~~ the court shall notify the youth that the youth is required to complete a risk and needs screening, which shall be conducted by the Department or by a community provider that has contracted with the Department to provide risk and needs screenings. The notice shall inform the youth that youthful offender status may be denied if the youth fails to participate in the risk and needs screening.

(2) The risk and needs screening shall be completed prior to the youthful offender status hearing held pursuant to section 5283 of this title. Unless the court extends the period for the risk and needs screening for good cause shown, the Family Division shall reject the case for youthful offender treatment if the youth does not complete the risk and needs screening within 15 days of after the offer for the risk and needs screening.

~~(1)~~(3) The Department or the community provider shall report the risk level result of the screening, the number and source of the collateral contacts made, and the recommendation for charging or other alternatives to the State's Attorney.

~~(2)~~(4) Information related to the present alleged offense directly or indirectly derived from the risk and needs screening or other conversation with the Department or community-based provider shall not be used against the youth in the youth's criminal or juvenile case for any purpose, including impeachment or cross-examination. However, the fact of participation in risk and needs screening may be used in subsequent proceedings.

* * *

* * * Psychosexual Evaluation * * *

Sec. 16. 33 V.S.A. § 5230 is amended to read:

§ 5230. DISPOSITION CASE PLAN

* * *

(d) Psychosexual evaluation. For purposes of determining appropriate conditions of probation for a disposition case plan under this section, the court may order a psychosexual evaluation if clinically indicated for a child charged with:

(1) lewd and lascivious conduct in violation of 13 V.S.A. § 2601;

(2) lewd and lascivious conduct with a child in violation of 13 V.S.A. § 2602;

(3) sexual assault in violation of 13 V.S.A. § 3252;

(4) aggravated sexual assault in violation of 13 V.S.A. § 3253;

(5) aggravated sexual assault of a child in violation of 13 V.S.A. § 3253a;

(6) kidnapping with intent to commit sexual assault in violation of 13 V.S.A. § 2405(a)(1)(D); or

(7) an offense involving sexual exploitation of children in violation of 13 V.S.A. chapter 64.

* * * Interests of Justice Hearing * * *

Sec. 17. 33 V.S.A. § 5294 is added to read:

§ 5294. INTERESTS OF JUSTICE HEARING

Not later than the next business day after a juvenile who is awaiting trial or other legal process and who is treated as an adult for prosecution in the Criminal Division is taken into custody, the court shall hold a hearing and determine whether to issue a written order, pursuant to 34 U.S.C. § 11133(a)(11)(B), that it is in the interests of justice to hold the juvenile in a jail or other secure facility for adults owned or operated by the Department of Corrections and, if such an order is issued, whether to allow sight or sound contact with adult inmates. Hearings held and orders issued pursuant to this section shall conform with the requirements of 34 U.S.C. § 11133(a)(11)(B), including the criteria set forth therein.

* * * Plan on Secure Placements * * *

Sec. 18. PLAN FOR SECURE PLACEMENTS

(a)(1) On or before December 1, 2022, the Department for Children and Families and the Department of Corrections shall propose a plan to the Senate Committees on Judiciary, on Health and Welfare, and on Institutions and the House Committees on Judiciary, on Corrections and Institutions, and on Human Services to ensure the availability of secure placements, treatment, and transitional housing for persons 18 years of age and older who are subject to juvenile and youthful offender proceedings. The plan shall include:

(A) data on the number and location of current secure placements and a plan for how current and future secure placements will be accomplished;

(B) provisions ensuring that placements are available for youth going forward;

(C) a description of the services to be provided; and

(D) a recommendation as to whether dual custody with the Department of Corrections should be considered.

(2) The plan required by this section shall include a progress report on the requirement of Secs. 1 and 2 of this act that the Raise the Age initiative take effect on July 1, 2023.

(b) On or before July 1, 2022, the Department for Children and Families shall file a preliminary report to the Joint Legislative Justice Oversight Committee describing the progress made toward completion of the plans required by subsections (a) and (c) of this section.

(c) The Department for Children and Families shall, on or before December 1, 2022, propose a plan to the Senate Committees on Judiciary, on Health and Welfare, and on Institutions and the House Committees on Judiciary, on Corrections and Institutions, and on Human Services to ensure the availability of secure treatment placements and aftercare planning for 12–17-year-olds who are subject to juvenile and youthful offender proceedings.

(d) The plans required by subsections (a) and (c) of this section shall be based on research-informed, evidence-based best practices in support of children and families that are trauma-responsive, culturally informed, and consider alternatives to incarceration.

* * * Effective Date * * *

Sec. 19. EFFECTIVE DATE

This act shall take effect on passage.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Judiciary agreed to, and third reading ordered.

Senate Proposal of Amendment Concurred in

H. 464

The Senate proposed to the House to amend House bill, entitled

An act relating to miscellaneous changes to the Reach Up Program

The Senate proposed to the House to amend the bill as follows:

First: By striking out Sec. 8, 33 V.S.A. § 1114, in its entirety and inserting in lieu thereof a new Sec. 8 and a Sec. 8a to read as follows:

Sec. 8. 33 V.S.A. § 1114 is amended to read:

§ 1114. DEFERMENTS, MODIFICATIONS, AND REFERRAL

* * *

(b) The work requirements shall be either modified or deferred for:

* * *

(5) A participant who is needed in the home on a full- or part-time basis in order to care for an ill or disabled parent, spouse, or child. In granting deferments, the Department shall fully consider the participant's preference as to the number of hours the participant is able to leave home to participate in work activities. ~~A deferral or modification of the work requirement exceeding~~

~~60 days due to the existence of illness or disability pursuant to this subdivision shall be confirmed by the independent medical review of one or more physicians, physician assistants, advanced practice registered nurses, or other health care providers designated by the Secretary of Human Services prior to receipt of continued financial assistance under the Reach Up program.~~

~~* * *~~

(d) ~~Absent an apparent condition or claimed physical, emotional, or mental condition, participants are presumed to be able-to-work. A participant shall have the burden of demonstrating the existence of the condition asserted as the basis for a deferral or modification of the work requirement. A deferral or modification of the work requirement exceeding 60 days due to the existence of conditions rendering the participant unable to work shall be confirmed by the independent medical review of one or more physicians, physician assistants, advanced practice registered nurses, or other health care providers designated by the Secretary of Human Services prior to receipt of continued financial assistance under the Reach Up program.~~

~~* * *~~

Sec. 8a. 33 V.S.A. § 1114 is amended to read:

§ 1114. DEFERMENTS, MODIFICATIONS, AND REFERRAL

(a) ~~The Commissioner shall establish by rule criteria, standards, and procedures for granting deferments from or modifications to the work requirements established in section 1113 of this title, in accordance with the provisions of this section and for referring individuals with disabilities to the Office of Vocational Rehabilitation.~~

(b) ~~The work requirements shall be either modified or deferred for:~~

(1) ~~A participant for whom no unsubsidized or subsidized job or other equivalent supervised work activity recognized by the Commissioner by rule is available.~~

(2) ~~A participant for whom support services that are essential to employment and other work activities and identified in the family development plan cannot be arranged. Such services shall include case management, education and job training, child care, and transportation.~~

(3) ~~A primary caretaker parent in a two-parent family in which one parent is able to work part-time or unable to work, a single parent, or a caretaker who is caring for a child who has not attained 24 months of age for no more than 24 months of the parent's or caretaker's lifetime receipt of financial assistance. To qualify for such deferment, a parent or caretaker of a child older than the age of six months but younger than 24 months shall~~

cooperate in the development of and participate in a family development plan.

~~(4) An individual who has exhausted the 24 months of deferment provided for in subdivision (3) of this subsection and who is caring for a child who is not yet 13 weeks of age or a primary caretaker parent in a family with two parents who are able to work if the primary caretaker is caring for a child under 13 weeks of age and is otherwise subject to a work requirement because the other parent in the family is being sanctioned in accordance with section 1116 of this title.~~

~~(5) A participant who is needed in the home on a full or part-time basis in order to care for an ill or disabled parent, spouse, or child. In granting deferments, the Department shall fully consider the participant's preference as to the number of hours the participant is able to leave home to participate in work activities.~~

~~(6) A participant who is under 20 years of age, who is a single head of household or married, and who maintains satisfactory attendance at secondary school or the equivalent during the month, or participates in education directly related to employment for an average of 20 or more hours per week during the month.~~

~~(7) A participant who has attained 20 years of age and who is engaged in at least 15 hours per week of classes and related learning activities for the purpose of attaining a high school diploma or General Educational Development (GED) certificate or completing a literacy program approved by the Department; provided that the participant is making satisfactory progress toward the attainment of the diploma or certificate; and provided further that a deferment or modification granted for this purpose does not exceed 18 months.~~

~~(8) A participant who is enrolled in, attending, and making satisfactory progress toward the completion of a full-time vocational training program that has a normal duration of no more than two years and who is within 12 months of expected completion of such program. Such deferment or modification shall continue until he or she has completed the program, he or she is no longer attending the program, or the 12-month expected completion period has ended, whichever occurs first.~~

~~(9) A participant for whom, due to the effects of domestic violence, fulfillment of the work requirement can be reasonably anticipated to result in serious physical or emotional harm to the participant that significantly impairs his or her capacity either to fulfill the work requirement or to care for his or her child adequately, or can be reasonably anticipated to result in serious physical or emotional harm to the child.~~

~~(10) Any other participant designated by the Commissioner in~~

accordance with criteria established by rule.

~~(c) A participant who is able to work part-time or is unable to work shall be referred for assessment of the individual's skills and strengths, accommodations and support services, and vocational and other services in accordance with the provisions of his or her family development plan. The work requirement hours shall reflect the individual's ability to work. Participants with disabilities that do not meet the standards used to determine disability under Title XVI of the Social Security Act shall participate in rehabilitation, education, or training programs as appropriate. A participant who qualifies for a deferment or modification and who is able to work part-time shall have his or her work requirement hours modified or deferred. In granting deferments, the Department shall fully consider the participant's estimation of the number of hours the participant is able to work.~~

~~(d) Absent an apparent condition or claimed physical, emotional, or mental condition, participants are presumed to be able to work. A participant shall have the burden of demonstrating the existence of the condition asserted as the basis for a deferral or modification of the work requirement.~~

~~(e) Deferments and modifications granted pursuant to this section shall continue for as long as the grounds for the deferment or modification exist or until expiration of a related time period specified in subsection (b) of this section, whichever occurs first.~~

~~(f) As used in this section, "health care provider" means a person, partnership, or corporation, other than a facility or institution, licensed or certified or authorized by law to provide professional health care service in this State to an individual during that individual's medical care, treatment, or confinement. The program participation requirements established in section 1113 of this chapter shall be deferred when:~~

~~(1) a participating adult is 60 years of age or older;~~

~~(2) a participating adult is caring for a child under six weeks of age;~~

~~(3) a participating adult for whom, due to the effects of domestic violence, engaging in the program participation requirements can be reasonably anticipated to result in serious physical or emotional harm to the participating adult or participating adult's child; or~~

~~(4) any other participant designated by the Commissioner in accordance with criteria established by the Commissioner in rule pursuant to 3 V.S.A. chapter 25.~~

Second: In Sec. 12, effective dates, after "This section", by inserting the following:

, Sec. 8 (deferments, modifications, and referral),

Proposal of amendment was considered and concurred in.

Senate Proposal of Amendment Concurred in

H. 523

The Senate proposed to the House to amend House bill, entitled

An act relating to reducing hydrofluorocarbon emissions

The Senate proposed to the House to amend the bill as follows:

First: In Sec. 1, 10 V.S.A. § 586, subsection (b), by striking out subdivision (4)(G) in its entirety and inserting in lieu thereof the following:

(G) July 1, 2022, for refrigeration systems used in ice skating rinks; and

Second: In Sec. 3, 20 V.S.A. § 2731, by striking out subsection (m) in its entirety and inserting in lieu thereof the following:

(m) Refrigerants. No rule adopted under this section or any other requirement of this title shall prohibit or otherwise limit the use of a refrigerant designated as acceptable for use pursuant to and in accordance with 42 U.S.C. 7671k or 10 V.S.A. § 586, provided any equipment containing such refrigerant is listed and installed in accordance with safety standards and use conditions imposed pursuant to such designation.

Proposal of amendment was considered and concurred in.

Action on Bill Postponed

H. 729

House bill, entitled

An act relating to miscellaneous judiciary procedures

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment?, on motion of **Rep. Norris of Sheldon**, action on the bill was postponed until May 6, 2022.

Action on Bill Postponed**S. 280**

Senate bill, entitled

An act relating to miscellaneous changes to laws related to vehicles

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment to the House proposal of amendment?, on motion of **Rep. Lanpher of Vergennes**, action on the bill was postponed until May 10, 2022.

Rules Suspended; House Actions Messaged to Senate Forthwith**H. 548**

House bill, entitled

An act relating to miscellaneous cannabis establishment procedures

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the House's actions on the bill were ordered messaged to the Senate forthwith.

Recess

At three o'clock and forty-three minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 5th day of May, 2022, he signed bills originating in the House of the following titles:

H. 399 An act relating to incarceration terms for criminal defendants who are primary caretakers of dependent children

H. 731 An act relating to technical corrections for the 2022 legislative session

Called to Order

At five o'clock and fifty-eight minutes in the afternoon, the Speaker called the House to order.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered****S. 226**

Rep. Stevens of Waterbury, for the Committee on General, Housing, and Military Affairs, to which had been referred Senate bill, entitled

An act relating to expanding access to safe and affordable housing

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

* * * First-Generation Homebuyers * * *

Sec. 1. 32 V.S.A. 5930u is amended to read:

§ 5930u. TAX CREDIT FOR AFFORDABLE HOUSING

* * *

(b) Eligible tax credit allocations.

* * *

(3) Down Payment Assistance Program.

(A) The Vermont Housing Finance Agency shall have the authority to allocate affordable housing tax credits to finance down payment assistance loans that meet the following requirements:

(i) the loan is made in connection with a mortgage through an Agency program;

(ii) the borrower is a first-time home buyer of an owner-occupied primary residence; and

(iii) the borrower uses the loan for the borrower's down payment or closing costs, or both.

(B) The Agency shall require the borrower to repay the loan upon the transfer or refinance of the residence.

(C) The Agency shall use the proceeds of loans made under the Program for future down payment assistance.

(D) The Agency may reserve funding and adopt guidelines to provide grants to first-time homebuyers who are also first-generation homebuyers.

* * *

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 who self-attests that the applicant is an individual:

(1)(A) whose parents or legal guardians do not have any present residential ownership interest in any State; and

(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; or

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

(c) Outreach. Recognizing that Black, Indigenous, and Persons of Color have historically not had access to capital for homeownership purchases and have been systemically discriminated against in the housing market, the Agency shall work with Vermont chapters of the NAACP, AALV, and USCRI; the Executive Director of Racial Equity; the Vermont Commission on Native American Affairs; and local racial justice organizations to develop a plan of active outreach and implementation to ensure that down payment assistance opportunities are effectively communicated, and that funds are equitably available, to communities of Vermonters who have historically suffered housing discrimination.

(d) Of the amounts appropriated to the Department of Housing and Community Development in 2021 Acts and Resolves No. 74, the Department shall transfer \$1,000,000.00 to the Vermont Housing Finance Agency to provide grants pursuant to 32 V.S.A. § 5930u(b)(3)(D) and for the costs of administration and outreach pursuant to this section.

* * * Manufactured Home Relocation Incentives * * *Sec. 3. MANUFACTURED HOME IMPROVEMENT AND
REPLACEMENT PROGRAM

Of the amounts available from federal COVID-19 relief funds, the following amounts are appropriated to the Department of Housing and Community Development for the purposes specified:

(1) \$3,000,000.00 for 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) \$1,000,000.00 for 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) \$1,000,000.00 for 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.

* * * New Approaches to Creating Housing * * *

Sec. 4. VERMONT HOUSING CONSERVATION BOARD; NEW
APPROACHES TO CREATING HOUSING

(a) Authorization. Of the amounts appropriated to the Vermont Housing and Conservation Board in fiscal year 2023, the Board is authorized to use up to \$5,000,000.00 to explore new approaches for the State to support the creation of housing through the following activities:

(1) the Community Partnership for Neighborhood Development created in subsection (b) of this section;

(2) matching funds, which for each unit shall not exceed the lesser of \$50,000.00 or 20 percent of the employer cost, for not fewer than two large

employers with 50 or more full time equivalent employees that create new housing for their employees; and

(3) conversion of commercial properties to residential use by providing supplemental grants up to \$50,000.00 or 20 percent of the development cost per unit for costs not covered by other funding or financing sources.

(b) Community Partnership for Neighborhood Development.

(1) The Department of Housing and Community Development shall lead a cross-agency program to encourage and support local partnerships between municipalities, nonprofit and for-profit developers, employers, the Vermont Housing and Conservation Board, and local planning officials by reducing or eliminating the cost of land and infrastructure from housing development while enhancing density, walkability, inclusiveness, and smart growth development that reduces greenhouse gas emissions.

(2) The Department shall lead an effort involving the Vermont Housing Finance Agency, the Agency of Natural Resources, the Agency of Transportation, the Department of Public Service, and the Vermont Housing Conservation Board to integrate resources for housing, land, and down payment assistance that also makes available funding for critical infrastructure, including funding from the American Rescue Plan Act and the Infrastructure Investment and Jobs Act.

(3) Participating municipalities may bring resources to the table by planning for and permitting dense housing development in smart growth locations, thereby reducing permitting risk for developers.

(c) Program goals. The Program shall seek to achieve the following goals:

(1) development of new denser neighborhoods in five to ten communities of mixed income and mixed tenure of homeownership and rental opportunities, which, over time, will land bank and make available smart growth sites for 500–1,000 energy efficient homes and apartments;

(2) financial and planning commitment and participation of municipalities and cooperation in siting and permitting development;

(3) enhanced construction of modestly sized homes, at least half of which should be single-family homes under 1,600 sq ft. on small lots;

(4) opportunities for site development and skill-building participation by technical education centers, Youth Build, Vermont Works for Women, and community volunteers such as Habitat for Humanity;

(5) reservation of 25 percent of single family lots for permanently affordable homes, including Habitat for Humanity, Youth Build, or Tech

Center programs, at no cost for acquisition or infrastructure and only modest fees for all small homes; and

(6) reservation of 35 percent of multifamily rentals for Vermonters with income below 80 percent of the median income with no cost for publicly funded infrastructure.

* * * Downtown and Village Center Tax Credit Program * * *

Sec. 5. 32 V.S.A. § 5930aa is amended to read:

§ 5930aa. DEFINITIONS

As used in this subchapter:

(1) “Qualified applicant” means an owner or lessee of a qualified building involving a qualified project, but does not include a State or federal agency or a political subdivision of either; or an instrumentality of the United States.

(2) “Qualified building” means a building built at least 30 years before the date of application, located within a designated downtown or, village center, or neighborhood development area, which, upon completion of the project supported by the tax credit, will be an income-producing building not used solely as a single-family residence. Churches and other buildings owned by religious organization may be qualified buildings, but in no event shall tax credits be used for religious worship.

(3) “Qualified code improvement project” means a project:

(A) to install or improve platform lifts suitable for transporting personal mobility devices, limited use or limited application elevators, elevators, sprinkler systems, and capital improvements in a qualified building, and the installations or improvements are required to bring the building into compliance with the statutory requirements and rules regarding fire prevention, life safety, and electrical, plumbing, and accessibility codes as determined by the Department of Public Safety;

(B) to abate lead paint conditions or other substances hazardous to human health or safety in a qualified building; or

(C) to redevelop a contaminated property in a designated downtown or, village center, or neighborhood development area under a plan approved by the Secretary of Natural Resources pursuant to 10 V.S.A. § 6615a.

(4) “Qualified expenditures” means construction-related expenses of the taxpayer directly related to the project for which the tax credit is sought but excluding any expenses related to a private residence.

(5) “Qualified façade improvement project” means the rehabilitation of the façade of a qualified building that contributes to the integrity of the designated downtown or, designated village center. Façade improvements to qualified buildings listed, or eligible for listing, in the State or National Register of Historic Places must be consistent with Secretary of the Interior Standards, as determined by the Vermont Division for Historic Preservation.

(6) “Qualified Flood Mitigation Project” means any combination of structural and nonstructural changes to a building located within the flood hazard area as mapped by the Federal Emergency Management Agency that reduces or eliminates flood damage to the building or its contents. The project shall comply with the municipality’s adopted flood hazard bylaw, if applicable, and a certificate of completion shall be submitted by a registered engineer, architect, qualified contractor, or qualified local official to the State Board. Improvements to qualified buildings listed, or eligible for listing, in the State or National Register of Historic Places shall be consistent with Secretary of the Interior’s Standards for Rehabilitation, as determined by the Vermont Division for Historic Preservation.

(7) “Qualified historic rehabilitation project” means an historic rehabilitation project that has received federal certification for the rehabilitation project.

~~(7)~~(8) “Qualified project” means a qualified code improvement, qualified façade improvement, or qualified historic rehabilitation project as defined by this subchapter.

~~(8)~~(9) “State Board” means the Vermont Downtown Development Board established pursuant to 24 V.S.A. chapter 76A.

Sec. 6. 32 V.S.A. § 5930bb is amended to read:

§ 5930bb. ELIGIBILITY AND ADMINISTRATION

* * *

(e) Sunset of Neighborhood Development Area tax credits. Effective on July 1, 2027, under this subchapter no new tax credit may be allocated by the State Board to a qualified building in a neighborhood development area.

Sec. 7. 24 V.S.A. § 2793a is amended to read:

§ 2793a. DESIGNATION OF VILLAGE CENTERS BY STATE BOARD

* * *

(c) A village center designated by the State Board pursuant to subsection (a) of this section is eligible for the following development incentives and benefits:

* * *

(4) ~~The following State tax credits for projects located in a designated village center:~~

(A) ~~A State historic rehabilitation tax credit of ten percent under 32 V.S.A. § 5930ee(a) that meets the requirements for the federal rehabilitation tax credit.~~

(B) ~~A State façade improvement tax credit of 25 percent under 32 V.S.A. § 5930ee(b).~~

(C) ~~A State code improvement tax credit of 50 percent under 32 V.S.A. § 5930ee(e) The Downtown and Village Center Tax Credit Program described in 32 V.S.A. § 5930aa et seq.~~

* * *

Sec. 8. 24 V.S.A. § 2793e is amended to read:

§ 2793e. NEIGHBORHOOD PLANNING AREAS; DESIGNATION OF
NEIGHBORHOOD DEVELOPMENT AREAS

* * *

(f) Neighborhood development area incentives for developers. Once a municipality has a designated neighborhood development area or has a Vermont neighborhood designation pursuant to section 2793d of this title, any proposed development within that area shall be eligible for each of the benefits listed in this subsection. These benefits shall accrue upon approval by the district coordinator, who shall review the density requirements set forth in subdivision (c)(7) of this section to determine benefit eligibility and issue a jurisdictional opinion under 10 V.S.A. chapter 151 on whether the density requirements are met. These benefits are:

(1) ~~The the application fee limit for wastewater applications stated in 3 V.S.A. § 2822(j)(4)(D);~~

(2) ~~The the application fee reduction for residential development stated in 10 V.S.A. § 6083a(d);~~

(3) ~~The the exclusion from the land gains tax provided by 32 V.S.A. § 10002(p); and~~

(4) eligibility for the Downtown and Village Center Tax Credit Program described in 32 V.S.A. § 5930aa et seq.

* * *

Sec. 9. 24 V.S.A. § 2794 is amended to read:

§ 2794. INCENTIVES FOR PROGRAM DESIGNEES

(a) Upon designation by the Vermont Downtown Development Board under section 2793 of this title, a downtown development district and projects in a downtown development district shall be eligible for the following:

(1) Priority consideration by any agency of the State administering any State or federal assistance program providing funding or other aid to a municipal downtown area with consideration given to such factors as the costs and benefits provided and the immediacy of those benefits, provided the project is eligible for the assistance program.

(2) ~~The following State tax credits:~~

~~(A) A State historic rehabilitation tax credit of 10 percent under 32 V.S.A. § 5930cc(a) that meets the requirements for the federal rehabilitation tax credit.~~

~~(B) A State façade improvement tax credit of 25 percent under 32 V.S.A. § 5930cc(b).~~

~~(C) A State code improvement tax credit of 50 percent under 32 V.S.A. § 5930cc(e) The Downtown and Village Center Tax Credit Program described in 32 V.S.A. § 5930aa et seq.~~

* * *

Sec. 10. 32 V.S.A. § 5930cc is amended to read:

§ 5930cc. DOWNTOWN AND VILLAGE CENTER PROGRAM TAX
CREDITS

* * *

(d) Flood Mitigation Tax Credit. The qualified applicant of a qualified flood mitigation project shall be entitled, upon the approval of the State Board, to claim against the taxpayer's State individual income tax, State corporate income tax, or bank franchise or insurance premiums tax liability a credit of 50 percent of qualified expenditures up to a maximum tax credit of \$75,000.00.

* * * Missing Middle Housing * * *

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

(a) The following amounts are appropriated from the America Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Housing and Community Development to grant to the Vermont Housing

Finance Agency to establish the Missing Middle-Income Homeownership Development Pilot Program:

(1) \$5,000,000.00 in fiscal year 2022; and

(2) \$10,000,000.00 in fiscal year 2023.

(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 120 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) historic nature of the project.

(f) 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.

(g) The Agency shall ensure that initial investments made under this Program are obligated by December 31, 2024 and expended by December 31, 2026.

(h) The Department shall report to the House Committee on Housing, General, and Military Affairs and Senate Committee on Economic Development, Housing and General Affairs on the status of the Program annually, on or before January 15, through 2027.

* * * Residential Construction Contractors * * *

Sec. 12. FINDINGS

The General Assembly finds that:

- (1) There is currently no master list of residential construction contractors operating in the State.
- (2) There is no standard process for determining or adjudicating construction contract fraud complaints either on the part of contractors or consumers.
- (3) Public authorities have no mechanism to contact all contractors when necessary to provide updates to public health requirements, safe working

protocols, codes and standards, available trainings and certifications, or building incentives or construction subsidies.

(4) Wide dissemination of information on codes, standards, and trainings is vital to improving construction techniques throughout the State's construction industry. Since building thermal conditioning represents over one-quarter of the State's greenhouse gas emissions, improving energy performance is a key strategy for meeting the requirements of the Global Warming Solutions Act, 2020 Acts and Resolves No. 153.

(5) While registration is not licensure and confers no assurance of competence, consumers have no way of knowing whether a contractor is operating legally or has been subject to civil claims or disciplinary actions.

(6) A noncommercial, standardized public listing will provide contractors an opportunity to include in their record optional third-party, State-sanctioned certifications.

Sec. 13. 3 V.S.A. § 122 is amended to read:

§ 122. OFFICE OF PROFESSIONAL REGULATION

The Office of Professional Regulation is created within the Office of the Secretary of State. The Office shall have a director who shall be qualified by education and professional experience to perform the duties of the position. The Director of the Office of Professional Regulation shall be a classified position with the Office of the Secretary of State. The following boards or professions are attached to the Office of Professional Regulation:

* * *

(51) Residential Contractors.

Sec. 14. 26 V.S.A. chapter 106 is added to read:

CHAPTER 106. RESIDENTIAL CONTRACTORS

Subchapter 1. General Provisions

§ 5501. REGISTRATION REQUIRED

(a) A person shall register with the Office of Professional Regulation prior to contracting with a homeowner to perform residential construction in exchange for consideration of more than \$10,000.00, including labor and materials.

(b) Unless otherwise exempt under section 5502 of this title, as used in this chapter, "residential construction" means to build, demolish, or alter a residential dwelling unit, or a building or premises with four or fewer residential dwelling units, in this State, and includes interior and exterior

construction, renovation, and repair; painting; paving; roofing; weatherization; installation or repair of heating, plumbing, solar, electrical, water, or wastewater systems; and other activities the Office specifies by rule consistent with this chapter.

§ 5502. EXEMPTIONS

This chapter does not apply to:

(1) an employee acting within the scope of his or her employment for a business organization registered under this chapter;

(2)(A) a professional engineer, licensed architect, or a tradesperson licensed, registered, or certified by the Department of Public Safety acting within the scope of his or her license, registration, or certification; or

(B) a business that performs residential construction if the work is performed primarily by or under the direct supervision of one or more employees who are individually exempt from registration under subdivision (2)(A) of this section;

(3) delivery or installation of consumer appliances, audio-visual equipment, telephone equipment, or computer network equipment;

(4) landscaping;

(5) work on a structure that is not attached to a residential building; or

(6) work that would otherwise require registration that a person performs in response to an emergency, provided the person applies for registration within a reasonable time after performing the work.

§ 5503. MANDATORY REGISTRATION AND VOLUNTARY

CERTIFICATION DISTINGUISHED

(a)(1) The system of mandatory registration established by this chapter is intended to protect against fraud, deception, breach of contract, and violations of law, but is not intended to establish standards for professional qualifications or workmanship that is otherwise lawful.

(2) The provisions of 3 V.S.A. § 129a, with respect to a registration, shall be construed in a manner consistent with the limitations of this subsection.

(b) The system of voluntary certification established in this chapter is intended to provide consumers and contractors with a publicly available, noncommercial venue for contractors to list optional approved certifications. The Director of Professional Regulation, in consultation with public safety

officials and recognized associations or boards of builders, remodelers, architects, and engineers, may:

(1) adopt rules providing for the issuance of voluntary certifications, as defined in subdivision 3101a(1) of this title, that signify demonstrated competence in particular subfields and specialties related to residential construction;

(2) establish minimum qualifications, and standards for performance and conduct, necessary for certification; and

(3) discipline a certificant for violating adopted standards or other law, with or without affecting the underlying registration.

Subchapter 2. Administration

§ 5505. DUTIES OF THE DIRECTOR

(a) The Director of Professional Regulation shall:

(1) provide information to the public concerning registration, certification, appeal procedures, and complaint procedures;

(2) administer fees established under this chapter;

(3) receive applications for registration or certification, issue registrations and certifications to applicants qualified under this chapter, deny or renew registrations or certifications, and issue, revoke, suspend, condition, and reinstate registrations and certifications as ordered by an administrative law officer;

(4) prepare and maintain a registry of registrants and certificants; and

(5) use the registry to timely communicate with registrants and certificants concerning issues of health and safety, building codes, environmental and energy issues, and State and federal incentive programs.

(b) The Director, after consultation with an advisor appointed pursuant to section 5506 of this title, may adopt rules to implement this chapter.

§ 5506. ADVISORS

(a) The Secretary of State shall appoint two persons pursuant to 3 V.S.A. § 129b to serve as advisors in matters relating to residential contractors and construction.

(b) To be eligible to serve, an advisor shall:

(1) register under this chapter;

(2) have at least three years' experience in residential construction immediately preceding appointment; and

(3) remain active in the profession during his or her service.

(c) The Director of Professional Regulation shall seek the advice of the advisors in implementing this chapter.

§ 5507. FEES

A person regulated under this chapter shall pay the following fees at initial application and biennial renewal:

(1) Registration, individual: \$75.00.

(2) Registration, business organization: \$250.00.

(3) State certifications: \$75.00 for a first certification and \$25.00 for each additional certification.

Subchapter 3. Registrations

§ 5508. ELIGIBILITY

To be eligible for registration, the Director of Professional Regulation shall find that the applicant is in compliance with the provisions of this chapter and applicable State law and has satisfied any judgment order related to the provision of professional services to a homeowner.

§ 5509. REQUIREMENTS OF REGISTRANTS

(a) Insurance. A person registered under this chapter shall maintain minimum liability insurance coverage in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate, evidence of which may be required as a precondition to issuance or renewal of a registration.

(b) Writing.

(1) A person registered under this chapter shall execute a written contract prior to receiving a deposit or commencing residential construction work if the estimated value of the labor and materials exceeds \$10,000.00.

(2) A contract shall specify:

(A) Price. One of the following provisions for the price of the contract:

(i) a maximum price for all work and materials;

(ii) a statement that billing and payment will be made on a time and materials basis, not to exceed a maximum price; or

(iii) a statement that billing and payment will be made on a time and materials basis and that there is no maximum price.

(B) Work dates. Estimated start and completion dates.

(C) Scope of work. A description of the services to be performed and a description of the materials to be used.

(D) Change order provision. A description of how and when amendments to the contract may be approved and documented, as agreed by the parties.

(3) The parties shall document an amendment to the contract in a signed writing.

(c) Down payment.

(1) If a contract specifies a maximum price for all work and materials or a statement that billing and payment will be made on a time and materials basis, not to exceed a maximum price, the contract may require a down payment of up to one-half of the cost of labor to the consumer, or one-half of the price of materials, whichever is greater.

(2) If a contract specifies that billing and payment will be made on a time and materials basis and that there is no maximum price, the contract may require a down payment as negotiated by the parties.

§ 5510. PROHIBITIONS AND REMEDIES

(a) A person who does not register as required pursuant to this chapter may be subject to an injunction or a civil penalty, or both, for unauthorized practice as provided in 3 V.S.A. § 127(b).

(b) The Office of Professional Regulation may discipline a registrant or certificent for unprofessional conduct as provided in 3 V.S.A. § 129a, except that 3 V.S.A. § 129a(b) does not apply to a registrant.

(c) The following conduct by a registrant, certificent, applicant, or person who later becomes an applicant constitutes unprofessional conduct:

(1) failure to enter into a written contract when required by this chapter;

(2) failure to maintain liability or workers' compensation insurance as required by law;

(3) committing a deceptive act in commerce in violation of 9 V.S.A. § 2453;

(4) falsely claiming certification under this chapter, provided that this subdivision does not prevent accurate and nonmisleading advertising or statements related to credentials that are not offered by this State; and

(5) selling or fraudulently obtaining or furnishing a certificate of registration, certification, license, or any other related document or record, or assisting another person in doing so, including by reincorporating or altering a

trade name for the purpose or with the effect of evading or masking revocation, suspension, or discipline against a registration issued under this chapter.

Sec. 15. IMPLEMENTATION

(a) Notwithstanding any contrary provision of 26 V.S.A. chapter 106:

(1) The initial biennial registration term for residential contractors pursuant to 26 V.S.A. chapter 106 shall begin on April 1, 2023.

(2) The Secretary of State may begin receiving applications for the initial registration term on December 1, 2022.

(3)(A) The registration fee for individuals who submit complete registration requests between December 1, 2022 and March 31, 2023 is \$25.00 and between April 1, 2023 and March 31, 2024, the fee is \$50.00.

(B) The registration fee for business organizations that submit complete registration requests between December 1, 2022 and March 31, 2023 is \$175.00 and between April 1, 2023 and March 31, 2024, the fee is \$200.00.

(4) Prior to April 1, 2024, the Office of Professional Regulation shall not take any enforcement action for unauthorized practice under 26 V.S.A. § 5510(a) against a residential contractor who fails to register as required by this act.

(b) On or before July 1, 2023, the Director of Professional Regulation shall establish an initial set of voluntary certifications, to include at minimum OSHA standards on construction projects and components of energy-efficient “green” building for insulators, carpenters, and heating and ventilation installers.

Sec. 16. CREATION OF POSITIONS WITHIN THE OFFICE OF PROFESSIONAL REGULATION; LICENSING

(a) There are created within the Secretary of State’s Office of Professional Regulation one new position in licensing and one new position in enforcement.

(b) In fiscal year 2023, the amount of \$200,000.00 in Office of Professional Regulation special funds is appropriated to the Secretary of State to fund the positions created in subsection (a) of this section.

Sec. 17. ATTORNEY GENERAL; CONSUMER ASSISTANCE PROGRAM; POSITION; APPROPRIATION

(a) The Office of the Attorney General is authorized to create one classified, two-year full-time limited-service position within the Consumer Assistance Program, whose duties shall include:

(1) assisting with consumer complaints concerning residential construction projects with a value of less than \$10,000.00;

(2) providing education, outreach, and mediation to contractors and consumers; and

(3) coordinating and facilitating information sharing concerning complaints with the Office of Professional Regulation.

(b) In fiscal year 2023, the amount of \$200,000.00 is appropriated from the General Fund to the Office of the Attorney General to create the position and perform the duties provided in this section.

Sec. 18. SECRETARY OF STATE; STATUS REPORT

On or before January 15, 2024, the Office of Professional Regulation shall report to the House Committees on General, Housing, and Military Affairs and on Government Operations and to the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations concerning the implementation of 26 V.S.A. chapter 106, including:

(1) the number of registrations and certifications;

(2) the resources necessary to implement the chapter;

(3) the number and nature of any complaints or enforcement actions;

(4) the potential design and implementation of a one-stop portal for contractors and consumers; and

(5) any other issues the Office deems appropriate.

Sec. 19. 9 V.S.A. § 4500 is amended to read:

§ 4500. LEGISLATIVE INTENT

(a) The provisions of this chapter establishing legal standards, duties, and requirements with respect to persons with disabilities in places of public accommodation as defined in this chapter, except those provisions relating to remedies, are intended to implement and to be construed so as to be consistent with the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. and regulations promulgated under that act Act, and are not intended to impose additional or higher standards, duties, or requirements than that act Act.

(b) Subsections 4502(b) and (c) of this title shall not be construed to create or impose on governmental entities additional or higher standards, duties, or requirements than that imposed by Title II of the Americans with Disabilities Act.

(c) The provisions of this chapter shall be construed liberally to accomplish its remedial purposes and any exceptions and exemptions to the provisions of

this chapter shall be construed narrowly in order to maximize the deterrence of discriminatory behavior.

Sec. 20. 9 V.S.A. § 4503 is amended to read:

§ 4503. UNFAIR HOUSING PRACTICES

(a) It shall be unlawful for any person:

* * *

(2) To discriminate against, or to harass, any person in the terms, conditions, privileges, and protections of the sale or rental of a dwelling or other real estate, or in the provision of services or facilities in connection ~~therewith~~ with a dwelling or other real estate, because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

* * *

(d)(1) As used in this section, “harass” means to engage in unwelcome conduct that detracts from, undermines, or interferes with the person’s terms, conditions, privileges, or protections in the sale or rental of a dwelling or other real estate, or in the provision of services or facilities in connection with a dwelling or other real estate, because of the person’s race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability, or because the person intends to occupy a dwelling with one or more minor children, or because the person is a recipient of public assistance, or because the person is a victim of abuse, sexual assault, or stalking.

(2) Notwithstanding any judicial precedent to the contrary, harassing conduct need not be severe or pervasive to be unlawful pursuant to the provisions of this section. In determining whether conduct constitutes unlawful harassment:

(A) The determination shall be made on the basis of the record as a whole, according to the totality of the circumstances, and a single incident may constitute unlawful harassment.

(B) Incidents that may be harassment shall be considered in the aggregate with varying types of conduct and conduct based on multiple characteristics viewed in totality, rather than in isolation.

(C) Conduct may constitute unlawful harassment, regardless of whether:

(i) the complaining person is the person being harassed;

(ii) the complaining person acquiesced or otherwise submitted to or participated in the conduct;

(iii) the conduct is also experienced by others outside the protected class involved in the conduct;

(iv) the complaining person was able to enjoy the benefit of applicable terms, conditions, privileges, or protections in the sale or rental of the dwelling or other real estate, or to obtain services or facilities in connection with the dwelling or other real estate, despite the conduct;

(v) the conduct resulted in a physical or psychological injury; or

(vi) the conduct occurred outside the dwelling or other real estate.

(3) behavior that a reasonable person with the same protected characteristic would consider to be a petty slight or trivial inconvenience shall not constitute unlawful harassment or discrimination pursuant to this section.

Sec. 21. PROHIBITION OF TAX SALE WHILE VHAP APPLICATION

PENDING

(a) Not less than 60 days prior to serving a notice of sale on a delinquent taxpayer pursuant to 32 V.S.A. § 5252(a)(3), a town or municipality shall mail to the delinquent taxpayer's last known address a notice in the following, or substantially similar, form:

"If this property is your primary residence, you may be able to get help with delinquent property tax and utility payments through the Vermont Homeowner Assistance Program (VHAP). VHAP can help you avoid tax sale and transfer of your property by paying delinquent property taxes, water and sewer charges, interest, and penalties.

You can apply for VHAP online at vermonthap.vhfa.org. For advice about the program and help completing the application, call Vermont Legal Aid at 1-800-889-2047.

If you apply for VHAP, you must notify your town in writing, and your property will not be sold or transferred while your application is pending."

(b) A notice of sale to a delinquent taxpayer pursuant to 32 V.S.A. § 5252(a)(3) shall include the notice in subsection (a) of this section.

(c) If a town or municipality has sold a delinquent taxpayer's property pursuant to 32 V.S.A. § 5254 prior to the effective date of this section, but the

deed conveying title to the purchaser has not yet been executed pursuant to 32 V.S.A. § 5261, not later than 30 days from the effective date of this section, the town or municipality shall mail to the delinquent taxpayer's last known address the notice in subsection (a) of this section.

(d)(1) A homeowner who has applied for VHAP may request a stay of the tax sale process or extension of the redemption period while the VHAP application is pending by attesting to the municipality that the homeowner has made a good faith application for VHAP funds in connection with the homeowner's primary residence.

(2) Upon notification that a VHAP application is pending, a municipality shall not conduct a tax sale of the property until one of the following occurs:

(A) the applicant is deemed ineligible for VHAP;

(B) the VHAP application is closed due to inaction by the applicant;

or

(C) payment is issued to the municipality on a qualifying application.

(3) If a payment is issued that satisfies the delinquency, the sale shall not proceed.

(e)(1) If a tax sale occurred prior to the delinquent taxpayer's application for VHAP, the redemption period established in 32 V.S.A. § 5260 shall be extended by operation of law until one of the following occurs:

(A) the applicant is deemed ineligible for VHAP;

(B) the VHAP application is closed due to inaction by the applicant;

or

(C) payment is issued to the municipality on a qualifying application.

(2) If payment is issued for the redemption amount, the deed shall not be made to the purchaser, but the sums shall be paid to the purchaser pursuant to 32 V.S.A. § 5260.

(f)(1) This section is repealed on September 30, 2025.

(2) The notice obligations in subsections (a)–(c) of this section shall cease when the Vermont Housing Finance Agency stops accepting VHAP applications because funding is exhausted.

Sec. 22. 10 V.S.A. § 12 is added to read:

§ 12. VERMONT LAND ACCESS AND OPPORTUNITY BOARD

(a) Creation. There is created the Vermont Land Access and Opportunity Board, which for administrative purposes shall be attached to the Vermont Housing and Conservation Board.

(b) Powers and duties. The Board shall promote racial and social equity in property ownership for Vermonters who have historically suffered from discrimination and who have not had equal access to public or private economic benefits.

Sec. 23. EFFECTIVE DATES

This act shall take effect on July 1, 2022, except that Sec. 11 (Missing Middle Pilot Program) and Sec. 21 (tax sales) shall take effect on passage.

Rep. Jessup of Middlesex, for the Committee on Appropriations, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on General, Housing, and Military Affairs.

Rep. Kornheiser of Brattleboro, for the Committee on Ways and Means, recommended that the report of the Committee on General, Housing, and Military Affairs be amended as follows:

First: In Sec. 5, 32 V.S.A. § 5930aa, in subdivision (5), by inserting , or neighborhood development area following “designated village center”

Second: By striking out Sec. 6, 32 V.S.A. § 5930bb, in its entirety and inserting in lieu thereof the following:

Sec. 6. 32 V.S.A. § 5930bb is amended to read:

§ 5930bb. ELIGIBILITY AND ADMINISTRATION

* * *

(e) Availability of Neighborhood Development Area tax credits. Beginning on July 1, 2025, under this subchapter no new tax credit may be allocated by the State Board to a qualified building located in a neighborhood development area unless specific funds have been appropriated for that purpose.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on General, Housing, and Military Affairs was amended as recommended by the Committee on Ways and Means.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on General, Housing, and Military Affairs, as amended?, **Rep. Stevens of Waterbury** moved to amend the report of the Committee on General, Housing, and Military Affairs, as amended, as follows:

By striking out Sec. 4 in its entirety and inserting in lieu thereof a new Sec. 4 to read as follows:

Sec. 4. COMMUNITY PARTNERSHIP FOR NEIGHBORHOOD
DEVELOPMENT

(a) The Department of Housing and Community Development shall lead a Community Partnership for Neighborhood Development Program, which shall be a collaborative among municipalities, nonprofit and for-profit developers, State agencies, employers, and other relevant stakeholders to develop a pilot neighborhood and demonstrate how new partnership models for targeted and coordinated investments can support the development of at least 300 homes in inclusive, smart growth neighborhoods.

(b) The Program shall be steered by a Housing Equity Council with representatives from the Vermont Department of Housing Community Development, the Vermont Housing Finance Agency, the Agency of Natural Resources, the Agency of Transportation, the Department of Public Service, the Vermont Bond Bank, the Vermont Economic Development Authority, the Vermont Housing and Conservation Board, the Vermont Association of Planning and Development Agencies, the Vermont League of Cities and Towns, and the Vermont Regional Development Corporations.

(c) The Council shall consider and recommend to the Department of Housing and Community Development at least three a pilot neighborhood development project in three separate regional planning commission regions using a competitive process to select municipalities a municipality able to demonstrate need, collaboration, preliminary planning, bylaw modernization, and budgetary commitments to support smart growth and housing development in a location within or up to one quarter of a mile from a neighborhood planning area, as defined in 24 V.S.A. § 2791, or a location that otherwise represent a logical extension of an existing compact settlement pattern that is consistent with smart-growth principles.

(d) Through the Program, the Department and the Council shall coordinate with the pilot municipality through 2026 on the strategic use of public resources to create a development-ready framework for new and infill neighborhood development and construction-ready building lots through the integrated coordination of the following:

- (1) State, regional, and municipal planning;
- (2) State and municipal regulation;
- (3) land acquisition and land banking;
- (4) physical improvement planning, design, and scoping;
- (5) capital investment in infrastructure;
- (6) financing and funding, including funding from the American Rescue Plan Act and Infrastructure Investment and Jobs Act;
- (7) lot and building development by private and nonprofit developers;
and
- (8) the sale or leasing of homes.

(e) The Department and the Council shall seek to achieve the following goals through the Program:

- (1) The development of a neighborhood that:
 - (A) is compact and human-scaled, with a density of at least eight dwelling units per acre, including modestly sized dwellings on small lots;
 - (B) is characteristic of Vermont's smart growth principles, as provided in 24 V.S.A. § 2791;
 - (C) is located in proximity to existing residential, employment, and civic uses;
 - (D) provides for a mix of housing types, styles, tenure, and sizes to accommodate diverse households of varying composition, age, and income, including not less than 25 percent of the units with perpetual affordability and 35 percent of the homes affordable at 80 percent of the area median income;
 - (E) provides for a mix of transportation modes with interconnected streets and sidewalks; and
 - (F) is designed in a manner that enhances historic resources, climate readiness, energy efficiency, environmental quality, resident health, and overall livability.

(2) A successful model for the acquisition or banking of developable- or development-ready land for new neighborhood development or infill development within an existing, developed neighborhood.

(3) A successful model for the integration of planning and implementation for water, sewer, and other public utilities and services with land use planning and transportation investments in new or upgraded streets.

(f) \$1,000,000.00 is appropriated from the American Recue Plan Act (ARPA) recovery funds to the Department of Housing and Community Development for predevelopment grants that implement this section, which may fund municipal planning, site control, land acquisition, design, scoping, and surveying for the development of a pilot neighborhood.

(g) Of the amounts appropriated in this section, the Department may reserve not more than \$100,000.00 for related administrative expenses through fiscal year 2026.

(h) The Agency of Natural Resources and the Agency of Transportation shall report back to the General Assembly on or before December 15, 2024 on financial contributions the agencies can make to the Program's pilot neighborhood.

(i) The Department of Housing and Community Development shall report back to the General Assembly on the results of the Program on or before December 15, 2026.

Which was agreed to.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on General, Housing, and Military Affairs, as amended?, **Rep. Stevens of Waterbury** moved to further amend the report of the Committee on General, Housing, and Military Affairs, as amended, as follows:

By striking out Sec. 22, 10 V.S.A. § 12, Land Access and Opportunity Board, in its entirety and inserting in lieu thereof Secs. 22, 22a, 22b, and 22c to read as follows:

Sec. 22. INTENT

It is the intent of the Vermont General Assembly to acknowledge structural racism and address prevalent wealth disparities by creating new opportunities to improve access to woodlands, farmland, and land and home ownership for Vermonters from historically marginalized or disadvantaged communities who continue to face barriers to land and home ownership.

Sec. 22a. VERMONT LAND ACCESS AND OPPORTUNITY BOARD;
APPROPRIATION; SUPPORT

(a) As used in this section:

(1) "Board" means the Vermont Land Access and Opportunity Board.

(2) "VHCB" means the Vermont Housing and Conservation Board.

(b) The sum of \$200,000.00 is appropriated from the General Fund to VHCB in fiscal year 2023 to administer and support the Vermont Land Access and Opportunity Board.

(c) In fiscal year 2023, and to the extent that funding is appropriated in fiscal years 2024 and 2025, VHCB shall provide general, accounting, and administrative support to the Board, including support related to the administration of Board meetings, compliance with requirements for records retention and of the Open Meeting Law, processing of per diem compensation and reimbursement of expenses for Board members, contracting, and bookkeeping and financial compliance.

Sec. 22b. 10 V.S.A. chapter 15, subchapter 5 is added to read:

Subchapter 5: Land Access and Opportunity Board

§ 325t. DEFINITIONS

As used in this subchapter:

(1) “Board” means the Vermont Land Access and Opportunity Board.

(2) “Historically marginalized or disadvantaged community” means a community that has historically suffered from discrimination and has not had equal access to public or private economic benefits due to the race, ethnicity, gender, geography, language preference, immigrant or citizen status, sexual orientation, gender identity, socioeconomic status, or disability status of its members.

(3) “LGBTQ” means an individual who identifies as lesbian, gay, bisexual, transgender, queer, or questioning.

(4) “VHCB” means the Vermont Housing and Conservation Board.

§ 325u. VERMONT LAND ACCESS AND OPPORTUNITY BOARD

(a) Creation. There is created the Vermont Land Access and Opportunity Board to promote improvements in access to woodlands, farmland, and land and home ownership for Vermonters from historically marginalized or disadvantaged communities who continue to face barriers to land and home ownership. The Board shall be attached to the Vermont Housing and Conservation Board for administrative purposes.

(b) Organization of Board. The Board shall be composed of:

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

(2) one member of Indigenous heritage, appointed by the Vermont Commission on Native American Affairs;

(3) one member, appointed by the Vermont NAACP;

(4) one member, appointed by the Vermont Racial Justice Alliance;

(5) one member, appointed by Liberation Ecosystem;

(6) one member, appointed by the Vermont Every Town project;

(7) one member, appointed by the National Association of Social Workers, Vermont Chapter, who shall be a social worker with expertise in antiracism;

(8) one member, appointed by the Pride Center of Vermont, who shall be LGBTQ;

(9) one member, appointed by the U.S. Committee for Refugees and Immigrants Vermont, who shall be a member of a refugee or immigrant community or shall have experience representing refugee or immigrant communities, or both; and

(10) one member, appointed by the Vermont Developmental Disabilities Council.

(c) Member terms; priority.

(1) A member of the Board shall serve a term of three years and until their successor has been appointed.

(2) In the event of a vacancy occurring during a member's term, the vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment.

(3)(A) When selecting members of the Board, appointing authorities shall give priority to, and shall seek to appoint, Vermonters who satisfy one or more of the following:

(i) are a member of a historically marginalized or disadvantaged community;

(ii) represent the interests of Vermonters from historically marginalized or disadvantaged communities; or

(iii) have expertise regarding access to housing, land, agriculture, or credit.

(4) A member may serve not more than two full terms. A member who is appointed to fill a vacancy occurring during a term may serve two full terms in addition to the unexpired portion of the term during which the member is first appointed.

(d) Compensation. Board members shall be entitled to per diem compensation and reimbursement of expenses pursuant 32 V.S.A. § 1010 for meetings as deemed appropriate by the Board within the appropriation

provided. These payments shall be made from monies appropriated to VHCB for the support and administration of the Board.

(e) Meetings. The Executive Director of Racial Equity or designee shall call the first meeting of the Board to occur on or before September 1, 2022.

(f) Powers and duties of the Board. The Board may do the following:

(1) Advise VHCB regarding policy development and programs to promote racial, social, economic, and climate justice for Vermonters from historically marginalized or disadvantaged communities.

(2) Retain wealth, financial, and real estate advisors who are Vermonters from historically marginalized or disadvantaged communities and use the services of those advisors to provide education and guidance for Vermonters from historically marginalized or disadvantaged communities.

(3) Retain Vermonters from historically marginalized or disadvantaged communities with expertise in agriculture, agronomics, and natural resource and land management to provide regenerative natural resource services to Vermonters from historically marginalized or disadvantaged communities.

(4) Work with VHCB; the Agency of Agriculture, Food and Markets; the Departments of Financial Regulation and of Housing and Community Development; the Vermont Sustainable Jobs Fund; the Vermont Housing Finance Agency; the Vermont State Housing Authority; the Vermont Economic Development Agency; and other State entities to:

(A) develop metrics relevant to historically marginalized or disadvantaged communities to understand disparities and track progress in addressing disparities and improving opportunities; and

(B) develop strategies and plans to more effectively reach out and provide access to resources that can overcome structural barriers to housing and land ownership, including an examination of:

(i) debt-to-income ratios;

(ii) impacts from redlining;

(iii) the impact of algorithmic systems of decision making, including the impact of credit scores and criminal background checks;

(iv) the impact of shared equity programs and homeownership programs on wealth disparity; and

(v) other practices that increase discrimination, disparities, and inequities in land access, property ownership, and wealth acquisition.

(5) Work with the Department of Taxes to recommend options and opportunities to provide advantageous tax treatment to properties owned by Vermonters who come from historically marginalized or disadvantaged communities.

(6)(A) Review, monitor, and recommend options and opportunities to redress State policies, procedures, practices, laws, and rules related to racial and social equity in property ownership for the benefit of Vermonters from historically marginalized or disadvantaged communities.

(B) Collaborate with VHCB and other affordable housing stakeholders to recommend programs and related rules to provide loans, grants, and financial assistance to individuals from historically marginalized or disadvantaged communities.

(7) Develop one or more programs with associated rules and procedures to distribute grants, to the extent funds are appropriated for the purpose, for:

(A) community-based groups and programs that will improve land and housing access, safety, and health for historically marginalized or disadvantaged communities; and

(B) individual and collective property and home ownership or housing improvements to support safe and sustainable residences for historically marginalized or disadvantaged communities.

(8) Identify, examine, and make recommendations to redress the limitations and problems associated with existing laws, rules, programs, and services related to property ownership for Vermonters from historically marginalized or disadvantaged communities.

§ 325v. ACCEPTANCE OF GRANTS AND CONTRIBUTIONS

The Board may accept from any governmental department or agency, public or private body, or any other source, grants or contributions to be used in carrying out the provisions of this subchapter.

Sec. 22c. INITIAL REPORT; VERMONT LAND ACCESS AND

OPPORTUNITY BOARD

On or before January 15, 2023, in consultation with the Vermont Housing and Conservation Board and any contractors hired for this purpose, the Vermont Land Access and Opportunity Board shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs with initial recommendations related to the goals set forth in 10 V.S.A. § 325u. The report and recommendations shall primarily address legal, constitutional,

and governance questions relevant to the functions of the Board, including grant making and how to fund, organize, and structure the Board as a permanent instrumentality of the State of Vermont.

Which was agreed to.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on General, Housing, and Military Affairs, as amended?, **Reps. Jessup of Middlesex, Fagan of Rutland City, Feltus of Lyndon, Harrison of Chittenden, Helm of Fair Haven, Hooper of Montpelier, Scheu of Middlebury, Squirrell of Underhill, Toleno of Brattleboro, Townsend of South Burlington, and Yacovone of Morristown** moved to amend the report of the Committee on General, Housing, and Military Affairs, as amended, as follows:

In Sec. 3, “Manufactured Home Improvement and Replacement Program”, by striking out “\$3,000,000.00” in subdivision (1) and inserting in lieu thereof “\$2,500,000.00” and by striking out “\$1,000,000.00” in subdivisions (2) and (3) and inserting in lieu thereof “\$750,000.00”

Which was agreed to.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on General, Housing, and Military Affairs, as amended?, **Rep. Higley of Lowell** moved to amend the report of the Committee on General, Housing, and Military Affairs, as amended, as follows:

By striking out Secs. 12–18 in their entireties and inserting in lieu thereof new Secs. 12–18 to read as follows:

Sec. 12. ATTORNEY GENERAL; CONSUMER ASSISTANCE

PROGRAM; POSITION; APPROPRIATION

(a) The Office of the Attorney General is authorized to create one classified, two-year, full-time limited-service position within the Consumer Assistance Program, whose duties shall include:

(1) assisting with consumer complaints concerning residential construction projects with a value of less than \$10,000.00;

(2) providing education, outreach, and mediation to contractors and consumers; and

(3) coordinating and facilitating information sharing concerning complaints with the Office of Professional Regulation.

(b) In fiscal year 2023, the amount of \$200,000.00 is appropriated from the General Fund to the Office of the Attorney General to create the position and perform the duties provided in this section.

Secs. 13–18. [Deleted.]

Which was disagreed to. Thereupon, the report of the Committee on General, Housing, and Military Affairs, as amended, was agreed to and third reading was ordered.

**Senate Proposal of Amendment Not Concurred in;
Committee of Conference Requested and Appointed**

H. 456

The Senate proposed to the House to amend House bill, entitled

An act relating to establishing strategic goals and reporting requirements for the Vermont State Colleges

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

* * * Vermont State Colleges; Strategic Goals and Reporting * * *

Sec. 1. 16 V.S.A. § 2171a is added to read:

§ 2171a. STRATEGIC GOALS

(a) The Corporation shall establish its priorities, budget and allocate its resources, and develop its capabilities to ensure that students successfully achieve their academic goals in a manner and in an environment that provides a high-quality education and that is:

- (1) affordable;
- (2) accessible;
- (3) equitable; and
- (4) relevant to Vermont's needs.

(b) As used in this chapter:

(1) “Accessible” means each student, regardless of where the student’s home campus is located, has increased access to academic opportunities, majors, and courses across the Corporation’s academic system.

(2) “Affordability standard” means the extent to which affordability is being achieved for students and for the Corporation as determined jointly by the Corporation and VSAC.

(3) “Affordable” means a level of financial commitment that results from the application of the affordability standard.

(4) “Equitable” means the extent to which gaps in educational access and success are being reduced for students from economically deprived backgrounds, first-generation students, students of color, and other marginalized groups.

(5) “Relevant to Vermont’s needs” means that students graduate as informed and engaged citizens who are prepared for the world of work and for participating in a democratic society.

(6) “Total cost of attendance” has the meaning provided in 20 U.S.C. § 1087ll, as amended.

(7) “Unmet need” means the total cost of attendance minus:

(A) the Student Aid Index, as determined under 20 U.S.C. § 1087mm, as in effect on July 31, 2023; and

(B) all nonloan student financial assistance.

(8) “VSAC” means the Vermont Student Assistance Corporation.

(c) The Corporation’s Board of Trustees shall approve and maintain institutional missions that align to the strategic goals set out in subsection (a) of this section.

Sec. 2. 16 V.S.A. § 2171b is added to read:

§ 2171b. VERMONT STUDENT ASSISTANCE CORPORATION AND
VERMONT STATE COLLEGES; REPORTING

On or before January 15, 2024 and on or before January 15 annually thereafter, VSAC, with the assistance of and in collaboration with the Corporation, shall submit a written report to the House and Senate Committees on Education containing:

(1) the Corporation’s progress in attaining affordability for full-time students enrolled with the Corporation for the first time;

(2) the Corporation’s progress in attaining affordability for all other students;

(3) the average and median amount of unmet need for full-time students enrolled with the Corporation for the first time and the average and median amount of unmet need for all other students;

(4) the average, median, annual, and cumulative student and parent debt by loan type (federal direct to student, federal direct to parent, state, or private) for students obtaining a two-year or four-year degree; and

(5) for students enrolled with the Corporation, their average:

(A) yearly continuation rate;

(B) academic progress, showing satisfactory and unsatisfactory progress; and

(C) graduation rate.

Sec. 3. REPORT

On or before July 1, 2023, the Vermont Student Assistance Corporation, in collaboration with the Agency of Education, shall submit a written report to the House and Senate Committees on Education on whether and how to implement a requirement that all high school students complete the Free Application for Federal Student Aid as a condition of graduation.

Sec. 4. 16 V.S.A. § 2171(c) is amended to read:

(c) The Corporation may acquire, hold, and dispose of property in fee or in trust, or any other estate, except as provided in subsection (d) of this section; shall have a common seal; and shall be an instrumentality of the State for the purposes set forth in this section. The State of Vermont shall support and maintain the Corporation. The sale, lease, demolition, or disposal of property by the Corporation shall comply with the applicable requirements of 32 V.S.A. § 962.

Sec. 5. REPEAL

16 V.S.A. § 2188 is repealed.

Sec. 6. AFFORDABILITY STANDARD; DETERMINATION

On or before July 1, 2023, the Vermont State Colleges and the Vermont Student Assistance Corporation shall jointly recommend to the Senate and House Committees on Education and the Senate and House Committees on Appropriations the definition of the affordability standard under Sec. 1 of this act.

* * * Vermont State Colleges Corporation; Board of Trustees * * *

Sec. 7. 16 V.S.A. § 2172 is amended to read:

§ 2172. TRUSTEES; APPOINTMENT; VACANCIES

(a) The Corporation shall be governed by a board of ~~45~~ 17 trustees who shall be appointed or elected as follows:

(1) Biennially, the Governor, with the advice and consent of the Senate, shall appoint trustees to serve for four-year terms expiring March 1 of the year of the biennial session. Five trustees may be in office at one time under this

subdivision. In the event of any vacancy occurring between biennial sessions in an office under this subdivision, the Governor, pursuant to 3 V.S.A. § 257, shall fill the vacancy, and the term of a person so appointed shall expire on March 1 in the year of the next following biennial session.

(2)(A) ~~One trustee~~ Two trustees shall be a student ~~trustee~~ trustees:

(i) ~~who is a~~ are matriculated ~~student~~ students at an educational institution operated by the Vermont State Colleges Corporation;

(ii) ~~who is~~ are pursuing a degree program; and

(iii) ~~who has~~ have reached the age of majority.

(B) The student ~~trustee~~ trustees shall serve a one-year ~~term~~ terms expiring on June 1. The student ~~trustee~~ trustees shall be appointed, and a vacancy may be filled, from among those eligible students applying for the position by the decision of those members of the steering committee of the Vermont State Colleges Student Association who have been elected at large to that committee by the students at their respective colleges. No student trustee may serve more than two consecutive terms.

(3) Four trustees shall be legislative trustees who are members of the General Assembly at the time of their election. Legislative trustees shall serve four-year terms expiring on March 1 of the second year of the biennial session, and they shall be elected by joint assembly of the Legislature. Vacancies for any cause shall be filled by the General Assembly at its earliest opportunity, and the term of a person so appointed shall expire on March 1 of the next even numbered year.

(4) Four trustees shall be elected by the Board of Trustees to four-year terms expiring on March 1. Vacancies for any cause shall be filled by the remaining members of the Board of Trustees, and the term of the person so appointed shall expire on the next following March 1.

(5) One trustee shall be faculty or staff employed by the Vermont State Colleges Corporation and elected by the faculty and staff to a four-year term expiring on August 1. The faculty assembly or assemblies shall oversee all trustee elections under this subdivision, which shall be open to all faculty and staff. Vacancies for any cause shall be filled through an election, and the term of the person so appointed shall expire on the next following August 1.

(b) Appointments by the Governor ~~and~~ elections by the General Assembly, and student appointments shall be made with consideration of the geographic distribution of members to prevent an unfair focus on any single college or campus.

(c) No trustee shall be a member of the Board of Trustees of the University of Vermont.

(d)(1) The Board of Trustees, after notice and a hearing, may remove a trustee for incompetency, failure to discharge duties, malfeasance, illegal acts, or other cases inimical to the welfare of the Corporation.

(2) Gubernatorial-appointed trustees shall serve at the pleasure of the Governor pursuant to 3 V.S.A. § 2004.

(3) In the event of a vacancy occurring under this subsection, the ~~Governor or the Board~~ appointing or electing authority of the vacant position, as applicable, shall fill the vacancy pursuant to subsection (a) of this section.

Sec. 8. 16 V.S.A. § 2173 is amended to read:

§ 2173. BOARD OF TRUSTEES; ORGANIZATION

In addition to the ~~14~~ 16 elected and appointed trustees, the Board of Trustees shall include as a member the Governor of Vermont. A majority of the trustees shall constitute a quorum for the transaction of business. Biennially, the Board shall elect one of its voting members to serve as its chair.

Sec. 9. TRANSITION

(a) On or before August 1, 2022, the new faculty or staff member of the Board of Trustees of the Vermont State Colleges Corporation shall be elected under Sec. 7 of this act.

(b) On or before September 15, 2022, the new student member shall be appointed under Sec. 7 of this act. The new student trustee shall serve a partial term, commencing on September 15, 2022 and ending on March 1, 2023.

* * * University of Vermont and State Agricultural College; Board of Trustees * * *

Sec. 10. 16 App. V.S.A. Chapter 1, § 1-2 is amended to read:

§ 1-2. BOARD OF TRUSTEES; MEMBERSHIP; TERMS OF SERVICE;
PRESIDING CHAIR

The Board of Trustees of the University of Vermont and State Agricultural College shall be composed of ~~25~~ 27 members, whose term of office shall be six years, except as to those who are members ex officio and to those who are student members. Three members shall be appointed by the Governor with the consent of the Senate. During the legislative session of 1955, the Governor shall appoint one member for a term of two years, one member for a term of four years, and one member for a term of six years, and it shall be the duty of the Governor during the session of the Legislature prior to expiration of the

term of office of any of the members to appoint for the term of six years a successor to the member whose term is expiring. The terms of office of the ~~Trustees~~ trustees shall expire on the last day of February in the respective years of expiration, and the terms of office of their successors shall thereafter begin on March 1 and expire on the last day of February.

Nine members shall be those who have been heretofore elected by the Legislature as members of the Board of Trustees of the University of Vermont and State Agricultural College, and whose terms have not expired, and their successors, and it shall be the duty of the Legislature at its session during which the terms of office of any class of the members expire to elect three successor members for terms of six years. The terms shall commence on March 1 in the year of election. The nine ~~Trustees~~ trustees and their successors shall also constitute the Board of Trustees of the Vermont Agricultural College.

~~Nine~~ Ten members shall be those who have been heretofore elected on behalf of the University of Vermont as members of the Board of Trustees of the University of Vermont and State Agricultural College and whose terms have not expired, and their successors, and it shall be the duty of said ~~nine~~ ten ~~Trustees~~ trustees to elect successors to fill vacancies occurring among their number upon expiration of the terms of office of any of them or otherwise. The ~~nine~~ ten ~~Trustees~~ trustees and their successors shall also constitute the Board of Trustees of the University of Vermont.

Two members shall be students enrolled at the University of Vermont and State Agricultural College. Their terms of office shall be two years. Prior to February 1, 1978, the Associated Directors for the Appointment of the University of Vermont and State Agricultural College Student Trustees, Incorporated shall select and appoint one student for a term of one year and one student for a term of two years, both of whom shall be enrolled as full-time undergraduate or full-time graduate students. Annually thereafter, the Directors shall meet to select and appoint one student trustee for a term of two years in accordance with the provisions of this section. The Directors shall fill any vacancy occurring among the student trustee members upon the expiration of the term of office of any of them or otherwise. A student shall be eligible to serve as a ~~Trustee~~ trustee, provided the student is a full-time undergraduate or full-time graduate student matriculating in accordance with the degree qualifications and requirements established by the University of Vermont and State Agricultural College and if the student remains in that status throughout the length of the term of office. The term of office of a ~~Student Trustee~~ student trustee shall begin on March 1 following the date of appointment, and the term of office shall end the last day of February in the year of expiration. Any student elected hereunder shall have reached ~~the age of 18 years of age.~~

One member shall be faculty or staff employed by the University of Vermont and State Agricultural College and elected by the faculty and staff to a six-year term expiring on August 1. The Faculty Senate shall oversee all trustee elections under this subdivision, which shall be open to all faculty and staff. Vacancies for any cause shall be filled through an election, and the term of the person so elected shall expire on the next following August 1.

All ~~Trustees~~ trustees so appointed and elected as hereinbefore provided, shall, together with ~~his or her Excellency~~, the Governor of the State, and the President, who shall be, ex officio, a member, constitute an entire Board of Trustees of the corporation known as the University of Vermont and State Agricultural College, who shall have the entire management and control of its property and affairs, and in all things relating thereto, except in the elections to fill vacancies, as aforesaid, shall act together jointly, as one entire Board of Trustees; provided, that all future elections or appointments to the Board of Trustees shall be made with special reference to preventing any religious denominational preponderance in the Board. The Board shall annually, at its first regular meeting after the election of new trustees, elect one of its members to serve as Chair.

Sec. 11. TRANSITION

On or before August 1, 2022, new members of the Board of Trustees of the University of Vermont and State Agricultural College shall be appointed or elected under Sec. 10 of this act.

Sec. 12. EFFECTIVE DATES

Secs. 1 and 2 shall take effect on July 1, 2023, and Secs. 3–6, 7–11 (VSC and UVM Board of Trustees), and this section shall take effect on passage.

And that after passage the title of the bill be amended to read:

An act relating to the Vermont State Colleges and the University of Vermont and State Agricultural College.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Rep. Webb of Shelburne** moved that the House refuse to concur and ask for a Committee of Conference, which was agreed to, and the Speaker appointed as members of the Committee of Conference on the part of the House:

Rep. Webb of Shelburne

Rep. James of Manchester

Rep. Cupoli of Rutland City

Action on Bill Postponed**H. 708**

House bill, entitled

An act relating to the approval of an amendment to the charter of the City of Burlington

Was taken up, and pending the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, on motion of **Rep. Copeland Hanzas of Bradford**, action on the bill was postponed until May 10, 2022.

Rules Suspended; House Actions Messaged to Senate Forthwith**H. 456**

House bill, entitled

An act relating to establishing strategic goals and reporting requirements for the Vermont State Colleges

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the House's actions on the bill were ordered messaged to the Senate forthwith.

Bills Referred to Committee on Appropriations

Pending entry on the Notice Calendar, and pursuant to House Rule 35(a), carrying an appropriation, the following bills were severally referred to the Committee on Appropriations:

S. 173

Senate bill, entitled

An act relating to the State House art collection

S. 250

Senate bill, entitled

An act relating to law enforcement data collection and interrogation

Message from the Senate No. 67

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 465. An act relating to boards and commissions.

H. 489. An act relating to miscellaneous provisions affecting health insurance regulation.

H. 727. An act relating to the exploration, formation, and organization of union school districts and unified union school districts.

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

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

H. 606. An act relating to community resilience and biodiversity protection.

And has passed the same in concurrence.

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

S. 287. An act relating to improving student equity by adjusting the school funding formula and providing education quality and funding oversight.

And has concurred therein.

Adjournment

At seven o'clock and twenty-one minutes in the evening, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.

Friday, May 6, 2022

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

A moment of silence was observed in lieu of a devotion.

Memorial Service

The Speaker placed before the House the following name of a member of past sessions of the Vermont General Assembly who had passed away recently:

Rep. Anthony Dominick of Starksboro Member of the House,
Sessions 1997-1998; 1999-2000

Thereupon, the members of the House held a moment of silence in memory of the deceased member.

Pages Honored

In appreciation of their many services to the members of the General Assembly, the Speaker recognized the following named Pages who are completing their service today and presented them with commemorative pins:

Sylvia Kane of Westford
Jacob Law of Essex
Taylor Morrison of Barre Town
Maya Piluski of Westminster
Grace Warrington of Shelburne
Jeremiah Watson of East Haven

Ceremonial Readings**H.C.R. 119**

House concurrent resolution honoring Anthony Mariano for 44 years of exemplary athletics leadership at Norwich University

Offered by: Representatives Donahue of Northfield, Goslant of Northfield, and Grad of Moretown

Having been adopted in concurrence on Friday, March 11, 2022 in accord with Joint Rule 16b, was read.

H.C.R. 150

House concurrent resolution designating April 2022 as Vermont Public Safety Telecommunicators Month

Offered by: Representatives Lefebvre of Orange, Anthony of Barre City, Brownell of Pownal, Campbell of St. Johnsbury, Coffey of Guilford, Colston of Winooski, Cordes of Lincoln, Dolan of Waitsfield, Gannon of Wilmington, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Higley of Lowell, Houghton of Essex, Masland of Thetford, Morgan, M. of Milton, Morrissey of Bennington, Norris of Sheldon, Page of Newport City, Partridge of Windham, Patt of Worcester, Scheuermann of Stowe, Sims of Craftsbury, Strong of Albany, Till of Jericho, Whitman of Bennington, Williams of Granby, Wood of Waterbury, and Yantachka of Charlotte

Having been adopted in concurrence on Friday, April 29, 2022 in accord with Joint Rule 16b, was read.

Vote on Governor's Veto**S. 286**

The Governor vetoed Senate bill, entitled

An act relating to amending various public pension and other postemployment benefits

Pursuant to Chapter II, Section 11, of the Vermont Constitution, the Clerk proceeded to call the roll and the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, was decided in the affirmative. Yeas, 148. Nays, 0.

Those who voted in the affirmative are:

Achey of Middletown	Grad of Moretown	Notte of Rutland City
Springs	Graham of Williamstown	Noyes of Wolcott
Ancel of Calais	Gregoire of Fairfield	O'Brien of Tunbridge
Anthony of Barre City	Hango of Berkshire	Ode of Burlington
Arrison of Weathersfield	Harrison of Chittenden	Page of Newport City
Austin of Colchester	Helm of Fair Haven	Pajala of Londonderry
Bartholomew of Hartland	Higley of Lowell	Palasik of Milton
Beck of St. Johnsbury	Hooper of Montpelier	Parsons of Newbury
Birong of Vergennes	Hooper of Randolph	Patt of Worcester
Black of Essex	Hooper of Burlington	Pearl of Danville
Bluemle of Burlington	Houghton of Essex	Peterson of Clarendon
Bock of Chester	Howard of Rutland City	Pugh of South Burlington
Bongartz of Manchester	James of Manchester	Rachelson of Burlington
Bos-Lun of Westminster	Jerome of Brandon	Rogers of Waterville
Brady of Williston	Jessup of Middlesex	Rosenquist of Georgia
Brennan of Colchester	Kascenska of Burke	Satcowitz of Randolph

Briglin of Thetford	Killacky of South Burlington	Scheu of Middlebury
Brown of Richmond	Kimbell of Woodstock	Scheuermann of Stowe
Brownell of Pownal	Kitzmiller of Montpelier	Shaw of Pittsford
Brumsted of Shelburne	Kornheiser of Brattleboro	Sheldon of Middlebury
Burditt of West Rutland	Krowinski of Burlington	Sibilia of Dover
Burke of Brattleboro	Labor of Morgan	Sims of Craftsbury
Burrows of West Windsor	LaClair of Barre Town	Small of Winooski
Campbell of St. Johnsbury	LaLonde of South	Smith of Derby
Canfield of Fair Haven	Burlington	Smith of New Haven
Chase of Colchester	Lanpher of Vergennes	Squirrell of Underhill
Christie of Hartford	Laroche of Franklin	Stebbins of Burlington
Cina of Burlington	Lefebvre of Newark	Stevens of Waterbury
Coffey of Guilford	Lefebvre of Orange	Strong of Albany
Colburn of Burlington	Leffler of Enosburgh	Sullivan of Dorset
Colston of Winooski	Lippert of Hinesburg	Surprenant of Barnard
Conlon of Cornwall	Long of Newfane	Taylor of Colchester
Copeland Hanzas of	Marcotte of Coventry	Terenzini of Rutland Town
Bradford	Martel of Waterford	Till of Jericho
Corcoran of Bennington	Masland of Thetford	Toleno of Brattleboro
Cordes of Lincoln	Mattos of Milton	Toof of St. Albans Town
Cupoli of Rutland City	McCarthy of St. Albans City	Townsend of South
Dickinson of St. Albans	McCormack of Burlington	Burlington
Town	McCoy of Poultney *	Troiano of Stannard
Dolan of Essex	McCullough of Williston	Vyhovsky of Essex
Dolan of Waitsfield	McFaun of Barre Town	Walker of Swanton
Donahue of Northfield	Morgan, L. of Milton	Walz of Barre City
Donnally of Hyde Park	Morgan, M. of Milton	Webb of Shelburne
Durfee of Shaftsbury	Morris of Springfield	White of Bethel
Elder of Starksboro	Mrowicki of Putney	White of Hartford
Emmons of Springfield	Mulvaney-Stanak of	Whitman of Bennington
Fagan of Rutland City	Burlington	Williams of Granby
Feltus of Lyndon	Murphy of Fairfax	Wood of Waterbury
Gannon of Wilmington	Nicoll of Ludlow	Yacovone of Morristown
Garofano of Essex	Nigro of Bennington	Yantachka of Charlotte
Goldman of Rockingham	Norris of Sheldon	
Goslant of Northfield	Norris of Shoreham	

Those who voted in the negative are: none

Those members absent with leave of the House and not voting are:

Morrissey of Bennington Partridge of Windham

Rep. McCoy of Poultney explained her vote as follows:

“Madam Speaker:

I continue to believe we need to address the systemic problems with our pension plans; most notable, not offering a defined contribution option as well as the need for risk sharing. The General Assembly will be back in four to five

years addressing the pension problems we think we fixed. Unfortunately, the amounts of monies used to shore up these pensions today will not be available tomorrow.”

[For text of the Governor's veto letter, see House Journal of May 3, 2022]

Third Reading; Bill Passed in Concurrence

S. 139

Senate bill, entitled

An act relating to nondiscriminatory school branding

Was taken up, read the third time, and passed in concurrence.

**Third Reading; Bill Passed in Concurrence
With Proposal of Amendment**

S. 224

Senate bill, entitled

An act relating to juvenile proceedings

Was taken up, read the third time, and passed in concurrence with proposal of amendment.

**Amendments to Proposal of Amendment Agreed to; Third Reading;
Bill Passed in Concurrence with Proposal of Amendment**

S. 226

Senate bill, entitled

An act relating to expanding access to safe and affordable housing

Was taken up, and pending third reading of the bill, **Rep. Donahue of Northfield** moved to amend the House proposal of amendment as follows:

In Sec. 22b, 10 V.S.A. chapter 15, subchapter 5, in section 325u, by striking out subdivisions (b)(9) and (10) in their entirety and inserting in lieu thereof subdivisions (b)(9), (10), and (11) to read as follows:

(9) one member, appointed by the U.S. Committee for Refugees and Immigrants Vermont, who shall be a member of a refugee or immigrant community or shall have experience representing refugee or immigrant communities, or both;

(10) one member, appointed by the Vermont Developmental Disabilities Council; and

(11) one member, appointed by Vermont Psychiatric Survivors.

Which was agreed to.

Thereafter, pending third reading of the bill, **Rep. Bluemle of Burlington** moved to amend the House proposal of amendment as follows:

In Sec. 22b, 10 V.S.A. chapter 15, subchapter 5, in subsection 325u(f), by striking out subdivision (1) in its entirety and inserting in lieu thereof a new subdivision (1) to read as follows:

(1) Advise VHCB, the Vermont Housing Finance Agency, the Vermont Economic Development Authority, the Vermont Agricultural Credit Corporation, and other affordable housing and land access stakeholders regarding policy development and programs to promote racial, social, economic, and climate justice for Vermonters from historically marginalized or disadvantaged communities.

Which was agreed to. Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass in concurrence with proposal of amendment?, **Rep. Stevens of Waterbury** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill pass in concurrence with proposal of amendment?, was decided in the affirmative. Yeas, 103. Nays, 42.

Those who voted in the affirmative are:

Ancel of Calais	Emmons of Springfield	Notte of Rutland City
Anthony of Barre City	Fagan of Rutland City	Noyes of Wolcott
Arrison of Weathersfield	Feltus of Lyndon	O'Brien of Tunbridge
Austin of Colchester	Gannon of Wilmington	Ode of Burlington
Bartholomew of Hartland	Garofano of Essex	Pajala of Londonderry
Birong of Vergennes	Goldman of Rockingham	Patt of Worcester
Black of Essex	Grad of Moretown	Pugh of South Burlington
Bluemle of Burlington	Hooper of Montpelier	Rachelson of Burlington
Bock of Chester	Hooper of Randolph	Satcowitz of Randolph
Bongartz of Manchester	Hooper of Burlington	Scheu of Middlebury
Bos-Lun of Westminster	Houghton of Essex	Sheldon of Middlebury
Brady of Williston	Howard of Rutland City	Sibilia of Dover
Brennan of Colchester	James of Manchester	Sims of Craftsbury
Briglin of Thetford	Jerome of Brandon	Small of Winooski
Brown of Richmond	Jessup of Middlesex	Squirrell of Underhill
Brownell of Pownal	Kascenska of Burke	Stebbins of Burlington
Brumsted of Shelburne	Killacky of South Burlington	Stevens of Waterbury
Burke of Brattleboro	Kimbell of Woodstock	Sullivan of Dorset
Burrows of West Windsor	Kitzmiller of Montpelier	Surprenant of Barnard
Campbell of St. Johnsbury	Kornheiser of Brattleboro	Taylor of Colchester

Chase of Colchester	LaLonde of South	Till of Jericho
Christie of Hartford	Burlington	Toleno of Brattleboro
Cina of Burlington	Lanpher of Vergennes	Townsend of South
Coffey of Guilford	Lefebvre of Newark	Burlington
Colburn of Burlington	Long of Newfane	Troiano of Stannard
Colston of Winooski	Masland of Thetford	Vyhovsky of Essex *
Conlon of Cornwall	McCarthy of St. Albans City	Walz of Barre City
Copeland Hanzas of	*	Webb of Shelburne
Bradford	McCormack of Burlington	White of Bethel
Corcoran of Bennington	McCullough of Williston	White of Hartford
Cordes of Lincoln	McFaun of Barre Town	Whitman of Bennington
Dolan of Essex	Morris of Springfield	Wood of Waterbury
Dolan of Waitsfield	Mrowicki of Putney	Yacovone of Morristown
Donahue of Northfield *	Mulvaney-Stanak of	Yantachka of Charlotte
Donnally of Hyde Park	Burlington	
Durfee of Shaftsbury	Murphy of Fairfax	
Elder of Starksboro	Nicoll of Ludlow	

Those who voted in the negative are:

Achey of Middletown	LaClair of Barre Town	Parsons of Newbury
Springs	Laroche of Franklin	Pearl of Danville
Beck of St. Johnsbury	Lefebvre of Orange	Peterson of Clarendon
Canfield of Fair Haven	Leffler of Enosburgh	Rogers of Waterville
Cupoli of Rutland City	Marcotte of Coventry	Rosenquist of Georgia
Dickinson of St. Albans	Martel of Waterford	Scheuermann of Stowe
Town	Mattos of Milton	Shaw of Pittsford
Goslant of Northfield	McCoy of Poultney	Smith of Derby
Graham of Williamstown	Morgan, L. of Milton	Smith of New Haven
Gregoire of Fairfield	Morgan, M. of Milton	Strong of Albany
Hango of Berkshire	Morrissey of Bennington	Terenzini of Rutland Town
Harrison of Chittenden	Norris of Sheldon	Toof of St. Albans Town
Helm of Fair Haven	Norris of Shoreham	Walker of Swanton
Higley of Lowell	Page of Newport City	Williams of Granby
Labor of Morgan	Palasik of Milton	

Those members absent with leave of the House and not voting are:

Burditt of West Rutland	Nigro of Bennington
Lippert of Hinesburg	Partridge of Windham

Rep. Donahue of Northfield explained her vote as follows:

“Madam Speaker:

I opposed the original bill on registration of contractors that is now embedded in this bill. With the increase to a \$10,000 threshold, I believe it is now a reasonable approach to consumer protection, and I vote yes on the bill as a whole.”

Rep. McCarthy of St. Albans City explained his vote as follows:

“Madam Speaker:

I vote yes to make important investments to help many more Vermonters, across income levels, find a home they can thrive in. We also make great strides today toward more equitable access to housing, and consumer protection. S.226 is an excellent investment in Vermont’s housing future.”

Rep. Vyhovsky of Essex explained her vote as follows:

“Madam Speaker:

Housing is a basic human right and in this time of housing crisis we must make investments in the Vermonters who are struggling most. I vote yes to invest and regulate so that all Vermonters can be protected and allowed to thrive.”

Senate Proposal of Amendment Concurred in

H. 96

The Senate proposed to the House to amend House bill, entitled

An act relating to creating the Truth and Reconciliation Commission

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

Sec. 1. INTENT

It is the intent of the General Assembly to establish the Vermont Truth and Reconciliation Commission to:

(1) examine and begin the process of dismantling institutional, structural, and systemic discrimination in Vermont, both past and present, that has been caused or permitted by State laws and policies;

(2) establish a public record of institutional, structural, and systemic discrimination in Vermont that has been caused or permitted by State laws and policies; and

(3) identify potential actions that can be taken by the State to repair the damage caused by institutional, structural, and systemic discrimination in Vermont that has been caused or permitted by State laws and policies and prevent the recurrence of such discrimination in the future.

Sec. 2. 1 V.S.A. chapter 25 is added to read:

CHAPTER 25. TRUTH AND RECONCILIATION COMMISSION

§ 901. DEFINITIONS

As used in this chapter:

(1) “Commission” means the Vermont Truth and Reconciliation Commission, including its commissioners, committees, and staff.

(2) “Consultation” means a meaningful and timely process of seeking, discussing, and considering carefully the views of others in a manner that is cognizant of all parties’ cultural values.

(3) “Panel” means the Selection Panel established pursuant to section 904 of this chapter.

(4) “Record” means any written or recorded information, regardless of physical form or characteristics.

§ 902. VERMONT TRUTH AND RECONCILIATION COMMISSION;
ESTABLISHMENT; ORGANIZATION

(a) There is created and established a body corporate and politic to be known as the Vermont Truth and Reconciliation Commission to carry out the provisions of this chapter. The Truth and Reconciliation Commission is constituted a public instrumentality exercising public and essential government functions and the exercise by the Commission of the power conferred by this chapter shall be deemed and held to be the performance of an essential governmental function.

(b)(1) The Commission shall consist of three commissioners appointed pursuant to section 905 of this chapter and shall include one or more committees established by the commissioners to examine institutional, structural, and systemic discrimination caused or permitted by State laws and policies experienced by each of the following populations and communities in Vermont:

(A) individuals who identify as Native American or Indigenous;

(B) individuals with a physical, psychiatric, or mental condition or disability and the families of individuals with a physical, psychiatric, or mental condition or disability;

(C) Black individuals and other individuals of color;

(D) individuals with French Canadian, French-Indian, or other mixed ethnic or racial heritage; and

(E) in the commissioners’ discretion, other populations and

communities that have experienced institutional, structural, and systemic discrimination caused or permitted by State laws and policies.

(2)(A) Each committee shall consist of the commissioners and members appointed by the commissioners in consultation with the populations and communities identified pursuant to subdivision (1) of this subsection (b).

(B) The commissioners shall ensure that the members of each committee shall be broadly representative of the populations and communities who are the subject of that committees' work.

(C) The commissioners may appoint not more than 30 committee members in the aggregate across all of the committees established pursuant to subdivision 906(a)(1) of this chapter.

(D)(i) Except as otherwise provided pursuant to subdivision (ii) of this subdivision (2)(D), committee members shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than eight meetings per calendar year. These payments shall be made from monies appropriated to the Commission.

(ii) The commissioners may authorize committee members to receive per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for additional meetings in each calendar year. Payments for additional meetings shall be made from grants or additional funding received by the Commissioners pursuant to subdivision 906(b)(11) of this chapter. In no event shall the per diem compensation and reimbursement of expenses for any additional meetings exceed the amounts permitted pursuant to 32 V.S.A. § 1010.

(3) Nothing in this subsection shall be construed to require the Commission to examine institutional, structural, and systemic discrimination experienced by the populations and communities identified in subdivision (1) of this subsection in isolation or separately from each other.

§ 903. COMMISSIONERS

(a) Commissioners shall be full-time State employees and shall be exempt from the State classified system.

(b) The commissioners shall receive compensation equal to one-half that of a Superior Court Judge.

(c) The term of each commissioner shall begin on the date of appointment and end on July 1, 2026.

§ 904. SELECTION PANEL; MEMBERSHIP; DUTIES

(a)(1) The Selection Panel shall be composed of seven members selected

on or before September 1, 2022 by a majority vote of the following:

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

(B) the Executive Director of the Vermont Center for Independent Living or designee;

(C) an individual, who shall not be a current member of the General Assembly, appointed by the Speaker of the House;

(D) an individual, who shall not be a current member of the General Assembly, appointed by the Committee on Committees; and

(E) an individual appointed by the Chief Justice of the Vermont Supreme Court.

(2) The individuals identified in subdivision (1) of this subsection:

(A) shall hold their first meeting on or before August 1, 2022 at the call of the individual appointed by the Chief Justice of the Vermont Supreme Court; and

(B) are encouraged to appoint individuals to the Selection Panel who include members of the populations and communities identified pursuant to subdivisions 902(b)(1)(A)–(D) of this chapter and who are diverse with respect to socioeconomic status, work, education, geographic location, gender, and sexual identity.

(3) Individuals selected pursuant to subdivision (1) of this subsection who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than two meetings. These payments shall be made from amounts appropriated to the Truth and Reconciliation Commission.

(b)(1) The Selection Panel shall select and appoint the commissioners of the Truth and Reconciliation Commission as provided pursuant to section 905 of this chapter.

(2) To enable it to carry out its duty to select and appoint the commissioners of the Truth and Reconciliation Commission as provided pursuant to section 905 of this chapter, the Panel may:

(A) adopt procedures as necessary to carry out the duties set forth in section 905 of this chapter;

(B) establish and maintain a principal office;

(C) meet and hold hearings at any place in this State; and

(D) hire temporary staff to provide administrative assistance during

the period from September 1, 2022 through January 15, 2023, provided that if the Panel extends the time to select commissioners pursuant to subdivision 905(c)(1) of this chapter, it may retain staff to provide administrative assistance through March 31, 2023.

(c) The term of each member of the Panel shall begin on the date of appointment and end on January 15, 2023, except if the Panel extends the time to select commissioners pursuant to subdivision 905(c)(1) of this chapter, the term of the Panel members shall end on March 31, 2023.

(d) The Panel shall select a chair and a vice chair from among its members.

(e)(1) Meetings shall be held at the call of the Chair or at the request of four or more members of the Panel.

(2) A majority of the current membership of the Panel shall constitute a quorum, and actions of the Panel may be authorized by a majority of the members present and voting at a meeting of the Panel.

(f) Members of the Panel shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than 20 meetings during fiscal year 2023. These payments shall be made from amounts appropriated to the Truth and Reconciliation Commission.

§ 905. SELECTION OF COMMISSIONERS

(a)(1) Except as otherwise provided pursuant to subdivision (c)(1) of this section, the Selection Panel shall, on or before December 31, 2022, select three individuals to serve as the commissioners of the Vermont Truth and Reconciliation Commission.

(2) In carrying out its duty to select the commissioners, the Panel shall:

(A) Establish a public, transparent, and simple process for candidates to apply to serve as a commissioner.

(B) Publicize the application process, deadlines, and requirements to serve as a commissioner through media outlets, civil society organizations, and any other forms of public outreach that the Panel determines to be appropriate.

(C) Solicit nominations for individuals to serve as commissioners from civil society organizations in Vermont whose work relates to the mission of the Commission.

(D) Invite Vermont residents to submit applications to serve as commissioners.

(E) Hold one or more public hearings to provide an opportunity for members of the public to meet and ask questions of the finalists to serve as a commissioner.

(F) Hold private interviews with each individual selected by the Panel as a finalist for selection as a commissioner.

(G) Conduct criminal history record checks for finalists, provided that the Panel shall only consider felony convictions or convictions for crimes involving untruthfulness or falsification. A finalist who has been convicted of a felony or a crime involving untruthfulness or falsification shall be afforded an opportunity to explain the information and the circumstances regarding the conviction, including postconviction rehabilitation.

(H) Take any other actions that the Panel deems appropriate or necessary to carry out its duties in relation to the selection of commissioners.

(3) The three commissioners selected by the Panel shall:

(A) be residents of Vermont;

(B) not be members of the Selection Panel;

(C) have knowledge of the problems and challenges facing the populations and communities identified pursuant to subdivisions 902(b)(1)(A)–(D) of this chapter; and

(D) satisfy any additional criteria established by the Panel.

(b) Not later than five days after selecting the commissioners pursuant to subsection (a) of this section, the Panel shall submit a brief report to the Governor and the General Assembly identifying the commissioners. The names of the commissioners shall be made available to the public on the same day that the report is submitted.

(c)(1) If the Panel is unable to identify three suitable applicants on or before December 31, 2022, the Panel may by a majority vote extend the time to select commissioners to March 31, 2023.

(2) If the Panel extends the time to select commissioners pursuant to this subsection, the Panel shall, on or before January 5, 2023, submit a brief written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Government Operations providing notice of its decision to extend the time to select commissioners and its reasons for doing so and identifying any changes to the provisions of this chapter that may be necessary to enable the Panel to successfully identify and select commissioners.

§ 906. POWERS AND DUTIES OF THE COMMISSIONERS

(a) Duties. The commissioners shall:

(1) establish, in consultation with the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter and other interested parties in the commissioners' discretion, committees to examine institutional, structural, and systemic discrimination caused or permitted by State laws and policies that have been experienced by the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter;

(2) determine, in consultation with the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter, historians, social scientists, experts in restorative justice, and other interested parties in the commissioners' discretion, the scope and objectives of the work to be carried out by each committee established pursuant to subdivision (1) of this subsection;

(3) develop and implement a process for each committee established pursuant to subdivision (1) of this subsection to fulfill the objectives established pursuant to subdivision (2) of this subsection;

(4) work with the committees and Commission staff to carry out research, public engagement, and other work necessary to:

(A) identify and examine historic and ongoing institutional, structural, and systemic discrimination against members of the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter that has been caused or permitted by State laws and policies;

(B) determine the current status of members of the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter; and

(C) satisfy the scope of work and the objectives established pursuant to subdivision (1) of this subsection (a);

(5) work with the committees and Commission staff to identify potential programs and activities to create and improve opportunities for or to eliminate disparities experienced by the populations and communities that are the subject of the committees' work;

(6) work with the committees and Commission staff to identify potential educational programs related to historic and ongoing institutional, structural, and systemic discrimination against members of the populations and communities that are the subject of the committees' work;

(7) work in consultation with the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter, experts in

restorative justice, and, in the commissioners' discretion, other interested parties to ensure that the work of the Commission is open, transparent, inclusive, and meaningful; and

(8) supervise the work of the Executive Director of the Commission.

(b) Powers. To carry out its duties pursuant to this chapter, the commissioners may:

(1) Adopt rules in accordance with 3 V.S.A. chapter 25 as necessary to implement the provisions of this chapter.

(2) Adopt procedures as necessary to carry out the duties set forth in subsection (a) of this section.

(3) Establish and maintain a principal office.

(4) Meet and hold hearings at any place in this State.

(5) Consult with local, national, and international experts on issues related to discrimination, truth and reconciliation, and restorative justice.

(6) Interview and take statements from members of the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter; members of the public; and persons with knowledge of the institutional, structural, and systemic discrimination experienced by such populations and communities.

(7) Study, research, investigate, and report on the impact of State laws and policies on populations and communities identified pursuant to subdivision 902(b)(1) of this chapter. If the Commission determines that particular laws or policies caused or permitted institutional, structural, and systemic discrimination against a population or community, regardless of whether the discrimination was intentional or adversely impacted the population or community, the Commission may propose legislative or administrative action to the General Assembly or Governor, as appropriate, to remedy the impacts on the population or community.

(8) Enter into cooperative agreements with private organizations or individuals or with any agency or instrumentality of the United States or of this State to carry out the provisions of this chapter.

(9) Make and execute legal documents necessary or convenient for the exercise of its powers and duties under this chapter.

(10) Hire consultants and independent contractors to assist the Commission in carrying out the provisions of this chapter.

(11) Seek grants or funding other than annual State appropriations to

further the work of the Commission.

(12) Take any other actions necessary to carry out the provisions of this chapter.

§ 907. EXECUTIVE DIRECTOR; DUTIES

(a) The Commissioners shall appoint an Executive Director. The Executive Director shall be a full-time State employee, shall be exempt from the State classified system, and shall serve at the pleasure of the commissioners.

(b) The Executive Director shall be responsible for the following:

(1) supervising and administering the implementation of the provisions of this chapter on behalf of the commissioners;

(2) assisting the commissioners in carrying out their duties;

(3) ensuring that the Commission has the resources and staff assistance necessary to collect historical materials, take statements from individuals, hold public hearings and events, and prepare and publish reports and other documents;

(4) facilitating communications between the Commission and members of the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter, interested parties, and members of the public;

(5) hiring staff, including researchers and administrative and legal professionals, as necessary to carry out the duties of the Commission; and

(6) preparing an annual budget for submission to the commissioners.

§ 908. REPORTS

(a) On or before January 15, 2024, the Commission shall submit to the Governor and General Assembly an interim report on the Commission's progress to date, the committees established pursuant to subdivision 906(a)(1) of this chapter and the scope and objectives of their work, emerging themes and issues that the Commission has identified, and, if available, any preliminary findings and recommendations for legislative or other action that the Commission believes should be prioritized to address instances of institutional, structural, and systemic discrimination identified by the Commission.

(b)(1) On or before June 15, 2026, the Commission shall submit a final report incorporating the findings and recommendations of each committee. Each report shall detail the findings and recommendations of the relevant committee and shall include recommendations for actions that can be taken to

eliminate ongoing instances of institutional, structural, and systemic discrimination and to address the harm caused by historic instances institutional, structural, and systemic discrimination.

(2) The Commission shall, on or before January 15, 2026, make a draft of the final report publicly available and provide copies of the draft to interested parties from the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter and other interested parties. The Commission shall provide the interested parties and members of the public with not less than 60 days to review the draft and provide comments on it. The Commission shall consider fully all comments submitted in relation to the draft and shall include with the final version of the report a summary of all comments received and a concise statement of the reasons why the Commission decided to incorporate or reject any proposed changes. Comments submitted in relation to the final report shall be made available to the public in a manner that complies with the requirements of section 910 of this chapter.

(c) The Commission may, in its discretion, issue additional reports to the Governor, General Assembly, and public.

§ 909. ACCESS TO INFORMATION; CONFIDENTIALITY

(a) Access to State records and information.

(1) The Commission shall have access to and the right to copy any record or other information held by all executive, administrative, and judicial agencies and departments and all instrumentalities of the State. All executive, administrative, and judicial agencies and departments and all instrumentalities of the State shall cooperate with the Commission with respect to any request for access to any record or other information and shall provide all records or other information requested by the Commission to the extent permitted by law.

(2) The Commission shall keep confidential any information received from an executive, administrative, or judicial agency or department or an instrumentality of the State that is confidential or is exempt from the Public Records Act.

(b) Confidentiality requirements.

(1) Except as otherwise provided pursuant to subsection (c) of this section, information and records acquired by or provided to the Commission that would in any manner reveal an individual's identity shall be kept confidential and shall be exempt from public inspection and copying under the Public Records Act.

(2) The Commission shall not include the personally identifying

information of any individual in any report that it produces without the express, written consent of the individual.

(c) Exceptions.

(1) Except as provided in subdivision (2) of this subsection, information and records acquired by or provided to the Commission shall only be available to the public in an anonymized form that does not reveal the identity of any individual.

(2) Information or records acquired by or provided to the Commission may be disclosed in a manner that would reveal the identity of an individual if that individual has provided their express, written consent to the disclosure of the information or record in a manner that would reveal their identity.

(d) Private proceedings.

(1) The Commission shall permit any individual who is interviewed by the Commission to elect to have their interview conducted in a manner that protects the individual's privacy and to have any recording of the interview kept confidential by the Commission. Any other record or document produced in relation to an interview conducted pursuant to this subdivision (d)(1) shall only be available to the public in an anonymized form that does not reveal the identity of any individual.

(2) The Commission shall adopt procedures and safeguards to ensure to the greatest extent possible that it does not conduct any interview in a manner that is open to the public if the interview will reveal the identities of individuals other than the interviewee without the express, written consent of those individuals.

§ 910. ESTABLISHMENT OF POSITIONS

The establishment of the following exempt limited-service positions within the Truth and Reconciliation Commission is authorized in fiscal year 2023:

- (1) one Executive Director;
- (2) one Staff Attorney;
- (3) one Researcher; and
- (4) one Administrative Assistant.

Sec. 3. APPROPRIATION

The sum of \$748,000.00 is appropriated from the General Fund to the Truth and Reconciliation Commission in fiscal year 2023.

Sec. 4. REPEAL

1 V.S.A. chapter 25 (Truth and Reconciliation Commission) is repealed on July 1, 2026.

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

Proposal of amendment was considered and concurred in.

Senate Proposal of Amendment Concurred in**H. 279**

The Senate proposed to the House to amend House bill, entitled

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

The Senate proposed to the House to amend the bill as follows:

By striking out Sec. 4, separate individual and small group health insurance markets for plan year 2023 if federal subsidies extended, in its entirety and by renumbering Sec. 5, effective date, to be Sec. 4.

Proposal of amendment was considered and concurred in.

Senate Proposal of Amendment Concurred in**H. 410**

The Senate proposed to the House to amend House bill, entitled

An act relating to the use and oversight of artificial intelligence in State government

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

Sec. 1. FINDINGS; INTENT

(a) The General Assembly finds that:

(1) The Vermont Artificial Intelligence Task Force (Task Force), established by 2018 Acts and Resolves No. 137, Sec. 1, as amended by 2019 Acts and Resolves No. 61, Sec. 20, met from September 2018 through January 2020 to investigate the field of artificial intelligence (AI) and make recommendations for State action and policies with respect to this new technology.

(2) The Task Force found that this technology presents tremendous

opportunities for economic growth and improved quality of life but also presents substantial risks of loss of some jobs and invasions of privacy and other impacts to civil liberties.

(3) Large-scale technological change makes states rivals for the economic rewards, where inaction leaves states behind. States can become leaders in crafting appropriate responses to technological change that eventually produces policy and action around the country.

(4) The Task Force determined that there are steps that the State can take to maximize the opportunities and reduce the risk, but action must be taken now. The Task Force concluded that there is a role for local and State action, especially where national and international action is not occurring.

(5) The final report of the Task Force presents a series of recommendations for policies and actions consistent with the limited role of Vermont to direct the path of AI development and use in the State. The final report also concludes that Vermont can make a difference, maximize the benefits of AI, and minimize, or adapt to, the adverse consequences.

(b) It is the intent of the General Assembly to carry out the work of the Task Force by creating the Division of Artificial Intelligence within the Agency of Digital Services to implement some of the specific recommendations of the Task Force and require the Agency of Digital Services to conduct an inventory of all automated decision systems that are being developed, used, or procured by the State.

Sec. 2. 3 V.S.A. § 3303 is amended to read:

§ 3303. REPORTING, RECORDS, AND REVIEW REQUIREMENTS

(a) Annual report and budget. The Secretary shall submit to the General Assembly, concurrent with the Governor's annual budget request required under 32 V.S.A. § 306, an annual report for information technology and cybersecurity. The report shall reflect the priorities of the Agency and shall include:

(1) performance metrics and trends, including baseline and annual measurements, for each division of the Agency;

(2) a financial report of revenues and expenditures to date for the current fiscal year;

(3) costs avoided or saved as a result of technology optimization for the previous fiscal year;

(4) an outline summary of information, including scope, schedule, budget, and status for information technology projects with total costs of

\$500,000.00 or greater;

(5) an annual update to the strategic plan prepared pursuant to subsection (c) of this section;

(6) a summary of independent reviews as required by subsection (d) of this section; and

(7) the Agency budget submission; and

(8) an annual update to the inventory required by section 3305 of this title.

* * *

Sec. 3. 3 V.S.A. § 3305 is added to read:

§ 3305. AUTOMATED DECISION SYSTEM; STATE PROCUREMENT;
INVENTORY

(a) Definitions. As used in this section:

(1) “Algorithm” means a computerized procedure consisting of a set of steps used to accomplish a determined task.

(2) “Automated decision system” means any algorithm, including one incorporating machine learning or other artificial intelligence techniques, that uses data-based analytics to make or support government decisions, judgments, or conclusions.

(3) “Automated final decision system” means an automated decision system that makes final decisions, judgments, or conclusions without human intervention.

(4) “Automated support decision system” means an automated decision system that provides information to inform the final decision, judgment, or conclusion of a human decision maker.

(5) “State government” has the same meaning as in section 3301 of this chapter.

(b) Inventory. The Agency of Digital Services shall conduct a review and make an inventory of all automated decision systems that are being developed, employed, or procured by State government. The inventory shall include the following for each automated decision system:

(1) the automated decision system’s name and vendor;

(2) a description of the automated decision system’s general capabilities, including:

(A) reasonably foreseeable capabilities outside the scope of the

agency's proposed use; and

(B) whether the automated decision system is used or may be used for independent decision-making powers and the impact of those decisions on Vermont residents;

(3) the type or types of data inputs that the technology uses; how that data is generated, collected, and processed; and the type or types of data the automated decision system is reasonably likely to generate;

(4) whether the automated decision system has been tested for bias by an independent third party, has a known bias, or is untested for bias;

(5) a description of the purpose and proposed use of the automated decision system, including:

(A) what decision or decisions it will be used to make or support;

(B) whether it is an automated final decision system or automated support decision system; and

(C) its intended benefits, including any data or research relevant to the outcome of those results;

(6) how automated decision system data is securely stored and processed and whether an agency intends to share access to the automated decision system or the data from that automated decision system with any other entity, which entity, and why; and

(7) a description of the IT fiscal impacts of the automated decision system, including:

(A) initial acquisition costs and ongoing operating costs, such as maintenance, licensing, personnel, legal compliance, use auditing, data retention, and security costs;

(B) any cost savings that would be achieved through the use of the technology; and

(C) any current or potential sources of funding, including any subsidies or free products being offered by vendors or governmental entities.

Sec. 4. AUTOMATED DECISION SYSTEM; STATE PROCUREMENT; INVENTORY; REPORT

On or before December 1, 2022, the Agency of Digital Services shall submit to the House Committee on Energy and Technology and the Senate Committee on Finance a report on the inventory described in 3 V.S.A. § 3305. The report shall include recommendations for any changes to the inventory, including how it should be maintained, the frequency of updates, and

remediation measures needed to address systems deemed problematic.

Sec. 5. 3 V.S.A. chapter 69 is added to read:

CHAPTER 69. DIVISION OF ARTIFICIAL INTELLIGENCE

§ 5011. DEFINITION

As used in this chapter, “artificial intelligence systems” means systems capable of perceiving an environment through data acquisition and then processing and interpreting the derived information to take an action or actions or to imitate intelligent behavior given a specific goal. An artificial intelligence system can also learn and adapt its behavior by analyzing how the environment is affected by prior actions.

§ 5012. DIVISION OF ARTIFICIAL INTELLIGENCE

(a) Creation. There is established the Division of Artificial Intelligence within the Agency of Digital Services to review all aspects of artificial intelligence systems developed, employed, or procured in State government. The Division shall be administered by the Director of Artificial Intelligence, who shall be appointed by the Secretary of Digital Services.

(b) Powers and duties. The Division shall review artificial intelligence systems developed, employed, or procured in State government, including the following:

(1) propose for adoption by the Agency of Digital Services a State code of ethics for artificial intelligence in State government, which shall be updated annually;

(2) make recommendations to the General Assembly on policies, laws, and regulations for artificial intelligence systems in State government; and

(3) review the automated decision systems inventory created by the Agency of Digital Services, including:

(A) whether any systems affect the constitutional or legal rights, duties, or privileges of any Vermont resident; and

(B) whether there are any potential liabilities or risks that the State of Vermont could incur from its implementation.

(c) Reports. Annually, on or before January 15 each year, the Division shall report to the House Committee on Energy and Technology and the Senate Committees on Finance and on Government Operations on the following:

(1) the extent of the use of artificial intelligence systems by State government and any short- or long-term actions needed to optimize that usage or mitigate their risks;

(2) the impact of using artificial intelligence systems in State government on the liberty, finances, livelihood, and privacy interests of Vermont residents;

(3) any necessary policies to:

(A) protect the privacy and interests of Vermonters from any diminution caused by employment of artificial intelligence systems by State government;

(B) ensure that Vermonters are free from unfair discrimination caused or compounded by the employment of artificial intelligence in State government;

(C) address the use or prohibition of systems that have not been tested for bias or have been shown to contain bias; and

(D) address security and training on artificial intelligence systems; and

(4) any other information the Division deems appropriate based on its work.

§ 5013. ARTIFICIAL INTELLIGENCE ADVISORY COUNCIL

(a) Advisory Council. There is established the Artificial Intelligence Advisory Council to provide advice and counsel to the Director of the Division of Artificial Intelligence with regard to the Division's responsibilities to review all aspects of artificial intelligence systems developed, employed, or procured in State government. The Council, in consultation with the Director of the Division, shall also engage in public outreach and education on artificial intelligence.

(b) Members.

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

(A) the Secretary of Digital Services or designee;

(B) the Secretary of Commerce and Community Development or designee;

(C) the Commissioner of Public Safety or designee;

(D) the Executive Director of the American Civil Liberties Union of Vermont or designee;

(E) one member who is an expert in constitutional and legal rights, appointed by the Chief Justice of the Supreme Court;

(F) one member with experience in the field of ethics and human

rights, appointed by the Governor;

(G) one member who is an academic at a postsecondary institute, appointed by the Vermont Academy of Science and Engineering;

(H) the Commissioner of Health or designee;

(I) the Executive Director of Racial Equity or designee; and

(J) the Attorney General or designee.

(2) Chair. Members of the Advisory Council shall elect by majority vote the Chair of the Advisory Council. Members of the Advisory Council shall be appointed on or before August 1, 2022 in order to prepare as they deem necessary for the establishment of the Advisory Council, including the election of the Chair of the Advisory Council.

(3) Qualifications. Members shall be drawn from diverse backgrounds and, to the extent possible, have experience with artificial intelligence.

(c) Meetings. The Advisory Council shall meet at the call of the Chair as follows:

(1) on or before January 31, 2024, not more than 12 times; and

(2) on or after February 1, 2024, not more than monthly.

(d) Quorum. A majority of members shall constitute a quorum of the Advisory Council. Once a quorum has been established, the vote of a majority of the members present at the time of the vote shall be an act of the Advisory Council.

(e) Assistance. The Advisory Council shall have the administrative and technical support of the Agency of Digital Services.

(f) Reimbursement. Members of the Advisory 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 expenses as provided in 32 V.S.A. § 1010.

(g) Consultation. The Advisory Council shall consult with any relevant national bodies on artificial intelligence, including the National Artificial Intelligence Advisory Committee established by the Department of Commerce, and its applicability to Vermont.

(h) Repeal. This section shall be repealed on June 30, 2027.

Sec. 6. ARTIFICIAL INTELLIGENCE ADVISORY COUNCIL; IMPLEMENTATION

First meeting. The first meeting of the Artificial Intelligence Advisory

Council shall be called by the Secretary of Digital Services or designee. All subsequent meetings shall be called by the Chair.

Sec. 7. DIVISION OF ARTIFICIAL INTELLIGENCE; REPORTS AND RECOMMENDATIONS

(a) On or before January 15, 2023, the Council shall submit a report to the House Committee on Energy and Technology and the Senate Committees on Finance and on Government Operations on the following:

(1) the State code of ethics as described in 3 V.S.A. § 5012(b)(1); and

(2) what policies the State should have for a third-party entity to disclose potential conflicts of interest prior to purchasing or using the entity's technology and how the State should evaluate those conflicts with respect to how the State intends to implement the technology.

(b) On or before January 15, 2024, the Council shall develop and submit to the House Committee on Energy and Technology and the Senate Committees on Finance and on Government Operations recommendations for a clear use and data management policy for State government, including protocols for the following:

(1) how and when an automated decision system will be deployed or used and by whom, including:

(A) the factors that will be used to determine where, when, and how the technology is deployed;

(B) whether the technology will be operated continuously or used only under specific circumstances; and

(C) when the automated decision system may be accessed, operated, or used by another entity on the agency's behalf and any applicable protocols;

(2) whether the automated decision system gives notice to an individual impacted by the automated decision system of the fact that the automated decision system is in use and what information should be provided with consideration to the following:

(A) the automated decision system's name and vendor;

(B) what decision or decisions it will be used to make or support;

(C) whether it is an automated final decision system or automated support decision system;

(D) what policies and guidelines apply to its deployment;

(E) whether a human verifies or confirms decisions made by the automated decision system; and

(F) how an individual can contest any decision made involving the automated decision system;

(3) whether the automated decision system ensures that the agency can explain the basis for its decision to any impacted individual in terms understandable to a layperson, including:

(A) by requiring the vendor to create such an explanation;

(B) whether the automated decision system is subject to appeal or immediate suspension if a legal right, duty, or privilege is impacted by the decision; and

(C) potential reversal by a human decision maker through a timely process clearly described and accessible to an individual impacted by the decision; and

(4) what policies the State should have for a third-party entity to disclose potential conflicts of interest prior to purchasing or using their technology and how the State should evaluate those conflicts with respect to how the State intends to implement the technology.

(c) On or before January 15, 2025, the Council shall submit recommendations to the House Committee on Energy and Technology and the Senate Committees on Finance and on Government Operations on the following

(1) whether the scope of the Division should be expanded to include artificial intelligence outside State government;

(2) whether there should be any changes to the structural oversight, membership, or powers and duties of the Council;

(3) whether the Council should cease to exist on a certain date; and

(4) whether there are any other additional tasks the Division should complete.

(d) As used in this section:

(1) “Automated decision system” means any algorithm, including one incorporating machine learning or other artificial intelligence techniques, that uses data-based analytics to make or support government decisions, judgments, or conclusions.

(2) “Automated final decision system” means an automated decision system that makes final decisions, judgments, or conclusions without human intervention.

(3) “Automated support decision system” means an automated decision

system that provides information to inform the final decision, judgment, or conclusion of a human decision maker.

Sec. 8. DIVISION OF ARTIFICIAL INTELLIGENCE; POSITION

The establishment of the permanent exempt position is authorized in fiscal year 2023 in the Agency of Digital Services to manage and implement the work of the Division of Artificial Intelligence, established in 3 V.S.A. § 5012, and to serve as the State expert on artificial intelligence use and oversight within State government. This position shall be transferred and converted from existing vacant positions in the Executive Branch and shall not increase the total number of authorized State positions. The position shall be funded from existing resources within the Agency.

Sec. 9. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Proposal of amendment was considered and concurred in.

Senate Proposal of Amendment Concurred in

H. 546

The Senate proposed to the House to amend House bill, entitled
An act relating to racial justice statistics

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

Sec. 1. 3 V.S.A. chapter 68 is amended to read:

CHAPTER 68. ~~EXECUTIVE DIRECTOR OFFICE~~ OF RACIAL EQUITY

Subchapter 1. Executive Director of Racial Equity

* * *

§ 5003. DUTIES OF EXECUTIVE DIRECTOR OF RACIAL EQUITY

* * *

(e) The Executive Director of Racial Equity shall oversee the Division of Racial Justice Statistics (Division) established in subchapter 2 of this chapter.

(1) The Director shall have general charge of the Division.

(2) The Director may apply for grant funding, if available, to advance or support any responsibility within the Division's jurisdiction.

(e)(f) The Director shall periodically report to the Racial Equity Advisory Panel and the Racial Disparities in the Criminal and Juvenile Justice Systems

Advisory Panel on the progress toward carrying out the duties as established by this section.

(f)(g) On or before January 15, 2020, and annually thereafter, the Director shall report to the House and Senate Committees on Government Operations demonstrating the State's progress in identifying and remediating systemic racial bias within State government.

* * *

Subchapter 2. Division of Racial Justice Statistics

§ 5011. DIVISION OF RACIAL JUSTICE STATISTICS; CREATION; PURPOSE

(a) Creation. There is created within the Office of Racial Equity the Division of Racial Justice Statistics to collect and analyze data related to systemic racial bias and disparities within the criminal and juvenile justice systems.

(b) Purpose. The mission of the Division is to collect and analyze data relating to racial disparities with the intent to center racial equity throughout these efforts. The purpose of the Division is to create, promote, and advance a system and structure that provides access to appropriate data and information, ensuring that privacy interests are protected and principles of transparency and accountability are clearly expressed. The data are to be used to inform policy decisions that work toward the amelioration of racial disparities across various systems of State government.

§ 5012. DUTIES

(a) The Division shall have the following duties:

(1) Work collaboratively with, and have the assistance of, all State and local agencies and departments identified pursuant to subdivision 5013(a)(2) of this title for purposes of collecting all data related to systemic racial bias and disparities within the criminal and juvenile justice systems.

(2) Collect and analyze the data related to systemic racial bias and disparities within the criminal and juvenile justice systems.

(3) Conduct justice information sharing gap analyses.

(4) Maintain an inventory of justice technology assets and a data dictionary to identify elements and structure of databases and relationships, if any, to other databases.

(5) Develop a justice technology strategic plan, which shall be updated annually. The justice technology strategic plan shall include identification and

prioritization of data needs and requirements to fulfill new or emerging data research proposals or operational enhancements.

(6) Develop interagency agreements and memorandums of understanding for data sharing and publish public use files.

(7) Report its data, analyses, and recommendations to the Racial Justice Statistics Advisory Council and the Racial Disparities in the Criminal and Juvenile Justice Systems Advisory Panel on a monthly basis.

(b) On or before January 15, 2023 and annually thereafter, the Division shall report its data, analyses, and recommendations to the House and Senate Committees on Judiciary and on Government Operations. The report may include an operational assessment of the Division's structure and staffing levels and any recommendations for necessary adjustments.

(c) To carry out its duties under this subchapter, the Division may adopt procedural and substantive rules in accordance with the provisions of chapter 25 of this title.

§ 5013. DATA GOVERNANCE

(a) Data collection. In consultation with the Racial Disparities in the Criminal and Juvenile Justice Systems Advisory Panel and the Racial Justice Statistics Advisory Council, the Division shall establish the data to be collected to carry out the duties of this subchapter.

(1) Any data or records transmitted to or obtained by the Division that are exempt from public inspection and copying under the Public Records Act shall remain exempt and shall be kept confidential to the extent required by law. A State or local agency or department that transmits data or records to the Division shall be the sole records custodian for purposes of responding to requests for the data or records. The Division may direct any request for these data or records to the transmitting agency or department for response, provided that the Division shall respond to a Public Records Act request for nonidentifying data used by the Division for preparation of the reports required by subdivision 5012(a)(7) and subsection 5012(b) of this title.

(2) The Division shall identify which State and local agencies or departments possess the data necessary for the Division to perform the requirements and objectives of this subchapter. An agency or department identified pursuant to this subdivision shall, upon request, provide the Division with any data that the Division determines is relevant to its purpose under subsection 5011(b) of this title, provided that the Office of the Defender General shall not be required to make any disclosures that would violate 1 V.S.A. § 317(c)(3). The Division may identify non-State entities that possess the data necessary for the Division to perform the requirements and

objectives of this subchapter and have access to the data of an identified entity pursuant to a data sharing agreement or memorandum of understanding.

(3) The Division shall, pursuant to section 218 of this title, establish, maintain, and implement an active and continuing management program for its records and information, including data, with support and services provided by the Vermont State Archives and Records Administration pursuant to section 117 of this title and the Agency of Digital Services pursuant to section 3301 of this title.

(b) Data analysis. The Division shall analyze the data collected pursuant to this subchapter in order to:

(1) identify the stages of the criminal and juvenile justice systems at which racial bias and disparities are most likely to occur;

(2) organize and synthesize the data in a cohesive and logical manner so that it can be best presented and understood; and

(3) present the data to the Racial Justice Statistics Advisory Council as required under this subchapter.

(c) Data governance policy. The Division shall develop and adopt a data governance policy and shall establish:

(1) a system or systems to standardize the collection and retention of the data collected pursuant to this subchapter; and

(2) methods to permit sharing and communication of the data between the State agencies, local agencies, and external researchers, including the use of data sharing agreements.

(d) Data collection. The Division shall recommend to State and local agencies evidence-based practices and standards for the collection of racial justice data.

(e) Publicly available data.

(1) The Division shall maintain a public-facing website and dashboard that maximizes the transparency of the Division's work and ensures the ability of the public and historically impacted communities to review and understand the data collected by the Division and its analyses.

(2) The Division shall develop public use data files.

§ 5014. RACIAL JUSTICE STATISTICS ADVISORY COUNCIL

(a) Creation. The Racial Justice Statistics Advisory Council is established within the Office of Racial Equity to serve in an advisory capacity to the Division of Racial Justice Statistics. The Council shall be organized and have

the duties and responsibilities as provided in this section. The Council shall have the administrative, legal, and technical support of the Agency of Administration.

(b) Membership.

(1) Appointments. The Council shall consist of seven members, as follows:

(A) an individual with substantive expertise in community-based research on racial equity, to be appointed by the Governor; and

(B)(i) six individuals who have experience with or knowledge about one or more of the following situations:

(I) facing eviction;

(II) violence, discrimination, or criminal conduct, including law enforcement misconduct;

(III) moving to Vermont as an immigrant or refugee;

(IV) effects of racial disparities and discipline policies within the educational system; or

(V) participation in treatment programs addressing mental health, substance use disorder, and reentry programs; and

(ii) appointments made pursuant to this subdivision (B) shall be made by the following entities, each of which shall appoint one member: NAACP, Vermont Racial Justice Alliance, Migrant Justice, AALV Inc., Vermont Commission on Native American Affairs, and Outright Vermont.

(2) Qualifications. Members shall be drawn from diverse backgrounds to represent the interests of communities of color and other historically disadvantaged communities throughout the State and, to the extent possible, have experience working to implement racial justice reform and represent geographically diverse areas of the State.

(3) Terms. The term of each member shall be four years. As terms of currently serving members expire, appointments of successors shall be in accord with the provisions of this section. Appointments of members to fill vacancies or expired terms shall be made by the authority that made the initial appointment to the vacated or expired term. Members shall serve until their successors are appointed. Members shall serve not more than two consecutive terms in any capacity.

(4) Chair and terms. Members of the Council shall elect by majority vote the Chair of the Council. Members of the Council shall be appointed on

or before November 1, 2022 in order to prepare as they deem necessary for the establishment of the Council, including the election of the Chair of the Council. Terms of members shall officially begin on January 1, 2023.

(c) Duties. The Council shall have the following duties and responsibilities:

(1) work with and assist the Director or designee to implement the requirements of this subchapter;

(2) advise the Director to ensure ongoing compliance with the purpose of this subchapter;

(3) evaluate the data and analyses received from the Division and make recommendations to the Division as a result of the evaluations;

(4) report monthly to on its findings and recommendations regarding the work of the Division to the Racial Disparities in the Criminal and Juvenile Justice Systems Advisory Panel; and

(5) on or before January 15, 2023 and annually thereafter, report to the House and Senate Committees on Judiciary and on Government Operations on:

(A) its findings regarding systemic racial bias and disparities within the criminal and juvenile justice systems based upon the data and analyses the Council receives from the Division pursuant to subdivision 5012(a)(7) of this subchapter; and

(B) a status report on progress made and recommendations for further action, including legislative proposals, to address systemic racial bias and disparities within the criminal and juvenile justice systems.

(d) Meetings. The Council shall meet monthly.

(e) Compensation. Each member of the Council shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010.

(f) This section shall be repealed on June 30, 2027.

§ 5015. COUNCIL SERVICES CONTINGENT ON AGENCY COMPLIANCE

(a) On and after July 1, 2023, a law enforcement agency shall be prohibited from having its law enforcement applicants or officers trained by the Vermont Police Academy or from otherwise using the services of the Vermont Criminal Justice Council if the agency is not in compliance with the requirements for

providing data to the Division of Racial Justice Statistics pursuant to subdivision 5013(a)(2) of this chapter.

(b) 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.

(c) As used in this section:

(1) “Law enforcement agency” means the employer of a law enforcement officer.

(2) “Law enforcement officer” means a member of the Department of Public Safety who exercises law enforcement powers; a member of the State Police; a Capitol Police officer; a municipal police officer; a constable who exercises law enforcement powers; a motor vehicle inspector; an employee of the Department of Liquor and Lottery who exercises law enforcement powers; an investigator employed by the Secretary of State; a Board of Medical Practice investigator employed by the Department of Health; an investigator employed by the Attorney General or a State’s Attorney; a fish and game warden; a sheriff; a deputy sheriff who exercises law enforcement powers; a railroad police officer commissioned pursuant to 5 V.S.A. chapter 68, subchapter 8; a police officer appointed to the University of Vermont’s Department of Police Services; or the provost marshal or assistant provost marshal of the Vermont National Guard.

Sec. 2. RACIAL JUSTICE STATISTICS ADVISORY COUNCIL; IMPLEMENTATION

(a) First meeting. The first meeting of the Racial Justice Statistics Advisory Council shall be called by the Director of Racial Equity or designee. All subsequent meetings shall be called by the Chair.

(b) Staggered terms. Notwithstanding Sec. 1 of this act, the initial terms of the Council members beginning on January 1, 2023 shall be as follows:

(1) Members appointed pursuant to 3 V.S.A. § 5014(b)(1)(A) and (b)(1)(B)(i)(I) shall be appointed to a two-year term.

(2) Members appointed pursuant to 3 V.S.A. § 5014(b)(1)(B)(i)(II) and (III) shall be appointed to a three-year term.

(3) Members appointed pursuant to 3 V.S.A. § 5014(b)(1)(B)(i)(IV) and (V) shall be appointed to a four-year term.

Sec. 3. DIVISION OF RACIAL JUSTICE STATISTICS; POSITIONS

The following new positions are created in the Division of Racial Justice Statistics:

(1) one full-time, exempt Division leader, who shall be an Information Technology Data Analyst; and

(2) two full-time, exempt Information Technology Data Analysts, at a level to be determined by the Division.

Sec. 4. APPROPRIATION

The following appropriations shall be made in fiscal year 2023:

(1) \$363,000.00 from the General Fund to the Office of Racial Equity for the Division of Racial Justice Statistics;

(2) \$3,360.00 from the General Fund to the Office of Racial Equity for per diem compensation and reimbursement of expenses under 32 V.S.A. § 1010 for members of the Racial Justice Statistics Advisory Council established by 3 V.S.A. § 5014; and

(3) \$520,300.00 from the General Fund to the Agency of Digital Services to assist and support the Division of Racial Justice Statistics in the Office of Racial Equity.

Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Proposal of amendment was considered and concurred in.

Senate Proposal of Amendment Concurred in

H. 551

The Senate proposed to the House to amend House bill, entitled

An act relating to prohibiting racially and religiously restrictive covenants in deeds

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

Sec. 1. LEGISLATIVE INTENT

While racially and religiously restrictive covenants have been held unenforceable by courts since the U.S. Supreme Court's 1948 decision in *Shelley v. Kramer*, 344 U.S. 1 (1948), no State law currently exists to render these covenants void and to put an end to what was an invidious, historical practice of discrimination in the United States. This practice was responsible, in part, for preventing persons of racial and religious minority backgrounds from fully participating in one of the greatest expansions of wealth and prosperity in this country's history through federally backed mortgages and

freely available homeownership. It is the intent of the General Assembly that this act prohibit racially and religiously restrictive covenants from ever being used in Vermont again, regardless of their enforceability, and that it ensure that existing racially and religiously restrictive covenants remain in municipal land records to preserve the historical record and maintain critical evidence of a pervasive system of discrimination that existed in Vermont and throughout the country.

Sec. 2. 27 V.S.A. § 546 is added to read:

§ 546. RACIALLY AND RELIGIOUSLY RESTRICTIVE COVENANTS IN DEEDS PROHIBITED

(a) A deed, mortgage, plat, or other recorded device recorded on or after July 1, 2022 shall not contain a covenant, easement, or any other restrictive or reversionary interest purporting to restrict the ownership or use of real property on the basis of race or religion.

(b) A covenant, easement, or any other restrictive or reversionary interest in a deed, mortgage, plat, or other recorded device purporting to restrict the ownership or use of real property on the basis of race or religion is declared contrary to the public policy of the State of Vermont and shall be void and unenforceable. This subdivision shall apply to a restrictive covenant executed at any time.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Proposal of amendment was considered and concurred in.

Action on Bill Postponed

H. 728

House bill, entitled

An act relating to opioid overdose response services

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment?, on motion of **Rep. Whitman of Bennington**, action on the bill was postponed one legislative day.

**Rules Suspended; Immediate Consideration; Senate Proposal of
Amendment Concurred in with a Further Amendment Thereto;
Rules Suspended; Bill Messaged to Senate Forthwith**

H. 489

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to miscellaneous provisions affecting health insurance regulation

Was taken up for immediate consideration.

The Senate proposed to the House to amend the bill as follows:

By adding a new section to be Sec. 9 to read as follows:

**Sec. 9. SEPARATE INDIVIDUAL AND SMALL GROUP HEALTH
INSURANCE MARKETS FOR PLAN YEAR 2023**

(a) As used in this section, “health benefit plan,” “registered carrier,” and “small employer” have the same meanings as in 33 V.S.A. § 1811.

(b) Notwithstanding any provision of 33 V.S.A. § 1811 to the contrary, for plan year 2023, a registered carrier shall:

(1) offer separate health benefit plans to individuals and families in the individual market and to small employers in the small group market;

(2) apply community rating in accordance with 33 V.S.A. § 1811(f) to determine the premiums for the carrier’s plan year 2023 individual market plans separately from the premiums for its small group market plans; and

(3) file premium rates with the Green Mountain Care Board pursuant to 8 V.S.A. § 4062 separately for the carrier’s individual market and small group market plans.

And by renumbering the existing Sec. 9, effective dates, to be Sec. 10

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Reps. Donahue of Northfield, Black of Essex, Burrows of West Windsor, Cordes of Lincoln, Goldman of Rockingham, Houghton of Essex, Lippert of Hinesburg, Page of Newport City, and Peterson of Clarendon** moved that the House concur in the Senate proposal of amendment with further proposal of amendment as follows:

By adding a new section to be Sec. 10 to read as follows:

Sec. 10. UNMERGED HEALTH INSURANCE MARKETS; REPORT

(a) The Department of Financial Regulation, in consultation with the Green Mountain Care Board, shall convene a working group of interested stakeholders to identify options for, consider the advantages and disadvantages of, and develop recommendations regarding maintaining separate individual and small group health insurance markets in future plan years in a manner that reduces premiums in the small group market without increasing costs in the individual market.

(b) On or before January 15, 2023, the Department of Financial Regulation shall provide the working group's findings and recommendations to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance.

and by renumbering the existing Sec. 10, effective dates, to be Sec. 11

Which was agreed to.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

**Rules Suspended; Immediate Consideration;
Senate Proposal of Amendment Not Concurred in;
Committee of Conference Requested and Appointed; Rules Suspended;
Bill Messaged to Senate Forthwith**

H. 727

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to the exploration, formation, and organization of union school districts and unified union school districts

Was taken up for immediate consideration.

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

Sec. 1. 16 V.S.A. chapter 11, subchapter 1 is redesignated to be chapter 9, subchapter 6 to read:

Subchapter ~~16~~. ~~GENERALLY~~; CONTRACTS BETWEEN DISTRICTS
TO OPERATE SCHOOLS JOINTLY

§ 571. CONTRACTS TO CONSTRUCT AND OPERATE JOINT SCHOOLS

* * *

§ 572. JOINT BOARDS FOR JOINT, CONTRACT, OR CONSOLIDATED SCHOOLS

* * *

Sec. 2. REPEAL

16 V.S.A. chapter 11 (union schools) is repealed on passage of this act.

Sec. 3. 16 V.S.A. chapter 11 is added to read:

CHAPTER 11. UNION SCHOOL DISTRICTS

Subchapter 1. General Provisions

§ 701. POLICY

It is the policy of the State to provide substantially equal educational opportunities for all children in Vermont by authorizing two or more school districts, including an existing union school district, to form a union school district for the purpose of providing for the education of its resident students in the grades for which it is organized, and for the new union school district to be a body politic and corporate with the powers incident to a municipal corporation, with all of the rights and responsibilities that a town school district has in providing for the education of its resident students. Formation of union school districts shall be designed to encourage and support local decisions and actions that provide substantial equity of educational opportunities statewide, lead students to achieve or exceed the State's Education Quality Standards, maximize operational efficiencies, promote transparency and accountability, and be delivered at a cost that parents, voters, and taxpayers value.

§ 702. DEFINITIONS

As used in this chapter:

(1) "Board clerk" means the individual selected to be clerk of the board of a union school district by the members of the board from among their number pursuant to the provisions of sections 714 (initial members of union school district board), 729 (unified union district board members), and 747 (union elementary and union high school district board members) of this chapter.

(2) "District clerk" means the individual elected as clerk of a union school district by the voters of the district pursuant to the provisions of sections 715 (union school district organizational meeting), 735 (unified union school district officers and election), and 753 (union elementary and union high school district officers and election) of this chapter.

(3) “Forming districts” means all school districts, including union school districts, that are located within the geographical boundaries of a proposed or voter-approved union school district prior to the operational date of the union school district, which will potentially merge or have merged to form the new union school district.

(4) “Member district” means a school district, which can be a union school district, that is a member of a union elementary school district or a union high school district for certain grades, prekindergarten through grade 12, and is a distinct district organized to provide for the education of its resident students for all other grades, whether by operating one or more schools or paying tuition.

(5) “Operational date” means the date on which a union school district formed pursuant to the provisions of this chapter assumes full and sole responsibility for the education of all resident students in the grades for which it is organized.

(6) “School district” means a school district organized as a town school district, city school district, incorporated school district, or union school district, unless clearly inapplicable.

(7) In addition to its plain meaning, “town” means a city or incorporated village.

(8) In addition to its plain meaning, “town school district” means a city school district, or incorporated school district, and does not mean a union school district.

(9) “Town within a unified union school district” means each town located inside the geographic boundaries of a unified union school district and in which the district’s resident students live.

(10) “Transitional period” means the period of time beginning on the day on which a union school district becomes a legal entity pursuant to section 713 (certification of votes) of this chapter and continuing until its operational date.

(11) “Unified union school district” means a union school district organized to provide for the education of the district’s resident students in all grades, prekindergarten through grade 12.

(12) “Union elementary school district” and “union high school district” mean a union school district organized to provide for the education of the district’s resident students in fewer than all grades, prekindergarten through grade 12.

(13)(A) “Union school district” means a municipality formed under the

provisions of this chapter that is governed by a single publicly elected board and that is responsible for the education of students residing in two or more towns in the grades for which the district is organized by:

(i) operating a school or schools for all grades;

(ii) operating a school or schools for all students in one or more grades and paying tuition for all students in the remaining grade or grades; or

(iii) paying tuition for all grades.

(B) Use of the term “union school district” or “union district” includes a union elementary school district, union high school district, and unified union school district unless the context clearly limits it to fewer than all options.

(14) “Weighted voting” means a system, sometimes used in the “proportional to town population” model of union school district board membership, set forth in subdivisions 711(d)(1), 711(e)(1), 730(a)(1), 748(a)(1), and 748(b)(1) of this chapter, where proportionality is achieved by assigning a different number of votes to each board member.

§ 703. APPLICATION OF OTHER LAWS AND ARTICLES OF AGREEMENT

(a) Other education laws. The provisions of this chapter are intended to be in addition to the general provisions of law pertaining to schools, school districts, and supervisory unions. General provisions of law shall apply to union school districts unless inconsistent with or otherwise provided in this chapter.

(b) Existing articles of agreement.

(1) If a union school district joins with other school districts to form a new union school district pursuant to the provisions of sections 706–715 (process of exploration, formation, and organization of a union school district) of this chapter, then the articles of agreement of the existing union school district are repealed, and the articles of agreement of the new union school district shall govern.

(2) If a union school district joins another existing union school district pursuant to the provisions of section 721 (joining an existing union school district) of this chapter, then the articles of agreement of the joining district are repealed, and the articles of agreement of the enlarged union school district shall govern, unless the districts agree otherwise.

Subchapter 2. Exploration, Formation, and Organization

Article 1. Process

§ 706. PROPOSAL TO FORM STUDY COMMITTEE; BUDGET AND MEMBERSHIP

(a) Establishment of committee. When the boards of two or more school districts vote to establish a study committee to study the advisability of forming a union school district or are petitioned to do so by at least five percent of voters in the school district, the boards shall meet with the superintendent or superintendents of each school district. With the advice of the superintendent or superintendents, the boards shall establish a budget for the study committee's work and shall determine the number of persons to serve on the study committee pursuant to subsection (b) of this section.

(b) Budget and membership. Each participating school district's share of the established budget and membership on the study committee shall be the same as the proportion of the school district's equalized pupils to the total equalized pupils of all school districts intending to participate formally in the study committee. As used in this subsection, "equalized pupils" has the same meaning as in section 4001 of this title.

(c) Existing union school districts.

(1) Existing union elementary or union high school district; proposed unified union school district. If the board of an existing union elementary or union high school district votes to participate in a study committee to consider formation of a unified union school district, or is petitioned by the voters to do so, then:

(A) The interests of the existing union school district shall be represented by its member districts on the study committee.

(B) Any warning and vote on the study committee budget pursuant to section 707 of this chapter and the warning and vote on any resulting proposal to form a unified union school district pursuant to section 710 shall be at the member district level.

(C) If the existing union school district does not have any member districts because all towns for which it is organized are members of both a union elementary school district and a union high school district, then the existing union school district shall represent its own interests on the study committee, and the towns within it shall not participate on its behalf.

(D) If a town is a member of both a union elementary school district and a union high school district, is not independently organized as a district that is responsible for the education of students in any grade, and does not

have a town school district board, then notwithstanding other provisions to the contrary:

(i) To the extent possible, the boards of the union elementary and union high school districts of which the town is a member shall make a reasonable attempt, jointly, to appoint a member to the study committee who resides in the town.

(ii) The legislative body or appropriate officer of the town shall perform electoral functions, including warning meetings and conducting the voting process, ordinarily performed by and in member districts on behalf of a union school district.

(2) Existing unified union school district; proposed unified union school district. If the board of a unified union school district votes to participate in a study committee to consider formation of a new unified union school district rather than the enlargement of the existing unified union school district pursuant to section 721 (joining an existing union school district) of this chapter, or is petitioned by the voters to do so, then:

(A) The existing unified union school district shall represent its own interests on the study committee, and the towns within it shall not participate on its behalf.

(B) To the extent possible, the board of the existing unified union school district shall make a reasonable attempt to appoint members to the study committee who reside in each town within the district.

(C) Any warning and vote on the study committee budget pursuant to section 707 of this chapter and the warning and vote of the electorate on any resulting proposal to form a new unified union school district pursuant to section 710 shall proceed pursuant to the provisions for commingled Australian ballot voting as set forth in subchapter 3 (unified union school districts) of this chapter.

(3) Existing union elementary or union high school district; proposed union elementary or union high school district. If the board of an existing union elementary or union high school district votes to participate in a study committee to consider formation of a new union elementary or union high school district rather than enlarging the existing union school district pursuant to section 721 (joining an existing union school district) of this chapter, or is petitioned by the voters to do so, then:

(A) The existing union school district shall represent its own interests on the study committee, and the member districts of the existing union school district shall not participate on its behalf.

(B) To the extent possible, the board of the existing union school district shall make a reasonable attempt to appoint members to the study committee who reside in each of the member districts within the existing union school district.

(C) Any warning and vote on the study committee budget pursuant to section 707 of this chapter and the warning and vote of the electorate on any resulting proposal to form a new union elementary or union high school district pursuant to section 710 of this chapter shall proceed pursuant to the provisions for commingled Australian ballot voting as set forth in subchapter 4 (union elementary and union high school districts) of this chapter.

§ 707. APPROVAL OF STUDY BUDGET; APPOINTMENT OF STUDY COMMITTEE; PARTICIPATION

(a) Proposed budget exceeding \$50,000.00.

(1) If the proposed budget established in section 706 of this chapter exceeds \$50,000.00, then subject to the provisions of that section the board of each potentially participating school district shall warn the district's voters to meet at an annual or special school district meeting to vote whether to appropriate funds necessary to support the district's financial share of a study committee's costs. The meeting in each school district shall be warned for the same date. The warning in each school district shall contain an identical article in substantially the following form:

Shall the school district of _____ appropriate funds necessary to support the school district's financial share of a study to determine the advisability of forming a union school district with some or all of the following school districts: _____, _____, and _____? It is estimated that the _____ school district's share, if all of the identified school districts vote to participate, will be \$ _____. The total proposed budget, to be shared by all participating school districts is \$ _____."

(2) If the vote in subdivision (1) of this subsection is in the affirmative in two or more school districts, then the boards of the affirming school districts shall appoint a study committee consisting of the number of persons determined pursuant to section 706 (proposed study committee budget and membership) of this chapter. At least one current board member from each participating school district shall be appointed to the study committee. The board of a school district appointing more than one person to the study committee may appoint residents of the school district who are not members of the board to any of the remaining seats.

(3) The sums expended for study purposes under this section shall be

considered part of the approved cost of any project in which the union school district, if created, participates pursuant to chapter 123 of this title.

(b) Proposed budget not exceeding \$50,000.00.

(1) If the proposed budget established in section 706 of this chapter does not exceed \$50,000.00, then the boards of the participating school districts shall appoint a study committee consisting of the number of persons determined under that section. At least one current board member from each participating school district shall be appointed to the study committee. The board of a school district appointing more than one person to the study committee may appoint residents of the school district who are not members of the board to any of the remaining seats.

(2) The sums expended for study purposes under this section shall be considered part of the approved cost of any project in which the union school district, if created, participates pursuant to chapter 123 of this title.

(c) Additional costs.

(1) If the voters approve a budget that exceeds \$50,000.00 but the study committee later determines that its budget is likely to exceed the projected, voter-approved amount, then the boards of all participating school districts shall obtain voter approval for the amounts exceeding the previously approved budget in the manner set forth in subdivision (a)(1) of this section before the study committee obligates or expends sums in excess of the initial voter-approved amount.

(2) If a proposed budget does not exceed \$50,000.00 at the time the school boards appoint members to the study committee, but the study committee later determines that its total budget is likely to exceed \$50,000.00, then the boards of all participating school districts shall obtain voter approval for the amounts exceeding \$50,000.00 in the manner set forth in subdivision (a)(1) of this section before the study committee obligates or expends funds in excess of \$50,000.00.

(d) Grants. Costs to be paid by State, federal, or private grants shall not be included when calculating whether a study committee's budget or proposed budget exceeds \$50,000.00.

(e)(1) Subsequent appointments of persons to the study committee; vacancy. Subject to the requirement that each school board appoint at least one current member of the board, the board of a participating school district shall appoint a person residing in the school district to the study committee if one of the school district's seats is vacant because a study committee member:

(A) is no longer a member of the school district's board and was the

sole board member appointed by that school district;

(B) has resigned from or is no longer able to serve on the study committee; or

(C) has not attended three consecutive study committee meetings without providing notice to the study committee chair of the reason for each absence and obtaining a determination of the study committee members that the absences were reasonable.

(2) Notice under subdivision (1)(C) of this subsection shall be given in advance of absences whenever possible.

(f) Formal participation in study committee.

(1) A school district shall not be a formal participant in and appoint members to more than one study committee created under this chapter at any one point in time.

(2) A school district shall not formally withdraw its participation in an existing study committee after the school district has appointed members to that committee until the study committee dissolves pursuant to subsection 708(e) of this chapter.

(g) Additional formal participants.

(1) Subject to the provisions of subsection (f) of this section, a school district may join as an additional formal participant in a study committee after creation of the committee if:

(A) the school district's board has requested the committee's approval to participate after either a vote of the school district's board or a petition by five percent of the school district's voters and if the study committee votes to approve formal participation by the district; or

(B) the study committee has voted to ask the school district to participate formally and either the board of the school district votes to approve formal participation or is petitioned by five percent of the school district's voters to do so.

(2) A school district that becomes a formal participant in an existing study committee pursuant to this subsection is subject to the provisions of section 706 (proposed study committee budget and membership) of this chapter regarding financial and representational proportionality and to all other requirements of study committees set out in this chapter.

(h) Informal participation by other school districts.

(1) The board of a school district that is not a formal participant in an

existing study committee may authorize one or more of the board's members to contact the study committee to discuss whether it may be advisable to include the school district within a proposal to form a new union school district as an "advisable" district, as described in section 708 (necessary and advisable districts) of this chapter.

(2) An existing study committee may authorize one or more of its members to contact the board of one or more additional school districts that are not formal participants in the committee to discuss whether it may be advisable to include the school district within a proposal to form a new union school district as an "advisable" district.

(3) An existing study committee may invite representatives of a nonparticipating school district's board to participate informally in the study committee's deliberations.

(4) Nothing in this section shall be construed to prohibit the board of a school district from authorizing informal exploration between and among the boards of school districts prior to the formation of a study committee.

§ 708. STUDY COMMITTEE; NECESSARY AND ADVISABLE
DISTRICTS; CONTENTS OF STUDY COMMITTEE REPORT AND
PROPOSED ARTICLES; DISSOLUTION OF COMMITTEE

(a) Study committee; process.

(1) The superintendent shall convene a study committee's first meeting when the committee's members are appointed. If the participating districts are members of more than one supervisory union, then the superintendents shall decide which of their number shall convene the meeting. The study committee members shall elect a chair who shall notify the Secretary in writing of the committee's creation and the chair's election within 30 days following the vote of the committee's creation.

(2) Staff of the supervisory union or unions shall provide administrative assistance to the study committee.

(3) The Secretary shall cooperate with the study committee and is authorized to make Agency staff available to provide technical assistance to the committee.

(4) The study committee is a public body pursuant to 1 V.S.A. § 310(4) and is subject to the requirements of 1 V.S.A. chapter 5, subchapter 2.

(5) Although a study committee should try to achieve consensus, committee decisions shall be reached by a majority of all committee members present and voting.

(b) Necessary and advisable school districts. If a study committee decides to recommend formation of a union school district, then it shall determine whether each school district included in the recommended formation is “necessary” or “advisable” to formation.

(1) “Necessary” school district.

(A) The study committee shall identify a school district as “necessary” to formation of the union school district only if the school district is a formal participant in the study committee.

(B) Subject to the provisions of subsection 706(c) of this chapter, the school board of a “necessary” school district is required to warn a vote of the electorate under sections 710 (vote to form union school district) and 711 (initial members of union school district board election) of this chapter.

(C) A proposed union school district is formed only if the voters voting in each “necessary” school district vote to approve formation.

(2) “Advisable” school district.

(A) The study committee may identify any school district as “advisable” to formation of the union school district even if the school district is not a formal participant in the study committee.

(B) The school board of an “advisable” school district is not required to warn a vote of the electorate under sections 710 (vote to form union school district) and 711 (initial members of union school district board election) of this chapter, except upon application of 10 percent of the voters in the school district.

(C) Voter approval in an “advisable” district is not required for formation of a new union school district.

(3) Existing union elementary or union high school district. Notwithstanding other provisions of this subsection, an existing union elementary or union high school district is “necessary” to the formation of a unified union school district even though its interests are represented by its member districts pursuant to subdivision 706(c)(1) (study committee budget and membership for existing union school districts) of this chapter.

(c) Proposal to form union school district; report and proposed articles of agreement. If a study committee determines that it is advisable to propose formation of a union school district, then it shall prepare a report analyzing the strengths and challenges of the current structures of all “necessary” and “advisable” school districts and outlining the ways in which a union school district promotes the State policy set forth in section 701 of this chapter. The study committee shall also prepare proposed articles of agreement that, if

approved pursuant to the provisions of this chapter, shall serve as the operating agreement for the new union school district. At a minimum, articles of agreement shall state:

(1) The name of any school district the study committee considers “necessary” to formation of the proposed union school district.

(2) The name of any school district the study committee considers “advisable” to include in the proposed union school district.

(3) The legal name or temporary legal name by which the union school district shall be known.

(4) The grades, if any, that the proposed union school district will operate and the grades, if any, for which it will pay tuition.

(5) The cost and general location of any proposed new school buildings to be constructed and the cost and general description of any proposed renovations to existing school buildings.

(6) A plan for the first year of the union school district’s operation for transportation of students, assignment of staff, and use of curriculum that is consistent with existing contracts, collective bargaining agreements, and other provisions of law. The board of the union school district, if formed, shall make all subsequent decisions regarding transportation, staff, and curriculum subject to existing contracts, collective bargaining agreements, and other provisions of law.

(7) A list of the indebtedness of each “necessary” and “advisable” district, which the union school district shall assume.

(8) The specific pieces of real property of each “necessary” and “advisable” district that the union school district shall acquire, their valuation, and how the union school district shall pay for them.

(9) Consistent with the proportional representation requirements of the Equal Protection Clause of the U.S. Constitution, the method or methods of apportioning representation on the union school district board as set forth in subsections 711(d) (unified union school district), (e) (union elementary or union high school district), and (f) (weighted voting) of this chapter.

(10) The term of office for each member initially elected to the union school district board, to be arranged so that one-third expire on the day of the second annual meeting of the union school district, one-third on the day of the third annual meeting, and one-third on the day of the fourth annual meeting, or as near to that proportion as possible.

(11) The date on which the proposal to create the union school district

and the election of initial union school district board members will be submitted to the voters.

(12) The date on which the union school district will be solely responsible for the education of its resident students in the grades for which it is organized and will begin operating any schools, paying any tuition, and providing educational services.

(13) Whether the election of board members, election of school district officers, votes on the union school district budget, or votes on other public questions, or any two or more of these, shall be by Australian ballot.

(14) Any other matters that the study committee considers pertinent.

(d) No proposal to form a union school district. If a study committee determines that it is inadvisable to propose formation of a union school district, then its members shall vote to dissolve the committee. If the study committee members vote to dissolve, then the chair shall notify the Secretary in writing of the vote.

(e) Dissolution of study committee.

(1) If a study committee proposes formation of a union school district pursuant to subsection (c) of this section, then the committee shall cease to exist when the clerk of each school district voting on a proposal to establish the union school district has certified the results of the vote to the Secretary pursuant to subsection 713(a) of this chapter.

(2) If a study committee determines that it is inadvisable to propose formation of a union school district, then the committee shall cease to exist when the chair notifies the Secretary of the committee's vote pursuant to subsection (d) of this section.

§ 709. REVIEW BY LOCAL SCHOOL DISTRICT BOARDS;

CONSIDERATION AND APPROVAL BY STATE BOARD OF EDUCATION

(a) If a study committee determines that it is advisable to propose formation of a union school district, then the committee shall transmit its report and proposed articles of agreement to the school board of each school district that the report identifies as either "necessary" or "advisable" to formation of the proposed union school district. Each board may review the report and proposed articles and may provide its comments to the study committee. The study committee has sole authority to determine the contents of the report and proposed articles and to decide whether to submit them to the State Board under subsection (b) of this section.

(b) If a study committee determines that it is advisable to propose

formation of a union school district, then the committee shall transmit the report and proposed articles of agreement to the Secretary who shall submit them with recommendations to the State Board.

(c)(1) The State Board:

(A) shall consider the study committee's report and proposed articles of agreement and the Secretary's recommendations;

(B) shall provide the study committee an opportunity to be heard;

(C) may ask the Secretary or the study committee, or both, to make further investigation and may consider any other information the State Board deems to be pertinent; and

(D) may request that the study committee amend the report or the proposed articles of agreement, or both.

(2) If the State Board finds that formation of the proposed union school district is in the best interests of the State, the students, and the school districts, and aligns with the policy set forth in section 701 of this title, then it shall approve the study committee's report and proposed articles of agreement, together with any amendments, as the final report and proposed articles of agreement, and shall give notice of its action to the study committee.

(d) The chair of the study committee shall file a copy of the approved final report and proposed articles of agreement with the clerk of each school district identified as "necessary" or "advisable" at least 30 days prior to the vote of the electorate on whether to form the union school district.

§ 710. VOTE TO FORM UNION SCHOOL DISTRICT

Subject to the provisions of subsections 706(c) (proposal to form study committee; existing union school districts) and 708(b) (study committee; necessary and advisable districts) of this chapter, the voters of each school district identified as "necessary" or "advisable" shall vote whether to form the proposed union school district, as follows:

(1) The vote shall be held on the date specified in the final report.

(2) The vote shall be by Australian ballot.

(3) The vote shall be at separate school district meetings held on the same day.

(4) The opportunity for early and absentee voting pursuant to 17 V.S.A. §§ 2531–2550 shall be provided.

(5) The board of each school district voting on the proposal shall warn the vote either as a special meeting of the school district or as part of its annual meeting.

§ 711. VOTE TO ELECT INITIAL MEMBERS OF THE UNION SCHOOL DISTRICT BOARD

(a) Election of initial members of union school district board. At the meeting warned to vote on formation of a union school district under section 710 of this chapter, the voters shall also elect the initial members who will serve on the board of the union school district if the voters approve the district's formation.

(1) The vote to elect the initial members shall be by Australian ballot.

(2) The opportunity for early and absentee voting pursuant to 17 V.S.A. §§ 2531–2550 shall be provided.

(b) Representation and term length. Initial membership on a union school district board shall be pursuant to the method of representation set forth in the articles of agreement, for the terms specified in that document, and pursuant to the provisions of this section and subdivisions 708(c)(9) and (10) (study committee; proposed articles of agreement; apportionment and terms) of this chapter.

(c) Operational definitions. As used in subsections (d) and (e) of this section, any term not defined in section 702 of this chapter shall have its plain meaning, except as provided in this subsection.

(1) If, pursuant to section 425 (other town school district officers) of this title, the voters of a school district have elected a district clerk who is not also the clerk of the town served by the school district, then “town clerk” means the elected clerk of that school district.

(2) Notwithstanding subdivision (1) of this subsection, if a potential forming district is an existing unified union school district, then:

(A) Reference to the voters of the “school district” means the voters of each town within the existing unified union school district, who shall vote at a location in their town of residence that is identified in the warning issued by the existing unified union school district; provided, however, that the total of all votes cast in the towns shall determine the modified at-large and at-large election of initial board members pursuant to subdivisions (d)(2) (proposed unified union district; modified at-large), (d)(3) (proposed union district; at-large), (e)(2) (proposed union elementary or union high school district; modified-at large), and (e)(3) (proposed union elementary or union high school district; at-large) of this section, as well as whether the existing unified union

school district approves formation of the new unified union school district.

(B) “Town clerk” means the clerk of each town within the existing unified union school district; provided, however, that the town clerk of each town shall transmit the name of each duly nominated candidate to the clerk of the existing unified union school district, who shall prepare the unified union school district ballot for that town and transmit the ballot to the town clerk to make available to the voters.

(3) Notwithstanding subdivision (1) (clerk of school district) of this subsection, if a town is a member of both a union elementary school district and a union high school district, is not independently organized as a district that is responsible for the education of students in any grade, and does not have a town school district board, then:

(A) reference to the voters of the “school district” means the voters of the town that is the member of both existing union school districts, who shall vote at a location in their town of residence that is identified in the warning issued by:

(i) the existing union elementary school district if the voters are voting on a proposed unified union school district or a proposed union elementary school district; or

(ii) the existing union high school district if the voters are voting on a proposed union high school district; and

(B) “town clerk” means the clerk of the town that is a member of both existing union school districts; provided, however, that the town clerk shall transmit the name of each duly nominated candidate to the clerk of the union school district identified in subdivision (A) of this subdivision (3), who shall prepare the ballot for that town and transmit the ballot to the town clerk to make available to the voters.

(d) Proposed unified union school district. Subject to the provisions of subsections 706(c) (existing union school districts) and 708(b) (necessary and advisable school districts) of this chapter, the voters of each school district identified as “necessary” or “advisable” shall vote whether to elect initial board members of a proposed unified union school district, as follows

(1) Proportional to town population. When representation on the board of a proposed unified union school district is apportioned to each potential town within the proposed district in a number that is closely proportional to the town’s relative population:

(A) Voters of each school district identified as either “necessary” or “advisable” to formation of the proposed unified union school district shall file

a petition nominating a candidate for the office of unified union school district board member based on town population. A petition shall be valid only if:

(i) the candidate is a current voter of the town;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the town or one percent of the legal voters in the town, whichever is less;

(iv) the voters file the petition with the town clerk of the town in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) The town clerk shall place the name of each duly nominated candidate on the ballot to be presented to the voters of the school district.

(C) The voters of the school district for the town in which the candidate resides shall elect as many board members to the unified union school board as are apportioned based on the town's population.

(2) Modified at-large model: allocation to town; at-large representation. When representation on the board of a proposed unified union school district is allocated to each potential town within the proposed district, but the allocation is not closely proportional to the town's relative population and the board member is elected at-large:

(A) Voters of each school district identified as either "necessary" or "advisable" to formation of the proposed unified union school district shall file a petition nominating a candidate for the office of unified union school district board member allocated to the voters' town. A petition shall be valid only if:

(i) the candidate is a current voter of the town;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the town or one percent of the legal voters in the town, whichever is less;

(iv) the voters file the petition with the town clerk of the town in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) Upon receipt of a petition for a unified union school district board member allocated to a potential town within the proposed district but to be elected at-large under the modified at-large model, the town clerk shall place the name of the duly nominated candidate on the ballot to be presented to the voters of the school district and shall notify the town clerks preparing the ballots for the voters of each of the other “necessary” school districts and of each “advisable” school district voting on formation of the proposed unified union school district to place the candidate’s name on the ballot presented to the voters in those districts. Alternatively, at their discretion, the town clerks may meet jointly to prepare a uniform ballot.

(C) The voters of each “necessary” school district and of each “advisable” school district voting on formation of the proposed unified union school district shall vote for the board members to be elected at-large under the modified at-large model; provided, however, that ballots shall be included in the calculation of total votes cast pursuant to the provisions of subdivision 714(a)(2) (calculation of votes) of this chapter.

(3) At-large representation. When representation on the board of a proposed unified union school district is not apportioned or allocated to the potential towns within the proposed district pursuant to subdivision (1) (proportional to town population) or (2) (modified at-large) of this subsection and the board member is elected at-large:

(A) The voters of one or more school districts identified as “necessary” to formation of the proposed unified union school district shall file a petition nominating a candidate for the office of unified union school district board member at-large. A petition shall be valid only if:

(i) the candidate is a current voter of a school district identified as “necessary” to the formation of the proposed union school district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in one or more school districts identified as “necessary” to the formation of the proposed unified union school district;

(iv) the voters file the petition with the town clerk in the “necessary” school district in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate’s name on the ballot.

(B) Upon receipt of a petition for a unified union school district

board member elected at-large, the town clerk shall place the name of the duly nominated candidate on the ballot to be presented to the voters of the school district and shall notify the town clerks preparing the ballots for the voters of each of the other “necessary” school districts and of each “advisable” school district voting on formation of the proposed unified union school district to place the candidate’s name on the ballot presented to the voters in those districts. Alternatively, at their discretion, the town clerks may meet jointly to prepare a uniform ballot.

(C) The voters of each “necessary” school district and of each “advisable” school district voting on formation of the proposed unified union school district shall vote for the members to be elected at-large; provided, however, that ballots shall be included in the calculation of total votes cast pursuant to the provisions of subdivision 714(a)(2) (calculation of votes) of this chapter.

(e) Proposed union elementary or union high school district. Subject to the provisions of subsections 706(c) (existing union school districts) and 708(b) (necessary and advisable school districts) of this chapter, the voters of each school district identified as “necessary” or “advisable” shall vote whether to elect initial board members of the proposed union school district, as follows:

(1) Proportional to town population. When representation on the board of a proposed union elementary or union high school district is apportioned to each potential member district of the proposed district in a number that is closely proportional to the potential member district’s relative population:

(A) Voters of each school district identified as either “necessary” or “advisable” to formation of the proposed union school district shall file a petition nominating a candidate for the office of union school district board member representing the potential member district. A petition shall be valid only if:

(i) the candidate is a current voter of the potential member district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the potential member district or one percent of the legal voters in the district, whichever is less;

(iv) the petition is filed with the town clerk not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the

printing of the candidate's name on the ballot.

(B) The town clerk shall place the name of each duly nominated candidate on the ballot to be presented to the voters of the potential member district.

(C) The voters of the district shall elect as many board members as are apportioned to the potential member district based on population.

(2) Modified at-large model: allocation to town; at-large representation. When representation on the board of a proposed union elementary or union high school district is allocated to each potential member district, but the allocation is not closely proportional to the potential member district's relative population and the board member is elected at-large:

(A) Voters of each school district identified as either "necessary" or "advisable" to formation of the proposed union school district shall file a petition nominating a candidate for the office of union school district board member allocated to the potential member district. A petition shall be valid only if:

(i) the candidate is a current voter of the potential member district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the potential member district or one percent of the legal voters in the district, whichever is less;

(iv) the petition is filed with the town clerk of the school district in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) Upon receipt of a petition for union school district board member allocated to a potential member district but to be elected at-large under the modified at-large mode, the town clerk shall place the name of the duly nominated candidate on the ballot to be presented to the voters of the potential member district and shall notify the town clerks preparing the ballots for the voters of each of the other "necessary" school districts and of each "advisable" school district voting on formation of the proposed union school district to place the candidate's name on the ballot presented to the voters in those districts. Alternatively, at their discretion, the town clerks may meet jointly to prepare a uniform ballot.

(C) The voters of each “necessary” school district and of each “advisable” school district voting on formation of the proposed unified union school district shall vote for the board members to be elected at-large under the modified at-large model; provided, however, that ballots shall be included in the calculation of total votes cast pursuant to the provisions of subdivision 714(a)(2) (calculation of votes) of this chapter.

(3) At-large representation. When representation on the board of a proposed union elementary or union high school district board is not apportioned or allocated to the potential member districts pursuant to subdivision (1) (proportional to town population) or (2) (modified at large) of this subsection and the board member is elected at-large:

(A) The voters of one or more school districts identified as “necessary” to the formation of the proposed union school district shall file a petition nominating a candidate for the office of union school district board member at-large. A petition shall be valid only if:

(i) the candidate is a current voter of a school district identified as “necessary” to the formation of the proposed union school district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in one or more school districts identified as “necessary” to the formation of the proposed union school district;

(iv) the petition is filed with the town clerk in the “necessary” school district in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate’s name on the ballot.

(B) Upon receipt of a petition for a union school district board member to be elected at-large, the town clerk shall place the name of the duly nominated candidate on the ballot to be presented to the voters of the school district and shall notify the town clerks preparing the ballots for the voters of each of the other “necessary” school districts and of each “advisable” school district voting on formation of the proposed union school district to place the candidate’s name on the ballot presented to the voters in those districts. Alternatively, at their discretion, the town clerks may meet jointly to prepare a uniform ballot.

(C) The voters of each “necessary” school district and of each “advisable” school district voting on formation of the proposed union school

district shall vote for the board members to be elected at-large; provided, however, that ballots shall be included in the calculation of total votes cast pursuant to the provisions of subdivision 714(a)(2) (calculation of votes) of this chapter.

(f) Weighted voting. If representation on a union school district board is apportioned based upon population pursuant to subdivision (d)(1) or (e)(1) of this section, then the union school district may achieve proportionality through a system of weighted voting.

§ 712. CONTENTS OF WARNING ON VOTES TO ESTABLISH THE
UNION SCHOOL DISTRICT AND ELECT THE INITIAL
MEMBERS OF THE UNION SCHOOL DISTRICT BOARD

The warning for each school district meeting to vote on formation of a union school district shall contain two articles in substantially the following form. The language used in Article 1 shall be the same for each “necessary” and “advisable” district voting on formation of the new district. Article II of the warning shall not include names of candidates for the union school district board.

WARNING

The voters of the _____ School District are hereby notified and warned to meet at _____ on the _____ day of _____, 20____, to vote by Australian ballot between the hours of _____, at which time the polls will open, and _____, at which time the polls will close, upon the following articles of business:

Article I. FORMATION OF UNION SCHOOL DISTRICT

Shall the _____ School District, which the proposed articles of agreement have identified as [“necessary” or “advisable”] to the formation of the proposed union school district, join with the school district[s] of _____ and _____, which are identified as “necessary” to formation, and potentially the school district[s] of _____ and _____, which are identified as “advisable” to formation, for the purpose of forming a union school district, as provided in Title 16, Vermont Statutes Annotated, upon the following conditions and agreements:

(a) Grades. The union school district shall be organized to provide for the education of resident students in grades _____ through _____ and shall assume full and sole responsibility therefor on July 1, 20____.

(b) Operation of schools. The union school district shall operate and manage one or more schools offering instruction in grades _____ through _____

_____. [Amend as necessary if the district will pay tuition for any or all grades for which it is organized.]

(c) Union school district board. [State method by which representation of each member of the union school board is to be determined pursuant to section 711 (vote to elect initial members) of this chapter.]

(d) Assumption of debts and ownership of school property. The union school district shall assume the indebtedness of forming districts, acquire the school properties of the forming districts, and pay for them, all as specified in the final report and proposed articles of agreement.

(e) Final report. The provisions of the final report and proposed articles of agreement approved by the State Board of Education on the ____ day of _____, 20____, which is on file in the office of the clerk of each school district named in this warning, shall govern the union school district.

Article II. ELECTION OF INITIAL MEMBERS OF THE UNION SCHOOL DISTRICT BOARD

To elect a total of _____ () member(s) to serve as initial members of the proposed union school district board for the terms established in the final report and proposed articles of agreement: [Amend as necessary to reflect method for determining school board membership pursuant to section 711 (vote to elect initial members) of this chapter.]

(a) [Insert number] Board Member[s] to serve until the second annual meeting of the union school district, in 20____.

(b) [Insert number] Board Member[s] to serve until the third annual meeting of the union school district, in 20____.

(c) [Insert number] Board Member[s] to serve until the fourth annual meeting of the union school district, in 20____.

§ 713. CERTIFICATION OF VOTES; DESIGNATION OF DISTRICT AS UNION SCHOOL DISTRICT; RECORDING BY SECRETARY OF STATE

(a) Within 45 days after the vote or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of each school district voting on the proposal to form a union school district shall certify the results of that vote to the Secretary of Education. The clerk shall submit the certification regardless of whether the district voters approved the proposed formation of a union school district.

(b) If the voters voting in each school district identified as “necessary” to formation of the proposed union school district vote to form the district, then

the “necessary” school districts constitute a union school district, together with any school district designated as “advisable” that votes to form the proposed union school district.

(c) If the voters approve formation of a union school district pursuant to subsection (b) of this section, then upon receiving the certification of each clerk pursuant to subsection (a) of this section, but not sooner than 30 days after the initial vote, the Secretary shall designate the newly formed district as a union school district. The Secretary shall certify that designation and send the certification together with the clerks’ certifications to the Secretary of State, who shall record the certification.

(d) When the Secretary of State records the certification of the Secretary of Education, the union school district shall be a body politic and corporate with the powers incident to a municipal corporation, shall be known by the name or number given in the recorded certification, by that name or number may sue and be sued, and may hold and convey real and personal property for the use of the union school district. The recorded certification shall be notice to all parties of the formation of the union school district with all the powers incident to such a district as provided in this title.

(e) The Secretary of State shall file a certified copy of the recorded certification with the clerk of each member district of a new union elementary or union high school district and with the town clerk of each town within a new unified union school district. The Secretary of State shall file the certified copies not later than 14 days after the date on which the Secretary of Education certifies the existence of the union school district to the Secretary of State. Filing a certified copy with each clerk shall be prima facie evidence of full compliance with the requirements for the formation of a union school district as set forth in this subchapter.

§ 714. INITIAL MEMBERS OF UNION SCHOOL DISTRICT BOARD;
TALLYING OF AT-LARGE VOTES; OATH OF OFFICE AND
ASSUMPTION OF DUTIES

(a) Tallying of at-large votes for initial members of board. If the voters have elected some or all of the initial members of the union school district board under either model involving at-large voting as set forth in subdivision 711(d)(2) (proposed unified union school district; modified at-large), (d)(3) (proposed unified union school district; at-large), (e)(2) (proposed union elementary or union high school district; modified at-large), or (e)(3) (proposed union elementary or union high school district; at-large) of this chapter, then the total votes cast for each of the at-large candidates shall be calculated as follows:

(1) Within seven days after the vote, the clerk of each school district voting on the proposal to form a union school district shall transmit electronically to the Secretary of Education the total number of votes cast in that school district for each at-large candidate.

(2) The Secretary shall calculate the total votes cast for each candidate and transmit those calculations to the clerks for verification. Ballots cast by the voters of any “advisable” district that does not approve the proposal to form a new union school district shall not be included in the calculation.

(3) When each clerk has verified the calculations, the Secretary shall prepare and execute a certification of the votes cast for each candidate.

(b) Notification. If the voters approve formation of a new union school district, then within 30–45 days after the vote or 15 days after a vote to reconsider the original vote to form the district, whichever is later, the notification of the election of initial board members shall be sent to the Secretary of State as follows:

(1) The clerk of each forming district shall transmit the names of board members elected in a manner that is proportional to town population as set forth in subdivision 711(d)(1) (proposed unified union district; proportional to town population) or (e)(1) (proposed union elementary or union high school district; proportional to town population) of this chapter.

(2) The Secretary of Education shall transmit the names of board members elected under either model involving at-large voting.

(c) Oath of office; assumption of duties; election of chair and clerk. The superintendent of the supervisory union serving the new union school district shall cause the initial board members to be sworn in. Although the swearing-in may occur prior to the organizational meeting required by section 715 of this chapter, it shall not occur before the Secretary of State files the certified copy of the recorded certification with each clerk pursuant to subsection 713(e) of this chapter. The initial board members shall assume office upon being sworn in and shall meet to elect one of their number to serve as the board chair and one other of its number to serve as the board clerk, and to transact any other business within its jurisdiction; provided, however, such meeting shall not occur prior to the organizational meeting required by section 715.

§ 715. ORGANIZATIONAL MEETING; NOTICE; BUSINESS TO BE TRANSACTED

(a) Meeting. The union school district shall hold an organizational meeting within 60 days after the Secretary of State files the certified copy of

the recorded certification with each clerk pursuant to subsection 713(e) of this chapter.

(b) Notice.

(1) The Secretary of Education shall prepare and execute a warning for the organizational meeting. The warning shall give notice of the day, hour, and location of the meeting and shall itemize the business to be transacted.

(2) The Secretary of Education shall transmit the signed warning to the superintendent, who shall post the warning in at least one public place in each town within the union school district and shall cause the warning to be published once in a newspaper of general circulation in the towns within the union school district. Posting and publication shall be made not more than 40 days nor less than 30 days before the date of the meeting.

(3) The union school district shall bear the cost of posting and publishing the warning.

(c) Business to be transacted.

(1) The Secretary or a person designated by the Secretary shall call the organizational meeting to order and the registered voters shall consider the following items of business:

(A) Elect a temporary presiding officer and a temporary clerk of the union school district from among the voters present at the organizational meeting.

(B) Adopt Robert's or other rules of order, which shall govern the parliamentary procedures of the organizational meeting and all subsequent meetings of the union school district.

(C) Elect a moderator of the union school district from among the voters.

(D) Elect a clerk of the union school district from among the voters or vote to authorize the school board to appoint a clerk of the union school district from among the voters.

(E) Elect a treasurer of the union school district or vote to authorize the school board to appoint a treasurer of the union school district. The treasurer may also be the supervisory union treasurer and need not be a resident of the union school district.

(F) Determine the date and location of the union school district's annual meeting, which shall be not earlier than February 1 nor later than June 1, if not previously determined by the voter-approved articles of agreement.

(G) Determine whether compensation shall be paid to the moderator, clerk, and treasurer of the union school district elected at the organizational meeting and at subsequent annual meetings of the union school district and, if so, the amount to be paid to them.

(H) Determine whether compensation shall be paid to members of the union school district board and, if so, the amount to be paid to them.

(I) Establish provisions for payment by the union school district of any expense incurred or to be incurred by or on behalf of the district for the period between the date on which the voters approved formation of the union school district and the first annual meeting of the union district.

(J) Determine whether to authorize the initial board of the union school district to borrow money pending receipt of payments from the Education Fund by the issuance of its note payable not later than one year from the date of the note. Regardless of whether the voters provide this authorization, the initial board is authorized to borrow sufficient funds to meet pending obligations until the voters approve a budget for the initial year of operation pursuant to subdivision 716(b)(3) of this chapter.

(K) Transact any other business, the subject matter of which has been included in the warning, that the voters have power to transact at any annual or special meeting and transact any nonbinding business that may legally come before the voters.

(2) When there is only one nominee for temporary presiding officer, temporary clerk, moderator, district clerk, or district treasurer, the voters may, by acclamation, instruct an officer to elect the nominee by casting one ballot, and upon the ballot being cast, the nominee shall be legally elected and shall thereupon be sworn.

(3) The elected officers listed in subdivisions (1)(A) (temporary presiding officer and temporary clerk), (C) (moderator of the union school district), (D) (clerk of the union school district), and (E) (treasurer of the union school district) of this subsection shall be sworn in before entering upon the duties of their offices and a record made by the district clerk. They shall assume office upon being sworn in. The officers listed in subdivisions (1)(C), (D), and (E) of this subsection shall serve terms as set forth in section 735 (unified union school districts; officers) or 753 (union elementary and union high school district; officers) of this chapter unless the voters extend the term length up to three years.

(4) Any member of the union school district board not sworn in before the organizational meeting pursuant to section 714 of this chapter may be sworn in at or after the organizational meeting.

Article 2. Transition; Dissolution, Reorganization, and Discontinuation of
Forming Districts; Sale of Real Property; Supervisory Unions
and Supervisory Districts

§ 716. TRANSITION TO FULL OPERATIONS

(a) Operational date. The operational date of a union school district is the July 1 next following the date on which the voters vote to approve formation of the district, unless the voter-approved articles of agreement establish a different date.

(b) Roles and authority during transitional period. During the transitional period:

(1) The forming districts, through their boards, shall continue to be responsible for the education of their respective resident students.

(2) The board of the new union school district shall develop school district policies; adopt curriculum, educational programs, assessment measures, and reporting procedures; negotiate and enter into contractual agreements; negotiate and enter into collective bargaining agreements; set the school calendar for the fiscal year that begins on the operational date; prepare and present to the voters the proposed budget for the fiscal year that begins on the operational date; prepare for the annual and any special meetings of the new union school district that may occur during the transitional period; and transact any other lawful business coming before it.

(3) During the transitional period and continuing until the voters approve a budget for the initial fiscal year of operation, the board of the new union school district shall have the authority to borrow sufficient funds to meet pending obligations. The board shall vote whether to include the total sum borrowed under this subsection as education spending in the board's proposed budget for the initial fiscal year or to treat the sum as a deficit pursuant to 24 V.S.A. § 1523(b) (municipal and county government; duties of selectboards as to a deficit).

(c) Assets.

(1) Definition. For purposes of this subsection, the "assets" of a forming district shall include all real and personal property, operating fund accounts, special fund accounts, trust fund accounts, accounts receivable, and any other property to which the forming district holds title or over which it has control.

(2) Transfer and acquisition of title. On or before the operational date, the forming districts shall transfer and the union school district shall acquire ownership of all assets of the forming districts that are owned by the forming

districts on or before the June 30 immediately preceding the operational date, unless the voter-approved articles of agreement explicitly provide for an alternative disposition of a specific asset. The transfer of an asset shall be subject to all encumbrances and conditions of record, unless the voter-approved articles of agreement explicitly provide otherwise.

(3) Prohibition. A forming district shall not transfer ownership of an asset to any entity other than the union school district between the date on which the vote occurs pursuant to section 710 (vote to form union school district) of this chapter and the operational date unless explicitly authorized in the voter-approved articles of agreement or approved by the voters of the union school district during the transitional period.

(4) Trust funds. A union school district shall hold and apply all trust funds transferred to it by a forming district as the terms of the trust indicate. If the trust allows, a union school district may use the funds to benefit union school district students who reside, or buildings that are located, outside the geographical boundaries of the forming district that originally held the trust.

(5) Reserve funds. A union school district shall hold and apply all reserve funds transferred to it by a forming district pursuant to the conditions imposed prior to the date on which the forming district voted to approve formation of the union school district.

(d) Liabilities.

(1) Definition. For purposes of this subsection, the “liabilities” of a forming district shall include all contractual obligations, all indebtedness including principal and interest, and any other legal commitment of a forming district.

(2) Transfer and assumption of liabilities. On or before the operational date, the forming districts shall transfer and the union school district shall assume all liabilities of the forming districts that exist on the June 30 immediately preceding the operational date, unless the voter-approved articles of agreement explicitly provide otherwise.

(3) Prohibition. Notwithstanding the provisions of subdivision (2) of this subsection (d), a union school district shall not assume liabilities that a forming district incurs between the date on which the vote occurs pursuant to section 710 (vote to form union school district) of this chapter and the operational date unless explicitly authorized in the voter-approved articles of agreement or approved by the union school district board during the transitional period; provided, however, that a union school district shall in all cases assume the contractual obligations of the member districts regarding each collective bargaining agreement or other employment contract entered

into during the transitional period until the agreement's or contract's expiration.

(e) Unpaid expenses. At the district's first annual meeting following assumption of full operations or at a later meeting as necessary, the voters of a new union school district shall vote a sum sufficient to pay any unpaid balance of expenses, as defined in subdivision 715(c)(1)(H) of this chapter, that was incurred by or on behalf of the union school district during the transitional period.

§ 717. DISSOLUTION, REORGANIZATION, AND DISCONTINUATION OF FORMING DISTRICTS

(a) Unified union school district; dissolution of forming districts. On its operational date, a unified union school district shall supplant all forming districts and the forming districts shall cease to exist; provided, however, that if the voter-approved articles of agreement explicitly provide for it, then the supplanted forming districts and their boards may continue to exist for up to six months after the operational date for the sole purpose of completing any outstanding business that cannot legally be performed by the new unified union school district.

(b) Union Elementary and Union High School Districts.

(1) Reorganization of forming districts. On its operational date, a union elementary or union high school district shall supplant each forming district for the grades for which the union elementary or union high school district is organized (the supplanted grades). Each forming district shall cease to be organized to provide for education in the supplanted grades but shall continue to be responsible for the other grades for which it is organized; provided, however, that if the voter-approved articles of agreement explicitly provide for it, then the forming districts and their boards may continue to exist for the supplanted grades for up to six months after the operational date for the sole purpose of completing any outstanding business that cannot legally be performed by the new union elementary or union high school district.

(2) Dissolution of forming districts. If a forming district is organized to provide for education solely in the grades for which the new union elementary or union high school district is organized and the forming district is a member district of another union school district for all other grades, prekindergarten through grade 12, then the forming district shall cease all educational operations on the new union district's operational date, the new union school district shall assume all powers and responsibilities of the forming district, and the forming district shall cease to exist; provided, however, that if the voter-approved articles of agreement explicitly provide for it, then the forming

district and its board may continue to operate for up to six months after the operational date for the sole purpose of completing any outstanding business that cannot legally be performed by the new union elementary or union high school district.

§ 718. TRANSFER OF REAL PROPERTY TO TOWN IN WHICH IT IS LOCATED

If the original voter-approved articles of agreement require sale of real property to the town in which the property is located and the sale is scheduled to occur after the operational date, or if after the operational date and after completing any statutory and contractual prerequisites the union school district offers to sell any of its real property to the town in which the property is located, then the town may assume title to the real property for a price that is less than the fair market value only as follows:

(1) The conveyance to the town shall be made subject to all encumbrances of record, the assumption or payment of all outstanding bonds and notes, and the repayment of any school construction aid or grants that may be required by law if any such obligation was incurred before the operational date.

(2) The conveyance to the town shall be conditioned upon the town owning and using the real property for community and public purposes for a minimum of five years.

(3) If the town sells the real property prior to five years of ownership, then the town shall compensate the union school district for all capital improvements and renovations initiated after the operational date and prior to the sale to the town.

§ 719. SUPERVISORY UNION; SUPERVISORY DISTRICT

(a) The State Board shall assign each union school district formed under this chapter to a supervisory union for administrative, educational, and planning services, effective on the day on which the union school district becomes a body politic and corporate pursuant to subsection 713(d) (Secretary of State records the certification of the Secretary of Education) of this chapter.

(b) If a union school district formed under this chapter is a unified union school district, then the State Board may designate it as a supervisory district pursuant to the provisions of this title, to be effective not earlier than the operational date of the unified union school district.

(c) If a supervisory union includes at least one district that is a unified union school district, then the State Board, on its own initiative or at the request of the board of the supervisory union or the board of one or more

districts in the supervisory union, may at any time, adjust the supervisory union board representation required by section 266 of this title to more fairly and accurately reflect the relative number of students for which each district is responsible and the grades for which the district operates a school or schools.

Article 3. Changes in Union District Membership and
Other Amendments to Articles of Agreement

§ 721. JOINING AN EXISTING UNION SCHOOL DISTRICT

(a) Action initiated by district outside the union school district.

(1) After preliminary study, if the board of a school district determines that it would be advisable to join an existing union school district, then the board of the interested school district shall request approval of the State Board to pursue this possibility.

(2) If the State Board determines that it is in the best interests of the State, the students, and the districts involved and aligns with the policy set forth in section 701 of this title for the interested school district to join the existing union school district, then at a meeting of the interested school district warned for the purpose, the voters shall vote whether to apply to the existing union school district for admission.

(3) If the voters of the interested school district approve the proposal to apply to the union school district for admission, then the clerk of the interested school district shall certify the results of the vote to the Secretary and to the clerk of the union school district.

(4) If the voters of the union school district approve the application of the school district within two years after the vote in subdivision (2) of this subsection, then the clerk of the union school district shall certify the results of the vote to the Secretary.

(b) Action initiated by union school district.

(1) After preliminary study, if the board of a union school district determines that it would be advisable to enlarge the district, then the board of the union school district shall submit a plan to the State Board requesting approval to incorporate a distinct school district into the union school district.

(2) If the State Board determines that it is in the best interests of the State, the students, and the districts involved and aligns with the policy set forth in section 701 of this title for the school district to join the existing union school district, then at a union school district meeting warned for the purpose, the voters shall vote whether to enlarge the union school district to include the school district.

(3) If the voters of the union school district approve the proposal to include the school district, then the clerk of the union school district shall certify the results of that vote to the Secretary and to the clerk of the school district.

(4) If the voters of the school district approve the offer to join the union school district within two years after the vote in subdivision (2) of this subsection, then the clerk of the school district shall certify the results of the vote to the Secretary.

(c) Certification; Secretary of State. Upon receipt of the clerk's certification pursuant to subdivision (a)(4) (school district application approval) or (b)(5) (school district approval of offer to join the union school district) of this section, the Secretary of Education shall designate the existing union school district to be enlarged pursuant to the votes and shall certify the enlargement to the Secretary of State. When the Secretary of State records the certification of the Secretary of Education, the union school district shall be enlarged accordingly, although the union school district and the school district that will join it may decide in advance of the votes that the enlarged union school district shall have a later operational date. The Secretary of State shall file a certified copy of the recorded certification with the clerks of the union school district and of the district that is joining it. The Secretary of State shall file the certified copies not later than 14 days after the date the Secretary of Education certifies the designation to the Secretary of State. Filing a certified copy with each clerk shall be prima facie evidence of full compliance with the requirements for enlarging an existing union school district as set forth in this section.

(d) Powers and responsibilities. A union school district enlarged pursuant to this section shall have all the powers and responsibilities given to a union school district by this title. Unless otherwise approved by the voters of the union school district and the school district that will join it, if the operational date is delayed pursuant to an agreement under subsection (c) of this section, then the joining school district shall share in the expenses of the union school district beginning on the date the Secretary of State records the certification of the Secretary of Education.

(e) Australian ballot. All votes of the electorate under this section shall occur by Australian ballot.

§ 722. AMENDMENTS TO ARTICLES OF AGREEMENT

(a) The union school district voters. Only the voters of a union school district may amend a specific condition or agreement in the district's articles of agreement if the condition or agreement was set forth as a distinct

subsection in the warning required by section 712 (warning on vote to establish union school district and elect initial members of the board) of this chapter to form the union school district or in a subsequent warning to amend the articles pursuant to this section, which the voters approved.

(b) The union school district board. The board of a union school district may amend a specific condition or agreement in the district's articles of agreement only if the condition or agreement was not set forth as a distinct subsection in a warning required in subsection (a) of this section, but was instead incorporated into the warning by reference pursuant subsection 712(e) of this chapter (warning on vote to establish union school district and elect initial members of the board), or if the original articles of agreement or voter-approved amendments authorize the board to amend a specific condition or agreement.

(c) Reduction of grades operated. Notwithstanding the provisions of subsection (a) (union school district voters) of this section, the voters shall not vote whether to reduce the grades that the union school district operates, and to begin paying tuition for those grades, unless the State Board finds it is in the best interests of the State, the students, and the districts involved and aligns with the policy set-forth in section 701 of this title and gives prior approval to the proposed amendment.

(d) Number of board members. Notwithstanding the provisions of subsections (a) (union school district voters) and (b) (union school district board) of this section, if membership on a union school district board is proportional to town population as set forth in subdivisions 711(d)(1) (proposed unified union school district) and (e)(1) (proposed union elementary or union high school district) of this chapter, and if the district's articles of agreement direct the board to adjust board membership when necessary to conform to each new decennial census, then the board shall amend the articles to adjust the apportionment of board seats without presenting the amendment to the voters for approval.

(e) Districts created by State Board order. Notwithstanding the provisions of subsections (a) (union school district voters) and (b) (union school district board) of this section, the authority to amend the articles governing any union school district formed by the State Board's Final Report and Order issued on November 30, 2018 pursuant to 2015 Acts and Resolves No. 46, as amended, vests either with the electorate or the board pursuant to the provisions of Article 14, as that article was issued by the State Board or subsequently amended by the voters of the union school district.

(f) Process. A vote by the voters of a union school district to amend the articles of agreement shall be by Australian ballot and shall proceed pursuant

to sections 737 (warnings of unified union school district meetings) and 739–742 (vote by Australian ballot) of this chapter for unified union school districts and sections 755 (warnings of union elementary and union high school district meetings) and 757–759 (vote by Australian ballot) for union elementary and union high school districts. The warning shall contain each proposed amendment as a distinct question to be determined separately. The provisions of this subsection shall not apply to any issue to the extent that a different section of law provides a specific amendment procedure.

§ 723. DECISION TO VOTE BY AUSTRALIAN BALLOT

(a) If a union school district’s articles of agreement do not provide that the election of board members or district officers, budget votes, or votes on other public questions shall proceed by Australian ballot, then the voters of a union school district may vote to do so at any annual or special meeting of the union school district where the question has been duly warned.

(b) Any category of vote to be taken by Australian ballot shall proceed in this manner in all towns within or member districts of a union school district.

(c) If voting in a unified union school district proceeds by Australian ballot, then the provisions of sections 739–742 (vote by Australian ballot) of this chapter shall apply to all votes taken by Australian ballot.

(d) If voting in a union elementary or union high school district proceeds by Australian ballot, then the voters shall also determine whether the ballots shall be commingled prior to counting total votes cast by Australian ballot in the union district.

(1) If the voters determine that the ballots shall not be commingled for counting in this manner, then the board of civil authority of each town within the union elementary or union high school district shall count the ballots cast in that town and report that town’s results to the clerk of the union elementary or union high school district, who shall calculate the total votes cast within the district and report the total result to the public.

(2) If the voters determine that the ballots shall be commingled for counting, then the ballots shall be deposited in separate ballot boxes at each polling location and the provisions of sections 757–759 (vote by Australian ballot) of this chapter shall apply.

(e) The vote on whether to proceed by Australian ballot shall be taken by paper ballot.

(f) Unless clearly inconsistent, the provisions of 17 V.S.A. chapter 55 shall apply to actions taken under this section.

§ 724. WITHDRAWAL FROM OR DISSOLUTION OF A UNIFIED
UNION SCHOOL DISTRICT

(a) Definition. As used in this section, “petitioning town” means the town within a unified union school district that seeks to withdraw from the union district pursuant to the provisions of this section.

(b) Withdrawal study committee.

(1) To initiate the process set forth in this section, the voters residing in the petitioning town shall submit petitions to the clerk of the unified union school district indicating the petitioners’ desire to withdraw the petitioning town from the union district. Individual petitions shall be signed by at least five percent of the voters residing in each of the towns within the union school district, with each town having its own petition. The petitioners shall submit each petition to that town’s town clerk for verification of the voting registration status of the signors. On a form created by the Secretary of State’s Office, and appended to each petition, shall be the names of three voters residing in the petitioning town to serve on a withdrawal study committee and a signed statement by each of the three named voters consenting to serve. Once each petition has been verified by the subject town clerk, the petitioners shall submit the petitions to the clerk of the unified union school district.

(2) Within 30 days after receiving the petition, the board of the union district shall recognize the creation of the withdrawal study committee and shall appoint a board subcommittee to serve as a liaison between the board and the withdrawal study committee and to represent the interests of the union district.

(3) Within 30 days after the board’s appointment of the liaison subcommittee, the superintendent of the union district shall convene the first formal meeting of the withdrawal study committee. The study committee shall elect one committee member to serve as chair.

(4) Before beginning any analysis under subsection (c) of this section or seeking technical or analytical services from the union district staff or supervisory union staff, or both, the withdrawal study committee shall obtain a letter of commitment from a supervisory union board to explore the provision of supervisory union services if withdrawal is ultimately approved.

(5) The withdrawal study committee is a public body pursuant to 1 V.S.A. § 310(4) and is subject to the requirements of chapter 5, subchapter 2 of that title.

(c) Analysis. The withdrawal study committee shall evaluate the strengths and challenges of the current union district structure and consider the ways in which the union district promotes or fails to promote the State policy set forth

in section 701 of this chapter. At a minimum, the withdrawal study committee shall evaluate:

(1) the educational advantages and disadvantages likely to result from the proposed withdrawal of the petitioning town from the union district:

(A) on the students residing in the proposed new school district; and

(B) on the students remaining in the union district if withdrawal is approved;

(2) the educational advantages and disadvantages likely to result from the continued inclusion of the petitioning town as a town within the union district:

(A) on the students residing in the petitioning town; and

(B) on the students residing in the other towns within the union district;

(3) the financial advantages and disadvantages likely to result from the proposed withdrawal of the petitioning town from the union district:

(A) on the taxpayers residing in the proposed new school district; and

(B) on the taxpayers remaining in the union district if withdrawal is approved;

(4) the financial advantages and disadvantages likely to result from the continued inclusion of the petitioning town as a town within the union district:

(A) on the taxpayers residing in the petitioning town; and

(B) on the taxpayers residing in the other towns within the union district;

(5) the likely operational and financial viability and sustainability of:

(A) the proposed new school district; and

(B) the union district if withdrawal is approved;

(6) any other advantages and disadvantages of withdrawal, including any advantages and disadvantages to the students and taxpayers of the region and the State; and

(7) the potential source of supervisory union services for the proposed new school district, including discussions with the board of any supervisory union to which the report of the withdrawal study committee might propose assignment.

(d) Report, including a plan for withdrawal; decision not to prepare report.

(1) Report supporting withdrawal.

(A) If, after conducting the analysis required by subsection (c) of this section, the withdrawal study committee votes to advance the withdrawal process as further outlined in this section, then the committee shall prepare a report, which it shall deliver electronically to the union district board and which the superintendent shall publish on the district's website.

(B) At a minimum, the report shall include:

(i) the analysis conducted pursuant to subsection (c) of this section, describing the ways in which the data and analysis:

(I) support withdrawal; and

(II) do not support the continuation of the union district in its current configuration;

(ii) the proposed financial terms of withdrawal, including the proposed ownership of buildings and other assets and the proposed responsibility for financial and other contractual obligations, including debts;

(iii) a plan, including a detailed timeline, for the actions the proposed new school district would take to ensure that, on a proposed operational date, it could provide for the education of its students in prekindergarten through grade 12 by operating all grades, tuitioning all grades, or operating some grades and tuitioning the remainder, in a manner that will meet educational quality standards as required by section 165 of this title, and including, if applicable, the process by which the proposed new school district would explore formation of a new union school district with one or more other school districts in the region and would integrate or condition any votes to withdraw with votes on formation of a new union district; and

(iv) a proposal, including analysis, for the potential source of supervisory union services for the proposed new school district, including, if applicable to the proposal:

(I) a recommendation of one or more potential supervisory unions to which the State Board could assign the proposed new school district; and

(II) a statement from the board of the potential supervisory union or unions regarding the ability and willingness to accept the proposed new school district as a member district.

(C) Within 45 days following receipt of the withdrawal study committee report, the union district board shall invite the members of the withdrawal study committee to attend a regularly scheduled meeting of the

board to present the contents of its report and to answer any questions posed by the board. The board shall also invite the members of the liaison subcommittee to share any analysis and conclusions at the meeting. The withdrawal study committee has sole authority to determine the contents of its report.

(2) Decision not to propose withdrawal. If, after conducting the analysis required by subsection (c) of this section, the withdrawal study committee votes not to approve advancement of the withdrawal process, then:

(A) the withdrawal study committee shall prepare a brief written statement explaining the reasons underlying the votes supporting and not supporting advancement, which it shall deliver electronically to the union district board and which the superintendent shall publish on the district's website;

(B) within 45 days following receipt of the withdrawal study committee report, the union district board shall invite the members of the withdrawal study committee to attend a regularly scheduled meeting of the board to present the contents of the written statement and to answer any questions posed by the board; and

(C) the withdrawal study committee shall cease to exist upon adjournment of the union district board's meeting.

(e) Secretary of Education review and opinion.

(1) Review by the Secretary. Within 30 days after attending the union district board meeting pursuant to subdivision (d)(1)(C) of this section, the withdrawal study committee shall deliver the report or reports electronically to the Secretary for review. The Secretary:

(A) shall consider the report or reports;

(B) shall provide representatives of the withdrawal study committee, the liaison subcommittee, and any supervisory union that has been identified as a potential source of supervisory union services for the proposed new school district an opportunity to be heard at a meeting held at a location within the petitioning town;

(C) may, in the Secretary's discretion, take testimony from other individuals and entities;

(D) may ask the withdrawal study committee, or the liaison subcommittee, to make further investigation and may consider any other information the Secretary deems to be pertinent; and

(E) may request that the members of the withdrawal study committee to amend the report.

(2) Advisory opinion of the Secretary with positive recommendation.

(A) If the Secretary finds that the withdrawal proposal contained in the report, including the most feasible options for the provision of supervisory union services to the proposed new school district, is in the best interests of the State, the region, the students, and the school districts, and aligns with the policy set forth in section 701 of this title, then, within 90 days following receipt of the report or reports, unless the study committee agrees to an extension of the deadline, the Secretary shall:

(i) issue an opinion recommending approval of the withdrawal proposal;

(ii) provide a preliminary assessment of most feasible options for the provision of supervisory union services to the proposed new school district if withdrawal is approved by the voters; and

(iii) make any other finding related and necessary to the withdrawal proposal.

(B) After the Secretary issues an opinion recommending approval of the withdrawal proposal, the proposal shall proceed to a vote of the electorate under subsection (g) of this section.

(3) Advisory opinion of the Secretary with negative recommendation. If the Secretary finds that the withdrawal proposal contained in the report, including the most feasible options for the provision of supervisory union services to the proposed new school district, is not in the best interests of the State, the region, the students, and the school districts or does not align with the policy set forth in section 701 of this title, or both, then, within 90 days following receipt of the report or reports, unless the study committee agrees to an extension of the deadline, the Secretary shall:

(A) issue a written opinion recommending disapproval of the withdrawal proposal, including a written statement detailing the reasons supporting this conclusion;

(B) provide a preliminary assessment of the most feasible options for the provision of supervisory union services to the proposed new school district if withdrawal is approved by the voters;

(C) make any other finding related and necessary to the withdrawal proposal; and

(D) post the written opinion on the Agency of Education's website

and transmit it electronically to the clerk of the union district. After receiving the Secretary's opinion, the study committee shall vote pursuant to subsection (f).

(f) State Board of Education final review.

(1) Study committee vote. Within 30 days following receipt of a negative advisory opinion from the Secretary, the clerk of the union school district shall post the document on its website and schedule the contents as a topic for public discussion at a special or regular board meeting. Within 30 days following the public meeting, the study committee shall convene a meeting and vote whether to cease efforts to withdraw from the union district or whether to request review of the Secretary's advisory opinion by the State Board of Education for the withdrawal proposal to proceed to a vote of the electorate.

(2) Cease efforts to withdraw. If the study committee votes to cease efforts to withdraw from the union district, then the petitioning town shall remain a town within the union district, the withdrawal action initiated pursuant to this section is concluded, and the withdrawal study committee shall cease to exist upon adjournment of the meeting.

(3) Proceed with withdrawal; State Board of Education final review and vote. If the study committee votes to proceed with withdrawal, it shall petition the State Board of Education for final review of the Secretary's advisory opinion. The State Board shall review the report and plan of the study committee required under subsection (d) of this section, review the Secretary's written negative advisory opinion, and provide the study committee, the Secretary, and any supervisory union that has been identified as a potential source of supervisory union services for the proposed new school district an opportunity to be heard at a meeting held at a location within the petitioning town. The State Board may, in its discretion, take testimony from other individuals and entities, including the union school district. Within 90 days after receiving the petition of the study committee, the State Board shall issue a final written decision and transmit the decision to the superintendent.

(A) Vote to approve. If the State Board finds that the withdrawal proposal contained in the report, including the most feasible options for the provision of supervisory union services to the proposed new school district, is in the best interests of the State, the region, the students, and the school districts or aligns with the policy set forth in section 701 of this title, or both, then the State Board shall:

(i) approve the study committee report supporting withdrawal, together with any amendments, as the final report and proposal of withdrawal;

(ii) provide a preliminary assessment of the most feasible options for the provision of supervisory union services to the proposed new school district;

(iii) declare that the withdrawal process will proceed to a vote of the union district voters pursuant to subsection (g) of this section; and

(iv) make any other finding or declaration, and approve any other motion, related and necessary to the withdrawal proposal.

(B) Vote not to approve. If the State Board finds that the plan for withdrawal, including the most feasible options for the provision of supervisory union services to the proposed new school district, is not in the best interests of the State, the region, the students, and the school districts or does not align with the policy set forth in section 701 of this title, or both, then:

(i) the State Board shall not approve the report supporting withdrawal;

(ii) the process will not proceed to a vote of the electorate;

(iii) the petitioning town shall remain a town within the union district; and

(iv) the State Board's determination and the resulting consequences imposed by such a determination shall be final and shall conclude the withdrawal action.

(v) The withdrawal study committee shall cease to exist after the vote of the State Board.

(g) Vote of the electorate.

(1) Within 30 days following receipt of the Secretary's positive advisory opinion pursuant to subdivision (e)(2) of this section or within 30 days following the State Board's vote to approve the withdrawal proposal pursuant to subdivision (f)(3)(A) of this section, the superintendent shall file the withdrawal study committee's report, the Secretary's written advisory opinion, the State Board's written recommendation, and any report of the liaison subcommittee with the clerk of the union district and the town clerk of each town within the union district.

(2) Within 90 days after the clerk of the union district receives the reports and recommendations described in subdivision (2) of this subsection, the voters of the union district, including those residing in the petitioning town, shall vote whether to approve withdrawal as set forth in the report. The question shall be determined by Australian ballot and shall proceed pursuant to

sections 737 (warnings of unified union school district meetings) and 739–741 (vote by Australian ballot) of this chapter. The ballots shall not be commingled.

(3) Withdrawal from the union district shall occur if the question is approved by a majority vote of the union district voters living in each town within the district, including the petitioning town. If a majority of the voters in one or more towns within the union district do not vote in favor of withdrawal, then the proposed withdrawal shall not occur.

(4) Within 45 days after the vote or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of each town within the union district shall certify the results of the vote to the Secretary of Education, and the Secretary shall advise the State Board of the certified results. Each clerk shall submit the certification regardless of whether the voters in that town approved withdrawal. The withdrawal study committee shall cease to exist when each clerk has submitted a certification to the Secretary.

(h) Election of potential board members. On the day on which they vote whether to approve withdrawal, the union district voters residing in the petitioning town shall also vote for three individual registered voters from the petitioning town to serve as the initial members of the proposed new school district's board if withdrawal is approved. The nomination and election of the initial members shall proceed pursuant to subdivision 730(a)(1) of this chapter (election of board members under the proportional to town model by Australian ballot). The term of office for each initial member shall be arranged so that one term expires on the day of the second annual meeting of the proposed new school district, one term expires on the day of the third annual meeting, and one term expires on the day of the fourth annual meeting.

(i) State Board's duties if withdrawal is approved. If the union district voters approve withdrawal pursuant to subsection (g) of this section, then upon receiving notice from the Secretary pursuant to subdivision (g)(4) of this section, the State Board shall:

(1) Declare the withdrawal approved as of the date of the Board's meeting; provided, however, that withdrawal shall not be final until the date identified in the voter-approved proposal of withdrawal.

(2) Declare the creation and existence of the new school district, effective on the date of the Board's declaration; provided, however, that:

(A) the new school district shall assume full and sole responsibility for the education of its resident students on the date identified in the voter-approved proposal of withdrawal; and

(B) until the identified operational date, the new school district shall exist for the sole purposes of:

(i) convening an organizational meeting of the voters of the new school district to prepare the district to assume its responsibilities;

(ii) organizing the school board of the new school district, which shall be responsible for preparing a proposed budget for the fiscal year beginning on the identified operational date;

(iii) approving the budget of the new school district for the fiscal year beginning on the identified operational date; and

(iv) taking any other actions necessary, as district voters or as a school board, for the new school district to assume full responsibility for providing for the education of the district's resident students in all grades, prekindergarten through grade 12, on the identified operational date.

(3) Determine or set a schedule for determining the manner in which supervisory union services will be provided to the new school district, to be effective on the district's identified operational date.

(A) In addition to the considerations set forth in section 261 of this title, when the State Board makes its determination, it shall consider the potential positive and negative consequences on all affected districts and supervisory unions if supervisory union services were provided to the new school district in a manner that required:

(i) a union district serving as its own supervisory district to become a member of a multidistrict supervisory union; or

(ii) a neighboring supervisory union to accept one or more additional districts that the supervisory union testifies it is not able to accommodate.

(B) If assigned to a multidistrict supervisory union, then the board of the new school district may appoint its members to the supervisory union board pursuant to section 266 of this title, where they may participate as nonvoting members of that board until the new school district's operational date.

(j) Certification; Secretary of State. If the State Board declares the creation and existence of a new school district pursuant to subdivision (i)(2) of this section, then within 30 days following such action the Secretary of Education shall certify the adjustment of the towns within the union district to the Secretary of State. When the Secretary of State records the certification of the Secretary of Education, the towns within the union district shall be adjusted accordingly; provided, however, that the voter-approved proposal of

withdrawal shall establish the date on which withdrawal shall be final, the new school district shall assume full and sole responsibility for the education of its resident students, and the union school district shall no longer have responsibility for the education of those students. Not more than 14 days after the date the Secretary of Education certifies the adjustment, the Secretary of State shall file a certified copy of the recorded certification with the clerk of the union district and the clerk for the town in which the new school district is located. Filing a certified copy with the clerks shall be prima facie evidence of full compliance with the requirements for adjusting the union school district by withdrawal as set forth in this section.

(k) Timing of action.

(1) The voters residing in any town within a union district shall not initiate the withdrawal process set forth in this section within the first year after the latter of the operational date of a newly formed union district or, if applicable, the operational date of a union district adjusted pursuant to subsection (i) of this section.

(2) If a petitioning town's action to withdraw from a union school district is unsuccessful, then the voters residing in that town shall not initiate a new withdrawal action under this section until two years after either a withdrawal study committee votes not to approve advancement of the withdrawal process or the vote by the voters that concluded the initial withdrawal action.

§ 725. WITHDRAWAL FROM OR DISSOLUTION OF A
UNION ELEMENTARY OR UNION HIGH SCHOOL DISTRICT

(a) Definition. As used in this section:

(1) "Petitioning district" means:

(A) a member district of a union elementary or union high school district that seeks to withdraw from the union district pursuant to the provisions of this section; or

(B) a town that is a member of both a union elementary school district and a union high school district, is not independently organized as a district that is responsible for the education of students in any grade, does not have a town school district board, and that seeks to withdraw from a union elementary or union high school district pursuant to the provisions of this section.

(2) "New school district" means the petitioning district once the State Board has declared it to be withdrawn from the union elementary or union high school district.

(b) Withdrawal study committee.

(1) To initiate the process set forth in this section, the board of the petitioning district shall submit a petition to the clerk of the union elementary or union high school district indicating its desire to withdraw the petitioning district from the union district and identifying at least three board members of the petitioning district who will serve on a withdrawal study committee. The board of the petitioning district shall submit the petition to the clerk of the union school district after either a vote by the board of the petitioning district or receipt of individual petitions signed by at least five percent of the voters residing in the petitioning district and five percent of the voters residing in each of the other member districts within the union school district, with each member district having its own petition. The clerk of the petitioning district shall submit each petition to the subject member district's clerk for verification of the voting registration of the signors. Once each petition has been verified by the subject district clerk, the board of the petitioning district shall append the individual petitions to the withdrawal petition it sends to the clerk of the union district.

(2) To initiate the process set forth in this section if the petitioning district does not have a town school district board, the voters residing in the petitioning district shall submit petitions to the clerk of the unified union school district indicating the petitioners' desire to withdraw the petitioning district from the union district. Individual petitions shall be signed by at least five percent of the voters residing in the petitioning district and five percent of the voters residing in each of the member districts within the union school district, with each district having its own petition. The petitioning district shall submit each petition to that district's clerk for verification of the voting registration status of the signors. On a form created by the Secretary of State's office, and appended to each petition, shall be the names of three voters residing in the petitioning district to serve on a withdrawal study committee and a signed statement by each of the three named voters consenting to serve. Once each petition has been verified by the subject district clerk, the petitioning district shall submit the petitions to the clerk of the union school district.

(3) Within 30 days after receiving the petition, the board of the union district shall recognize the creation of the withdrawal study committee and shall appoint a board subcommittee to serve as a liaison between the board and the withdrawal study committee and to represent the interests of the union district.

(4) Within 30 days after the board's appointment of the liaison subcommittee, the superintendent of the union district shall convene the first

formal meeting of the withdrawal study committee. The study committee shall elect one committee member to serve as Chair.

(5) Before beginning any analysis under subsection (c) of this section or seeking technical or analytical services from the union district staff or supervisory union staff, or both, the withdrawal study committee shall obtain a letter of commitment from a supervisory union board to explore the provision of supervisory union services if withdrawal is ultimately approved.

(6) The withdrawal study committee is a public body pursuant to 1 V.S.A. § 310(4) and is subject to the requirements of chapter 5, subchapter 2 of that title.

(c) Analysis. The withdrawal study committee shall evaluate the strengths and challenges of the current union district structure and consider the ways in which the union district promotes or fails to promote the State policy set forth in section 701 of this chapter. At a minimum, the withdrawal study committee shall evaluate:

(1) the educational advantages and disadvantages likely to result from the proposed withdrawal of the petitioning district from the union elementary or union high school district:

(A) on the students residing in the proposed new school district; and

(B) on the students remaining in the union district if withdrawal is approved;

(2) the educational advantages and disadvantages likely to result from the continued inclusion of the petitioning district as a member district of the union elementary or union high school district:

(A) on the students residing in the petitioning district; and

(B) on the students residing in the other member districts of the union district;

(3) the financial advantages and disadvantages likely to result from the proposed withdrawal of the petitioning district from the union elementary or union high school district:

(A) on the taxpayers residing in the proposed new school district; and

(B) on the taxpayers remaining in the union district if withdrawal is approved;

(4) the financial advantages and disadvantages likely to result from the continued inclusion of the petitioning district within the union elementary or union high school district:

(A) on the taxpayers residing in the petitioning district; and

(B) on the taxpayers residing in the other member districts within the union district;

(5) the likely operational and financial viability and sustainability of:

(A) the proposed new school district; and

(B) the union elementary or union high school district if withdrawal is approved;

(6) any other advantages and disadvantages of withdrawal, including any advantages and disadvantages to the students and taxpayers of the region and the State; and

(7) the potential source of supervisory union services for the proposed new district, including discussions with the board of any supervisory union to which the report of the withdrawal study committee might propose assignment or the continuation of assignment.

(d) Report, including a plan for withdrawal; decision not to prepare report.

(1) Report supporting withdrawal.

(A) If, after conducting the analysis required by subsection (c) of this section, the withdrawal study committee votes to advance the withdrawal process as further outlined in this section, then the committee shall prepare a report, which it shall deliver electronically to the union district board and which the superintendent shall publish on the district's website.

(B) At a minimum, the report shall include:

(i) the analysis conducted pursuant to subsection (c) of this section, describing the ways in which the data and analysis:

(I) support withdrawal; and

(II) do not support the continuation of the union elementary or union high school district in its current configuration;

(ii) the proposed financial terms of withdrawal, including the proposed ownership of buildings and other assets and the proposed responsibility for financial and other contractual obligations, including debts;

(iii) a plan, including a detailed timeline, for the actions the proposed new school district would take to ensure that, on the proposed operational date, it could provide for the education of its students in the grades for which the union elementary or union high school district is organized, in a manner that will meet educational quality standards as required by section 165 of this title, and including, if applicable, the process by which the proposed

new school district would explore formation of a new union district with one or more other school districts in the region and would integrate or condition any votes to withdraw with votes on formation of a new union district; and

(iv) a proposal, including analysis, for the source of supervisory union services for the proposed new school district.

(C) Within 45 days following receipt of the study committee report, the union elementary or union high school district board shall invite the members of the withdrawal study committee to attend a regularly scheduled meeting of the board to present the contents of its report and to answer any questions posed by the board. The board shall also invite the members of the liaison subcommittee to share any analysis and conclusions at the meeting. The withdrawal study committee has sole authority to determine the contents of its report.

(2) Decision not to propose withdrawal. If, after conducting the analysis required by subsection (c) of this section, the withdrawal study committee votes not to approve advancement of the withdrawal process, then:

(A) the withdrawal study committee shall prepare a brief written statement explaining the reasons underlying the votes supporting and not supporting advancement, which it shall deliver electronically to the union district board and which the superintendent shall publish on the district's website;

(B) within 45 days following receipt of the study committee report, the union elementary or union high school district board shall invite the members of the withdrawal study committee to attend a regularly scheduled meeting of the board to present the contents of the written statement and to answer any questions posed by the board; and

(C) the withdrawal study committee shall cease to exist upon adjournment of the union elementary or union high school district board's meeting.

(e) Secretary of Education review and opinion.

(1) Review by the Secretary. Within 30 days after attending the union district board meeting pursuant to subdivision (d)(1)(C) of this section, the withdrawal study committee shall deliver the report or reports electronically to the Secretary for review. The Secretary:

(A) shall consider the report or reports;

(B) shall provide representatives of the withdrawal study committee, the liaison subcommittee, and any supervisory union that has been identified as a potential source of supervisory union services for the proposed new school

district an opportunity to be heard at a meeting held at a location within the petitioning district;

(C) may, in the Secretary's discretion, take testimony from other individuals and entities;

(D) may ask the withdrawal study committee, or the liaison subcommittee, to make further investigation and may consider any other information the Secretary deems to be pertinent; and

(E) may request that the members of the withdrawal study committee amend the report.

(2) Advisory opinion of the Secretary with positive recommendation.

(A) If the Secretary finds that the withdrawal proposal contained in the report, including the most feasible options for the provision of supervisory union services to the proposed new school district, is in the best interests of the State, the region, the students, and the school districts, and aligns with the policy set forth in section 701 of this title, then, within 90 days of receipt of the report or reports, unless the study committee agrees to an extension of the deadline, the Secretary shall:

(i) issue an opinion recommending approval of the withdrawal proposal;

(ii) provide a preliminary assessment of most feasible options for the provision of supervisory union services to the proposed new school district if withdrawal is approved by the voters; and

(iii) make any other finding related and necessary to the withdrawal proposal.

(B) After the Secretary issues an opinion recommending approval of the withdrawal proposal, the proposal shall proceed to a vote of the electorate under subsection (g) of this section.

(3) Advisory opinion of the Secretary with negative recommendation. Advisory opinion. If the Secretary finds that the withdrawal proposal contained in the report, including the most feasible options for the provision of supervisory union services to the proposed new school district, is not in the best interests of the State, the region, the students, and the school districts or does not align with the policy set forth in section 701 of this title, or both, then, within 90 days of receipt of the report or reports, unless the study committee agrees to an extension of the deadline, the Secretary shall:

(A) issue a written opinion recommending disapproval of the withdrawal proposal, including a written statement detailing the reasons supporting this conclusion;

(B) provide a preliminary assessment of most feasible options for the provision of supervisory union services to the proposed new school district if withdrawal is approved by the voters;

(C) make any other finding related and necessary to the withdrawal proposal; and

(D) post the written opinion on the Agency of Education's website and transmit it electronically to the clerk of the union district.

(f) State Board of Education final review.

(1) Study committee vote. Within 30 days following receipt of a negative advisory opinion from the Secretary, the clerk of the union school district shall post the document on its website and schedule the contents as a topic for public discussion at a special or regular board meeting. Within 30 days following the public meeting, the study committee shall convene a meeting and vote whether to cease efforts to withdraw from the union district or whether to request review of the Secretary's advisory opinion by the State Board of Education for the withdrawal proposal to proceed to a vote of the electorate.

(2) Cease efforts to withdraw. If the study committee votes to cease efforts to withdraw from the union district, then the petitioning town shall remain a town within the union district, the withdrawal action initiated pursuant to this section is concluded, and the withdrawal study committee shall cease to exist upon adjournment of the meeting.

(3) Proceed with withdrawal; State Board of Education final review and vote. If the study committee votes to proceed with withdrawal, it shall petition the State Board of Education for final review of the Secretary's advisory opinion. The State Board shall review the report and plan of the study committee required under subsection (d) of this section, review the Secretary's written negative advisory opinion, and provide the study committee, the Secretary, and any supervisory union that has been identified as a potential source of supervisory union services for the proposed new school district an opportunity to be heard at a meeting held at a location within the petitioning town. The State Board may, in its discretion, take testimony from other individuals and entities, including the union school district. Within 90 days after receiving the petition of the study committee, the State Board shall issue a final written decision and transmit the decision to the superintendent.

(A) Vote to approve. If the State Board finds that the withdrawal

proposal contained in the report, including the most feasible options for the provision of supervisory union services to the proposed new school district, is in the best interests of the State, the region, the students, and the school districts or aligns with the policy set forth in section 701 of this title, or both, then the State Board shall:

(i) approve the study committee report supporting withdrawal, together with any amendments, as the final report and proposal of withdrawal;

(ii) provide a preliminary assessment of most feasible options for the provision of supervisory union services to the proposed new school district;

(iii) declare that the withdrawal process will proceed to a vote of the union district voters pursuant to subsection (g) of this section; and

(iv) make any other finding or declaration, and approve any other motion, related and necessary to the withdrawal proposal.

(B) Vote not to approve. If the State Board finds that the plan for withdrawal, including the most feasible options for the provision of supervisory union services to the proposed new school district, is not in the best interests of the State, the region, the students, and the school districts or does not align with the policy set forth in section 701 of this title, or both, then:

(i) the State Board shall not approve the report supporting withdrawal;

(ii) the process will not proceed to a vote of the electorate;

(iii) the petitioning district shall remain a member district within the union district; and

(iv) the State Board's determination and the resulting consequences imposed by such a determination shall be final and shall conclude the withdrawal action.

(C) The withdrawal study committee shall cease to exist after the vote of the State Board.

(g) Vote of the electorate.

(1) Within 30 days following receipt of the Secretary's positive advisory opinion pursuant to subdivision (e)(2)(A) of this section or within 30 days following the State Board's vote to approve the withdrawal proposal pursuant to subdivision (f)(3)(A) of this section, the superintendent shall file the withdrawal study committee's report, the State Board's written recommendation, and any report of the liaison subcommittee with the clerk of

the union elementary or union high school district and the district clerk of each of the member districts within the union elementary or union high school district.

(2) Within 90 days after the clerk of the union district receiving the reports and recommendations described in subdivision (1) of this subsection, the voters of the union elementary or union high school district, including those residing in the petitioning district, shall vote whether to approve withdrawal as set forth in the report. The question shall be determined by Australian ballot and shall proceed pursuant to sections 755 (warnings of union elementary and union high school district meetings) and 757–759 (vote by Australian ballot) of this chapter.

(3) Withdrawal from the union elementary or union high school district shall occur if the question is approved by a majority vote of the union district voters living in each of the member districts within the union elementary or union high school district, including in the petitioning district. If a majority of the voters in one or more member districts within the union elementary or union high school district do not vote in favor of withdrawal, then the proposed withdrawal shall not occur.

(4) Within 45 days after the vote or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of each member district within the union elementary or union high school district shall certify the results of the vote to the Secretary of Education, and the Secretary shall advise the State Board of the certified results. Each clerk shall submit the certification regardless of whether the voters in that district approved withdrawal. The withdrawal study committee shall cease to exist when each clerk has submitted a certification to the Secretary.

(5) If the petitioning district or one of the other member districts does not have a town school district board, the legislative body or appropriate officer of the town shall perform electoral functions, including warning meetings and conducting the voting process, ordinarily performed by and in member districts on behalf of a union school district.

(h) Election of potential board members. If the petitioning district does not have a town school district board, on the day on which they vote whether to approve withdrawal, the union district voters residing in the petitioning school district shall also vote for three individual registered voters from the petitioning district to serve as the initial members of the proposed new school district's board if withdrawal is approved. The nomination and election of the initial members shall proceed pursuant to subdivision 748(a)(1) of this chapter (election of board members under the proportional to town model by Australian ballot). The term of office for each initial member shall be

arranged so that one term expires on the day of the second annual meeting of the proposed new school district, one term expires on the day of the third annual meeting, and one term expires on the day of the fourth annual meeting.

(i) State Board's duties if withdrawal is approved. If the union elementary or union high school district voters approve withdrawal pursuant to subsection (g) of this section, then upon receiving notice from the Secretary pursuant to subdivision (g)(4) of this section, the State Board shall:

(1) declare the withdrawal approved as of the date of the Board's meeting; provided, however, that withdrawal shall not be final until the date identified in the voter-approved proposal of withdrawal;

(2) declare it to be the obligation of the new school district to assume responsibility for the education of its residents in the grades for which the union elementary or union high school district was previously responsible, effective on the date of the Board's declaration; provided, however, that:

(A) the new school district shall assume full and sole responsibility for the education of its resident students in the grades for which the union elementary or union high school district was previously responsible on the date identified in the voter-approved proposal of withdrawal; and

(B) until the identified operational date, the new school district shall exist for the sole purposes of:

(i) providing for the education of its residents in the grades for which it was organized prior to withdrawal;

(ii) convening an organizational meeting of the voters of the new school district to prepare the district to assume its new responsibilities if the petitioning district did not have a town school district board;

(iii) organizing the school board of the new school district if the petitioning district did not have a town school district board;

(iv) preparing a proposed budget for the fiscal year beginning on the identified operational date;

(v) approving the budget of the new school district for the fiscal year beginning on the identified operational date; and

(vi) taking any other actions necessary, as district voters or as a school board, for the new school district to assume full responsibility for providing for the education of the district's resident students in the grades it is now organized to provide for, on the identified operational date; and

(3) ensure a smooth transition of supervisory services, to be effective on the district's identified operational date.

(j) Certification; Secretary of State. If the State Board declares it to be the obligation of the new school district pursuant to subdivision (i)(2) of this section to provide for the education of resident students who were formerly the responsibility of the union elementary or union high school district, then within 30 days following such action the Secretary of Education shall certify the adjustment of the member districts within the union elementary or union high school district to the Secretary of State. When the Secretary of State records the certification of the Secretary of Education, the member districts within the union elementary or union high school district shall be adjusted accordingly; provided, however, that the voter-approved proposal of withdrawal shall establish the date on which withdrawal shall be final, the new school district shall assume full and sole responsibility for the education of its residents in the grades for which it is now organized, and the union school district shall no longer have responsibility for the education of those students. Not more than 14 days after the date the Secretary of Education certifies the adjustment, the Secretary of State shall file a certified copy of the recorded certification with the clerk of the union elementary or union school district and the clerk for new school district. Filing a certified copy with the clerks shall be prima facie evidence of full compliance with the requirements for adjusting the union school district by withdrawal as set forth in this section.

(k) Timing of action.

(1) The voters residing in any member district within a union elementary or union high school district shall not initiate the withdrawal process set forth in this section within the first year after the latter of the operational date of a newly formed union elementary or union high school district or, if applicable, the operational date of a union elementary or union high school district adjusted pursuant to subsection (i) of this section.

(2) If a petitioning district's action to withdraw from a union elementary or union high school district is unsuccessful, then the voters residing in that member district shall not initiate a new withdrawal action under this section until two years after either a withdrawal study committee votes not to approve advancement of the withdrawal process or the vote by the voters that concluded the initial withdrawal action.

Subchapter 3. Unified Union School Districts

Article 1. Unified Union School Districts – Boards and Board Members

§ 729. BOARD MEMBERS; TERM; CONDUCT OF MEETINGS;
QUORUM AND VOTING; POWERS AND DUTIES

(a) Members. Except as set forth in subchapter 2 (exploration, formation, and organization) of this chapter for initial members, each member of the

board of a unified union school district shall:

(1) be elected by the voters at a warned meeting of the unified union school district pursuant to sections 730 (nomination and election of unified union school district board members) and 737 (warnings of unified union school district meetings) of this title;

(2) assume office upon election, except as provided in subdivision 737(f)(3) (warnings of unified union school district meetings) of this chapter; and

(3) be sworn in before entering upon the duties of the office.

(b) Term. A member elected at an annual meeting shall serve for a term of three years or until the member's successor is elected and has taken the oath of office. A member elected at a special meeting shall serve for the balance of the term of office remaining.

(c) Quorum. A majority of the members of the board shall constitute a quorum. Subject to the provisions of subsection (d) of this section but notwithstanding any other provision of law, the concurrence of a majority of members present at a unified union school district board meeting shall be necessary and sufficient for board action; provided, however, the concurrence of more than a majority shall be necessary if required for a particular action by the voter-approved articles of agreement.

(d) Weighted voting. If weighted voting is used to achieve constitutionally required proportionality for members elected under the "proportional to town population" model described in subdivisions 711(d)(1) (proposed unified union school district; proportional to town population) and 730(a)(1) (unified union school district; Australian ballot; proportional to town population) of this chapter, then a number of members of the board holding a majority of the total number of weighted votes shall constitute a quorum, and a majority of the weighted votes cast shall be necessary and sufficient for board action.

(e) Board chair and board clerk. At the board meeting next following each annual district meeting, the unified union school district board shall elect one of its number to serve as the chair of the board and one other of its number to serve as the clerk of the board.

(f) Powers, duties, and liabilities. The powers, duties, and liabilities of a unified union school district board, board chair, and board clerk shall be the same as those of a board, board chair, and board clerk of a town school district.

(g) Minutes. The board clerk shall prepare minutes of the proceedings of the unified union school district board, unless the board votes to delegate those

duties to another individual. The board clerk shall transmit the minutes and all other documents constituting the record of board proceedings to the clerk of the unified union school district, who shall be responsible for maintaining a permanent record of board proceedings. In the board clerk's absence, another member of the school board shall assume the duties of the clerk.

(h) Stipend. The board clerk may be paid upon order of the board.

§ 730. UNIFIED UNION SCHOOL DISTRICT BOARD MEMBERS;
NOMINATION AND ELECTION; BOND

(a) If by Australian ballot. The provisions of this subsection (a) shall apply to a unified union school district that conducts elections for board membership by Australian ballot.

(1) Proportional to town population.

(A) When membership on the board of a unified union school district is apportioned to each town within the district in a number that is closely proportional to the town's relative population, the voters residing in the town may file a petition nominating a candidate for board membership. A petition is valid only if:

(i) the candidate is a current voter of the town;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the town or one percent of the legal voters in the town, whichever is less;

(iv) the voters file the petition with the town clerk not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) After confirming that the names on the petition correspond to registered voters of the town, the town clerk shall transmit the name of each duly nominated candidate to the clerk of the unified union school district.

(C) The district clerk shall prepare a unified union school district ballot for each town and shall transmit the ballot to the town clerk to make available to the voters residing in the town.

(D) The voters of a town within the unified union school district shall elect as many board members as are apportioned for that term of office based on the population of the town.

(2) Modified at-large model: allocation to town; at-large representation.

(A) When membership on the board of a unified union school district is allocated to each town within the district, but the allocation is not closely proportional to the town's relative population and the board member is elected at-large, the voters residing in any one or more of the towns within the district may file a petition nominating a candidate for board membership under the "modified at-large" model. A petition is valid only if:

(i) the candidate is a current voter of the town to which the seat is allocated;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in the unified union school district;

(iv) the voters file the petition with the clerk of the unified union school district not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the district clerk a written consent to the printing of the candidate's name on the ballot.

(B) Not later than 5:00 p.m. on the sixth Monday preceding the day of the election, the town clerk of each town within the unified union school district shall furnish to the district clerk, at the expense of the district, authenticated copies of the checklist of legal voters within the town as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150.

(C) The district clerk shall prepare the unified union school district ballot to include the name of each duly nominated candidate and shall transmit the ballot to the town clerk of each town within the district to make available to the voters residing in the town.

(D) The voters of the unified union school district shall elect as many board members as are to be elected at-large for that term of office under the "modified at-large" model.

(3) At-large representation.

(A) When membership on a unified union school district board is not apportioned or allocated pursuant to subdivision (1) (proportional to town population) or (2) (modified at-large) of this subsection (a) and the board member is elected at large, the voters residing in any one or more of the towns within the district may file a petition nominating a candidate for at-large board membership. A petition is valid only if:

(i) the candidate is a current voter of a town within the unified union school district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in the unified union school district;

(iv) the voters file the petition with the clerk of the unified union school district not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the district clerk a written consent to the printing of the candidate's name on the ballot.

(B) Not later than 5:00 p.m. on the sixth Monday preceding the day of the election, the town clerk of each town within the unified union school district shall furnish to the district clerk, at the expense of the district, authenticated copies of the checklist of legal voters within the town as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150.

(C) The district clerk shall prepare the unified union school district ballot to include the name of each duly nominated candidate and shall transmit the ballot to the town clerk of each town within the district to make available to the voters residing in the town.

(D) The voters of the unified union district shall elect as many board members as are to be elected at-large for that term of office.

(b) If not by Australian ballot. The provisions of this subsection shall apply to a unified union school district that has not voted to conduct elections for board membership by Australian ballot.

(1) The nomination and election of candidates for the office of unified union school district board member shall occur at a warned meeting of the unified union school district; provided, however, if the district elects board members under the “proportional to town population” model, then the nomination and election of candidates shall occur at an annual or special meeting of the town in which the candidate resides, warned for the purpose pursuant to subsection 737(f) of this chapter.

(2) Voters shall only nominate a person who is present at the meeting and the person shall accept or reject the nomination.

(3) The clerk shall ensure that the candidate is a voter of a specific town if the district elects board members under either the “proportional to town

population” model or the “modified at-large” model.

(c) Bond. Before a newly elected board member enters upon the duties of office, the district shall ensure that the district’s blanket bond covers the new member. In lieu of a blanket bond, the district may choose to provide suitable crime insurance coverage.

(d) Notification. Within 10 days after the election of a board member pursuant to this section, the district clerk shall transmit the name of newly elected board members to the Secretary of State.

§ 731. VACANCY ON UNIFIED UNION SCHOOL DISTRICT BOARD

(a) Filling a vacancy. Notwithstanding any other provision of law to the contrary, this section shall apply to a vacancy on a unified union school district board, unless otherwise provided in the articles of agreement of the district as initially approved by the voters on or before July 1, 2019.

(1) Proportional to town population. If the vacancy is for a seat where membership is apportioned to a town within the unified union school district in a number that is closely proportional to the town’s relative population and only voters residing in the town elect the board member, then the clerk of the unified union school district shall notify the selectboard of the town not later than five days after learning of the vacancy. Within 30 days after providing notice and after consultation with the selectboard, the unified union school district board shall appoint an eligible person to fill the vacancy until the voters elect a successor at an annual or special meeting.

(2) Modified at-large model: allocation to town; at-large representation. If the vacancy is for a seat where membership is allocated to a town within the unified union school district in a number that is not closely proportional to each town’s relative population and the board member is elected at large, then the district clerk shall notify the selectboard of the town not later than five days after learning of the vacancy. Within 30 days after providing notice and after consultation with the selectboard, the unified union school district board shall appoint an eligible person to fill the vacancy until the voters elect a successor at an annual or special meeting.

(3) At-large representation. If the vacancy is for a seat that is neither apportioned nor allocated to a town within the unified union school district as provided in subdivision (1) or (2) of this subsection and the board member is elected at-large, then within 30 days after creation of the vacancy the unified union school district board shall appoint an eligible person to fill the vacancy until the voters elect a successor at an annual or special meeting.

(4) Vacancy in all seats. If all seats on a school board are vacant, then the Secretary of State shall call a special election to fill the vacancies.

(b) Notification. Within 10 days after the appointment of a board member pursuant to this section, the district clerk of the unified union school district shall transmit the name of the appointed board member to the Secretary of State.

(c) Obligations and expenses.

(1) Vacancy in majority. If there are vacancies in a majority of the members of a unified union school district board at the same time, then the remaining member or members are authorized to draw orders for payment of continuing obligations and necessary expenses until a majority of the vacancies are filled pursuant to the provisions of this section.

(2) Vacancy in all seats. If there are no members of the unified union school district board in office, then the Secretary of State shall authorize the district clerk or other qualified person to draw orders for payment of continuing obligations and necessary expenses until a majority of the vacancies are filled.

§ 732. UNIFIED UNION SCHOOL DISTRICT BUDGET; PREPARATION AND AUTHORIZATION

(a) The board of a unified union school district shall prepare and distribute a proposed budget annually for the next school year pursuant to the provisions of subdivision 563(11) (powers of school boards; budget) of this title.

(b) If the voters do not approve the board's proposed budget, then the board shall prepare and present a revised proposed budget pursuant to 17 V.S.A. § 2680(c)(2) (local elections; Australian ballot system; rejected budget).

(c) If the voters do not approve a budget on or before June 30 of any year, then the board of the unified union school district may borrow funds pursuant to the authority granted under section 566 (school district; authority to borrow) of this title. As used in section 566, the "most recently approved school budget" of a union school district in its first fiscal year of full operations means the cumulative budget amount of the most recently approved school budgets of all districts that merged to form the union district plus one percent.

§ 733. ANNUAL REPORT; DATA

(a) The board of a unified union school district shall prepare an annual report concerning the affairs of the district and have it printed and distributed to the voters of the district pursuant to the provisions of subdivision 563(10) (school districts; powers of school boards; report) of this title. The board shall file the report with the unified union school district clerk and with the town clerk of each town within the district.

(b) Annually, on or before August 15, the unified union school district board shall provide to the Secretary answers to statistical inquiries that may be addressed to the district by the Secretary.

Article 2. Unified Union School Districts – Officers, Annual Meetings,
and Special Meetings

§ 735. OFFICERS; ELECTION; TERM; VACANCY; BOND

(a) Officers. At an annual meeting of the unified union school district, the voters shall elect a moderator from among the registered voters of the district. The voters shall also vote to elect a clerk and a treasurer of the district; provided, however, at any annual or special meeting, the voters may vote to authorize the school board to appoint the clerk or the treasurer, or both. The clerk of the district shall be elected or appointed from among the voters. The treasurer may also be the supervisory union treasurer and need not be a resident of the union school district.

(b) Election.

(1) If an officer is elected by Australian ballot in a unified union school district, then the provisions of subdivision 730(a)(3) for election by Australian ballot of at-large candidates for the unified union school district board shall apply.

(2) Votes cast to elect an officer shall be commingled and reported to the voters pursuant to section 742 (commingling of votes cast by Australian ballot and from the floor) of this chapter.

(c) Terms.

(1) Moderator. A moderator elected at an annual meeting pursuant to this section shall assume office on July 1 following the election, unless the voters vote at an annual meeting for the moderator to assume office upon election. A moderator shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(2) Clerk. A clerk elected at an annual meeting pursuant to this section shall assume office on July 1 following the election. A clerk shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(3) Treasurer. A treasurer elected at an annual meeting pursuant to this section shall assume office on July 1 following the election. A treasurer shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(d) Vacancy. The board of the unified union school district shall fill a vacancy in any office elected pursuant to this section as soon as practicable after the vacancy occurs. The appointee shall serve upon appointment for the remainder of the unexpired term of office or until the voters elect a successor.

(e) Oath of office. An officer elected or appointed pursuant to this section shall be sworn in before entering upon the duties of the office.

(f) Bond. The district shall ensure that its blanket bond covers a newly elected or appointed treasurer before the treasurer enters upon the duties of the office. In lieu of a blanket bond, the district may choose to provide suitable crime insurance coverage.

(g) Notification. Within 10 days after the election or appointment of any officer pursuant to this section, the clerk of the unified union school district shall transmit the name of the officer to the Secretary of State.

§ 736. OFFICERS; POWERS, DUTIES, AND LIABILITIES

(a) Moderator. The powers, duties, and liabilities of the moderator of a unified union school district shall be the same as those of a moderator of a town school district. The moderator shall preside at each annual and special meeting of the unified union school district. In the moderator's absence, the voters shall elect a moderator pro tempore to preside.

(b) Clerk. The powers, duties, and liabilities of the clerk of a unified union school district shall be the same as those of a clerk of a town school district. The district clerk shall keep a record of the votes and the proceedings of the union school district meetings and shall provide certified copies of them when requested.

(c) Treasurer. The powers, duties, and liabilities of the treasurer of a unified union school district shall be the same as those of a treasurer of a town school district.

(d) Documents. The person having custody shall provide to each newly elected or appointed officer of a unified union district all books, papers, and electronic documents of the office.

§ 737. WARNINGS OF UNIFIED UNION SCHOOL DISTRICT MEETINGS

(a) The board of a unified union school district shall have the same authority and obligation to warn or call meetings of the district as a town school board has to warn or call town school district meetings.

(b) Except as provided in subsection (f) of this section, the district clerk shall warn a unified union school district meeting pursuant to the provisions of

17 V.S.A. § 2641 (town meetings and local elections; warning and notice publication) by posting a warning and notice to voters, signed by the chair of the board or the chair's designee, specifying the date, time, location, and business of the meeting, in at least one public place in each town within the unified union school district, and causing the same to be published once in a newspaper circulating in the unified union school district. In the district clerk's absence, the chair of the board or the chair's designee shall warn the meeting pursuant to the provisions of this section.

(c) The warning shall, by separate articles, specifically indicate the business to be transacted, to include the offices and the questions upon which the electorate shall vote. The warning shall also contain any article or articles requested by a petition signed by at least five percent of the voters of the district and filed with the district clerk pursuant to 17 V.S.A. § 2642 (town meetings and local elections; warning and notice contents).

(d) The posted notice that accompanies the warning shall include information on voter registration, early and absentee voting, the time and location at which the ballots will be counted, and any other applicable information.

(e) The warning shall be recorded in the office of the district clerk before posting.

(f) This subsection applies if a unified union school district elects school board members under the "proportional to town population" model and if it elects those members by a floor vote rather than by Australian ballot.

(1) The election shall be warned as follows:

(A) The district clerk shall transmit the signed warning to each town clerk.

(B) The district clerk shall assist each town clerk to incorporate the warning into the warning for the annual or special meeting of each town.

(C) Each town clerk, rather than the district clerk, shall post and publish the warning pursuant to the provisions of subsection (b) of this section.

(2) Notwithstanding any provision of law to the contrary, if any town within the unified union school district elects its selectboard members by Australian ballot, then the warning, nomination, ballot preparation, and election of unified union school district board members shall proceed pursuant to the same laws that govern the town.

(3) If an annual town meeting at which the board members are elected under this subsection is more than 30 days prior to the annual meeting of the unified union school district, then notwithstanding subsection 729(a)

(members of unified union school district boards) of this section, the newly elected board members shall assume office at the conclusion of the district's annual meeting.

(g) Notwithstanding any provisions of this section to the contrary, a unified union school district:

(1) shall warn a meeting called for the purpose of considering a bond issue pursuant to the provisions of 24 V.S.A. § 1755; and

(2) shall warn a meeting to consider a revised proposed budget pursuant to the provisions of subsection 732(b) of this chapter.

§ 738. CHECKLIST FOR UNION DISTRICT MEETINGS WHERE VOTING IS CONDUCTED FROM THE FLOOR

(a) Not later than the close of business on the day before an annual or special meeting of a unified union school district, the town clerk of each town within the district shall furnish to the district clerk, at the expense of the district, authenticated copies of the checklist of legal voters within the town as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150 (elections; registration of voters). The checklist shall control for purposes of determining voter eligibility in the unified union school district.

(b) During the annual or special meeting, one or more members of each town's board of civil authority shall assist the district clerk to determine voter eligibility and to supervise voting during the meeting.

(c) This section shall not apply to a meeting warned pursuant to subsection 737(f) (unified union school district meetings; proportional to town population; floor vote) of this chapter.

§ 739. CONDUCT OF VOTE IF BY AUSTRALIAN BALLOT

For any vote that proceeds by Australian ballot in a unified union school district:

(1) A district voter shall vote by Australian ballot in the town in which the voter currently resides at the polling location identified in the warning.

(2) Voting shall occur in each town on the same day.

(3) The board of civil authority of each town shall be responsible for determining the eligibility of persons to vote and for supervising voting at that polling location.

(4) The opportunity for early and absentee voting pursuant to 17 V.S.A. §§ 2531–2550 (conduct of elections; early and absentee voters) shall be provided.

§ 740. PREPARATION AND FORM OF AUSTRALIAN BALLOT

(a) The clerk of a unified union school district shall prepare the ballot for any vote that proceeds by Australian ballot in the district.

(b) Only questions warned by the unified union school district and presented to the voters of that district shall appear on a ballot prepared pursuant to subsection (a) of this section.

(c) Warned questions of the unified union school district shall not appear on the same ballot as questions warned by the legislative body of a town within the unified union school district.

§ 741. COUNTING OF AUSTRALIAN BALLOTS

(a) Process.

(1) At least two members of the board of civil authority of each town within a unified union school district, or two election officials appointed by the board of civil authority of that town, shall transport ballots cast in the town in a sealed container to a central location designated by the district clerk. The district clerk shall place the ballots from all locations into a single container.

(2) The boards of civil authority shall not count the ballots for purposes of determining the outcome of the votes cast in that town prior to transporting them but may open the containers and count the total number of ballots cast at that polling location.

(3) The district clerk or designee shall supervise representatives of the boards of civil authority, identified in subdivision (1) of this subsection, to count ballots at the central location pursuant to section 742 (commingling and reporting of votes cast by Australian ballot and from the floor) of this title. The district clerk shall also have the authority to appoint current unified union school district board members who are not on the ballot to aid in the counting of ballots.

(4) The ballots shall be counted as soon as possible, but not later than 24 hours after the time at which the polls closed.

(5) If ballots are to be counted on the day following the election, then the clerk of each town within the unified union school district shall store the ballots in a secure location in the town until they are transported on the following day to the central location designated by the district clerk for counting.

(6) After the ballots have been counted, the district clerk shall seal them in a secure container and store them for at least 90 days in a secure location.

(b) Applicability. The counting of Australian ballots cast by voters in a

unified union school district for the election of members of the district board, for the election of district officers, for proposed budgets, and for any other public questions shall proceed pursuant to the provisions of this section, except when:

(1) Vermont statute explicitly permits or requires a different method for a specific type of question presented to the voters;

(2) the ballots have been cast to elect a unified union school district board member where membership on the board is apportioned based on town population pursuant to subdivision 730(a)(1) (unified union school district; Australian ballot; proportional to town population) of this title; or

(3) the articles of agreement as initially approved by the voters on or before July 1, 2019 explicitly provide that the board of civil authority of each town within the unified union school district shall count Australian ballots cast in that town and report that town's results to the district clerk, who shall calculate total votes cast within the unified union school district and report the result of the vote to the public.

§ 742. COMMINGLING AND REPORTING OF ALL VOTES CAST BY
AUSTRALIAN BALLOT AND FROM THE FLOOR

(a) Commingling. Votes cast by the voters of a unified union school district shall be commingled, whether cast by Australian ballot or from the floor, and shall not be counted according to the town in which a voter resides.

(b) Report to public. The district clerk shall report the commingled results of votes cast by voters of a unified union school district.

(c) Applicability. The commingling and reporting of votes cast by voters in a unified union school district for the election of members of the district board, for the election of district officers, for proposed budgets, and for any other public question shall proceed pursuant to the provisions of this section regardless of whether the votes proceeds by Australian ballot or by a floor vote, except when:

(1) Vermont statute explicitly permits or requires a different method for a specific type of question presented to the voters;

(2) the ballots have been cast to elect a unified union school district board member where membership on the board is apportioned based on town population pursuant to subdivision 730(a)(1) (unified union school district; Australian ballot; proportional to town population) of this chapter; or

(3) the articles of agreement as initially approved by the voters on or before July 1, 2019 explicitly provide that the board of civil authority of each town within the unified union school district shall count Australian ballots cast

in that town and report that town's results to the district clerk, who shall calculate total votes cast within the unified union school district and report the result of the vote to the public.

§ 743. BOND ISSUES; DEBT LIMIT

(a) A unified union school district may make improvements, as defined by 24 V.S.A. § 1751 (municipal and county government; indebtedness definitions), and may incur indebtedness for improvements as provided in 24 V.S.A. chapter 53, subchapter 1 (municipal and county government; indebtedness generally).

(b) The debt limit of the unified union school district shall be 10 times the total of the education grand lists of the towns within the unified union school district. The existing indebtedness of a unified union school district incurred to finance any project approved under sections 3447 to 3456 (State aid for capital construction costs) of this title shall not be considered a part of the indebtedness of the unified union school district for purposes of determining its debt limit for a new proposed bond issue.

(c) Bond issues under this section shall be determined by Australian ballot and shall proceed pursuant to sections 737 (warnings of unified union school district meetings) and 739–742 (vote by Australian ballot) of this subchapter. The ballots shall be commingled before counting.

Subchapter 4. Union Elementary School Districts and Union High School Districts

§ 745. DEFINITIONS

As used in this subchapter, words have the meaning as defined in section 702 (definitions) of this title and any words not defined in that section have their plain meaning, except:

(1) Member district. “Member district” means either a town school district that is a member district as defined in section 702 (definitions) of this title or a town in a member district if the member district is itself a union elementary or union high school district, as applicable.

(2) Town clerk.

(A) If, pursuant to section 425 (other town school district officers) of this title, the voters of a member district have elected a district clerk who is not also the clerk of the town, then “town clerk” means the elected clerk of that member district.

(B) Notwithstanding subdivision (A) of this subdivision (2), if a union elementary or union high school district is a member district of the

union school district, then “town clerk” has its plain meaning and means the clerk of each town in the member district.

Article 1. Union Elementary and Union High School Districts – Boards and Board Members

§ 747. BOARD MEMBERS; TERM; CONDUCT OF MEETINGS; QUORUM AND VOTING; POWERS AND DUTIES

(a) Members. Except as set forth in subchapter 2 (exploration, formation, and organization) of this chapter for initial members, each member of the board of a union elementary school or union high school district shall:

(1) be elected by the voters at warned meeting pursuant to section 748 (union elementary and union high school district board members) of this chapter;

(2) assume office upon election, except as provided in subdivision 755(f)(3) (warnings of union elementary and union high school district meetings) of this chapter; and

(3) be sworn in before entering upon the duties of the office.

(b) Term. A member elected at an annual meeting shall serve for a term of three years or until the member’s successor is elected and has taken the oath of office. A member elected at a special meeting shall serve for the balance of the term remaining.

(c) Quorum. A majority of the members of the board shall constitute a quorum. Subject to the provisions of subsection (d) of this section but notwithstanding any other provision of law, the concurrence of a majority of members present at a union elementary or union high school district board meeting shall be necessary and sufficient for board action; provided, however, the concurrence of more than a majority shall be necessary if required for a particular action by the voter-approved articles of agreement.

(d) Weighted voting. If weighted voting is used to achieve constitutionally required proportionality for members elected under the “proportional to town population” model set out in subdivisions 711(e)(1) (proposed union elementary or union high school district; proportional to town population) and 748(a)(1) (union elementary and union high school district board members; Australian ballot; proportional to town population) of this chapter, then a number of members of the board holding a majority of the total number of weighted votes shall constitute a quorum, and a majority of the weighted votes cast shall be necessary and sufficient for board action.

(e) Board chair and board clerk. At the meeting next following each annual meeting, the union elementary or union high school district board shall

elect one of its number to serve as the chair of the board and one other of its number to serve as the clerk of the board.

(f) Powers, duties, and liabilities. The powers, duties, and liabilities of a union elementary or union high school district board, board chair, and board clerk shall be the same as those of a board, board chair, and board clerk of a town school district.

(g) Minutes. The board clerk shall prepare minutes of the proceedings of the union elementary or union high school district board, unless the board votes to delegate those duties to another individual. The board clerk shall transmit the minutes and all other documents constituting the record of board proceedings to the clerk of the union elementary or union high school district, who shall be responsible for maintaining a permanent record of board proceedings. In the board clerk's absence, another member of the school board shall assume the duties of the clerk.

(h) Stipend. The board clerk may be paid upon order of the board.

§ 748. UNION ELEMENTARY AND UNION HIGH SCHOOL DISTRICT
BOARD MEMBERS; NOMINATION AND ELECTION; BOND

(a) If by Australian ballot. The provisions of this subsection (a) shall apply to a union elementary or union high school district that conducts elections for board membership by Australian ballot.

(1) Proportional to town population.

(A) When membership on the board of a union elementary or union high school district is apportioned to each member district in a number that is closely proportional to the member district's relative population, the voters of the member district may file a petition nominating a candidate for board membership. A petition is valid only if:

(i) the candidate is a current voter of the member district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the member district or one percent of the legal voters in that district, whichever is less;

(iv) the voters file the petition with the town clerk not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) After confirming that the names on the petition correspond to registered voters of the member district, the town clerk shall transmit the name of each duly nominated candidate to the clerk of the union elementary or union high school district.

(C) The union district clerk shall prepare a union elementary or union high school district ballot for each member district and shall transmit the ballot to the town clerk to make available to the voters residing in the member district.

(D) The voters of the member district shall elect as many board members as are apportioned for that term of office on the union elementary or union high school district board based on the population of the member district.

(2) Modified at-large model: allocation to town; at-large representation.

(A) When membership on the board of a union elementary or union high school district is allocated to each member district, but the allocation is not closely proportional to the member district's population and the board member is elected at-large, the voters residing in any one or more of the member districts may file a petition nominating a candidate for board membership under the "modified at-large" model. A petition is valid only if:

(i) the candidate is a current voter of the member district to which the seat is allocated;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in the union elementary or union high school district;

(iv) the voters file the petition with the clerk of the union elementary or union high school district not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the union district clerk a written consent to the printing of the candidate's name on the ballot.

(B) Not later than 5:00 p.m. on the sixth Monday preceding the day of the election, the town clerk of each member district shall furnish to the union district clerk, at the expense of the union district, authenticated copies of the checklist of legal voters within the member district as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150.

(C) The union district clerk shall prepare the union elementary or union high school district ballot to include the name of each duly nominated

candidate and shall transmit the ballot to the town clerk of each member district to make available to the voters residing in the member district.

(D) The voters of the union elementary or union high school district shall elect as many board members as are to be elected at-large for that term of office under the “modified at-large” model.

(3) At-large representation.

(A) When membership on the board of a union elementary or union high school district is not apportioned or allocated pursuant to subdivision (1) (proportional to town population) or (2) (modified at-large) of this subsection (a) (Australian ballot) and the board member is elected at large, the voters residing in any one or more of the member districts may file a petition nominating a candidate for at-large board membership. A petition is valid only if:

(i) the candidate is a current voter of the union elementary or union high school district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in the union elementary or union high school district;

(iv) the voters file the petition with the clerk of the union elementary or union high school district not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the union district clerk a written consent to the printing of the candidate’s name on the ballot.

(B) Not later than 5:00 p.m. on the sixth Monday preceding the day of the election, the town clerk of each member district shall furnish to the union district clerk, at the expense of the union district, authenticated copies of the checklist of legal voters within the member district as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150.

(C) The union district clerk shall prepare the union elementary or union high school district ballot to include the name of each duly nominated candidate and shall transmit the ballot to the town clerk of each member district to make available to the voters residing in the member district.

(D) The voters of the union elementary or union high school district shall elect as many board members as are to be elected at-large for that term of office.

(b) If not by Australian ballot. The provisions of this subsection (b) shall

apply to a union elementary or union high school district that does not conduct elections for board membership by Australian ballot.

(1) The nomination and election of candidates for the office of union elementary or union high school district board member shall occur at a warned meeting of the union school district; provided, however, if the union district elects board members under the “proportional to town population” model, then the nomination and election of candidates shall occur at an annual or special meeting of the member district for the town in which the candidate resides, warned for the purpose pursuant to subsection 755(f) (warnings of union elementary and union high school district meetings; members elected under proportional to town population model and by floor vote) of this chapter.

(2) Voters shall only nominate a person who is present at the meeting, and the person shall accept or reject the nomination.

(3) The meeting shall proceed in a manner to ensure that the candidate is a voter of a specific member district if the union district elects board members under either the “proportional to town population” model or the “modified at-large” model.

(c) Bond. Before a newly elected board member enters upon the duties of office, the union district shall ensure that the district’s blanket bond covers the new member. In lieu of a blanket bond, the district may choose to provide suitable crime insurance coverage.

(d) Notification. Within 10 days after the election of a board member pursuant to this section, the union elementary or union high school district clerk shall transmit the name of the newly elected board member to the Secretary of State.

§ 749. VACANCY ON UNION ELEMENTARY OR UNION HIGH SCHOOL DISTRICT BOARD

(a) Filling a vacancy. Notwithstanding any other provisions of law to the contrary, this section shall apply to a vacancy on a union elementary or union high school district board, unless otherwise provided in the articles of agreement of the union elementary or union high school district as initially approved by the voters on or before July 1, 2019.

(1) Proportional to town population. If the vacancy is for a seat where membership is apportioned to a member district in a number that is closely proportional to its relative population and only voters residing in the member district elect the board member, then the union elementary or union high school district clerk shall notify the board of the member district not later than five days after learning of the vacancy. Within 30 days after receiving notice, the board of the member district shall appoint a person who is otherwise

eligible to serve as a member of the union elementary or union high school district board to fill the vacancy until the voters elect a successor at an annual or special meeting pursuant to the provisions of section 748 (union elementary and union high school district board members) of this chapter.

(2) Modified at-large model: allocation to town; at-large representation. If the vacancy is for a seat where membership is allocated to a member district in a number that is not closely proportional to each district's relative population and the board member is elected at-large, then the union elementary or union high school district clerk shall notify the board of the member district not later than five days after learning of the vacancy. Within 30 days after providing notice and after consultation with the member district's board, the union elementary or union high school district board shall appoint a person who is otherwise eligible to serve as a member of the union elementary or union high school district board to fill the vacancy until the voters elect a successor at an annual or special meeting pursuant to the provisions of section 748 (union elementary and union high school district board members) of this chapter.

(3) At-large representation. If the vacancy is for a seat that is neither apportioned nor allocated to a member district pursuant to subdivision (1) (proportional to town population) or (2) (modified at-large) of this subsection and the board member is elected at-large, then within 30 days after creation of the vacancy the union elementary or union high school district board shall appoint a person who is otherwise eligible to serve as a member of the board to fill the vacancy until the voters elect a successor at an annual or special meeting pursuant to the provisions of section 748 (union elementary and union high school district board members) of this chapter.

(4) No board of member district. For purposes of subdivisions (1) (proportional to town population) and (2) (modified at-large) of this subsection (a), if the member district is also a union school district and any related town school district has discontinued operations pursuant to subdivision 717(b)(2) (discontinuation of forming districts in union elementary and union high school districts) of this chapter and has no board, then the clerk of the union elementary or union high school district shall notify the selectboard of the pertinent town not later than five days after learning of the vacancy. Within 30 days after providing notice and after consultation with the selectboard, the union elementary or union high school district board shall appoint a person who is otherwise eligible to serve as a member of the union elementary or union high school district board to fill the vacancy until the voters elect a successor at an annual or special meeting pursuant to the provisions of section 748 (union elementary and union high school district board members) of this chapter.

(5) Vacancy in all seats. If all seats on a school board are vacant, then the Secretary of State shall call a special election to fill the vacancies.

(b) Notification. Within 10 days after the appointment of a board member pursuant to this section, the clerk of the union elementary or union high school district shall transmit the name of the appointed board member to the Secretary of State.

(c) Obligations and expenses.

(1) Vacancy in majority. If there are vacancies in a majority of the members of a union elementary or union high school district board at the same time, then the remaining member or members are authorized to draw orders for payment of continuing obligations and necessary expenses until a majority of the vacancies are filled pursuant to the provisions of this section.

(2) Vacancy in all seats. If there are no members of the union elementary or union high school district board in office, then the Secretary of State shall appoint and authorize the district clerk or other qualified person to draw orders for payment of continuing obligations and necessary expenses until a majority of the vacancies are filled.

§ 750. UNION ELEMENTARY OR UNION HIGH SCHOOL DISTRICT BUDGET; PREPARATION AND AUTHORIZATION

(a) The board of a union elementary or union high school district shall prepare and distribute a proposed budget annually for the next school year pursuant to the provisions of subdivision 563(11) (powers of school boards; budget) of this title.

(b) If the voters do not approve the board's proposed budget, then the board shall prepare a revised proposed budget pursuant to 17 V.S.A. § 2680(c)(2) (local elections using the Australian ballot system; rejected budget).

(c) If the voters do not approve a budget on or before June 30 of any year, the board of the unified union school district may borrow funds pursuant to the authority granted under section 566 (school districts; authority to borrow) of this title. As used in section 566, the "most recently approved school budget" of a union school district in its first fiscal year of full operations means the cumulative budget amount of the most recently approved school budgets of all districts that merged to form the union district plus 1 percent.

§ 751. ANNUAL REPORT; DATA

(a) The board of a union elementary or union high school district shall prepare an annual report concerning the affairs of the district and have it printed and distributed to the voters of the district pursuant to the provisions of subdivision 563(10) (powers of school boards; report) of this title. The board

shall file the report with the union district clerk and the clerk of each member district.

(b) Annually, on or before August 15, the union elementary or union high school district board shall provide to the Secretary answers to statistical inquiries that may be addressed to the district by the Secretary.

Article 2. Union Elementary and Union High School Districts – Officers,
Annual Meetings, and Special Meetings

§ 753. OFFICERS; ELECTION; TERM; VACANCY; BOND

(a) Officers. At an annual meeting of the union elementary or union high school district, the voters shall elect a moderator from among the registered voters. The voters shall also vote to elect a clerk and a treasurer of the district; provided, however, at any annual or special meeting, the voters may vote to authorize the school board to appoint the clerk or the treasurer, or both. The clerk of the district shall be elected or appointed from among the voters. The treasurer may also be the supervisory union treasurer and need not be a resident of the union elementary or union high school district.

(b) Election if by Australian ballot. If a union elementary or union high school district elects its officers by Australian ballot, then the provisions of subdivision 748(a)(3) of this chapter for election by Australian ballot of at-large candidates for the union elementary or union high school district board shall apply.

(c) Terms.

(1) Moderator. A moderator elected at an annual meeting pursuant to this section shall assume office on July 1 following the election, unless the voters vote at an annual meeting for the moderator to assume office upon election. A moderator shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(2) Clerk. A clerk elected at an annual meeting pursuant to this section shall assume office on July 1 following the election. A clerk shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(3) Treasurer. A treasurer elected at an annual meeting pursuant to this section shall assume office on July 1 following the election. A clerk shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(d) Vacancy. The board of the union elementary or union high school district shall fill a vacancy in any office elected or appointed pursuant to this

section as soon as practicable after the vacancy occurs. The appointee shall serve upon appointment for the remainder of the unexpired term of office or until the voters elect a successor.

(e) Oath of office. An officer elected or appointed pursuant to this section shall be sworn in before entering upon the duties of the office.

(f) Bond. The district shall ensure that its blanket bond covers a newly elected or appointed treasurer before the treasurer enters upon the duties of the office. In lieu of a blanket bond, the district may choose to provide suitable crime insurance coverage.

(g) Notification. Within 10 days after the election or appointment of any officer pursuant to this section, the clerk of the union elementary or union high school district shall transmit the name of the officer to the Secretary of State.

§ 754. OFFICERS; POWERS, DUTIES, AND LIABILITIES

(a) Moderator. The powers, duties, and liabilities of the moderator of a union elementary or union high school district shall be the same as those of a moderator of a town school district. The moderator shall preside at each annual and special meeting of the union elementary or union high school district. In the moderator's absence, the voters shall elect a moderator pro tempore to preside.

(b) Clerk. The powers, duties, and liabilities of the clerk of a union elementary or union high school district shall be the same as those of a clerk of a town school district. The district clerk shall keep a record of the votes and the proceedings of the union school district meetings and shall provide certified copies of them when requested.

(c) Treasurer. The powers, duties, and liabilities of the treasurer of a union elementary or union high school district shall be the same as those of a treasurer of a town school district.

(d) Documents. The person having custody shall provide to each elected or appointed officer of a union district all books, papers, and electronic documents of the office.

§ 755. WARNINGS OF UNION ELEMENTARY AND UNION HIGH SCHOOL DISTRICT MEETINGS

(a) The board of a union elementary or union high school district shall have the same authority and obligation to warn or call meetings of the district as a town school board has to warn or call town school district meetings.

(b) Except as provided in subsection (f) of this section, not less than 30 nor more than 40 days before the meeting, the union district clerk shall warn a

union elementary or union high school district meeting by posting a warning and notice to voters, signed by the chair of the union district board or the chair's designee, specifying the date, time, location, and business of the meeting, in the district clerk's office and at least one public place in each town within the union elementary or union high school district, and causing the same to be published once in a newspaper circulating in the union district at least five days before the meeting. In the district clerk's absence, the chair of the board or the chair's designee shall warn the meeting pursuant to the provisions of this section.

(c) The warning shall, by separate articles, specifically indicate the business to be transacted, including the offices and the questions upon which the electorate shall vote. The warning shall also contain any article or articles requested by a petition signed by at least five percent of the voters of the district and filed with the district clerk pursuant to 17 V.S.A. § 2642 (town meetings and local elections; warning and notice contents).

(d) The posted notice that accompanies the warning shall include information on voter registration, early and absentee voting, the time and location at which the ballots will be counted, and other applicable information.

(e) The warning shall be recorded in the office of the district clerk and shall be provided to the town clerk of each town in the unified elementary or union high school district before being posted.

(f) This subsection shall apply if a union elementary or union high school district elects school board members under the "proportional to town population" model and if it elects those members by a floor vote rather than by Australian ballot.

(1) The election shall be warned as follows:

(A) The district clerk shall transmit the signed warning to each town clerk.

(B) The district clerk shall assist each town clerk to incorporate the warning into the warning for the annual or special meeting of each member district.

(C) Each town clerk, rather than the union district clerk, shall post and publish the warning pursuant to the provisions of subsection (b) of this section.

(2) Notwithstanding any provision of law to the contrary, if any member district elects its own board members by Australian ballot, then the warning, nomination, ballot preparation, and election of union school district board

members shall proceed pursuant to the same laws that govern the member district.

(3) If an annual meeting of a member district at which the union district board members are elected under this subsection is more than 30 days prior to the annual meeting of the union school district, then notwithstanding subsection 747(a) (board members of union elementary and union high school districts) of this chapter, the newly elected board members shall assume office at the conclusion of the union school district's annual meeting.

(g) Notwithstanding any provision of this section to the contrary, a union elementary or union high school district:

(1) shall warn a meeting called for the purpose of considering a bond issue in accordance with the provisions of 24 V.S.A. § 1755; and

(2) shall warn a meeting to consider a revised proposed budget pursuant to the provisions of subsection 750(b) (union elementary or union high school district revised proposed budget) of this chapter.

§ 756. UNION DISTRICT MEETINGS CONDUCTED FROM THE FLOOR

(a) Not later than the close of business on the day before the meeting, the town clerk of each member district of a union elementary or union high school district shall furnish to the union district clerk, at the expense of the union district, authenticated copies of the checklist of legal voters within the member district as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150 (registration of voters). The checklist shall control for purposes of determining voter eligibility in the union elementary or union high school district.

(b) During the annual or special meeting, one or more members of each town's board of civil authority shall assist the union district clerk to determine voter eligibility and to supervise voting during the meeting.

(c) Votes cast at an annual or special meeting shall be commingled and shall not be counted according to the town in which a voter resides.

(d) The provisions of this section shall apply to all votes of the electorate in a union elementary or union high school district that do not proceed by Australian ballot; provided, however:

(1) They shall not apply if Vermont statute explicitly permits or requires a different method for a specific type of question presented to the voters.

(2) They shall not apply to a vote warned pursuant to subsection 755(f) (warnings of union elementary and union high school district meetings;

members elected under proportional to town population model and by floor vote) of this chapter.

(e) If a person who resides in a member district and is otherwise eligible to vote at a union elementary or union high school district meeting has not maintained residence in the member district for the requisite number of days but resided in another member district of the union elementary or union high school district for the requisite number of days, then the town clerk of the member district in which the person currently resides shall enter such person's name on the checklist of legal voters if the person presents to that town clerk a certificate signed by the town clerk of the member district in which the person formally resided confirming that the person lived within the union elementary or union high school district for the requisite number of days.

§ 757. CONDUCT OF VOTE IF BY AUSTRALIAN BALLOT

In any vote that proceeds by Australian ballot in a union elementary or union high school district:

(1) A district voter shall vote by Australian ballot in the town in which the voter currently resides at the polling location identified in the warning.

(2) Voting shall occur in each town on the same day.

(3) The board of civil authority of each town shall be responsible for determining the eligibility of persons to vote and for supervising voting at that polling location.

(4) The opportunity for early and absentee voting pursuant to 17 V.S.A. §§ 2531–2550 (conduct of elections; early or absentee voters) shall be provided.

§ 758. PREPARATION AND FORM OF AUSTRALIAN BALLOT

(a) The clerk of a union elementary or union high school district shall prepare the ballot for any vote that proceeds by Australian ballot in the union school district.

(b) Only questions warned by the union elementary or union high school district and presented to the voters of that district shall appear on a ballot prepared pursuant to subsection (a) of this section.

(c) Warned questions of the union elementary or union high school district shall not appear on the same ballot as questions warned by a member district of the union elementary or union high school district or by the legislative body of a town within the union elementary or union high school district.

§ 759. COUNTING AND REPORTING RESULTS OF VOTE BY
AUSTRALIAN BALLOT

(a) Process if commingled. If the voters have approved the commingling of votes cast by Australian ballot for any or all categories of public questions, including elections and budget votes, or if Vermont law requires commingling, then the following process applies to those votes except to the extent that Vermont law explicitly requires a different process for a specific type of public question.

(1) At least two members of the board of civil authority of each town within a union elementary or union high school district, or two election officials appointed by the board of civil authority of that town, shall transport ballots cast in the member district in a sealed container to a central location designated by the clerk of the union elementary or union high school district.

(2) The boards of civil authority shall not count the ballots for purposes of determining the outcome of the votes cast in the member district prior to transporting them but may open the containers and count the total number of ballots cast at that polling location.

(3) The union elementary or union high school district clerk or designee shall supervise representatives of the boards of civil authority to count ballots at the central location. The union elementary or union high school district clerk shall also have the authority to appoint current union elementary or union high school district board members who are not on the ballot to aid in the counting of ballots

(4) The ballots shall be counted as soon as possible, but not later than 24 hours after the time at which the polls closed.

(5) If ballots are to be counted on the day following the election, then the clerk of each member district shall store the ballots in a secure location until they are transported on the following day to the central location designated by the union district clerk for counting.

(6) Ballots from all member districts shall be combined into a single group before counting and shall not be counted according to the member district or town in which a voter resides.

(7) After the ballots have been counted, the union district clerk shall seal them in a secure container and store them for at least 90 days at a secure location.

(8) The union district clerk shall report the commingled results of votes cast within the union elementary or union high school district to the public.

(b) Process if not commingled. If the voters have not approved the

commingling of votes cast by Australian ballot for budgets, elections, or any other category of public question, and if Vermont law does not require commingling, then the following process applies to those votes except to the extent that Vermont law explicitly requires a different process for a specific type of public question.

(1) The board of civil authority of each town within the union elementary or union high school district shall count Australian ballots cast in the member district and report the results to the clerk of the union district.

(2) The clerk of the union district shall calculate total votes cast within the union district for any vote that requires approval by the electorate of the entire union elementary or union high school district, rather than approval by the voters in one member district or by the voters in each member district separately.

(3) The union district shall report to the public the results of total votes cast; provided, however, that both the union district clerk and the clerk of each member school district shall report the results of ballots cast to elect a union school district board member where membership on the board is apportioned based on town population pursuant to subdivision 748(a)(1) of this chapter.

§ 760. BOND ISSUES; DEBT LIMIT

(a) A union elementary or union high school district may make improvements, as defined by 24 V.S.A. § 1751, and may incur indebtedness for the improvements as provided in 24 V.S.A. chapter 53, subchapter 1.

(b) The debt limit of the union elementary or union high school district shall be 10 times the total of the education grand lists of the member districts of the union school district. The existing indebtedness of a union elementary or union high school district incurred to finance any project approved under sections 3447 to 3456 of this title shall not be considered a part of the indebtedness of the union elementary or union high school district for purposes of determining its debt limit for a new proposed bond issue. An obligation incurred by a union elementary or union high school district pursuant to this chapter shall be the joint and several obligation of the union school district and each of its member districts. Any joint or several obligation incurred by a member district pursuant to this subsection shall not be considered in determining the debt limit for the separate purposes of the member district.

(c) Bond issues under this section shall be determined by Australian ballot and shall proceed pursuant to sections 755 (warnings of union elementary school district and union high school district meetings) and 757–759 (vote by Australian ballot) of this subchapter. Ballots shall be commingled before counting.

Subchapter 5. Districts Formed Pursuant to Prior Laws§ 763. RATIFICATION; ARTICLES OF AGREEMENT; APPLICATION OF CHAPTER

(a) Each union school district in existence on July 1, 2022, is ratified and subject to the provisions of this chapter 11, regardless of whether the district was formed by an affirmative vote of the electorate or by the State Board as part of its “Final Report of Decisions and Order on Statewide School District Merger Decisions Pursuant to [2015 Acts and Resolves No.] 46, Sections 8(b) and 10” dated November 28, 2018 (the Order).

(b) References in this chapter 11 to articles of agreement initially adopted by the voters shall also mean articles of agreement as issued by the State Board as part of the Order.

(c) Articles of agreement in effect on June 30, 2022, as initially adopted by the voters or subsequently amended, shall govern the district unless and until amended; provided, however, and notwithstanding the provisions of 1 V.S.A. § 214 or other laws to the contrary, the provisions of this chapter 11 shall govern in all matters not addressed in the articles of agreement and shall take precedence in the event of conflict with any article.

§ 764. SECRETARY OF STATE; RECORDING CERTIFICATES

(a) To ensure that documentary evidence relating to the creation of union school districts can be found in one location, the Secretary of Education shall forward to the Secretary of State copies of the certifications designating the existence of each new union school district created pursuant to the State Board’s “Final Report of Decisions and Order on Statewide School District Merger Decisions Pursuant to 2015 Acts and Resolves No. 46, Sections 8(b) and 10” dated November 28, 2018 (the Order).

(b) The Secretary of State shall record the certifications and all subsequent amendments and addenda to the certifications.

(c) The Secretary of State shall file a certified copy of the recorded certification and any amendments or addenda with the elected clerk of each union school district created by the Order.

**Sec. 4. WITHDRAWAL ACTIONS APPROVED BY STATE BOARD;
NEW DISTRICTS WITH AN OPERATIONAL DATE ON OR
AFTER JULY 1, 2023**

(a) Application of this section. This section shall apply solely to a withdrawal action initiated pursuant to the provisions of 16 V.S.A. § 724 that were in effect prior to the effective date of Sec. 3 of this act (former 16 V.S.A. § 724), if each of the following actions occurred prior to that effective date:

(1) the State Board of Education gave final approval to the voter-approved and voter-ratified proposal to withdraw from the union school district;

(2) the State Board declared a new school district to be reconstituted;

(3) the State Board established the new school district's operational date as July 1, 2023 or after;

(4) the voters of the new school district elected school board members;

(5) the voters of the towns within the union district voted to approve the financial terms of withdrawal negotiated by the boards of the new school district and the union district; and

(6) the State Board charged the new school district and its board with performing the transitional activities necessary to assume sole responsibility for the education of resident students on the identified operational date.

(b) Vote of the board of the new school district; operational date. Before July 1, 2022, the board of the new school district shall vote whether to move forward with preparing for the operational date in effect on July 1, 2022 (current operational date) or whether to extend the operational date by one year. If the school board votes to extend the operational date, the operational date shall be extended to one year from the current operational date (new operational date). The board of the new school district shall notify the State Board and clerk of the union district of its decision and operational date on or before July 1, 2022. The State Board shall then review the preparedness of the new school district pursuant to subsection (c) or (d) of this section depending on the operational date. The decision of the State Board shall be final regardless of whether it occurs in 2022 or 2023.

(c) Operational date in effect as of July 1, 2022; State Board review and action.

(1) Report. If the board of the new school district votes to move forward with preparing for the current operational date, it shall submit a written status report to the Board detailing the actions the district has taken and will take to ensure that, as of its operational date, the district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. § 165 and to ensure the provision of supervisory union services. The status report shall include a timeline indicating the date by which each action shall be complete and the report shall be submitted to the State Board on or before the State Board's regular July 2022 meeting.

(2) State Board review and action. The State Board shall consider the status report and provide the board of the new school district an opportunity to be heard at a meeting located in the new school district. The State Board may also take testimony from other entities including the union school district and the Secretary of Education. The State Board shall issue a determination of preparedness based on the review and report on or before September 1, 2022.

(A) Preparedness deemed likely. If the State Board determines that it is likely the new school district will be prepared on the current operational date to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and to ensure the provision of supervisory union services, then the new school district, the union district, and, if applicable, the supervisory union or unions shall continue to take all actions necessary to prepare for the realignment of duties on the operational date.

(B) Preparedness deemed unlikely. If the State Board determines there is a reasonable risk that the new school district will not be able to be prepared on the current operational date to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165, and to ensure the provision of supervisory union services, then:

(i) the State Board shall reverse and void earlier declarations approving withdrawal and reconstituting the new school district and the withdrawal action initiated pursuant to the former 16 V.S.A. § 724 is concluded; provided, however, upon order of the State Board, the new school district and its board may continue to exist for up to six months after the date of the State Board's determination for the sole purpose of completing any outstanding business that cannot legally be performed by another entity;

(ii) the petitioning town shall be a town within the union district;

(iii) the State Board's determination of reasonable risk and the resulting consequences imposed by such a determination shall be final and shall conclude the withdrawal action initiated pursuant to the provisions of the former 16 V.S.A. § 724;

(iv) if voters residing in any town within the union district wish to initiate new withdrawal procedures, then they shall do so pursuant to the process set forth in Sec. 3, 16 V.S.A. § 724, of this act; and

(v) the State Board may make any declarations and take any actions, including recording certifications with the Secretary of State, that are necessary to support the consequences outlined in this subdivision (2)(B).

(d) Extension of operational date; State Board review and action.

(1) Notification to State Board. If the board of the new school district voted to extend the operational date to one year from the operational date in effect on July 1, 2022, then the board shall notify the State Board of Education of the new operational date pursuant to subsection (b) of this section and shall continue to take all actions necessary to prepare for the realignment of duties on the new operational date. The State Board may ask for updates from the board of the new school district on preparedness efforts at any point before its regular July 2023 meeting.

(2) Report. On or before the regular July 2023 State Board meeting, the new school district shall submit a written status report to the Board detailing the actions the district has taken and will take to ensure that as of its new operational date the district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. § 165 and to ensure the provision of supervisory union services. The status report shall include a timeline indicating the date by which each action shall be complete.

(3) State Board review and action. The State Board shall consider the status report and provide the board of the new school district an opportunity to be heard at a meeting located in the new school district. The State Board may also take testimony from other entities including the union school district and the Secretary of Education. The State Board shall issue a determination of preparedness based on the review and the report on or before September 1, 2023.

(A) Preparedness deemed likely. If the State Board determines that it is likely the new school district will be prepared on the new operational date to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and to ensure the provision of supervisory union services, then the new school district, the union district, and, if applicable, the supervisory union or unions shall continue to take all actions necessary to prepare for the realignment of duties on the operational date.

(B) Preparedness deemed unlikely. If the State Board determines there is a reasonable risk that the new school district will not be able to be prepared on the new operational date to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and to ensure the provision of supervisory union services, then:

(i) the State Board shall reverse and void earlier declarations approving withdrawal and reconstituting the new school district and the withdrawal action initiated pursuant to the former 16 V.S.A. § 724 is

concluded; provided, however, upon order of the State Board, the new school district and its board may continue to exist for up to six months after the date of the State Board's determination for the sole purpose of completing any outstanding business that cannot legally be performed by another entity;

(ii) the petitioning town shall be a town within the union district;

(iii) the State Board's determination of reasonable risk and the resulting consequences imposed by such a determination shall be final and shall conclude the withdrawal action initiated pursuant to the provisions of the former 16 V.S.A. § 724;

(iv) if voters residing in any town within the union district wish to initiate new withdrawal procedures, then they shall do so pursuant to the process set forth in Sec. 3, 16 V.S.A. § 724, of this act; and

(v) the State Board may make any declarations and take any actions, including recording certifications with the Secretary of State, that are necessary to support the consequences outlined in this subdivision (3)(B).

(e) Repeal. This section is repealed on July 1, 2024.

Sec. 5. WITHDRAWAL PROPOSALS ON WHICH THE STATE BOARD
HAS NOT TAKEN ACTION; ALTERNATIVE GOVERNANCE
PROPOSAL PREVIOUSLY PRESENTED

(a) Application of this section.

(1) For purposes of this section and notwithstanding any provision of law to the contrary, the provisions of 16 V.S.A. § 724 that were in effect prior to the effective date of Sec. 3 of this act (former 16 V.S.A. § 724) are deemed to authorize withdrawal from a unified union school district created by the State Board of Education in its "Final Report of Decisions and Order on Statewide School District Merger Decisions Pursuant to Act 46, Secs. 8(b) and 10" dated November 28, 2018 (Order).

(2) This section shall apply solely to a withdrawal action initiated by a town within a union district (petitioning town) pursuant to the former 16 V.S.A. § 724 if each of the following actions occurred prior to the effective date of Sec. 3 of this act:

(A) the State Board created the union district in its Order;

(B) prior to issuance of the Order, the districts that merged to form the union district submitted a proposal to the Secretary of Education and the State Board setting forth the details of their self-evaluation and a proposal for an alternative governance structure pursuant to 2015 Acts and Resolves No. 46, Sec. 9 (Section 9 proposal);

(C) the voters of the petitioning town approved a proposal to withdraw from the union district;

(D) the voters of each of the other towns within the union district ratified the petitioning town's proposal to withdraw; and

(E) the State Board of Education has not approved or taken action to approve the withdrawal proposal or to declare that a new school district is reconstituted.

(b) Report and plan. At any time after the effective date of this section, but on or before the regular September 2022 State Board meeting, the self-selected representatives of the petitioning town and the board of the union district shall submit to the State Board in writing:

(1) A report explaining the ways in which the current plan of the petitioning town and the union district for operation after withdrawal conforms to or differs from the Section 9 proposal.

(2) A plan, including a timeline, identifying the actions the petitioning town and the union district have taken and will take to transition to the proposed structure and to ensure that, as of an identified operational date, the proposed new school district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. § 165, including the actions necessary to transition to the proposed method by which supervisory union services would be provided. At a minimum, the plan and timeline should include the actions identified in subsection (d) of this section.

(c) State Board review and action.

(1) Review. The State Board shall consider the report and plan and shall provide the self-selected representatives of the petitioning town and the board of the union district an opportunity to be heard. The Board may, in its discretion, take testimony from other individuals and entities.

(2) Preparedness determination and vote to approve withdrawal. The State Board shall determine if it is likely or unlikely the proposed new school district, on the proposed operational date, will be prepared to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and also whether it is likely or unlikely that supervisory union services will be available to both the proposed new school district and the union district on the operational date. If the State Board determines preparedness is unlikely, it shall issue a written advisory statement detailing the factors underlying its conclusion, which shall be posted on its website. Upon making its preparedness determination, the State Board shall vote to:

(A) approve the withdrawal proposal;

(B) approve any motion necessary for the withdrawal process to proceed pursuant to subsection (d) of this section, including a motion to create a new school district as of the date of the motion in order to enable the election of members to the board of the proposed new school district, negotiation and voter approval of a withdrawal agreement pursuant to the former 16 V.S.A. § 724(c), and preparation to assume full responsibility for the education of resident students on the operational date;

(C) determine or set a schedule for determining the manner in which supervisory union services will be provided to the proposed new school district and, if appropriate, the union district to be effective on the proposed new school district's operational date; and

(D) make any other findings or declarations and approve any other motions that are related and necessary to the withdrawal proposal.

(d) Actions necessary to be fully operational. After the State Board makes its determination of preparedness and approves the withdrawal process pursuant to subdivision (c)(2) of this section, then the new school district, the union district, and, if applicable, the supervisory union or unions shall take all actions necessary to be fully operational on the operational date. At a minimum, the required necessary actions shall include:

(1) election of initial school board members by the voters of the new school district, whose terms of office shall be arranged so that one each expires on the day of the second, third, and fourth annual meeting of the new school district, and whose sole responsibility until the new school district's operational date shall be to prepare for the district to assume sole responsibility for the education of resident students on that date;

(2) negotiation of the proposed financial terms of withdrawal by the board of the new school district and the board of the union district in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(3) approval by the voters of each town within the union district of the negotiated proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(4) preparation of a proposed budget by the board of the new school district for the fiscal year beginning on the district's operational date, together with presentation to and approval by the district's voters prior to that date;

(5) preparation for the provision of supervisory union services to the new school district and, if applicable, for the transition of the union school district from a supervisory district structure to a supervisory union structure;

and

(6) all other actions necessary to transition from one school district to two districts and, if applicable, to transition from a supervisory district structure to a supervisory union structure, including all actions necessary to address the collectively bargained rights of employees of the current employing entity.

(e) Preparedness deemed unlikely.

(1) If the State Board determines preparedness is unlikely and issues a written advisory statement detailing the factors underlying its conclusion pursuant to subdivision (c)(2) of this section, it shall electronically transmit the advisory statement to the board of the new school district upon its election.

(2) Upon receipt of the advisory statement, the board of the new school district shall post the document on its website and schedule the contents as a topic for public discussion at a special or regular board meeting.

(3) Prior to the operational date and after public discussion and any board deliberations:

(A) The board of the new school district may continue to take all actions necessary to prepare for the realignment of duties on the operational date.

(B) On its own motion, or if petitioned to do so by at least five percent of the voters in the new school district, the board of the new school district shall warn a vote to request the State Board to reverse its declaration approving withdrawal and reconstituting the new school district. The vote shall be held before the October 1 prior to the operational date.

(i) The question shall be decided by Australian ballot.

(ii) Within 45 days after the vote or 15 days after a vote to reconsider under 17 V.S.A. § 2661, whichever is later, the clerk of the new school district shall certify the results of the vote to the Secretary of State who shall record the certificate and give notice of the vote to the clerk of the union district, the clerks of each of the other towns within the union district, and the Secretary of Education. The clerk of the new school district shall submit the certification regardless of whether the voters in the district voted to petition the State Board to reverse its declarations.

(4) If the new school district requests the State Board to take action under subdivision (3) of this subsection, then:

(A) the State Board shall reverse and void earlier declarations approving withdrawal and reconstituting the new school district and the

withdrawal action initiated pursuant to the former 16 V.S.A. § 724 is concluded; and

(B) the union school district shall continue to be solely responsible for the education of the students residing in the town that petitioned for withdrawal; provided, however:

(i) the new school district and its board shall continue to exist for up to six months after the day on which the State Board reverses and voids its earlier declarations for the sole purpose of completing any outstanding business that cannot legally be performed by another entity; and

(ii) the State Board may make any declarations and take any actions, including recording certifications with the Secretary of State, that are necessary to support the consequences outlined in this subdivision (e)(4).

(f) Application of this section to withdrawal from a union elementary or union high school district.

(1) The processes outlined in this section shall apply to an action of a member school district to withdraw from a union elementary or union high school district if the five elements set forth in subdivisions (A)–(E) of subdivision (a)(2) are met.

(2) For purposes of applying the process in this section to withdrawal from a union elementary or union high school district under this subsection, the terms used in subsections (a) through (e) have the following meanings:

(A) “Petitioning town” means the member district of the union elementary or union high school district that initiated the withdrawal process pursuant to the provisions of 16 V.S.A. § 721a that were in effect prior to the effective date of Sec. 3 of this act.

(B) “Selectboard” means the board of the member district that initiated the withdrawal process pursuant to the provisions of 16 V.S.A. § 721a that were in effect prior to the effective date of Sec. 3 of this act.

(C) “Town within the union school district” means a member district of the union elementary or union high school district.

(g) Repeal. This section is repealed on July 1, 2024.

**Sec. 6. WITHDRAWAL PROPOSALS ON WHICH THE STATE BOARD
HAS NOT TAKEN ACTION; UNION DISTRICT CREATED BY
THE ELECTORATE**

(a) Application of this section. This section shall apply solely to a withdrawal action initiated by a town within a union district (petitioning town) pursuant to the provisions of 16 V.S.A. § 724 that were in effect prior to the

effective date of Sec. 3 of this act (former 16 V.S.A. § 724) if each of the following actions occurred prior to that date:

(1) the union district formed pursuant to the provisions of 16 V.S.A. §§ 706–706j that were in effect prior to the effective date of Sec. 3 of this act;

(2) the voters of the petitioning town approved a proposal to withdraw from the union district;

(3) the voters of each of the other towns within the union district ratified the petitioning town’s proposal to withdraw; and

(4) the State Board of Education has not approved or taken action to approve the withdrawal proposal or to declare that a new school district is reconstituted.

(b) Decision regarding timing of State Board review. At any time before July 1, 2022, the self-selected representatives of the petitioning town shall decide whether to begin a State Board of Education review of their withdrawal proposal in July of 2022 or July of 2023 and shall transmit their decision and proposed operational date to the State Board of Education and the clerk of the union district. The State Board shall review the withdrawal proposal only once. If the review of the withdrawal proposal occurs in 2023, the State Board may ask for updates from the self-selected members of the petitioning town on preparedness efforts prior to the final withdrawal proposal review. The decision of the State Board shall be final regardless of whether it occurs in 2022 or 2023.

(c) Report and plan. On or before the second Wednesday of July in the year in which the review will occur, the self-selected representatives of the petitioning town shall submit a written report and plan to the State Board and shall indicate to the State Board that the documents are submitted pursuant to this section.

(1) Report. The report shall describe the analysis that has been performed by the petitioning town to evaluate the likely strengths and challenges for the proposed new school district and for the reconfigured union district if withdrawal is approved and the ways in which withdrawal would enable both districts to provide for the education of their respective resident students in a manner that will meet educational quality standards as required by 16 V.S.A. § 165. The report shall address:

(A) the educational advantages and disadvantages likely to result from withdrawal for the students in the proposed new school district and the students in the remaining towns within the union district and the ways in which they are preferable to those of continuing in the current governance structure;

(B) the financial advantages and disadvantages likely to result from withdrawal for the taxpayers in the proposed new school district and the taxpayers in the remaining towns within the union district and the ways in which they are preferable to those of continuing in the current governance structure;

(C) the likely operational and financial viability and sustainability of the proposed new school district and the union district after withdrawal of the petitioning town;

(D) any other advantages and disadvantages of withdrawal, including any advantages and disadvantages to the students and taxpayers of the region and the State; and

(E) the potential source of supervisory union services for the new school district and, if appropriate, for the union district, including discussions with the board of any supervisory union to which the petitioning town proposes assignment.

(2) Plan. The plan shall describe the actions that the petitioning town has taken and will take to ensure that, as of its proposed operational date, the proposed new district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. § 165, including the actions necessary to transition to the proposed method by which supervisory union services would be provided. The plan shall include a timeline indicating the date by which each action will be complete. At a minimum, the plan and timeline should include the actions identified in subsection (e) of this section.

(d) Review and preparedness determination by the State Board.

(1) Review. The State Board shall consider the report and plan and provide the self-selected representatives of the petitioning town and the board of the union district an opportunity to be heard at a meeting held at a location within the petitioning town. The State Board may also take testimony from other individuals and entities, including the Secretary of Education and any supervisory union that has been identified as a potential source of supervisory union services for the proposed new school district. The State Board shall issue a determination of preparedness as soon as possible after receipt of the report and plan but in no event later than September 1, 2022 or September 1, 2023, as applicable, based on the decision of the self-selected representatives of the petitioning town made pursuant to subsection (b) of this section.

(2) Preparedness deemed likely; State Board of Education action. If the State Board determines that it is likely the proposed new school district on the

proposed operational date will be prepared to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and that it is also likely supervisory union services will be available to the proposed new school district, then it shall vote to:

(A) approve the withdrawal proposal;

(B) approve any motion necessary for the withdrawal process to proceed pursuant to subsection (e) of this section, including a motion to create a new school district as of the date of the motion in order to enable the election of members to the board of the proposed new school district, negotiation and voter approval of a withdrawal agreement pursuant to the former 16 V.S.A. § 724(c), and preparation to assume full responsibility for the education of resident students on the operational date;

(C) determine or set a schedule for determining the manner in which supervisory union services will be provided to the proposed new school district and, if appropriate, the union district, to be effective on the proposed new school district's operational date; and

(D) make any other findings or declarations and approve any other motions that are related and necessary to the withdrawal proposal.

(3) Preparedness deemed unlikely. If the State Board determines there is a reasonable risk that the proposed new school district will not be able to be prepared on the proposed operational date to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and to ensure the provision of supervisory union services, and that the criteria will not be met by postponing the operational date, then:

(A) the State Board shall declare that the petitioning town's proposal to withdraw initiated under the former 16 V.S.A. § 724 is denied;

(B) the petitioning town shall remain a town within the union district;

(C) the State Board's determination of reasonable risk and the resulting consequences imposed by such a determination shall be final and shall conclude the withdrawal action initiated pursuant to the provisions of the former 16 V.S.A. § 724; and

(D) if voters residing in any town within the union district wish to initiate new withdrawal procedures, then they shall do so pursuant to the process set forth in Sec. 3, 16 V.S.A. § 724, of this act.

(e) Preparedness deemed likely; next steps. If the State Board approves the

withdrawal process pursuant to subdivision (d)(2) of this section, then the new school district, the union district, and, if applicable, the supervisory union or unions shall take all actions necessary to be fully operational on the identified operational date. At a minimum, the required necessary actions shall include:

(1) election of initial school board members by the voters of the new school district, whose terms of office shall be arranged so that one each expires on the day of the second, third, and fourth annual meeting of the new school district and whose sole responsibility until the new school district's operational date shall be to prepare for the district to assume sole responsibility for the education of resident students on that date;

(2) negotiation by the board of the new school district and the board of the union district of the proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(3) approval by the voters of each town within the union district of the negotiated proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(4) preparation of a proposed budget by the board of the new school district for the fiscal year beginning on the district's operational date, together with presentation to and approval by the district's voters prior to that date;

(5) preparation for the provision of supervisory union services to the new school district and, if applicable, for the transition of the union school district from a supervisory district structure to a supervisory union structure; and

(6) all other actions necessary to transition from one school district to two districts and, if applicable, to transition from a supervisory district structure to a supervisory union structure, including any actions necessary to address the collectively bargained rights of employees of the former employing entity.

(f) Repeal. This section is repealed on July 1, 2025.

Sec. 7. WITHDRAWAL PROPOSALS; NO FINAL RATIFICATION VOTES

(a) Application of this section. This section shall apply solely to a withdrawal action initiated by a town within a union district (petitioning town) pursuant to the provisions of 16 V.S.A. § 724 that were in effect prior to the effective date of Sec. 3 of this act (former 16 V.S.A. § 724) if each of the following actions occurred prior to that date:

(1) the union district formed pursuant to the provisions of 16 V.S.A. §§ 706–706j that were in effect prior to the effective date of Sec. 3 of this act;

(2) a vote in the petitioning town to approve a withdrawal proposal was warned to occur on or before June 1, 2022; and

(3) the voters of each of the other towns within the union district have not voted whether to ratify the withdrawal proposal prior to the effective date of this section or they each voted but the votes are not final prior to the effective date.

(b) Vote of the other towns within the union district. If the voters in the petitioning town vote to approve withdrawal, then within 90 days after the town clerks in the other towns within the union district receive notice from the Secretary of State pursuant to the former 16 V.S.A. § 724(b) that the vote in the petitioning town is final, the voters of the other towns within the union district shall vote whether to ratify the withdrawal proposal. The question shall be determined by Australian ballot and shall proceed pursuant to Sec. 3, 16 V.S.A. § 737 (warnings of unified union school district meetings) and §§ 739–741 (vote by Australian ballot) of this act. The ballots shall not be commingled.

(1) Vote not to ratify withdrawal. If a majority of the voters in one or more towns within the union district do not vote in favor of withdrawal, then the proposed withdrawal shall not occur. The voters residing in any town within the union district may initiate new withdrawal procedures pursuant to the process set forth in Sec. 3, 16 V.S.A. § 724, of this act.

(2) Vote in favor of withdrawal. If a majority of the voters in all towns within the union district vote in favor of withdrawal, then the withdrawal process shall proceed pursuant to subsections (c)–(e) of this section.

(c) Decision regarding timing of State Board review. Within 30 days after the ratification votes of the other towns within the union district are final, the self-selected representatives of the petitioning town shall decide whether to undergo a State Board of Education review of the withdrawal proposal in 2022 or 2023 and shall transmit their decision and proposed operational date to the State Board of Education and clerk of the union district. In accordance with the decision of the self-selected representatives of the petitioning town regarding the year in which the withdrawal proposal shall be reviewed, the State Board, in consultation with the self-selected representatives, shall determine the date the final withdrawal proposal review will begin and transmit the date to the self-selected representatives of the petitioning town and the clerk of the union school district. The State Board shall review the withdrawal proposal only once. If the review of the withdrawal proposal occurs in 2023, the State Board may ask for updates from the self-selected members of the petitioning town on preparedness efforts prior to the final withdrawal proposal review. The decision of the State Board shall be final

regardless of whether it occurs in 2022 or 2023.

(d) Report and plan. On or before the date set by the State Board to begin the final withdrawal proposal review, the self-selected representatives of the petitioning town shall submit a written report and plan to the State Board and shall indicate to the State Board that the documents are submitted pursuant to this section.

(1) Report. The report shall describe the analysis that has been performed by the petitioning town to evaluate the likely strengths and challenges for the proposed new school district and for the reconfigured union district if withdrawal is approved and the ways in which withdrawal would enable both districts to provide for the education of their respective resident students in a manner that will meet educational quality standards as required by 16 V.S.A. § 165. The report shall address:

(A) the educational advantages and disadvantages likely to result from withdrawal for the students in the proposed new school district and the students in the remaining towns within the union district and the ways in which they are preferable to those of continuing in the current governance structure;

(B) the financial advantages and disadvantages likely to result from withdrawal for the taxpayers in the proposed new school district and the taxpayers in the remaining towns within the union district and the ways in which they are preferable to those of continuing in the current governance structure;

(C) the likely operational and financial viability and sustainability of the proposed new school district and the union district after withdrawal of the petitioning town;

(D) any other advantages and disadvantages of withdrawal, including any advantages and disadvantages to the students and taxpayers of the region and the State; and

(E) the potential source of supervisory union services for the new school district and, if appropriate, for the union district, including discussions with the board of any supervisory union to which the petitioning town proposes assignment.

(2) Plan. The plan shall describe the actions that the petitioning town has taken and will take to ensure that, as of its proposed operational date, the proposed new district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. § 165, including the actions necessary to transition to the proposed method by which

supervisory union services would be provided. The plan shall include a timeline indicating the date by which each action will be complete. At a minimum, the plan and timeline should include the actions identified in subsection (f) of this section.

(e) Review and preparedness determination by the State Board.

(1) Review. The State Board shall consider the report and plan and provide the self-selected representatives of the petitioning town and the board of the union district an opportunity to be heard at a meeting held at a location within the petitioning town. The State Board may also take testimony from other individuals and entities including the Secretary of Education and any supervisory union that has been identified as a potential source of supervisory union services for the proposed new school district. The State Board shall issue a determination of preparedness as soon as possible after receipt of the report and plan but in no event later than 90 days after the date set by the State Board to begin the final withdrawal proposal review.

(2) Preparedness deemed likely; State Board of Education action. If the State Board determines that it is likely the proposed new school district on the proposed operational date will be prepared to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and that it is also likely supervisory union services will be available to the proposed new school district, then it shall vote to:

(A) approve the withdrawal proposal;

(B) approve any motion necessary for the withdrawal process to proceed pursuant to subsection (f) of this section, including a motion to create a new school district as of the date of the motion in order to enable the election of members to the board of the proposed new school district, negotiation and voter approval of a withdrawal agreement pursuant to the former 16 V.S.A. § 724(c), and preparation to assume full responsibility for the education of resident students on the operational date;

(C) determine or set a schedule for determining the manner in which supervisory union services will be provided to the proposed new school district and, if appropriate, the union district, to be effective on the proposed new school district's operational date; and

(D) make any other findings or declarations and approve any other motions that are related and necessary to the withdrawal proposal.

(3) Preparedness deemed unlikely. If the State Board determines there is a reasonable risk that the proposed new school district will not be able to be prepared on the proposed operational date to assume full responsibility for the

education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and to ensure the provision of supervisory union services, and that the criteria will not be met by postponing the operational date, then:

(A) the State Board shall declare that the petitioning town's proposal to withdraw initiated under the former 16 V.S.A. § 724 is denied;

(B) the petitioning town shall remain a town within the union district;

(C) the State Board's determination of reasonable risk and the resulting consequences imposed by such a determination shall be final and shall conclude the withdrawal action initiated pursuant to the provisions of the former 16 V.S.A. § 724; and

(D) if voters residing in any town within the union district wish to initiate new withdrawal procedures, then they shall do so pursuant to the process set forth in Sec. 3, 16 V.S.A. § 724, of this act.

(f) Preparedness deemed likely; next steps. If the State Board approves the withdrawal process pursuant to subdivision (e)(2) of this section, then the new school district, the union district, and, if applicable, the supervisory union or unions shall take all actions necessary to be fully operational on the identified operational date. At a minimum, the required necessary actions shall include:

(1) election of initial school board members by the voters of the new school district, whose terms of office shall be arranged so that one each expires on the day of the second, third, and fourth annual meeting of the new school district and whose sole responsibility until the new school district's operational date shall be to prepare for the district to assume sole responsibility for the education of resident students on that date;

(2) negotiation by the board of the new school district and the board of the union district of the proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(3) approval by the voters of each town within the union district of the negotiated proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(4) preparation of a proposed budget by the board of the new school district for the fiscal year beginning on the district's operational date, together with presentation to and approval by the district's voters prior to that date;

(5) preparation for the provision of supervisory union services to the new school district and, if applicable, for the transition of the union school district from a supervisory district structure to a supervisory union structure;

and

(6) all other actions necessary to transition from one school district to two districts and, if applicable, to transition from a supervisory district structure to a supervisory union structure, including any actions necessary to address the collectively bargained rights of employees of the former employing entity.

(g) Repeal. This section is repealed on July 1, 2025.

Sec. 8. TEMPORARY MORATORIUM ON UNION SCHOOL DISTRICT SCHOOL CLOSURES

(a) Notwithstanding any provision of law to the contrary, a union school district shall be prohibited from closing a school building within its district unless the school building closure has already been accounted for in the fiscal year 2023 school budget or the closure is approved by the district voters residing in the town in which the building is located. For the purposes of this section, “closing a school building ” means the district ceases to use the building to provide direct education for a majority of the grades operated within the building on or before July 1, 2022.

(b) This section is repealed on July 1, 2024.

Sec. 9. UNION SCHOOL DISTRICT CLOSURES; REPORT

On or before September 1, 2023, the Agency of Education shall issue a written report to the Senate and House Committees on Education on union school district school building closures. In preparing the report, the Agency shall consult with the State Board of Education, the Vermont School Boards Association, the Vermont Principals’ Association, the Vermont Superintendents Association, the Vermont National Education Association, and the Vermont League of Cities and Towns. The Agency shall also solicit and consider comments from the public. The report shall include:

(1) an examination of examples of recent school closures, or attempted school closures, within union school districts and identification of common trends and issues;

(2) an examination of the impact school closures have had or are anticipated to have on towns or member districts seeking to withdraw from a union school district;

(3) an examination of the issues leading a school board to consider closing a school building, the options to address the issue that could be employed instead of school closure, and the impact the inability to close a school building has had or is expected to have on the union school district or any of the towns or member districts within it;

(4) an examination of the factors that should be used to determine school viability and sustainability and how those factors relate to school closure decisions;

(5) an examination of the advantages and disadvantages of creating a consistent statewide process for union school district school closures and a common definition of what actions constitute a closure;

(6) recommendations on school closure standards and processes; and

(7) recommendations for legislative action, including recommended legislative language.

Sec. 10. UNION SCHOOL DISTRICT WITHDRAWAL; ANNUAL REPORT

The Agency of Education shall make an annual report to the Senate and House Committees on Education on or before January 15. The report shall include a detailed analysis of each union school district withdrawal action the Agency reviewed during the preceding year. The report shall also include any recommendations for legislative action.

Sec. 11. 16 V.S.A. § 1804 is added to read:

§ 1804. EMPLOYMENT TRANSITION; NEW SCHOOL DISTRICT CREATED UPON WITHDRAWAL FROM A UNION SCHOOL DISTRICT

(a) Definitions. The definitions in section 1801 of this subchapter shall not apply to this section. As used in this section:

(1) “Expanded district” means a school district:

(A) that was responsible for the education of students residing in a single town for some, but not all, grades, whether by operating all grades, tuitioning all grades, or operating some grades and paying tuition for others; and

(B) that, as the result of its withdrawal from a union elementary or union high school district pursuant to section 725 of this title, is solely responsible for the education of its resident students in all grades prekindergarten through grade 12, whether by operating all grades, tuitioning all grades, or operating some grades and paying tuition for others.

(2) “New district” means:

(A) a school district created by withdrawal from a unified union school district pursuant to section 724 of this title that is responsible for the prekindergarten through grade 12 education of students residing in a single

town, whether by operating all grades, tuitioning all grades, or operating some grades and paying tuition for others;

(B) a school district responsible for the prekindergarten through grade 12 education of students residing in a single town, whether by operating all grades, tuitioning all grades, or operating some grades and paying tuition for others, that was formed when another town's withdrawal from a unified union school district resulted in dissolution of the union district;

(C) an expanded district that did not operate any schools immediately prior to withdrawal and, after withdrawal, operates a school in one or more of the grades previously operated by the union district; or

(D) a school district created by withdrawal from a union elementary or union high school district pursuant to section 725 of this title if prior to withdrawal the withdrawing member was a member of both a union elementary school district and a union high school district, was not independently organized as a district responsible for the education of students in any grade, and did not have a town school district board.

(3) "Operational date" means the date on which a new district or an expanded district assumes full and sole responsibility for the education of its resident students in the grades for which the union district was previously responsible. "Initial operational year" and "second operational year" mean the year commencing on the operational date and the year immediately following the initial operational year, respectively.

(4) "Transitional period" means the period of time beginning on the day on which the State Board declares the creation and existence of the new district or the expanded district pursuant to subdivision 724(h)(2) or 725(h)(2) of this title and continuing until the new district's or newly expanded district's operational date.

(b) Negotiations council and recognized representatives of a new district. At its first meeting during the transitional period, the board of a new district shall:

(1) appoint a school board negotiations council for the new district for the purpose of negotiating with the representatives of future licensed and nonlicensed employees of the new district; and

(2) recognize the representative of the employees of the union school district as the recognized representative of the employees of the new district.

(c) Employment agreements for the initial and second operational years of a new district.

(1) After the new district's organizational meeting, the new district's

school board negotiations council and the representative of the employees of the new district shall commence negotiations relating to the employment of licensed and nonlicensed employees in the initial operational year. Negotiations shall be conducted pursuant to the provisions of chapter 57 of this title for teachers and administrators and 21 V.S.A. chapter 22 for other employees. The negotiations council or councils representing employees of the union school district shall represent the employees of the new district unless and until the exclusive representative for employees of the new district designates new representatives to a negotiations council.

(2) If the parties do not ratify a new agreement at least 90 days prior to the new district's operational date, then the new district and its employees shall be governed by the terms of the collectively bargained agreement in place for the union district for the year preceding the initial operational year unless and until the parties agree otherwise.

(d) Non-probationary employees; changes to seniority and other provisions. For each new district and its employees, whether governed by an agreement in the initial operational year pursuant to subdivision (c)(1) or (c)(2) of this section:

(1) an employee of the union district in the year preceding the initial operational year who was not a probationary employee of the union district at the conclusion of that year shall not be considered a probationary employee if employed by the new district in the initial operational year; and

(2) prior to the operational date, the board of the union district, the board of the new district, and the representative of the employees of the union district may negotiate a temporary memorandum of understanding to adjust provisions in the union district contract regarding seniority, reductions in force, layoff, and recall in order to assist the workforce needs of both the union district and the new district and the best interests of the licensed and nonlicensed employees they employ.

(e) Individual employment contracts not covered by a collective bargaining agreement. On its operational date, the new district shall assume the obligations of each existing individual employment contract, including accrued leave and associated benefits, of any union district employee not covered by a collective bargaining agreement who worked in the building located in the new district in the year preceding the initial operational year and who chooses to continue to work in the same capacity in that building in the initial operational year.

(f) Supervisory unions. If the State Board creates a new supervisory union to provide services to the new district and one or more other school districts,

then the provisions of subsections (b) through (e) of this section shall apply to the transition of any employee who was employed by the union district in the year prior to the initial operational year to provide services typically provided by a supervisory union employee, if the employee is employed by the new supervisory union in the initial operational year to provide the same services, with the board of the new supervisory union assuming the responsibilities of the board of the new district as outlined in subsections (b) through (e) of this section.

Sec. 12. APPLICATION OF EMPLOYMENT TRANSITION PROVISIONS

The provisions of Sec. 11 of this act shall also apply to any school district with an operational date of July 1, 2023 or later if the State Board of Education created the district as the result of a withdrawal action initiated pursuant to the terms of 16 V.S.A. § 721a or § 724 that were in effect on January 1, 2022.

Sec. 13. EFFECTIVE DATE

This act shall take effect on passage.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Rep. Conlon of Cornwall** moved that the House refuse to concur and ask for a Committee of Conference, which was agreed to, and the Speaker appointed as members of the Committee of Conference on the part of the House:

Rep. Conlon of Cornwall

Rep. Toof of St. Albans Town

Rep. Brady of Williston

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

Recess

At eleven o'clock and eighteen minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

At one o'clock and eighteen minutes in the afternoon, the Speaker called the House to order.

**Senate Proposal of Amendment Concurred in
With a Further Amendment Thereto**

H. 729

The Senate proposed to the House to amend House bill, entitled

An act relating to miscellaneous judiciary procedures

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

* * * Cross Reference Corrections * * *

Sec. 1. 12 V.S.A. § 4853a is amended to read:

§ 4853a. PAYMENT OF RENT INTO COURT; EXPEDITED HEARING

* * *

(c) Any memorandum in opposition filed by the defendant pursuant to Rule ~~78(b)~~ (7)(b)(6) of the Vermont Rules of Civil Procedure shall be accompanied by affidavit setting forth particular facts in support of the memorandum.

* * *

Sec. 2. 12 V.S.A. § 4853b is amended to read:

§ 4853b. UNLAWFUL OCCUPANT; EXPEDITED HEARING

* * *

(c) At any time before the hearing, the defendant may oppose the motion pursuant to Rule ~~78(b)~~ (7)(b)(6) of the Vermont Rules of Civil Procedure by filing an affidavit, a signed written statement, or a memorandum in opposition to the motion. The affidavit, signed written statement, or memorandum shall set forth particular facts to show that a genuine dispute of fact exists in relation to the motion.

* * *

* * * Notarization of Affidavits in Relief from Abuse Proceedings * * *

Sec. 3. 15 V.S.A. § 1104 is amended to read:

§ 1104. EMERGENCY RELIEF

(a) In accordance with the Vermont Rules of Civil Procedure, temporary orders under this chapter may be issued ex parte, without notice to the defendant, upon motion and findings by the court that the defendant has abused the plaintiff or the plaintiff's children, or both. The plaintiff shall submit an affidavit in support of the order, which may be sworn to or affirmed

by administration of the oath over the telephone to the applicant by an employee of the Judiciary authorized to administer oaths and shall conclude with the following statement: "I declare under the penalty of perjury pursuant to the laws of the State of Vermont that the foregoing is true and accurate. I understand that making false statements is a crime subject to a term of imprisonment or a fine, or both, as provided by 13 V.S.A. § 2904." The authorized person shall note on the affidavit the date and time that the oath was administered. A minor 16 years of age or older, or a minor of any age who is in a dating relationship as defined in subdivision 1101(2) of this chapter, may seek relief on ~~his or her~~ the minor's own behalf. Relief under this section shall be limited as follows:

* * *

Sec. 4. 15 V.S.A. § 1106 is amended to read:

§ 1106. PROCEDURE

* * *

(b)(1) The Court Administrator shall establish procedures to ensure access to relief after regular court hours, or on weekends and holidays. The Court Administrator is authorized to contract with public or private agencies to assist plaintiffs to seek relief and to gain access to Superior Courts. Law enforcement agencies shall assist in carrying out the intent of this section.

(2)(A) The court shall designate an authorized person to receive requests for ex parte temporary relief from abuse orders submitted after regular court hours pursuant to section 1104 of this title, including requests made by reliable electronic means according to the procedures in this subdivision.

* * *

(C) The affidavit shall be sworn to or affirmed by administration of the oath over the telephone to the applicant by the authorized person, and shall conclude with the following statement: "I declare under the penalty of perjury pursuant to the laws of the State of Vermont that the foregoing is true and accurate. I understand that ~~the penalty for perjury is imprisonment of not more than 15 years or a fine of not more than \$10,000.00, or both~~ making false statements is a crime subject to a term of imprisonment or a fine, or both, as provided by 13 V.S.A. § 2904." The authorized person shall note on the affidavit the date and time that the oath was administered.

* * *

Sec. 4a. 33 V.S.A. § 6936 is amended to read:

§ 6936. EMERGENCY RELIEF; HEARINGS

(a) In accordance with the Rules for Family Proceedings, temporary orders under this subchapter may be issued ex parte, without notice to the defendant, upon motion and findings by the court that the defendant has abused, neglected, or exploited the vulnerable adult and that serious and irreparable harm to the physical health or financial interests of the vulnerable adult will result without ex parte relief.

* * *

(d)(1) The Court Administrator shall establish procedures to ensure access to relief after regular court hours, or on weekends and holidays.

(2) The procedures established pursuant to this subsection shall include:

(A) designation of an employee of the Judiciary authorized to receive requests for ex parte petitions submitted after regular court hours; and

(B) permission for the petitioner's affidavit to be sworn to or affirmed by administration of the oath over the telephone to the petitioner by the authorized person, during or after regular court hours.

* * * Sealing Criminal History Records * * *

Sec. 5. 13 V.S.A. § 7606 is amended to read:

§ 7606. EFFECT OF EXPUNGEMENT

(a) Order and notice. Upon finding that the requirements for expungement have been met, the court shall issue an order that shall include provisions that its effect is to annul the record of the arrest, conviction, and sentence and that such person shall be treated in all respects as if ~~he or she~~ the person had never been arrested, convicted, or sentenced for the offense. The court shall provide notice of the expungement to the respondent, Vermont Crime Information Center (VCIC), the arresting agency, the Restitution Unit of the Vermont Center for Crime Victim Services, and any other entity that may have a record related to the order to expunge. The VCIC shall provide notice of the expungement to the Federal Bureau of Investigation's National Crime Information Center.

* * *

Sec. 5a. 13 V.S.A. § 7607 is amended to read:

§ 7607. EFFECT OF SEALING

(a) Order and notice. Upon entry of an order to seal, the order shall be legally effective immediately and the person whose record is sealed shall be

treated in all respects as if ~~he or she~~ the person had never been arrested, convicted, or sentenced for the offense and that its effect is to annul the record of arrest, conviction, and sentence. The court shall provide notice of the sealing to the respondent, Vermont Crime Information Center (VCIC), the arresting agency, the Restitution Unit of the Vermont Center for Crime Victims Services, and any other entity that may have a record related to the order to seal. The VCIC shall provide notice of the sealing to the Federal Bureau of Investigation's National Crime Information Center.

* * *

(f) Upon request, the Victim's Compensation Program shall be provided with a copy, redacted of all information identifying the offender, of the affidavit for the sole purpose of verifying the expenses in a victim's compensation application submitted pursuant to section 5353 of this title.

(g) The sealing of a criminal record shall not affect the authority of the Restitution Unit to enforce a restitution order in the same manner as a civil judgment pursuant to subdivision 5362(c)(2) of this title.

Sec. 6. 13 V.S.A. § 7611 is added to read:

§ 7611. UNAUTHORIZED DISCLOSURE

A State or municipal employee or contractor or any agent of the court, including an attorney and an employee or contractor of the attorney, who knowingly accesses or discloses sealed criminal history record information without authorization shall be assessed a civil penalty of not more than \$1,000.00. Each unauthorized disclosure shall constitute a separate civil violation.

Sec. 6a. 4 V.S.A. § 1102 is amended to read:

§ 1102. JUDICIAL BUREAU; JURISDICTION

* * *

(b) The Judicial Bureau shall have jurisdiction of the following matters:

* * *

(30) Violations of 13 V.S.A. § 7611, relating to the unauthorized disclosure of sealed criminal history record information.

* * *

Sec. 7. 32 V.S.A. § 1431 is amended to read:

§ 1431. FEES IN SUPREME AND SUPERIOR COURTS

* * *

(e) Prior to the filing of any postjudgment motion in the Civil, Criminal, or Environmental Division of the Superior Court, including motions to reopen civil suspensions or motions to reopen existing cases in the Probate Division of the Superior Court, there shall be paid to the clerk of the court for the benefit of the State a fee of \$90.00 except for small claims actions, estates, and motions to confirm the sale of property in foreclosure. A filing fee of \$90.00 shall be paid to the clerk of the court for a civil petition for minor settlements. The \$90.00 filing fee shall only apply for a motion to seal a criminal history record of a violation of 23 V.S.A. § 1201(a) pursuant to 13 V.S.A. § 7602(a)(1)(C), but shall not apply for any other motion to seal or expunge a criminal history record pursuant to 13 V.S.A. § 7602, 33 V.S.A. § 5119(g), or other applicable records clearance provisions.

* * *

Sec. 7a. 13 V.S.A. § 7602 is amended to read:

§ 7602. EXPUNGEMENT AND SEALING OF RECORD,
POSTCONVICTION; PROCEDURE

(a)(1) A person may file a petition with the court requesting expungement or sealing of the criminal history record related to the conviction if:

* * *

(C) pursuant to the conditions set forth in subsection (g) of this section, the person was convicted of a violation of 23 V.S.A. § 1201(a) or § 1091 related to operating under the influence of alcohol or other substance, excluding a violation of ~~that section~~ those sections resulting in serious bodily injury or death to any person other than the operator, or related to operating a school bus with a blood alcohol concentration of 0.02 or more or operating a commercial vehicle with a blood alcohol concentration of 0.04 or more; or

* * *

* * * Correcting Title of Chief Superior Judge * * *

Sec. 8. 4 V.S.A. § 21a is amended to read:

§ 21a. DUTIES OF THE ~~ADMINISTRATIVE~~ CHIEF SUPERIOR JUDGE

(a) The ~~Administrative~~ Chief Superior Judge shall assign and specially assign Superior judges, including ~~himself or herself~~ themselves, and Environmental judges to the Superior Court. All Superior judges except Environmental judges shall be subject to the requirements of rotation as ordered by the Supreme Court. Assignments made pursuant to the rotation schedule shall be subject to the approval of the Supreme Court.

(b) In making any assignment under this section, the ~~Administrative~~ Chief

Superior Judge shall give consideration to the experience, temperament, and training of a judge and the needs of the court. In making an assignment to the Environmental Division, the Administrative Chief Superior Judge shall give consideration to experience and expertise in environmental and land use law and shall assign or specially assign judges in a manner to provide appropriate attention to all geographic areas of the State.

(c) In making any assignments to the Environmental Division under this section, the Administrative Chief Superior Judge shall regularly assign two judges, at least one of whom shall be an Environmental judge. An Environmental judge may be assigned to other divisions in the Superior Court for a period of time not exceeding two years. When assigned to other divisions in the Superior Court, the Environmental judge shall have all the powers and responsibilities of a Superior judge.

Sec. 9. 4 V.S.A. § 22 is amended to read:

§ 22. DESIGNATION AND SPECIAL ASSIGNMENT OF JUDICIAL OFFICERS AND RETIRED JUDICIAL OFFICERS

(a)(1) The Chief Justice may appoint and assign a retired Justice or judge with ~~his or her~~ the Justice's or judge's consent or a Superior or Probate judge to a special assignment on the Supreme Court. The Chief Justice may appoint, and the Administrative Chief Superior Judge shall assign, an active or retired Justice or a retired judge, with ~~his or her~~ the Justice's or judge's consent, to any special assignment in the Superior Court or the Judicial Bureau.

(2) The Administrative Chief Superior Judge may appoint and assign a judge to any special assignment in the Superior Court. As used in this subdivision, a judge shall include a Superior judge, a Probate judge, a Family Division magistrate, or a judicial hearing officer.

(b) The Administrative Chief Superior Judge may appoint and assign a member of the Vermont Bar residing within the State of Vermont to serve temporarily as:

- (1) an acting judge in Superior Court;
- (2) an acting magistrate;
- (3) an acting Probate judge; or
- (4) an acting hearing officer to hear cases in the Judicial Bureau.

* * *

(f) In making an appointment under subsection (b) of this section, the Administrative Chief Superior Judge shall apply the criteria and standards for judicial appointments contained in section 601 of this title.

Sec. 10. 4 V.S.A. § 36 is amended to read:

§ 36. COMPOSITION OF THE COURT

* * *

(C) Use of the term “judicial officer” in subdivisions (A) and (B) of this subdivision (2) shall not be construed to expand a judicial officer’s ~~subject matter~~ subject-matter jurisdiction or conflict with the authority of the Chief Justice or ~~Administrative~~ Chief Superior Judge to make special assignments pursuant to section 22 of this title.

* * *

Sec. 11. 4 V.S.A. § 38 is amended to read:

§ 38. JUDICIAL MASTERS

(a) The ~~Administrative~~ Chief Superior Judge may appoint a licensed Vermont lawyer who has been engaged in the practice of law in Vermont for at least the last five years to serve as a Judicial Master. The Judicial Master shall be an employee of the Judiciary and be subject to the Code of Judicial Conduct. A Judicial Master shall not engage in the active practice of law for remuneration while serving in this position. In making this appointment, the Administrative Judge shall apply the criteria and standards for judicial appointments contained in section 601 of this title. The Judicial Master may hear and decide the following matters as designated by the Administrative Judge:

* * *

Sec. 12. 4 V.S.A. § 71 is amended to read:

§ 71. APPOINTMENT AND TERM OF SUPERIOR JUDGES

* * *

(e) The Supreme Court shall designate one of the Superior judges to serve as ~~Administrative~~ Chief Superior Judge. The ~~Administrative~~ Chief Superior Judge shall serve at the pleasure of the Supreme Court.

Sec. 13. 4 V.S.A. § 73 is amended to read:

§ 73. ASSIGNMENT

(a) In accordance with the direction of the Supreme Court, the ~~Administrative~~ Chief Superior Judge shall assign the Superior judges among the units and divisions of the Superior Court. The ~~Administrative~~ Chief Superior Judge shall assign a presiding judge to each unit and may assign a judge to preside in more than one unit. In a case where a Superior judge is disqualified or unable to attend any term of court or part thereof to which ~~he or~~

she the Superior Judge has been assigned, the Administrative Chief Superior Judge may assign another Superior judge to act as judge at that term or part thereof for that period during which the assigned judge is disqualified or unable to attend. If during a term of the Superior Court the court in a unit is unable to complete all or part of the work before it in a reasonable time, the Administrative Chief Superior Judge, with the approval of the Supreme Court, may modify judge assignments to reduce delays in that unit. The court shall publish the judicial rotation schedule in electronic format and distribute it electronically to attorneys licensed in Vermont.

(b) Pursuant to section 21a of this title, the Administrative Chief Superior Judge shall assign Superior judges to hear and determine Family Court matters. The Administrative Chief Superior Judge shall ensure that such hearings are held promptly. Any contested divorce case which that has been pending for more than one year shall be advanced for prompt hearing upon the request of any party.

(c) As necessary to ensure the efficient operation of the Superior Court, the presiding judge of the unit may specially assign a Superior judge assigned to a division in the unit, including the presiding judge, to preside over one or more cases in a different division. As the Administrative Chief Superior Judge determines necessary for the operation of the Superior Court throughout the State, and with the approval of the Supreme Court, the Administrative Chief Superior Judge may additionally assign for a specified period of time a Superior judge to preside over a particular type of case, or over a particular type of motion or other judicial proceeding, in all or part of the units in the State.

Sec. 14. 4 V.S.A. § 111 is amended to read:

§ 111. SUPERIOR COURT SESSIONS

(a) When the business of a Superior Court cannot otherwise be disposed of with reasonable dispatch, by direction of the Administrative Chief Superior Judge, there may be held additional sessions of that Superior Court simultaneously with the regular session consisting of a presiding judge and one or more assistant judges, if available.

(b) A Superior Court may be temporarily recessed or adjourned from the place designated for holding a regular term or session to another place having adequate facilities, when the regular facilities at the designated courthouse are not adequate.

(c) The Administrative Chief Superior Judge may assign assistant judges, with their consent, to a special assignment in a court where they have jurisdiction in another county when assistant judges of that county are

unavailable or the business of the courts so requires.

Sec. 15. 4 V.S.A. § 115 is amended to read:

§ 115. STATED TERMS OF SUPERIOR COURT

The Superior Court shall operate continuously irrespective of the term in which events occur. Terms are designated for purposes of determining the rotation schedule of Superior judges and the responsibility of a Superior judge once a term has expired. When at the expiration of a term a Superior judge is no longer assigned to a specified unit, the judge shall complete any matters that have been heard or taken under advisement for that unit. The ~~Administrative~~ Chief Superior Judge, pursuant to rules of the Supreme Court, may specially assign a Superior judge to continue to preside over one or more cases even though the judge is no longer assigned to the unit of origin of the case or cases. In the absence of such a direction or of an assignment made pursuant to subsection 73(c) of this title, a judge who at the end of a term is no longer assigned to a unit shall have no further responsibility for cases in that unit.

Sec. 16. 4 V.S.A. § 272 is amended to read:

§ 272. PROBATE DISTRICTS; PROBATE JUDGES

* * *

(c) The ~~Administrative~~ Chief Superior Judge may specially assign a Probate judge to hear a case in a geographical district other than the district for which the Probate judge was elected.

Sec. 17. 4 V.S.A. § 461a is amended to read:

§ 461a. ESSEX COUNTY; POWERS OF ASSISTANT JUDGES AND
MAGISTRATES IN FAMILY COURT PROCEEDINGS

* * *

(b) The ~~Administrative~~ Chief Superior Judge may appoint and may specially assign a magistrate to serve as the presiding judge in the Family Division of the Superior Court in Essex County.

* * *

Sec. 18. 4 V.S.A. § 461c is amended to read:

§ 461c. POWERS OF ASSISTANT JUDGES IN DIVORCE
PROCEEDINGS

* * *

(c) Prior to hearing an uncontested domestic matter, an assistant judge shall

sit with a Superior judge on domestic proceedings for a minimum of 100 hours, satisfactorily complete a minimum of 30 hours of training on subjects relevant to domestic proceedings and the Code of Judicial Conduct, and conduct a minimum of three uncontested domestic hearings with a Superior judge who shall, in ~~his or her~~ the Superior judge's sole discretion, certify to the ~~Administrative~~ Chief Superior Judge that the assistant judge is qualified to preside over matters under this section. Upon application of an assistant judge, some or all of these requirements may be waived by the ~~Administrative~~ Chief Superior Judge based on equivalent experience. The requirements set forth herein shall only apply to assistant judges who elect to conduct uncontested final hearings in domestic cases after July 1, 2010. An assistant judge already conducting hearings under this section as of July 1, 2010 shall be deemed to have complied with these requirements.

Sec. 19. 4 V.S.A. § 906 is amended to read:

§ 906. CONFLICTING APPOINTMENTS, EXCUSE FROM ATTENDING
BY ~~ADMINISTRATIVE~~ CHIEF SUPERIOR JUDGE

When an attorney is required to attend more than one trial, hearing, or other proceeding before a court or commission having judicial or quasi-judicial functions, or both, at times which conflict so that ~~he or she~~ the attorney cannot reasonably attend each appointment, the attorney may request the ~~Administrative~~ Chief Superior Judge to designate which appointment ~~he or she~~ the attorney shall attend. The ~~Administrative~~ Chief Superior Judge shall designate the appointment the attorney shall attend and shall notify the presiding magistrate of each court and commission of ~~his or her~~ the Justice's or judge's decision. The attorney shall be excused from attending at that time any proceedings other than the one designated by the ~~Administrative~~ Chief Superior Judge, and the other proceedings shall be rescheduled.

Sec. 20. 4 V.S.A. § 1001 is amended to read:

§ 1001. ENVIRONMENTAL DIVISION

* * *

(b) Two environmental judges shall be appointed to hear matters in the Environmental Division and to hear other matters in the Superior Court when so assigned by the ~~administrative judge~~ Chief Superior Judge pursuant to subsection 21a(c) of this title.

* * *

Sec. 21. 4 V.S.A. § 1104 is amended to read:

§ 1104. APPOINTMENT OF HEARING OFFICERS

The Administrative Chief Superior Judge shall appoint members of the Vermont Bar to serve as hearing officers to hear cases. Hearing officers shall be subject to the Code of Judicial Conduct.

Sec. 22. 4 V.S.A. § 1108 is amended to read:

§ 1108. JUDICIAL BUREAU VIOLATIONS; JURISDICTION OF ASSISTANT JUDGES

* * *

(c) The Administrative Chief Superior Judge may assign or direct assignment of an assistant judge with ~~his or her~~ the assistant judge's consent to hear matters in the Judicial Bureau within the county in which the assistant judge presides or in a county other than the county in which the assistant judge presides if the assistant judge has elected to hear and decide such matters.

Sec. 23. 12 V.S.A. § 5538 is amended to read:

§ 5538. APPEALS

Any party may appeal from a small claims judgment to Superior Court. The Administrative Chief Superior Judge shall assign the appeal to a Superior judge who shall not have participated in any way in the decision being appealed. The appeal shall be heard and decided, based on the record made in the small claims procedure. No appeal as of right exists to the Supreme Court. On motion made to the Supreme Court by a party to the action, the Supreme Court may allow an appeal from the Superior Court.

Sec. 24. 12 V.S.A. § 5540a is amended to read:

§ 5540a. JURISDICTION OVER SMALL CLAIMS; ASSISTANT JUDGES

* * *

(d) An assistant judge upon successful completion of the training under subsection (b) of this section, shall cause the Superior Court clerk to notify the Court Administrator of the assistant judge's successful completion of training. Upon receipt of such notification, small claims cases ~~which~~ that require a hearing shall first be set for hearing before an assistant judge in the Superior Court in the county and shall be heard by the assistant judge. If the assistant judge is unavailable due to illness, vacation, administrative leave, disability, or disqualification, the Administrative Chief Superior Judge pursuant to 4 V.S.A. § 22 may assign a judge, or appoint and assign a member of the Vermont bar to serve temporarily as an acting judge, to hear small claims cases in the

county. No action filed or pending shall be heard at or transferred to any other location unless agreed to by the parties. If both assistant judges of the county elect to successfully complete training to hear these matters, the senior assistant judge shall make the assignment of cases to be heard by each assistant judge. The assistant judges, once qualified to preside in these matters, shall work with the Court Administrator's office and the Administrative Chief Superior Judge such that the scheduling of small claims cases before the assistant judges are at such times as to permit adequate current court personnel to be available when these cases are heard.

* * *

Sec. 25. 13 V.S.A. § 5451 is amended to read:

§ 5451. CREATION OF COMMISSION

(a) The Vermont Sentencing Commission is established for the purpose of overseeing criminal sentencing practices in the State, reducing geographical disparities in sentencing, and making recommendations regarding criminal sentencing to the General Assembly.

(b) The Commission shall consist of the following members:

- (1) the Chief Justice of the Vermont Supreme Court or designee;
- (2) the Chief Superior Judge or designee, provided that the designee is a sitting or retired Vermont judge;
- (3) a ~~District or~~ Superior Court Judge with substantial criminal law experience appointed by the ~~administrative judge~~ Chief Superior Judge;
- (4) the Chair of the Senate Committee on Judiciary;
- (5) the Chair of the House Committee on Judiciary;
- (6) the Attorney General or designee;
- (7) the Defender General or designee;
- (8) the Executive Director of the Department of State's Attorneys and Sheriffs or designee;
- (9) the Appellate Defender;
- (10) a State's Attorney appointed by the Executive Director of the Department of State's Attorneys and Sheriffs;
- (11) a staff public defender with experience in juvenile defense matters appointed by the Defender General;
- (12) an attorney with substantial criminal law experience appointed by the Vermont Bar Association;

- (13) the Commissioner of Corrections or designee;
- (14) the Commissioner of Public Safety or designee;
- (15) the Executive Director of the Vermont Center for Crime Victim Services or designee;
- (16) the Executive Director of the Vermont Crime Research Group; and
- (17) one member of the public appointed by the Governor.

* * *

Sec. 26. 24 V.S.A. § 139 is amended to read:

§ 139. ASSISTANT JUDGE JUDICIAL EDUCATION

The assistant judges, either collectively or through a duly authorized committee of assistant judges established by a majority vote of the assistant judges after consultation with the ~~administrative judge~~ Chief Superior Judge, shall, by majority vote:

(1) identify the training needs of assistant judges, including needs ~~which~~ that are required by law; and

(2) design, organize, and implement training for assistant judges, including training ~~which~~ that is required by law.

Sec. 27. 24 V.S.A. § 3211 is amended to read:

§ 3211. DETERMINATION OF NECESSITY

* * *

(b) The Superior Court judge to whom the petition is presented shall fix the time for hearing, which shall not be more than 60 nor less than 40 days from the date the judge signs such order. Likewise, the judge shall fix the place for hearing, which shall be the county courthouse or any other place within the county in which the land in question is located. If the Superior Court judge to whom the petition is presented cannot hear the petition at the time set therefor, the judge shall call upon the ~~administrative judge~~ Chief Superior Judge to assign another Superior Court judge to hear the cause at the time and place assigned in the order.

* * *

Sec. 28. 24 V.S.A. § 3605 is amended to read:

§ 3605. HEARING TO DETERMINE NECESSITY

The judge to whom such petition is presented shall fix the time for hearing, which shall not be more than 60 nor less than 30 days from the date ~~he or she~~

~~the judge~~ signs such order. Likewise, ~~he or she~~ the judge shall fix the place for hearing, which shall be the county courthouse or any other convenient place within the county in which the land in question is located. If the Superior judge to whom such petition is presented cannot hear the petition at the time set therefore ~~he or she~~, the Superior judge shall call upon the ~~Administrative~~ Chief Superior Judge to assign another Superior judge to hear such cause at the time and place assigned in the order.

Sec. 29. 32 V.S.A. § 8361 is amended to read:

§ 8361. GENERAL RULES FOR APPEALS

(a) A party aggrieved, including the State represented by the State Treasurer, on or before February 15 following such an appraisal, may appeal therefrom to a Superior judge designated by the ~~administrative judge~~ Chief Superior Judge, not excluding ~~himself or herself~~ themselves, who shall hear such appeal.

* * *

Sec. 30. 32 V.S.A. § 9272 is amended to read:

§ 9272. SUSPENSION AND REVOCATION OF LICENSES; APPEAL

* * *

(b) Any operator aggrieved by such suspension, revocation, or refusal may appeal therefrom to any Superior judge within 10 days after written notice of such suspension, revocation, or refusal has been mailed or delivered to ~~him or her~~ the operator. Such Superior judge or another Superior judge designated by the ~~administrative judge~~ Chief Superior Judge shall hear such appeal forthwith.

* * *

Sec. 31. 32 V.S.A. § 9816 is amended to read:

§ 9816. SUSPENSION OR REVOCATION OF CERTIFICATES; APPEAL

* * *

(b) Any person required to collect the tax aggrieved by a suspension, revocation, or refusal may appeal therefrom to any Superior judge within 10 days after written notice of the suspension, revocation, or refusal has been mailed or delivered to ~~him or her~~ the person. The Superior judge or another Superior judge designated by the ~~administrative judge~~ Chief Superior Judge shall hear the appeal forthwith.

* * *

* * * Report on Collection of Racial Data in Civil Court Filings * * *

Sec. 32. REPORT BY CHIEF SUPERIOR JUDGE ON COLLECTION OF
RACIAL DATA IN CIVIL COURT FILINGS

On or before December 1, 2022, the Chief Superior Judge shall report to the House and Senate Committees on Judiciary on practices for the collection of racial demographic data in civil court filings. The report shall describe whether and in what manner data about the race of parties in civil court actions, including eviction and debt collection proceedings, is collected by courts in Vermont and other jurisdictions. The report may include recommendations for future practices and strategies to collect racial demographic data for civil court filings in Vermont. A copy of the report shall be sent to the Executive Director of Racial Equity.

* * * Sunset Extensions * * *

Sec. 33. 2017 Acts and Resolves No. 142, Sec. 5, as amended by 2021 Acts and Resolves No. 65, Sec. 4, is further amended to read:

Sec. 5. REPEAL

13 V.S.A. §§ 5451 (creation of Vermont Sentencing Commission) and 5452 (creation of Vermont Sentencing Commission) shall be repealed on July 1, 2022 2023.

Sec. 34. 2013 Acts and Resolves No. 69, Sec. 3, subsection (b), as amended by 2015 Acts and Resolves No. 32, Sec. 1, as further amended by 2016 Acts and Resolves No. 169, Sec. 6, 2018 Acts and Resolves No. 175, Sec. 1, and 2020 Acts and Resolves No. 134, Sec. 3 (July 1, 2022 repeal of Automated License Plate Recognition system standards), is further amended to read:

(b) Secs. 1–2 of this act, 23 V.S.A. §§ 1607 and 1608, shall be repealed on July 1, 2022 2024.

* * * Fees for Service of Civil Process and Fingerprinting * * *

Sec. 35. 32 V.S.A. § 1591 is amended to read:

§ 1591. SHERIFFS AND OTHER OFFICERS

There shall be paid to sheriffs' departments and constables in civil causes and to sheriffs, deputy sheriffs, and constables for the transportation and care of prisoners, juveniles, and patients with a mental condition or psychiatric disability the following fees:

(1) Civil process:

(A) For serving each process, the fees shall be as follows:

(i) ~~\$10.00~~ for each reading or copy wherein the officer is directed to make an arrest;

(ii) ~~\$50.00~~ \$75.00 upon presentation of each return of service for the service of papers relating to divorce, annulments, separations, or support complaints;

(iii) ~~\$50.00~~ \$75.00 upon presentation of each return of service for the service of papers relating to civil suits except as provided in subdivisions (1)(A)(ii) and (1)(A)(vii) of this section;

(iv) ~~\$50.00~~ \$75.00 upon presentation of each return of service for the service of a subpoena and shall be limited to that one fee for each return of service;

* * *

(E) Quarterly, 15 percent of the gross civil process fees received by a sheriff's department or constable during that quarter shall be forwarded to the State Treasurer for deposit in the State's General Fund.

* * *

Sec. 36. 20 V.S.A. § 2062 is amended to read:

§ 2062. FINGERPRINTING FEES

State, county, and municipal law enforcement agencies may charge a fee of not more than ~~\$25.00~~ \$35.00 for providing persons with a set of classifiable fingerprints. No fee shall be charged to retake fingerprints determined by the Vermont Crime Information Center not to be classifiable. Fees collected by the State of Vermont under this section shall be credited to the Fingerprint Fee Special Fund established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5, and shall be available to the Department of Public Safety to offset the costs of providing these services.

Sec. 37. 16 V.S.A. § 257 is amended to read:

§ 257. FEES FOR FINGERPRINTING; FINGERPRINT FEE SPECIAL FUND

State, county, and municipal law enforcement agencies may charge a fee of up to ~~\$15.00~~ \$35.00 for providing applicants or other individuals with a set of classifiable fingerprints as required by this subchapter. No fee shall be charged to retake fingerprints determined by the Vermont Crime Information Center not to be classifiable. Fees collected by the State of Vermont under this section shall be credited to the Fingerprint Fee Special Fund established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5, and shall be available

to the Department of Public Safety to offset the costs of providing these services.

* * * Report on Unification of Animal Welfare and Related Public Safety Functions * * *

Sec. 38. UNIFICATION OF ANIMAL WELFARE AND RELATED PUBLIC SAFETY FUNCTIONS; REPORT

(a) On or before January 15, 2023, the Department of Public Safety, in consultation with the Agency of Agriculture, Food and Markets and any other State agency, division, or department where domestic animal welfare functions reside, shall report to the House and Senate Committees on Government Operations with a plan to unify the domestic animal welfare and related public safety functions across State government. The report, which shall include draft legislation to enact the plan, shall focus on the intersection of existing domestic animal welfare functions and the role of the Department of Public Safety and shall include:

(1) an inventory of all existing domestic animal welfare and related public safety functions across all agencies, including citations to existing statutes;

(2) an inventory of all personnel, with job descriptions, responsible for carrying out the functions in the inventory required by subdivision (1) of this subsection;

(3) a recommended location and position in State government with responsibility for all State domestic animal welfare and related public safety functions, including enforcement;

(4) a recommendation on whether to move all domestic animal welfare and related public safety functions to a single agency or to maintain a multiagency approach to be coordinated by the position recommended in subdivision (3) of this subsection; and

(5) a plan to ensure that domestic animals transported into the State from other jurisdictions meet health and safety standards and that the businesses that import domestic animals into the State are registered or licensed, or both, and meet health and safety standards.

(b) The Department shall engage with the Animal Cruelty Investigation Advisory Board, the Vermont Humane Federation, and other interested stakeholders as needed to comply with this section.

* * * Statute of Limitations for Discrimination Claims * * *

Sec. 39. 12 V.S.A. § 525 is added to read:

§ 525. ACTIONS BASED ON DISCRIMINATION

An action under 9 V.S.A. § 4506(a) (discrimination in public accommodations or housing) or 21 V.S.A. § 495b (employment discrimination) shall be commenced within six years after the cause of action accrues and not after.

* * * Effective Date * * *

Sec. 40. EFFECTIVE DATE

This act shall take effect on passage.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Rep. Norris of Sheldon** moved to concur in the Senate proposal of amendment with a further amendment thereto as follows:

In Sec. 38, unification of animal welfare and related public safety functions; report, by inserting a subsection (c) to read as follows:

(c) As used in this section, “domestic animal” includes domestic animals and pets.

Pending the question, Shall the House concur in the Senate proposal of amendment with further amendment thereto as offered by Rep. Norris of Sheldon?, **Rep. Bartholomew of Hartland** moved to amend the proposal of amendment offered by Rep. Norris of Sheldon as follows:

In Sec. 38, unification of animal welfare and related public safety functions; report, in subsection (b), after “Federation,” by inserting the Vermont Livestock Care Standards Advisory Council, the Vermont Veterinary Medical Association,

Which was agreed to. Thereupon, the Senate proposal of amendment was concurred in with further amendment thereto.

**Senate Proposal of Amendment to House Proposal of Amendment
Not Concurred in; Committee of Conference Requested and Appointed;
Rules Suspended; House Actions Messaged to Senate Forthwith**

S. 210

The Senate concurred in the House proposal of amendment with further amendment thereto on Senate bill, entitled

An act relating to rental housing health and safety and affordable housing

The Senate concurred in the House proposal of amendment with the following proposal of amendment thereto:

First: By striking out Sec. 9, 10 V.S.A. chapter 29, subchapter 3, in its entirety and inserting in lieu thereof a new Sec. 9 to read:

Sec. 9. 10 V.S.A. chapter 29, subchapter 3 is added to read:

Subchapter 3. Housing; Investments

§ 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

(a) Creation of program.

(1) The Department of Housing and Community Development shall design and implement a 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, 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.

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

(1) Non-code compliant. The unit does not comply with the requirements of applicable building, housing, or health laws.

(2) New accessory dwelling. The unit will be a newly created accessory dwelling unit that meets the requirements of 24 V.S.A. § 4412(1)(E).

(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, 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, 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.

(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.

Second: By striking out Sec. 11, appropriations, in its entirety and inserting

in lieu thereof a new Sec. 11 to read:

Sec. 11. APPROPRIATIONS

(a) Purpose. The purpose of the appropriations in this section are:

(1) to respond to the far-reaching public health and negative economic impacts of the COVID-19 pandemic; and

(2) to ensure that Vermonters and Vermont communities have an adequate supply of safe, affordable housing.

(b) Appropriations. In fiscal year 2022, the amount of \$20,400,000.00 is appropriated from the America Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds as follows:

(1) \$100,000.00 to the Department of Public Safety as one-time startup funding to hire one or more Inspector positions authorized pursuant to Sec. 4 of this act.

(2) \$300,000.00 to the Department of Housing and Community Development as one-time startup funding to hire one or more of the positions authorized pursuant to Sec. 5 of this act.

(3) \$20,000,000.00 to the Department of Housing and Community Development to implement the Vermont Rental Housing Investment Program created in 10 V.S.A. § 699, provided that the Department shall allocate 20 percent of the funds for new accessory dwellings as follows:

(A) the Department may use not more than 20 percent of the funding available for new accessory dwellings to facilitate a statewide education and navigation system to assist homeowners with designing, financing, permitting, and constructing new accessory dwellings; and

(B) the Department shall use any remaining funds for new accessory dwellings for financial incentives or other financial supports to homeowners developing accessory dwelling units.

Pending the question, Shall the House concur in the Senate proposal of amendment to the House proposal of amendment?, **Rep. Stevens of Waterbury** moved that the House refuse to concur and ask for a Committee of Conference, which was agreed to, and the Speaker appointed as members of the Committee of Conference on the part of the House:

Rep. Stevens of Waterbury

Rep. Walz of Barre City

Rep. Killacky of South Burlington

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

Action on Bill Postponed

H. 157

House bill, entitled

An act relating to registration of construction contractors

Was taken up, and pending the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, on motion of **Rep. Stevens of Waterbury**, action on the bill was postponed until May 17, 2022.

Recess

At one o'clock and thirty-seven minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

At one o'clock and fifty minutes in the afternoon, the Speaker called the House to order.

**Rules Suspended; Immediate consideration;
Second Reading; Proposals of Amendment Agreed to;
Third Reading Ordered; Rules Suspended; All Remaining Stages of
Passage; Third Reading; Bill Passed in Concurrence with Proposal of
Amendment; Rules Suspended; Bill Messaged to Senate Forthwith**

S

On motion of **Rep. McCoy of Poultney**, the rules were suspended and Senate bill, entitled

An act relating to project-based tax increment financing districts

Appearing on the notice calendar, was taken up for immediate consideration. **Rep. Bell of Woodstock**, for the committee on commerce and economic development, to which had been referred the Senate bill reported in favor of its passage in concurrence with proposal of amendment as follows

first in Sec. 2, 2 V.S.A. § 40 a, by striking out subdivision b 2 in its entirety and inserting in lieu thereof the following

(2) Notwithstanding any other provision of law, if a municipality has entered into an agreement that reduces the municipality's education property tax liability under this chapter and the municipality establishes a tax increment financing district under 24 V.S.A. chapter 53, subchapter 5, for the properties

located within both the agreement and the tax increment financing district, the municipality's municipal and education tax increment shall be calculated based on the assessed value of the properties in the municipality's grand list and not on the stabilized value.

And by striking out subdivision f and its following asterisks in their entirety, and in subdivision h, by adding after the second sentence, or environmental remediation of a brownfield, this shall include the cost of the site preparation needed to stimulate development or redevelopment in the tax increment financing district as identified in clean-up documentation approved by a regulatory agency.

Second By striking out Sec. , tax increment financing project development pilot program, in its entirety and by renumbering the remaining sections to be numerically correct.

third In the newly renumbered Sec. , 2 V.S.A., in subdivision , in the first sentence, by inserting and related costs after improvements and by striking out and related costs after improvements in the second sentence.

fourth In the newly renumbered Sec. , 2 V.S.A., in subsection b, by inserting when the district is established after Any parcel within a district in the first sentence.

fifth By striking out in the newly renumbered Sec. , effective date, in its entirety and inserting in lieu thereof the following

Sec. . 2 V.S.A. is amended to read

§ 1896. TAX INCREMENTS

(a) In each year following the creation of the district, the listers or assessor shall include ~~no~~ not more than the original taxable value of the real property in the assessed valuation upon which the treasurer computes the rates of all taxes levied by the municipality and every other taxing district in which the tax increment financing district is situated; but the treasurer shall extend all rates so determined against the entire assessed valuation of real property for that year. In each year for which the assessed valuation exceeds the original taxable value, the municipality shall hold apart, rather than remit to the taxing districts, that proportion of all taxes paid that year on the real property in the district ~~which~~ that the excess valuation bears to the total assessed valuation. The amount held apart each year is the "tax increment" for that year. ~~No~~ Not more than the percentages established pursuant to section 1894 of this subchapter of the municipal and State education tax increments received with respect to the district and committed for the payment for financing for improvements and related costs shall be segregated by the municipality in a

special tax increment financing account and in its official books and records until all capital indebtedness of the district has been fully paid. The final payment shall be reported to the treasurer, who shall thereafter include the entire assessed valuation of the district in the assessed valuations upon which municipal and other tax rates are computed and extended and thereafter no taxes from the district shall be deposited in the district's tax increment financing account.

* * *

(e) In each year, a municipality shall remit not less than the aggregate original taxable value to the Education Fund.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2021.

and that after passage the title of the bill be amended to read: "An act relating to miscellaneous tax increment financing district provisions"

Rep. Kornheiser of Brattleboro, for the Committee on Ways and Means, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Commerce and Economic Development and when further amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 24 V.S.A. § 1891 is amended to read:

§ 1891. DEFINITIONS

When used in this subchapter:

* * *

(4) "Improvements" means the installation, new construction, or reconstruction of infrastructure that will serve a public purpose and fulfill the purpose of tax increment financing districts as stated in section 1893 of this subchapter, including utilities, transportation, public facilities and amenities, land and property acquisition and demolition, and site preparation. "Improvements" does not include the funding of debt service payments.

* * *

(7) "Financing" means debt incurred, including principal, interest, and any fees or charges directly related to that debt, or other instruments or borrowing used by a municipality to pay for improvements in a tax increment financing district, only if authorized by the legal voters of the municipality in accordance with section 1894 of this subchapter. Payment for the cost of district improvements may also include direct payment by the municipality

using the district increment. However, such payment is also subject to a vote by the legal voters of the municipality in accordance with section 1894 of this subchapter and, if not included in the tax increment financing plan approved under subsection 1894(d) of this subchapter, is also considered a substantial change and subject to the review process provided by subdivision 1901(2)(B) of this subchapter. If interfund loans within the municipality are used as the method of financing, no interest shall be charged. Bond anticipation notes may be used as a method of financing; provided, however, that bond anticipation notes shall not be considered a first incurrence of debt pursuant to subsection 1894(a) of this subchapter.

* * *

(9) "Active district" means a district that has been created pursuant to subsection 1892(a) of this subchapter, has not been terminated pursuant to subsection 1894(a) of this subchapter, and has not retired all district financing or related costs.

Sec. 2. 24 V.S.A. 1892 is amended to read:

§ 1892. CREATION OF DISTRICT

* * *

~~(d) The following municipalities have been authorized to use education tax increment financing for a tax increment financing district:~~

- ~~(1) the City of Burlington, Downtown;~~
- ~~(2) the City of Burlington, Waterfront;~~
- ~~(3) the Town of Milton, North and South;~~
- ~~(4) the City of Newport;~~
- ~~(5) the City of Winooski;~~
- ~~(6) the Town of Colechester;~~
- ~~(7) the Town of Hartford;~~
- ~~(8) the City of St. Albans;~~
- ~~(9) the City of Barre;~~
- ~~(10) the Town of Milton, Town Core; and~~

(11) the City of South Burlington There shall be not more than 14 active districts in the State at any time.

* * *

(h) Annually, based on the analysis and recommendations included in the reports required in this section, the General Assembly shall consider the amount of new long-term net debt that prudently may be authorized for TIF districts in the next fiscal year and determine whether to expand the number of active TIF districts or similar economic development tools ~~in addition to the previously approved districts referenced in subsection (d) of this section and the six additional districts authorized by 32 V.S.A. § 5404a(f) in subsection (d) of this section.~~

Sec. 3. 24 V.S.A. § 1895 is amended to read:

§ 1895. ORIGINAL TAXABLE VALUE

(a) Certification. As of the date the district is created, the lister or assessor for the municipality shall certify the original taxable value and shall certify to the legislative body in each year thereafter during the life of the district the amount by which the total valuation as determined in accordance with 32 V.S.A. chapter 129 of all taxable real property located within the tax increment financing district has increased or decreased relative to the original taxable value.

(b) Boundary of the district. No adjustments to the physical boundary lines of a district shall be made after the approval of a tax increment financing district plan.

Sec. 4. 24 V.S.A. § 1896 is amended to read:

§ 1896. TAX INCREMENTS

(a) In each year following the creation of the district, the listers or assessor shall include ~~no~~ not more than the original taxable value of the real property in the assessed valuation upon which the treasurer computes the rates of all taxes levied by the municipality and every other taxing district in which the tax increment financing district is situated; but the treasurer shall extend all rates so determined against the entire assessed valuation of real property for that year. In each year ~~for which the assessed valuation exceeds the original taxable value~~, the municipality shall hold apart, rather than remit to the taxing districts, that proportion of all taxes paid that year on the real property in the district ~~which~~ that the excess valuation bears to the total assessed valuation. The amount held apart each year is the “tax increment” for that year. ~~No~~ Not more than the percentages established pursuant to section 1894 of this subchapter of the municipal and State education tax increments received with respect to the district and committed for the payment for financing for improvements and related costs shall be segregated by the municipality in a special tax increment financing account and in its official books and records until all capital indebtedness of the district has been fully paid. The final

payment shall be reported to the treasurer, who shall thereafter include the entire assessed valuation of the district in the assessed valuations upon which municipal and other tax rates are computed and extended and thereafter no taxes from the district shall be deposited in the district's tax increment financing account.

* * *

(e) In each year, a municipality shall remit not less than the aggregate tax due on the original taxable value to the Education Fund.

Sec. 5. 32 V.S.A. § 5404a is amended to read:

§ 5404a. TAX STABILIZATION AGREEMENTS; TAX INCREMENT
FINANCING DISTRICTS

(a) A tax agreement or exemption shall affect the education property tax grand list of the municipality in which the property subject to the agreement is located if the agreement or exemption is:

* * *

(b)(1) An agreement affecting the education property tax grand list defined under subsection (a) of this section shall reduce the municipality's education property tax liability under this chapter for the duration of the agreement or exemption without extension or renewal, and for a maximum of 10 years. A municipality's property tax liability under this chapter shall be reduced by any difference between the amount of the education property taxes collected on the subject property and the amount of education property taxes that would have been collected on such property if its fair market value were taxed at the equalized nonhomestead rate for the tax year.

(2) Notwithstanding any other provision of law, if a municipality has entered into an agreement that reduces the municipality's education property tax liability under this chapter and the municipality establishes a tax increment financing district under 24 V.S.A. chapter 53, subchapter 5, the municipality's municipal and education tax increment shall be calculated based on the assessed value of the properties in the municipality's grand list and not on the stabilized value.

* * *

(f) A municipality that establishes a tax increment financing district under 24 V.S.A. chapter 53, subchapter 5 shall collect all property taxes on properties contained within the district and apply not more than 70 percent of the State education property tax increment, and not less than 85 percent of the municipal property tax increment, to repayment of financing of the improvements and

related costs for up to 20 years pursuant to 24 V.S.A. § 1894, if approved by the Vermont Economic Progress Council pursuant to this section, subject to the following:

(1) In a municipality with one or more approved districts, the Council shall not approve an additional district until the municipality retires the debt incurred for all of the districts in the municipality.

(2) The Council shall not approve ~~more than six districts in the State, and not a district if it will result in the total number of active districts, as defined in 24 V.S.A. § 1891(9), exceeding the limit set forth in 24 V.S.A. § 1892(d) and shall not approve more than two per county, provided:~~

(A) ~~The districts listed in 24 V.S.A. § 1892(d) shall not be counted against the limits imposed in this subdivision (2).~~

(B) The Council shall consider complete applications in the order they are submitted, except that if during any calendar month the Council receives applications for more districts than are actually available in a county, the Council shall evaluate each application and shall approve the application that, in the Council's discretion, best meets the economic development needs of the county.

(C)(B) If, while the General Assembly is not in session, the Council receives applications for districts that would otherwise qualify for approval but, if approved, would exceed the ~~six-district~~ 14 active-district limit in the State, the Council shall make one or more presentations to the Emergency Board concerning the applications, and the Emergency Board may, in its discretion, increase the ~~six-district~~ 14 active-district limit.

* * *

Sec. 6. REPORT; DEPARTMENT OF TAXES; LOCAL OPTION TAX;

MUNICIPAL INFRASTRUCTURE IMPROVEMENTS

(a) On or before January 1, 2023, the Commissioner of Taxes shall submit a written report to the House Committees on Government Operations and on Ways and Means and the Senate Committees on Finance and on Government Operations that recommends a program to allow a municipality to adopt a local option tax under 24 V.S.A. § 138 without requiring legislative approval by the General Assembly, provided that:

(1) all revenue from the local option tax is:

(A) used only for specified municipal projects for infrastructure improvements; and

(B) deposited into a special or limited-use fund;

(2) the imposition of the local option tax is limited in duration to the term of repayment of a municipal debt obligation; and

(3) notwithstanding 24 V.S.A. § 138(c) and (d):

(A) the Department shall collect the per-return fee for the costs of administration and collection under 24 V.S.A. § 138(c) from the municipality only; and

(B) all revenue from the local option tax after reduction for the costs of administration and collection shall be paid to the municipality.

(b) As part of the recommendation described in subsection (a) of this section, the Commissioner of Taxes shall consider whether a municipality that already has a local option tax can use the program and, if so, whether any other conditions should apply.

Sec. 7. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: “An act relating to miscellaneous changes to tax increment financing district provisions”

Thereupon, the bill was read the second time and the report of the Committee on Commerce and Economic Development was amended as recommended by the Committee on Ways and Means. Thereupon, the report of the Committee on Commerce and Economic Development, as amended, was agreed to and third reading was ordered.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed in all remaining stages of passage. Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

Bill Referred to Committee on Appropriations

S. 91

Senate bill, entitled

An act relating to the Parent Child Center Network

Pending entry on the Notice Calendar, and pursuant to House Rule 35(a), carrying an appropriation, was referred to the Committee on Appropriations.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittny L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 6th day of May, 2022, he returned without signature and *vetoed* a bill originating in the House of Representatives of the following title:

H. 715 An act relating to the Clean Heat Standard**Governor's Veto Letter**

“May 6, 2022

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 am returning H.715, *An act relating to the Clean Heat Standard*, without my signature because of my objections described herein:

As Governor and as elected officials, we have an obligation to ensure Vermonters know the financial costs and impacts of this policy on their lives and the State's economy. Signing this bill would go against this obligation because the costs and impacts are unknown. The Legislature's own Joint Fiscal Office acknowledges this fact, saying:

“It is too soon to estimate the impact on Vermont's economy, households, and businesses. The way in which the Clean Heat Standard is implemented, including the way in which clean heat credits are priced and how incentives or subsidies are offered to households and businesses, must be established before meaningful analysis is possible. At the same time, those incentives or subsidies could be costly for the State, suggesting larger fiscal impacts in future years.”

I understand the importance of reducing greenhouse gas emissions, which is why I proposed a \$216 million dollar climate package and why my administration has engaged in this policy conversation since January. However, over the last several months it became very clear to me that no one had a good

handle on what this program was going to look like, with some even describing it as a carbon tax on the floor.

I have clearly, repeatedly, and respectfully asked the Legislature to include language that would require the policy *and* costs to come back to the General Assembly in bill form so it could be transparently debated with all the details before any potential burden is imposed. This is how lawmaking and governing is supposed to work and what Vermonters expect, deserve and have a right to receive.

What the Legislature has passed is a bill that includes some policy, with absolutely no details on costs and impacts, and a lot of authority and policy making delegated to the Public Utility Commission (PUC), an unelected board. And regardless of the latest talking points, the bill does not guarantee a full legislative deliberation on the policy, plan and fiscal implications prior to implementation. By design, this bill and the inadequate “check back” allows legislators to sign off on a policy concept – absent important details – and not own the decision to raise costs on Vermonters.

For these reasons I cannot allow this bill to go into law and strongly urge the Legislature to sustain this veto.

Sincerely,
/s/Philip B. Scott
Governor

PBS/kp”

Adjournment

At two o'clock and eleven minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Saturday, May 7, 2022, at nine o'clock in the forenoon.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Rule 16b of the Joint Rules of the Senate and House of Representatives, are hereby adopted on the part of the House:

H.C.R. 161

House concurrent resolution honoring Alice Harter for her dedicated service as a long-term care ombudsman

H.C.R. 162

House concurrent resolution honoring Vermont Historical Society Librarian extraordinaire Paul A. Carnahan for his superb professional leadership

H.C.R. 163

House concurrent resolution honoring Ludlow civic leader Herbert Van Guilder

H.C.R. 164

House concurrent resolution honoring Linda Wrazen for her exemplary career at Vermont Humanities

H.C.R. 165

House concurrent resolution congratulating the Green Mountain Power Corporation of Colchester on Time Magazine's designating it as one of the 100 most influential companies in the world

H.C.R. 166

House concurrent resolution honoring Berlin Town Clerk Rosemary Morse for 20 years of exemplary dedication to her community

H.C.R. 167

House concurrent resolution commemorating the 75th Anniversary of the U.S. Air Force

H.C.R. 168

House concurrent resolution in memory of former House Majority Leader Willem Westpalm van Hoorn Jewett of Ripton

H.C.R. 169

House concurrent resolution congratulating the Vermont students at the Pioneer Valley Regional School in Northfield, Massachusetts, who are being honored as 2022 Peacemaker Award winners

S.C.R. 20

Senate concurrent resolution congratulating the Vermont Spring Open Studio Weekend on its 30th anniversary

S.C.R. 21

Senate concurrent resolution recognizing the week beginning May 1, 2022 as Tardive Dyskinesia Awareness Week in Vermont

[The full text of the concurrent resolutions appeared in the House and

Senate Calendar Addendums on the preceding legislative day and will appear in the Public Acts and Resolves of the 2022 Adjourned Session.]

Saturday, May 7, 2022

At nine o'clock in the forenoon Rep. Hooper of Montpelier called the House to order.

Message from the Senate No. 68

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

S. 100. An act relating to universal school breakfast and the creation of the Task Force on Universal School Lunch.

S. 188. An act relating to regulating licensed small cannabis cultivation as farming.

S. 285. An act relating to health care reform initiatives, data collection, and access to home- and community-based services.

And has concurred therein with an amendment in the passage of which the concurrence of the House is requested.

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

H. 736. An act relating to the Transportation Program and miscellaneous changes to laws related to transportation.

And has concurred therein with an amendment in the passage of which the concurrence of the House is requested.

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

H. 265. An act relating to the Office of the Child, Youth, and Family Advocate.

H. 466. An act relating to surface water withdrawals and interbasin transfers.

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

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

S. 90. An act relating to establishing an amyotrophic lateral sclerosis registry.

S. 148. An act relating to environmental justice in Vermont.

S. 258. An act relating to agricultural water quality, enforcement, and dairy farming.

And has concurred therein.

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

S. 283. An act relating to miscellaneous changes to education laws.

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

The President announced the appointment as members of such Committee on the part of the Senate:

Senator Champion
Senator Chittenden
Senator Hooker

The Senate has considered House proposals of amendment to the Senate proposal of amendment to the following House bill and has refused to concur therein and asks for Committees of Conference upon the disagreeing votes of the two Houses to which the President announced the appointment as members of such Committees on the part of the Senate:

H. 548. An act relating to miscellaneous cannabis establishment procedures.

Senator White
Senator Pearson
Senator Sears

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

H. 444. An act relating to approval of amendments to the charter of the City of Barre.

And has concurred therein.

Pursuant to the request of the House for a Committee of Conference on the disagreeing votes of the two Houses on House bill entitled:

H. 456. An act relating to establishing strategic goals and reporting requirements for the Vermont State Colleges.

The President announced the appointment as members of such Committee on the part of the Senate:

Senator Campion
Senator Hooker
Senator Perchlik

Pursuant to the request of the House for a Committee of Conference on the disagreeing votes of the two Houses on House bill entitled:

H. 727. An act relating to the exploration, formation, and organization of union school districts and unified union school districts.

The President announced the appointment as members of such Committee on the part of the Senate:

Senator Campion
Senator Perchlik
Senator Terenzini

The Senate has on its part adopted Senate concurrent resolutions of the following titles:

S.C.R. 20. Senate concurrent resolution congratulating the Vermont Spring Open Studio Weekend on its 30th anniversary.

S.C.R. 21. Senate concurrent resolution recognizing the week beginning May 1, 2022 as Tardive Dyskinesia Awareness Week in Vermont.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

H.C.R. 161. House concurrent resolution honoring Alice Harter for her dedicated service as a long-term care ombudsman.

H.C.R. 162. House concurrent resolution honoring Vermont Historical Society Librarian extraordinaire Paul A. Carnahan for his superb professional leadership.

H.C.R. 163. House concurrent resolution honoring Ludlow civic leader Herbert Van Guilder.

H.C.R. 164. House concurrent resolution honoring Linda Wrazen for her exemplary career at Vermont Humanities.

H.C.R. 165. House concurrent resolution congratulating the Green Mountain Power Corporation of Colchester on Time Magazine's designating it as one of the 100 most influential companies in the world.

H.C.R. 166. House concurrent resolution honoring Berlin Town Clerk Rosemary Morse for 20 years of exemplary dedication to her community.

H.C.R. 167. House concurrent resolution commemorating the 75th Anniversary of the U.S. Air Force.

H.C.R. 168. House concurrent resolution in memory of former House Majority Leader Willem Westpalm van Hoorn Jewett of Ripton.

H.C.R. 169. House concurrent resolution congratulating the Vermont students at the Pioneer Valley Regional School in Northfield, Massachusetts, who are being honored as 2022 Peacemaker Award winners.

Adjournment

Noting a lack of quorum and pursuant to House Rule 9, the House adjourned until Monday, May 9 at one o'clock in the afternoon.

Monday, May 9, 2022

At one o'clock in the afternoon the Speaker called the House to order.

Devotional Exercises

A moment of silence was observed in lieu of a devotion.

Pledge of Allegiance

Speaker Krowinski led the House in the Pledge of Allegiance.

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 9th day of May, 2022, he signed bills originating in the House of the following titles:

H. 635 An act relating to secondary enforcement of minor traffic offenses

H. 655 An act relating to telehealth licensure and registration and to provisional licensure for professions regulated by the Office of Professional Regulation

H. 741 An act relating to approval of amendments to the charter of the City of St. Albans

Message from the Senate No. 69

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

S. 261. An act relating to municipal retention of property tax collections.

S. 269. An act relating to extending the Energy Savings Account Partnership Pilot Program.

And has concurred therein.

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 53. Joint resolution supporting transgender youth and their parents who seek essential medical care for the treatment of gender dysphoria.

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

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

H. 743. An act relating to amending the charter of the Town of Hardwick.

And has passed the same in concurrence.

Pursuant to the request of the House for a Committee of Conference on the disagreeing votes of the two Houses on Senate bill entitled:

S. 210. An act relating to rental housing health and safety and affordable housing.

The President announced the appointment as members of such Committee on the part of the Senate:

Senator Sirotkin
Senator Clarkson
Senator Brock

House Resolution Placed on Calendar

H.R. 27

House resolution requiring the House to apply the requirements of the federal Americans with Disabilities Act in regulating its procedure

Offered by: Committee on Rules

Whereas, the federal Americans with Disabilities Act prohibits a qualified individual with a disability from being excluded from participation in or being denied the benefits of the services, programs, or activities of a public entity, including a state or local government, and requires a public entity to provide reasonable accommodations when necessary to avoid discrimination on the basis of a disability, unless the public entity can demonstrate that the accommodations would fundamentally alter the nature of its service, program, or activity, and

Whereas, in regulating its own procedure, the House of Representatives operates under common law legislative immunity, which is recognized in U.S. Supreme Court caselaw as generally protecting legislators and legislative

bodies acting within their traditional sphere from being subject to civil suits in order to allow the discharge of legislative duties for the public good, and

Whereas, the House of Representatives recognizes that while it may enjoy legislative immunity in regulating its own procedure, it also recognizes the importance of applying the requirements of the Americans with Disabilities Act to its procedure and the necessity to do so on behalf of all of its members who represent Vermont, now therefore be it

Resolved by the House of Representatives:

That this legislative body adds Rule 90b of the Rules and Orders of the House of Representatives as follows:

90b. The House of Representatives shall apply the requirements of the federal Americans with Disabilities Act in regulating its procedure.

Was read by title and placed on the Action Calendar on the next legislative day pursuant to House Rule 33.

Committee of Conference Appointed

H. 548

Pursuant to the request of the Senate for a Committee of Conference on the disagreeing votes of the two Houses on House bill, entitled

An act relating to miscellaneous cannabis establishment procedures

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

Rep. Copeland Hanzas of Bradford

Rep. Gannon of Wilmington

Rep. Colston of Winooski

Committee of Conference Appointed

S. 283

Pursuant to the request of the Senate for a Committee of Conference on the disagreeing votes of the two Houses on Senate bill, entitled

An act relating to miscellaneous changes to education laws

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

Rep. Webb of Shelburne
Rep. Conlon of Cornwall
Rep. Cupoli of Rutland City

Rules Suspended; Bills Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House actions on the following bills were ordered messaged to the Senate forthwith:

H. 548

House bill, entitled

An act relating to miscellaneous cannabis establishment procedures

S. 283

Senate bill, entitled

An act relating to miscellaneous changes to education laws

**Senate Proposal of Amendment Concurred in with
Further Amendment Thereto**

H. 465

The Senate proposed to the House to amend House bill, entitled

An act relating to boards and commissions

The Senate proposed to the House to amend the bill as follows:

First: By adding a reader assistance heading and new section to be Sec. 7a to read as follows:

* * * Emergency Service Provider Wellness Commission * * *

Sec. 7a. 18 V.S.A. § 7257b is amended to read:

§ 7257b. EMERGENCY SERVICE PROVIDER WELLNESS
COMMISSION

(a) As used in this section:

(1) “Chief executive of an emergency service provider organization” means a person in charge of an organization that employs or supervises emergency service providers in their official capacity.

(2) “Emergency service provider” means a person:

(A) currently or formerly recognized by a Vermont fire department as a firefighter;

(B) currently or formerly licensed by the Department of Health as an emergency medical technician, emergency medical responder, advanced emergency medical technician, or paramedic;

(C) currently or formerly certified as a law enforcement officer by the Vermont Criminal Justice Council, including constables and sheriffs;

(D) currently or formerly employed by the Department of Corrections as a probation, parole, or correctional facility officer; or

(E) currently or formerly certified by the Vermont Enhanced 911 Board as a 911 call taker or employed as an emergency communications dispatcher providing service for an emergency service provider organization; or

(F) currently or formerly registered as a ski patroller at a Vermont ski resort with the National Ski Patrol or Professional Ski Patrol Association.

(3) “Licensing entity” means a State entity that licenses or certifies an emergency service provider.

(b) There is created the Emergency Service Provider Wellness Commission within the Agency of Human Services that, in addition to the purposes listed below, shall consider the diversity of emergency service providers on the basis of gender, race, age, ethnicity, sexual orientation, gender identity, disability status, and the unique needs that emergency service providers who have experienced trauma may have as a result of their identity status:

(1) to identify where increased or alternative supports or strategic investments within the emergency service provider community, designated or specialized service agencies, or other community service systems could improve the physical and mental health outcomes and overall wellness of emergency service providers;

(2) to identify how Vermont can increase capacity of qualified clinicians in the treatment of emergency service providers to ensure that the services of qualified clinicians are available throughout the State without undue delay;

(3) to create materials and information, in consultation with the Department of Health, including a list of qualified clinicians, for the purpose of populating an electronic emergency service provider wellness resource center on the Department of Health’s website;

(4) to educate the public, emergency service providers, State and local governments, employee assistance programs, and policymakers about best

practices, tools, personnel, resources, and strategies for the prevention and intervention of the effects of trauma experienced by emergency service providers;

(5) to identify gaps and strengths in Vermont's system of care for both emergency service providers who have experienced trauma and their immediate family members to ensure access to support and resources that address the impacts of primary and secondary trauma;

(6) to recommend how peer support services and qualified clinician services can be delivered regionally or statewide;

(7) to recommend how to support emergency service providers in communities that are resource challenged, remote, small, or rural;

(8) to recommend policies, practices, training, legislation, rules, and services that will increase successful interventions and support for emergency service providers to improve health outcomes, job performance, and personal well-being and reduce health risks, violations of employment, and violence associated with the impact of untreated trauma, including whether to amend Vermont's employment medical leave laws to assist volunteer emergency service providers in recovering from the effects of trauma experienced while on duty; and

(9) to consult with federal, State, and municipal agencies, organizations, entities, and individuals in order to make any other recommendations the Commission deems appropriate.

(c)(1) The Commission shall comprise the following members and, to the extent feasible, include representation among members that reflects the gender, gender identity, racial, age, ethnic, sexual orientation, social, and disability status of emergency service providers in the State:

* * *

(W) a representative, appointed by the Vermont Association for Hospitals and Health Systems; and

(X) the Executive Director of the Enhanced 911 Board or designee; and

(Y) a member of the National Ski Patrol appointed by consensus agreement of the National Ski Patrol Northern Vermont and Southern Vermont Regional Directors.

* * *

Second: In Sec. 8, 32 V.S.A. § 1010, in subdivision (e)(1), following the last sentence of the subdivision, by inserting the following:

Prior to submitting this schedule, the Governor shall consult with each elective officer or State officer who administers per diems that are not funded by the General Fund.

Third: In Sec. 8, 32 V.S.A. § 1010, in subdivision (e)(2), following the last sentence of the subdivision, by inserting the following:

The agency or department shall include within its annual budget documentation the justification for any current or projected per diem rate that is greater than \$50.00, including the justification for authorizing a per diem rate of greater than \$50.00 for a board, commission, council, or committee created by executive order pursuant to subsection (g) of this section.

Fourth: In Sec. 8, 32 V.S.A. § 1010, in subsection (e), by inserting a new subdivision to be subdivision (3) to read as follows:

(3) When the General Assembly is not in session, a department or agency may only increase the per diem rate above the level included in their budget submission if approved by the Commissioner of Finance and Management after review of written justification for the per diem rate adjustment.

Fifth: By striking out Sec. 9, effective date, and its reader assistance heading in their entirety and inserting in lieu thereof two new sections to be Secs. 9 and 10 and a reader assistance heading to read as follows:

Sec. 9. DEPARTMENT OF FINANCE AND MANAGEMENT; FISCAL
YEAR 2024; PER DIEM MAXIMUM; REPORT

(a) Fiscal year 2024. The fiscal year 2024 annual budget report of the Governor and the fiscal year 2024 annual budget documentation submitted by agencies and departments shall include the documentation and information required in Sec. 8 of this act regarding current and proposed per diem rates for boards, commissions, councils, and committees.

(b) Report. On or before December 1, 2024, the Department of Finance and Management shall submit a written report to the House and Senate Committees on Appropriations and on Government Operations with a recommendation on whether to establish a maximum per diem rate for boards, commissions, councils, or committees and any legislative actions necessary to increase uniformity and equality of per diem rates across State government.

* * * Effective Dates * * *

Sec. 10. EFFECTIVE DATES

This act shall take effect on passage, except that Sec. 8 shall take effect on July 1, 2023.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Reps. Higley of Lowell, Colston of Winooski, Copeland Hanzas of Bradford, Gannon of Wilmington, Hooper of Burlington, and McCarthy of St. Albans City** moved to concur in the Senate proposal of amendment with a further amendment thereto as follows:

First: That the bill be amended in Sec. 8, 32 V.S.A. § 1010, by striking out subsection (e) in its entirety and inserting a new subsection (e) to read as follows:

(e) ~~The Governor may authorize per diem compensation and expense reimbursement in accordance with this section for members of boards and commissions, including temporary study commissions, created by Executive Order. Per diem compensation authorized under this section for members of boards, commissions, councils, and committees and all other management, policymaking, or advisory bodies, including temporary study commissions, of the Executive Branch, whether appointed by the Governor or not, shall be not less than \$50.00 per day and shall be approved pursuant to this subsection.~~

(1) The annual budget report of the Governor submitted to the General Assembly as required by 32 V.S.A. § 306 shall contain a separate schedule, by entity, that provides the per diem compensation rate established for the current fiscal year and the per diem rate proposed for the next fiscal year of any per diem that will be increased from its current fiscal year rate. This schedule shall also provide, by entity, the total per diem amounts paid and total expenses reimbursed for all members of the entity in the most recently ended fiscal year. Prior to submitting this schedule, the Governor shall consult with each elective officer or State officer who administers per diems that are not funded by the General Fund.

(2) In the annual budget documentation submitted to the House and Senate Committees on Appropriations, any agency or department that administers funds for a board, commission, council, and committee and all other management, policymaking, or advisory bodies, including temporary study commissions, shall provide a list of the entities and the current and projected per diem rate and expense reimbursement for each entity. The agency or department shall include within its annual budget documentation the justification for any current or projected per diem rate that is greater than \$50.00, including the justification for authorizing a per diem rate of greater than \$50.00 for a board, commission, council, or committee created by executive order pursuant to subsection (g) of this section.

Second: By striking out Sec. 9, Department of Finance and Management; fiscal year 2024; per diem maximum; report, in its entirety and inserting in lieu thereof a new section to be Sec. 9 to read as follows:

Sec. 9. FISCAL YEAR 2024; SUNSET ADVISORY COMMISSION; PER
DIEM MAXIMUM; REPORT

(a) Fiscal year 2024. The fiscal year 2024 annual budget report of the Governor and the fiscal year 2024 annual budget documentation submitted by agencies and departments shall include the documentation and information required in Sec. 8 of this act regarding current and proposed per diem rates for boards, commissions, councils, and committees.

(b) Report. On or before December 1, 2023, the Sunset Advisory Commission shall submit a written report to the House and Senate Committees on Appropriations and on Government Operations with a recommendation on whether to establish a maximum per diem rate for boards, commissions, councils, or committees and any legislative actions necessary to increase uniformity and equality of per diem rates across State government.

Which was agreed to.

Senate Proposal of Amendment Concurred in

H. 728

The Senate proposed to the House to amend House bill, entitled

An act relating to opioid overdose response services

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

* * * Operation of Syringe Service Programs * * *

Sec. 1. 18 V.S.A. § 4475 is amended to read:

§ 4475. DEFINITIONS

(a)(1) The term “drug paraphernalia” means all equipment, products, devices, and materials of any kind that are used, or promoted for use or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a regulated drug in violation of chapter 84 of this title. “Drug paraphernalia” does not include needles ~~and~~ syringes, or other harm reduction supplies distributed or possessed as part of an organized community-based needle exchange program.

(2) “Organized community-based needle exchange program” means a program approved by the Commissioner of Health under section 4478 of this title, the purpose of which is to provide access to clean needles and syringes;

~~and which is operated by an AIDS service organization, a substance abuse treatment provider, or a licensed health care provider or facility. Such programs shall be operated in a manner that is consistent with the provisions of 10 V.S.A. chapter 159 (waste management; hazardous waste); and any other applicable laws.~~

* * *

Sec. 2. REPORT; NEEDLE EXCHANGE PROGRAM GUIDELINES

On or before January 1, 2023, the Department of Health shall submit a written report to the House Committee on Human Services and to the Senate Committee on Health and Welfare on updates to the needle exchange program operating guidelines required pursuant to 18 V.S.A. § 4478 that reflect current practice and consideration of the feasibility and costs of designating organizations to deliver peer-operated needle exchange.

* * * Prior Authorization of Medication-Assisted Treatment
Medications for Medicaid Beneficiaries * * *

Sec. 3. 33 V.S.A. § 1901k is added to read:

§ 1901k. MEDICATION-ASSISTED TREATMENT MEDICATIONS

(a) The Agency of Human Services shall provide coverage to Medicaid beneficiaries for medically necessary medication-assisted treatment for opioid use disorder when prescribed by a health care professional practicing within the scope of the professional's license and participating in the Medicaid program.

(b) Upon approval of the Drug Utilization Review Board, the Agency shall cover at least one medication in each therapeutic class for methadone, buprenorphine, and naltrexone as listed on Medicaid's preferred drug list without requiring prior authorization.

Sec. 4. REPORT; PRIOR AUTHORIZATION; MEDICATION-ASSISTED TREATMENT

(a) On or before December 1, 2022, the Department of Vermont Health Access shall research the following, in consultation with individuals representing diverse professional perspectives, and submit its findings related to prior authorization for medication-assisted treatment to the Drug Utilization Review Board and Clinical Utilization Review Board for review, consideration, and recommendations:

(1) the quantity limits and preferred medications for buprenorphine products;

(2) the feasibility and costs for adding mono-buprenorphine products as

preferred medications and the current process for verifying adverse effects;

(3) how other states' Medicaid programs address prior authorization for medication-assisted treatment, including the 60-day deferral of prior authorization implemented by Oregon's Medicaid program;

(4) the appropriateness and feasibility of removing annual renewal of prior authorization;

(5) the appropriateness of creating parity between hub-and-spoke providers with regard to medication-assisted treatment quantity limits; and

(6) creating an automatic emergency 72-hour pharmacy override default.

(b) Prior to providing a recommendation to the Department, the Drug Utilization Review Board and the Clinical Utilization Review Board shall include as an agenda item at their respective meetings the Department's findings related to prior authorization required pursuant to subsection (a) of this section.

(c) On or before January 15, 2023, the Department shall submit a written report containing both the Department's initial research and findings and the Drug Utilization Review Board and the Clinical Utilization Review Board's recommendations pursuant to subsection (a) of this section to the House Committee on Human Services and to the Senate Committee on Health and Welfare.

Sec. 5. [Deleted.]

Sec. 6. [Deleted.]

Sec. 7. REPORTS; PRIOR AUTHORIZATION FOR MEDICATION-ASSISTED TREATMENT; MEDICAID

On or before February 1, 2023, 2024, and 2025, the Department of Vermont Health Access shall report to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare regarding prior authorization processes for medication-assisted treatment in Vermont's Medicaid program during the previous calendar year, including:

(1) which medications required prior authorization;

(2) the reason for initiating prior authorization;

(3) how many prior authorization requests the Department received and, of these, how many were approved and denied and the reason for approval or denial;

(4) the average and longest length of time the Department took to

process a prior authorization request; and

(5) how many prior authorization appeals the Department received and, of these, how many were approved and denied and the reason for approval or denial.

* * * Overdose Prevention Site Working Group * * *

Sec. 8. OVERDOSE PREVENTION SITE WORKING GROUP

(a) Creation. In recognition of the rapid increase in overdose deaths across the State, with a record number of opioid-related deaths in 2021, there is created the Overdose Prevention Site Working Group to identify the feasibility and liability of implementing overdose prevention sites in Vermont. The Working Group shall review the findings from previously completed reports on this topic and current efforts to examine and implement an overdose prevention site.

(b) Membership. The Working Group shall be composed of the following members:

(1) the Commissioner of Health or designee;

(2) the Commissioner of Public Safety or designee;

(3) a representative, appointed by the State's Attorneys Offices;

(4) two representatives, appointed by the Vermont League of Cities and Towns, from different regions of the State;

(5) two individuals with lived experience of opioid use disorder, including at least one of whom is in recovery; one member appointed by the Howard Center's Safe Recovery program; and one member appointed by the Vermont Association of Mental Health and Addiction Recovery;

(6) the Program Director from the Consortium on Substance Use;

(7) the Program Director from the Howard Center's Safe Recovery program;

(8) a primary care prescriber with experience providing medication-assisted treatment within the hub-and-spoke model, appointed by the Clinical Director of Alcohol and Drug Abuse Programs; and

(9) an emergency department physician, appointed by the Vermont Medical Society.

(c) Powers and duties. The Working Group shall:

(1) conduct an inventory of overdose prevention sites nationally;

(2) identify the feasibility, liability, and cost of both publicly funded and

privately funded overdose prevention sites;

(3) make recommendations on municipal and local actions necessary to implement overdose prevention sites;

(4) make recommendations on executive and legislative actions necessary to implement overdose prevention sites, if any; and

(5) develop an actionable plan for the design, facility fit-up, and implementation of one or more overdose prevention sites in Vermont.

(d) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Department of Health.

(e) Report. On or before January 15, 2023, the Working Group shall submit a written report to the House Committee on Human Services and the Senate Committee on Health and Welfare with its findings and any recommendations for legislative action, including the plan developed pursuant to subdivision (c)(5) of this section and the estimated cost to implement the plan.

(f) Meetings.

(1) The Commissioner of Health or designee shall call the first meeting of the Working Group to occur on or before July 15, 2022.

(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 Working Group shall cease to exist on January 15, 2023.

(g) Compensation and reimbursement. Members of the Working Group shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than eight meetings. These payments shall be made from monies appropriated to the Department of Health.

(h) As used in this section, “overdose prevention site” means a facility where individuals can use previously acquired regulated drugs as defined in 18 V.S.A. § 4201.

* * * Program Presentations * * *

Sec. 9. MOBILE MEDICATION-ASSISTED TREATMENT

On or before February 15, 2023, the designated agencies operating mobile medication-assisted treatment services shall present information regarding their services to the House Committee on Human Services and to the Senate Committee on Health and Welfare. The Department of Health’s Division of

Alcohol and Drug Abuse Programs shall also present a summary of its use of federal funds for mobile medication-assisted treatment services and an assessment as to the efficacy of mobile medication-assisted treatment services at preventing overdose deaths. As part of their respective presentations, the designated agencies and the Department shall describe geographic inequities in the provision of methadone services and provide proposals for addressing geographic inequities.

Sec. 10. SUBSTANCE USE SUPPORT FOR JUSTICE INVOLVED
VERMONTERS

The Departments of Health and of Corrections shall continue existing efforts to support access to medication-assisted treatment services to individuals in the custody of the Department of Corrections and those individuals transitioning out of the custody of the Department of Corrections. On or before February 15, 2023, the Departments shall jointly present to the House Committees on Corrections and Institutions and on Human Services and to the Senate Committees on Health and Welfare and on Judiciary information:

(1) summarizing their use of federal funds for this purpose; and

(2) regarding the provision of medication-assisted treatment services to justice-involved individuals.

Sec. 11. OVERDOSE EMERGENCY RESPONSE SUPPORT

The Agency of Human Services shall continue existing efforts to provide or facilitate connections to substance use treatment, recovery, or harm reduction services at the time of an emergency response to an overdose. On or before February 15, 2023, the Agency shall present information to the House Committee on Human Services and to the Senate Committee on Health and Welfare summarizing the use of federal funds and status of this work.

* * * Effective Date * * *

Sec. 12. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Proposal of amendment was considered and concurred in.

**Senate Proposal of Amendment Concurred in
With a Further Amendment Thereto**

H. 739

The Senate proposed to the House to amend House bill, entitled

An act relating to capital construction and State bonding budget adjustment

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

Sec. 1. 2021 Acts and Resolves No. 50, Sec. 1 is amended to read:

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the \$127,378,694.00 \$143,757,972.00 authorized in this act, not more than \$70,074,988.00 \$69,549,988.00 shall be appropriated in the first year of the biennium, and the remainder shall be appropriated in the second year.

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

(c) It is also the intent of the General Assembly that in the second year of the biennium, the General Assembly address the impacts of the COVID-19 pandemic by offsetting capital projects with funds appropriated to the State from the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (ARPA) to the extent these appropriations are in compliance with federal law and guidance.

Sec. 2. 2021 Acts and Resolves No. 50, Sec. 2 is amended to read:

Sec. 2. STATE BUILDINGS

* * *

(c) The following sums are appropriated in FY 2023:

(1) Statewide, major maintenance: \$7,350,000.00 \$7,096,521.00

(2) Statewide, ~~BGS engineering and architectural project costs:~~
\$3,747,442.00 [Repealed.]

* * *

(12) Burlington, 32 Cherry Street, parking garage renovations planning, design, and construction: \$865,000.00 \$565,000.00

* * *

(15) Montpelier, State House, HVAC renovations:
\$2,535,000.00 \$6,800,000.00

* * *

(17) ~~Statewide, three-acre parcel, stormwater planning, design and implementation:~~
\$600,000.00

(18) Statewide, correctional facilities, door control system replacements: \$670,000.00

(18) Burlington, 108 Cherry Street, parking garage repairs:
\$2,000,000.00

(19) Springfield, Southern State Correctional Facility, door control system replacement: \$750,000.00

(20) Windsor, former Southeast State Correctional Facility, necessary demolition, salvage, dismantling, and improvements to facilitate future use of the facility: \$400,000.00

(21) 133 State Street, renovations for the Office of Legislative Information Technology and shared common spaces: \$1,400,000.00

Appropriation – FY 2022 \$19,316,774.00

Appropriation – FY 2023 \$24,800,442.00 \$28,714,521.00

Total Appropriation – Section 2 \$44,117,216.00 \$48,031,295.00

Sec. 3. 2021 Acts and Resolves No. 50, Sec. 3 is amended to read:

Sec. 3. HUMAN SERVICES

* * *

(b) The following sums are appropriated in FY 2023 to the Department of Buildings and General Services for the Agency of Human Services for the following projects described in this subsection:

(1) Women's correctional facilities, replacement: \$1,000,000.00

(2) Statewide, correctional facility, life safety and security needs and enhancements: \$200,000.00

(3) Secure Residential Recovery Facility, design and construction:
\$3,200,000.00

(4) Statewide, correctional facilities, accessibility improvements, Americans with Disabilities Act (ADA) compliance: \$1,200,000.00

(5) Statewide, correctional facilities, HVAC, programming, schematic design, and design documents: \$500,000.00

(6) Nursing school programs, capital grants, renovation or expansion of simulation laboratories: \$1,000,000.00

* * *

(e)(1) For the amount appropriated in subdivision (b)(6) of this section, the Secretary of Administration shall establish a capital grant program for nursing

school programs to enable them to increase student enrollment by renovating or expanding their simulation laboratories, or both. On or before August 15, 2022, the Secretary of Administration shall issue a request for information (RFI) to assess the capital needs at nursing programs in the State and develop the guidelines and eligibility criteria for the grant and determine the appropriate State entity to administer the program. The ROI process shall include a survey of nursing school programs at Vermont colleges and universities to determine what, if any, capital needs exist for the expansion of nursing school simulation laboratories. The process shall also include an assessment of capital needs relating to technology upgrades to allow for remote access.

(2) On or before January 15, 2023, the Agency or Department responsible for distributing the grant funds shall submit a report to the House Committees on Corrections and Institutions and on Health Care and the Senate Committee on Health and Welfare and on Institutions with the results of the assessment described in subdivision (1) of this subsection.

* * *

Appropriation – FY 2022	\$12,350,000.00
Appropriation – FY 2023	~~\$1,200,000.00~~ \$7,100,000.00
Total Appropriation – Section 3	~~\$13,550,000.00~~ \$19,450,000.00

Sec. 4. 2021 Acts and Resolves No. 50, Sec. 4 is amended to read:

Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

* * *

(b) The following sums are appropriated in FY 2023 to the Agency of Commerce and Community Development for the following projects described in this subsection:

(1) Major maintenance at statewide historic sites:	~~\$350,000.00~~ \$683,000.00

* * *

(d) The Division of Historic Preservation shall conduct a facilities condition assessment on all the buildings and structures of the State Historic Sites within the next five years, with a cyclical update plan. Those buildings and structures open to the public shall be prioritized for investigation.

(e) It is the intent of the General Assembly to encourage the Lake Champlain Maritime Museum to, in addition to the development of a decommissioning plan, explore all options for the ongoing use of the Schooner

Lois McClure.

Appropriation – FY 2022 \$473,000.00

Appropriation – FY 2023 \$733,000.00

Total Appropriation – Section 4 \$1,206,000.00

Sec. 5. 2021 Acts and Resolves No. 50, Sec. 8 is amended to read:

Sec. 8. VERMONT STATE COLLEGES

* * *

(b) The following sums are appropriated in FY 2023 to the Vermont State Colleges for the projects described in this subsection:

(1) construction, renovation, and major maintenance at any facility owned or operated in the State by the Vermont State Colleges: \$2,000,000.00

(2) infrastructure transformation planning and space modification:
\$100,000.00 \$900,000.00

Appropriation – FY 2022 \$2,000,000.00

Appropriation – FY 2023 \$2,100,000.00 \$2,900,000.00

Total Appropriation – Section 8 \$4,100,000.00 \$4,900,000.00

Sec. 6. 2021 Acts and Resolves No. 50, Sec. 9 is amended to read:

Sec. 9. NATURAL RESOURCES

* * *

(e) The following sums are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

* * *

(2) ~~Dam safety and hydrology projects~~ High and Significant Hazard Dam, dam safety improvements: ~~\$805,000.00~~ \$3,115,000.00

* * *

(4) Little Hosmer Dam, rehabilitation: \$190,000.00

(5) Infrastructure Investment and Jobs Act, Drinking and Clean Water State Revolving Fund, State match: \$2,833,980.00

(f) The following sums are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the following projects:

(1) Infrastructure rehabilitation, including statewide small-scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects: ~~\$4,476,553.00~~ ~~\$4,251,553.00~~

(2) Rustic Cabin Construction Program: ~~\$500,000.00~~ ~~\$700,000.00~~

(g) The following amounts are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Fish and Wildlife for the projects described in this subsection:

(1) General infrastructure projects, including small-scale maintenance and rehabilitation of infrastructure: ~~\$1,083,500.00~~

(2) Lake Champlain Walleye Association, Inc., to upgrade and repair the Walleye rearing, restoration, and stocking infrastructure: ~~\$25,000.00~~
~~\$50,000.00~~

(h) The following shall apply to the amounts appropriated in this section:

(1) For the amounts appropriated in subdivision (e)(5) of this section, the funds shall not be released until the federal grant has been received by the State.

(2) For the amount appropriated in subdivision (f)(2) of this section, the Department of Forests, Parks and Recreation is authorized to use not more than \$200,000.00 to work with career technical education centers for assistance with the Rustic Cabin Construction Program.

Appropriation – FY 2022 ~~\$11,455,214.00~~

Appropriation – FY 2023 ~~\$9,853,264.00~~ ~~\$15,187,244.00~~

Total Appropriation – Section 9 ~~\$21,308,478.00~~ ~~\$26,642,458.00~~

Sec. 7. 2021 Acts and Resolves No. 50, Sec. 10 is amended to read:

Sec. 10. CLEAN WATER INITIATIVES

* * *

~~(c) The sum of \$500,000.00 is appropriated in FY 2022 to the Agency of Natural Resources for forestry access roads, recreation access roads, and water quality improvements. [Repealed.]~~

* * *

~~(e) The sum of \$11,000,000.00 is appropriated in FY 2023 to the Agency of Natural Resources for the Department of Environmental Conservation for clean water implementation projects~~ The amount of \$200,000.00 is appropriated in FY 2023 to the Agency of Agriculture, Food and Markets for

water quality grants and contracts.

* * *

(i) The following amounts are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

(1) Water Pollution Control Fund, Clean Water State/EPA Revolving Loan Fund (CWSRF) match: \$1,548,219.00

(2) Municipal Pollution Control Grants, pollution control projects and planning advances for feasibility studies: \$2,715,000.00

(j)(1) The following amounts are appropriated in FY 2023 to the Vermont Housing and Conservation Board for the projects described in this subsection:

(A) Agricultural water quality projects: \$200,000.00

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

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

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

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

Appropriation – FY 2022 \$11,000,000.00 \$10,500,000.00

Appropriation – FY 2023 \$11,000,000.00 \$6,663,219.00

Total Appropriation – Section 10 \$22,000,000.00 \$17,163,219.00

Sec. 8. 2021 Acts and Resolves No. 50, Sec. 11 is amended to read:

Sec. 11. MILITARY

(a) The sum of \$900,000.00 is appropriated in FY 2022 to the Department of Military for maintenance, renovations, and ADA compliance at State armories.

(b) The sum of ~~\$900,000.00~~ are \$1,100,000.00 is appropriated in FY 2023 to the Department of Military for the projects described in subsection (a) of this section.

Appropriation – FY 2022 \$900,000.00

Appropriation – FY 2023 \$900,000.00 \$1,100,000.00

Total Appropriation – Section 11 \$1,800,000.00 \$2,000,000.00

Sec. 9. 2021 Acts and Resolves No. 50, Sec. 12 is amended to read:

Sec. 12. PUBLIC SAFETY

* * *

(b) The sum of \$50,000.00 is appropriated in FY 2023 to the Department of Public Safety for a feasibility study for the Vermont Police Academy in Pittsford. The following amounts are appropriated in FY 2023 to the Department of Public Safety for the projects described in this subsection:

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

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

Appropriation – FY 2022 \$6,120,000.00

Appropriation – FY 2023 \$50,000.00 \$3,550,000.00

Total Appropriation – Section 12 \$6,170,000.00 \$9,670,000.00

Sec. 10. 2021 Acts and Resolves No. 50, Sec. 13 is amended to read:

Sec. 13. AGRICULTURE, FOOD AND MARKETS

* * *

(b) The sum of \$350,000.00 \$1,400,000.00 is appropriated in FY 2023 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for the project described in subsection (a) of this section major maintenance, renovation, and modernization planning and design at the Vermont Building at the Eastern States Exhibition.

Appropriation – FY 2022 \$260,000.00

Appropriation – FY 2023 \$350,000.00 \$1,400,000.00

Total Appropriation – Section 13 \$610,000.00 \$1,660,000.00

Sec. 11. 2021 Acts and Resolves No. 50, Sec. 17a is added to read:

Sec. 17a. SERGEANT AT ARMS

The amount of \$185,000.00 is appropriated in FY 2023 to the Sergeant at Arms for upgrades to 2 Governor Aiken Avenue.

Total Appropriation – Section 17a \$185,000.00

Sec. 12. 2021 Acts and Resolves No. 50, Sec. 17b is added to read:

Sec. 17b. FY 2022 AND FY 2023; AMERICAN RESCUE PLAN ACT;
STATE AND LOCAL FISCAL RECOVERY FUND; CAPITAL
PROJECTS; AUTHORIZATIONS

(a) Findings. The General Assembly finds:

(1) In 2021 Acts and Resolves No. 74, Sec. G.700(c), the General Assembly authorized the Commissioner of Finance and Management to use not more than \$15,000,000.00 in American Rescue Plan Act (ARPA) funds to offset capital funds appropriated to projects supporting water and sewer infrastructure in fiscal year 2022 to the extent feasible under federal law and guidance.

(2) The Governor's fiscal year 2022–2023 capital budget adjustment report included recommendations for water and sewer infrastructure projects historically funded in the State's capital construction act that could be funded in fiscal years 2022 and 2023 with ARPA funds.

(3) The General Assembly finds that in addition to the capital projects identified by the Governor's fiscal year 2022–2023 capital budget adjustment report, there are other capital projects that can be funded in fiscal year 2023 with ARPA funds.

(b) Intent. It is the intent of the General Assembly to authorize certain projects that are eligible for ARPA funds in this act but appropriate the funds for these projects in the FY 2023 Annual Appropriations Act.

(c) Authorizations. In fiscal years 2022 and 2023, the following capital projects are authorized to be undertaken with funds appropriated in the FY 2023 Annual Appropriations Act:

(1) In FY 2022 and FY 2023, the Department of Forests, Parks and Recreation is authorized to upgrade forestry access roads, recreation access roads, and make water quality improvements to these roads.

(2) In FY 2023, in addition to the amounts appropriated in Sec. 10(e) of this act, the Agency of Agriculture, Food and Markets is authorized to issue water quality grants and contracts.

(3) In FY 2023, in addition to the amounts appropriated in Sec. 10(i)(2) of this act, the Department of Environmental Conservation is authorized to issue municipal pollution control grants.

(4) In FY 2023, the Department of Forests, Parks and Recreation is authorized to make wastewater repairs and water and sewer infrastructure improvements and upgrades to restrooms and bathhouses at State parks.

(5) In FY 2023, in addition to the amount appropriated in Sec. 10(j)(1)(A) of this act, the Vermont Housing and Conservation Board is authorized to issue grants for water quality improvement projects.

(6) In FY 2023, the Vermont Historical Society is authorized to make upgrades and repairs to the HVAC system at the Vermont History Center in Barre.

(7) The Department of Buildings and General Services is authorized to begin design and construction for the expansion of the State House in Montpelier.

(8) The Judiciary is authorized to make HVAC improvements to county courthouses.

Sec. 13. 2021 Acts and Resolves No. 50, Sec. 18 is amended to read:

Sec. 18. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

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

* * *

(4) of the amount appropriated in 2015 Acts and Resolves No. 26, Sec. 2(b)(5) (major maintenance): \$35,475.94

(5) of the amount appropriated in 2015 Acts and Resolves No. 26, Sec. 2(c)(11) (Southern State Correctional Facility, copper waterline replacement): \$82,851.42

(6) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 2(c)(15) (Southern State Correctional Facility, steam line replacement):
\$147,068.63

(7) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 2(c)(16) (Statewide, ADA projects, State-owned buildings and courthouses): \$52,460.30

(8) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 2(c)(19) (Waterbury State Office Complex project, true up): \$11,016.00

(9) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 13(c)(2) (Westminster, DPS Facility, project cost adjustment for unanticipated site conditions and code modifications): \$4,522.99

(10) of the amount appropriated in 2017 Acts and Resolves No. 84 Sec. 2(b)(2) (Statewide – Major Maintenance): \$53,755.21

(11) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 2(b)(6) (Randolph, Agencies of Agriculture, Food and Markets and of Natural Resources, collaborative laboratory, construction): \$156,275.91

(12) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 2(b)(7) (Springfield, Southern State Correctional Facility, completion of the steamline replacement): \$36,382.55

(13) of the amount appropriated in 2017 Acts and Resolves No. 84 Sec. 2(b)(9) (Newport, Northern State Correctional Facility Door Control replacement): \$72,287.54

(14) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 2(c)(2) (Statewide, major maintenance): \$26,921.21

(15) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 2(c)(18) (Rutland, Marble Valley Regional Correctional Facility): \$2,850.00

(16) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 2(c)(8) (Waterbury State Office Complex, Weeks building renovation and fit-up): \$224,387.21

(17) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 2(c)(17) (Waterbury State Office Complex, Stanley and Wasson, demolition of Stanley Hall, and programming, schematic design, and design development for Wasson Hall): \$265,247.20

(18) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 6(a)(9) (E-911 compliance grants): \$39,156.48

(19) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 11(e)(1)(B) (phosphorous removal equipment): \$58,890.00

(20) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 16(c)(a) (NEK fiber network): \$209,291.36

(21) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 2(b)(6) (120 State Street): \$800,000.00

(22) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 10(b)(2) rustic cabin construction): \$775,409.25

(23) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 17(a)(1) (stand-alone digital public address system): \$147,177.00

(24) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 17(b) (stand-alone digital public address system): \$174,888.00

(25) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 3(c)(5), as added by 2020 Acts and Resolves No. 139, Sec. 2 (Windsor and St. Johnsbury, site preparation, relocation, and rebuild of a greenhouse at the Caledonia County Workcamp from the former Southeast State Correctional Facility): \$162,872.00

* * *

Total Reallocations and Transfers – Section 18 \$4,198,694.44 \$7,737,808.64

Sec. 14. 2021 Acts and Resolves No. 50, Sec. 19 is amended to read:

Sec. 19. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

(a) The State Treasurer is authorized to issue general obligation bonds in the amount of \$123,180,000.00 for the purpose of funding the appropriations of this act. The State Treasurer, with the approval of the Governor, shall determine the appropriate form and maturity of the bonds authorized by this section consistent with the underlying nature of the appropriation to be funded. The State Treasurer shall allocate the estimated cost of bond issuance or issuances to the entities to which funds are appropriated pursuant to this section and for which bonding is required as the source of funds, pursuant to 32 V.S.A. § 954.

(b) The State Treasurer is authorized to issue additional general obligation bonds in the amount of \$12,840,163.00 that were previously appropriated but unissued under 2021 Acts and Resolves No. 50 for the purpose of funding the appropriations in this act.

Total Revenues – Section 19

\$123,180,000.00 \$136,020,163.00

Sec. 15. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58, Sec. E.113.1, 2017 Acts and Resolves No. 84, Sec. 29, 2018 Acts and Resolves No. 190, Sec. 18, 2019 Acts and Resolves No. 42, Sec. 25, 2020 Acts and Resolves No. 139, Sec. 19, and 2021 Acts and Resolves No. 50, Sec. 24, is further amended to read:

(c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1, 2023~~ June 30, 2022.

Sec. 16. 2021 Acts and Resolves No. 50, Sec. 21a is amended to read:

Sec. 21a. ~~43 BALDWIN STREET; SALE OF PROPERTY~~ PROPERTIES

(a) The Commissioner of Buildings and General Services is authorized to sell the property located at 13 Baldwin Street in Montpelier, Vermont, pursuant to the requirements of 29 V.S.A. § 166. The To the extent that there are sufficient proceeds from the sale shall be appropriated to future capital construction projects, the Department of Buildings and General Services is authorized to use up to \$300,000.00 in FY 2023 for the project described in Sec. 2(c)(1) of this act.

(b) The Commissioner of Buildings and General Services is authorized to sell the property located at 14–16 Baldwin Street in Montpelier, Vermont, pursuant to the requirements of 29 V.S.A. § 166. The proceeds of the sale of 14–16 Baldwin Street shall be appropriated to future capital construction projects.

(c) The Commissioner of Buildings and General Services is authorized to sell the property located at 9 Baldwin Street in Montpelier, Vermont, contingent upon the completed relocation of the Office of Legislative Information Technology to 133 State Street. The proceeds from the sale shall be appropriated to future capital construction projects.

Sec. 17. 2021 Acts and Resolves No. 50, Sec. 25b is added to read:

Sec. 25b. REDUCING CARBON INTENSITY; STATE BUILDINGS;
STATE ENERGY MANAGEMENT PROGRAM; INTENT

(a) It is the intent of the General Assembly that the Department of Buildings and General Services implement strategies as soon as practicable to reduce carbon intensity in buildings under the jurisdiction of the Department. These strategies may include the use of:

(1) non-fossil-fuel alternatives when installing or replacing any space conditioning or water heating systems; and

(2) carbon-storing and least-embodied-carbon materials, as evidenced by appropriate documentation from contractors and suppliers, when constructing, renovating, or substantially repairing a building or facility.

(b) It is also the intent of the General Assembly that the Department of Forests, Parks and Recreations and the Agency of Transportation use the technical assistance of the State Energy Management Program, created in 29 V.S.A. § 168, for eligible projects.

Sec. 18. 2019 Acts and Resolves No. 42, Sec. 10 is amended to read:

Sec. 10. NATURAL RESOURCES

* * *

(b) The following sums are appropriated in FY 2020 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the following projects:

* * *

(2) Rustic Cabin Construction Program:	\$797,586.00	<u>\$22,176.75</u>

* * *

Sec. 19. EFFECTIVE DATE

This act shall take effect on passage.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Rep. Emmons of Springfield** moved to concur in the Senate proposal of amendment with a further amendment thereto by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 2021 Acts and Resolves No. 50, Sec. 1 is amended to read:

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the \$127,378,694.00 \$143,757,972.00 authorized in this act, not more than \$70,074,988.00 \$69,549,988.00 shall be appropriated in the first year of the biennium, and the remainder shall be appropriated in the second year.

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

(c) It is also the intent of the General Assembly that in the second year of the biennium, the General Assembly address the impacts of the COVID-19 pandemic by offsetting capital projects with funds appropriated to the State from the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (ARPA) to the extent these appropriations are in compliance with federal law and guidance.

Sec. 2. 2021 Acts and Resolves No. 50, Sec. 2 is amended to read:

Sec. 2. STATE BUILDINGS

* * *

(c) The following sums are appropriated in FY 2023:

(1) Statewide, major maintenance: \$7,350,000.00 \$7,096,521.00

(2) Statewide, ~~BGS engineering and architectural project costs:~~

\$3,747,442.00 [Repealed.]

* * *

(12) Burlington, 32 Cherry Street, parking garage renovations planning, design, and construction: \$865,000.00 \$565,000.00

* * *

(15) Montpelier, State House, HVAC renovations:

\$2,535,000.00 \$6,800,000.00

* * *

~~(17) Statewide, three-acre parcel, stormwater planning, design and implementation: \$600,000.00~~

~~(18) Statewide, correctional facilities, door control system replacements: \$670,000.00~~

~~(18) Burlington, 108 Cherry Street, parking garage repairs: \$2,000,000.00~~

~~(19) Springfield, Southern State Correctional Facility, door control system replacement: \$750,000.00~~

~~(20) Windsor, former Southeast State Correctional Facility, necessary demolition, salvage, dismantling, and improvements to facilitate future use of the facility: \$400,000.00~~

~~(21) 133 State Street, renovations for the Office of Legislative Information Technology and shared common spaces: \$1,400,000.00~~

(d)(1) On or before January 15, 2023, the Commissioner of Buildings and General Services shall submit to the House Committee on Corrections and Institutions and the Senate Committee on Institutions heat source options for a system to dehumidify the State House in the summer months that are consistent with the State Agency Energy Plan set forth in 3 V.S.A. § 2291.

(2) For the amount appropriated in subdivision (c)(15) of this section, no funds shall be expended on the heat source for a system to dehumidify the State House in the summer months until the General Assembly approves one of the options, as described in subdivision (1) of this subsection (d).

Appropriation – FY 2022 \$19,316,774.00

Appropriation – FY 2023 \$24,800,442.00 \$28,714,521.00

Total Appropriation – Section 2 \$44,117,216.00 \$48,031,295.00

Sec. 3. 2021 Acts and Resolves No. 50, Sec. 3 is amended to read:

Sec. 3. HUMAN SERVICES

* * *

(b) The following sums are appropriated in FY 2023 to the Department of Buildings and General Services for the Agency of Human Services for the following projects described in this subsection:

(1) Women's correctional facilities, replacement: \$1,000,000.00

(2) Statewide, correctional facility, life safety and security needs and enhancements: \$200,000.00

(3) Secure Residential Recovery Facility, design and construction:

\$3,200,000.00

(4) Statewide, correctional facilities, accessibility improvements, Americans with Disabilities Act (ADA) compliance:

\$1,200,000.00

(5) Statewide, correctional facilities, HVAC, programming, schematic design, and design documents:

\$500,000.00

* * *

Appropriation – FY 2022 \$12,350,000.00

Appropriation – FY 2023 \$1,200,000.00 \$6,100,000.00

Total Appropriation – Section 3 \$13,550,000.00 \$18,450,000.00

Sec. 4. 2021 Acts and Resolves No. 50, Sec. 4 is amended to read:

Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

* * *

(b) The following sums are appropriated in FY 2023 to the Agency of Commerce and Community Development for the following projects described in this subsection:

(1) Major maintenance at statewide historic

sites: \$350,000.00 \$683,000.00

* * *

(d) The Division of Historic Preservation shall conduct a facilities condition assessment on all the buildings and structures of the State Historic Sites within the next five years, with a cyclical update plan. Those buildings and structures open to the public shall be prioritized for investigation.

(e) It is the intent of the General Assembly to encourage the Lake Champlain Maritime Museum to, in addition to the development of a decommissioning plan, explore all options for the ongoing use of the Schooner Lois McClure.

Appropriation – FY 2022 \$473,000.00

Appropriation – FY 2023 \$733,000.00

Total Appropriation – Section 4 \$1,206,000.00

Sec. 5. 2021 Acts and Resolves No. 50, Sec. 8 is amended to read:

Sec. 8. VERMONT STATE COLLEGES

* * *

(b) The following sums are appropriated in FY 2023 to the Vermont State Colleges for the projects described in this subsection:

(1) construction, renovation, and major maintenance at any facility owned or operated in the State by the Vermont State Colleges:

\$2,000,000.00

(2) infrastructure transformation planning and space modification:

~~\$100,000.00~~ \$900,000.00

(3) nursing programs, renovation of simulation laboratories:

\$800,000.00

(c) For the amount appropriated in subdivision (b)(3) of this section, on or before January 15, 2023, the Chancellor of the Vermont State Colleges shall submit a report to the House Committees on Corrections and Institutions, on Commerce and Economic Development, and on Health Care and to the Senate Committees on Economic Development, Housing and General Affairs, on Health and Welfare, and on Institutions, providing an accounting of all expenditures, any encumbered funds, and whether any unexpended funds remain.

Appropriation – FY 2022 \$2,000,000.00

Appropriation – FY 2023 ~~\$2,100,000.00~~ \$3,700,000.00

Total Appropriation – Section 8 ~~\$4,100,000.00~~ \$5,700,000.00

Sec. 6. 2021 Acts and Resolves No. 50, Sec. 8a is added to read:

Sec. 8a. NORWICH UNIVERSITY

(a) The sum of \$200,000.00 is appropriated to Norwich University for the construction of simulation laboratories for the University’s Nursing School.

(b) For the amount appropriated in subsection (a) of this section, on or before January 15, 2023, the President of Norwich University shall submit a report to the House Committees on Corrections and Institutions, on Commerce and Economic Development, and on Health Care and to the Senate Committees on Economic Development, Housing and General Affairs, on Health and Welfare, and on Institutions, providing an accounting of all expenditures, any encumbered funds, and whether any unexpended funds remain.

Appropriation – FY 2023 \$200,000.00

Total Appropriation – Section 8a \$200,000.00

Sec. 7. 2021 Acts and Resolves No. 50, Sec. 9 is amended to read:

Sec. 9. NATURAL RESOURCES

* * *

(e) The following sums are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

* * *

(2) ~~Dam safety and hydrology projects~~ High and Significant Hazard Dam, dam safety improvements: ~~\$805,000.00~~ \$3,115,000.00

* * *

(4) Little Hosmer Dam, rehabilitation: \$190,000.00

(5) Infrastructure Investment and Jobs Act, Drinking and Clean Water State Revolving Fund, State match: \$2,833,980.00

(f) The following sums are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the following projects:

(1) Infrastructure rehabilitation, including statewide small-scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects: ~~\$4,476,553.00~~ \$4,251,553.00

(2) Rustic Cabin Construction Program: ~~\$500,000.00~~ \$700,000.00

(g) The following amounts are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Fish and Wildlife for the projects described in this subsection:

(1) General infrastructure projects, including small-scale maintenance and rehabilitation of infrastructure: \$1,083,500.00

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

(3) Lake Champlain Walleye Association, Inc., purchase of self-cleaning tanks: \$25,000.00

(h) The following shall apply to the amounts appropriated in this section:

(1) For the amounts appropriated in subdivision (e)(5) of this section, the funds shall not be released until the federal grant has been received by the State.

(2) For the amount appropriated in subdivision (f)(2) of this section, the Department of Forests, Parks and Recreation is authorized to use not more than \$200,000.00 to work with career technical education centers for assistance with the Rustic Cabin Construction Program.

Appropriation – FY 2022 \$11,455,214.00

Appropriation – FY 2023 \$9,853,264.00 \$15,187,244.00

Total Appropriation – Section 9 \$21,308,478.00 \$26,642,458.00

Sec. 8. 2021 Acts and Resolves No. 50, Sec. 10 is amended to read:

Sec. 10. CLEAN WATER INITIATIVES

* * *

(c) The sum of \$500,000.00 is appropriated in FY 2022 to the Agency of Natural Resources for forestry access roads, recreation access roads, and water quality improvements. [Repealed.]

* * *

(e) The sum of \$11,000,000.00 is appropriated in FY 2023 to the Agency of Natural Resources for the Department of Environmental Conservation for clean water implementation projects. The amount of \$200,000.00 is appropriated in FY 2023 to the Agency of Agriculture, Food and Markets for water quality grants and contracts.

* * *

(i) The following amounts are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

(1) Water Pollution Control Fund, Clean Water State/EPA Revolving Loan Fund (CWSRF) match: \$1,548,219.00

(2) Municipal Pollution Control Grants, pollution control projects and planning advances for feasibility studies: \$2,715,000.00

(j)(1) The following amounts are appropriated in FY 2023 to the Vermont Housing and Conservation Board for the projects described in this subsection:

(A) Agricultural water quality projects: \$200,000.00

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

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

(A) shall not be considered a State grant under 6 V.S.A. chapter 215, subchapter 3 for purposes of calculating the maximum amount of a State water

quality assistance award under 6 V.S.A. § 4824 or 4826; and

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

Appropriation – FY 2022 \$11,000,000.00 \$10,500,000.00

Appropriation – FY 2023 \$11,000,000.00 \$6,663,219.00

Total Appropriation – Section 10 \$22,000,000.00 \$17,163,219.00

Sec. 9. 2021 Acts and Resolves No. 50, Sec. 11 is amended to read:

Sec. 11. MILITARY

(a) The sum of \$900,000.00 is appropriated in FY 2022 to the Department of Military for maintenance, renovations, and ADA compliance at State armories.

(b) The sum of ~~\$900,000.00~~ are \$1,100,000.00 is appropriated in FY 2023 to the Department of Military for the projects described in subsection (a) of this section.

Appropriation – FY 2022 \$900,000.00

Appropriation – FY 2023 ~~\$900,000.00~~ \$1,100,000.00

Total Appropriation – Section 11 ~~\$1,800,000.00~~ \$2,000,000.00

Sec. 10. 2021 Acts and Resolves No. 50, Sec. 12 is amended to read:

Sec. 12. PUBLIC SAFETY

* * *

~~(b) The sum of \$50,000.00 is appropriated in FY 2023 to the Department of Public Safety for a feasibility study for the Vermont Police Academy in Pittsford. The following amounts are appropriated in FY 2023 to the Department of Public Safety for the projects described in this subsection:~~

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

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

Appropriation – FY 2022 \$6,120,000.00

Appropriation – FY 2023 ~~\$50,000.00~~ \$3,550,000.00

Total Appropriation – Section 12 ~~\$6,170,000.00~~ \$9,670,000.00

Sec. 11. 2021 Acts and Resolves No. 50, Sec. 13 is amended to read:

Sec. 13. AGRICULTURE, FOOD AND MARKETS

* * *

(b) The sum of ~~\$350,000.00~~ \$1,400,000.00 is appropriated in FY 2023 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for the project described in subsection (a) of this section major maintenance, renovation, and modernization planning and design at the Vermont Building at the Eastern States Exhibition.

Appropriation – FY 2022 \$260,000.00

Appropriation – FY 2023 ~~\$350,000.00~~ \$1,400,000.00

Total Appropriation – Section 13 ~~\$610,000.00~~ \$1,660,000.00

Sec. 12. 2021 Acts and Resolves No. 50, Sec. 17a is added to read:

Sec. 17a. SERGEANT AT ARMS

The amount of \$185,000.00 is appropriated in FY 2023 to the Sergeant at Arms for upgrades to 2 Governor Aiken Avenue.

Total Appropriation – Section 17a \$185,000.00

Sec. 13. 2021 Acts and Resolves No. 50, Sec. 17b is added to read:

Sec. 17b. FY 2022 AND FY 2023; AMERICAN RESCUE PLAN ACT;
STATE AND LOCAL FISCAL RECOVERY FUND; CAPITAL
PROJECTS; AUTHORIZATIONS

(a) Findings. The General Assembly finds:

(1) In 2021 Acts and Resolves No. 74, Sec. G.700(c), the General Assembly authorized the Commissioner of Finance and Management to use not more than \$15,000,000.00 in American Rescue Plan Act (ARPA) funds to offset capital funds appropriated to projects supporting water and sewer infrastructure in fiscal year 2022 to the extent feasible under federal law and guidance.

(2) The Governor's fiscal year 2022–2023 capital budget adjustment report included recommendations for water and sewer infrastructure projects historically funded in the State's capital construction act that could be funded in fiscal years 2022 and 2023 with ARPA funds.

(3) The General Assembly finds that in addition to the capital projects identified by the Governor's fiscal year 2022–2023 capital budget adjustment report, there are other capital projects that can be funded in fiscal year 2023 with ARPA funds.

(b) Intent. It is the intent of the General Assembly to authorize certain projects that are eligible for ARPA funds in this act but appropriate the funds for these projects in the FY 2023 Annual Appropriations Act.

(c) Authorizations. In fiscal years 2022 and 2023, the following capital projects are authorized to be undertaken with funds appropriated in the FY 2023 Annual Appropriations Act:

(1) In FY 2022 and FY 2023, the Department of Forests, Parks and Recreation is authorized to upgrade forestry access roads, recreation access roads, and make water quality improvements to these roads.

(2) In FY 2023, in addition to the amounts appropriated in Sec. 10(e) of this act, the Agency of Agriculture, Food and Markets is authorized to issue water quality grants and contracts.

(3) In FY 2023, in addition to the amounts appropriated in Sec. 10(i)(2) of this act, the Department of Environmental Conservation is authorized to issue municipal pollution control grants.

(4) In FY 2023, the Department of Forests, Parks and Recreation is authorized to make wastewater repairs and water and sewer infrastructure improvements and upgrades to restrooms and bathhouses at State parks.

(5) In FY 2023, in addition to the amount appropriated in Sec. 10(j)(1)(A) of this act, the Vermont Housing and Conservation Board is authorized to issue grants for water quality improvement projects.

(6) In FY 2023, the Vermont Historical Society is authorized to make upgrades and repairs to the HVAC system at the Vermont History Center in Barre.

(7) The Department of Buildings and General Services is authorized to begin design and construction for the expansion of the State House in Montpelier.

(8) The Judiciary is authorized to make HVAC improvements to county courthouses.

Sec. 14. 2021 Acts and Resolves No. 50, Sec. 18 is amended to read:

Sec. 18. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

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

* * *

(4) of the amount appropriated in 2015 Acts and Resolves No. 26, Sec. 2(b)(5) (major maintenance): \$35,475.94

(5) of the amount appropriated in 2015 Acts and Resolves No. 26, Sec. 2(c)(11) (Southern State Correctional Facility, copper waterline replacement): \$82,851.42

(6) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 2(c)(15) (Southern State Correctional Facility, steam line replacement):
\$147,068.63

(7) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 2(c)(16) (Statewide, ADA projects, State-owned buildings and courthouses): \$52,460.30

(8) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 2(c)(19) (Waterbury State Office Complex project, true up): \$11,016.00

(9) of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 13(c)(2) (Westminster, DPS Facility, project cost adjustment for unanticipated site conditions and code modifications): \$4,522.99

(10) of the amount appropriated in 2017 Acts and Resolves No. 84 Sec. 2(b)(2) (Statewide – Major Maintenance): \$53,755.21

(11) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 2(b)(6) (Randolph, Agencies of Agriculture, Food and Markets and of Natural Resources, collaborative laboratory, construction): \$156,275.91

(12) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 2(b)(7) (Springfield, Southern State Correctional Facility, completion of the steamline replacement): \$36,382.55

(13) of the amount appropriated in 2017 Acts and Resolves No. 84 Sec. 2(b)(9) (Newport, Northern State Correctional Facility Door Control replacement): \$72,287.54

(14) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 2(c)(2) (Statewide, major maintenance): \$26,921.21

(15) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 2(c)(18) (Rutland, Marble Valley Regional Correctional Facility):
\$2,850.00

(16) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 2(c)(8) (Waterbury State Office Complex, Weeks building renovation and fit-up): \$224,387.21

(17) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 2(c)(17) (Waterbury State Office Complex, Stanley and Wasson, demolition of Stanley Hall, and programming, schematic design, and design

<u>development for Wasson Hall):</u>	<u>\$265,247.20</u>
<u>(18) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 6(a)(9) (E-911 compliance grants):</u>	<u>\$39,156.48</u>
<u>(19) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 11(e)(1)(B) (phosphorous removal equipment):</u>	<u>\$58,890.00</u>
<u>(20) of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 16(c)(a) (NEK fiber network):</u>	<u>\$209,291.36</u>
<u>(21) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 2(b)(6) (120 State Street):</u>	<u>\$800,000.00</u>
<u>(22) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 10(b)(2) rustic cabin construction):</u>	<u>\$775,409.25</u>
<u>(23) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 17(a)(1) (stand-alone digital public address system):</u>	<u>\$147,177.00</u>
<u>(24) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 17(b) (stand-alone digital public address system):</u>	<u>\$174,888.00</u>
<u>(25) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 3(c)(5), as added by 2020 Acts and Resolves No. 139, Sec. 2 (Windsor and St. Johnsbury, site preparation, relocation, and rebuild of a greenhouse at the Caledonia County Workcamp from the former Southeast State Correctional Facility):</u>	<u>\$162,872.00</u>

* * *

Total Reallocations and Transfers – Section 18 \$4,198,694.44 \$7,737,808.64

Sec. 15. 2021 Acts and Resolves No. 50, Sec. 19 is amended to read:

Sec. 19. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

(a) The State Treasurer is authorized to issue general obligation bonds in the amount of \$123,180,000.00 for the purpose of funding the appropriations of this act. The State Treasurer, with the approval of the Governor, shall determine the appropriate form and maturity of the bonds authorized by this section consistent with the underlying nature of the appropriation to be funded. The State Treasurer shall allocate the estimated cost of bond issuance or issuances to the entities to which funds are appropriated pursuant to this section and for which bonding is required as the source of funds, pursuant to 32 V.S.A. § 954.

(b) The State Treasurer is authorized to issue additional general obligation bonds in the amount of \$12,840,163.00 that were previously appropriated but unissued under 2021 Acts and Resolves No. 50 for the purpose of funding the

appropriations in this act.

Total Revenues – Section 19

\$123,180,000.00 \$136,020,163.00

Sec. 16. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58, Sec. E.113.1, 2017 Acts and Resolves No. 84, Sec. 29, 2018 Acts and Resolves No. 190, Sec. 18, 2019 Acts and Resolves No. 42, Sec. 25, 2020 Acts and Resolves No. 139, Sec. 19, and 2021 Acts and Resolves No. 50, Sec. 24, is further amended to read:

(c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1, 2023~~ June 30, 2022.

Sec. 17. 2021 Acts and Resolves No. 50, Sec. 21a is amended to read:

Sec. 21a. ~~43 BALDWIN STREET; SALE OF PROPERTY~~ PROPERTIES

(a) The Commissioner of Buildings and General Services is authorized to sell the property located at 13 Baldwin Street in Montpelier, Vermont, pursuant to the requirements of 29 V.S.A. § 166. The To the extent that there are sufficient proceeds from the sale shall be appropriated to future capital construction projects, the Department of Buildings and General Services is authorized to use up to \$300,000.00 in FY 2023 for the project described in Sec. 2(c)(1) of this act.

(b) The Commissioner of Buildings and General Services is authorized to sell the property located at 14–16 Baldwin Street in Montpelier, Vermont, pursuant to the requirements of 29 V.S.A. § 166. The proceeds of the sale of 14–16 Baldwin Street shall be appropriated to future capital construction projects.

(c) The Commissioner of Buildings and General Services is authorized to sell the property located at 9 Baldwin Street in Montpelier, Vermont, contingent upon the completed relocation of the Office of Legislative Information Technology to 133 State Street. The proceeds from the sale shall be appropriated to future capital construction projects.

Sec. 18. 2021 Acts and Resolves No. 50, Sec. 25b is added to read:

Sec. 25b. REDUCING CARBON INTENSITY; STATE BUILDINGS;

STATE ENERGY MANAGEMENT PROGRAM; INTENT

(a) It is the intent of the General Assembly that the Department of Buildings and General Services implement strategies as soon as practicable to reduce carbon intensity in buildings under the jurisdiction of the Department. These strategies may include the use of:

(1) non-fossil-fuel alternatives when installing or replacing any space conditioning or water heating systems; and

(2) carbon-storing and least-embodied-carbon materials, as evidenced by appropriate documentation from contractors and suppliers, when constructing, renovating, or substantially repairing a building or facility.

(b) It is also the intent of the General Assembly that the Department of Forests, Parks and Recreations and the Agency of Transportation use the technical assistance of the State Energy Management Program, created in 29 V.S.A. § 168, for eligible projects.

Sec. 19. 2021 Acts and Resolves No. 50, Sec. 30a is added to read:

Sec. 30a. NURSING SCHOOL PROGRAMS; SIMULATION
LABORATORIES; REPORT

On or before January 15, 2023, the Vermont State Colleges, Norwich University, and the University of Vermont shall each submit a report to the House Committees on Commerce and Economic Development and on Health Care and to the Senate Committees on Economic Development, Housing and General Affairs and on Health and Welfare detailing the infrastructure and programming needs, estimated costs, and timeline to renovate or construct nursing simulation laboratories in order to expand student enrollment at nursing programs in the State.

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

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

(a) Notwithstanding the provisions of 29 V.S.A. § 165 and any other provision of law to the contrary, in order to perform its constitutional duties, the Legislative Branch shall have exclusive use of alternative locations during the 2021–22 legislative biennium, including the following:

(1) 133 State Street:

(A) Basement: rooms 012, 016, and 021.

(B) First Floor: rooms 121 and 126.

(C) Fourth Floor: board room.

(2) 109 State Street:

(A) Basement: rooms B07 and B015 and surrounding space;

(B) Second floor: rooms 264, 267, 268, and 270.

(C) Fourth floor: conference room.

(3) 111 State Street: library stacks room on the second floor.

(b) Notwithstanding the provisions of 29 V.S.A. § 165 and any other provision of law to the contrary, in order to perform its constitutional duties, beginning July 1, 2021, the Legislative Branch shall have the exclusive use of the following space:

(1) 2 Aiken Street: entire building.

(2) 4 Aiken Street: entire building.

(3) 133 State Street:

(A) Basement: rooms 015 and 022.

(B) First Floor: rooms 122 and 125.

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

(d) The Sergeant at Arms and the Commissioner of Buildings and General Services shall consider ways to address any disruption to the functionality of the Executive and Legislative Branches in shared State building space.

~~(d)~~(e) The authority of the Sergeant at Arms set forth in 2 V.S.A. chapter 62 shall apply in any rooms or spaces occupied by the Legislative Branch.

Sec. 21. 2019 Acts and Resolves No. 42, Sec. 10 is amended to read:

Sec. 10. NATURAL RESOURCES

* * *

(b) The following sums are appropriated in FY 2020 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the following projects:

* * *

(2) Rustic Cabin Construction Program: \$797,586.00 \$22,176.75

* * *

Sec. 22. EFFECTIVE DATE

This act shall take effect on passage.

Which was agreed to.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 173

Rep. Taylor of Colchester, for the Committee on Corrections and Institutions, to which had been referred Senate bill, entitled

An act relating to the State House art collection

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Legislative Advisory Committee on the State House * * *

Sec. 1. 2 V.S.A. chapter 19 is amended to read:

CHAPTER 19. LEGISLATIVE ADVISORY COMMITTEE ON THE
STATE HOUSE

§ 651. LEGISLATIVE ADVISORY COMMITTEE ON THE STATE
HOUSE

(a) The Legislative Advisory Committee on the State House is created.

(b) The Committee shall be composed of ~~13~~ 12 members:

(1) ~~four~~ three members of the House of Representatives, appointed biennially by the Speaker of the House;

(2) ~~four~~ three members of the Senate, appointed biennially by the Committee on Committees;

(3) the Chair of the Board of Trustees of the Friends of the Vermont State House;

(4) the Director of the Vermont Historical Society;

(5) the Director of the Vermont ~~Council on the Arts~~ Council;

(6) the Commissioner of Buildings and General Services or designee;
and

(7) the Sergeant at Arms; and

(8) the State Curator.

(c) The Committee shall biennially elect a chair from among its legislative members. A quorum shall consist of seven members.

(d) ~~The Committee shall meet at the State House at least one time when the General Assembly is in session and at least one time when.~~ When the General Assembly is not in session or at the call of the Chair, the Committee shall meet at least one time, but the Committee and any subcommittees shall not cumulatively meet more than six times per year; provided, however, that the Committee and any subcommittees of the Committee may meet more often with the approval of the Speaker of the House and the President Pro Tempore of the Senate. The Commissioner of Buildings and General Services shall keep minutes of the meetings and maintain a file thereof.

(e) The Committee shall have the assistance of the Office of Legislative Counsel and the Office of Legislative Operations.

(f) A member of the Committee shall not vote on a matter under consideration by the Committee regarding any activities or duties the member is responsible for discharging.

§ 652. PER DIEM AND EXPENSES; LEGISLATIVE MEMBERS

For meetings held during adjournment of the General Assembly, the legislative members of the Committee shall be entitled to per diem compensation and expense reimbursement as provided in ~~subsection 406(a) section 23~~ of this title.

§ 653. FUNCTIONS

~~(a)(1) The Legislative Advisory Committee on the State House shall be consulted on:~~

(1) review, coordinate, and make recommendations on all activities relating to the acquisition collections and care of paintings and art, historic artifacts, and furnishings, and the refurbishing, renovation, preservation, and expansion of the building and its interior; and

(2) The Legislative Advisory Committee on the State House shall develop approve a plan for the acquisition or commission of artwork collections policy for the State House collection that represents Vermont's diverse people and history, including diversity of gender, race, ethnicity, sexuality, and disability status, as developed by the State Curator pursuant to 29 V.S.A. § 154a(c).

(b) The Sergeant at Arms and the Commissioner of Buildings and General Services, in discharging responsibilities under subdivision 62(a)(6) of this title and 29 V.S.A. §§ 154(a) and 154a, respectively, shall consider the recommendations of the Committee. ~~The Committee's recommendations shall be advisory only.~~

Sec. 2. LEGISLATIVE ADVISORY COMMITTEE ON THE STATE
HOUSE; ROLES AND RESPONSIBILITIES; STUDY

The Legislative Advisory Committee on the State House shall review the roles and responsibilities of the State Curator, the Sergeant at Arms, and the Friends of the Vermont State House. On or before December 15, 2022, the Committee shall submit to the House Committee on Corrections and Institutions and the Senate Committee on Institutions recommendations for legislative action, if any, to clarify these roles and responsibilities.

* * * Sergeant at Arms * * *

Sec. 3. 2 V.S.A. § 62 is amended to read:

§ 62. LEGISLATIVE DUTIES

(a) The Sergeant at Arms shall:

(1) execute orders of either house, the Joint Legislative Management Committee, the Committee on Joint Rules, or the House or Senate Committee on Rules;

(2) maintain order among spectators and take measures to prevent interruption of either house or any committee thereof;

(3) arrange for special meetings and conferences at the State House;

(4) provide for the distribution of mail to all legislators;

(5) schedule the time for the use of rooms for committee meetings and hearings;

(6) ~~maintain the State House and its furnishings in a good state of repair and provide security for all furniture, draperies, rugs, desks, and other furnishings kept in the State House~~ in consultation with the State Curator;

(7) provide for the establishment of a cafeteria and supervise its operation;

(8) provide security for the State House, pursuant to the responsibilities set forth in 29 V.S.A. § 171; and

(9) perform such other duties for the benefit of the legislators as may be required by any duly authorized committee thereof.

(b) ~~He or she~~ The Sergeant at Arms or any person ~~in his or her employ employed by the Sergeant at Arms~~ shall not accept any compensation or gift for ~~his or her~~ the services of the Sergeant at Arms or any of the employee's services other than ~~his or her~~ the Sergeant at Arms' or the employee's salary,

~~respectively. If he or she or any~~ Any person in his or her employ who violates this provision, ~~he or she~~ shall be fined \$25.00.

(c) The Sergeant at Arms shall not be responsible for:

(1) ~~structural repairs; or capital improvements; to the or State House building;~~

(2) ~~the maintenance for of the State House building (as the term maintenance is defined in 29 V.S.A. § 159);~~

(3) ~~curating the historic State House and its collections; or for~~

(4) ~~the use, upkeep, or maintenance of the State House grounds.~~

(d) The Sergeant at Arms and employees of the Sergeant at Arms shall seek guidance from and operate in accordance with policies adopted by the Joint Legislative Management Committee.

* * * State Curator * * *

Sec. 4. 29 V.S.A. § 154a is amended to read:

§ 154a. STATE CURATOR

(a) Creation. The position of State Curator is created within the Department of Buildings and General Services.

(b) Duties. The State Curator's responsibilities shall include:

(1) ~~oversight of the general historic preservation of the State House, including maintaining the historical integrity of the State House and works of art in the State House;~~

(2) ~~interpretation of the State House to the visiting public through exhibits, publications, and tours, and other means of communication; and~~

(3) ~~acquisition, management, and care of State collections of art and, historic artifacts, and furnishings, provided that any works of art all items obtained for the State House are acquired pursuant to the requirements of 2 V.S.A. § 653(a) collections policy adopted pursuant to subsection (c) of this section; and~~

(4) ~~oversight and management of the State's historic and contemporary art and collections in other State buildings and on State property.~~

(c) ~~Acquisition Collections~~ policy. ~~In coordination with the Legislative Advisory Committee on the State House, and in accordance with the plan developed pursuant to 2 V.S.A. § 653, the~~ The State Curator shall adopt an acquisition develop a collections policy, in coordination with experts, that ensures that the acquisition of art, historic artifacts, and furnishings, and the

commissioning of art and furnishings, for the State House reflects Vermont's diverse people and history, including a diversity of race, ethnicity, sex, gender identity, sexual orientation, and disability status, and a diversity of artistic media and artists; and celebrates the natural history of the State; and the diversity of the people and stories of Vermont throughout the history of the State. Upon approval of the Legislative Advisory Committee on the State House pursuant to 2 V.S.A. § 653, the State Curator shall adopt the collections policy.

(d) Interpretive plan. In coordination with the Friends of the Vermont State House and the Vermont Historical Society, the State Curator shall create an interpretive plan that tells the stories of the State House art collection through accessible written, multimedia, and oral means. The plan shall include appropriate and inclusive training of State House volunteers and staff.

* * * Effective Dates * * *

Sec. 5. EFFECTIVE DATES

This act shall take effect on passage, except that all members of the General Assembly serving on the Legislative Advisory Committee on the State House as of the date of enactment of this act shall remain on the Committee through the end of the 2021–2022 biennium.

Rep. Long of Newfane presiding.

Rep. Townsend of South Burlington, for the Committee on Appropriations, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Corrections and Institutions.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Corrections and Institutions was agreed to, and third reading ordered.

Second Reading; Proposal of Amendment Agreed to; Third Reading Ordered

S. 181

Rep. Anthony of Barre City, for the Committee on Government Operations, to which had been referred Senate bill, entitled

An act relating to authorizing miscellaneous regulatory authority for municipal governments

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Ordinance Authority Subject to Permissive Referendum * * *

Sec. 1. 24 V.S.A. § 2291 is amended to read:

§ 2291. ENUMERATION OF POWERS

For the purpose of promoting the public health, safety, welfare, and convenience, a town, city, or incorporated village shall have the following powers:

(1) To set off portions of public highways of the municipality for sidewalks and bicycle paths and to regulate their installation and use.

* * *

(4) To regulate the operation and use of vehicles of every kind including the power: to erect traffic signs and signals; to regulate the speed of vehicles subject to 23 V.S.A. chapter 13, subchapter 12; to implement traffic-calming devices, to regulate or exclude the parking of all vehicles; and to provide for waiver of the right of appearance and arraignment in court by persons charged with parking violations by payment of specified fines within a stated period of time.

* * *

(6) To regulate the location, installation, maintenance, repair, and removal of utility poles, wires and conduits, water pipes or mains, storm drains, or gas mains and sewers, upon, under, or above public highways or public property of the municipality.

* * *

(13) To compel the cleaning or repair of any premises that in the judgment of the legislative body is dangerous to the health or safety of the public and to establish health and safety standards for premises within the municipality in order to protect the public or prevent physical injury to other properties in the vicinity.

* * *

(24) Upon the determination by a municipal building inspector, health officer, or fire marshal that a building within the boundaries of the town, city, or incorporated village is uninhabitable or blighted, to recover all expenses incident to the maintenance of the uninhabitable or blighted building with the expenses to constitute a lien on the property in the same manner and to the same extent as taxes assessed on the grand list, and all procedures and remedies for the collection of taxes shall apply to the collection of those expenses; provided, however, that the town, city, or incorporated village has adopted rules to determine the habitability of a building, including provisions

for notice in accordance with 32 V.S.A. § 5252(3) to the building's owner prior to incurring expenses and including provisions for an administrative appeals process.

* * *

* * * Municipal Authority Subject to Voter Approval * * *

Sec. 2. 17 V.S.A. § 2645a is added to read:

§ 2645a. CHARTERED MUNICIPALITIES; VOTE TO SUSPEND

CHARTER AUTHORITY AND RELY ON GENERAL

MUNICIPAL LAW

(a) A municipality may propose to suspend for not more than three years specific authority granted in the municipality's charter and instead use later-enacted general municipal authority granted to all Vermont municipalities by the General Assembly, provided that the proposal is approved by the voters at any annual or special meeting warned for that purpose.

(b) The proposal may be made by the legislative body of the municipality or by petition of five percent of the voters of the municipality. The proposal shall specifically identify and contain the later-enacted general law that the municipality proposes to use in lieu of the charter provision.

(c) If the proposal is approved by a majority of voters at an annual or special meeting warned for that purpose, then the municipal clerk shall certify the results of the vote to the House and Senate Committees on Government Operations.

(d) Annually on or before November 15, the Office of Legislative Counsel shall prepare a list of the charter provisions that are subject to a repeal review pursuant to this section.

Sec. 3. 17 V.S.A. § 2646a is added to read:

§ 2646a. TOWN OFFICERS; TOWN VOTE TO ALLOW ELECTION OF

NONRESIDENTS

(a)(1) Notwithstanding section 2646 of this subchapter, a municipality may propose to allow individuals who are residents of the State, but not residents of the municipality, to be elected or appointed town officers. However, this section shall not apply to members of the legislative body of the municipality or justices of the peace. For the municipality's boards or commissions that are established by State law and are required to be composed of residents, the majority of the members of the boards or commissions shall be residents of the municipality.

(2) The proposal must be approved by the voters at any annual or special meeting warned for that purpose.

(b) The proposal may be made by the legislative body of the municipality or by petition of five percent of the voters of the municipality. The proposal shall identify the town office that may be filled by a nonresident.

Sec. 4. 17 V.S.A. § 2651a is amended to read:

§ 2651a. CONSTABLES; APPOINTMENT; REMOVAL; ELIMINATION
OF OFFICE

* * *

(d)(1) A town may vote at an annual meeting to eliminate the office of constable.

(2) If a town votes to eliminate the office of constable, the selectboard shall appoint a town officer to discharge the constable's duties, if any, subject to 24 V.S.A. § 1936a. The town officer shall proceed in the discharge of the constable's duties in the same manner and be subject to the same liabilities as are established by law for constables.

(3) A vote to eliminate the office of constable shall remain in effect until rescinded by majority vote of the registered voters present and voting at an annual meeting warned for that purpose.

(4) The term of office of any constable in office on the date a town votes to eliminate that office shall expire on the 45th day after the vote or on the date upon which the selectboard appoints a town officer under this subsection, whichever occurs first.

Sec. 5. 24 V.S.A. § 4460 is amended to read:

§ 4460. APPROPRIATE MUNICIPAL PANELS

* * *

(c) In the case of an urban municipality or of a rural town where the planning commission does not serve as the board of adjustment or the development review board, members of the board of adjustment or the development review board shall be appointed by the legislative body, the number and terms of office of which shall be determined by the legislative body subject to the provisions of subsection ~~(a)~~(b) of this section. The municipal legislative body may appoint alternates to a planning commission, a board of adjustment, or a development review board for a term to be determined by the legislative body. Alternates may be assigned by the legislative body to serve on the planning commission, the board of adjustment,

or the development review board in situations when one or more members of the board are disqualified or are otherwise unable to serve. Vacancies shall be filled by the legislative body for the unexpired terms and upon the expiration of such terms. Each member of a board of adjustment or a development review board may be removed for cause by the legislative body upon written charges and after public hearing. If a development review board is created, provisions of this subsection regarding removal of members of the board of adjustment shall not apply.

* * *

(f) Notwithstanding subsections (b) and (c) of this section, a municipality may vote at an annual or special meeting to change the number of members that may be appointed to a board of adjustment or development review board.

(1) The proposal to change the number of members serving on a board may be brought by the legislative body or by petition of five percent of the voters of the municipality.

(2) If the number of members on a board is reduced, the members with the nearest expiration of their term of office shall serve until the expiration of that term and then the office shall terminate.

Sec. 6. 24 V.S.A. § 4322 is amended to read:

§ 4322. PLANNING COMMISSION; MEMBERSHIP

(a) A planning commission shall have not less than three nor more than nine voting members. All members may be compensated and reimbursed by the municipality for necessary and reasonable expenses. At least a majority of the members of a planning commission shall be residents of the municipality.

(b) The ~~selectboard~~ legislative body of a rural town, or not more than two elected or appointed officials of an urban municipality who are chosen by the legislative body of the urban municipality, shall be nonvoting ex officio members of a planning commission. If a municipality has an energy coordinator under chapter 33, subchapter 12 of this title, the energy coordinator may be a nonvoting ex officio member of the planning commission.

(c) Notwithstanding subsection (a) of this section:

(1) for an appointed planning commission, the legislative body may change the number of members that may be appointed to the commission; and

(2) for an elected planning commission, a municipality may vote at an annual or special meeting to change the number of members that may be elected to the commission.

(d) Notwithstanding subsection 4323(c) of this subchapter, if the number of members on an appointed or elected planning commission is reduced, the members with the nearest expiration of their term of office shall serve until the expiration of that term and then the office shall terminate.

* * * Authority of Legislative Body without Voter Approval * * *

Sec. 7. 18 V.S.A. § 5361 is amended to read:

§ 5361. APPROPRIATIONS AND REGULATIONS BY TOWNS

A town may vote sums of money necessary for purchasing, holding, improving, and keeping in repair suitable grounds and other conveniences for burying the dead. The selectboard may make necessary regulations concerning public burial grounds and for fencing and keeping the same in proper order.

* * * Emergency Provisions for the Operation of Government * * *

Sec. 8. 1 V.S.A. § 312a is added to read:

§ 312a. MEETINGS OF PUBLIC BODIES; STATE OF EMERGENCY

(a) As used in this section:

(1) “Affected public body” means a public body:

(A) whose regular meeting location is located in an area affected by a hazard; and

(B) that cannot meet in a designated physical meeting location due to a declared state of emergency pursuant to 20 V.S.A. chapter 1.

(2) “Hazard” means an “all-hazards” as defined in 20 V.S.A. § 2(1).

(b) Notwithstanding subdivisions 312(a)(2)(D) and (c)(2) of this title, during a declared state of emergency under 20 V.S.A. chapter 1:

(1) A quorum or more of an affected public body may attend a regular, special, or emergency meeting by electronic or other means without designating a physical meeting location where the public may attend.

(2) The members and staff of an affected public body shall not be required to be physically present at a designated meeting location.

(3) An affected public body of a municipality may post any meeting agenda or notice of a special meeting in two publicly accessible designated electronic locations in lieu of the two designated public places in the municipality, or in a combination of a designated electronic location and a designated public place.

(c) When an affected public body meets electronically under subsection (b) of this section, the affected public body shall:

(1) use technology that permits the attendance and participation of the public through electronic or other means;

(2) whenever feasible, allow the public to access the meeting by telephone; and

(3) post information that enables the public to directly access and participate in meetings electronically and shall include this information in the published agenda for each meeting.

(d) Unless unusual circumstances make it impossible for them to do so, the legislative body of each municipality and each school board shall record any meetings held pursuant to this section.

(e) An affected public body of a municipality shall continue to post notices and agendas in or near the municipal clerk's office pursuant to subdivision 312(c)(2) of this title and shall provide a copy of each notice or agenda to the newspapers of general circulation for the municipality.

Sec. 9. 32 V.S.A. § 4404 is amended to read:

§ 4404. APPEALS FROM LISTERS AS TO GRAND LIST

* * *

(c)(1) The board shall meet at the time and place so designated, and on that day and from day to day thereafter shall hear and determine such appeals until all questions and objections are heard and decided. Each property, the appraisal of which is being appealed, shall be inspected by a committee of not less than three members of the board who shall report to the board within 30 days from the hearing on the appeal and before the final decision pertaining to the property is given. If, after notice, the appellant refuses to allow an inspection of the property as required under this subsection, including the interior and exterior of any structure on the property, the appeal shall be deemed withdrawn. The board shall, within 15 days from the time of the report, certify in writing its notice of decision, with reasons, in the premises, and shall file ~~such~~ the notice with the town clerk who shall thereupon record the same in the book wherein the appeal was recorded and forthwith notify the appellant in writing of the action of such board; by certified mail. If the board does not substantially comply with the requirements of this subsection and if the appeal is not withdrawn by filing written notice of withdrawal with the board or deemed withdrawn as provided in this subsection, the grand list of the appellant for the year for which appeal is being made shall remain at the amount set before the appealed change was made by the listers; except, if there has been a complete reappraisal, the grand list of the appellant for the year for which appeal is being made shall be set at a value that will produce a tax liability equal to the tax liability for the preceding year. The town clerk shall

immediately record the same in the book wherein the appeal was recorded and forthwith notify the appellant in writing of ~~such~~ the action; by certified mail. Thereupon the appraisal so determined pursuant to this subsection shall become a part of the grand list of ~~such~~ the person.

(2) During a declared state of emergency under 20 V.S.A. chapter 1, a board of civil authority within a municipality affected by an all-hazards event shall not be required to physically inspect any property that is the subject of an appeal. If the appellant requests in writing that the property be inspected for purposes of the appeal, a member or members of the board shall conduct the inspection through electronic means. If the appellant does not facilitate the inspection through electronic means, then the appeal shall be deemed withdrawn.

(3) As used in this subsection, "electronic means" means the transmittal of video or photographic evidence by the appellant at the direction of the board members conducting the inspection.

(d) Listers and agents to prosecute and defend suits wherein a town is interested shall not be eligible to serve as members of the board while convened to hear and determine such appeals nor shall an appellant, ~~his or her~~ the appellant's servant, agent, or attorney be eligible to serve as a member of the board while convened to hear and determine any appeals. However, listers and agents to prosecute and defend suits wherein a town is interested shall be given the opportunity to defend the appraisals in question.

Sec. 10. 32 V.S.A. § 4467 is amended to read:

§ 4467. DETERMINATION OF APPEAL

(a) Upon appeal to the Director or the court, the hearing officer or court shall proceed de novo and determine the correct valuation of the property as promptly as practicable and to determine a homestead and a housesite value if a homestead has been declared with respect to the property for the year in which the appeal is taken. The hearing officer or court shall take into account the requirements of law as to valuation, and the provisions of Chapter I, Article 9 of the Constitution of Vermont and the 14th Amendment to the Constitution of the United States.

(b) If the hearing officer or court finds that the listed value of the property subject to appeal does not correspond to the listed value of comparable properties within the town, the hearing officer or court shall set ~~said~~ the property in the list at a corresponding value. The findings and determinations of the hearing officer shall be made in writing and shall be available to the appellant.

(c)(1) If the appeal is taken to the Director, the hearing officer may inspect the property prior to making a determination, unless one of the parties requests an inspection, in which case the hearing officer shall inspect the property prior to making a determination. Within 10 days of the appeal being filed with the Director, the Director shall notify the property owner in writing of his or her the Director's option to request an inspection under this section.

(2) During a declared state of emergency under 20 V.S.A. chapter 1, a hearing officer shall not be required to physically inspect any property that is the subject of an appeal. If the appellant requests in writing that the property be inspected for purposes of the appeal, the hearing officer shall conduct the inspection through electronic means. If the appellant does not facilitate the inspection through electronic means, then the appeal shall be deemed withdrawn.

(3) As used in this subsection, "electronic means" means the transmittal of video or photographic evidence by the appellant at the direction of the hearing officer conducting the inspection.

Sec. 11. 24 V.S.A. § 5152 is added to read:

§ 5152. DISCONNECTIONS PROHIBITED; STATE OF EMERGENCY

(a) Notwithstanding this chapter or any provision of law to the contrary, a municipality; a person who is permitted as a public water system pursuant to 10 V.S.A. chapter 56 and who provides another person water as a part of the operation of that public water system; or a company engaged in the collecting, sale, and distribution of water for domestic, industrial, business, or fire protection purposes that is regulated by the Public Utility Commission under 30 V.S.A. § 203(3) shall be prohibited from disconnecting any person from services during a declared state of emergency under 20 V.S.A. chapter 1, provided that:

(1) the state of emergency is declared in response to an all-hazards event that will cause financial hardship and the inability of ratepayers to pay for water or sewer services; and

(2) the all-hazards event does not require the water or sewer service provider to disconnect services to protect the health and safety of the public.

(b) A person or company that is subject to subsection (a) of this section may temporarily disconnect water or sewer services during the declared state of emergency when the temporary disconnection is necessary for the maintenance or repair of the water or sewer system.

(c)(1) A violation of subsection (a) of this section by a municipality or a person who is permitted as a public water system pursuant to 10 V.S.A.

chapter 56 may be enforced by the Agency of Natural Resources pursuant to 10 V.S.A. chapter 201.

(2) A violation of subsection (a) of this section by a company engaged in the collecting, sale, and distribution of water for domestic, industrial, business, or fire protection purposes that is regulated by the Public Utility Commission under 30 V.S.A. § 203(3) may be enforced by the Public Utility Commission pursuant to 30 V.S.A. § 30.

(d) A ratepayer shall remain obligated for any amounts due to a water or sewer service provider subject to this section. The ratepayer shall have a minimum of 90 days after the end of the declared state of emergency to pay the amounts due.

Sec. 12. 20 V.S.A. § 47 is added to read:

§ 47. MUNICIPAL DEADLINES, PLANS, AND LICENSES; EXTENSION

(a) During a state of emergency declared under this chapter, a municipal corporation may:

(1) extend any statutory deadline applicable to municipal corporations, provided that the deadline does not relate to a license, permit, program, or plan issued or administered by the State or federal government; and

(2) extend or waive deadlines applicable to licenses, permits, programs, or plans that are issued by the municipal corporation.

(b) During a state of emergency declared under this chapter, any expiring license, permit, program, or plan issued by a municipal corporation that is due for renewal or review shall remain valid for 90 days after the date that the declared state of emergency ends.

* * * Repeal * * *

Sec. 13. REPEAL

19 V.S.A. § 312 (use of town highway funds) is repealed.

* * * Effective Date * * *

Sec. 14. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Rep. Durfee of Shaftsbury, for the Committee on Ways and Means, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Government Operations and when further amended as follows:

In Sec. 1, 24 V.S.A. § 2291, by striking out subdivision (24) in its entirety.

Rep. Krowinski of Burlington presiding.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Government Operations was amended as recommended by the Committee on Ways and Means.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Government Operations, as amended?, **Rep. Anthony of Barre City** moved to amend the report of the Committee on Government Operations, as amended, as follows:

First: In Sec. 8, 1 V.S.A. § 312a, in subdivision (c)(2), by striking out the words “whenever feasible,” preceding the words “allow the public to access the meeting by telephone;”

Second: By adding a new section to be Sec. 12a to read as follows:

Sec. 12a. 1 V.S.A. § 316 is amended to read:

§ 316. ACCESS TO PUBLIC RECORDS AND DOCUMENTS

* * *

(i) If an agency maintains public records in an electronic format, nonexempt public records shall be available for copying in either the standard electronic format or the standard paper format, as designated by the party requesting the records. ~~An~~ If requested by the party requesting the records, an agency may, but is not required to, provide copies of public records in a nonstandard format, ~~to~~ create a public record, or ~~to~~ convert paper public records to electronic format.

* * *

Which was agreed to. Thereupon, the report of the Committee on Government Operations, as amended, was agreed to and third reading was ordered.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 201

Rep. Dolan of Waitsfield, for the Committee on Natural Resources, Fish, and Wildlife, to which had been referred Senate bill, entitled

An act relating to best management practices for trapping

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. DEPARTMENT OF FISH AND WILDLIFE; BEST MANAGEMENT PRACTICES FOR TRAPPING

(a) On or before January 15, 2023, the Commissioner of Fish and Wildlife shall submit to the Senate Committee on Natural Resources and Energy, the House Committee on Natural Resources, Fish, and Wildlife, and the Fish and Wildlife Board recommended best management practices (BMPs) for trapping that propose criteria and equipment designed to modernize trapping and improve the welfare of animals subject to trapping programs. The BMPs shall be based on investigation and research conducted by scientists and experts at the Department of Fish and Wildlife and shall use the “Best Management Practices for Trapping in the United States” issued by the Association of Fish and Wildlife Agencies as the minimum standards for BMP development. The BMPs shall include recommended:

(1) trapping devices and components of trapping devices that are more humane than currently authorized devices and are designed to minimize injury to a captured animal;

(2) criteria for adjusting or maintaining trapping devices so that they operate correctly and humanely;

(3) trapping techniques, including the appropriate size and type of a trap for target animals, use of lures or other attractants, trap safety, and methods to avoid nontarget animals;

(4) requirements for the location of traps, including the placing of traps for purposes other than nuisance trapping at a safe distance, from public trails, class 4 roads, playgrounds, parks, and other public locations where persons may reasonably be expected to recreate;

(5) criteria for when and how live, captured animals should be released or dispatched; and

(6) revisions to trapper education materials and instructions that incorporate the recommendations or requirements set forth in subdivisions (1)–(5) of this subsection.

(b) The report required under subsection (a) of this section shall include a recommendation from the Commissioner of Fish and Wildlife for funding the replacement of currently authorized trapping devices with trapping devices that are compliant with the recommended BMPs. The Commissioner’s

recommendation shall include alternatives financed with public funding, private funding, or some combination of public and private funding.

(c) In developing the BMPs required under subsection (a) of this section, the Commissioner shall provide an opportunity for public review and comment and shall hold at least one public hearing regarding the proposed BMPs.

(d) As used in this section, “trapping” means to take or attempt to take furbearing animals with traps, including the dispatching of lawfully trapped furbearing animals.

Sec. 2. 10 V.S.A. § 4861 is amended to read:

§ 4861. FUR-BEARING ANIMALS; TAKING; POSSESSION

(a) Fur-bearing animals shall not be taken except in accordance with the provisions of this part, and of rules of the Board. The fur or skins of furbearing animals may be possessed at any time unless otherwise provided by this part, rules of the Board, or orders of the Commissioner.

(b) On or before January 1, 2024, the Fish and Wildlife Board shall revise the rules regulating the trapping of fur-bearing animals in the State. The revised rules shall be at least as stringent as best management practices for trapping recommended by the Department of Fish and Wildlife to the General Assembly.

(c) On or before January 1, 2024 and annually thereafter, the Commissioner of Fish and Wildlife shall submit in writing to the House Committee on Natural Resources, Fish, and Wildlife and the Senate Committee on Natural Resources and Energy information regarding the species and number of nontarget animals killed or injured by trapping in the preceding calendar year.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Natural Resources, Fish, and Wildlife agreed to, and third reading ordered.

Action on Bill Postponed**S. 281**

Senate bill, entitled

An act relating to hunting coyotes with dogs

Was taken up, and pending the reading of the report of the Committee on Judiciary, on motion of **Rep. Notte of Rutland City**, action on the bill was postponed until May 10, 2022.

Senate Proposal of Amendment Concurred in**H. 265**

The Senate proposed to the House to amend House bill, entitled

An act relating to the Office of the Child, Youth, and Family Advocate

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

Sec. 1. 33 V.S.A. chapter 32 is added to read:

CHAPTER 32. OFFICE OF THE CHILD, YOUTH, AND FAMILY
ADVOCATE

§ 3201. DEFINITIONS

As used in this chapter:

(1) “Child, Youth, and Family Advocate” or “Advocate” means an individual who leads the Office of the Child, Youth, and Family Advocate.

(2) “Department” means the Department for Children and Families.

(3) “Office” means the Office of the Child, Youth, and Family Advocate.

(4) “State agency” means any office, department, board, bureau, division, agency, or instrumentality of the State.

§ 3202. OFFICE OF THE CHILD, YOUTH, AND FAMILY ADVOCATE

There is established the Office of the Child, Youth, and Family Advocate for the purpose of advancing the interests and welfare of Vermont’s children and youths. The Office shall advocate for the welfare of children and youths receiving services from the Department directly, or through funds provided by the Department, and those involved in the child protection and juvenile justice systems. The Office shall promote reforms necessary to better serve Vermont’s children, youths, and families in a manner that addresses racial and

social equity. The Office shall act independently of any State agency in the performance of its duties.

§ 3203. DUTIES AND AUTHORITY

(a) The Office shall:

(1) work in collaboration with relevant parties to strengthen services for children, youths, and families;

(2) analyze and monitor the development and implementation of federal, State, and local laws; regulations; and policies relating to child, youth, and family welfare and recommend changes when appropriate;

(3) review complaints concerning the actions of the Department and of any entity that provides services to children, youths, and families through funds provided by the Department; make appropriate referrals; and respond to those complaints where the Advocate determines that a child, youth, or family may be in need of assistance from the Office;

(4) support children, youths, and families by providing information about service recipients' rights and responsibilities;

(5) provide systemic information concerning child, youth, and family welfare to the public, the Governor, State agencies, legislators, and others, as necessary; and

(6) notwithstanding 2 V.S.A. § 20(d), submit to the General Assembly and the Governor on or before December 1 of each year a report addressing services provided by the Department, including:

(A) the conditions of placements for Vermont's children and youths;

(B) findings related to services for and assistance to children, youths, and families within the child protection and juvenile justice systems;

(C) recommendations related to improving services for children, youths, and families; and

(D) data disaggregated by race, ethnicity, gender, geographic location, disability status, and any other categories that the Advocate deems necessary.

(b) The Office may:

(1) review current systems to assess to what extent children and youths placed in the custody of the Department or who are receiving services under the supervision of the Department receive humane and dignified treatment at all times, including consideration by the Advocate as to what extent the system protects and enhances the child's or youth's personal dignity, right to privacy,

and right to appropriate health care and education in accordance with State and federal law;

(2) address any challenges accessing information or records that are necessary for carrying out the provisions of this chapter; and

(3) as part of its annual report pursuant to subdivision (a)(6) of this section, include findings and recommendations related to other services provided to children, youths, and families.

§ 3204. CHILD, YOUTH, AND FAMILY ADVOCATE

(a) The Office shall be directed by the Child, Youth, and Family Advocate, an individual who shall be qualified by reason of education, expertise, and experience and who may have a professional degree in law, social work, public health, or a related field. The Child, Youth, and Family Advocate shall serve on a full-time basis and shall be exempt from classified service.

(b)(1) The Oversight Commission on Children, Youths, and Families established pursuant to section 3211 of this chapter shall recommend qualified applicants for the position of the Child, Youth, and Family Advocate to the Governor for consideration. Subject to confirmation by the Senate, the Governor shall appoint an Advocate within 45 days from among those applicants recommended by the Oversight Commission for a term of four years. The appointment for Advocate shall be made without regard to political affiliation and on the basis of integrity and demonstrated ability. The Advocate shall hold office until reappointed or until a successor is appointed.

(2) The Governor, upon a majority vote of the Oversight Commission, may remove the Child, Youth, and Family Advocate for cause, which includes only neglect of duty, gross misconduct, conviction of a crime, or inability to perform the responsibilities of the Office. The Speaker of the House and President Pro Tempore shall simultaneously receive notification from the Governor of the Advocate's removal. Any vacancy shall be filled by the appointment process set forth in subdivision (1) of this subsection for the remainder of the unexpired term.

(c) The Child, Youth, and Family Advocate shall appoint a Deputy Child, Youth, and Family Advocate, whose duties shall be performed at the direction of the Advocate.

(d) Upon any vacancy in the position of the Advocate, and until such time as a replacement is appointed and confirmed, the Deputy Child, Youth, and Family Advocate shall serve as the acting Child, Youth, and Family Advocate. The acting Child, Youth, and Family Advocate shall have the full responsibilities of the Advocate and shall be entitled to the same compensation as the outgoing Child, Youth, and Family Advocate.

§ 3205. CHILD, YOUTH, AND FAMILY ADVISORY COUNCIL

(a) Purpose and membership. The Child, Youth, and Family Advocate shall appoint and convene an Advisory Council composed of nine stakeholders who have been impacted by child welfare services provided by the Department for Children and Families. The Advisory Council's membership shall reflect the growing diversity of Vermont's children and families, including individuals who are Black, Indigenous, and Persons of Color, as well as with regard to socioeconomic status, geographic location, gender, sexual identity, and disability status. Members shall provide advice and guidance to the Office of the Child, Youth, and Family Advocate regarding the routine administration and operation of the Office, including providing advice and guidance to the Advocate upon request.

(b) Meetings.

(1) The Advocate shall call the first meeting of the Advisory Council to occur on or before March 15, 2023.

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

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

(4) The Advisory Council shall cease to exist on July 1, 2028.

(c) Confidentiality. In seeking the advice and guidance of the Advisory Council, the Child, Youth, and Family Advocate shall not disclose to the Advisory Council, or any member thereof, individually identifiable information about a child or youth unless the information is already known to the public.

(d) Compensation. Members of the Advisory Council shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than eight meetings annually. These payments shall be made from monies appropriated to the Office.

§ 3206. INCIDENTS AND FATALITIES

(a) The Department shall notify the Office of:

(1) all incidents of actual physical injury to children or youths in the custody of the Commissioner or at significant risk of such harm; and

(2) instances of restraint or seclusion of any child or youth in custody of the Commissioner.

(b) The Department shall notify the Office within 48 hours of any fatality of a child or youth in its custody.

§ 3207. ACCESS TO INFORMATION AND FACILITIES

(a) Notwithstanding any other provision of law, the Child, Youth, and Family Advocate and the Deputy Advocate shall, upon request, have timely access, including the right to inspect and copy, to records necessary to carry out the provisions of this chapter, including relevant records produced and held by State entities and third parties. As used in this subsection, “third parties” does not include Vermont’s Statistical Analysis Center.

(b) If the Child, Youth, and Family Advocate determines that doing so advances the welfare of a child or youth, the Advocate and Deputy Advocate may:

(1) communicate privately and visit with any child or youth who is in the custody of the Department; and

(2) upon first obtaining the consent of a child or youth’s parent or guardian, communicate privately and visit with a child or youth who is not in the custody of the Department.

(c) Facilities and providers delivering services to children and youths shall permit the Child, Youth, and Family Advocate or the Deputy Advocate to access their facilities.

§ 3208. COOPERATION OF STATE AGENCIES

All State agencies shall comply with reasonable requests of the Child, Youth, and Family Advocate and Deputy Advocate for information and assistance.

§ 3209. CONFIDENTIALITY

(a) The Office shall maintain the confidentiality of all case records, third-party records, and court records, as well as any information gathered in the course of carrying out individual complaint and systems reviews. These records are exempt from public inspection and copying under the Public Records Act and shall be kept confidential except as provided in subsections (b) and (c) of this section.

(b) In the course of carrying out the provisions of this chapter, if the Child, Youth, and Family Advocate or Deputy Advocate reasonably believes that the health, safety, or welfare of a child or youth is at imminent risk, the Advocate or Deputy Advocate may disclose relevant documents or information to the Department or any of the individuals or entities listed in subdivision 4921(e)(1) of this title or both. Determinations of relevancy shall be made by the Advocate.

(c) Notwithstanding subsection (a) of this section, the Child, Youth, and Family Advocate or Deputy Advocate may publicly disclose any patterns of conduct or repeated incidents identified by the Advocate or Deputy Advocate in carrying out the provisions of this chapter if the Advocate or Deputy Advocate reasonably believes that public disclosure is likely to mitigate a risk posed to the health, safety, and welfare of a child or youth, except the Advocate or Deputy Advocate shall not publicly disclose either of the following:

(1) individually identifiable information about a child or youth, or the child's or youth's family, foster family, or kin in a kinship placement unless the information is already known to the public; and

(2) findings where there is a pending law enforcement investigation or prosecution.

§ 3210. CONFLICT OF INTEREST

The Child, Youth, and Family Advocate, the Advocate's employees or contractors, and members of the Oversight Commission on Children, Youths, and Families shall not have any conflict of interest with the Department or with any entity that provides services to children, youths, and families through funds provided by the Department relating to the performance of their responsibilities under this chapter. For the purposes of this section, a conflict of interest exists whenever the Child, Youth, and Family Advocate, the Advocate's employees or contractors, or a member of the Oversight Commission on Children, Youths, and Families:

(1) has direct involvement in the licensing, certification, or accreditation of a provider or facility delivering services to children, youths, and families;

(2) has a direct ownership interest in a provider or facility delivering services to children, youths, and families;

(3) is employed by or participates in the management of a provider or facility delivering services to children, youths, and families; or

(4) receives or has the right to receive, directly or indirectly, remuneration under a compensation arrangement with a provider or facility delivering services to children, youths, and families.

§ 3211. OVERSIGHT COMMISSION ON CHILDREN, YOUTHS, AND FAMILIES

(a) Creation. There is created the Oversight Commission on Children, Youths, and Families to provide guidance and recommendations to the Office of the Child, Youth, and Family Advocate.

(b) Membership. The Commission shall be composed of the following members who shall not have a conflict of interest with the Department for Children and Families:

(1) one current member of the House of Representatives who serves on the House Committee on Human Services, who shall be appointed by the Speaker of the House;

(2) one current member of the Senate who serves on the Senate Committee on Health and Welfare, who shall be appointed by the Committee on Committees;

(3) a member with professional expertise in childhood trauma, adverse childhood experiences, or child welfare, who shall be appointed by the Governor;

(4) the Executive Director of Racial Equity established pursuant to 3 V.S.A. § 5001 or designee;

(5) one member of a child advocacy group, board, or commission, who shall be appointed by the Speaker of the House;

(6) one member of a child advocacy group, board, or commission, who shall be appointed by the Committee on Committees;

(7) one member of a child advocacy group, board, or commission, who shall be appointed by the Governor;

(8) an adult who was in the custody of the Department for Children and Families within the past five years, who shall be appointed by the Vermont Foster and Adoptive Family Association; and

(9) the relative caregiver of a child or youth involved in the child protection system, who shall be appointed by Vermont Kin as Parents.

(c) Powers and duties. The Commission shall:

(1) recommend qualified applicants for the position of the Child, Youth, and Family Advocate to the Governor for consideration pursuant to section 3204 of this chapter within 45 days following a vacancy; and

(2) provide oversight of the Office in its efforts to support an equitable, comprehensive, and coordinated system of services and programs for children, youths, and families.

(d) Assistance. The Commission shall have the administrative assistance of the Agency of Administration.

(e) Meetings.

(1) The member representing the House Committee on Human Services

shall call the first meeting of the Commission to occur on or before August 1, 2022.

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

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

(f) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Commission 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 four meetings annually.

(2) Other members of the Commission shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than four meetings annually. These payments shall be made from monies appropriated to the Office of the Child, Youth, and Family Advocate.

Sec. 2. 33 V.S.A. § 4913 is amended to read:

§ 4913. REPORTING CHILD ABUSE AND NEGLECT; REMEDIAL ACTION

(a) A mandated reporter is any:

* * *

(11) camp counselor; ~~or~~

(12) member of the clergy; or

(13) employee of the Office of the Child, Youth, and Family Advocate established pursuant to chapter 32 of this title.

* * *

Sec. 3. 33 V.S.A. § 4921 is amended to read:

§ 4921. DEPARTMENT'S RECORDS OF ABUSE AND NEGLECT

* * *

(d) Upon request, Department records created under this subchapter shall be disclosed to:

* * *

(4) law enforcement officers engaged in a joint investigation with the Department, an Assistant Attorney General, or a State's Attorney; ~~and~~

(5) other State agencies conducting related inquiries or proceedings; and

(6) the Office of the Child, Youth, and Family Advocate for the purpose of carrying out the provisions in chapter 32 of this title.

* * *

Sec. 4. 33 V.S.A. § 5117 is amended to read:

§ 5117. RECORDS OF JUVENILE JUDICIAL PROCEEDINGS

* * *

(b)(1) Notwithstanding the foregoing, inspection of such records and files by or dissemination of such records and files to the following is not prohibited:

* * *

(H) the Human Services Board and the Commissioner's Registry Review Unit in processes required under chapter 49 of this title; and

(I) the Department for Children and Families; and

(J) the Office of the Child, Youth, and Family Advocate for the purpose of carrying out the provisions in chapter 32 of this title.

* * *

Sec. 5. [Deleted.]

Sec. 6. TRANSITION

The initial term of the Child, Youth, and Family Advocate established pursuant to 33 V.S.A. chapter 32 shall begin on January 1, 2023.

Sec. 7. APPROPRIATION

The sum of \$120,000.00 is appropriated to the Office of the Child, Youth, and Family Advocate from the General Fund in fiscal year 2023 for carrying out the purposes of this act.

Sec. 8. [Deleted.]

Sec. 9. EFFECTIVE DATES

This act shall take effect on July 1, 2022, except that Secs. 2 (reporting child abuse and neglect; remedial action), 3 (Department's records of abuse and neglect), 4 (records of juvenile judicial proceedings), and 7 (appropriation) shall take effect on January 1, 2023.

Proposal of amendment was considered and concurred in.

Senate Proposal of Amendment Concurred in**H. 466**

The Senate proposed to the House to amend House bill, entitled
An act relating to surface water withdrawals and interbasin transfers

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

Sec. 1. 10 V.S.A. chapter 41 is amended to read:

CHAPTER 41. REGULATION OF STREAM FLOW

* * *

§ 1002. DEFINITIONS

~~Wherever As used or referred to in this chapter, unless a different meaning clearly appears from the context:~~

(1) “Artificial regulation of stream flow” means the intermittent or periodic manipulation of water levels and the intermittent or periodic regulation of discharge of water into the stream below the dam.

(2) “Banks” means that land area immediately adjacent to the bed of the stream, which is essential in maintaining the integrity thereof.

(3) “Basin” means the third-level, six-digit unit of the hydrologic unit hierarchy as defined by the U.S. Geological Survey (USGS), Federal Standards and Procedures for the National Watershed Boundary Dataset, Chapter 3 of Section A, Book 11. “Basin” is also referred to as “Hydrologic Unit Code 6” or “HUC-6”.

(4) “Bed” means the maximum area covered by waters of the stream for not less than 15 consecutive days in one year.

(5) “Berm” means a linear fill of earthen material on or adjacent to the bank of a watercourse that constrains waters from entering a flood hazard area or river corridor, as those terms are defined in subdivisions 752(3) and (11) of this title.

(4)(6) “Board” means the Natural Resources Board.

(7) “Capacity” means the maximum volume of water capable of being withdrawn by the water withdrawal system.

(5)(8) “Cross section” means the entire channel to the top of the banks.

(6)(9) “Dam” applies to any artificial structure on a stream, or at the outlet of a pond or lake, that is utilized for holding back water by ponding or

storage together with any penstock, flume, piping, or other facility for transmitting water downstream to a point of discharge, or for diverting water from the natural watercourse to another point for utilization or storage.

(7)(10) “Department” means the Department of Environmental Conservation.

(11) “Existing surface withdrawal” means a surface water withdrawal that exists prior to January 1, 2023.

(12) “Frequency” means how often water will be withdrawn from a surface water over a period of time.

(8)(13) “Instream material” means:

(A) all gradations of sediment from silt to boulders;

(B) ledge rock; or

(C) large woody debris in the bed of a watercourse or within the banks of a watercourse.

(14) “Interbasin transfer” means the conveyance of surface water withdrawn from a basin for use in another basin.

(15) “Large woody debris” means any piece of wood within a watercourse with a diameter of 10 or more inches and a length of 10 or more feet that is detached from the soil where it grew.

(9)(16) “Person” means any individual; partnership; company; corporation; association; unincorporated association; joint venture; trust; municipality; the State of Vermont or any agency, department, or subdivision of the State; any federal agency; or any other legal or commercial entity.

(17) “Rate of withdrawal” means the volume of surface water that is withdrawn over a period of time, as reported in gallons per minute.

(18) “Reasonable and feasible” means available and capable of being implemented after consideration of cost, existing technology, logistics in light of the overall project purpose, environmental impact, and ability to obtain all necessary approvals for implementation.

(19) “Secretary” means the Secretary of Natural Resources or the Secretary’s duly authorized representative.

(20) “Surface water” means all rivers, streams, creeks, brooks, reservoirs, ponds, lakes, and all bodies of surface waters that are contained within, flow through, or border upon the State or any portion of it. “Surface water” does not include the following:

(A) groundwater as defined in section 1391 of this title;

(B) artificial waterbodies as defined under section 29A-101(d) of the Vermont Water Quality Standards;

(C) treatment ponds, lagoons, or wetlands created solely to meet the requirements of a permit issued for a discharge; and

(D) constructed off-stream farm ponds or other off-stream impoundments that are used for irrigation for farming or watering of livestock.

(21) “Vermont Water Quality Standards” means the standards adopted pursuant to chapter 47 and subdivision 6025(b) of this title.

~~(10)(22)~~ “Watercourse” means any perennial stream. “Watercourse” shall does not include ditches or other constructed channels primarily associated with land drainage or water conveyance through or around private or public infrastructure.

~~(11) “Secretary” means the Secretary of Natural Resources, or the Secretary’s duly authorized representative.~~

(23) “Watershed” means a region containing waters that drain into a particular brook, stream, river, or other body of water.

(24) “Withdrawal” means the intentional diversion from a surface water by pumping, gravity, or other method for the purpose of being used for irrigation, industrial uses, snowmaking, livestock watering, water supply, aquaculture, or other off-stream uses. “Withdrawal” does not include hydroelectric projects that are regulated by the Federal Energy Regulatory Commission or the Public Utility Commission. “Withdrawal” does not include direct consumption of surface water by livestock.

~~(12) “Berm” means a linear fill of earthen material on or adjacent to the bank of a watercourse that constrains waters from entering a flood hazard area or river corridor, as those terms are defined in subdivisions 752(3) and (11) of this title.~~

~~(13) “Large woody debris” means any piece of wood within a watercourse with a diameter of 10 or more inches and a length of 10 or more feet that is detached from the soil where it grew.~~

* * *

Subchapter 4. Surface Water Withdrawals and Interbasin Transfers

§ 1041. POLICY ON SURFACE WATER WITHDRAWALS FOR OFF-STREAM USES OTHER THAN SNOWMAKING

(a) This subchapter is intended to establish policy and standards for surface water withdrawals that are consistent with section 1001 of this chapter and

chapter 47 of this title, including the Vermont Water Quality Standards.

(b) The policy established under this subchapter is to:

(1) assure the protection, maintenance, and restoration of the chemical, physical, and biological water quality, including water quantity, necessary to sustain aquatic communities and stream function;

(2) help to provide for and enhance the viability of those sectors and industries that rely on the use of surface waters and are important to Vermont's economy;

(3) permit surface water withdrawals and the construction of appurtenant facilities and related systems for uses other than snowmaking, based on an analysis of the need for water and the consideration of alternatives and consistent with this and related policies and other applicable laws and rules; and

(4) recognize that existing users of the State's waters for off-stream uses that may have an adverse effect on water quality should have time and opportunity to improve water quality.

§ 1042. REGISTRATION AND REPORTING; EXCEPTIONS

(a) Registration. Beginning on January 1, 2023, any person withdrawing 10,000 gallons or more of surface water within a 24-hour period or 150,000 gallons or more of surface water over any 30-day period shall register with the Secretary:

(1) the location of each withdrawal, including each impacted surface water;

(2) the frequency and rate of each withdrawal;

(3) a description of the use or uses of the water to be withdrawn;

(4) the capacity of the system to be used for the withdrawal; and

(5) a schedule for the withdrawal.

(b) Report. Beginning on January 1, 2023, a person that is required to register a surface water withdrawal pursuant to subsection (a) of this section shall file an annual report with the Secretary. Reports shall be filed annually by January 15 of the following year. The report shall be made on a form provided by the Secretary and shall include all of the following information:

(1) the total amount of water withdrawn each month;

(2) the location of each withdrawal, including each impacted surface water;

- (3) the daily maximum withdrawal for each month;
- (4) the date of daily maximum withdrawal; and
- (5) any other information required by the Secretary.

(c) Methods of reporting withdrawals. The following methods shall be used to report the amounts of withdrawn surface water required to be reported under subsection (b) of this section:

(1) For withdrawals of between 10,000 and 50,000 gallons of surface water within a 24-hour period or 150,000 gallons or more of surface water over any 30-day period, the person shall either provide an estimate of total volume withdrawn or provide meter data. The report shall describe how any estimate was calculated.

(2) For withdrawals of 50,000 gallons or more of surface water within a 24-hour period or 1,500,000 gallons or more of surface water over any 30-day period, the person shall provide meter data or measured data by a technically appropriate method approved by the Secretary.

(d) Exceptions. The following withdrawals shall not be subject to the requirements of subsection (a) or (b) of this section:

(1) surface water withdrawals for fire suppression or other public emergency response purposes;

(2) surface water withdrawals required to report under subchapter 3 of this chapter for snowmaking uses;

(3) surface water withdrawals approved pursuant to chapter 56 of this title on public water supply and the rules adopted thereunder for use as a public drinking water supply;

(4) surface water withdrawals for irrigation for farming, livestock watering, or other uses for farming, as the term “farming” is defined in 6 V.S.A. § 4802; and

(5) a surface water withdrawal reported to the Secretary under any project that requires the reporting of substantially similar data.

§ 1043. PERMIT REQUIREMENT; PROGRAM DEVELOPMENT

(a) Program development. On or before July 1, 2026, the Secretary shall implement a surface water withdrawal permitting program that is consistent with section 1041 of this subchapter. The program shall be developed to:

(1) require a permit or other authorization for surface water withdrawals based on potential impacts to surface waters or other factors, and establish conditions of operation necessary to protect surface waters and the Vermont

Water Quality Standards;

(2) consider surface water withdrawal registration and reporting information submitted pursuant to section 1042 of this chapter in the establishment of permitting thresholds and other permitting requirements;

(3) require efficient use and conservation of surface water;

(4) ensure that withdrawals comply with the Vermont water quality standards;

(5) establish limitations on withdrawals based on low flow or drought conditions and the development of potential alternatives to meet surface water withdrawal needs in such cases; and

(6) require assessment of any reasonable and feasible alternatives to proposed withdrawals that may have less of an impact on surface water quality.

(b) Application. Application for a permit to withdraw surface water under the program established under subsection (a) of this section shall be made on a form provided by the Secretary, and shall include the following information:

(1) the location of each withdrawal, including the identification and type of each impacted surface water;

(2) a description of the use or uses of the water to be withdrawn;

(3) a description of the proposed method of water withdrawal;

(4) the frequency and rate of the withdrawal;

(5) an estimated schedule for the withdrawal;

(6) the capacity of the system to be used for the withdrawal;

(7) the location of the proposed return flow of the withdrawn water, and whether the withdrawal is an interbasin transfer;

(8) an estimate of the volume of water needed for the proposed use or uses;

(9) a description of the alternative means considered for the proposed uses of water that will have less of an impact on surface water quality; and

(10) any other information required by the Secretary.

(c) Permits.

(1) The Secretary may issue a general permit to authorize certain withdrawal activities.

(2) The Secretary shall issue a general permit under this chapter for the

withdrawal of surface water for State or municipal infrastructure projects. The general permit shall establish a rate and withdrawal volume that only requires notification of the Secretary and does not require Secretary approval prior to withdrawal.

(3) A permit issued under this subchapter shall be for a period of not longer than 10 years from the date of issuance.

(d) Exceptions. A permit required under this subchapter shall not be required for:

(1) surface water withdrawals for fire suppression or other public emergency response purposes; or

(2) surface water withdrawals for irrigation for farming, livestock watering, or other uses for farming, as the term “farming” is defined in 6 V.S.A. § 4802.

(e) Existing surface water withdrawals.

(1) Snowmaking withdrawals. Existing withdrawals approved pursuant to subchapter 3 of this chapter for snowmaking shall be reviewed pursuant to subdivision (f)(1) of this section.

(2) Nonsnowmaking withdrawals.

(A) A permit required under this subchapter shall not be required until July 1, 2030 for an existing surface water withdrawal for nonsnowmaking purposes, provided that:

(i) the existing surface water withdrawal is both registered and reported to the Secretary pursuant to section 1042 of this title on an annual basis; and

(ii) no expansion of the existing surface water withdrawal occurs on or after January 1, 2023.

(B) For purposes of this subdivision (2), an expansion includes an increase in reported surface water withdrawal rate or volume or increase in reported capacity of the system.

(f) Surface water withdrawals for snowmaking.

(1) Existing withdrawals. Existing surface water withdrawals for snowmaking purposes that have been reviewed and approved pursuant to subchapter 3 of this chapter shall not require additional technical review by the Secretary under this subchapter, provided that the approved snowmaking activity is operated in compliance with the terms and conditions of the Secretary’s approval. For such activities, the Secretary may issue a permit

under the rules adopted pursuant to this subchapter.

(2) New withdrawals. Proposed surface water withdrawals for new snowmaking activities that require review pursuant to subchapter 3 of this chapter shall be reviewed by the Secretary in accordance with the rules adopted pursuant to section 1032 of this title. If the Secretary determines that the proposed activity is consistent with those rules, the Secretary shall issue a permit required by section 1043 of this section for that activity.

(g) Enforcement.

(1) The Secretary may require a person to obtain a permit under this subchapter when the Secretary, in the Secretary's discretion, determines that a withdrawal or other action circumvents the requirements of this subchapter.

(2) If the Secretary finds that a withdrawal subject to this subchapter results in the construction, installation, operation, or maintenance of any facility or condition that results in or can reasonably be expected to result in a violation of the Vermont Water Quality Standards, the Secretary may issue an order establishing reasonable and proper methods and procedures for the control of that activity in order to reduce or eliminate the violation.

(h) Reservation. Nothing in this subchapter shall be interpreted to supersede, limit, or otherwise effect the Secretary's authority to take action pursuant to section 1272 of this title or other applicable provision of law or rule.

§ 1044. INTERBASIN TRANSFERS OF SURFACE WATERS

(a) Review of HUC 6 interbasin transfers. The Secretary shall review any interbasin transfer pursuant to the Vermont Water Quality Standards and other requirements of State law listed in subdivision 1253(h)(1) of this title. This review shall be in addition to any applicable standards and permitting requirements adopted pursuant to subsection 1043(a) of this title.

(b) Review of other transfers likely to violate Vermont Water Quality Standards. The Secretary may review any other surface water withdrawal that includes the transfer of surface water from one watershed to another watershed under the requirements of subsection (a) of this section if the Secretary determines that the activity is likely to result in a violation of the Vermont Water Quality Standards. The Secretary shall make a determination under this subsection based on a review of information set forth under subsection 1043(b) of this title that is readily available to the Secretary.

§ 1045. REPORT TO GENERAL ASSEMBLY

Beginning February 15, 2023 and annually thereafter, the Secretary of Natural Resources, after consultation with the Secretary of Agriculture, Food

and Markets, shall submit to the Senate Committees on Agriculture and on Natural Resources and Energy and the House Committees on Agriculture and Forestry and on Natural Resources, Fish, and Wildlife the data submitted to the Secretary pursuant to subsections 1042(a) and (b) of this title, data submitted as part of a permit required under section 1043 of this title, and the data submitted to the Secretary of Agriculture, Food and Markets under 6 V.S.A. § 4927.

§ 1046. RULEMAKING

The Secretary shall adopt rules to implement the requirements of this subchapter.

Sec. 2. 10 V.S.A. § 1253(h)(1) is amended to read:

(h)(1) The Secretary shall administer a Clean Water Act Section 401 certification program to review activities that require a federal license or permit or activities subject to regulation under chapter 41, subchapter 4 of this title to ensure that a proposed activity complies with the Vermont Water Quality Standards, as well as with any other appropriate requirement of State law, including:

(A) 10 V.S.A. chapter 37 (wetlands protection and water resources management);

(B) 10 V.S.A. chapter 41 (regulation of stream flow);

(C) 10 V.S.A. § 1264 (stormwater management);

(D) 29 V.S.A. chapter 11 (management of lakes and ponds); and

(E) the Agency of Natural Resources Rules for Water Withdrawals for Snowmaking.

Sec. 3. 10 V.S.A. § 8003(a)(4) is amended to read:

(4) 10 V.S.A. chapters 41 and 43, relating to dams, surface water withdrawals, interbasin transfers, and stream alterations;

Sec. 4. 10 V.S.A. § 8503(a)(1)(C) is amended to read:

(C) chapter 41 (relating to dams, surface water withdrawals, interbasin transfers, and stream alterations, and regulation of stream flow);

Sec. 5. 6 V.S.A. chapter 215, subchapter 6A is added to read:

Subchapter 6A. Surface Water Withdrawals for Farming

§ 4926. DEFINITIONS

As used in this subchapter:

(1) “Surface water” means all rivers, streams, creeks, brooks, reservoirs, ponds, lakes, and all bodies of surface waters that are contained within, flow through, or border upon the State or any portion of it. “Surface water” does not include the following:

(A) groundwater as defined in 10 V.S.A. § 1391;

(B) artificial waterbodies as defined under section 29A-101(d) of the Vermont Water Quality Standards;

(C) treatment ponds, lagoons, or wetlands created solely to meet the requirements of a permit issued for a discharge; and

(D) constructed off-stream farm ponds or other off-stream impoundments that are used for irrigation for farming or watering of livestock.

(2) “Withdrawal” means the intentional diversion from a surface water by pumping, gravity, or other method for the purpose of being used for irrigation for farming, livestock watering, or other uses for farming. “Withdrawal” does not include direct consumption of surface water by livestock.

§ 4927. REPORT OF SURFACE WATER WITHDRAWALS FOR
IRRIGATION, LIVESTOCK WATERING, OR OTHER FARMING
USE

(a) Report of withdrawal. Beginning on January 15, 2023 and annually thereafter, any person who withdrew 10,000 gallons or more of surface water within a 24-hour period in the preceding calendar year or 150,000 gallons or more of surface water over any 30-day period in the preceding calendar year shall file a report with the Secretary of Agriculture, Food and Markets. The report shall be made on a form provided by the Secretary and shall include all of the following information:

(1) an estimate of the total amount of water withdrawn in the preceding calendar year;

(2) the location of the withdrawals;

(3) the daily maximum withdrawal for each month;

(4) the date of each daily maximum withdrawal; and

(5) any other information related to surface water withdrawal required by the Secretary of Agriculture, Food and Markets.

(c) Sharing of data. Beginning February 1, 2023 and annually thereafter, the Secretary of Agriculture, Food and Markets shall submit to the Secretary of Natural Resources the data collected under this section for the purposes of

the report to the General Assembly required by 10 V.S.A. § 1045.

Sec. 5a. IMPLEMENTATION; RULEMAKING

The Secretary of Natural Resources shall conduct public input and outreach with interested parties prior to initiating formal rulemaking pursuant to the Administrative Procedure Act for surface water withdrawals as set forth in 10 V.S.A. § 1046. The public input and outreach shall include an opportunity for interested parties to comment on a draft rule for surface water withdrawals.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Proposal of amendment was considered and concurred in.

**Senate Proposal of Amendment to House Proposal of Amendment
Concurred in**

S. 100

The Senate concurred in the House proposal of amendment with further amendment thereto on Senate bill, entitled

An act relating to universal school breakfast and the creation of the Task Force on Universal School Lunch

The Senate concurred in the House proposal of amendment with the following proposals of amendment thereto:

First: In Sec. 3, universal meals, subdivision (c)(2)(C), after “as established under”, by striking out “subsection 136(e) of this title” and inserting in lieu thereof 16 V.S.A. § 136(e)

Second: In Sec. 3, universal meals, by striking out subsection (f) in its entirety.

Third: By striking out Sec. 8, effective date, and its reader assistance heading in their entirety and inserting in lieu thereof a new Sec. 8 and its reader assistance heading to read as follows:

* * * Future Funding Sources * * *

Sec. 8. FUTURE FUNDING; INTENT

It is the intent of the General Assembly to use the data and information from the reports required in this act to identify the amount of and sources of potential long-term funding for universal school meals in Vermont.

Fourth: By adding one new section to be Sec. 9 and its reader assistance heading to read as follows:

* * * Effective Date * * *

Sec. 9. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Senate proposal of amendment to House proposal of amendment was considered and concurred in.

**Senate Proposal of Amendment to House Proposal of Amendment
Concurred in**

S. 285

The Senate concurred in the House proposal of amendment with further amendment thereto on Senate bill, entitled

An act relating to health care reform initiatives, data collection, and access to home- and community-based services

The Senate concurred in the House proposal of amendment with the following proposals of amendment thereto:

By striking out Secs. 1–3 and their reader assistance headings in their entirety and inserting in lieu thereof new Secs. 1–3 and reader assistance headings to read as follows:

* * * Payment and Delivery System Reform; Appropriations * * *

Sec. 1. DEVELOPMENT OF PROPOSAL FOR SUBSEQUENT
ALL-PAYER MODEL AGREEMENT

(a)(1) The Director of Health Care Reform in the Agency of Human Services, in collaboration with the Green Mountain Care Board, shall develop a proposal for a subsequent agreement with the Center for Medicare and Medicaid Innovation to secure Medicare’s sustained participation in multi-payer alternative payment models in Vermont. In developing the proposal, the Director shall consider:

(A) total cost of care targets;

(B) global payment models;

(C) strategies and investments to strengthen access to:

(i) primary care;

(ii) home- and community-based services;

(iii) subacute services;

(iv) long-term care services; and

(v) mental health and substance use disorder treatment services;

(D) strategies and investments to address health inequities and social determinants of health; and

(E) the role, if any, of accountable care organizations in Vermont's multi-payer alternative payment models going forward.

(2)(A) The development of the proposal shall include consideration of alternative payment and delivery system approaches for hospital services and community-based providers such as primary care providers, mental health providers, substance use disorder treatment providers, skilled nursing facilities, home health agencies, and providers of long-term services and supports.

(B) The alternative payment models to be explored shall include, at a minimum:

(i) value-based payments for hospitals, including global payments, that take into consideration the sustainability of Vermont's hospitals and the State's rural nature, as set forth in subdivision (b)(1) of this section;

(ii) statewide, regional, and hospital-based global budgets for health care services, or a combination of these;

(iii) existing federal value-based payment models; and

(iv) broader total cost of care and risk-sharing models to address patient migration patterns across systems of care.

(C) The proposal shall:

(i) include appropriate mechanisms to convert fee-for-service reimbursements to predictable payments for multiple provider types, including those described in subdivision (A) of this subdivision (2);

(ii) include a process to ensure reasonable and adequate rates of payment and a reasonable and predictable schedule for rate updates;

(iii) meaningfully impact health equity and address inequities in terms of access, quality, and health outcomes; and

(iv) support equal access to appropriate mental health care that meets standards of quality, access, and affordability equivalent to other components of health care as part of an integrated, holistic system of care.

(3)(A) The Director of Health Care Reform, in collaboration with the Green Mountain Care Board, shall ensure that the process for developing the proposal includes opportunities for meaningful participation by the full continuum of health care and social service providers, payers, participants in

the health care system, and other interested stakeholders in all stages of the proposal's development.

(B) The Director shall provide a simple and straightforward process to enable interested stakeholders to provide input easily.

(C) To promote engagement with diverse stakeholders and ensure the prioritization of health equity, the process may utilize existing local and regional forums, including those supported by the Agency of Human Services.

(b) As set forth in subdivision (a)(2)(B)(i) of this section and notwithstanding any provision of 18 V.S.A. § 9375(b)(1) to the contrary, the Green Mountain Care Board shall:

(1) in collaboration with the Agency of Human Services and using the stakeholder process described in subsection (a) of this section, build on successful health care delivery system reform efforts by developing value-based payments, including global payments, from all payers to Vermont hospitals or accountable care organizations, or both, that will:

(A) help move the hospitals away from a fee-for-service model;

(B) provide hospitals with predictable, sustainable funding that is aligned across multiple payers, consistent with the principles set forth in 18 V.S.A. § 9371, and sufficient to enable the hospitals to deliver high-quality, affordable health care services to patients;

(C) take into consideration the necessary costs and operating expenses of providing services and not be based solely on historical charges; and

(D) take into consideration Vermont's rural nature, including that many areas of the State are remote and sparsely populated;

(2) determine how best to incorporate value-based payments, including global payments to hospitals or accountable care organizations, or both, into the Board's hospital budget review, accountable care organization certification and budget review, and other regulatory processes, including assessing the impacts of regulatory processes on the financial sustainability of Vermont hospitals and identifying potential opportunities to use regulatory processes to improve hospitals' financial health;

(3) recommend a methodology for determining the allowable rate of growth in Vermont hospital budgets, which may include the use of national and regional indicators of growth in the health care economy and other appropriate benchmarks, such as the Hospital Producer Price Index, Medical Consumer Price Index, bond-rating metrics, and labor cost indicators, as well as other metrics that incorporate differentials as appropriate to reflect the

unique needs of hospitals in highly rural and sparsely populated areas of the State; and

(4) consider the appropriate role of global budgets for Vermont hospitals.

(c)(1) On or before January 15, 2023, the Director of Health Care Reform and the Green Mountain Care Board shall each report on their activities pursuant to this section to the House Committees on Health Care and on Human Services and the Senate Committees on Health and Welfare and on Finance.

(2) On or before March 15, 2023, the Director of Health Care Reform shall provide an update to the House Committees on Health Care and on Human Services and the Senate Committees on Health and Welfare and on Finance regarding the Agency's stakeholder engagement process pursuant to subdivision (a)(3) of this section.

Sec. 2. HOSPITAL SYSTEM TRANSFORMATION; ENGAGEMENT PROCESS; REPORT

(a) The Green Mountain Care Board, in collaboration with the Director of Health Care Reform in the Agency of Human Services, shall develop and conduct a data-informed, patient-focused, community-inclusive engagement process for Vermont's hospitals to reduce inefficiencies, lower costs, improve population health outcomes, reduce health inequities, and increase access to essential services while maintaining sufficient capacity for emergency management.

(b) The engagement process shall include:

(1) coordination with the stakeholder engagement process to be conducted by the Director of Health Care Reform as set forth in Sec. 1(a)(3) of this act;

(2) hearing from and sharing data, information, trends, and insights with communities about the current and future states of the hospital delivery system, unmet health care needs as identified through the community health needs assessment, and opportunities and resources necessary to address those needs;

(3) providing opportunities for meaningful participation in all stages of the engagement process by employers; consumers; health care professionals and health care providers, including those providing primary care services; Vermonters who have direct experience with all aspects of Vermont's health care system; and Vermonters who are diverse with respect to race, income, age, and disability status;

(4) providing the data, information, and analysis necessary to support the engagement process, including information and trends relating to the current and future states of the health care delivery system in each hospital service area, the effects of the hospitals in neighboring states on the health care services delivered in Vermont, the potential impacts of hospital system transformation on Vermont's nonhospital health care and social service providers, the workforce challenges in the health care and human services systems, and the impacts of the pandemic;

(5) establishing ways to assess the impact of any changes to hospital services on nonhospital providers, including on workforce recruitment and retention; and

(6) determining the amount of resources that will be needed to support hospitals in implementing the transformation initiatives developed as a result of the engagement process.

(c) On or before January 15, 2023, the Green Mountain Care Board shall provide an update on the community engagement process established in this section to the House Committees on Health Care and on Human Services and the Senate Committees on Health and Welfare and on Finance.

Sec. 3. PAYMENT AND DELIVERY SYSTEM REFORM;
APPROPRIATIONS

(a) The sum of \$900,000.00 is appropriated from the General Fund to the Agency of Human Services in fiscal year 2023 to support the work of the Director of Health Care Reform as set forth in Secs. 1 and 2 of this act, including hiring consultants as needed to assist the Director in carrying out the provisions of those sections.

(b) The sum of \$4,100,000.00 is appropriated from the General Fund to the Green Mountain Care Board in fiscal year 2023 to support the work of the Board as set forth in Secs. 1 and 2 of this act, including hiring consultants as needed to assist the Board in carrying out the provisions of those sections.

Senate proposal of amendment to House proposal of amendment was considered and concurred in.

**Senate Proposal of Amendment to House Proposal of Amendment to
Senate Proposal of Amendment Concurred in**

H. 736

The Senate concurred in the House proposal of amendment to the Senate proposal of amendment with further amendment thereto on House bill, entitled

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

The Senate concurred in the House proposal of amendment to the Senate proposal of amendment with the following proposals of amendment thereto:

First: In Sec. 2, fiscal year 2023 transportation investments, by striking out subdivision (8)(D) in its entirety and inserting in lieu thereof a new subdivision (8)(D) to read as follows:

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

Second: In Sec. 5, vehicle incentive programs, by striking out subsection (d) in its entirety and inserting in lieu thereof a new subsection (d) to read as follows:

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

Third: By striking out Sec. 17, Burlington International Airport Working Group; report, and its corresponding reader assistance heading in their entirety and inserting in lieu thereof the following:

* * * Burlington International Airport Working Group; Report * * *

Sec. 17. BURLINGTON INTERNATIONAL AIRPORT WORKING GROUP; REPORT

(a) Project addition. The following project is added to the Agency of Transportation's Proposed Fiscal Year 2023 Transportation Program for Aviation: Burlington International Airport Study.

(b) Authorization.

(1) Spending authority for the Burlington International Airport Study is authorized as follows:

<u>FY23</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	0	150,000	150,000
Total	0	150,000	150,000
<u>Sources of funds</u>			
State	0	15,000	15,000
Federal	0	135,000	135,000
Total	0	150,000	150,000

(2) Spending authority for Statewide (Aviation Operations & Maintenance) is amended as follows:

<u>FY23</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	1,216,303	1,201,303	-15,000
Total	1,216,303	1,201,303	-15,000
<u>Sources of funds</u>			
State	1,216,303	1,201,303	-15,000
Total	1,216,303	1,201,303	-15,000

(3) The City of Burlington, which is the sponsor of the Burlington International Airport, and the Agency of Transportation shall work together to secure a grant from the Federal Aviation Administration to cover the \$135,000.00 in federal monies authorized for expenditure under subdivision (1) of this subsection for the Burlington International Airport Study.

(c) Creation. There is created the Burlington International Airport Working Group (Working Group) to examine the existing governance structure and alternatives to the existing governance structure of the Burlington International Airport (Airport) and to report the Working Group's findings and recommendations.

(d) Membership. The Working Group shall be composed of the following seven voting members and three nonvoting members:

(1) one voting member designated by the mayor of the City of Burlington;

(2) one voting member designated by the city council of the City of Burlington;

(3) one voting member designated by the city council of the City of South Burlington;

(4) one voting member designated by the mayor of the City of Winooski;

(5) one voting member designated by the city council of the City of Burlington, in consultation with the mayor of the City of Burlington, to represent individuals, such as Black, Indigenous, and Persons of Color (BIPOC), immigrants, individuals with low income, and individuals residing in "disadvantaged communities" as defined in federal Executive Order 14008, "Tackling the Climate Crisis at Home and Abroad," adversely affected by the Airport;

(6) one voting member designated by the city council of the City of South Burlington to represent the general aviation organizations at the Airport;

(7) the Secretary of Transportation or designee, who shall be a nonvoting member;

(8) one voting member designated by the President and CEO of the Lake Champlain Regional Chamber of Commerce;

(9) the current, including acting or interim, Director of Aviation for the Airport or designee, who shall be a nonvoting member of the Working Group; and

(10) the Director of the Chittenden County Regional Planning Commission or designee, who shall be a nonvoting member of the Working Group.

(e) Assistance; consultant.

(1) The Working Group shall have the administrative, technical, and legal assistance of the Agency of Transportation, which shall contract with an independent third-party consultant with expertise in airport governance and may contract with an additional person to serve as a neutral facilitator for the Working Group if such assistance cannot be provided by an employee or employees of the Agency of Transportation.

(2) The Agency of Transportation shall work with the Working Group to prepare a request for information and a request for proposal for the retention of the independent third-party consultant that is contracted with pursuant to subdivision (1) of this subsection.

(f) Powers and duties. The Working Group, with the assistance of the consultant retained as required under subsection (e) of this section, shall:

(1) review prior reports and recommendations prepared on the governance structure of the Airport, including the January 1, 2020 memorandum from Eileen Blackwood, Burlington City Attorney to Mayor Miro Weinberger and the City Council regarding Burlington International Airport and Regional Governance Questions; the June 10, 2013 Burlington International Airport, Airport Strategic Planning Committee Recommendations (Airport Strategic Planning Committee Recommendations); and the December 1985 Final Report of the Burlington Airport Study Group;

(2) discuss current issues of regional concern regarding the Airport, explore opportunities for regional collaboration regarding the Airport, and analyze what actions, including but not limited to a change in the governance structure, could address any issues of regional concern regarding the Airport;

(3) examine the advantages and disadvantages of each of the options identified in the Airport Strategic Planning Committee Recommendations;

(4) examine the advantages and disadvantages of any additional governance structure options for the Airport recommended by the consultant or identified by a majority of the voting members of the Working Group as

warranting study;

(5) identify any other issue relating to the governance of the Airport that a majority of the voting members of the Working Group determine warrants study; and

(6) make recommendations on the governance structure of the Airport or opportunities for regional collaboration regarding the Airport, or both, as supported by a majority of the voting members of the Working Group.

(g) Reports; recommendations.

(1) The Chair of the Working Group shall provide an oral report outlining the Working Group's progress, including a summary of the membership of the Working Group, the process of retaining the required consultant, and anything else the Chair thinks will have bearing on the final report and recommendations, to the House and Senate Committees on Transportation in February 2023.

(2) On or before January 15, 2024, the Working Group shall submit a written report to the General Assembly with its findings and recommendations. Any recommendations from the Working Group shall address how to ensure that there are not negative financial impacts on the City of Burlington.

(h) Meetings.

(1) The Secretary of Transportation or designee shall call the first meeting of the Working Group to occur on or before September 30, 2022.

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

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

(4) The Working Group shall cease to exist on January 16, 2024.

(i) Compensation and reimbursement. Members of the Working Group who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance 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.

Fourth: In Sec. 21, 2021 Acts and Resolves No. 55, Sec. 2(8)(D) and (E), in subdivision (E), by striking out "\$200.00" and inserting in lieu thereof \$200.00

Fifth: By striking out Sec. 23, 2021 Acts and Resolves No. 55, Sec. 28(b), in its entirety and inserting in lieu thereof a new Sec. 23 to read as follows:

Sec. 23. 2021 Acts and Resolves No. 55, Sec. 28 is amended to read:

Sec. 28. ELECTRIC BICYCLE INCENTIVES

(a) Implementation. The Agency of Transportation, ~~in consultation with Vermont electric distribution utilities,~~ shall expand upon the vehicle incentive programs established under 2019 Acts and Resolves No. 59, Sec. 34, as amended, to provide a ~~\$200.00 incentive to 250~~ incentives to individuals who purchase a new electric bicycle. Specifically, the Program shall:

(1) distribute ~~\$200.00~~ incentives on a first-come, first-served basis after the Agency announces that incentives are available;

* * *

(b) Authorization.

(1) In fiscal year 2022, the Agency is authorized to spend up to \$50,000.00 in one-time Transportation Fund monies on the electric bicycle incentives and up to \$5,000.00 on the costs associated with developing and administering the electric bicycle incentives.

(2) If less than \$5,000.00 is expended on administrative costs associated with developing and administering the electric bicycle incentives under subdivision (1) of this subsection, then the balance of that \$5,000.00 shall only be authorized for startup costs, outreach education, and costs associated with developing and administering the Replace Your Ride Program in addition to the authorization in Sec. 27(d) of this act.

Senate proposal of amendment to House proposal of amendment to Senate proposal of amendment was considered and concurred in.

Report of Committee of Conference Adopted

S. 53

The Speaker placed before the House the following Committee of Conference 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

An act relating to exempting feminine hygiene products from the Vermont Sales and Use Tax

Respectfully reported that it has met and considered the same and recommended the following:

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.53. An act relating to exempting feminine hygiene products from the Vermont Sales and Use Tax.

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:

Sec. 1. 32 V.S.A. § 5811 is amended to read:

§ 5811. DEFINITIONS

~~The following definitions shall apply throughout~~ As used in this chapter unless the context requires otherwise:

* * *

(22) “Affiliated group” means a group of two or more corporations in which more than 50 percent of the voting stock of each member corporation is directly or indirectly owned by a common owner or owners, either corporate or noncorporate, or by one or more of the member corporations, but shall exclude ~~overseas business organizations or~~ foreign corporations and corporations taxable under 8 V.S.A. § 6014.

(23) “Unitary business” means one or more related business organizations engaged in business activity both within and outside the State among which there exists a unity of ownership, operation, and use; or an interdependence in their functions.

(24) ~~“Overseas business organization” means a business organization that ordinarily has 80 percent or more of its payroll and property outside the 50 states and the District of Columbia.~~ [Repealed.]

* * *

Sec. 2. 32 V.S.A. § 5832(2)(C)–(E) are amended to read:

(C) For C corporations with Vermont gross receipts from ~~\$0–\$2,000,000.00~~ \$0.00–\$500,000.00, the greater of the amount determined under subdivision (1) of this section or ~~\$300.00~~ \$100.00; or

(D) For C corporations with Vermont gross receipts from ~~\$2,000,001.00–\$5,000,000.00~~ \$500,001.00–\$1,000,000.00, the greater of the amount determined under subdivision (1) of this section or \$500.00; or

(E) For C corporations with Vermont gross receipts from \$1,000,001.00–\$5,000,000.00, the greater of the amount determined under subdivision (1) of this section or \$2,000.00; or

(F) For C corporations with Vermont gross receipts from \$5,000,001.00–\$300,000,000.00, the greater of the amount determined under subdivision (1) of this section or \$6,000.00; or

(E)(G) For C corporations with Vermont gross receipts greater than \$5,000,000.00 \$300,000,000.00, the greater of the amount determined under subdivision (1) of this section or \$750.00 \$100,000.00.

Sec. 3. 32 V.S.A. § 5833(a) is amended to read:

(a) If the income of a taxable corporation is derived from any trade, business, or activity conducted entirely within this State, the Vermont net income of the corporation shall be allocated to this State in full. If the income of a taxable corporation is derived from any trade, business, or activity conducted both within and outside this State, the amount of the corporation's Vermont net income that shall be apportioned to this State, so as to allocate to this State a fair and equitable portion of that income, shall be determined by multiplying that Vermont net income by ~~the arithmetic average of the following factors, with the sales factor described in subdivision (3) of this subsection double-weighted:~~

~~(1) the average of the value of all the real and tangible property within this State (A) at the beginning of the taxable year and (B) at the end of the taxable year (but the Commissioner may require the use of the average of such value on the 15th or other day of each month, in cases where he or she determines that such computation is necessary to more accurately reflect the average value of property within Vermont during the taxable year), expressed as a percentage of all such property both within and outside this State;~~

~~(2) the total wages, salaries, and other personal service compensation paid during the taxable year to employees within this State, expressed as a percentage of all such compensation paid whether within or outside this State; and~~

~~(3) the gross sales, or charges for services performed, within this State, expressed as a percentage of such sales or charges whether within or outside this State.~~

~~(A)(1) Sales of tangible personal property are made in this State if:~~

~~(i) the property is delivered or shipped to a purchaser, other than the U.S. government, who takes possession within this State, regardless of f.o.b. point or other conditions of sale; or~~

~~(ii) the property is shipped from an office, store, warehouse, factory, or other place of storage in this State; and~~

~~(I) the purchaser is the U.S. government; or~~

~~(II) the corporation is not taxable in the State in which the purchaser takes possession.~~

~~(B)(2)~~ Sales, other than the sale of tangible personal property, are in this State if the taxpayer's market for the sales is in this State. The taxpayer's market for sales is in this State:

~~(i)(A)~~ in the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this State;

~~(ii)(B)~~ in the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this State;

~~(iii)(C)~~ in the case of sale of a service, if and to the extent the service is delivered to a location in this State; and

~~(iv)(D)~~ in the case of intangible property:

~~(I)(i)~~ that is rented, leased, or licensed, if and to the extent the property is used in this State, provided that intangible property utilized in marketing a good or service to a consumer is "used in this State" if that good or service is purchased by a consumer who is in this State; and

~~(II)(ii)~~ that is sold, if and to the extent the property is used in this State, provided that:

~~(aa)(I)~~ a contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is "used in this State" if the geographic area includes all or part of this State;

~~(bb)(II)~~ receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under subdivision ~~(iv)(I)(D)(i)~~ of this subdivision ~~(B)(2)~~; and

~~(cc)(III)~~ all other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the receipts factor.

~~(C)(3)~~ If the state or states of assignment under subdivision ~~(B)(2)~~ of this subsection cannot be determined, the state or states of assignment shall be reasonably approximated.

~~(D)~~(4) If the taxpayer is not taxable in a state to which a receipt is assigned under subdivision ~~(B)~~(2) or ~~(C)~~(3) of this subsection, or if the state of assignment cannot be determined under subdivision ~~(B)~~(2) of this subsection or reasonably approximated under subdivision ~~(C)~~(3) of this subsection, such receipt shall be excluded from the denominator of the receipts factor.

~~(E)~~(5) The Commissioner of Taxes shall adopt regulations as necessary to carry out the purposes of this section.

(6) A taxable corporation subject to apportionment under this section shall report to the Commissioner of Taxes:

(A) the average of the value of all the real and tangible property within this State at the beginning of the taxable year and at the end of the taxable year, provided the Commissioner may require the use of the average of the value on the 15th or other day of each month in cases where the Commissioner determines that the computation is necessary to more accurately reflect the average value of property within Vermont during the taxable year, expressed as a percentage of all property both within and outside this State; and

(B) the total wages, salaries, and other personal service compensation paid to employees within this State during the taxable year, expressed as a percentage of all compensation paid, whether within or outside this State.

Sec. 4. 32 V.S.A. § 5862(d) is amended to read:

(d) A taxable corporation that is part of an affiliated group engaged in a unitary business shall be treated as a single taxpayer and shall file a group return containing the combined net income of the affiliated group and such other informational returns as the Commissioner shall require by rule. A unitary combined return shall include the income and apportionment factors of any taxable corporation incorporated in the United States or formed under the laws of any state, the District of Columbia, or any territory or possession of the United States and in a unitary relationship with the taxpayer. The income, gain, or losses from members of a combined group shall be combined to the extent allowed under the Internal Revenue Code for consolidated filing as if the combined group was a consolidated filing group, provided that a state tax credit shall not be combined and shall be limited to the member to which the credit is attributed.

Sec. 5. TRANSITION FROM JOYCE TO FINNIGAN METHOD

For taxable years beginning on and after January 1, 2023, for purposes of determining whether sales are in Vermont and are included in the numerator of the sales apportionment factor, if the activities of any member of a unitary group create nexus with this State, then sales of tangible personal property into

Vermont from outside the State by all members of the unitary group shall be included in the Vermont sales factor numerator.

Sec. 6. RULEMAKING; REPORT

The Department of Taxes shall adopt rules relating to the unitary combined reporting requirements imposed under this act. The rules required under this section shall include a change from the Joyce to the Finnigan approach to applying Vermont jurisdiction to corporations within a unitary group. The Department shall report to the House Committee on Ways and Means and the Senate Committee on Finance on or before January 15, 2024 on the Department's proposed rules and any recommendations for legislation with respect to unitary combined reporting.

Sec. 7. 32 V.S.A. § 5824 is amended to read:

§ 5824. ADOPTION OF FEDERAL INCOME TAX LAWS

The statutes of the United States relating to the federal income tax, as in effect on ~~March 31, 2021~~ December 31, 2021, but without regard to federal income tax rates under 26 U.S.C. § 1, are hereby adopted for the purpose of computing the tax liability under this chapter; and shall continue in effect as adopted until amended, repealed, or replaced by act of the General Assembly.

Sec. 8. 32 V.S.A. § 7402(8) is amended to read:

(8) "Laws of the United States" means the U.S. Internal Revenue Code of 1986, as amended through December 31, ~~2020~~ 2021. As used in this chapter, "Internal Revenue Code" has the same meaning as "laws of the United States" as defined in this subdivision. The date through which amendments to the U.S. Internal Revenue Code of 1986 are adopted under this subdivision shall continue in effect until amended, repealed, or replaced by act of the General Assembly.

Sec. 9. EFFECTIVE DATES

(a) This section shall take effect on passage.

(b) Secs. 1–6 (corporate income tax) shall take effect on January 1, 2023 and shall apply to taxable years beginning on and after January 1, 2023.

(c) Notwithstanding 1 V.S.A. § 214, Secs. 7 and 8 (annual link to federal statutes) shall take effect retroactively on January 1, 2022 and shall apply to taxable years beginning on and after January 1, 2021.

and that after passage the title of the bill be amended to read: "An act relating to changes to Vermont corporate income tax and conformity to federal tax laws"

REP. ANCEL OF CALAIS

REP. KORNHEISER OF BRATTLEBORO

REP. BECK OF ST. JOHNSBURY

Committee on the part of the House

SEN. ANN E. CUMMINGS

SEN. RANDOLPH D. BROCK

SEN. RUTH E. HARDY

Committee on the part of the Senate

Which was considered and adopted on the part of the House.

Action on Bill Postponed

H. 715

House bill, entitled

An act relating to the Clean Heat Standard

Was taken up and pending the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, on motion of **Rep. Briglin of Thetford**, action on the bill was postponed until May 10, 2022.

Action on Bill Postponed

Senate bill, entitled

S. 188

An act relating to regulating licensed small cannabis cultivation as farming

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment to the House proposal of amendment?, on motion of **Rep. O'Brien of Tunbridge**, action on the bill was postponed until May 10, 2022.

Recess

At three o'clock and twenty-seven minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

At three o'clock and forty-nine minutes in the afternoon, the Speaker called the House to order.

Rules Suspended; Bills Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House actions on the following bills were ordered messaged to the Senate forthwith:

H. 465

House bill, entitled

An act relating to boards and commissions

H. 739

House bill, entitled

An act relating to capital construction and State bonding budget adjustment

S. 53

Senate bill, entitled

An act relating to exempting feminine hygiene products from the Vermont Sales and Use Tax

Joint Resolution Placed on Calendar**J.R.S. 53**

By Senators Balint, Campion, Cummings, Hardy, Hooker, and Lyons,

J.R.S. 53. Joint resolution supporting transgender youth and their parents who seek essential medical care for the treatment of gender dysphoria.

Whereas, Vermont values the transgender members of our community and has been a leader in establishing policies that prohibit discrimination based on gender identity, and

Whereas, the American Academy of Pediatrics Vermont Chapter, the University of Vermont Children's Hospital, the Vermont Medical Society, the Vermont Academy of Family Physicians, the Vermont Psychiatric Association, the Vermont American Academy of Emergency Physicians, the Physician Assistant Academy of Vermont, the American Academy of Child and Adolescent Psychiatry, the American Medical Association, and other leading health care authorities support best practice medical care for transgender youth, and

Whereas, patients, their parents, and their health care providers should decide what medical care is appropriate for a patient in accordance with current medical best practices, not politicians, and

Whereas, denying best practice medical care and support to transgender

youth can be life-threatening and has been shown to contribute to depression, social isolation, self-hatred, risk of self-harm and suicidal behavior, and more, and

Whereas, more than a third of the 150,000 transgender youth 13 to 17 years of age in the United States live in the 15 states that have restricted or banned access to best practice medical care for transgender youth or are considering legislation to do so, and

Whereas, parents of transgender children, like all parents, simply want to do what is best for their child, and many such parents now face prosecution for child abuse in some jurisdictions for seeking best practice medical care for their transgender child as recommended by their health care provider, and

Whereas, Vermont recognizes the importance of letting transgender youth know that they are seen and valued for who they are, protected from stigmatizing policies that jeopardize their health and well-being, and supported by a community that wants to see them thrive, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly condemns the actions of states to ban best practice medical care for transgender youth and prosecute parents for seeking such essential care for their children, and be it further

Resolved: That the General Assembly shall explore all available options to ensure that transgender youth and their families are safe in Vermont to make the best medical care decisions for themselves in consultation with their health care providers and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to Assistant Secretary for Health for the U.S. Department of Health and Human Services Admiral Rachel L. Levine, U.S. Senator Patrick Leahy of Vermont, U.S. Senator Bernie Sanders of Vermont, and U.S. Representative Peter Welch of Vermont.

Was read and, in the Speaker's discretion under House Rule 52, placed on the Action Calendar on the next legislative day.

Adjournment

At three o'clock and fifty-two minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at ten o'clock in the forenoon.

Tuesday, May 10, 2022

At ten o'clock in the forenoon the Speaker called the House to order.

Devotional Exercises

A moment of silence was observed in lieu of a devotion.

Message from the Senate No. 70

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

S. 161. An act relating to extending the baseload renewable power portfolio requirement.

And has concurred therein.

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

H. 738. An act relating to technical and administrative changes to Vermont's tax laws.

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

Ceremonial Reading

H.C.R. 160

House concurrent resolution honoring the General Assembly's venerable head doorkeeper, Cornelius F. Reed Jr. of Wolcott

Offered by: All Members of the House

Having been adopted in concurrence on Friday, April 29, 2022 in accord with Joint Rule 16b, was read.

Vote on Governor's Veto**H. 708**

An act relating to the approval of an amendment to the charter of the City of Burlington

Pursuant to Chapter II, Section 11, of the Vermont Constitution, the Clerk proceeded to call the roll and the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, was decided in the negative. Yeas, 99. Nays, 51.

Those who voted in the affirmative are:

Ancel of Calais	Garofano of Essex	Pajala of Londonderry
Anthony of Barre City	Goldman of Rockingham	Partridge of Windham
Arrison of Weathersfield	Grad of Moretown	Patt of Worcester
Austin of Colchester	Hooper of Montpelier	Pearl of Danville
Bartholomew of Hartland	Hooper of Randolph	Pugh of South Burlington
Birong of Vergennes	Hooper of Burlington	Rachelson of Burlington
Black of Essex	Houghton of Essex	Rogers of Waterville
Bluemle of Burlington	Howard of Rutland City	Satcowitz of Randolph
Bock of Chester	James of Manchester	Scheu of Middlebury
Bongartz of Manchester	Jerome of Brandon	Sheldon of Middlebury
Bos-Lun of Westminster	Jessup of Middlesex	Sibilia of Dover
Brady of Williston	Killacky of South Burlington	Sims of Craftsbury
Briglin of Thetford	Kimbell of Woodstock	Small of Winooski
Brown of Richmond	Kitzmiller of Montpelier	Squirrell of Underhill
Brumsted of Shelburne	Kornheiser of Brattleboro	Stebbins of Burlington
Burke of Brattleboro	Krowsinski of Burlington	Stevens of Waterbury
Burrows of West Windsor	LaLonde of South	Sullivan of Dorset
Campbell of St. Johnsbury	Burlington	Surprenant of Barnard
Chase of Colchester	Lanpher of Vergennes	Taylor of Colchester
Christie of Hartford	Lippert of Hinesburg	Till of Jericho
Cina of Burlington	Long of Newfane	Toleno of Brattleboro
Coffey of Guilford	Masland of Thetford	Townsend of South
Colburn of Burlington	McCarthy of St. Albans City	Burlington
Colston of Winooski	McCormack of Burlington	Troiano of Stannard
Conlon of Cornwall	McCullough of Williston	Vyhovsky of Essex
Copeland Hanzas of	Morris of Springfield	Walz of Barre City
Bradford	Mrowicki of Putney	Webb of Shelburne
Cordes of Lincoln	Mulvaney-Stanak of	White of Bethel
Dolan of Essex	Burlington	White of Hartford
Dolan of Waitsfield	Nicoll of Ludlow	Whitman of Bennington
Donnally of Hyde Park	Nigro of Bennington	Wood of Waterbury
Durfee of Shaftsbury	Notte of Rutland City	Yacovone of Morristown
Elder of Starksboro	Noyes of Wolcott	Yantachka of Charlotte
Emmons of Springfield	O'Brien of Tunbridge	
Gannon of Wilmington	Ode of Burlington	

Those who voted in the negative are:

Achey of Middletown Springs	Harrison of Chittenden	Murphy of Fairfax
Beck of St. Johnsbury	Helm of Fair Haven	Norris of Sheldon
Brennan of Colchester	Higley of Lowell	Norris of Shoreham
Brownell of Pownal	Kascenska of Burke	Page of Newport City
Burditt of West Rutland	Labor of Morgan	Palasik of Milton
Canfield of Fair Haven	LaClair of Barre Town	Parsons of Newbury
Corcoran of Bennington	Laroche of Franklin	Peterson of Clarendon
Cupoli of Rutland City	Lefebvre of Newark	Rosenquist of Georgia
Dickinson of St. Albans Town	Lefebvre of Orange	Scheuermann of Stowe
Donahue of Northfield	Leffler of Enosburgh	Shaw of Pittsford
Fagan of Rutland City	Marcotte of Coventry	Smith of Derby
Feltus of Lyndon	Martel of Waterford	Smith of New Haven
Goslant of Northfield	Mattos of Milton	Strong of Albany
Graham of Williamstown	McCoy of Poultney	Terenzini of Rutland Town
Gregoire of Fairfield	McFaun of Barre Town	Toof of St. Albans Town
Hango of Berkshire	Morgan, L. of Milton	Walker of Swanton
	Morgan, M. of Milton	Williams of Granby
	Morrissey of Bennington	

Those members absent with leave of the House and not voting are: none

[For text of the Governor's veto letter, see House Journal of May 3, 2022.]

**Amendment to Proposal of Amendment Agreed to; Third Reading;
Motion to Commit Bill Disagreed to; Bill Passed in Concurrence with
Proposal of Amendment**

S. 281

Senate bill, entitled

An act relating to hunting coyotes with dogs

Was taken up, and pending third reading of the bill, **Rep. Notte of Rutland City**, for the Committee on Judiciary, to which was referred the bill, recommended that the House proposal of amendment be amended as follows:

By striking out Sec. 4, effective dates, in its entirety and inserting in lieu thereof the following:

Sec. 4. 13 V.S.A. § 4010 is amended to read:

§ 4010. GUN SUPPRESSORS

(a) As used in this section:

(1) “Gun suppressor” means any device for ~~silencing~~, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a gun suppressor, and any part intended only for use in such assembly or fabrication.

(2) “Sport shooting range” shall have the same meaning as used in 10 V.S.A. § 5227(a).

(b) A person shall not manufacture, make, or import a gun suppressor, except for:

(1) a licensed manufacturer, as defined in 18 U.S.C. § 921, who is registered as a manufacturer pursuant to 26 U.S.C. § 5802;

(2) a licensed importer, as defined in 18 U.S.C. § 921, who is registered as an importer pursuant to 26 U.S.C. § 5802; or

(3) a person who makes a gun suppressor in compliance with the requirements of 26 U.S.C. § 5822.

(c) A person shall not use a gun suppressor in the State, except for use by:

(1) a Level III certified law enforcement officer or Department of Fish and Wildlife employee in connection with ~~his or her~~ the officer’s or employee’s duties and responsibilities and in accordance with the policies and procedures of that officer’s or employee’s agency or department;

(2) the Vermont National Guard in connection with its duties and responsibilities;

(3) a licensed manufacturer or a licensed importer, as defined in 18 U.S.C. § 921, who is also registered as a manufacturer or an importer pursuant to 26 U.S.C. § 5802, who in the ordinary course of ~~his or her~~ the manufacturer’s or importer’s business as a manufacturer or as an importer tests the operation of the gun suppressor; or

(4) a person lawfully using a sport shooting range; or

(5) a person taking game as authorized under 10 V.S.A. § 4701.

(d)(1) A person who violates subsection (b) of this section shall be fined not less than \$500.00 for each offense.

(2) A person who violates subsection (c) of this section shall be fined \$50.00 for each offense.

Sec. 5. 10 V.S.A. § 4701 is amended to read:

§ 4701. USE OF GUN, BOW AND ARROW, AND CROSSBOW; LEGAL
DAY; DOGS

(a) Unless otherwise provided by statute, a person shall not take game except with:

- (1) a gun fired at arm's length;
- (2) a bow and arrow; or
- (3) a crossbow as authorized by the rules of the Board.

(b) A person shall not take game between one-half hour after sunset and one-half hour before sunrise unless otherwise provided by statute or by the rules of the Board.

(c) A person may take game and fur-bearing animals during the open season therefor, with the aid of a dog, unless otherwise prohibited by statute or by the rules of the Board.

(d) A person taking game with a gun may possess, carry, or use a gun suppressor in the act of taking game.

Sec. 6. 10 V.S.A. § 4704 is amended to read:

§ 4704. USE OF MACHINE GUNS, AND AUTOLOADING RIFLES, AND
GUN SUPPRESSORS

(a) A person engaged in hunting for wild animals shall not use, carry, or have in ~~his or her~~ the person's possession:

- (1) a machine gun of any kind or description; or
- (2) an autoloading rifle with a magazine capacity of over six cartridges, except a .22 caliber rifle using rim fire cartridges; or
- ~~(3) a gun suppressor.~~

~~(b) As used in this section, "gun suppressor" means any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a gun suppressor, and any part intended only for use in such assembly or fabrication. [Repealed.]~~

Sec. 7. 10 V.S.A. § 4001 is amended to read:

§ 4001. DEFINITIONS

Words and phrases used in this part, unless otherwise provided, shall be construed to mean as follows:

* * *

(9) Game: game birds or game quadrupeds, or both.

(10) Game birds: quail, partridge, woodcock, pheasant, plover of any kind, Wilson snipe, other shore birds, rail, coot, gallinule, wild ducks, wild geese, and wild turkey.

* * *

(15) Wild animals or wildlife: all animals, including birds, fish, amphibians, and reptiles, other than domestic animals, domestic fowl, or domestic pets.

* * *

(23) Take and taking: pursuing, shooting, hunting, killing, capturing, trapping, snaring, and netting fish, birds, and quadrupeds and all lesser acts, such as disturbing, harrying, worrying, or wounding or placing, setting, drawing, or using any net or other device commonly used to take fish or wild animals, whether they result in the taking or not; and shall include every attempt to take and every act of assistance to every other person in taking or attempting to take fish or wild animals, provided that when taking is allowed by law, reference is had to taking by lawful means and in a lawful manner.

* * *

(41) Gun suppressor: any device for muffling or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a gun suppressor, and any part intended only for use in such assembly or fabrication.

Sec. 8. 13 V.S.A. § 4010(c) is amended to read:

(c) A person shall not use a gun suppressor in the State, except for use by:

* * *

(3) a licensed manufacturer or a licensed importer, as defined in 18 U.S.C. § 921, who is also registered as a manufacturer or an importer pursuant to 26 U.S.C. § 5802, who in the ordinary course of the manufacturer's or importer's business as a manufacturer or as an importer tests the operation of the gun suppressor; or

(4) a person lawfully using a sport shooting range; ~~or~~

~~(5) a person taking game as authorized under 10 V.S.A. § 4701.~~

Sec. 9. 10 V.S.A. § 4701(d) is amended to read:

(d) ~~A person taking game with a gun may possess, carry, or use a gun suppressor in the act of taking game. [Repealed.]~~

Sec. 10. 10 V.S.A. § 4704 is amended to read:

§ 4704. USE OF MACHINE GUNS AND, AUTOLOADING RIFLES, AND
GUN SUPPRESSORS

(a) A person engaged in hunting for wild animals shall not use, carry, or have in the person's possession:

(1) a machine gun of any kind or description; ~~or~~

(2) an autoloading rifle with a magazine capacity of over six cartridges, except a .22 caliber rifle using rim fire cartridges; or

(3) a gun suppressor.

Sec. 11. EFFECTIVE DATES

(a) This section and Sec. 3 (Fish and Wildlife Board rules) shall take effect on passage.

(b) Secs. 2 (moratorium on hunting coyote with aid of dogs) and 4–7 (gun suppressors) shall take effect on July 1, 2022.

(c) Sec. 1 (permit requirement and prohibition on pursuing coyote with aid of dogs) shall take effect on the effective date of the Fish and Wildlife Board rules required under Sec. 3 of this act.

(d) Secs. 8–10 (repeal of authority to use gun suppressors while hunting) shall take effect on July 1, 2024.

Which was agreed to. Thereupon, the bill was read the third time.

Thereafter, **Rep. Higley of Lowell** moved to commit the bill to the Committee on Judiciary, which was disagreed to.

Thereupon, the bill was passed in concurrence with proposal of amendment.

**Third Readings; Bills Passed in Concurrence
With Proposal of Amendment**

The following bills were severally taken up, read the third time, and passed in concurrence with proposal of amendment:

S. 173

Senate bill, entitled

An act relating to the State House art collection

S. 181

Senate bill, entitled

An act relating to authorizing miscellaneous regulatory authority for municipal governments

S. 201

Senate bill, entitled

An act relating to best management practices for trapping

**Senate Proposal of Amendment to House Proposal of Amendment
Concurred in with Further Amendment Thereto**

S. 280

The Senate concurred in the House proposal of amendment with further amendment thereto on Senate bill, entitled

An act relating to miscellaneous changes to laws related to vehicles

The Senate concurred in the House proposal of amendment with the following proposal of amendment thereto:

By striking out Secs. 12, report on increasing gross weight limits on highways; 13, distracted driving; report; 14, idling; public outreach campaign; 15, 19 V.S.A. § 10b; 16, 19 V.S.A. § 10i; and 17, effective dates, and their corresponding reader assistance headings in their entireties and inserting in lieu thereof the following:

* * * General Statement of Policy; Transportation Planning * * *

Sec. 12. 19 V.S.A. § 10b is amended to read:

§ 10b. STATEMENT OF POLICY; GENERAL

(a) The Agency shall be the responsible agency of the State for the development of transportation policy. It shall develop a mission statement to reflect:

(1) that State transportation policy shall be to encompass, coordinate, and integrate all modes of transportation and to consider “complete streets” principles, which are principles of safety and accommodation of all transportation system users, regardless of age, ability, or modal preference; and

(2) the need for transportation projects that will improve the State’s economic infrastructure, as well as the use of resources in efficient, coordinated, integrated, cost-effective, and environmentally sound ways, and that will be consistent with the recommendations of the Comprehensive Energy Plan (CEP) issued under 30 V.S.A. § 202b, the recommendations of the Climate Action Plan (CAP) issued under 10 V.S.A. § 592, and any rules adopted in accordance with 10 V.S.A. § 593.

(b) The Agency shall coordinate planning and education efforts with ~~those of the Vermont Climate Change Oversight Committee and~~ those of local and regional planning entities to:

(1) ~~to ensure that the transportation system as a whole is integrated, that access to the transportation system as a whole is integrated, and that statewide, local, and regional conservation and efficiency opportunities and practices are integrated; and~~

(2) ~~to support employer-led or local or regional government-led conservation, efficiency, rideshare, and bicycle programs and other innovative transportation advances, especially employer-based incentives.~~

(c) In developing the State’s annual Transportation Program, the Agency shall, consistent with the planning goals listed in 24 V.S.A. § 4302 ~~as amended by 1988 Acts and Resolves No. 200 and with appropriate consideration to local, regional, and State agency plans:~~

(1) Develop or incorporate designs that provide integrated, safe, and efficient transportation and that are consistent with the recommendations of the CEP and the CAP.

* * *

Sec. 13. 19 V.S.A. § 10i is amended to read:

§ 10i. TRANSPORTATION PLANNING PROCESS

(a) Long-range systems plan. The Agency shall establish and implement a planning process through the adoption of a long-range ~~multi-modal~~ multimodal systems plan integrating all modes of transportation. The long-range ~~multi-modal~~ multimodal systems plan shall be based upon Agency transportation policy developed under section 10b of this title; other policies approved by the General Assembly; Agency goals, mission, and objectives; and demographic and travel forecasts, design standards, performance criteria,

and funding availability. The long-range systems plan shall be developed with participation of the public and local and regional governmental entities and pursuant to the planning goals and processes set forth in 1988 Acts and Resolves No. 200. The plan shall be consistent with the Comprehensive Energy Plan (CEP) issued under 30 V.S.A. § 202b and the Climate Action Plan (CAP) issued under 10 V.S.A. § 592.

* * *

(c) Transportation Program. The Transportation Program shall be developed in a fiscally responsible manner to accomplish the following objectives:

(1) managing, maintaining, and improving the State's existing transportation infrastructure to provide capacity, safety, and flexibility, and resiliency in the most cost-effective and efficient manner;

(2) developing an integrated transportation system that provides Vermonters with transportation choices;

(3) strengthening the economy, protecting the quality of the natural environment, and improving Vermonters' quality of life; and

(4) achieving the recommendations of the CEP and the CAP.

* * *

* * * Effective Dates * * *

Sec. 14. EFFECTIVE DATES

(a) This section and Secs. 1 (new motor vehicle arbitration; 9 V.S.A. § 4173(d)), 3 (current Total Abstinence Program participants), 8 and 9 (abandoned vehicles; 23 V.S.A. §§ 2151 and 2153(a)), and 10 (transportation network companies regulation preemption; 23 V.S.A. § 754(b)) shall take effect on passage.

(b) Sec. 2 (Total Abstinence Program; 23 V.S.A. § 1209a) shall take effect on passage and apply to all individuals participating in or in the process of applying to participate in the Total Abstinence Program as of the effective date of this section without regard to when the individual's license was reinstated under the Total Abstinence Program.

(c) All other sections shall take effect on July 1, 2022.

Pending the question, Shall the House concur in the Senate proposal of amendment to the House proposal of amendment?, **Rep. Lanpher of Vergennes** moved that the House concur in the Senate proposal of amendment

to the House proposal of amendment with further proposal of amendment as follows:

By striking out Secs. 10, 23 V.S.A. § 754; 11, transportation network companies (TNC) report; 12, 19 V.S.A. § 10b; 13, 19 V.S.A. § 10i; and 14, effective dates, and their corresponding reader assistance headings in their entirety and inserting in lieu thereof the following:

* * * Gross Weight Limits on Highways; Permit Portal; Report * * *

Sec. 10. REPORT ON INCREASING GROSS WEIGHT LIMITS ON
HIGHWAYS THROUGH SPECIAL ANNUAL PERMIT AND
STATUS OF PERMIT PORTAL

(a) The Secretary of Transportation or designee, in collaboration with the Commissioner of Forests, Parks and Recreation or designee, the Executive Director of the Vermont League of Cities and Towns or designee, and the President of the Vermont Forest Products Association or designee and with the assistance of the Commissioner of Motor Vehicles or designee, shall examine adding one or more additional special annual permits to 23 V.S.A. § 1392 to allow for the operation of motor vehicles at a gross vehicle weight over 99,000 pounds and shall file a written report on the examination and any recommendations with the House and Senate Committees on Transportation on or before January 15, 2023.

(b) At a minimum, the examination shall address:

(1) allowing for a truck trailer combination or truck tractor, semi-trailer combination transporting cargo of legal dimensions that can be separated into units of legal weight without affecting the physical integrity of the load to bear a maximum of 107,000 pounds on six axles or a maximum of 117,000 pounds on seven axles by special annual permit;

(2) limitations for any additional special annual gross vehicle weight permits based on highway type, including limited access State highway, non-limited access State highway, class 1 town highway, and class 2 town highway;

(3) limitations for any additional special annual gross vehicle weight permits based on axle spacing and axle-weight provisions;

(4) reciprocity treatment for foreign trucks from a state or province that recognizes Vermont vehicles permitted at increased gross weights;

(5) permit fees for any additional special annual gross vehicle weight permits;

(6) additional penalties, including civil penalties and permit revocation, for gross vehicle weight violations; and

(7) impacts of any additional special annual gross vehicle permits on the forest economy and on the management and forest cover of Vermont's landscape.

(c) The Secretary of Transportation or designee, in consultation with the Commissioner of Motor Vehicles or designee, shall also include an update on the development and implementation of the centralized online permitting system that the Commissioner of Motor Vehicles was authorized to initiate the design and development of pursuant to 2021 Acts and Resolves No. 149, Sec. 26(a) in the report required under subsection (a) of this section.

* * * Distracted Driving; Report * * *

Sec. 11. DISTRACTED DRIVING; REPORT

(a) Findings. The General Assembly finds that:

(1) Distracted driving is any activity that diverts attention from driving, including talking or texting on a portable electronic device.

(2) Sending or reading a text could take an individual's eyes off the road for five seconds or more. At 55 miles per hour, that is like an operator driving the length of an entire football field with closed eyes.

(3) In 2020, 113 individuals were convicted under 23 V.S.A. § 1095a, 1095b, or 1099 (Vermont statutes that prohibit a non-commercial driver's license holder from using a portable electronic device or texting while operating a motor vehicle).

(4) In 2020, 3,142 individuals were killed by distracted driving in the United States.

(b) Recommendations.

(1) The Vermont State Highway Safety Office, in consultation with the Departments of Motor Vehicles and of Public Safety, the Vermont Sheriffs' Association, the Vermont League of Cities and Towns, the Vermont Department of State's Attorneys and Sheriffs, the Vermont Association of Court Diversion and Pretrial Services, and the Vermont Judiciary, shall file written recommendations on how, if at all, the State should modify its approach to the education, enforcement, and conviction of the non-commercial driver's license distracted driving violations under 23 V.S.A. §§ 1095a, 1095b, and 1099 with the House and Senate Committees on Judiciary and on Transportation on or before January 15, 2023.

(2) As part of making any recommendations, the Vermont State Highway Safety Office shall review what is and what is not working to minimize distracted driving in Vermont and other states, especially amongst operators under 18 years of age, and examine:

(A) the use of monetary penalties, points, suspensions, revocations, and recalls, including escalations based on the number and location of distracted driving violations;

(B) the use of diversion programs and other mandated education; and

(C) how to balance education, enforcement, and conviction.

* * * Idling; Public Outreach * * *

Sec. 12. IDLING; PUBLIC OUTREACH CAMPAIGN

(a) The Department of Environmental Conservation, Air Quality and Climate Division, in consultation with the Departments of Motor Vehicles and of Public Safety, shall implement a public outreach campaign on idling that, at a minimum, addresses that:

(1) in most cases, idling violates 23 V.S.A. § 1110;

(2) unnecessary idling harms human health, pollutes the air, wastes fuel and money, and causes excess engine wear;

(3) based on estimates, if every motor vehicle in Vermont reduced unnecessary idling by just one minute per day, over the course of a year Vermonters would save over 1,000,000 gallons of fuel and over \$2,000,000.00 in fuel costs, and Vermont would reduce CO2 emissions by more than 10,000 metric tons; and

(4) while individual actions may be small, the cumulative impacts of idling are large.

(b) The public outreach campaign shall disseminate information on idling through e-mail; a dedicated web page on idling that is linked through the websites for the Agency of Natural Resources and the Departments of Environmental Conservation, of Motor Vehicles, and of Public Safety; social media platforms; community posting websites; radio; television; and printed written materials.

* * * General Statement of Policy; Transportation Planning * * *

Sec. 13. 19 V.S.A. § 10b is amended to read:

§ 10b. STATEMENT OF POLICY; GENERAL

(a) The Agency shall be the responsible agency of the State for the development of transportation policy. It shall develop a mission statement to reflect:

(1) that State transportation policy shall be to encompass, coordinate, and integrate all modes of transportation and to consider “complete streets” principles, which are principles of safety and accommodation of all transportation system users, regardless of age, ability, or modal preference; ~~and~~

(2) the need for transportation projects that will improve the State’s economic infrastructure, as well as the use of resources in efficient, coordinated, integrated, cost-effective, and environmentally sound ways, and that will be consistent with the recommendations of the Comprehensive Energy Plan (CEP) issued under 30 V.S.A. § 202b, the recommendations of the Climate Action Plan (CAP) issued under 10 V.S.A. § 592, and any rules adopted in accordance with 10 V.S.A. § 593;

(3) the need for the Agency to lead, assist, and partner in the transformation of the transportation sector to meet the emissions reduction requirements of the Global Warming Solutions Act, codified at 10 V.S.A. § 578, and ensure that there is an environmentally clean, efficient, multimodal system that will have economic, environmental, equity, and public health benefits for all Vermonters; and

(4) the importance of transportation infrastructure resilience and strategies to construct or retrofit, or both, transportation infrastructure to prepare for and adapt to changes in the climate, add redundancy and efficiency to the transportation network, and use maintenance and operational strategies to address transportation disruptions.

(b) The Agency shall coordinate planning and education efforts with those of the Vermont Climate ~~Change Oversight Committee~~ Council, established under 10 V.S.A. § 591, and those of local and regional planning entities to:

(1) ~~to ensure that the transportation system as a whole is integrated, that access to the transportation system as a whole is integrated, and that statewide, local, and regional conservation and efficiency opportunities and practices are integrated; and~~

(2) ~~to support employer-led or local or regional government-led conservation, efficiency, rideshare, and bicycle programs and other innovative transportation advances, especially employer-based incentives.~~

(c) In developing the State's annual Transportation Program, the Agency shall, consistent with the planning goals listed in 24 V.S.A. § 4302 ~~as amended by 1988 Acts and Resolves No. 200~~ and with appropriate consideration to local, regional, and State agency plans:

(1) Develop or incorporate designs that provide integrated, safe, and efficient transportation and that are consistent with the recommendations of the CEP and the CAP.

* * *

Sec. 14. 19 V.S.A. § 10i is amended to read:

§ 10i. TRANSPORTATION PLANNING PROCESS

(a) Long-range systems plan. The Agency shall establish and implement a planning process through the adoption of a long-range ~~multi-modal~~ multimodal systems plan integrating all modes of transportation. The long-range ~~multi-modal~~ multimodal systems plan shall be based upon Agency transportation policy developed under section 10b of this title;; other policies approved by the General Assembly;; Agency goals, mission, and objectives;; and demographic and travel forecasts, design standards, performance criteria, and funding availability. The long-range systems plan shall be developed with participation of the public and local and regional governmental entities and pursuant to the planning goals and processes set forth in 1988 Acts and Resolves No. 200. The plan shall be consistent with the Comprehensive Energy Plan (CEP) issued under 30 V.S.A. § 202b and the Climate Action Plan (CAP) issued under 10 V.S.A. § 592.

* * *

(c) Transportation Program. The Transportation Program shall be developed in a fiscally responsible manner to accomplish the following objectives:

(1) managing, maintaining, and improving the State's existing transportation infrastructure to provide capacity, safety, and flexibility, and resiliency in the most cost-effective and efficient manner;

(2) developing an integrated transportation system that provides Vermonters with transportation choices;

(3) strengthening the economy, protecting the quality of the natural environment, and improving Vermonters' quality of life; and

(4) achieving the recommendations of the CEP and the CAP; and

(5) transforming the transportation sector to meet the State's emissions reduction requirements and ensure that there is an environmentally clean,

efficient, multimodal system that will have economic, environmental, equity, and public health benefits for all Vermonters.

* * *

(f) Emissions modeling.

(1) The Agency of Natural Resources shall coordinate with the Agency of Transportation to consider and incorporate relevant elements of the proposed Transportation Program and the effectiveness of those elements in reducing greenhouse gas emissions when developing and updating the Tracking and Measuring Progress Tool pursuant to 10 V.S.A. § 591(b)(3).

(2) The following shall be included in the reports required pursuant to section 10g of this chapter:

(A) the portion of the Tracking and Measuring Progress Tool related to the Transportation Program;

(B) a qualitative estimation of how effective the relevant elements of the proposed Transportation Program for the upcoming fiscal year will be in reducing greenhouse gas emissions and a quantitative estimation, based on the emission projections published in the Greenhouse Gas Inventory, if available, of how much more the greenhouse gas emissions from the transportation sector need to be reduced for the State to achieve its emissions reductions requirements; and

(C) a strategy and plan for how to reduce the greenhouse gas emissions from the transportation sector to achieve the recommendations in the CEP and the CAP during fiscal years beyond the upcoming fiscal year, with the expectation that the strategy and plan shall be used in the Agency of Transportation's ongoing planning.

* * * Effective Dates * * *

Sec. 15. EFFECTIVE DATES

(a) This section and Secs. 1 (new motor vehicle arbitration; 9 V.S.A. § 4173(d)), 3 (current Total Abstinence Program participants), and 8 and 9 (abandoned vehicles; 23 V.S.A. §§ 2151 and 2153(a)) shall take effect on passage.

(b) Sec. 2 (Total Abstinence Program; 23 V.S.A. § 1209a) shall take effect on passage and apply to all individuals participating in or in the process of applying to participate in the Total Abstinence Program as of the effective date of this section without regard to when the individual's license was reinstated under the Total Abstinence Program.

(c) All other sections shall take effect on July 1, 2022.

Which was agreed to.

Recess

At eleven o'clock and nine minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

At eleven o'clock and forty-two minutes in the forenoon, the Speaker called the House to order.

Vote on Governor's Veto

H. 715

House bill, entitled

An act relating to the Clean Heat Standard

Pursuant to Chapter II, Section 11, of the Vermont Constitution, the Clerk proceeded to call the roll and the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, was decided in the negative. Yeas, 99. Nays, 51.

Those who voted in the affirmative are:

Ancel of Calais	Emmons of Springfield	O'Brien of Tunbridge
Anthony of Barre City	Gannon of Wilmington	Ode of Burlington
Arrison of Weathersfield	Garofano of Essex	Pajala of Londonderry
Austin of Colchester	Goldman of Rockingham	Partridge of Windham
Bartholomew of Hartland	Grad of Moretown	Patt of Worcester *
Birong of Vergennes	Hooper of Montpelier	Pearl of Danville
Black of Essex	Hooper of Randolph	Pugh of South Burlington
Bluemle of Burlington	Hooper of Burlington	Rachelson of Burlington
Bongartz of Manchester	Houghton of Essex	Rogers of Waterville
Bos-Lun of Westminster	Howard of Rutland City	Satcowitz of Randolph
Brady of Williston	James of Manchester	Scheu of Middlebury
Briglin of Thetford	Jerome of Brandon	Sheldon of Middlebury
Brown of Richmond	Jessup of Middlesex	Sibilia of Dover
Brumsted of Shelburne	Killackey of South Burlington	Sims of Craftsbury *
Burke of Brattleboro	Kimbell of Woodstock	Small of Winooski *
Burrows of West Windsor	Kitzmiller of Montpelier	Squirrell of Underhill
Campbell of St. Johnsbury	Kornheiser of Brattleboro	Stebbins of Burlington
Chase of Colchester	Krowinski of Burlington	Stevens of Waterbury
Christie of Hartford	LaLonde of South	Surprenant of Barnard
Cina of Burlington	Burlington	Taylor of Colchester
Coffey of Guilford	Lanpher of Vergennes	Till of Jericho
Colburn of Burlington	Lippert of Hinesburg	Toleno of Brattleboro
Colston of Winooski	Long of Newfane	Townsend of South
Conlon of Cornwall	Masland of Thetford	Burlington
Copeland Hanzas of	McCarthy of St. Albans City	Troiano of Stannard
Bradford *	McCormack of Burlington	Vyhovsky of Essex *

Corcoran of Bennington	McCullough of Williston *	Walz of Barre City
Cordes of Lincoln	Morris of Springfield	Webb of Shelburne
Dolan of Essex	Mrowicki of Putney	White of Bethel
Dolan of Waitsfield	Mulvaney-Stanak of	White of Hartford
Donahue of Northfield	Burlington *	Whitman of Bennington
Donnally of Hyde Park	Nicoll of Ludlow	Wood of Waterbury
Durfee of Shaftsbury	Nigro of Bennington	Yacovone of Morristown
Elder of Starksboro	Notte of Rutland City	Yantachka of Charlotte *
	Noyes of Wolcott	

Those who voted in the negative are:

Achey of Middletown	Helm of Fair Haven	Norris of Sheldon
Springs	Higley of Lowell	Norris of Shoreham
Beck of St. Johnsbury	Kascenska of Burke	Page of Newport City
Bock of Chester	Labor of Morgan	Palasik of Milton
Brennan of Colchester	LaClair of Barre Town	Parsons of Newbury
Brownell of Pownal	Laroche of Franklin	Peterson of Clarendon
Burditt of West Rutland	Lefebvre of Newark	Rosenquist of Georgia
Canfield of Fair Haven	Lefebvre of Orange	Scheuermann of Stowe
Cupoli of Rutland City	Leffler of Enosburgh	Shaw of Pittsford
Dickinson of St. Albans	Marcotte of Coventry	Smith of Derby *
Town	Martel of Waterford	Smith of New Haven
Fagan of Rutland City	Mattos of Milton	Strong of Albany
Feltus of Lyndon	McCoy of Poultney	Sullivan of Dorset
Goslant of Northfield	McFaun of Barre Town	Terenzini of Rutland Town
Graham of Williamstown	Morgan, L. of Milton	Toof of St. Albans Town
Gregoire of Fairfield	Morgan, M. of Milton	Walker of Swanton
Hango of Berkshire	Morrissey of Bennington	Williams of Granby
Harrison of Chittenden *	Murphy of Fairfax	

Those members absent with leave of the House and not voting are: none

Rep. Copeland Hanzas of Bradford explained her vote as follows:

“Madam Speaker:

The time to act on climate is now. May our children’s children forgive us for our failure to act with the urgency they expected of us.”

Rep. Harrison of Chittenden explained his vote as follows:

“Madam Speaker:

While important improvements were made as this bill came back from the Senate, which I appreciate. However, important legislation such as this needs to be done in collaboration with the Executive Branch, not just the Legislature.”

Rep. McCullough of Williston explained his vote as follows:

“Madam Speaker:

I vote yes.
Two perilous paths
Produced in the woods;
I took them...
Everything being better than nothing.”

Rep. Mulvaney-Stanak of Burlington explained her vote as follows:

“Madam Speaker:

Voting to override the veto on H.715 is one of my most difficult decisions so far as a legislator. This bill does not go far enough. Yet, I feel an urgency to act on this policy today, as we are out of time with our climate crisis. I voted to override the veto because the most regressive thing we could do for our planet and for working Vermonters is to continue our reliance on fossil fuels without creating viable alternatives.”

Rep. Patt of Worcester explained his vote as follows:

“Madam Speaker:

I voted yes. It is so very frustrating that the Governor vetoed the Clean Heat Standard without understanding what the bill does, and what it does not do. He was wrong to do so.”

Rep. Sims of Craftsbury explained her vote as follows:

“Madam Speaker:

The only long-term solution to high heating costs is to reduce our dependency on fossil fuels. The CHS will help Vermonters transition to a cleaner, more predictable, more affordable energy future. I vote yes today to advance the public engagement process and bring the standard back to the Legislature for final approval.”

Rep. Small of Winooski explained her vote as follows:

“Madam Speaker:

The topic of biofuels within the Clean Heat Standard is one of the most important, yet concerning, issues before us. I still worry about the sustainability of our State’s small and organic farms in a market that preferences the reduction of biodiversity. I voted yes today as a commitment to address these concerns next year.”

Rep. Smith of Derby explained his vote as follows:

“Madam Speaker:

There is not enough lipstick in the State of Vermont that will make this pig look any better! I hope I do not have to apologize to my constituents for H.715.”

Rep. Vyhovsky of Essex explained her vote as follows:

“Madam Speaker:

This bill is certainly flawed. I wish it was not reliant on biofuels, I wish it had a stronger definition of sustainability, and I wish it did even more for low- and middle-income Vermonters. I vote yes today in spite of the many flaws to move us one step forward in addressing the climate crisis so that we may build stronger and better policy rather than starting over next year.”

Rep. Yantachka of Charlotte explained his vote as follows:

“Madam Speaker:

The climate crisis is real, it's here, and it is costing Vermonters money. The Clean Heat Standard would help Vermonters save money by reducing their dependence on fossil fuels for heating, a major source of our greenhouse gas emissions. The only negative effect will be on the oil companies that are siphoning off out-of-state 80 cents of every dollar Vermonters spend to heat their homes with oil, gas, or propane. I vote yes to override the Governor's veto because it will save Vermonters money in the long run.”

[For text of the Governor's veto letter, see House Journal of May 6, 2022.]

**Senate Proposal of Amendment to House Proposal of Amendment
Concurred in with Further Amendment Thereto**

S. 188

The Senate concurred in the House proposal of amendment with a further amendment thereto on Senate bill, entitled

An act relating to regulating licensed small cannabis cultivation as farming

The Senate concurred in the House proposal of amendment with the following proposal of amendment thereto:

In Sec. 2, 7 V.S.A. § 869, by striking out subsection (f) in its entirety and inserting in lieu thereof a new subsection (f) to read as follows:

(f) Notwithstanding subsection (a) of this section, a small cultivator licensed under this chapter who initiates cultivation of cannabis outdoors on a

parcel of land that was subject to the Required Agricultural Practices prior to licensed cultivation of cannabis shall:

(1) be regulated in the same manner as “farming” and not as “development” on the tract of land where cultivation occurs for the purposes of permitting under 10 V.S.A. chapter 151;

(2) not be regulated by a municipal bylaw adopted under 24 V.S.A. chapter 117 in the same manner that Required Agricultural Practices are not regulated by a municipal bylaw under 24 V.S.A. § 4413(d)(1)(A);

(3) be eligible to enroll in the Use Value Appraisal Program under 32 V.S.A. chapter 124 for the cultivation of cannabis, provided that the agricultural land or farm building on the parcel where cannabis cultivation occurs was enrolled in the Use Value Appraisal Program prior to commencement of licensed cannabis cultivation and the parcel continues to qualify for enrollment; and

(4) be exempt under 32 V.S.A. § 9741(3), (25), and (50) from the tax on retail sales imposed under 32 V.S.A. § 9771.

Pending the question, Shall the House concur in the Senate proposal of amendment to the House proposal of amendment?, **Reps. O'Brien of Tunbridge and Partridge of Windham** moved that the House concur in the Senate proposal of amendment to the House proposal of amendment with further amendment thereto as follows:

First: By striking out Sec.1 in its entirety and inserting in lieu thereof the following:

Sec. 1. 7 V.S.A. § 861 is amended to read:

§ 861. DEFINITIONS

As used in this chapter:

* * *

(16) “Child-deterrent packaging” means tear-resistant packaging that can be sealed in a manner that would deter children under five years of age from easily accessing the contents of the package within a reasonable time and not difficult for normal adults to use properly.

(17) “Child-resistant packaging” means packaging that is designed or constructed to be significantly difficult for children under five years of age to open or obtain a toxic or harmful amount of the substance in the container within a reasonable time and not difficult for normal adults to use properly; but does not mean packaging that all children under five years of age cannot open

or obtain a toxic or harmful amount of the substance in the container within a reasonable time.

~~(17)~~(18) “Controls,” “is controlled by,” and “under common control” mean the power to direct, or cause the direction or management and policies of a person, whether through the direct or beneficial ownership of voting securities, by contract, or otherwise. A person who directly or beneficially owns 10 percent or more equity interest, or the equivalent thereof, of another person shall be deemed to control the person.

~~(18)~~(19) “Dispensary” means a business organization licensed pursuant to chapter 37 of this title or 18 V.S.A. chapter 86.

~~(19)~~(20) “Enclosed, locked facility” means a building, room, greenhouse, outdoor fenced-in area, or other location that is enclosed on all sides and prevents cannabis from easily being viewed by the public. The facility shall be equipped with locks or other security devices that permit access only by:

(A) Employees, agents, or owners of the cultivator, all of whom shall be 21 years of age or older.

(B) Government employees performing their official duties.

~~(C) Contractors performing labor that does not include cannabis cultivation, packaging, or processing. Contractors shall be accompanied by an employee, agent, or owner of the cultivator when they are in areas where cannabis is being grown, processed, packaged, or stored.~~

~~(D) Registered employees of other cultivators, members of the media, elected officials, and other individuals 21 years of age or older visiting the facility, provided they are accompanied by an employee, agent, or owner of the cultivator. [Repealed.]~~

~~(20)~~(21) “Flavored oil cannabis product” means any oil cannabis product that contains an additive to give it a characterizing flavor.

(22) “Hemp” means the plant Cannabis sativa L. and any part of the plant, including the seeds and all derivatives, extracts, cannabinoids, acids, salts, isomers, and salts of isomers, whether growing or not, with the federally defined tetrahydrocannabinol concentration level of hemp.

(23) “Hemp products” or “hemp-infused products” means all products with the federally defined tetrahydrocannabinol concentration level for hemp derived from, or made by, processing hemp plants or plant parts that are prepared in a form available for commercial sale, including cosmetics, personal care products, food intended for animal or human consumption, cloth, cordage, fiber, fuel, paint, paper, construction materials, plastics, and any

product containing one or more hemp-derived cannabinoids, such as cannabidiol.

~~(21)~~(24) “Integrated licensee” means a person licensed by the Board to engage in the activities of a cultivator, wholesaler, product manufacturer, retailer, and testing laboratory in accordance with this chapter.

~~(22)~~(25) “Municipality” means a town, city, or incorporated village.

~~(26)~~ “Owner” means a natural person who controls, or shares control of, a Cannabis Establishment.

~~(23)~~(27) “Person” shall include any natural person; corporation; municipality; the State of Vermont or any department, agency, or subdivision of the State; and any partnership, unincorporated association, or other legal entity.

~~(24)~~(28) “Plant canopy” means the square footage dedicated to live plant production and does not include areas such as office space or areas used for the storage of fertilizers, pesticides, or other products.

~~(25)~~(29) “Principal” means ~~an individual vested with the authority to conduct, manage, or supervise the business affairs of a person, and may include the president, vice president, secretary, treasurer, manager, or similar executive officer of a business; a director of a corporation, nonprofit corporation, or mutual benefit enterprise; a member of a nonprofit corporation, cooperative, or member-managed limited liability company; and a partner of a partnership~~ one of the following:

(A) the president, vice president, secretary, treasurer, manager, or similar officer of a corporation as provided for by 11A V.S.A. § 8.40, nonprofit corporation as provided for by 11B V.S.A. § 8.40, mutual benefit enterprise as provided for by 11C V.S.A. § 822, cooperative as provided for by 11 V.S.A. § 1013, or worker cooperative corporation as provided for by 11 V.S.A. § 1089;

(B) a director of a corporation as provided for by 11A V.S.A. § 8.01, nonprofit corporation as provided for by 11B V.S.A. § 8.01, mutual benefit enterprise as provided for by 11C V.S.A. § 801, cooperative as provided for by 11 V.S.A. § 1006, or worker cooperative corporation as provided for by 11 V.S.A. § 1089;

(C) a member of a member-managed limited liability company as provided for by 11 V.S.A. § 4054;

(D) manager of a manager-managed limited liability company as provided for by 11 V.S.A. § 4054; or

(E) a partner of a partnership as provided for by 11 V.S.A. § 3212 or a general partner of a limited partnership as provided for by 11 V.S.A. chapter 23.

~~(26)~~(30) “Small cultivator” means a cultivator with a plant canopy or space for cultivating plants for breeding stock of not more than 1,000 square feet.

Second: By adding Secs. 10–22 to read as follows:

Sec. 10. 7 V.S.A. § 862a is added to read:

§ 862a. SYNTHETIC AND HEMP-DERIVED CANNABINOIDS

The Board shall have the authority to regulate synthetic cannabinoids and hemp-derived cannabinoids, including delta-8 and delta-10 tetrahydrocannabinol.

Sec. 11. 7 V.S.A. § 868 is amended to read:

§ 868. PROHIBITED PRODUCTS

(a) The following are prohibited products and may not be cultivated, produced, or sold pursuant to a license issued under this chapter:

(1) cannabis flower with greater than 30 percent tetrahydrocannabinol;

(2) ~~solid concentrate cannabis products with greater than 60 percent tetrahydrocannabinol;~~

~~(3) oil cannabis products except for those that are sold prepackaged for use with battery-powered devices;~~

(4) flavored oil cannabis products sold prepackaged for use with battery-powered devices and any cannabis flower that contains characterizing flavor that is not naturally occurring in the cannabis;

~~(5)~~(3) cannabis products that contain delta-9 tetrahydrocannabinol and nicotine or alcoholic beverages; and

~~(6)~~(4) any cannabis, cannabis products, or packaging of such items that are designed to make the product more appealing to persons under 21 years of age.

(b)(1) Except as provided by subdivision (2) of this subsection, solid and liquid concentrate cannabis products with greater than 60 percent tetrahydrocannabinol may be produced by a licensee and sold to another licensee in accordance with subchapter 3 of this chapter but shall not be sold to the public by a licensed retailer or integrated licensee.

(2) Liquid concentrate cannabis products with greater than 60 percent tetrahydrocannabinol that are prepackaged for use with battery-powered devices shall be permitted to be sold to the public by a licensed retailer or integrated licensee.

Sec. 12. 7 V.S.A. § 881 is amended to read:

§ 881. RULEMAKING; CANNABIS ESTABLISHMENTS

(a) The Board shall adopt rules to implement and administer this chapter in accordance with subdivisions (1)–(7) of this subsection.

(1) Rules concerning any cannabis establishment shall include:

* * *

(I) regulation of additives to cannabis and cannabis products, including ~~those~~ cannabidiol derived from hemp and substances that are toxic or designed to make the product more addictive, more appealing to persons under 21 years of age, or to mislead consumers;

* * *

(3) Rules concerning product manufacturers shall include:

(A) requirements that a single package of a cannabis product shall not contain more than 50 milligrams of THC, except in the case of:

(i) cannabis products that are not consumable, including topical preparations; ~~and~~

(ii) solid concentrates, oils, and tinctures; and

(iii) cannabis products sold to a dispensary pursuant to 18 V.S.A. chapter 86 and regulations issued pursuant to that chapter;

* * *

(5) Rules concerning retailers shall include:

* * *

(C) requirements that if the retailer sells hemp or hemp products, the hemp and hemp products are clearly labeled as such ~~and displayed separately from cannabis and cannabis products;~~

(D) requirements for opaque, child-resistant packaging of ~~cannabis and cannabis products~~ and child-deterrent packaging for cannabis at point of sale to customer; and

* * *

Sec. 13. 7 V.S.A. § 883 is amended to read:

§ 883. CRIMINAL BACKGROUND RECORD CHECKS; APPLICANTS

(a) The Board shall obtain from the Vermont Crime Information Center a copy of a ~~license applicant's~~ fingerprint-based Vermont criminal history records, out-of-state criminal history records, and criminal history records from the Federal Bureau of Investigation for each license applicant, principal of an applicant, and person who controls an applicant who is a natural person.

(b) The Board shall adopt rules that set forth standards for determining whether an applicant should be denied a cannabis establishment license because of his or her criminal history record based on factors that demonstrate whether the applicant presently poses a threat to public safety or the proper functioning of the regulated market. Nonviolent drug offenses shall not automatically disqualify an applicant.

(c) Notwithstanding subsection (a) of this section, the Board may accept third-party criminal background checks submitted by an applicant for a cannabis establishment license or renewal in lieu of obtaining the records from the Vermont Crime Information Center a copy of the person's Vermont fingerprint-based criminal history records, out-of-state criminal history records, and criminal history records from the Federal Bureau of Investigation. Any such third-party background check shall:

(1) be conducted by a third-party consumer reporting agency or background screening company that is in compliance with the federal Fair Credit Reporting Act; and

(2) include a multistate and multi-jurisdiction criminal record locator.

Sec. 14. 7 V.S.A. § 884 is amended to read:

§ 884. CANNABIS ESTABLISHMENT IDENTIFICATION CARD

(a) Every owner, principal, and employee of a cannabis establishment shall obtain an identification card issued by the Board. A person may apply for an identification card prior to obtaining employment with a licensee. An employee identification card shall authorize the person to work for any licensee.

(b)(1)(A) Prior to issuing the identification card to an owner or principal of a cannabis establishment, the Board shall obtain from the Vermont Crime Information Center a copy of the person's Vermont fingerprint-based criminal history records, out-of-state criminal history records, and criminal history records from the Federal Bureau of Investigation.

(B) Prior to issuing the identification card to an employee of a cannabis establishment, the Board shall obtain a copy of a fingerprint-based identity history summary record from the Federal Bureau of Investigation.

(2) The Board shall adopt rules that set forth standards for determining whether a person should be denied a cannabis establishment identification card because of his or her criminal history record based on factors that demonstrate whether the applicant presently poses a threat to public safety or the proper functioning of the regulated market. Nonviolent drug offenses shall not automatically disqualify an applicant.

(c) Once an identification card application has been submitted, a person may serve as an employee of a cannabis establishment pending the background check, provided the person is supervised in his or her duties by someone who is a cardholder. The Board shall issue a temporary permit to the person for this purpose, which shall expire upon the issuance of the identification card or disqualification of the person in accordance with this section.

(d) An identification card shall expire one year after its issuance or, in the case of owners and principals, upon the expiration of the cannabis establishment's license, whichever occurs first.

Sec. 15. 7 V.S.A. § 901(d)(3) is amended to read:

(3)(A) Except as provided in ~~subdivision~~ subdivisions (B) and (C) of this subdivision (3), an applicant and its affiliates may obtain a maximum of one type of each type of license as provided in subdivisions (1)(A)–(E) of this subsection (d). Each license shall permit only one location of the establishment.

(B) An applicant and its affiliates that ~~are~~ control a dispensary registered ~~pursuant to 18 V.S.A. chapter 86 on April 1, 2022~~ may obtain one integrated license provided in subdivision (1)(F) of this subsection (d) or a maximum of one of each type of license provided in subdivisions (1)(A)–(E) of this subsection (d). An integrated licensee may not hold a separate cultivator, wholesaler, product manufacturer, retailer, or testing laboratory license, and no applicant or its affiliates that control a dispensary shall hold more than one integrated license. An integrated license shall permit only one location for each of the types of activities permitted by the license: cultivation, wholesale operations, product manufacturing, retail sales, and testing.

(C) An applicant and its affiliates may obtain multiple testing laboratory licenses.

Sec. 16. PURPOSE; LEGISLATIVE INTENT

The purpose of the amendment to 7 V.S.A. § 901(d)(3)(B) in Sec. 7 of this act is solely to make the language consistent with the defined terms used throughout 7 V.S.A. chapter 33. The amendment should not be construed to alter the meaning of the provision as it was originally enacted in 2019 Acts

and Resolves No. 164, Sec. 7.

Sec. 17. 7 V.S.A. § 907 is amended to read:

§ 907. RETAILER LICENSE

(a) A retailer licensed under this chapter may:

(1) purchase cannabis from a licensed cultivator, wholesaler, or integrated licensee; and cannabis products from a licensed wholesaler, product manufacturer, integrated licensee, and dispensary; and

(2) transport, possess, package, and sell cannabis and cannabis products to the public for consumption off the registered premises.

* * *

(e) ~~Internet ordering and delivery~~ Delivery of cannabis to customers ~~are~~ is prohibited.

Sec. 18. 7 V.S.A. § 909(c) is added to read:

(c) An integrated licensee shall comply with the provisions of subsection 908(f) of this title and have its cannabis or cannabis products tested by an independent licensed testing laboratory.

Sec. 19. 7 V.S.A. § 910(8) is amended to read:

(8) Products. ~~Retailers and integrated licensees~~ Cannabis establishments licensed by the Board shall be assessed an annual product licensing fee of \$50.00 for every type of cannabis and cannabis product that is sold in accordance with this chapter.

Sec. 20. 18 V.S.A. § 4230h is amended to read:

§ 4230h. CHEMICAL EXTRACTION VIA BUTANE OR HEXANE

PROHIBITED

(a) No person shall manufacture concentrated cannabis by chemical extraction or chemical synthesis using butane or hexane ~~unless authorized as a dispensary pursuant to a registration issued by the Department of Public Safety pursuant to chapter 86 of this title.~~

* * *

Sec. 21. 2019 Acts and Resolves No. 164, Sec. 8(a)(1) is amended to read:

(a)(1) The cannabis plant, cannabis product, and useable cannabis possession limits for a registered dispensary set forth in 18 V.S.A. chapter 86 shall no longer apply on and after February 1, 2022. A dispensary shall be permitted to cultivate cannabis and manufacture cannabis products for the

purpose of transferring or selling such products to an integrated licensee on or after April 1, 2022 until October 1, 2022 and engaging in the activities permitted by 7 V.S.A. chapter 33.

Sec. 22. CANNABIS CONTROL BOARD; REPORT CANNABIS
CONCENTRATES

On or before December 1, 2022, the Cannabis Control Board shall report to the General Assembly with a summary of the regulated market share for solid concentrates above 60% THC and the status of the illicit market for those products in other states with a regulated adult-use cannabis market.

and by renumbering the remaining section to be numerically correct.

Pending the question, Shall the House concur in the Senate proposal of amendment to the House proposal of amendment with a further amendment thereto?, **Rep. Gannon of Wilmington** moved to amend the proposal of amendment offered by Reps. O'Brien of Tunbridge and Partridge of Windham as follows:

In the first instance of amendment, Sec. 1, 7 V.S.A. § 861, in subdivision (16), by striking out the word “normal”, and in subdivision (17), by striking out the word “normal” and inserting in lieu thereof “~~normal~~”

Which was agreed to. Thereupon, the Senate proposal of amendment to the House proposal of amendment was concurred in with further amendment thereto.

Recess

At twelve o'clock and twenty-seven minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

Message from the Senate No. 71

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 742. An act relating to approval of amendments to the charter of the Town of Milton.

H. 745. An act relating to the approval of the adoption of the charter of the Town of Montgomery.

H. 746. An act relating to an amendment to the charter of the City of Burlington.

And has passed the same in concurrence.

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

H. 353. An act relating to pharmacy benefit management.

H. 446. An act relating to miscellaneous natural resources and development subjects.

H. 518. An act relating to municipal energy resilience initiatives.

H. 572. An act relating to the retirement allowance for interim educators.

H. 626. An act relating to the sale, use, or application of neonicotinoid pesticides.

H. 697. An act relating to eligibility of reserve forestland for enrollment in the Use Value Appraisal Program.

H. 709. An act relating to miscellaneous agricultural subjects.

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

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

S. 140. An act relating to prohibiting civil arrests at courthouses.

S. 224. An act relating to juvenile proceedings.

And has concurred therein.

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

H. 489. An act relating to miscellaneous provisions affecting health insurance regulation.

H. 729. An act relating to miscellaneous judiciary procedures.

And has concurred therein.

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

S. 53. An act relating to exempting feminine hygiene products from the Vermont Sales and Use Tax.

And has accepted and adopted the same on its part.

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

H. 720. An act relating to the system of care for individuals with developmental disabilities.

And has accepted and adopted the same on its part.

Called to Order

At one o'clock and twenty-five minutes in the afternoon, the Speaker called the House to order.

House Resolution Adopted

H.R. 27

House resolution, entitled

House resolution requiring the House to apply the requirements of the federal Americans with Disabilities Act in regulating its procedure

Was taken up and adopted.

Joint Resolution Adopted in Concurrence

J.R.S. 53

Joint Senate resolution, entitled

Joint resolution supporting transgender youth and their parents who seek essential medical care for the treatment of gender dysphoria

Was taken up.

Pending the question, Shall the House adopt the resolution in concurrence?, **Rep. Mulvaney-Stanak of Burlington** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the House adopt the resolution in concurrence?, was decided in the affirmative. Yeas, 134. Nays, 5.

Those who voted in the affirmative are:

Achey of Middletown
Springs
Ancel of Calais
Anthony of Barre City

Goslant of Northfield
Grad of Moretown
Graham of Williamstown
Gregoire of Fairfield

Nigro of Bennington
Norris of Sheldon
Notte of Rutland City
Noyes of Wolcott

Austin of Colchester	Harrison of Chittenden	O'Brien of Tunbridge
Bartholomew of Hartland	Helm of Fair Haven	Ode of Burlington
Beck of St. Johnsbury	Higley of Lowell	Pajala of Londonderry
Black of Essex	Hooper of Montpelier	Palasik of Milton
Bluemle of Burlington	Hooper of Randolph	Partridge of Windham
Bock of Chester	Hooper of Burlington	Patt of Worcester
Bongartz of Manchester	Houghton of Essex	Pugh of South Burlington
Bos-Lun of Westminster	Howard of Rutland City	Rachelson of Burlington
Brady of Williston	James of Manchester	Rogers of Waterville
Brennan of Colchester	Jerome of Brandon	Satcowitz of Randolph
Briglin of Thetford	Jessup of Middlesex	Scheu of Middlebury
Brown of Richmond	Kascenska of Burke	Scheuermann of Stowe
Brownell of Pownal	Killackey of South Burlington	Shaw of Pittsford
Brumsted of Shelburne	Kimbell of Woodstock	Sheldon of Middlebury
Burditt of West Rutland	Kitzmiller of Montpelier	Sibilia of Dover
Burke of Brattleboro	Kornheiser of Brattleboro	Sims of Craftsbury
Burrows of West Windsor *	Labor of Morgan	Small of Winooski *
Campbell of St. Johnsbury	LaLonde of South	Smith of New Haven
Canfield of Fair Haven	Burlington	Squirell of Underhill
Chase of Colchester	Lanpher of Vergennes	Stebbins of Burlington
Christie of Hartford	Laroche of Franklin	Stevens of Waterbury
Cina of Burlington	Lefebvre of Newark	Strong of Albany
Coffey of Guilford	Lefebvre of Orange	Taylor of Colchester
Colburn of Burlington	Leffler of Enosburgh	Terenzini of Rutland Town
Colston of Winooski	Lippert of Hinesburg	Till of Jericho
Conlon of Cornwall	Long of Newfane	Toleno of Brattleboro
Copeland Hanzas of	Marcotte of Coventry	Toof of St. Albans Town
Bradford	Martel of Waterford	Townsend of South
Corcoran of Bennington	Mattos of Milton	Burlington
Cordes of Lincoln	McCarthy of St. Albans City	Troiano of Stannard
Cupoli of Rutland City	McCormack of Burlington	Vyhovsky of Essex *
Dolan of Essex	McCoy of Poultney	Walker of Swanton
Dolan of Waitsfield	McCullough of Williston	Walz of Barre City
Donahue of Northfield	McFaun of Barre Town	Webb of Shelburne
Donnally of Hyde Park	Morgan, L. of Milton	White of Bethel
Durfee of Shaftsbury	Morgan, M. of Milton	White of Hartford
Elder of Starksboro	Morris of Springfield	Whitman of Bennington
Emmons of Springfield	Morrissey of Bennington	Williams of Granby
Fagan of Rutland City	Mrowicki of Putney	Wood of Waterbury
Feltus of Lyndon	Mulvaney-Stanak of	Yacovone of Morristown
Gannon of Wilmington	Burlington	Yantachka of Charlotte
Garofano of Essex	Murphy of Fairfax	
Goldman of Rockingham	Nicoll of Ludlow	

Those who voted in the negative are:

LaClair of Barre Town	Peterson of Clarendon	Smith of Derby
Page of Newport City	Rosenquist of Georgia	

Those members absent with leave of the House and not voting are:

Arrison of Weathersfield	Hango of Berkshire	Pearl of Danville
Birong of Vergennes	Masland of Thetford	Sullivan of Dorset
Dickinson of St. Albans	Norris of Shoreham	Surprenant of Barnard
Town	Parsons of Newbury	

Rep. Burrows of West Windsor explained her vote as follows:

“Madam Speaker:

I strongly support this resolution. I support the parents who are trying to do the right thing to support their transgender children. And, ultimately, I want transgender youth to know they are seen, that they are loved, and that we as a body, and I as an individual, commit to support them. As Vermonters, they are us.”

Rep. Small of Winooski explained her vote as follows:

“Madam Speaker:

I voted yes today to underscore my unwavering commitment to support trans-, non-binary, and gender queer youth, as well as highlighting the importance and life-saving impacts of supportive families for LGBTQ youth nationwide. Healthcare decisions should always be made by the patient, informed by healthcare practitioners and their guardians.”

Rep. Vyhovsky of Essex explained her vote as follows:

“Madam Speaker:

The Vermont youth risk behavior study clearly shows that transgender youth are at significantly higher risk of suicide, substance use, anxiety, and depression. We know that youth who are able to access gender affirming care and spaces are at lower risk. I work with transgender youth in my social work practice and I have seen the heartbroken and despair-filled faces of young people trying only to live as their authentic selves. I know that strengthening supports for transgender youth will save lives. I vote yes today for every transgender Vermont youth and for each of the youth I have supported. I vote yes to show my support and commitment to all Vermont’s LGBTQIA+ youth.”

**Rules Suspended; Immediate Consideration; Second Reading;
Proposal of Amendment Agreed to;
Third Reading Ordered; Rules Suspended; Third Reading; Bill Passed in
Concurrence with Proposal of Amendment**

S. 91

On motion of **Rep. McCoy of Poultney**, the rules were suspended and Senate bill, entitled

An act relating to the Parent Child Center Network

Appearing on the Notice Calendar, was taken up for immediate consideration.

Rep. Brumsted of Shelburne, for the Committee on Human Services, reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 33 V.S.A. chapter 37 is amended to read:

**CHAPTER 37. PARENT-CHILD PARENT CHILD CENTER PROGRAM
NETWORK**

**§ 3701. PARENT-CHILD PARENT CHILD CENTER PROGRAM
NETWORK; ELIGIBILITY**

(a) ~~For purposes of~~ As used in this chapter, “parent-child center”:

(1) “Concrete supports” means community services and resources to address the immediate needs of the family or contribute to the long-term well-being of the family, or both.

(2) “Parent child center” means a community-based organization established for the purpose of providing prevention and early intervention services such as parenting education, support, training, referral, and related services to prospective parents and families with young children including those whose children are medically, socially, or educationally at risk through the core services listed in subsection (d) of this section on behalf of the State.

(3) “Parent Child Center Network” or “Network” means an Agency of Human Services’ community partner composed of authorized parent child centers that ensures accountability and collaboration among authorized parent child centers.

(4) “Secretary” means the Secretary of Human Services or designee.

(b) ~~The Secretary of Human Services shall:~~

~~(1) upon applications made annually, award grants to eligible parent-child centers; and~~

~~(2) establish, by rule, a formula for determining the amount of grants awarded under this chapter and minimum eligibility standards for such awards~~

The Secretary shall authorize a parent child center in accordance with this chapter.

(2) The Secretary shall conduct a reauthorization review of each authorized parent child center at least every six years.

(3) The Parent Child Center Network may recommend to the Secretary of Human Services one or more new parent child centers for authorization. Upon receipt of the Network's recommendations, the Secretary shall review each parent child center recommended for authorization to ensure it meets the criteria set forth in subsection (c) of this section. A parent child center recommended by the Network and determined to meet the criteria in subsection (c) of this section by the Secretary may be deemed an authorized parent child center.

(c) In order to be eligible for a grant under this chapter, a parent-child center authorization pursuant to subsection (b) of this section, a parent child center shall:

(1) Receive some funding from one or more private, local, or federal source. Contributions in kind, whether material, commodities, transportation, or office space, may be used to satisfy the contribution requirement of this subdivision.

(2) Qualify for tax exempt status under the provisions of Section 501(c) of the Internal Revenue Code.

(3) Have ~~parent representation on its~~ a board of directors:

(A) whose membership reflects the growing diversity of Vermont's children and families, including individuals who are Black, Indigenous, and Persons of Color, as well as with regard to socioeconomic status, geographic location, gender, sexual identity, and disability status; and

(B) that has parent representation.

(4) Represent a designated geographic catchment area.

(5) Complete a peer review every three years, which shall be conducted by the Parent Child Center Network.

(6) Provide each of the eight core services set forth in subsection (d) of this section.

(7) Indicate an intention to participate in the Parent Child Center Network as a member.

(8) Work to achieve population-level quality-of-life outcomes related to children and families pursuant to 3 V.S.A. § 2311.

~~(d) A parent-child center funded under this chapter shall:~~

~~(1) provide leadership in the coordination of services for families with other community service providers;~~

~~(2) provide such financial or programmatic information as may be necessary to enable the Secretary of Human Services to evaluate the services provided through grant funds, the effect of such services on consumers of these services, and an accounting of the expenditure of grant funds; and~~

~~(3) participate in an annual peer review process conducted by the parent-child center network and the Agency of Human Services~~ An authorized parent child center shall provide, either directly or indirectly through formal community partnerships, the following eight core services:

(1) home visits;

(2) early childhood services;

(3) parent education;

(4) playgroups;

(5) parent support groups;

(6) concrete supports;

(7) community development; and

(8) resources and referrals.

§ 3702. FUNDING

(a) The Secretary of Human Services shall disperse a joint allocation for all parent child center services to the Parent Child Center Network, which shall distribute funding to each authorized parent child center.

(b) The Agency shall consult with the Parent Child Center Network to develop appropriate measures and methods of accountability for authorized members of the Network. The Network and authorized parent child centers shall provide any previously agreed upon information to enable the Secretary to evaluate the services provided through grant funds, the effect of services on consumers, and an accounting of the expenditure of grant funds.

Sec. 2. 33 V.S.A. § 3701 is amended to read:

§ 3701. PARENT CHILD CENTER NETWORK; ELIGIBILITY

* * *

(c) In order to be eligible for authorization pursuant to subsection (b) of this section, a parent child center shall:

* * *

(9) Have an advisory committee that meets regularly and provides input, guidance, and feedback to the board of directors on programs and services provided by the parent child center.

* * *

Sec. 3. TEMPORARY AUTHORIZATION STATUS

Any parent child center in existence on July 1, 2022 shall be deemed to have met the authorization criteria in 33 V.S.A. § 3701(c) through the time period of the parent child center's next reauthorization review pursuant to 33 V.S.A. § 3701(b)(2).

Sec. 4. EFFECTIVE DATES

This act shall take effect on July 1, 2022, except that Sec. 2 (Parent Child Center Network; eligibility) shall take effect on July 1, 2024.

Rep. Jessup of Middlesex, for the Committee on Appropriations, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Human Services.

Thereupon, the bill was read the second time, the report of the Committee on Human Services was agreed to, and third reading was ordered.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed in all remaining stages of passage. Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

Rules Suspended; Bills Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House actions on the following Senate bills were ordered messaged to the Senate forthwith:

S. 91

Senate bill, entitled

An act relating to the Parent Child Center Network

S. 173

Senate bill, entitled

An act relating to the State House art collection

S. 181

Senate bill, entitled

An act relating to authorizing miscellaneous regulatory authority for municipal governments

S. 188

Senate bill, entitled

An act relating to regulating licensed small cannabis cultivation as farming

S. 201

Senate bill, entitled

An act relating to best management practices for trapping

S. 280

Senate bill, entitled

An act relating to miscellaneous changes to laws related to vehicles

S. 281

Senate bill, entitled

An act relating to hunting coyotes with dogs

Recess

At two o'clock and nine minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

At four o'clock and twenty-six minutes in the afternoon, the Speaker called the House to order.

**Rules Suspended; Immediate Consideration; Senate Proposal of
Amendment Concurred in****H. 697**

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to eligibility of reserve forestland for enrollment in the Use Value Appraisal Program

Was taken up for immediate consideration.

The Senate proposed to the House to amend the bill as follows:

First: In Sec. 2, 32 V.S.A. chapter 124, section 3752, by striking out subdivision (17) in its entirety and inserting in lieu thereof a new subdivision (17) to read as follows:

(17) "Reserve forestland" means land that is managed for the purpose of attaining old forest values and functions in accordance with minimum acceptable standards for forest management and as approved by the Commissioner of Forests, Parks and Recreation. On parcels of up to 100 acres, 50 percent or more of the enrolled parcel acres shall be composed of significant and sensitive conditions in accordance with the minimum acceptable standards established by the Commissioner. On parcels of 100 acres or more, 30 percent of the enrolled parcel acres shall be composed of significant and sensitive conditions in accordance with the minimum acceptable standards established by the Commissioner.

Second: By striking out Secs. 4, report on enrollment of reserve forestland, and 5, effective dates, in their entireties and inserting in lieu thereof three new sections to be Secs. 4–6 to read as follows:

Sec. 4. REPORT ON ENROLLMENT OF RESERVE FORESTLAND

On or before January 15, 2026, the Commissioner of Forests, Parks and Recreation, after consultation with the Director of Property Valuation and Review, shall report to the House Committees on Natural Resources, Fish, and Wildlife and on Ways and Means and the Senate Committees on Natural Resources and Energy and on Finance regarding enrollment of managed forestland under the Use Value Appraisal Program. The report shall include:

(1) a summary of how enrollment of managed forestland in the Use Value Appraisal Program has changed since passage of this act, including whether owners of managed forestland changed the status of enrollment of their land to reserve forestland or ecologically significant treatment areas;

(2) the number of persons enrolling land in the Use Value Appraisal Program as reserve forestland;

(3) any other information that the Commissioner determines is relevant to the ongoing enrollment of reserve forestland in the Use Value Appraisal Program, including any relevant information regarding any impacts to the overall managed forestland category;

(4) recommendations on how to promote the long-term enrollment of land in the reserve forestland category of enrolled land in order to attain old forest conditions or functions and values; and

(5) a recommendation on how to protect or conserve the functions and values of significant and sensitive acres enrolled as reserve forestland when the owner of the land wishes to amend the category or subcategory of enrollment.

Sec. 5. ANNUAL REPORT; DIVISION OF PROPERTY VALUATION
AND REVIEW

As part of the annual report required under 32 V.S.A. § 3412, the Director of the Division of Property Valuation and Review shall include an assessment of how enrollment of managed forestland in the Use Value Appraisal Program has changed since reserve forestland was approved as eligible managed forestland, including whether owners of managed forestland changed the status of enrollment of their land to reserve forestland or ecologically significant treatment areas.

Sec. 6. EFFECTIVE DATES

(a) This section and Secs. 1 (findings), 3 (report on enrollment of reserve forestland), 3a (implementation), 4 (report on enrollment), and 5 (Division of Property Valuation and Review report) shall take effect on passage.

(b) Sec. 2 (Use Value Appraisal Program) shall take effect on July 1, 2023.

Which proposal of amendment was considered and concurred in.

Adjournment

At four o'clock and thirty-two minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at ten o'clock in the forenoon.

Wednesday, May 11, 2022

At ten o'clock in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Reps. Cordes of Lincoln, James of Manchester, and Stebbins of Burlington.

Message from the Senate No. 72

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 716. An act relating to making miscellaneous changes in education law.

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

**Rules Suspended; Immediate Consideration; Senate Proposal of
Amendment Concurred in**

H. 353

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to pharmacy benefit management

Was taken up for immediate consideration.

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

Sec. 1. INTENT

It is the intent of the General Assembly to increase access to needed medications by making prescription drugs more affordable and accessible to Vermonters by increasing State regulation of pharmacy benefit managers and pharmacy benefit management. It is also the intent of the General Assembly to stabilize and safeguard against the loss of more independent and community pharmacies, where pharmacists provide personalized care to Vermonters and

help them with their health care needs, including medication management, medication adherence, and health screenings.

Sec. 1a. 18 V.S.A. § 9421 is amended to read:

§ 9421. PHARMACY BENEFIT MANAGEMENT; REGISTRATION;
INSURER AUDIT OF PHARMACY BENEFIT MANAGER
ACTIVITIES

* * *

(f) The Department of Financial Regulation shall monitor the cost impacts on Vermont consumers of pharmacy benefit manager regulation pursuant to this section, subchapter 9 of this chapter, and 8 V.S.A. chapter 107 and shall recommend appropriate modifications to the laws as needed to promote health care affordability in this State.

(g) As used in this section:

* * *

Sec. 2. 18 V.S.A. chapter 221, subchapter 9 is amended to read:

Subchapter 9. Pharmacy Benefit Managers

§ 9471. DEFINITIONS

As used in this subchapter:

* * *

(2) “Health insurer” is defined by section 9402 of this title and shall include:

(A) a health insurance company, a nonprofit hospital and medical service corporation, and health maintenance organizations;

(B) an employer, labor union, or other group of persons organized in Vermont that provides a health plan to beneficiaries who are employed or reside in Vermont; and

(C) the State of Vermont and any agent or instrumentality of the State that offers, administers, or provides financial support to State government; and

~~(D) Medicaid, and any other public health care assistance program.~~

* * *

(5) “Pharmacy benefit manager” means an entity that performs pharmacy benefit management, except an entity that provides pharmacy

benefit management services for Vermont Medicaid. The term includes a person or entity in a contractual or employment relationship with an entity performing pharmacy benefit management for a health plan.

* * *

(7) “Pharmacy benefit manager affiliate” means a pharmacy or pharmacist that, directly or indirectly, through one or more intermediaries, is owned or controlled by, or is under common ownership or control with, a pharmacy benefit manager.

§ 9472. PHARMACY BENEFIT MANAGERS; REQUIRED PRACTICES
WITH RESPECT TO HEALTH INSURERS AND COVERED
PERSONS

(a) A pharmacy benefit manager that provides pharmacy benefit management for a health plan ~~shall discharge its duties with reasonable care and diligence and be fair and truthful under the circumstances then prevailing that a pharmacy benefit manager acting in like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims~~ has a fiduciary duty to its health insurer client that includes a duty to be fair and truthful toward the health insurer, to act in the health insurer’s best interests, and to perform its duties with care, skill, prudence, and diligence. In the case of a health benefit plan offered by a health insurer as defined by subdivision 9471(2)(A) of this title, the health insurer shall remain responsible for administering the health benefit plan in accordance with the health insurance policy or subscriber contract or plan and in compliance with all applicable provisions of Title 8 and this title.

(b) A pharmacy benefit manager shall provide notice to the health insurer that the terms contained in subsection (c) of this section may be included in the contract between the pharmacy benefit manager and the health insurer.

(c) A pharmacy benefit manager that provides pharmacy benefit management for a health plan shall do all of the following:

(1) Provide all financial and utilization information requested by a health insurer relating to the provision of benefits to beneficiaries through that health insurer’s health plan and all financial and utilization information relating to services to that health insurer. A pharmacy benefit manager providing information under this subsection may designate that material as confidential. Information designated as confidential by a pharmacy benefit manager and provided to a health insurer under this subsection ~~may~~ shall not be disclosed by the health insurer to any person without the consent of the pharmacy benefit manager, except that disclosure may be made by the health insurer:

(A) in a court filing under the consumer protection provisions of 9 V.S.A. chapter 63, provided that the information shall be filed under seal and that prior to the information being unsealed, the court shall give notice and an opportunity to be heard to the pharmacy benefit manager on why the information should remain confidential;

(B) to State and federal government officials;

(C) when authorized by 9 V.S.A. chapter 63;

~~(C)~~(D) when ordered by a court for good cause shown; or

~~(D)~~(E) when ordered by the Commissioner as to a health insurer as defined in subdivision 9471(2)(A) of this title pursuant to the provisions of Title 8 and this title.

(2) Notify a health insurer in writing of any proposed or ongoing activity, policy, or practice of the pharmacy benefit manager that presents, directly or indirectly, any conflict of interest with the requirements of this section.

(3) With regard to the dispensation of a substitute prescription drug for a prescribed drug to a beneficiary in which the substitute drug costs more than the prescribed drug and the pharmacy benefit manager receives a benefit or payment directly or indirectly, disclose to the health insurer the cost of both drugs and the benefit or payment directly or indirectly accruing to the pharmacy benefit manager as a result of the substitution.

(4) ~~Unless the contract provides otherwise, if~~ If the pharmacy benefit manager derives any payment or benefit for the dispensation of prescription drugs within the State based on volume of sales for certain prescription drugs or classes or brands of drugs within the State, pass that payment or benefit on in full to the health insurer.

(5) Disclose to the health insurer all financial terms and arrangements for remuneration of any kind that apply between the pharmacy benefit manager and any prescription drug manufacturer that relate to benefits provided to beneficiaries under or services to the health insurer's health plan, including formulary management and drug-switch programs, educational support, claims processing, and pharmacy network fees charged from retail pharmacies and data sales fees. A pharmacy benefit manager providing information under this subsection may designate that material as confidential. Information designated as confidential by a pharmacy benefit manager and provided to a health insurer under this subsection ~~may~~ shall not be disclosed by the health insurer to any person without the consent of the pharmacy benefit manager, except that disclosure may be made by the health insurer:

(A) in a court filing under the consumer protection provisions of 9 V.S.A. chapter 63, provided that the information shall be filed under seal and that prior to the information being unsealed, the court shall give notice and an opportunity to be heard to the pharmacy benefit manager on why the information should remain confidential;

(B) when authorized by 9 V.S.A. chapter 63;

(C) when ordered by a court for good cause shown; or

(D) when ordered by the Commissioner as to a health insurer as defined in subdivision 9471(2)(A) of this title pursuant to the provisions of Title 8 and this title.

(d) At least annually, a pharmacy benefit manager that provides pharmacy benefit management for a health plan shall disclose to the health insurer, the Department of Financial Regulation, and the Green Mountain Care Board the aggregate amount the pharmacy benefit manager retained on all claims charged to the health insurer for prescriptions filled during the preceding calendar year in excess of the amount the pharmacy benefit manager reimbursed pharmacies.

(e) A pharmacy benefit manager contract with a health insurer shall not contain any provision purporting to reserve discretion to the pharmacy benefit manager to move a drug to a higher tier or remove a drug from its drug formulary any more frequently than two times per year.

(f)(1) A pharmacy benefit manager shall not require a covered person purchasing a covered prescription drug to pay an amount greater than the lesser of:

(A) the cost-sharing amount under the terms of the health benefit plan;

(B) the maximum allowable cost for the drug; or

(C) the amount the covered person would pay for the drug if the covered person were paying the cash price.

(2) Any amount paid by a covered person under subdivision (1) of this subsection shall be attributed toward any deductible and, to the extent consistent with Sec. 2707 of the Public Health Service Act (42 U.S.C. § 300gg-6), the annual out-of-pocket maximums under the covered person's health benefit plan.

(g) Compliance with the requirements of this section is required for pharmacy benefit managers entering into contracts with a health insurer in this State for pharmacy benefit management in this State.

§ 9473. PHARMACY BENEFIT MANAGERS; REQUIRED PRACTICES
WITH RESPECT TO PHARMACIES

(a) Within 14 calendar days following receipt of a pharmacy claim, a pharmacy benefit manager or other entity paying pharmacy claims shall do one of the following:

(1) Pay or reimburse the claim.

(2) Notify the pharmacy in writing that the claim is contested or denied. The notice shall include specific reasons supporting the contest or denial and a description of any additional information required for the pharmacy benefit manager or other payer to determine liability for the claim.

(b) A participation contract between a pharmacy benefit manager and a pharmacist shall not prohibit, restrict, or penalize a pharmacy or pharmacist in any way from disclosing to any covered person any health care information that the pharmacy or pharmacist deems appropriate, including:

(1) the nature of treatment, risks, or alternatives to treatment;

(2) the availability of alternate therapies, consultations, or tests;

(3) the decision of utilization reviewers or similar persons to authorize or deny services;

(4) the process that is used to authorize or deny health care services; or

(5) information on financial incentives and structures used by the health insurer.

(c) A pharmacy benefit manager or other entity paying pharmacy claims shall not:

~~(1) impose a higher co-payment for a prescription drug than the co-payment applicable to the type of drug purchased under the insured's health plan;~~

~~(2) impose a higher co-payment for a prescription drug than the maximum allowable cost for the drug;~~

~~(3) require a pharmacy to pass through any portion of the insured's co-payment, or patient responsibility, to the pharmacy benefit manager or other payer;~~

(2) prohibit a pharmacy or pharmacist from discussing information regarding the total cost for pharmacist services for a prescription drug;

~~(4)(3) prohibit or penalize a pharmacy or pharmacist for providing information to an insured regarding the insured's cost-sharing amount for a prescription drug; or~~

(5)(4) prohibit or penalize a pharmacy or pharmacist for the pharmacist or other pharmacy employee disclosing to an insured the cash price for a prescription drug or selling a lower cost drug to the insured if one is available.

(d) A pharmacy benefit manager contract with a participating pharmacist or pharmacy shall not prohibit, restrict, or limit disclosure of information to the Commissioner, law enforcement, or State and federal government officials, provided that:

(1) the recipient of the information represents that the recipient has the authority, to the extent provided by State or federal law, to maintain proprietary information as confidential; and

(2) prior to disclosure of information designated as confidential, the pharmacist or pharmacy:

(A) marks as confidential any document in which the information appears; and

(B) requests confidential treatment for any oral communication of the information.

(e) A pharmacy benefit manager shall not terminate a contract with or penalize a pharmacist or pharmacy due to the pharmacist or pharmacy:

(1) disclosing information about pharmacy benefit manager practices, except for information determined to be a trade secret under State law or by the Commissioner, when disclosed in a manner other than in accordance with subsection (d) of this section; or

(2) sharing any portion of the pharmacy benefit manager contract with the Commissioner pursuant to a complaint or query regarding the contract's compliance with the provisions of this chapter.

(e)(f) For each drug for which a pharmacy benefit manager establishes a maximum allowable cost in order to determine the reimbursement rate, the pharmacy benefit manager shall do all of the following:

(1) Make available, in a format that is readily accessible and understandable by a pharmacist, the actual maximum allowable cost for each drug and the source used to determine the maximum allowable cost, which shall not be dependent upon individual beneficiary identification or benefit stage.

(2) Update the maximum allowable cost at least once every seven calendar days. In order to be subject to maximum allowable cost, a drug must be widely available for purchase by all pharmacies in the State, without limitations, from national or regional wholesalers and must not be obsolete or

temporarily unavailable.

(3) Establish or maintain a reasonable administrative appeals process to allow a dispensing pharmacy provider to contest a listed maximum allowable cost.

(4)(A) Respond in writing to any appealing pharmacy provider within 10 calendar days after receipt of an appeal, provided that, except as provided in subdivision (B) of this subdivision (4), a dispensing pharmacy provider shall file any appeal within 10 calendar days from the date its claim for reimbursement is adjudicated.

(B) A pharmacy benefit manager shall allow a dispensing pharmacy provider to appeal after the 10-calendar-day appeal period set forth in subdivision (A) of this subdivision (4) if the prescription claim is subject to an audit initiated by the pharmacy benefit manager or its auditing agent.

(5) For a denied appeal, provide the reason for the denial and identify the national drug code and a Vermont-licensed wholesaler of an equivalent drug product that may be purchased by contracted pharmacies at or below the maximum allowable cost.

(6) For an appeal in which the appealing pharmacy is successful:

(A) make the change in the maximum allowable cost within 30 business days after the redetermination; and

(B) allow the appealing pharmacy or pharmacist to reverse and rebill the claim in question.

~~(d)~~(g) A pharmacy benefit manager shall not:

(1) require a claim for a drug to include a modifier or supplemental transmission, or both, to indicate that the drug is a 340B drug unless the claim is for payment, directly or indirectly, by Medicaid; or

(2) restrict access to a pharmacy network or adjust reimbursement rates based on a pharmacy's participation in a 340B contract pharmacy arrangement.

(h)(1) A pharmacy benefit manager or other third party that reimburses a 340B covered entity for drugs that are subject to an agreement under 42 U.S.C. § 256b through the 340B drug pricing program shall not reimburse the 340B covered entity for pharmacy-dispensed drugs at a rate lower than that paid for the same drug to pharmacies that are not 340B covered entities, and the pharmacy benefit manager shall not assess any fee, charge-back, or other adjustment on the 340B covered entity on the basis that the covered entity participates in the 340B program as set forth in 42 U.S.C. § 256b.

(2) With respect to a patient who is eligible to receive drugs that are subject to an agreement under 42 U.S.C. § 256b through the 340B drug pricing program, a pharmacy benefit manager or other third party that makes payment for the drugs shall not discriminate against a 340B covered entity in a manner that prevents or interferes with the patient's choice to receive the drugs from the 340B covered entity.

(i) A pharmacy benefit manager shall not reimburse a pharmacy or pharmacist in this State an amount less than the amount the pharmacy benefit manager reimburses a pharmacy benefit manager affiliate for providing the same pharmacist services.

(j) A pharmacy benefit manager shall not restrict, limit, or impose requirements on a licensed pharmacy in excess of those set forth by the Vermont Board of Pharmacy or by other State or federal law, nor shall it withhold reimbursement for services on the basis of noncompliance with participation requirements.

(k) A pharmacy benefit manager shall provide notice to all participating pharmacies prior to changing its drug formulary.

Sec. 3. 18 V.S.A. § 3802 is amended to read:

§ 3802. PHARMACY RIGHTS DURING AN AUDIT

Notwithstanding any provision of law to the contrary, whenever a health insurer, a third-party payer, or an entity representing a responsible party conducts an audit of the records of a pharmacy, the pharmacy shall have a right to all of the following:

* * *

(2) If an audit is to be conducted on-site at a pharmacy, the entity conducting the audit:

(A) shall give the pharmacy at least 14 days' advance written notice of the audit and the specific prescriptions to be included in the audit; ~~and~~

(B) ~~may~~ shall not audit a pharmacy on Mondays or on weeks containing a federal holiday, unless the pharmacy agrees to alternative timing for the audit; and

~~(3) Not to have an entity~~

(C) shall not audit claims that:

~~(A)~~(i) were submitted to the pharmacy benefit manager more than 18 months prior to the date of the audit, unless:

~~(i)~~(I) required by federal law; or

~~(ii)(II)~~ the originating prescription was dated within the 24-month period preceding the date of the audit; or

~~(B)(ii)~~ exceed 200 selected prescription claims.

(3) If any audit is to be conducted remotely, the entity conducting the audit:

(A) shall give the pharmacy at least seven business days following the pharmacy's confirmation of receipt of the notice of the audit to respond to the audit; and

(B) shall not audit claims that:

(i) were submitted to the pharmacy benefit manager more than three months prior to the date of the audit or on a date earlier than that for which the pharmacy could electronically retransmit a corrected claim; or

(ii) exceed five selected prescription claims.

* * *

(19) To have the preliminary audit report delivered to the pharmacy within 60 30 days following the conclusion of the audit pharmacy's preliminary response.

* * *

(21) To have a final audit report delivered to the pharmacy within 120 30 days after the end of the appeals period, as required by section 3803 of this title.

* * *

(24) To have all payment data related to audited claims, including:

(A) payment amount;

(B) any direct and indirect remuneration (DIR) or generic effective rate (GER) fees assessed or other financial offsets;

(C) date of electronic payment or check date and number;

(D) the specific contracted reimbursement basis for each claim, including its basis, such as maximum allowable cost (MAC), wholesale acquisition cost (WAC), average wholesale price (AWP), or average manufacturer price (AMP); and

(E) the respective values used to calculate each claim payment.

Sec. 4. 8 V.S.A. § 4089j is amended to read:

§ 4089j. RETAIL PHARMACIES; FILLING OF PRESCRIPTIONS

(a) As used in this section:

* * *

(4) “Pharmacy benefit manager affiliate” means a pharmacy or pharmacist that, directly or indirectly, through one or more intermediaries, is owned or controlled by, or is under common ownership or control with, a pharmacy benefit manager.

(5) “Drug” or “prescription drug” has the same meaning as “prescription drug” in 26 V.S.A. § 2022 and includes:

(A) biological products, as defined in 18 V.S.A. § 4601;

(B) medications used to treat complex, chronic conditions, including medications that require administration, infusion, or injection by a health care professional;

(C) medications for which the manufacturer or the U.S. Food and Drug Administration requires exclusive, restricted, or limited distribution; and

(D) medications with specialized handling, storage, or inventory reporting requirements.

* * *

(b) A health insurer ~~and~~ or pharmacy benefit manager doing business in Vermont shall permit a retail pharmacist licensed under 26 V.S.A. chapter 36 to fill prescriptions for all prescription drugs in the same manner and at the same level of reimbursement as they are filled by ~~mail-order pharmacies~~ any other pharmacist or pharmacy, including a mail-order pharmacy or a pharmacy benefit manager affiliate, with respect to the quantity of drugs or days’ supply of drugs dispensed under each prescription.

(c) Notwithstanding any provision of a health insurance plan to the contrary, if a health insurance plan provides for payment or reimbursement that is within the lawful scope of practice of a pharmacist, the insurer may provide payment or reimbursement for the service when the service is provided by a pharmacist.

(d)(1) A health insurer or pharmacy benefit manager shall permit a participating network pharmacy to perform all pharmacy services within the lawful scope of the profession of pharmacy as set forth in 26 V.S.A. chapter 36.

(2) A health insurer or pharmacy benefit manager shall not do any of the following:

(A) Require a covered individual, as a condition of payment or

reimbursement, to purchase pharmacist services, including prescription drugs, exclusively through a mail-order pharmacy or a pharmacy benefit manager affiliate.

(B) Offer or implement plan designs that require a covered individual to use a mail-order pharmacy or a pharmacy benefit manager affiliate.

(C) Order a covered individual, orally or in writing, including through online messaging, to use a mail-order pharmacy or a pharmacy benefit manager affiliate.

(D) Establish network requirements that are more restrictive than or inconsistent with State or federal law, rules adopted by the Board of Pharmacy, or guidance provided by the Board of Pharmacy or by drug manufacturers that operate to limit or prohibit a pharmacy or pharmacist from dispensing or prescribing drugs.

(E) Offer or implement plan designs that increase plan or patient costs if the covered individual chooses not to use a mail-order pharmacy or a pharmacy benefit manager affiliate. The prohibition in this subdivision (E) includes requiring a covered individual to pay the full cost for a prescription drug when the covered individual chooses not to use a mail-order pharmacy or a pharmacy benefit manager affiliate.

(3) A health insurer or pharmacy benefit manager shall not, by contract, written policy, or written procedure, require that a pharmacy designated by the health insurer or pharmacy benefit manager dispense a medication directly to a patient with the expectation or intention that the patient will transport the medication to a health care setting for administration by a health care professional.

(4) A health insurer or pharmacy benefit manager shall not, by contract, written policy, or written procedure, require that a pharmacy designated by the health insurer or pharmacy benefit manager dispense a medication directly to a health care setting for a health care professional to administer to a patient.

(5) The provisions of this subsection shall not apply to Medicaid.

Sec. 5. DEPARTMENT OF FINANCIAL REGULATION; PHARMACY BENEFIT MANAGEMENT; REPORT

(a) The Department of Financial Regulation, in consultation with interested stakeholders, shall consider:

(1) whether pharmacy benefit managers should be required to be licensed to operate in this State;

(2) whether pharmacy benefit managers should be prohibited from

conducting or participating in spread pricing;

(3) the cost impacts of pharmacy benefit manager licensure and related regulatory measures in other states that have enacted such legislation;

(4) in collaboration with the Board of Pharmacy, whether any amendments to the Board's rules are needed to reflect necessary distinctions or appropriate limitations on pharmacist scope of practice;

(5) whether there should be a minimum dispensing fee that pharmacy benefit managers and health insurers must pay to pharmacies and pharmacists for dispensing prescription drugs;

(6) how a pharmacy should be reimbursed for a claim if a pharmacy benefit manager denies a pharmacy's appeal in whole or in part, including whether the pharmacy should be allowed to submit a claim to the health insurer for the balance between the pharmacy benefit manager's reimbursement and the pharmacy's reasonable acquisition cost plus a dispensing fee;

(7) whether there is a problem in Vermont of pharmacies soliciting health insurance plan beneficiaries directly to market the pharmacy's services and, if so, how best to address the problem; and

(8) other issues relating to pharmacy benefit management and its effects on Vermonters, on pharmacies and pharmacists, and on health insurance in this State.

(b) On or before January 15, 2023, the Department of Financial Regulation shall provide its findings and recommendations regarding the issues described in subsection (a) of this section to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance.

Sec. 6. APPLICABILITY

(a) The provisions of Sec. 2 of this act (18 V.S.A. chapter 221, subchapter 9, pharmacy benefit managers) shall apply to a contract or health plan issued, offered, renewed, recredentialed, amended, or extended on or after January 1, 2023, including any health insurer that performs claims processing or other prescription drug or device services through a third party.

(b) A person doing business in this State as a pharmacy benefit manager on or before January 1, 2023 shall have six months following that date to come into compliance with the provisions of Sec. 2 of this act (18 V.S.A. chapter 221, subchapter 9, pharmacy benefit managers).

Sec. 7. 2021 Acts and Resolves No. 74, Sec. E.227.2 is amended to read:

Sec. E.227.2 REPEAL

18 V.S.A. § 9473~~(d)~~(g) (pharmacy benefit managers; 340B entities) is repealed on ~~January 1, 2023~~ April 1, 2024.

Sec. 8. EFFECTIVE DATES

(a) Secs. 1a (18 V.S.A. § 9421), 2 (18 V.S.A. chapter 221, subchapter 9), 3 (18 V.S.A. § 3802), and 4 (8 V.S.A. § 4089j) shall take effect on January 1, 2023.

(b) The remaining sections shall take effect on passage.

Which proposal of amendment was considered and concurred in.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered; Rules Suspended; All Remaining Stages of
Passage; Third Reading; Passed in Concurrence with Proposal of
Amendment; Rules Suspended; Bill Messaged to Senate Forthwith**

S. 250

Rep. Colston of Winooski, for the Committee on Government Operations, to which had been referred Senate bill, entitled

An act relating to law enforcement data collection and interrogation

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 20 V.S.A. § 2366 is amended to read:

§ 2366. LAW ENFORCEMENT AGENCIES; FAIR AND IMPARTIAL
POLICING POLICY; ~~RACE~~ DATA COLLECTION

* * *

(e)(1) On or before September 1, ~~2014~~ 2022, every State, county, and municipal law enforcement agency shall collect all data concerning law enforcement encounters, including roadside stop data consisting of the following:

(A) the age, gender, and race of the ~~driver~~ individual;

(B) the grounds for the stop;

(C) the grounds for the search and the type of search conducted, if any;

(D) the evidence located, if any;

(E) the outcome of the stop, including whether physical force was employed or threatened during the stop, and if so, the type of force employed and whether the force resulted in bodily injury or death, and whether:

(i) a written warning was issued;

(ii) a citation for a civil violation was issued;

(iii) a citation or arrest for a misdemeanor or a felony occurred; or

(iv) no subsequent action was taken.

(2) Law enforcement agencies shall work with the Executive Director of Racial Equity, the Criminal Justice Council, and a vendor chosen by the Council with the goals of collecting uniform data, adopting uniform storage methods and periods, and ensuring that data can be analyzed. Roadside stop data, as well as reports and analysis of roadside stop data, shall be public.

(3) On or before ~~September~~ July 1, 2016 2023 and annually thereafter, law enforcement agencies shall provide all data collected by the agency, including the data collected under this subsection, to the Executive Director of Racial Equity and the vendor chosen by the Criminal Justice Council under subdivision (2) of this subsection or, in the event the vendor is unable to continue receiving data under this section, to the Council. Law enforcement agencies shall provide the data collected under this subsection in an electronic format specified by the receiving entity.

(4) The data provided pursuant to subdivision (3) of this subsection shall be posted electronically in a manner that is analyzable and accessible to the public on the receiving agency's website and clear and understandable. ~~The receiving agency shall also report the data annually to the General Assembly.~~

(5) Annually, on or before July 1, all law enforcement agencies shall report the data collected pursuant to subdivision (3) of this subsection to the House and Senate Committees on Government Operations and on Judiciary. The report shall detail how the data is collected, how the data is accessible, how the data is used by the law enforcement agency, a review of the data to determine if additional data criteria is needed, and any recommendations to improve data collection and use.

(6) As used in this subsection, "physical force" shall refer to the force employed by a law enforcement officer to compel a person's compliance with

the officer's instructions that constitutes a greater amount of force than handcuffing a compliant person.

* * *

Sec. 2. GIGLIO DATABASE; STUDY COMMITTEE; REPORT

(a) Creation. There is created the Giglio Database Study Committee to study the appropriate structure and process to administer a database designed to catalogue potential impeachment information concerning law enforcement agency witnesses or affiants to enable a prosecutor to disclose such information consistently and appropriately under the obligations of *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny.

(b) Membership. The Giglio Database 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 President Pro Tempore;

(3) the Commissioner of the Department of Public Safety or designee;

(4) the Executive Director of the Vermont Criminal Justice Council or designee;

(5) the President of the Vermont Sheriffs' Association or designee;

(6) the President of the Vermont Association of Chiefs of Police or designee;

(7) the Executive Director of the Vermont Office of Racial Equity;

(8) the Attorney General or designee;

(9) the Executive Director of the Department of State's Attorneys and Sheriffs or designee; and

(10) the Defender General or designee.

(c) Powers and duties. The Giglio Database Study Committee shall study the appropriate structure and process to administer a law enforcement officer information database designed to facilitate the disclosure of potential impeachment information by prosecutors pursuant to legal obligations. The Committee shall study the following:

(1) the appropriate department or agency to manage and administer the database;

(2) the type and scope of information maintained in the database;

(3) any gatekeeping functions used to review information before it is entered into the database;

(4) any due process procedures to dispute information entered into the database;

(5) how to securely maintain the database;

(6) the appropriate access to the database;

(7) the confidentiality of the information maintained in, or accessed from, the database; and

(8) the resources necessary to effectively administer and maintain the database.

(d) Report. On or before December 1, 2022, the Giglio Database Study Committee shall submit a written report with legislative recommendations to the House and Senate Committees on Government Operations.

(e) Assistance. The Giglio Database Study Committee shall have the administrative, technical, and legal assistance of the Vermont Criminal Justice Council and any other stakeholders interested in assisting with the report.

(f) Meetings.

(1) The Executive Director of the Office of Racial Equity or designee shall call the first meeting of the Committee to occur on or before July 15, 2022.

(2) The Executive Director of the Office of Racial Equity shall select a chair from among its members at the first meeting.

(3) The Committee shall meet six times.

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

(5) The Giglio Database Study Committee shall cease to exist on December 15, 2022.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, a legislative member of the Giglio Database Study Committee shall be entitled to per diem compensation pursuant to 2 V.S.A. § 23 for not more than six meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 3. 13 V.S.A. § 5585 is amended to read as follows:

§ 5585. ELECTRONIC RECORDING OF A CUSTODIAL

INTERROGATION

(a) As used in this section:

(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 ~~himself or herself~~ the person to be in custody, starting from the moment a person should have been advised of ~~his or her~~ the person’s Miranda rights and ending when the questioning has concluded.

* * *

(3) “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) “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 chapter 53 (homicide) or 72 (sexual assault)~~ of this title shall be electronically recorded in its entirety. Unless impracticable, a custodial recording 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 chapter 53 (homicide) or 72 (sexual assault)~~ of this title and, therefore, an electronic recording of the interrogation was not required;

(E) the safety of a person or protection of ~~his or her~~ the person's identity; and

(F) equipment malfunction.

* * *

Sec. 4. STUDY ON DECEPTIVE AND COERCIVE METHODS OF LAW ENFORCEMENT INTERROGATION; REPORT

(a) The Joint Legislative Justice Oversight Committee shall study the use of deceptive and coercive interrogation tactics employed by law enforcement in the State of Vermont. In particular, the study shall consider:

(1) when providing false facts about evidence to a suspect during an interview conducted after the commission of a crime results in an involuntary confession or admission to the crime;

(2) when confessions or admissions to crimes procured by providing a defendant with false facts should be inadmissible;

(3) the appropriate age and circumstances to prohibit coercive techniques in cases involving juveniles;

(4) the use of the interrogation and interviewing techniques, including the Reid Technique of Investigative Interviews and Advanced Interrogation Techniques, by law enforcement; and

(5) legislation, initiatives, or programs for the General Assembly and law enforcement to consider to improve current practices.

(b) The Committee shall have the administrative and technical assistance of the Office of Legislative Counsel. The Committee shall have the legal assistance of the American Civil Liberties Union of Vermont and any other stakeholders interested in assisting with the study and report. The Committee shall submit a report on the study in the form of proposed legislation on or before December 1, 2022.

Sec. 5. 20 V.S.A. § 2222 is amended to read:

§ 2222. FEDERAL LAW ENFORCEMENT OFFICERS; POWER OF
ARREST FOR VERMONT CRIMES

(a) For purposes of this section, “a certified federal law enforcement officer” means a federal law enforcement officer who:

(1) is employed as a law enforcement officer of the federal government as:

(A) a special agent, border patrol agent, or immigration inspector of the Immigration and Naturalization Service, U.S. Department of Justice; ~~or~~

(B) an officer or inspector of the U.S. Customs Service of the Department of the Treasury; ~~and~~ or

(C) a special agent, inspector, or member of the police service of the U.S. Department of Veterans Affairs;

(2) has satisfactorily completed a course of study in Vermont laws and criminal procedures approved by the Vermont Criminal Justice Council, at the expense of the officer’s agency;

(3) has been certified by the Commissioner of Public Safety pursuant to subsection (b) of this section; and

(4) has taken an oath administered by the Commissioner of Public Safety or by the Commissioner’s designee to uphold the Constitution of the State of Vermont.

* * *

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Rep. Squirrell of Underhill, for the Committee on Appropriations, recommended that the House propose to the Senate to amend the bill as recommended by the Committee on Government Operations and when further amended as follows:

In Sec. 4, study on deceptive and coercive methods of law enforcement interrogation; report, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b) The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Counsel. The Committee may have the assistance of the Vermont Criminal Justice Council in drafting the report, along with any other stakeholders interested in assisting. On or before December 1,

2022, the Committee shall submit a report on the study providing legislative recommendations, or whether no legislative changes are needed; proposed next steps; or that the study is incomplete.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Government Operations was amended as recommended by the Committee on Appropriations.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Government Operations, as amended?, **Rep. Colston of Winooski** moved to further amend the report of the Committee on Government Operations, as amended, as follows:

First: In Sec. 3, 13 V.S.A. § 5585, in subdivision (b)(1), in the second sentence, following “custodial”, by striking out “recording” and inserting in lieu thereof “interrogation”

Second: In Sec. 4, study on deceptive and coercive methods of law enforcement interrogation; report, in subsection (b), in the third sentence, following “report”, by striking out “on the study providing legislative recommendations, or whether no legislative changes are needed; proposed next steps; or that the study is incomplete” and inserting in lieu thereof “in the form of proposed legislation”

Which was agreed to.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Government Operations, as amended?, **Rep. LaClair of Barre Town** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Government Operations, as amended?, was decided in the affirmative. Yeas, 99. Nays, 48.

Those who voted in the affirmative are:

Ancel of Calais	Emmons of Springfield	Ode of Burlington
Anthony of Barre City	Gannon of Wilmington	Pajala of Londonderry
Austin of Colchester	Garofano of Essex	Partridge of Windham
Bartholomew of Hartland	Goldman of Rockingham	Patt of Worcester
Birong of Vergennes	Grad of Moretown	Pearl of Danville
Black of Essex	Hooper of Montpelier	Pugh of South Burlington
Bluemle of Burlington	Hooper of Randolph	Rachelson of Burlington
Bock of Chester	Hooper of Burlington	Rogers of Waterville
Bongartz of Manchester	Houghton of Essex	Satcowitz of Randolph
Bos-Lun of Westminster	Howard of Rutland City	Scheu of Middlebury
Brady of Williston	James of Manchester	Sheldon of Middlebury
Briglin of Thetford	Jerome of Brandon	Sibilia of Dover *

Brown of Richmond	Jessup of Middlesex	Sims of Craftsbury
Brownell of Pownal	Killackey of South Burlington	Small of Winooski
Brumsted of Shelburne	Kimbell of Woodstock	Squirrell of Underhill
Burditt of West Rutland	Kitzmiller of Montpelier	Stebbins of Burlington
Burke of Brattleboro	Kornheiser of Brattleboro *	Stevens of Waterbury
Burrows of West Windsor	LaLonde of South	Surprenant of Barnard
Campbell of St. Johnsbury	Burlington	Till of Jericho
Chase of Colchester	Lanpher of Vergennes	Toleno of Brattleboro
Christie of Hartford	Lippert of Hinesburg	Toof of St. Albans Town
Cina of Burlington	Long of Newfane	Townsend of South
Coffey of Guilford	Masland of Thetford	Burlington
Colburn of Burlington	McCarthy of St. Albans City	Troiano of Stannard *
Colston of Winooski	McCormack of Burlington	Vyhovsky of Essex
Conlon of Cornwall	McCullough of Williston	Walz of Barre City
Copeland Hanzas of	Mrowicki of Putney *	Webb of Shelburne
Bradford	Mulvaney-Stanak of	White of Bethel
Corcoran of Bennington	Burlington	White of Hartford
Cordes of Lincoln	Murphy of Fairfax	Whitman of Bennington
Dolan of Essex	Nicoll of Ludlow	Wood of Waterbury
Dolan of Waitsfield	Nigro of Bennington	Yacovone of Morristown
Donnally of Hyde Park	Notte of Rutland City	Yantachka of Charlotte
Durfee of Shaftsbury	Noyes of Wolcott	
Elder of Starksboro	O'Brien of Tunbridge	

Those who voted in the negative are:

Achey of Middletown	Kascenska of Burke	Norris of Shoreham
Springs	Labor of Morgan	Page of Newport City
Arrison of Weathersfield	LaClair of Barre Town	Palasik of Milton
Beck of St. Johnsbury	Laroche of Franklin	Parsons of Newbury
Brennan of Colchester	Lefebvre of Newark	Peterson of Clarendon
Canfield of Fair Haven	Lefebvre of Orange	Rosenquist of Georgia
Cupoli of Rutland City	Leffler of Enosburgh	Scheuermann of Stowe
Donahue of Northfield	Marcotte of Coventry	Shaw of Pittsford
Fagan of Rutland City	Martel of Waterford	Smith of Derby
Feltus of Lyndon	Mattos of Milton	Smith of New Haven
Goslant of Northfield	McCoy of Poultney	Strong of Albany
Graham of Williamstown	McFaun of Barre Town	Taylor of Colchester
Gregoire of Fairfield	Morgan, L. of Milton	Terenzini of Rutland Town
Hango of Berkshire	Morgan, M. of Milton	Walker of Swanton
Harrison of Chittenden	Morris of Springfield	Williams of Granby
Helm of Fair Haven	Morrissey of Bennington	
Higley of Lowell	Norris of Sheldon	

Those members absent with leave of the House and not voting are:

Dickinson of St. Albans	Sullivan of Dorset
Town	

Rep. Kornheiser of Brattleboro explained her vote as follows:

“Madam Speaker:

I voted yes because I want a government that is accountable to all of its citizens and we can’t improve or account without comprehensive data.”

Rep. Mrowicki of Putney explained his vote as follows:

“Madam Speaker:

My yes vote helps Vermont take a small step towards more comprehensive racial justice actions. We have work to do and as our colleague from Winooski is leaving us after this session, I thank him for all his work and his leadership on issues of racial justice.”

Rep. Sibilia of Dover explained her vote as follows:

“Madam Speaker:

Data can help us better understand what is and what is not happening with law enforcement encounters and in our communities. That’s good for law enforcement and good for citizens.”

Rep. Troiano of Stannard explained his vote as follows:

“Madam Speaker:

I voted yes. Information gathered on a form at the time of an encounter with a citizen could very well save hours of court appearance time by that officer. This is not an anti-police bill.”

Thereupon, third reading was ordered.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed in all remaining stages of passage. The bill was read the third time and passed in concurrence with proposal of amendment.

Thereupon, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House action on the bill was ordered messaged to the Senate forthwith.

Recess

At eleven and thirty-nine minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

Message from the Senate No. 73

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 465. An act relating to boards and commissions.

H. 739. An act relating to capital construction and State bonding budget adjustment.

And has concurred therein.

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

H. 512. An act relating to modernizing land records and notarial acts law.

H. 533. An act relating to converting civil forfeiture of property in drug-related prosecutions into a criminal process.

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

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

S. 91. An act relating to the Parent Child Center Network.

S. 173. An act relating to the State House art collection.

S. 181. An act relating to authorizing miscellaneous regulatory authority for municipal governments.

S. 201. An act relating to best management practices for trapping.

S. 281. An act relating to hunting coyotes with dogs.

And has concurred therein.

Called to Order

At two o'clock and twenty-eight minutes in the afternoon, the Speaker called the House to order.

**Rules Suspended; Immediate Consideration; Report of Committee of
Conference Adopted**

S. 283

Appearing on the Notice Calendar, on motion of **Rep. LaClair of Barre Town**, the rules were suspended and Senate bill, entitled

An act relating to miscellaneous changes to education laws

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses respectfully reported that it met and considered the same and recommended the following:

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.283. An act relating to making miscellaneous changes in education law.

Respectfully reports that it has met and considered the same and recommends that the Senate accede to the House proposal of amendment and that the House proposal be further amended as follows:

First: In Sec. 8, 2021 Acts and Resolves No. 74; Sec. E.709.1, Environmental Contingency Fund; Polychlorinated Biphenyls (PCBS) testing in schools, in subsection (a), by striking out “July 1, 2024 2026” and inserting in lieu thereof July 1, 2024 2025

Second: In Sec. 10, 2021 Acts and Resolves No. 72, Sec. 12, radon testing; school facilities, in subsection (a), by striking out “June 30, 2023 2026” and inserting in lieu thereof June 30, 2024 2025

COMMITTEE ON THE PART OF
THE SENATE

SEN. BRIAN A. CAMPION

SEN. THOMAS CHITTENDEN

SEN. CHERYL MAZZARIELLO
HOOKER

COMMITTEE ON THE PART OF
THE HOUSE

REP. KATHRYN L. WEBB OF
SHELBURNE

REP. PETER CONLON OF
CORNWALL

REP. LAWRENCE “COOPER” P.
CUPOLI OF RUTLAND CITY

Which was considered and adopted on the part of the House.

Rules Suspended; Immediate Consideration; Report of Committee of Conference Adopted

S. 11

Appearing on the Notice Calendar, on motion of **Rep. LaClair of Barre Town**, the rules were suspended and Senate bill, entitled

An act relating to prohibiting robocalls

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses respectfully reported that it met and considered the same and recommended the following:

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.11. An act relating to prohibiting robocalls.

Respectfully reports that it has met and considered the same and recommends that the Senate recede from its further 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. PURPOSE; IMPLEMENTATION

(a) The purpose of Secs. 1–45 of this act is to expand opportunities for workforce education, training, and development for Vermonters and to make meaningful investments to support and expand the workforce across the State.

(b) It is the intent of the General Assembly that each recipient of funding through Secs. 1–45 of this act shall conduct significant outreach to ensure that all Vermonters, and particularly populations that have experienced unequal access to public or private economic benefits due to geography, socioeconomic status, disability status, gender or gender identity, age, immigration or refugee status, or race, have the opportunity to benefit from the financial and programmatic benefits made available through this act.

Sec. 2. IMMEDIATE STRATEGIES AND FUNDING FOR EXPANDING
THE LABOR FORCE; INCREASING THE NUMBER OF
PARTICIPANTS AND PARTICIPATION RATES;
APPROPRIATIONS

(a) In fiscal year 2023, the following amounts are appropriated from the General Fund to the following recipients for the purposes specified:

(1) \$2,500,000.00 to the University of Vermont Office of Engagement, in consultation with the Vermont Student Assistance Corporation, to administer a statewide forgivable loan program of \$5,000.00 per graduate for recent college graduates across all Vermont higher education institutions who commit to work in Vermont for two years after graduation.

(2) \$387,000.00 to Vermont Technical College to develop a skilled meat cutter training and apprenticeship facility.

(b) In fiscal year 2023, the Agency of Human Services shall use the amount of \$500,000.00 that is appropriated to it in Sec. B.1100(a)(17) of the FY 2023 Budget Bill from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to provide grants, which may be administered through a performance-based contract, to refugee- or New American-focused programs working in Vermont to support increased immigration or retention of recent arrivals.

Sec. 3. [Deleted.]

Sec. 4. INVESTMENT IN THE UP-SKILLING OF PRIVATE SECTOR
EMPLOYERS TO SUPPORT THE EVOLUTION OF BUSINESS
AND ORGANIZATIONAL MODELS; APPROPRIATIONS

In fiscal year 2023, the amount of \$250,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Commerce and Community Development for a performance-based contract to provide statewide delivery of business coaching and other forms of training to Black, Indigenous, and Persons of Color (BIPOC) business owners, networking and special convenings, and career fairs, workshops and paid internships, career guidance, and other support for BIPOC workers across the State.

Sec. 5. WORKFORCE EXPANSION AND DEVELOPMENT; SPECIAL
OVERSIGHT COMMITTEE; ACTION PLAN

(a) Findings. The General Assembly finds:

(1) Vermont is experiencing an acute labor shortage in 2022.

(2) According to the Employment and Labor Marketing Information Division of the Vermont Department of Labor:

(A) There are approximately 28,000 job openings in Vermont as of December 2021.

(B) 9,945 individuals meet the federal statistical definition of unemployed as of January 2022.

(C) 4,500 individuals are receiving unemployment insurance assistance as of March 2022.

(D) The workforce has shrunk by 26,000 individuals from 2019 to 2022, yet the unemployment rate is just three percent as of January 2022.

(E) The workforce participation rate has fallen from 66 percent to 60.6 percent.

(F) The total volume of hires made each year is approximately 200,000 nonunique individuals.

(3) The Department receives approximately 80 percent of its funding from federal sources, which constrains the Department and its employees from adjusting its work to meet immediate needs.

(4) The federal funding for field staff in the Workforce Development Division has declined significantly over the past 20 years, supporting 75 persons in 2022 as compared to 135 in 2003.

(5) Though Vermont has a small population, the unique characteristics of its region's employers, educational institutions, demographics, and socioeconomic conditions make it best to address efforts to connect individuals with training and job placement on a regional basis.

(6) Because most State agencies and departments touch the workforce system in some way, there is a need for more coordination and alignment across State government to serve both job seekers and employers.

(7) Vermont needs a statewide workforce development, training, and education system in which all Vermonters who want to work, and all employers who want workers, can connect.

(b) The Special Oversight Committee on Workforce Expansion and Development is created with the following members:

(1) a member appointed by the Governor;

(2) the Chair of the State Workforce Development Board;

(3) the State Director of Workforce Development;

(4) one member of the House Committee on Commerce and Economic Development, appointed by the Speaker of the House; and

(5) one member of the Senate Committee on Economic Development, Housing and General Affairs, appointed by the Senate Committee on Committees.

(c)(1) Members of the Special Oversight Committee may receive compensation pursuant to 32 V.S.A. § 1010 and 2 V.S.A. § 23 for not more than six meetings.

(2) The Agency of Administration shall provide administrative support to the Special Oversight Committee. The Special Oversight Committee may consult with the Office of Legislative Counsel and the Joint Fiscal Office when necessary to perform its work pursuant to this section.

(d) In fiscal year 2023, the amount of \$250,000.00 is appropriated from the General Fund to the Secretary of Administration, who shall use the funds pursuant to the direction of the Special Oversight Committee in the performance of its work, including to engage the services of one or more experts in the field of workforce development, organization management, or other relevant fields as necessary to assist the Committee in its work pursuant to this section.

(e) On or before January 15, 2023, the Committee shall deliver to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs an action plan that:

(1) identifies the optimal organizational structure for the Vermont workforce development system, under which a single government entity, office, or executive position is charged with the authority and duty to coordinate workforce development efforts across State government, in close partnership and coordination with nongovernmental partners, and achieve the goals of the State of Vermont Strategic Plan; and

(2) identifies action steps, timelines, and resource needs to complete the transition to this new organizational structure.

(f) The Special Oversight Committee, in coordination with the Secretary of Administration and any experts retained with funding provided in this section, shall:

(1) review the statutory role of the Commissioner of Labor as the leader of workforce education and training in the State and the authority, responsibilities, and duties conferred on the Commissioner in 10 V.S.A. § 540;

(2) review the composition and size of the State Workforce Development Board created in 10 VSA § 541a and review the effectiveness of the Board in achieving the objectives outlined in that section;

(3) review the requirements of the Workforce Innovation Opportunity Act and Wagner-Peyser Act and determine if the needs of Vermont's employees and employers would be better served by pursuing a waiver for the requirements of those acts; and

(4) update the goals, metrics, and strategies for workforce development in the State of Vermont Strategic Plan 2018-2023 dated January 3, 2018 and propose a road map, staffing plan, and budget for an integrated State workforce plan that spans all workforce service delivery systems and all existing workforce related strategic plans.

Sec. 5a. REGIONAL WORKFORCE EXPANSION SYSTEM

(a) Regional Workforce Expansion System. The amount of \$1,500,000.00 is appropriated from the General Fund to the Department of Labor for a two-year pilot program to launch and lead a coordinated regional system, beginning in up to three regions of the State, to work toward accomplishing the following goals:

(1) increase local labor participation rate;

(2) decrease the number of open positions reported by local employers;

(3) increase the wages of workers as they transition to new jobs; and

(4) collect, organize, develop, and share information related to local career pathways with workforce development partners.

(b) Duties. In order to meet the goals specified in subsection (b) of this section, the Department shall:

(1) create new capacity to address and support State activities related to workforce development, expansion, and alignment;

(2) focus on the overarching goal of helping workers find jobs and employers find workers;

(3) support employers in communicating and tailoring their work requirements, conditions, and expectations to better access local workers; and

(4) collaborate with local education and training providers and regional workforce partners to create and regularly distribute data related to local labor force supply and demand.

(c) System infrastructure. The Department shall make investments that improve and expand regional capacity to strengthen networks who assist jobseekers, workers, and employers in connecting.

(1) The Department is authorized to create up to four classified, two-year limited-service positions, with funding allocated to perform the work described in this section, who shall report to the Workforce Development Division and of whom:

(A) up to three shall be Workforce Expansion Specialists assigned, one each, up to three different regions of the State; and

(B) one shall provide oversight and State-level coordination of activities.

(2)(A) The Department shall use funds allocated to develop systems for coordination, information sharing, and enhanced support to regional partners, host regional meetings, develop regional plans, and provide localized resources including labor market information, training and development opportunities, and support services.

(B) The Department shall develop labor market information reports to support discussion and decision making that will address local labor market challenges and opportunities and support a regional approach to solving local or unique labor supply challenges.

(d) Coordination.

(1) The Department shall convene regional meetings of education, training, business, and service provider partners; coordinate local workforce information collection and distribution; and assist in developing localized career resources, such as information for career counseling, local job fairs, and career expos, that will be available to a wide range of stakeholders.

(2) Service provider partners shall include community partners who directly serve mature workers, youth, individuals with disabilities, individuals who have been involved with the correction system, Black, Indigenous, and Persons of Color Vermonters, New Americans, and other historically marginalized populations in efforts to align service delivery, share information, and achieve greater employment outcomes for Vermonters.

(e) Interim report. On or before January 15, 2023, the Department shall provide a narrative update on the progress made in hiring staff, establishing interagency agreements, developing regional information exchange systems, and supporting State-level work to expand the labor force to the House and Senate committees of jurisdiction.

(f) Implementation. The Department of Labor shall begin implementing the Regional Workforce Expansion System on or before July 1, 2022.

Sec. 6. INCARCERATED INDIVIDUALS; WORKFORCE

DEVELOPMENT; PILOT PROGRAM

(a) Purpose. The purpose of this section is to facilitate the education and vocational training of incarcerated individuals so that they have a greater likelihood of obtaining gainful employment and positively contributing to society upon reintegration into the community.

(b) Policy; appropriations.

(1)(A) In fiscal year 2023, the amount of \$420,000.00 is appropriated from the General Fund to the Department of Corrections, in consultation with the Vermont Department of Labor, to address education and vocational enhancement needs. These funds shall not be allocated from any amounts budgeted for Justice Reinvestment II initiatives.

(B) The Department shall use the funds allocated for the development of education and vocational training for incarcerated individuals residing in a Vermont correctional facility prior to community reintegration. The Department may allocate the funds over three years, consistent with the following:

(i) \$270,000.00 for transition development, including equipment and mobile labs in one or more sites;

(ii) \$100,000.00 for training partner support; and

(iii) \$50,000.00 for curriculum development.

(2) In fiscal year 2023, the amount of \$300,000.00 is appropriated from the General Fund to the Department of Corrections, which may be allocated over not more than three years, to establish a community-based pilot reentry program at the Chittenden Regional Correctional Facility in consultation with the Vermont Department of Labor. The Department of Corrections shall designate a service provider to administer the pilot program's goals to:

(A) provide continuity of services for incarcerated individuals;

(B) expand current employment readiness programs within the facility by building pathways for coordinated transition to employment;

(C) focus on the first six months after individuals are released from the facility;

(D) coordinate with local community resources, parole and probation offices, and other supports to ensure successful transition into the community;

(E) assist individuals in successfully transitioning into new jobs; and

(F) work with employers to support successful hiring and best practices to support incarcerated individuals.

(c) Report. On or before January 15, 2023, the Department of Corrections shall create and submit a report on workforce and education training programs in correctional facilities to the Joint Legislative Justice Oversight Committee; the House Committees on Corrections and Institutions and on Commerce and Economic Development; and the Senate Committees on Economic Development, Housing and General Affairs and on Judiciary. The report shall:

(1) identify program design, logistical needs, and policy changes to current Department of Corrections facility-based training and educational programs necessary to successfully enable incarcerated individuals' reintegration into their communities, including changes to programs that enhance individuals' skill development, knowledge, and other support needed to qualify for and secure a position in a critical occupation in Vermont;

(2) identify disparities of outcomes and recommend solutions for incarcerated Black, Indigenous, and Persons of Color concerning facility-based training, educational programming, and successful community reintegration;

(3) provide an update on the Department of Corrections' use of education and vocational enhancement funding in fiscal year 2023;

(4) provide recommendations on what aspects of the pilot program should be replicated in other correctional facilities in Vermont; and

(5) provide recommended legislation for the continuation of the pilot program or any changes.

Sec. 7. INTENT

It is the intent of the General Assembly to improve the recruitment and retention of correctional officers to ensure adequate staffing and safe working conditions in facilities operated by the Department of Corrections.

Sec. 8. IMPROVEMENT OF CORRECTIONAL OFFICER

RECRUITMENT AND RETENTION; REPORT

(a) On or before January 15, 2023, the Secretary of Human Services, in consultation with the Commissioners of Corrections and of Human Resources, shall submit a written report to the House Committees on Appropriations, on Commerce and Economic Development, on Corrections and Institutions, and on Government Operations and the Senate Committees on Appropriations, on Government Operations, and on Judiciary identifying conditions that pose an obstacle to the successful recruitment and retention of correctional officers and

setting forth a plan to improve the recruitment and retention of correctional officers.

(b)(1) The report shall specifically analyze the impact of the following on the recruitment and retention of correctional officers:

(A) wages and benefits;

(B) terms and conditions of employment;

(C) working conditions in Department of Corrections facilities, including health and safety issues and the physical condition of the facilities; and

(D) staffing levels and overtime.

(2) The report shall, for each of the issues examined pursuant to subdivision (1) of this subsection, analyze how the following states compare to Vermont and shall identify any best practices in those states that could improve recruitment and retention of correctional officers in Vermont:

(A) Maine;

(B) New Hampshire;

(C) New York;

(D) Massachusetts;

(E) Rhode Island; and

(F) Connecticut.

(c) The report shall, as part of the plan to improve the recruitment and retention of correctional officers, identify specific administrative and legislative actions that are necessary to successfully improve the recruitment and retention of correctional officers.

Sec. 9. ASSESSMENT OF RECRUITMENT AND RETENTION INITIATIVES; REPORT

(a) On or before January 15, 2023, the Secretary of Human Services, in consultation with the Commissioner of Human Resources, shall submit to the House and Senate Committees on Appropriations a report regarding the use of funds appropriated pursuant to 2022 Acts and Resolves, No. 83:

(1) Sec. 14 for employee recruitment and retention at:

(A) the secure residential recovery facility; and

(B) the Vermont Psychiatric Care Hospital;

(2) Sec. 68 for employee retention with respect to:

(A) the Department of Corrections; and

(B) the Vermont Veteran's Home; and

(3) Sec. 72 for workforce recruitment and retention incentives with respect to designated and specialized service agencies, including shared living providers.

(b) The report shall assess how effective the appropriations identified pursuant to subsection (a) of this section were in addressing issues related to employee recruitment and retention; identify any ongoing or remaining employee recruitment and retention challenges that the recipients have; and identify any potential legislative, administrative, or programmatic changes that can address those ongoing or remaining employee retention issues.

(c) The report shall also include a recommendation as to whether and how to appropriate additional funds in the 2023 Budget Adjustment Act to address ongoing recruitment and retention challenges at:

(1) the Vermont Veteran's Home;

(2) the Vermont Psychiatric Care Hospital;

(3) the secure residential recovery facility;

(4) designated and specialized service agencies; and

(5) the Department of Corrections' facilities with respect to individuals employed as a Correctional Officer I or a Correctional Officer II.

Sec. 10. REPEALS

10 V.S.A. §§ 544 and 545 are repealed.

Sec. 11. 10 V.S.A. § 547 is added to read:

§ 547. WORK-BASED LEARNING AND TRAINING PROGRAM

(a) Vermont Work-Based Learning and Training Program. The Department of Labor shall develop the statewide Work-Based Learning and Training Program that serves transitioning secondary and postsecondary students and Vermonters seeking work-based experience as part of a career experience or change and is designed to:

(1) support Vermonters who are graduating from postsecondary education or a secondary CTE program or who are pursuing a career change with a paid on-the-job work experience lasting 12 weeks or fewer;

(2) establish a statewide platform available to all employers to list their internships, returnships, pre-apprenticeships, and registered apprenticeship

opportunities and for jobseekers to view and access information about specific opportunities; and

(3) support employers by providing them with assistance in developing and implementing meaningful work-based learning and training opportunities.

(b) Definitions. As used in this section:

(1) “Internship” means a work-based learning experience with an employer where the participant may, but does not necessarily, receive academic credit.

(2) “Returnship” means an on-the-job learning experience for an individual who is returning to the workforce after an extended absence or is seeking a limited-duration on-the-job work experience in a different occupation or occupational setting as part of a career change.

(c) Activities. The Department may use funds appropriated to it for the Program to:

(1) build and administer the Program;

(2) develop an online platform that will connect students and jobseekers with work-based learning and training opportunities within Vermont;

(3) support work-based learning and training opportunities with public and private employers available to prospective workers located in or relocating to Vermont;

(4) promote work-based learning and training as a valuable component of a talent pipeline; and

(5) assist employers in developing meaningful work-based learning and training opportunities.

(d) Data. The Department shall collect the following data:

(1) the total number of participants served;

(2) the number of participants who received wage assistance or other financial assistance as part of this Program and their employment status one year after completion;

(3) the average wage of participants in subdivision (2) of this subsection at the start of the Program and the average wage of participants one year after completion;

(4) the number of work-based learning or training opportunities listed on the platform; and

(5) the number of employers who offered a work-based learning or training opportunity.

(e) State participation. The Department shall engage appropriate State agencies and departments to expand Program opportunities with State government and with entities awarded State contracts.

(f) Reporting. On or before February 15, 2023, the Department shall report Program data to the relevant committees of jurisdiction.

Sec. 12. WORK-BASED LEARNING AND TRAINING PROGRAM;

APPROPRIATION

In fiscal year 2023, the amount of \$1,500,000.00 is appropriated from the General Fund to the Department of Labor to implement the Vermont Work-Based Learning and Training Program created in Sec. 11 of this act. Of this amount, the Department may use not more than \$100,000.00 for the cost of administration.

Sec. 13. SECONDARY STUDENT INDUSTRY-RECOGNIZED

CREDENTIAL PILOT PROJECT

(a) Pilot Project creation. The Department of Labor, in consultation with the Agency of Education, shall design and implement the Secondary Student Industry-Recognized Credential Pilot Project to provide funding for an eligible secondary student to take an eligible adult career and technical education course.

(b) Eligible courses. A course is eligible for the Pilot Project if it is:

(1) offered at a regional CTE center, as defined in 16 V.S.A. § 1522(4), and qualifies as adult career technical education or postsecondary career technical education, as defined in 16 V.S.A. § 1522(11) and (12);

(2) offered during the summer, evening or weekend while secondary school is in session or during the summer; and

(3) included as an element of the student's personalized learning plan and reasonably related to the student's career goals.

(c) Eligible student. A student is eligible for the Pilot Project if:

(1) the student is a Vermont resident attending a Vermont public school or an independent secondary school that is eligible for public funding;

(2) the student has completed grade 11 and has not received a high school diploma; and

(3) the student's secondary school and the regional CTE center determine that the student:

(A) is prepared to succeed in the course;

(B) meets the prerequisites for the course; and

(C) has exhausted other sources of available funding prior to submitting an application.

(d) Administration.

(1) Not later than 30 days after the effective date of this section, the Department of Labor, in consultation with the Agency of Education, shall develop and make available an application for funding that includes:

(A) student's enrollment status;

(B) course information;

(C) a copy of the student's personalized learning plan;

(D) attestation that the secondary and adult career technical education programs find the program of study appropriate for the student;

(E) description of federal and local funding sources that were explored but insufficient or unavailable for use by the student; and

(F) other information the Department requires to determine eligibility.

(2) A student's secondary school shall timely complete and submit an application to the Department of Labor on behalf of the student.

(3) The Department of Labor shall:

(A) review the application and, if appropriate, meet with the student to determine eligibility for existing federal and State programs, including WIOA Title I Youth (in-school) and the Vermont Youth Employment Program; and

(B) provide a copy of the application to the Agency of Education, which shall determine whether Agency funding is available and notify the Department of its determination within 10 business days.

(4) The Department shall provide funding for the tuition cost for one course to eligible students on a first-come, first-served basis:

(A) from State or federal sources that are available through the Department or Agency; or

(B) if funding is unavailable from those sources, from the amounts available in the Department's fiscal year 2023 budget, not to exceed \$100,000.00.

(5) For students who meet annual low-income qualifications under the Workforce Innovation and Opportunity Act, the Department may provide funds to purchase books, supplies, exam fees, and equipment.

(6) A regional CTE center shall not receive more than \$20,000.00 through the program in each fiscal year.

(e) Regional CTE center report. The Department of Labor shall require a report from each regional CTE center providing information to support the Department's reporting requirements in subsections (f) and (g) of this section.

(f) Interim Report. The Department of Labor and Agency of Education shall report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, and the Senate Committee on Economic Development, Housing and General Affairs on or before the January 15, 2023 regarding the use of funds, including data relating to student circumstances, levels of participation, and how local school districts are able or unable to meet the career preparation and training needs of secondary students using the program.

(g) Final report. The Department of Labor and Agency of Education shall report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on Ways and Means, and the Senate Committee on Finance within 45 days following the end of the fiscal year or exhaustion of funds, whichever comes first, regarding the use of funds, including data relating to the number of participants, student circumstances, levels of participation, what certifications were issued, how local school districts are able or unable to meet the career preparation and training needs of secondary students using the program, and recommendations on how to address gaps in access and funding for secondary students seeking professional certifications not offered through the secondary education system.

Sec. 14. THE VERMONT TRADES SCHOLARSHIP PROGRAM

(a) The Vermont Trades Scholarship Program is created and shall be administered by the Vermont Student Assistance Corporation. The Vermont Student Assistance Corporation shall disburse initial licensing fees, exam fees, and tuition payments under the Program on behalf of eligible individuals, subject to the appropriation of funds by the General Assembly for this purpose.

(b) To be eligible for a scholarship under the Program, an individual, whether a resident or nonresident, shall:

(1) be enrolled in an industry-recognized training and certification program that leads to initial employment or career advancement in a building, mechanical, industrial, or medical trade; emergency services, including paramedics; energy, including clean energy, energy efficiency, or weatherization; transportation, including clean transportation; broadband; robotics; or other high-demand sector;

(2) demonstrate financial need;

(3) register with the Vermont Department of Labor for the purpose of receiving relevant job referrals, if unemployed; and

(4) agree to work in their profession in Vermont for a minimum of one year following licensure or certification completion for each year of scholarship awarded.

(c)(1) The Corporation shall give preference to students attending a Vermont-based training program or, if one isn't available for their certification, an offer of employment or promotion from a Vermont employer upon completion.

(2) The Corporation shall give priority to applicants who have not received other assistance.

(d) There shall be no deadline to apply for a scholarship under this section. Scholarships shall be awarded on a rolling basis if funds are available, and any funds remaining at the end of a fiscal year shall roll over and shall be available to the Vermont Student Assistance Corporation in the following fiscal year to award additional scholarships as set forth in this section.

(e) In fiscal year 2023, the amount of \$3,000,000.00 is appropriated from the General Fund to the Vermont Student Assistance Corporation for scholarships for trade students under the Vermont Trades Scholarship Program.

Sec. 15. EMERGENCY MEDICAL SERVICES; OUTREACH

(a) The Department of Health, the Department of Labor, and the Vermont Student Assistance Corporation shall coordinate outreach efforts to ensure that emergency service personnel are aware of, and able to access, the opportunities for professional development available through programs in this act.

(b) On or before January 15, 2023, the Department of Health, in consultation with the Department of Labor, shall submit to the House Committees on Commerce and Economic Development, on Health Care, and on Appropriations and to the Senate Committees on Economic Development,

Housing and General Affairs, on Health and Welfare, and on Appropriations a proposal for a sustainable funding model to provide financial, education, and workforce development support to emergency medical service professionals.

Sec. 16. CTE CONSTRUCTION AND REHABILITATION

EXPERIENTIAL LEARNING PROGRAM; REVOLVING LOAN
FUND

(a) Purpose. This section authorizes and provides funding for the CTE Construction and Rehabilitation Experiential Learning Program and Revolving Loan Fund, the purposes of which are to:

(1) expand the experiential and educational opportunities for high school and adult CTE students to work directly on construction projects;

(2) build community partnerships among CTE centers, housing organizations, government, and private businesses;

(3) beautify communities and rehabilitate buildings that are underperforming assets;

(4) expand housing access to Vermonters in communities throughout the State; and

(5) improve property values while teaching high school and adult students trade skills.

(b) Appropriation; creation of fund; administration.

(1) In fiscal year 2023, the amount of \$15,000,000.00 is appropriated from the Education Fund to the Vermont Housing and Conservation Board to create and administer the CTE Construction and Rehabilitation Experiential Learning Program and Revolving Loan Fund pursuant to this section.

(2) The Board may use not more than five percent of the Fund for its costs of administration.

(c) Proposals; applications; funding.

(1) A regional CTE center, working in collaboration with one or more housing and community partners, private businesses, nonprofit organizations, or municipalities, shall identify construction projects that would be relevant and appropriate for CTE students enrolled in construction, electrical, plumbing, design, business management, or other CTE programs, including:

(A) rehabilitation of residential properties that are blighted or not code-compliant;

(B) new residential construction projects or improvements to land in cases of critical community need; and

(C) commercial construction projects that have substantial community benefit.

(2) Prior to or during the application process, a CTE center and its partners shall consult with the Board to identify and consider potential funding partners to leverage amounts available through the Fund.

(3) A CTE center and its partners shall apply to the Board for funding by submitting a project application that includes the information required by the Board and addresses the following:

(A) the educational benefits for students and fit with the CTE curriculum;

(B) the community benefits for the neighborhood, municipality, or region in which the project is located; and

(C) the partners with whom the CTE center is collaborating and the respective responsibility for the aspects of a project, including:

(i) educational instruction and academic credit;

(ii) project management;

(iii) insurance coverage for students and the property;

(iv) compensation and benefits, including compliance with labor laws, standards, and practices; and

(v) property acquisition, ownership, and transfer.

(4) A CTE center may use funding for, and shall specify in its application the allocation of costs associated with:

(A) acquisition, design, permitting, construction, marketing, and other building-related expenses; and

(B) costs for labor, including for student wages and for instructor compensation during the academic year as well as for summer or other work that is not otherwise budgeted during the academic year.

(d) Eligibility; review; approval. The Board may approve an application that includes the information required by subsection (c) of this section and provide funding for a project that meets the following eligibility criteria:

(1) The project involves the rehabilitation of blighted or otherwise noncode compliant property, or new residential construction projects or

improvements to land in cases of critical need, and results in a building with not more than four residential dwelling units.

(2) The project includes a weatherization component.

(3) Students working on the project receive academic credit, a competitive wage, or both.

(e) Affordability; flexibility. If appropriate in the circumstances, the Board shall condition funding for a project on the inclusion of one or mechanisms addressing the affordability of the property upon rent or sale.

(f) Funding; proceeds; revolving loans. The Board shall provide funding for projects from the amounts available in the Fund in the form of zero-interest loans, in an amount, for a period, and upon terms specified by the Board, including how CTE center costs, profits, and losses are accounted.

(g) Report. The Board shall address the implementation of this section in its annual report to the General Assembly.

Secs. 17–18. [Deleted.]

Sec. 19. HEALTH CARE WORKFORCE; LEGISLATIVE INTENT

(a) The General Assembly values all health care workers, at every level and in each component of the health care system. The General Assembly also acknowledges the many struggles faced by health care workers and that the pandemic has placed further strain on an already taxed system. Many health care workers have not had their pay adjusted over time to address increases in the cost of living, essentially amounting to pay cuts from year to year. Health care workers have experienced burnout, trauma, and moral injuries due to a history of underfunding and the present stress of the pandemic. In addition, the combination of the pandemic and continued health care workforce shortages has created an unsustainable reliance on traveling nurses that must be addressed.

(b) In order to retain and recruit health care workers in Vermont, it is the intent of the General Assembly to invest in multiple solutions aimed at reinforcing our health care workforce in the present and sustaining our health care workers into the future.

Sec. 20. EMERGENCY GRANTS TO SUPPORT NURSE FACULTY AND STAFF

(a) In fiscal year 2023, the amount of \$2,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health and shall carry forward for the purpose of providing emergency interim grants to Vermont’s nursing schools over three

years to increase the compensation for their nurse faculty and staff, with equal amounts to be distributed in each of fiscal years 2023, 2024, and 2025 to increase the compensation for each full-time-equivalent (FTE) member of the clinical and didactic nurse faculty and staff. The Department shall distribute the funds among the nursing schools in Vermont equitably based on each school's proportion of nursing faculty and staff to the total number of FTE nursing faculty and staff across all nursing schools statewide.

(b) If the nurse faculty or staff, or both, of a nursing school receiving a grant under this section are subject to a collective bargaining agreement, the use of the grant funds provided to the nursing school for those faculty or staff, or both, shall be subject to impact bargaining between the nursing school and the collective bargaining representative of the nurse faculty or staff, or both, to the extent required by the applicable collective bargaining agreement.

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

(a)(1) In fiscal year 2023, the amount of \$400,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Human Services to provide incentive grants to nurses employed by critical access hospitals in Vermont for serving as preceptors for nursing students enrolled in Vermont nursing school programs. The Agency shall distribute the funds to critical access hospitals employing nurses who provide student preceptor supervision based on the number of preceptor hours to be provided, at a rate of \$5.00 per preceptor hour, or a lesser hourly rate if the need exceeds the available funds. The Agency shall prioritize funding for hospitals that provide matching funds for additional preceptor compensation or that commit to providing future compensation and support to expanding the number of preceptors.

(2) If nurse preceptors receiving compensation pursuant to a grant awarded to a hospital under this section are subject to a collective bargaining agreement, the use of the grant funds provided to the hospital for the nurse preceptors shall be subject to impact bargaining between the hospital and the collective bargaining representative of the nurses to the extent required by the collective bargaining agreement.

(b)(1) The Director of Health Care Reform or designee in the Agency of Human Services shall convene a working group of stakeholders representing nursing schools, the Vermont Area Health Education Centers, long-term care facilities, designated and specialized service agencies, federally qualified health centers, home health agencies, primary care practices, hospitals, and other health care facilities to:

(A) identify ways to increase clinical placement opportunities across a variety of health care settings for nursing students enrolled in Vermont nursing school programs, including exploring opportunities for participation through remote means;

(B) establish sustainable funding models for compensating nurses serving as preceptors or for supporting the hiring of additional nurses to alleviate the pressures on nurse preceptors, or both; and

(C) develop an action plan for implementing the clinical placement expansion and sustainable funding models identified and established pursuant to subdivisions (A) and (B) of this subdivision (1), including addressing the need for student housing opportunities.

(2) On or before January 15, 2023, the Director of Health Care Reform shall provide the working group's action plan and any recommendations for legislative action to the House Committees on Health Care, on Commerce and Economic Development, and on Appropriations and the Senate Committees on Health and Welfare, on Economic Development, Housing and General Affairs, and on Appropriations.

Sec. 22. HEALTH CARE EMPLOYER NURSING PIPELINE AND APPRENTICESHIP PROGRAM

(a) In fiscal year 2023, the amount of \$2,500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Human Services and shall carry forward for the purpose of providing grants to health care employers, including hospitals, long-term care facilities, designated and specialized service agencies, federally qualified health centers, and other health care providers, to establish or expand partnerships with Vermont nursing schools to create nursing pipeline or apprenticeship programs, or both, that will train members of the health care employers' existing staff, including personal care attendants, licensed nursing assistants, and licensed practical nurses, to become higher-level nursing professionals. Through a combination of scholarship awards, grants awarded to health care employers pursuant to this section, and the health care employer's contributions, the trainees' tuition and fees shall be covered in full, and trainees shall be provided with assistance in meeting their living costs, such as housing and child care, while attending the program.

(b) In awarding grants pursuant to this section, the Agency of Human Services shall give priority to health care employer proposals based on the following criteria:

(1) the extent to which the health care employer proposes to participate financially in the program;

(2) the extent of the health care employer's commitment to sustaining the program financially, including providing financial support for nurse preceptors, to create ongoing opportunities for educational advancement in nursing;

(3) the ability of the health care employer's staff to leverage nursing scholarship opportunities to maximize the reach of the grant funds;

(4) the employer's demonstrated ability to retain nursing students in the Vermont nursing workforce;

(5) the employer's geographic location, in order to ensure access to pipeline and apprenticeship programs for nursing staff across Vermont; and

(6) the employer's commitment to advancing the professional development of individuals from marginalized communities, especially those that have been historically disadvantaged in accessing educational opportunities and career advancement in the health care professions.

(c)(1) The Agency of Human Services shall begin awarding grants under this section expeditiously in order to enable health care employer staff to begin enrolling in nursing school programs that commence in the fall of 2022.

(2) On or before September 15, 2022, the Agency of Human Services shall provide an update to the Health Reform Oversight Committee on the status of program implementation.

Sec. 23. 18 V.S.A. § 34 is added to read:

§ 34. VERMONT NURSING 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 Nursing Forgivable Loan Incentive Program created under this section.

(b) The Vermont Nursing 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 nurse 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 nursing 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 nurse in Vermont employed directly by a Vermont health care provider 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)(1) First priority for forgivable loan funds shall be given to students pursuing a practical nursing certificate who will be eligible to sit for the NCLEX-PN examination upon completion of the certificate.

(2) Second priority for forgivable loan funds shall be given to students pursuing an associate's degree in nursing who will be eligible to sit for the NCLEX-RN examination upon graduation.

(3) Third priority for forgivable loan funds shall be given to students pursuing a bachelor of science degree in nursing.

(4) Fourth priority shall be given to students pursuing graduate nursing education.

(f) In addition to the priorities established in subsection (e) of this section, students attending an eligible school in Vermont shall receive first priority for forgivable loans.

(g)(1) If an eligible individual fails to serve as a nurse 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.

(2) Employment as a traveling nurse shall not be construed to satisfy the service commitment required for a forgivable loan under this section.

(h) 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.

(i) The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section, including maximum forgivable loan amounts.

Sec. 24. EDUCATIONAL ASSISTANCE FOR NURSING STUDENTS;

TRANSITION; REPEAL

(a) The Vermont Nursing Forgivable Loan Incentive Program established in 18 V.S.A. § 34 by Sec. 23 of this act is intended to be the continuation of the program set forth in 2020 Acts and Resolves No. 155, Sec. 5 and the successor to the program originally established in 18 V.S.A. § 31.

(b) 18 V.S.A. § 31 (educational assistance; incentives; nurses) is repealed.

Sec. 25. VERMONT NURSING FORGIVABLE LOAN INCENTIVE

PROGRAM; APPROPRIATION

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

(b) In fiscal year 2023, the amount of \$100,00.00 is appropriated from the General Fund to the Agency of Human Services, Global Commitment

appropriation for the State match for the Vermont Nursing Forgivable Loan Incentive Program established in 18 V.S.A. § 34 by Sec. 23 of this act.

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

Sec. 26. 18 V.S.A. § 35 is added to read:

§ 35. VERMONT HEALTH CARE PROFESSIONAL LOAN REPAYMENT PROGRAM

(a) As used in this section:

(1) “AHEC” means the Vermont Area Health Education Centers program.

(2) “Eligible individual” means an individual who satisfies the eligibility requirements for loan repayment under this section.

(3) “Eligible school” means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(4) “Loan repayment” means the cancellation and repayment of loans under this section.

(5) “Loans” means education loans guaranteed, made, financed, serviced, or otherwise administered by an accredited educational lender for attendance at an eligible school.

(6) “Program” means the Vermont Health Care Professional Loan Repayment Program created under this section.

(b) The Vermont Health Care Professional Loan Repayment Program is created and shall be administered by the Department of Health in collaboration with AHEC. The Program provides loan repayment on behalf of individuals who live and work in this State as a nurse, physician assistant, medical technician, child psychiatrist, or primary care provider and who meet the eligibility requirements in subsection (d) of this section.

(c) The loan repayment benefits provided under the Program shall be paid on behalf of the eligible individual by AHEC, subject to the appropriation of funds by the General Assembly for this purpose.

(d) To be eligible for loan repayment under the Program, an individual shall satisfy all of the following requirements:

(1) have graduated from an eligible school where the individual was awarded a degree in nursing, physician assistant studies, medicine, osteopathic

medicine, or naturopathic medicine, or a two- or four-year degree that qualifies the individual to be a medical technician;

(2) work in this State as a nurse, physician assistant, medical technician, child psychiatrist, or primary care provider; and

(3) be a resident of Vermont.

(e)(1) An eligible individual shall be entitled to an amount of loan cancellation and repayment under this section equal to one year of loans for each year of service as a nurse, physician assistant, medical technician, child psychiatrist, or primary care provider in this State. Employment as a traveling nurse shall not be construed to satisfy the service commitment required for loan repayment under this section.

(2) AHEC shall award loan repayments in amounts that are sufficient to attract high-quality candidates while also making a meaningful increase in Vermont's health care professional workforce.

Sec. 27. VERMONT HEALTH CARE PROFESSIONAL LOAN

REPAYMENT PROGRAM; APPROPRIATION

(a) In fiscal year 2023, the amount of \$2,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health for loan repayment for nurses and physician assistants under the Vermont Health Care Professional Loan Repayment Program established in Sec. 26 of this act.

(b) In fiscal year 2023, the amount of \$500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health for loan repayment for medical technicians, child psychiatrists, and primary care providers under the Vermont Health Care Professional Loan Repayment Program established in Sec. 26 of this act. If any funds remain in the appropriation pursuant to subsection (a) of this section after the needs of all eligible nurse and physician assistant applicants have been met, the Department may use those funds in fiscal year 2023 for additional loan repayment for medical technicians, child psychiatrists, and primary care providers under the Program.

Sec. 28. 18 V.S.A. § 36 is added to read:

§ 36. NURSE FACULTY 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) “Nurse faculty member” or “member of the nurse faculty” means an individual with a master’s or doctoral degree that qualifies the individual to teach at a nursing school in this State.

(6) “Program” means the Nurse Faculty Forgivable Loan Program created under this section.

(b) The Nurse Faculty Forgivable Loan 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 member of the nurse faculty at a nursing school 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 that leads to a graduate degree in nursing;

(2) maintain good standing at the eligible school at which the individual is enrolled;

(3) agree to work as a member of the nurse faculty at a nursing school 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 (e) 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 nurse faculty member at a nursing school 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 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. 29. NURSE FACULTY FORGIVABLE LOAN PROGRAM;

APPROPRIATION

In fiscal year 2023, the amount of \$500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health for forgivable loans for nurse faculty members under the Nurse Faculty Forgivable Loan Program established in Sec. 28 of this act.

Sec. 29a. 18 V.S.A. § 37 is added to read:

§ 37. NURSE FACULTY LOAN REPAYMENT PROGRAM

(a) As used in this section:

(1) "AHEC" means the Vermont Area Health Education Centers program.

(2) "Eligible individual" means an individual who satisfies the eligibility requirements under this section for loan repayment.

(3) "Eligible school" means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(4) "Loan repayment" means the cancellation and repayment of loans under this section.

(5) “Loans” means education loans guaranteed, made, financed, serviced, or otherwise administered by an accredited educational lender for attendance at an eligible school.

(6) “Nurse faculty member” or “member of the nurse faculty” means a nurse with a master’s or doctoral degree that qualifies the individual to teach at a nursing school in this State.

(7) “Program” means the Nurse Faculty Loan Repayment Program created under this section.

(b) The Nurse Faculty Loan Repayment Program is created and shall be administered by the Department of Health in collaboration with AHEC. The Program provides loan repayment on behalf of individuals who work as nurse faculty members at a nursing school in this State and who meet the eligibility requirements in subsection (d) of this section.

(c) The loan repayment benefits provided under the Program shall be paid on behalf of the eligible individual by AHEC, subject to the appropriation of funds by the General Assembly for this purpose.

(d) To be eligible for loan repayment under the Program, an individual shall satisfy all of the following requirements:

(1) graduated from an eligible school where the individual was awarded a graduate degree in nursing;

(2) work as a member of the nurse faculty at a nursing school in this State; and

(3) be a resident of Vermont.

(e) An eligible individual shall be entitled to an amount of loan cancellation and repayment under this section equal to one year of loans for each year of service as a member of the nurse faculty at a nursing school in this State.

Sec. 29b. NURSE FACULTY LOAN REPAYMENT PROGRAM;

APPROPRIATION

In fiscal year 2023, the amount of \$500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health for loan repayment for nurse faculty members under the Nurse Faculty Loan Repayment Program established in Sec. 29a of this act.

Sec. 29c. 18 V.S.A. § 38 is added to read:

§ 38. VERMONT MENTAL HEALTH PROFESSIONAL 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 Mental Health Professional Forgivable Loan Incentive Program created under this section.

(b) The Vermont Mental Health Professional 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 a master’s program at an eligible school who commit to working as a mental health professional 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 in a mental health field;

(2) maintain good standing at the eligible school at which the individual is enrolled;

(3) agree to work as a mental health professional 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 (e) 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)(1) First priority for forgivable loans shall be given to students attending an eligible school in the Vermont State Colleges System.

(2) Second priority for forgivable loans shall be given to students attending another eligible school in Vermont.

(f) If an eligible individual fails to serve as a mental health professional 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.

(g) The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section, including maximum forgivable loan amounts.

Sec. 29d. VERMONT MENTAL HEALTH PROFESSIONAL
FORGIVABLE LOAN INCENTIVE PROGRAM;
APPROPRIATION

In fiscal year 2023, the amount of \$1,500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Department of Health for forgivable loans under the Vermont Mental Health Professional Forgivable Loan Incentive Program established in Sec. 29c of this act.

Sec. 29e. AGENCY OF HUMAN SERVICES; DESIGNATED AND
SPECIALIZED SERVICE AGENCIES; WORKFORCE
DEVELOPMENT

(a) In fiscal year 2023, the amount of \$1,250,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Human Services to be distributed to the designated and specialized service agencies equitably based on each agency's proportion of full-time-equivalent (FTE) mental health and substance use disorder treatment staff to the total number of FTE mental health and substance use disorder treatment staff across all designated and specialized service agencies statewide. The designated and specialized service agencies shall use these funds for loan repayment and tuition assistance to promote the recruitment and retention of high-quality mental health and substance use disorder treatment professionals available to Vermont residents in need of their services, as set forth in subsection (b) of this section.

(b)(1) Each designated and specialized service agency shall make the funds received pursuant to subsection (a) of this section available to its current and prospective employees as set forth in subdivisions (A) and (B) of this subdivision (1) on a rolling basis in exchange for a one-year service obligation to provide mental health services or substance use disorder treatment services, or both, at a designated or specialized service agency in this State. The funds may be used for the following purposes:

(A) loan repayment for master's-level clinicians, bachelor's-level direct service staff, and nurses; and

(B) tuition assistance for individuals pursuing degrees to become master's-level clinicians, bachelor's-level direct service staff, and nurses.

(2) Loan repayment and tuition assistance funds shall be available to the current and prospective employees of designated and specialized service agencies in the form of forgivable loans, with the debt forgiven upon the employee's completion of the required service obligation.

(c) On or before March 1, 2023, the Agency of Human Services shall make a presentation available to the House Committees on Appropriations, on Health Care, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare on the use of the funds appropriated in this section.

Sec. 30. 18 V.S.A. § 9456 is amended to read:

§ 9456. BUDGET REVIEW

(a) The Board shall conduct reviews of each hospital's proposed budget based on the information provided pursuant to this subchapter and in accordance with a schedule established by the Board.

(b) In conjunction with budget reviews, the Board shall:

* * *

(10) require each hospital to provide information on administrative costs, as defined by the Board, including specific information on the amounts spent on marketing and advertising costs; ~~and~~

(11) require each hospital to create or maintain connectivity to the State's Health Information Exchange Network in accordance with the criteria established by the Vermont Information Technology Leaders, Inc., pursuant to subsection 9352(i) of this title, provided that the Board shall not require a hospital to create a level of connectivity that the State's Exchange is unable to support;

(12) review the hospital's investments in workforce development initiatives, including nursing workforce pipeline collaborations with nursing schools and compensation and other support for nurse preceptors; and

(13) consider the salaries for the hospital's executive and clinical leadership and the hospital's salary spread, including a comparison of median salaries to the medians of northern New England states.

* * *

Sec. 31. GREEN MOUNTAIN CARE BOARD; FISCAL YEAR 2023

HOSPITAL BUDGET REVIEW; NURSING WORKFORCE

DEVELOPMENT INITIATIVES

For hospital fiscal year 2023, the Green Mountain Care Board may exclude all or a portion of a hospital's investments in nursing workforce development initiatives from any otherwise applicable financial limitations on the hospital's budget or budget growth. Notwithstanding any provision of GMCB Rule 3.202, the Board may modify its hospital budget guidance for hospital fiscal year 2023 as needed to comply with this section.

Sec. 32. AGENCY OF HUMAN SERVICES; HEALTH CARE
WORKFORCE DATA CENTER

(a) In fiscal year 2023, the amount of \$750,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Office of Health Care Reform in the Agency of Human Services to enable the Agency to establish and operate the statewide Health Care Workforce Data Center. In order to enhance the State’s public health data systems, respond to the COVID-19 public health emergency, and improve the State’s COVID-19 mitigation and prevention efforts, the Center shall collect health care workforce data, shall collaborate with the Director of Health Care Reform to identify and propose solutions to address data gaps, and shall share the data with the Green Mountain Care Board as appropriate to inform the Board’s Health Resource Allocation Plan responsibilities pursuant to 18 V.S.A. § 9405.

(b) The Center shall use existing statewide information to the extent practicable to avoid imposing administrative burdens on health care providers and to avoid duplication of efforts underway elsewhere in Vermont. The Center shall expand its data collection practices over two years to include all levels of the health care workforce, beginning with the highest-level licensed health care professionals.

(c) In order to ensure the Center has access to accurate and timely health care workforce data, the Center:

(1) shall have the cooperation of other State agencies and departments in responding to the Center’s requests for information;

(2) may enter into data use agreements with institutions of higher education and other public and private entities, to the extent permitted under State and federal law; and

(3) may collect vacancy and turnover information from health care employers.

(d) One permanent classified Health Care Workforce Data Center Manager position is created in the Agency of Human Services, Office of Health Care Reform in fiscal year 2023 to manage the Health Care Workforce Data Center created pursuant to this section.

(e) The Agency of Human Services may include proposals for additional funding or data access, or both, for the Center as part of the Agency’s fiscal year 2024 budget request.

Sec. 33. [Deleted.]

Sec. 34. AGENCY OF HUMAN SERVICES; POSITION; A R R A
APPROPRIATION

(a) One classified, three-year limited-service Health Care Workforce Coordinator position is created in the Agency of Human Services, Office of Health Care Reform in fiscal year 2023 to support the health care workforce initiatives set forth in this act and in the Health Care Workforce Development Strategic Plan. The Coordinator shall focus on building educational, clinical, and housing partnerships and support structures to increase and improve health care workforce training, recruitment, and retention.

(b) In fiscal year 2023, the amount of \$170,000.00 is appropriated from the American Rescue Plan Act AR A coronavirus State fiscal Recovery funds to the Agency of Human Services, Office of Health Care Reform for the Health Care Workforce Coordinator position, of which 20,000.00 is for personal services and 0,000.00 is for operating expenses.

Sec. 35. DEPARTMENT OF LABOR; GREEN MOUNTAIN CARE BOARD; SUPPLY AND DEMAND MODELING

On or before January 1, 2023, the Department of Labor, in collaboration with the Green Mountain Care Board, shall explore and recommend to the House committees on Health Care, on Human Services, and on Commerce and Economic Development and the Senate committees on Health and Welfare and on Economic Development, Housing and General Affairs a process, methodology, and necessary funding amounts to establish and maintain the capacity to perform health care supply and demand modeling based on information in the Health Care Workforce Data Center, for use by health care employers, health care educators, and policymakers.

Sec. 36. AR M A A R G A GR

MOUNTAIN CARE BOARD; PRIOR AUTHORIZATIONS;
ADMINISTRATIVE COST REDUCTION; REPORT

(a) The Department of Financial Regulation shall explore the feasibility of requiring health insurers and their prior authorization vendors to access clinical data from the Vermont Health Information Exchange whenever possible to support prior authorization requests in situations in which a request cannot be automatically approved.

(b) The Department of Financial Regulation shall direct health insurers to provide prior authorization information to the Department in a format required by the Department in order to enable the Department to analyze opportunities to align and streamline prior authorization request processes. The Department shall share its findings and recommendations with the Green Mountain Care

Board, and the Department and the Board shall collaborate to provide recommendations to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance on or before January 15, 2023 regarding the statutory changes necessary to align and streamline prior authorization processes and requirements across health insurers.

Sec. 37. 33 V.S.A. § 3543 is amended to read:

§ 3543. STUDENT LOAN REPAYMENT ASSISTANCE

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

(2) An eligible individual shall:

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

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

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

(C) have earned an associates or bachelor's degree with a major or concentration in early childhood, child and human development, elementary education, special education with a birth to age eight focus, or child and family services within the preceding five years.

* * *

Sec. 38. [Deleted.]

Sec. 39. CREDENTIAL OF VALUE GOAL; PUBLIC-PRIVATE

PARTNERSHIP; APPROPRIATION

(a) Duties. In fiscal year 2023, the amount of \$150,000.00 is appropriated from the General Fund to the Vermont Student Assistance Corporation for a performance-based contract to perform the following duties, in coordination and alignment with State partners, 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 (Goal):

(1) increase public awareness of the value of postsecondary education and training to help persons of any age make informed decisions about the

value of education and training that would further their advancement in educational pathways and pursuit of career goals, through targeted outreach as outlined in subsection (b) of this section;

(2) promote a broad understanding of the public good and value in achieving the State's Goal and of actions stakeholders can take to increase attainment;

(3) assist or coordinate with stakeholders, such as educational, business, governmental, nonprofit, and philanthropic organizations, in activities that seek to align the delivery of high-quality education and training opportunities with career advancement and support the policy priorities outlined in 10 V.S.A. § 546;

(4) collect and display publicly available, nonconfidential information about postsecondary credentials available to Vermonters;

(5) facilitate conversations or provide information about the national best practices in aligning, recognizing, measuring, tracking, and promoting postsecondary credentials of value to the Vermont Department of Labor, the Agency of Commerce and Community Development, the State Workforce Development Board, and the Agency of Education when requested;

(6) maintain web-based resources that provide information about opportunities to obtain a postsecondary credential of value, in coordination with State partners;

(7) support the Vermont Department of Labor and Agency of Education transition or integration of Advance Vermont's web-based resources and collected information referenced in subdivisions (4) and (6) of this subsection into a State-supported system in a coordinated way; and

(8) meet on a quarterly basis with the Vermont Department of Labor and Agency of Education about activities described in this subsection.

(b) Outreach. The contractor may use funds awarded by the State to:

(1) create and distribute public-facing communications and resources related to the duties described in this section; and

(2) offer support to career and education counselors, employment and training counselors, jobseekers and their families, and other stakeholders, consistent with best practice and State policy and programs, to help them better understand the postsecondary education and training landscape.

(c) Reports. The contractor shall provide written reports to:

(1) the Vermont Department of Labor and Agency of Education about anticipated work and activities using a simplified reporting template jointly developed by the contractor and the State entities on a quarterly basis; and

(2) on or before December 15, 2022, the House and Senate committees of jurisdiction regarding the use of funds, activities performed, and outcomes achieved pursuant to this section.

Sec. 40. VERMONT SERVE, LEARN, AND EARN PROGRAM;

APPROPRIATION

(a) In fiscal year 2023, the amount of \$1,800,000.00 is appropriated from the General Fund to the Department of Forests, Parks and Recreation to continue funding through the pilot project 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.

(b) The Department shall provide the legislative committees of jurisdiction interim Program reports on or before January 15, 2023 and 2024 and a final Program report on or before January 15, 2025.

Sec. 41. ADULT EDUCATION AND LITERACY; FINDINGS

The General Assembly finds:

(1) Adult education and literacy services are a key piece of the workforce development system and serve as the entryway into career readiness and workforce development for tens of thousands of our most vulnerable Vermonters, those with low literacy, under-education, or those simply in need of increased skills so that they can succeed.

(2) 36,000 adults in Vermont do not have a high school credential, and tens of thousands more lack the skills to matriculate into and be successful in college, in career training programs, or both. Adult education and literacy providers are the first stop on the path to the transformative opportunities that Vermont is offering for these individuals.

(3) Adult education and literacy services help people build the assets they need to move out of poverty successfully, as well as the confidence to continue to move toward success throughout their lives. Students are supported

to identify concrete goals and then break those goals down into steps. Students set goals in the domains of:

- (A) family and life;
- (B) academics; and
- (C) career and college readiness.

Sec. 42. FINDINGS; FOREST FUTURE STRATEGIC ROADMAP

The General Assembly finds for the purposes of this section and Secs. 43 to 45 of this act:

(1) Private and public forestlands:

(A) constitute unique and irreplaceable resources, benefits, and values of statewide importance;

(B) contribute to the protection and conservation of wildlife habitat, air, water, and soil resources of the State;

(C) mitigate the effects of climate change; and

(D) benefit the general health and welfare of the persons of the State.

(2) The forest products sector, including maple sap collection:

(A) is a major contributor to and is valuable to the State's economy by providing nearly 14,000 jobs for Vermonters, generating \$2.1 billion in annual sales, and supporting \$30.8 million in additional economic activity from trail uses and seasonal tourism;

(B) is essential to the manufacture of forest products that are used and enjoyed by the persons of the State; and

(C) benefits the general welfare of the persons of the State.

(3) Private and public forestlands are critical for and contribute significantly to the State's outdoor recreation and tourism economies.

(4) Eighty percent of Vermont's forestland is held in private ownership, of which 56 percent of private lands are enrolled in the forestland category of Vermont's Use Value Appraisal Program (UVA). UVA is Vermont's most important conservation program and contains the largest foundation of supply to support a vibrant forest-based rural economy.

(5) Economic realities and demand pressures for urban, commercial, and residential land uses throughout the State continue to challenge forest landowners trying to maintain intact forests. Forest fragmentation can adversely affect the natural environment and viable forest management.

Addressing the economic and social needs of the forest products sector is paramount to keeping forests intact, viable, and healthy.

(6) The encouragement, development, improvement, and preservation of forestry operations will result in extant, intact, and functioning forests that will provide a general benefit to the health and welfare of the persons of the State and the State's economy.

(7) To strengthen, promote, and protect the Vermont forest products sector, the State should establish the Vermont Forest Future Strategic Roadmap.

Sec. 43. 10 V.S.A. chapter 82 is added to read:

CHAPTER 82. VERMONT FOREST FUTURE STRATEGIC ROADMAP

§ 2531. VERMONT FOREST FUTURE STRATEGIC ROADMAP

(a) Creation. The Commissioner of Forests, Parks and Recreation shall create the Vermont Forest Future Strategic Roadmap to strengthen, modernize, promote, and protect the forest products sector in Vermont. The Commissioner of Forests, Parks and Recreation may contract with a qualified contractor for the creation of the Vermont Forest Future Strategic Roadmap. During the contract proposal process, the Commissioner of Forests, Parks and Recreation shall seek a proposal to complete the Vermont Forest Future Strategic Roadmap from the Vermont Sustainable Jobs Fund.

(b) Intended outcomes. The intended outcomes of the Vermont Forest Future Strategic Roadmap are to:

(1) increase sustainable economic development and jobs in Vermont's forest economy;

(2) promote ways to expand the workforce and strengthen forest product enterprises in order to strengthen, modernize, promote, and protect the Vermont forest economy into the future;

(3) promote the importance of healthy, resilient, and sustainably managed working forests that provide a diverse array of high-quality products now and in the future; and

(4) identify actionable strategies designed to strengthen, modernize, promote, and protect the forest products sector in Vermont, including opportunities for new product development, opening new markets for Vermont forest products, adopting modern manufacturing processes, and utilizing new ways to market Vermont forest products.

(c) Strategic Roadmap content. In developing the Vermont Forest Future Strategic Roadmap, the Commissioner of Forests, Parks and Recreation or the relevant contractor shall:

(1) review all existing data, plans, and industry-level research completed over the past 10 years, including the Working Lands Enterprise Fund's Forest Sector Systems Analysis, and identify any recommendations in those reports in order to build upon previous efforts;

(2) identify infrastructure investment and funding to support and promote Vermont forest products enterprises;

(3) identify regulatory barriers and propose policy recommendations to support and strengthen the Vermont forest economy;

(4) identify opportunities for all State agencies to engage with and enhance the Vermont forest products sector, including the Department of Buildings and General Services, the Agency of Commerce and Community Development, the Department of Tourism and Marketing, the Agency of Education, the Agency of Transportation, the Department of Public Service, the Agency of Natural Resources, the Department of Financial Regulation, and the Department of Labor;

(5) develop recommendations to support education and training of the current and future workforce of the Vermont forest products sector;

(6) propose alternatives for the modernization of transportation and regulation of Vermont forest products enterprises, including modernization of local and State permits;

(7) identify methods or programs that Vermont forest enterprises can utilize to access business assistance services;

(8) recommend how to maintain access by Vermont forest products enterprises to forestland and how to maintain the stewardship and conservation of Vermont forests as a whole;

(9) propose methods to enhance market development and manufacturing by Vermont forest products enterprises, including value chain coordination and regional partnerships;

(10) recommend consumer education and marketing initiatives; and

(11) recommend how to clarify the roles of various public entities and nongovernmental organizations that provide certain services to the forestry sector and to ensure coordination and alignment of those functions in order to advance and maximize the strength of the forest products industry.

(d) Process for development of Vermont Forest Future Strategic Roadmap.

(1) The Commissioner of Forests, Parks and Recreation or relevant contractor shall develop the Vermont Forest Future Strategic Roadmap and all subsequent revisions through the use of a public stakeholder process that includes and invites participation by interested parties representing all users of Vermont's forests, including representatives of forest products enterprises, State agencies, investors, forestland owners, recreational interests, loggers, foresters, truckers, sawmills, firewood processors, wood products manufacturers, education representatives, and others.

(2) The Commissioner of Forests, Parks and Recreation, in collaboration with forest products sector stakeholders, shall review the Strategic Roadmap periodically and shall update the Strategic Roadmap at least every 10 years.

(e) Advisory panel; administration.

(1) The Commissioner of Forests, Parks and Recreation or relevant contractor shall convene a Vermont Forest Future Strategic Roadmap advisory panel to review and counsel in the development and implementation of the Vermont Forest Future Strategic Roadmap. The advisory panel shall include representatives of forest products enterprises, State agencies, investors, forestland owners, foresters, loggers, truckers, wood products manufacturers, recreational specialists, education representatives, trade organizations, and other partners as deemed appropriate. The Commissioner of Forests, Parks and Recreation shall select representatives to the advisory panel.

(2) The Commissioner of Forests, Parks and Recreation or relevant contractor may seek grants or other means of assistance to support the development and implementation of the Vermont Forest Future Strategic Roadmap.

Sec. 44. IMPLEMENTATION

(a) The Commissioner of Forests, Parks and Recreation or relevant contractor shall submit to the General Assembly:

(1) draft recommendations for the Vermont Forest Future Strategic Roadmap on or before July 1, 2023; and

(2) a final report and recommendations for the Vermont Forest Future Strategic Roadmap on or before January 1, 2024.

(b) Any recommendation submitted under this section shall include recommended appropriations sufficient to implement the recommendation or the Vermont Forest Future Strategic Roadmap as a whole.

Sec. 45. APPROPRIATIONS

In addition to any other funds appropriated to the Department of Forests, Parks and Recreation, in fiscal year 2023 the amount of \$250,000.00 is appropriated from the General Fund to the Department to enter a two-year contract in fiscal year 2023 for the purpose of contracting for the development of the Vermont Forest Future Strategic Roadmap required by 10 V.S.A. § 2531.

* * * Purpose * * *

Sec. 45a. PURPOSE

The purpose of Secs. 46–59b of this act is to address the negative economic impacts of COVID-19 on Vermont’s economy, employers, workers, and families while simultaneously leveraging opportunities to grow Vermont’s economy.

Sec. 46. 2021 Acts and Resolves No. 74, Sec. H.18 is amended to read:

Sec. H.18 CAPITAL INVESTMENT COMMUNITY RECOVERY AND
REVITALIZATION GRANT PROGRAM

(a) Creation; purpose; regional outreach.

(1) The Agency of Commerce and Community Development shall use the \$10,580,000 appropriated to the Department of Economic Development in Sec. G.300(a)(12) of this act to design and implement ~~a capital investment grant program~~ the Community Recovery and Revitalization Grant Program consistent with this section.

(2) The purpose of the ~~program~~ Program is to make funding available for ~~transformational projects that will provide each region of the State with the opportunity to attract businesses, retain existing businesses, create jobs, and invest in their communities by encouraging capital investments and economic growth~~ make investments to retain and expand existing businesses and nonprofit organizations, attract new businesses and nonprofit organizations, and create new jobs with a preference for projects located in regions and communities with declining or stagnant grand list values.

(3) The Agency shall collaborate with other State agencies, regional development corporations, regional planning commissions, and other community partners to identify potential regional applicants and projects to ensure the distribution of grants throughout the regions of the State.

(b) Eligible applicants.

~~(1) To be eligible for a grant, an applicant shall meet the following criteria:~~

~~(A) The applicant is located within this State.~~

~~(B) The applicant is:~~

~~(i)(I) a for-profit entity with not less than a 10 percent equity interest in the project; or~~

~~(II) a nonprofit entity; and~~

~~(ii) grant funding from the Program represents not more than 50 percent of the total project cost.~~

(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.

~~(C)(2) The applicant demonstrates must demonstrate:~~

~~(i)(A) community and regional support for the project;~~

~~(ii)(B) that grant funding is needed to complete the project;~~

~~(iii)(C) leveraging of additional sources of funding from local, State, or federal economic development programs; and~~

~~(iv)(D) an ability to manage the project, with requisite experience and a plan for fiscal viability.~~

~~(2)(3) The following are ineligible to apply for a grant:~~

~~(A) a State or local government-operated business;~~

~~(B) a municipality;~~

(C) 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

~~(D)~~(C) a publicly-traded publicly traded company.

(c) Grant funds; eligible uses for municipalities. A municipality is only authorized to utilize program funding under this section if:

(1) the project clearly requires substantial public investment over and above the normal municipal operating or bonded debt expenditures;

(2) the public improvements being requested are integral to the expected private development; and

(3) the project meets one of the following criteria:

(A) the development includes new or rehabilitated affordable housing, as defined in 24 V.S.A. § 4303;

(B) the development will include at least one entirely new business or business operation or expansion of an existing business within the project, and this business will provide new, quality, full-time jobs that meet or exceed the prevailing wage for the region as reported by the Department of Labor; or

(C) the development will enhance transportation by creating improved traffic patterns and flow or creating or improving public transportation systems.

(d) Grant Funds; eligible uses; private and nonprofit entities. A project of a business or nonprofit organization is eligible if:

(1) the project had a COVID-19-related impact that delayed the project;

(2) project costs have increased as a result of the COVID-19 pandemic;
or

(3) the project involves enumerated uses of funds, as defined by the U.S. Treasury Final Rule, and determined by the Agency of Commerce and Community Development.

~~(e)~~(c) Awards; amount; eligible uses.

(1) An award shall not exceed the lesser of \$1,500,000.00 \$1,000,000.00 or the estimated net State fiscal impact of the project based on Agency modeling 20 percent of the total project cost.

(2) A recipient may use grant funds for the acquisition of property and equipment, construction, renovation, and related capital expenses.

(3) A recipient may combine grant funds with funding from other sources but shall not use grant funds from multiple sources for the same costs within the same project.

(4)(3) The Agency shall release grant funds upon determining that the applicant has met all Program conditions and requirements.

(5)(4) Nothing in this section is intended to prevent a grant recipient from applying for additional grant funds if future amounts are appropriated for the program.

(d) ~~Data model; approval.~~

(1) ~~The Agency shall collaborate with the Legislative Economist to design a data model and related methodology to assess the fiscal, economic, and societal impacts of proposals and prioritize them based on the results.~~

(2) ~~The Agency shall present the model and related methodology to the Joint Fiscal Committee for its approval not later than September 1, 2021.~~

(f) Approval process.

(1) For an application submitted by a municipality pursuant to this section, the Vermont Economic Progress Council shall review each application to determine that the infrastructure improvements proposed to serve the project and the proposed development in the project would not have occurred as proposed in the application, or would have occurred in a significantly different and less desirable manner than as proposed in the application, but for the proposed utilization of the grant application funds.

(2) The review shall take into account:

(A) the amount of additional time, if any, needed to complete the proposed development for the project and the amount of additional cost that might be incurred if the project were to proceed without the grant funding;

(B) how the proposed project components and size would differ, if at all, including, if applicable to the project, in the number of units of affordable housing, as defined in 24 V.S.A. § 4303, without grant funding; and

(C) the lack of new construction in the municipality, indicated by a stagnant or declining grand list value as determined by the Department of Taxes, considering both the total full listed value and the equalized education grand list value.

(e)(g) Application process; decisions; awards.

(1)(A) ~~The Agency shall accept applications on a rolling basis for three-month periods and shall review and consider for approval the group of~~

~~applications it has received as of the conclusion of each three-month period~~
Under the grant program established in this section, a municipality, upon approval of its legislative body, may apply to the Vermont Economic Progress Council pursuant to the process set forth in this section to use grant funding for a project.

~~(B) The Agency shall make application information available to the Legislative Economist and the Executive Economist in a timely manner~~
The Agency shall accept applications from for-profit or nonprofit entities on a rolling basis until Program funds are expended.

~~(2) Using the data model and methodology approved by the Joint Fiscal Committee, the Agency shall analyze the information provided in an application to estimate the net State fiscal impact of a project, including the following factors:~~

- ~~(A) increase to grand list value;~~
- ~~(B) improvements to supply chain;~~
- ~~(C) jobs impact, including the number and quality of jobs; and~~
- ~~(D) increase to State GDP. [Repealed.]~~

~~(3) The Secretary of Commerce and Community Development shall appoint an interagency team, which may include members from among the Department of Economic Development, the Department of Housing and Community Development, the Agency of Agriculture, Food and Markets, the Department of Public Service, the Agency of Natural Resources, or other State agencies and departments, which team shall review, analyze, and recommend projects for funding based on the estimated net State fiscal impact of a project and on other contributing factors, including consistent with the guidelines the Agency develops in coordination with the Joint Fiscal Office and the following:~~

- ~~(A) transformational nature of the project for the region;~~
- ~~(B) project readiness, quality, and demonstrated collaboration with stakeholders and other funding sources;~~
- ~~(C)(B) alignment and consistency with regional plans and priorities;~~
and
- ~~(D)(C) creation and retention of workforce opportunities.~~

~~(4) The Secretary of Commerce and Community Development shall consider the recommendations of the interagency team and shall give final approval to projects.~~

~~(f)~~(h) Grant agreements; post award monitoring.

(1) If selected by the Secretary, the applicant and the Agency shall execute a grant agreement that includes audit provisions and minimum requirements for the maintenance and accessibility of records that ensures that the Agency and the Auditor of Accounts have access and authority to monitor awards.

(2) The Agency shall publish on its website not later than 30 days after approving an award a brief project description the name of the grantee and the amount of a grant.

~~(g)~~(i) Report. On or before ~~December 15, 2021~~ February 15, 2023, the Agency shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs concerning the implementation of this section, including:

(1) a description of the implementation of the ~~program~~ Program;

(2) the promotion and marketing of the program; and

(3) an analysis of the utilization and performance of the ~~program~~, including the projected revenue impacts and other qualitative and quantitative returns on investment in the program based on available data and modeling Program.

(j) Implementation.

(1) The Agency of Commerce and Community Development shall consult with the Joint Fiscal Office to develop guidelines and approval processes for the Program and shall submit the proposed guidelines and processes to the Joint Fiscal Committee and the chairs of the relevant legislative committees of jurisdiction prior to accepting applications for grants through the Program.

(2) When considering whether and how to prioritize economic sectors that have suffered economic harm due to the COVID-19 pandemic, the Agency may designate one or more sectors for priority consideration through the Program, including the arts and culture, travel, lodging, tourism, agriculture, and child care sectors.

Sec. 47. VEDA SHORT-TERM FORGIVABLE LOANS

(a) Creation. The Vermont Economic Development Authority shall create a Short-Term Forgivable Loan Program to support Vermont businesses experiencing continued working capital shortfalls as a result of the COVID-19 public health emergency.

(b) Eligible business. An eligible borrower is a for-profit or nonprofit business:

(1) with fewer than 500 employees;

(2) located in Vermont;

(3) that was in operation or had taken substantial steps toward becoming operational as of March 13, 2020; and

(4) that can identify economic harm caused by or exacerbated by the pandemic.

(c) Economic harm.

(1) An applicant shall demonstrate economic harm from lost revenue, increased costs, challenges covering payroll, rent or mortgage interest, or other operating costs that threaten the current capacity of the business to weather financial hardships and result in ongoing financial insecurity due to the COVID-19 public health emergency.

(2) The Authority shall measure economic harm by a material decline in the applicant's annual adjusted net operating income before the COVID-19 public health emergency relative to its annual adjusted net operating income during the COVID-19 public health emergency.

(3) When assessing an applicant's adjusted net operating income, the Authority shall consider previous COVID-19 State and federal subsidies, reasonable owner's compensation, noncash expenses, extraordinary items, and other adjustments deemed appropriate. The Authority shall also consider whether other State or federal assistance is or may become available and appropriate for the business and shall not provide assistance for the same costs that are covered by another program.

(4) To be eligible for a loan, the Authority shall determine that a business has experienced at least a 22.5 percent reduction in its adjusted net operating income in calendar years 2020 and 2021 combined as compared to 2019, or other appropriate basis of comparison where necessary.

(d) Maximum loan. The Authority shall determine the amount of a loan award pursuant to guidelines adopted pursuant to subsection (f) of this section, and shall award a loan to business in an amount that is based on its current, ongoing financial needs, provided that a loan shall not exceed the lesser of:

(1) \$350,000.00;

(2) six months' of eligible operating expenses; or

(3) the amount of the cumulative decline in adjusted net operating income during the COVID-19 public health emergency in 2020 and 2021.

(e) Eligible use of loan; loan forgiveness.

(1) A loan recipient may use loan proceeds to pay for eligible operating expenses but shall not use the proceeds for capital expenditures.

(2) The Authority shall approve loan forgiveness based on documentation evidencing loan proceeds were used to pay for eligible operating expenses.

(f) Guidelines.

(1) The Vermont Economic Development Authority shall consult with the Joint Fiscal Office to develop guidelines and approval processes for the VEDA Short-Term Forgivable Loan Program, which shall address how the Authority will determine that a business has a current, ongoing need for financial support due to the COVID-19 pandemic and on what basis the Authority will adjust the amount of loans after considering the business's ongoing needs.

(2) The Authority shall submit the proposed guidelines and processes to the Joint Fiscal Committee and the chairs of the relevant legislative committees of jurisdiction prior to accepting applications for loans through the Program.

(g) Priority sectors. When considering whether and how to prioritize economic sectors that have suffered economic harm due to the COVID-19 pandemic, the Agency of Commerce and Community Development may designate one or more sectors for priority funding through the Program, including the arts and culture, travel, lodging, tourism, agriculture, and child care sectors.

(h) Technical assistance. The Authority shall provide information to applicants on how to access technical assistance from the Small Business Development Center through the Community Navigator Pilot Program.

* * * Relocating Employee Incentives * * *

Sec. 47a. 10 V.S.A. § 4 is amended to read:

§ 4. NEW RELOCATING EMPLOYEE INCENTIVES

(a) The Agency of Commerce and Community Development shall design and implement a program to award incentive grants to relocating employees as provided in this section and subject to the policies and procedures the Agency adopts to implement the program.

(b) A relocating employee may be eligible for a grant under the program for qualifying expenses, subject to the following:

(1) A base grant shall not exceed \$5,000.00.

(2) The Agency may award an enhanced grant, which shall not exceed \$7,500.00, for a relocating employee who becomes a resident in a labor market area in this State in which:

(A) the average annual unemployment rate in the labor market area exceeds the average annual unemployment rate in the State; or

(B) the average annual wage in the State exceeds the annual average wage in the labor market area.

(c) The Agency shall:

(1) adopt procedures for implementing the program, which shall include a simple certification process to certify relocating employees and qualifying expenses;

(2) promote awareness of the program, including through coordination with relevant trade groups and by integration into the Agency's economic development marketing campaigns;

(3) ~~award grants to relocating employees on a first-come, first-served basis beginning on July 1, 2021, subject to available funding~~ adopt procedures to initially approve an applicant for a grant after verifying a relocating employee's eligibility and to make final payment of a grant after verifying that the relocating employee has completed relocation to this State; and

(4) adopt measurable goals, performance measures, and an audit strategy to assess the utilization and performance of the program.

(d) ~~On~~ Annually, on or before January 15, 2022, the Agency shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs concerning the implementation of this section, including:

(1) a description of the policies and procedures adopted to implement the program;

(2) the promotion and marketing of the program; and

(3) an analysis of the utilization and performance of the program, including the projected revenue impacts and other qualitative and quantitative returns on investment in the program based on available data and modeling.

(e) As used in this section:

(1) “Qualifying expenses” means the actual costs a relocating employee incurs for relocation expenses, which may include moving costs, closing costs for a primary residence, rental security deposit, one month’s rent payment, and other relocation expenses established in Agency guidelines.

(2) “Relocating employee” means an individual who meets the following criteria:

(A)(i) On or after July 1, 2021:

(I) the individual becomes a full-time resident of this State;

(II) the individual becomes a full-time employee at a Vermont location of a for-profit or nonprofit business organization domiciled or authorized to do business in this State, or of a State, municipal, or other public sector employer; and

(III) ~~the individual becomes employed in one of the “Occupations with the Most Openings” identified by the Vermont Department of Labor in its “Short Term Employment Projections 2020-2022”; and~~

(IV) the employer attests to the Agency that, after reasonable time and effort, the employer was unable to fill the employee’s position from among Vermont applicants; or

(ii) on or after February 1, 2022:

(I) the individual becomes a full-time resident of this State; and

(II) the individual is a full-time employee of an out-of-state business and performs the majority of his or her employment duties remotely from a home office or a co-working space located in this State.

(B) The individual receives gross salary or wages that equal or exceed the Vermont livable wage rate calculated pursuant to 2 V.S.A. § 526.

(C) The individual is subject to Vermont income tax.

Sec. 48. WINDHAM COUNTY ECONOMIC DEVELOPMENT

(a) Findings.

(1) In 2014 Acts and Resolves No. 95, Sec. 80 created the Entergy Windham County Economic Development Special Fund pursuant to 32 V.S.A. chapter 7, subchapter 5, for the deposit and management of funds that were received pursuant to the settlement agreement between the State of Vermont and Entergy Nuclear Vermont Yankee, LLC, dated December 23, 2013.

(2) Pursuant to 2015 Acts and Resolves No. 4, Sec. 69, as further amended by 2016 Acts and Resolves No. 68, Sec. 69, the Secretary of Commerce and Community Development is authorized to make grants,

repayable grants, and loans in the Special Fund for the purpose of promoting economic development in Windham County.

(3) From the amounts available in the Special Fund, the Agency of Commerce and Community Development has provided grant funds, and the Vermont Economic Development Authority, working in coordination with the Agency, has provided loans and loan servicing, for economic development projects in Windham County.

(b) Purpose. The purpose of this section is to ensure all program and interest funds received from the revolved loans originating from the Entergy Windham County Economic County Special Fund provide future economic development benefits for Windham County.

(c) Authority; Program Creation. Decisions for the use of any remaining and future funds shall be made through local administration by the Brattleboro Development Credit Corporation.

(d) Agency of Commerce and Community Development; transfer. On or before June 30, 2022 the Agency of Commerce and Community Development shall transfer any amounts remaining in the Entergy Windham County Economic Development Special Fund to the Brattleboro Development Credit Corporation.

(e) Vermont Economic Development Authority; transfer. On or before June 30, 2022, the Vermont Economic Development Authority shall take any steps necessary to transfer to the Brattleboro Development Credit Corporation any loans, loan servicing, future loan payments, and other legal rights, duties, or obligations related to its activities undertaken with funding from the Entergy Windham County Economic Development Special Fund.

(f) Brattleboro Economic Development Corporation; use of funds. The Brattleboro Economic Development Corporation shall use the funds transferred pursuant to this section to provide grants and loans for projects that provide economic development benefits to Windham County.

(g) Entergy Windham County Economic Development Special Fund; termination. The purpose of the Entergy Windham County Economic Development Special Fund has been fulfilled as determined by the General Assembly. Upon the completion of the transfers required in this section, and pursuant to 32 V.S.A. § 587(b) the Entergy Windham County Economic Development Special Fund is terminated.

Sec. 49. VERMONT FILM AND MEDIA INDUSTRY TASK FORCE;
STUDY; REPORT

(a) There is created the Vermont Film and Media Industry Task Force composed of the following members:

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

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

(3) the Secretary of Commerce and Community Development or designee; and

(4) a member, appointed by the Vermont Arts Council, who shall serve as chair and shall convene meetings of the Task Force.

(b)(1) The Task Force may consult with the Office of Legislative Counsel and the Joint Fiscal Office if necessary to conduct its work.

(2) Members of the Task Force shall receive per diem compensation and reimbursement for expenses as provided in 32 V.S.A. § 1010 for not more than four meetings.

(c) On or before January 15, 2023, the Task Force shall consult relevant stakeholders in the film and media industry and shall study and submit a report to the House Committee on Commerce and Economic Development and to the Senate Committee on Economic Development, Housing and General Affairs that reviews the history of State efforts to cultivate the film and media industry in Vermont and what financial and other support the State may provide in the future to revitalize the industry following the COVID-19 pandemic and to invigorate the industry in the future, including:

(1) successes and failures of past State involvement;

(2) opportunities to invigorate the industry, attract filmmakers and media entrepreneurs, and promote Vermont as an attractive destination for tourism and for business development;

(3) how Vermont can differentiate and compete with other jurisdictions that also seek to cultivate a more expansive film and media industry;

(4) a survey of which entities, in State government and in the private sector, provide outreach and support to businesses in the industry;

(5) opportunities for employing federal COVID-19 relief funds to revive the industry; and

(6) a cost-benefit analysis of establishing new State financial, administrative, or other supports for the industry.

* * * Department of Labor Access to Tax Information * * *

Sec. 50. 2021 Acts and Resolves No. 3, Sec. 64(c) is amended to read:

(c) Sec. 62 (32 V.S.A. § 3102 (e)(8)) shall take effect on July 1, 2022-2024.

* * * COVID-19-Related Paid Leave Grant Program * * *

Sec. 51. FINDINGS AND INTENT

(a) The General Assembly finds that:

(1) COVID-19 has caused increased employee absences due to illness, quarantine, and school and daycare closures.

(2) Many employees do not have sufficient paid time off to cover all of their COVID-19-related absences from work.

(3) Some employers have provided their employees with additional paid time off for COVID-19-related purposes.

(4) The surge in COVID-19 cases caused by the Omicron variant of the virus has made it financially difficult or impossible for employers to provide additional paid time off to their employees for COVID-19-related purposes.

(5) Providing grants to employers to reimburse the cost of providing paid time off to employees for COVID-19-related purposes will:

(A) help to mitigate some negative economic impacts of the COVID-19 pandemic on employers;

(B) improve employee retention;

(C) prevent the spread of COVID-19 in the workplace; and

(D) provide crucial income to employees and their families.

(6) The Front-Line Employees Hazard Pay Grant Program established pursuant to 2020 Acts and Resolves No. 136, Sec. 6 and expanded pursuant to 2020 Acts and Resolves No. 168, Sec. 1 successfully directed millions of dollars in hazard pay to front-line workers during the first year of the COVID-19 pandemic. By utilizing grants to employers, who in turn provided the hazard pay to their employees, the Program enabled employers to retain employees and reward them for their hard work during the uncertainty of the early months of the COVID-19 pandemic.

(b) It is the intent of the General Assembly that the COVID-19-Related Paid Leave Grant Program created pursuant to Sec. 54a of this act shall be modeled on the Front-Line Employees Hazard Pay Grant Program and shall

assist employers in providing paid leave to their employees for COVID-19-related absences.

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.

(2) The sum of \$15,180,000.00 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.

(b) Definitions. As used in this section:

(1) “Commissioner” means the Commissioner of Financial Regulation.

(2) “COVID-19-related reason” means the employee is:

(A) self-isolating because the employee has been diagnosed with COVID-19 or tested positive for COVID-19;

(B) self-isolating pursuant to the recommendation of a health care provider or a State or federal public health official because the employee has been exposed to COVID-19 or the employee is experiencing symptoms of COVID-19;

(C) caring for a parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child, because:

(i) the school or place of care where that individual is normally located during the employee’s workday is closed due to COVID-19;

(ii) that individual has been requested not to attend the school or the place of care where that individual is normally located during the employee’s workday due to COVID-19;

(iii) that individual has been diagnosed with or tested positive for COVID-19; or

(iv) that individual is self-isolating pursuant to the recommendation of a health care provider or a State or federal public health

official because that individual has been exposed to or is experiencing symptoms of COVID-19;

(D) attending an appointment for the employee or the employee's parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child to receive a vaccine or a vaccine booster for protection against COVID-19; or

(E) experiencing symptoms, or caring for a parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child who is experiencing symptoms, related to a vaccine or a vaccine booster for protection against COVID-19.

(3) "Department" means the Department of Financial Regulation.

(4) "Employee" means an individual who, in consideration of direct or indirect gain or profit, is employed by an employer to perform services in Vermont.

(5) "Employer" means any person that has one or more employees performing services for it in Vermont. "Employer" does not include the State or the United States.

(6) "Program" means the COVID-19-Related Paid Leave Grant Program established pursuant to this section.

(7) "Program period" means the period beginning on July 1, 2022 and ending on June 30, 2023.

(8) "Spouse" includes a civil union partner or a domestic partner, as that term is defined pursuant to 17 V.S.A. § 2414.

(c) Grant program.

(1) An employer may apply to the Commissioner for quarterly grants to reimburse the employer for the cost of paid leave provided to its employees for COVID-19-related reasons during the Program period.

(2) An employer's grant amount may include reimbursement for retroactively provided COVID-19-related paid leave to employees who took unpaid leave for a COVID-19-related reason during the Program period because the employee did not have sufficient accrued paid leave available at the time that the employee took the leave.

(3) 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.

(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.

(5) For the sole purpose of administering grants related to paid leave provided to independent direct support providers for COVID-19-related reasons, ARIS Solutions, as the fiscal agent for the employers of the independent direct support providers, shall have the authority to apply for grants in the same manner as any employer.

(6) Grants shall be awarded to eligible employers on a first-come, first-served basis, subject to available funding.

(d) Commissioner’s powers and duties.

(1) The Commissioner shall:

(A) adopt procedures for implementing the Program, which shall include a simple grant application process, a process to allow employers to certify the amount of paid leave provided for COVID-19-related reasons, and a process to allow employers to report on their use of the grant funds awarded pursuant to this section;

(B) establish deadlines for the submission of quarterly grant applications;

(C) promote awareness of the Program to employers;

(D) provide information to employers regarding Program and application requirements;

(E) award grants to employers on a first-come, first-served basis, subject to available funding; and

(F) develop and implement an audit strategy to assess grant utilization, the performance of the Program, and compliance with Program requirements.

(2)(A) The Commissioner may, with the approval of the Secretary of Administration, delegate administration of one or more aspects of the Program to other agencies and departments of the State.

(B) The Commissioner may enter into agreements, memoranda of understanding, or contracts with private entities as necessary to implement or administer the Program and, notwithstanding any provision of law to the contrary, shall not be required to competitively bid any contracts entered into pursuant to this subdivision (2)(B). For the purposes of the Program, the

ongoing public health risk posed by COVID-19 shall be deemed to be an emergency situation that justifies the execution of sole source contracts pursuant to Bulletin 3.5, the State's Procurement and Contracting Procedures.

(e) Amount of grants.

(1) Employers may 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.

(2)(A) An employer may only apply for a grant in relation to COVID-19-related leave that was taken by an employee during the Program period.

(B) The maximum number of hours of COVID-19-related leave for each employee that an employer may seek grant funding for through the Program shall equal the lesser of 40 hours or the employee's average weekly hours worked for the employer during the six months preceding the date on which the employee first took COVID-19-related leave during the Program period.

(C) The maximum amount that an employer shall be eligible to receive for COVID-19-related paid leave for each employee shall be not more than \$21.25 per hour of leave, with an aggregate maximum of \$850.00 per employee during the Program period.

(f) Grant conditions. As a condition of being eligible to receive a grant through the Program, each employer shall be required to certify:

(1) that the employer is not seeking funds in relation to any amounts of paid leave that were deducted from the employee's accrued paid leave balance

at the time the COVID-19-related leave was taken unless those amounts have been restored to the employee's accrued paid leave balance;

(2) grant funds shall only be used in relation to the payment of an employee's wages for the period when the employee was absent from work for a COVID-19-related reason; and

(3) employees receiving paid leave funded by a grant shall not be required to pay an administrative fee or other charge in relation to the employer requesting the grant.

(g) Report and return of unspent funds. Each employer that receives a grant shall, not later than October 31, 2023, report to the Department on a form provided by the Commissioner the amount of grant funds used to provide paid leave to employees and the amount of any remaining grant funds that were not spent. All unspent grant funds shall be returned to the Department pursuant to a procedure adopted by the Commissioner.

(h) Confidentiality. Any personally identifiable information that is collected by the Program, any entity of State government performing a function of the Program, or any entity that the Commissioner contracts with to perform a function of the Program shall be kept confidential and shall be exempt from inspection and copying under the Public Records Act.

* * * Unemployment Insurance Benefits * * *

Sec. 52. FINDINGS

The General Assembly finds that:

(1) The COVID-19 pandemic caused significant disruption to Vermont's economy and resulted in unprecedented levels of unemployment.

(2) Unemployment insurance benefits provide only partial wage replacement, making it hard for unemployed individuals to afford basic necessities and living expenses.

(3) Significant inflation caused by supply chain, economic, and workforce disruptions related to the COVID-19 pandemic are making it increasingly difficult for unemployed individuals to afford basic necessities and living expenses.

(4) Temporarily increasing the maximum weekly unemployment insurance benefit amount for unemployed individuals will help to mitigate the impact of the COVID-19 pandemic on the unemployed individuals' ability to afford basic necessities and living expenses.

(5) The General Assembly previously enacted a \$25.00 supplemental increase to the weekly unemployment insurance benefit amount in 2021 Acts

and Resolves No. 51, Sec. 11. However, the terms of that supplemental increase did not conform to federal requirements, and it never took effect. Enacting a \$60.00 increase in the maximum weekly unemployment insurance benefit that will later be replaced by a temporary \$25.00 increase in the weekly unemployment insurance benefit amount will fulfill the commitment made by the General Assembly in 2021 Acts and Resolves No. 51, Sec. 11.

Sec. 52a. 2021 Acts and Resolves No. 51, Sec. 17(a)(4) is amended to read:

(4) Sec. 12 (repeal of supplemental weekly benefit) shall take effect ~~upon the payment of a cumulative total of \$100,000,000.00 in supplemental benefits pursuant to 21 V.S.A. § 1338(e)(2) on October 7, 2021~~ and shall apply prospectively to all benefit payments in the next week and each subsequent week.

Sec. 52b. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to the sum of \$60.00 plus 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

* * *

Sec. 52c. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to ~~the sum of \$60.00 plus~~ 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

* * *

Sec. 52d. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(e) An individual's weekly benefit amount shall be determined by dividing the individual's two high quarter total subject wages required under subdivision (d)(1) of this section by 45 and adding \$25.00 to the resulting quotient, provided that the weekly benefit amount so determined shall not

exceed the maximum weekly benefit amount computed pursuant to subsection (f) of this section.

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to the sum of ~~\$60.00~~ \$25.00 plus 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

* * *

Sec. 52e. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(e) An individual's weekly benefit amount shall be determined by dividing the individual's two high quarter total subject wages required under subdivision (d)(1) of this section by 45 and adding \$25.00 to the resulting quotient, provided that the weekly benefit amount so determined shall not exceed the maximum weekly benefit amount computed pursuant to subsection (f) of this section.

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to the sum of \$25.00 plus 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

* * *

Sec. 52f. UNEMPLOYMENT INSURANCE; INFORMATION

TECHNOLOGY MODERNIZATION; ANNUAL REPORT;

INDEPENDENT VERIFICATION

(a)(1) The Secretary of Digital Services and the Commissioner of Labor shall, to the greatest extent possible, plan and carry out the development and implementation of a modernized information technology system for the unemployment insurance program so that the modernized system is ready and able to implement on or before July 1, 2025 the changes to the unemployment insurance weekly benefit amount set forth in Secs. 52d and 52e of this act.

(2) The Secretary of Digital Services and the Commissioner of Labor shall plan and carry out the development and implementation of the modernized information technology system for the unemployment insurance program so that the modernized system is capable of:

(A) implementing the weekly benefit increase set forth in Secs. 52d and 52e of this act;

(B) adapting to the evolving needs of the unemployment insurance program in the future;

(C) incorporating future advances in information technology;

(D) implementing future legislative changes to all aspects of the unemployment insurance program, including:

(i) benefits;

(ii) eligibility;

(iii) taxes;

(iv) fraud prevention, detection, and mitigation;

(v) penalties; and

(vi) recovery of overpayments; and

(E) implementing short-term changes that respond to specific indicators of economic health.

(b) The Secretary of Digital Services and the Commissioner of Labor shall, on or before January 15, 2023 and January 15, 2024, submit a written report to the House Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, and the Legislative Information Technology Consultant retained by the Joint Fiscal Office detailing the actions taken and progress made in carrying out the requirements of subsection (a) of this section, the anticipated timeline for being able to implement the changes to the unemployment insurance weekly benefit amount set forth in Secs. 52d and 52e of this act, including whether the Commissioner has determined to implement the provisions of Sec. 52d or 52e before July 1, 2025, and potential implementation risks identified during the development process.

(c) The Legislative Information Technology Consultant shall, on or before February 15, 2023 and February 15, 2024, submit to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs a review of the report submitted pursuant to subsection (b) of this section. The review shall include an assessment of whether the Agency of Digital Services and the Department of Labor will be able to implement the changes to the unemployment insurance weekly benefit amount set forth in Secs. 52d and 52e of this act by July 1, 2025, or an earlier date determined by the Commissioner, and shall identify any potential risks or concerns related to implementation that are not addressed in the report submitted pursuant to subsection (b) of this section.

Sec. 52g. 21 V.S.A. § 1338 is amended to read:

§ 1338. WEEKLY BENEFITS

* * *

(e) An individual's weekly benefit amount shall be determined by dividing the individual's two high quarter total subject wages required under subdivision (d)(1) of this section by 45 ~~and adding \$25.00 to the resulting quotient~~, provided that the weekly benefit amount so determined shall not exceed the maximum weekly benefit amount computed pursuant to subsection (f) of this section.

(f)(1) The maximum weekly benefit amount shall be annually adjusted on the first day of the first calendar week in July to an amount equal to ~~the sum of \$25.00 plus~~ 57 percent of the State annual average weekly wage as determined by subsection (g) of this section.

* * *

Sec. 53. APPROPRIATIONS

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

(b) COVID-19 business support. In fiscal year 2022, the amount of \$28,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds as follows:

(1) VEDA Short-Term Forgivable Loan Program. The amount of \$19,000,000.00 is appropriated to the Vermont Economic Development Authority for the VEDA Short-Term Forgivable Loan Program.

(2) Creative economy grants. The amount of \$9,000,000.00 is appropriated to the Vermont Arts Council to provide grants for monthly operating costs, including rent, mortgage, utilities, and insurance, to creative economy businesses and nonprofits that have sustained substantial losses due to the pandemic.

(c) Community Recovery and Revitalization Grant Program.

(1) Appropriation. In fiscal year 2023, the amount of \$10,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Commerce and Community Development for the Community Recovery and Revitalization Grant Program.

(2) Implementation.

(A) The amounts appropriated and the substantive provisions adopted in 2021 Acts and Resolves No. 74, Sec. H.18 apply to projects for which a final grant application has been submitted before July 1, 2022.

(B) The amounts appropriated in this subsection (c) and the substantive provisions adopted in Sec. 46 of this act apply to projects for which a grant application is filed on or after July 1, 2022.

(d) Recruitment. In fiscal year 2023, the amount of \$3,093,000.00 is appropriated from the General Fund to the Agency of Commerce and Community Development for the relocated and remote worker program.

(e) Everyone Eats. In fiscal year 2023, the amount of \$1,300,000.00 is appropriated from the General Fund to the Agency of Commerce and Community Development to grant to Southeastern Vermont Community Action for the Restaurants and Farmers Feeding the Hungry Program, known as Everyone Eats, to provide State funds to match Federal Emergency Management Agency (FEMA) funds available for the Program. The Agency and Southeastern Vermont Community Action shall take steps to ensure that program funds and benefits are targeted to food-insecure Vermonters.

Sec. 54. APPROPRIATION; DOWNTOWN AND VILLAGE CENTER TAX
CREDIT PROGRAM

There is appropriated the sum of \$2,450,000.00 from the General Fund to the Vermont Downtown and Village Center Tax Credit Program to be used in fiscal years 2023 and 2024. Notwithstanding 32 V.S.A. § 5930ee, the funds shall be used to increase the amount of tax credits that may be awarded to qualified projects. Of those tax credits awarded in fiscal years 2023 and 2024, up to \$2,000,000.00 may be awarded to qualified projects located in designated neighborhood development areas.

* * * Sports Betting Study Committee * * *

Sec. 55. SPORTS BETTING; FINDINGS

The General Assembly finds that:

(1) An estimated 28 percent of adults in the United States bet on sports and 46 percent of adults say that they have an interest in betting on sports.

(2) Based on current participation rates and expected growth, it is estimated that Vermont could generate from \$640,000.00 to \$4.8 million in the first year of sports betting revenue taxes and \$1.3 million to \$10.3 million in the second year, depending on the regulatory model chosen by the General Assembly.

(3) As of March 2022, 31 states and the District of Columbia have some form of active legal sports betting operations while an additional three states have enacted laws or adopted ballot measures to permit legal sports betting.

(4) Legislation has also been introduced in at least 14 of the states without a legal sports betting market, including Vermont, to legalize, regulate, and tax sports betting.

(5) Given the widespread participation in sports betting, the General Assembly finds that careful examination of whether and how best to regulate sports betting in Vermont and protect Vermonters involved in sports betting is necessary.

Sec. 56. SPORTS BETTING; STUDY COMMITTEE; REPORT

(a) Creation. There is created the Sports Betting Study Committee to examine whether and how to regulate sports betting in Vermont.

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

(1) the Attorney General or designee;

(2) the Commissioner of Liquor and Lottery or designee;

(3) the Commissioner of Taxes or designee;

(4) the Secretary of State or designee;

(5) the Secretary of Commerce and Community Development or designee;

(6) two current members of the Senate, who shall be appointed by the Committee on Committees; and

(7) two current members of the House, who shall be appointed by the Speaker of the House.

(c) Powers and duties. The Study Committee shall examine the sports betting study conducted by the Office of Legislative Counsel and Joint Fiscal Office and shall study various models for legalizing, taxing, and regulating sports betting, including the following issues:

(1) studies carried out by other states concerning the legalization, taxation, and regulation of sports betting;

(2) laws enacted by other states to legalize, tax, and regulate sports betting;

(3) potential models for legalizing and regulating sports betting in Vermont, including any advantages or drawbacks to each model;

(4) potential models for legalizing and regulating online sports betting, including any advantages or drawbacks to each model;

(5) potential tax and fee structures for sports betting activities;

(6) potential restrictions or limitations on the types of sports that may be bet on, including whether and to what extent restrictions should be imposed with respect to the participant age, amateur status, and location of sporting events that may be bet on; and

(7) potential impacts on various socioeconomic and demographic groups and on problem gambling and the resources necessary to address the identified impacts.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Council and the Joint Fiscal Office.

(e) Report. On or before December 15, 2022, the Study Committee shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs with its findings, recommendations for legislative action, and a draft of proposed legislation.

(f) Meetings.

(1) The Attorney General or designee shall call the first meeting of the Committee to occur on or before September 1, 2022.

(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 Committee shall cease to exist on December 30, 2022.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee serving in their 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.

Sec. 57. 9 V.S.A. § 2464e is added to read:

§ 2464e. ROBOCALLS; PROHIBITION; PENALTY

(a) Intent. It is the intent of the General Assembly in adopting this section to create State law prohibition on the placement of robocalls to Vermont consumers that is coextensive with the federal limitations created in the

Telephone Consumer Protection Act, the Telemarketing and Consumer Fraud and Abuse Prevention Act, the regulations adopted under those Acts, and the judicial construction of these laws.

(b) Prohibition. A person shall not initiate an automatically dialed or pre-recorded telephone call to a Vermont consumer in violation of the federal Telephone Consumer Protection Act, 47 U.S.C. § 227, the federal Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. §§ 6101–6108, and the regulations adopted pursuant to those Acts, as amended.

(c) Civil violation.

(1) A violation of this section constitutes a violation of section 2453 of this title.

(2) Each prohibited telephone call constitutes a separate violation under this subsection.

(3)(A) A person who receives a telephone call in violation of this section may bring an action in Superior Court for damages or a civil penalty, injunctive relief, punitive damages in the case of a willful violation, and reasonable costs and attorney's fees.

(B) The court may issue an award for the greater of a person's damages or a civil penalty of \$500.00 for a first violation and \$1,000.00 for each subsequent violation.

(d) Criminal penalties.

(1) A person who commits a knowing and willful violation of this section shall be imprisoned for not more than 90 days or fined not more than \$1,000.00 per violation, or both.

(2) Each telephone call constitutes a separate violation under this subsection.

(e) The Attorney General shall exercise his or her authority and discretion to work cooperatively with other state and federal government entities to identify callers who initiate robocalls to consumers in violation of this section and to enforce the provisions of this section regardless of the location of the caller.

Sec. 58. ATTORNEY GENERAL; REPORT

On or before January 15, 2023, the Office of the Attorney General shall review and consider the federal law and judicial construction concerning robocalls and their relationship to 9 V.S.A. § 2464e as adopted in Sec. 57 of this act and shall report to the House Committees on Commerce and Economic

Development and on Judiciary and to the Senate Committees on Economic Development, Housing and General Affairs and on Judiciary with any findings and recommendations for necessary legislative action, if any.

Sec. 59. EFFECTIVE DATES

(a) This act shall take effect on July 1, 2022, except that:

(1) Sec. 13 (Secondary Student Industry Recognized Credential Pilot Project) shall take effect on passage.

(2) Sec. 30 (18 V.S.A. § 9456) shall take effect on January 1, 2023 and shall apply to hospital fiscal years 2024 and after.

(3) Sec. 48 (Windham County Economic Development) shall take effect on passage.

(4) Sec. 50 (Pandemic Unemployment Assistance Program extension) shall take effect on passage.

(b)(1) Notwithstanding 1 V.S.A. § 214, Sec. 52a (repeal of prior unemployment insurance supplemental benefit) shall take effect retroactively on October 7, 2021.

(2) Sec. 52b (temporary increase in unemployment insurance maximum weekly benefit) shall take effect on July 1, 2022 and shall apply to benefit weeks beginning after that date.

(3)(A) Sec. 52c (prospective repeal of temporary increase in unemployment insurance maximum weekly benefit) shall take effect upon the payment of a cumulative total of \$8,000,000.00 in additional benefits pursuant to 21 V.S.A. § 1338(f)(1) compared to the amount that would have been paid out pursuant to the provisions of 21 V.S.A. § 1338(f)(1) on June 30, 2022 and shall apply to benefit weeks beginning after that date.

(B) However, Sec. 52c shall not take effect at all if Sec. 52d takes effect before the conditions of subdivision (A) of this subdivision (b)(3) are satisfied.

(4)(A) Sec. 52d (amendment of temporary increase in unemployment insurance maximum weekly benefit) shall take effect on July 1, 2025 or the date on which the Commissioner of Labor determines that the Department of Labor is able to implement the provisions of that section as set forth in subdivision 52f(b), whichever is earlier, and shall apply to benefit weeks beginning after that date.

(B) However, Sec. 52d shall not take effect at all if Sec. 52c takes effect before the conditions of subdivision (A) of this subdivision (b)(4) are satisfied.

(5)(A) Sec. 52e (increase in unemployment insurance weekly benefit amount) shall take effect on July 1, 2025 and shall apply to benefit weeks beginning after that date.

(B) However, Sec. 52e shall not take effect at all if either

(i) Sec. 52d takes effect before July 1, 2025; or

(ii) Sec. 52c has not taken effect before July 1, 2025.

(6) Sec. 52g (prospective repeal of unemployment insurance benefit increase) shall take effect upon the payment of a cumulative total of additional benefits pursuant to 21 V.S.A. § 1338(e) when compared to the rate at which benefits would have been paid under the formula set forth in 21 V.S.A. § 1338(e) on June 30, 2025 equal to \$92,000,000.00 plus the difference between \$8,000,000.00 and the amount of additional benefits paid out pursuant to section 52b, if any, and shall apply to benefit weeks beginning after that date.

(7) Sec. 52f (report on implementation of change to unemployment insurance weekly benefit) shall take effect on passage.

(c) Sec. 57 (robocalls) shall take effect on July 1, 2023.

and that after passage the title of the bill be amended to read: “An act relating to economic and workforce development”

COMMITTEE ON THE PART OF
THE SENATE

SEN. MICHAEL D. SIROTKIN

SEN. ALISON CLARKSON

SEN. RANDOLPH D. BROCK

COMMITTEE ON THE PART OF
THE HOUSE

REP. MICHAEL J. MARCOTTE

REP. CHARLES A. KIMBELL

REP. STEPHANIE ZAK JEROME

Rep. Long of Newfane presiding.

Which was considered and adopted on the part of the House.

**Rules Suspended; Immediate Consideration;
Report of Committee of Conference Adopted**

S. 210

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and Senate bill, entitled

An act relating to rental housing health and safety and affordable housing
Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses respectfully reported that it met and considered the same and recommended the following:

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.210. An act relating to rental housing health and safety and affordable housing.

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

* * * Department of Public Safety; Authority for Rental Housing
Health and Safety * * *

Sec. 1. 20 V.S.A. chapter 172 is added to read:

CHAPTER 172. RENTAL HOUSING HEALTH AND SAFETY

§ 2676. DEFINITION

As used in this chapter, “rental housing” means:

(1) a “premises” as defined in 9 V.S.A. § 4451 that is subject to 9 V.S.A. chapter 137 (residential rental agreements); and

(2) a “short-term rental” as defined in 18 V.S.A. § 4301 and subject to 18 V.S.A. chapter 85, subchapter 7.

§ 2677. RENTAL HOUSING; RULES; INSPECTIONS; PENALTY

(a) Rules. The Commissioner of Public Safety may adopt rules to prescribe standards for the health, safety, sanitation, and fitness for habitation of rental housing that the Commissioner determines are necessary to protect the public, property owners, and property against harm.

(b) Inspections.

(1) After adopting rules pursuant to subsection (a) of this section, the Commissioner shall design and implement a complaint-driven system to conduct inspections of rental housing.

(2) When conducting an inspection, the Commissioner shall:

(A) issue a written inspection report on the unit or building that:

(i) contains findings of fact that serve as the basis of one or more violations;

(ii) specifies the requirements and timelines necessary to correct a violation;

(iii) provides notice that the landlord is prohibited from renting the affected unit to a new tenant until the violation is corrected; and

(iv) provides notice in plain language that the landlord or agents of the landlord must have access to the rental unit to make repairs as ordered by the Commissioner consistent with the access provisions in 9 V.S.A. § 4460;

(B) provide a copy of the inspection report to the landlord, to the person who requested the inspection, and to any tenants who are affected by a violation:

(i) electronically, if the Department has an electronic mailing address for the person; or

(ii) by first-class mail, if the Department does not have an electronic mailing address for the person;

(C) if an entire building is affected by a violation, provide a notice of inspection directly to the individual tenants, and may also post the notice in a common area, that specifies:

(i) the date of the inspection;

(ii) that violations were found and must be corrected by a certain date;

(iii) how to obtain a copy of the inspection electronically or by first-class mail; and

(iv) if the notice is posted in a common area, that the notice shall not be removed until authorized by the Commissioner; and

(D) make the inspection report available as a public record.

(c) Penalties. If the person responsible for a violation does not comply with the requirements and timelines specified in an inspection report issued pursuant to subsection (b) of this section, the Commissioner may impose an administrative penalty that is reasonably related to the severity of the violation, not to exceed \$1,000.00 per violation.

* * * Positions Authorized * * *

Sec. 2. DEPARTMENT OF PUBLIC SAFETY; POSITIONS

(a) The Department of Public Safety is authorized to create five full-time classified Inspector positions in order to conduct rental housing health and safety inspections and enforcement pursuant to 20 V.S.A. chapter 172.

(b) The Department may hire the Inspectors authorized by this section with funds appropriated for that purpose in this act.

* * * Conforming Changes to Current Law Governing the Department of Health, State Board of Health, and Local Health Officials * * *

Sec. 3. 18 V.S.A. chapter 11 is amended to read:

CHAPTER 11. LOCAL HEALTH OFFICIALS

* * *

§ 602a. DUTIES OF LOCAL HEALTH OFFICERS

(a) A local health officer, within his or her jurisdiction, shall:

(1) ~~upon request of a landlord or tenant, or~~ upon receipt of information regarding a condition that may be a public health hazard, conduct an investigation;

(2) enforce the provisions of this title, the rules promulgated, and permits issued thereunder;

(3) prevent, remove, or destroy any public health hazard; or mitigate any significant public health risk in accordance with the provisions of this title;

(4) in consultation with the Department, take the steps necessary to enforce all orders issued pursuant to chapter 3 of this title; and

(5) have the authority to assist the Department of Public Safety in inspecting rental housing pursuant to 20 V.S.A. chapter 172, provided that if the local health officer inspects a rental property without an inspector from the

Division, the officer shall issue an inspection report in compliance with 20 V.S.A § 2677(b)(2).

(b) Upon discovery of violation or a public health hazard or public health risk that involves a public water system, a food or lodging establishment, or any other matter regulated by Department rule, the local health officer shall immediately notify the Division of Environmental Health. Upon discovery of any other violation, public health hazard, or public health risk, the local health officer shall notify the Division of Environmental Health within 48 hours of discovery of such violation or hazard and of any action taken by the officer.

~~§ 603. RENTAL HOUSING SAFETY; INSPECTION REPORTS~~

~~(a)(1) When conducting an investigation of rental housing, a local health officer shall issue a written inspection report on the rental property using the protocols for implementing the Rental Housing Health Code of the Department or the municipality, in the case of a municipality that has established a code enforcement office.~~

~~(2) A written inspection report shall:~~

~~(A) contain findings of fact that serve as the basis of one or more violations;~~

~~(B) specify the requirements and timelines necessary to correct a violation;~~

~~(C) provide notice that the landlord is prohibited from renting the affected unit to a new tenant until the violation is corrected; and~~

~~(D) provide notice in plain language that the landlord and agents of the landlord must have access to the rental unit to make repairs as ordered by the health officer consistent with the access provisions in 9 V.S.A. § 4460.~~

~~(3) A local health officer shall:~~

~~(A) provide a copy of the inspection report to the landlord and any tenants affected by a violation by delivering the report electronically, in person, by first class mail, or by leaving a copy at each unit affected by the deficiency; and~~

~~(B)(i) if a municipality has established a code enforcement office, provide information on each inspection according to a schedule and in a format adopted by the Department in consultation with municipalities that have established code enforcement offices; or~~

~~(ii) if a municipality has not established a code enforcement office, provide information on each inspection to the Department within seven days of issuing the report using an electronic system designed for that purpose;~~

or within 14 days by mail if the municipality is unable to utilize the electronic system.

(4) ~~If an entire property is affected by a violation, the local health officer shall post a copy of the inspection report in a common area of the property and include a prominent notice that the report shall not be removed until authorized by the local health officer.~~

(5) ~~A municipality shall make an inspection report available as a public record.~~

(b)(1) ~~A local health officer may impose a civil penalty of not more than \$200.00 per day for each violation that is not corrected by the date provided in the written inspection report, or when a unit is re-rented to a new tenant prior to the correction of a violation.~~

(2)(A) ~~If the cumulative amount of penalties imposed pursuant to this subsection is \$800.00 or less, the local health officer, Department of Health, or State's Attorney may bring a civil enforcement action in the Judicial Bureau pursuant to 4 V.S.A. chapter 29.~~

(B) ~~The waiver penalty for a violation in an action brought pursuant to this subsection is 50 percent of the full penalty amount.~~

(3) ~~If the cumulative amount of penalties imposed pursuant to this subsection is more than \$800.00, or if injunctive relief is sought, the local health officer, Department of Health, or State's Attorney may commence an action in the Civil Division of the Superior Court for the county in which a violation occurred.~~

(c) ~~If a local health officer fails to conduct an investigation pursuant to section 602a of this title or fails to issue an inspection report pursuant to this section, a landlord or tenant may request that the Department, at its discretion, conduct an investigation or contact the local board of health to take action.~~

[Repealed.]

* * *

* * * Transition Provisions * * *

Sec. 4. RENTAL HOUSING HEALTH AND SAFETY; TRANSITION PROVISIONS

(a) Notwithstanding any provision of law to the contrary:

(1) Until the Commissioner of Public Safety adopts rules governing rental housing health and safety pursuant to 20 V.S.A. § 2677, the Department of Health, local officials authorized by law, and the Department of Public

Safety have concurrent authority to enforce the Vermont Rental Housing Health Code adopted by the Department of Health pursuant to 18 V.S.A. § 102, 3 V.S.A. § 3003(a), and 3 V.S.A. § 801(b)(11).

(2) The Commissioner of Public Safety may immediately adopt a rule incorporating the Rental Housing Health Code without following the procedures otherwise required for general rulemaking in 3 V.S.A. chapter 25.

(3) Except as provided in subdivision (2) of this subsection, the Commissioner of Public Safety shall comply with the requirements for general rulemaking in 3 V.S.A. chapter 25 when adopting rules governing rental housing health and safety.

(b) Upon the adoption of rules governing rental housing health and safety pursuant to the authority in 20 V.S.A. § 2677:

(1) the Department of Public Safety is the State government entity with primary authority to enforce State laws governing rental housing health and safety;

(2) the Department of Public Safety and local officials have concurrent authority to enforce State and local laws governing rental housing health and safety pursuant to 18 V.S.A. chapter 11; 20 V.S.A. chapter 172, subchapter 2; 24 V.S.A. chapters 83 and 123; and applicable municipal law; and

(3) the Department of Health, the State Board of Health, and local health officials have concurrent authority to enforce State and local laws governing public health hazards and public health risks, as those terms are defined in 18 V.S.A. § 2, pursuant to 18 V.S.A. chapters 1, 3, and 11.

* * * Vermont Housing Investments * * *

Sec. 5. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM;

PURPOSE

(a) Recognizing that Vermont's rental housing stock is some of the oldest in the country and that much of it needs to be updated to meet code requirements and other standards, the Vermont Rental Housing Improvement Program is intended to incentivize private apartment owners to make significant improvements to both housing quality and weatherization by providing grants and forgivable loans that are matched in part by the property owner.

(b) The Program seeks to take the lessons learned from the successful Re-housing Recovery Program established with funds provided by the Federal CARES Act and implement them in a State-funded program.

Sec. 6. 10 V.S.A. chapter 29, subchapter 3 is added to read:

Subchapter 3. Housing; Investments

§ 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

(a) Creation of program.

(1) The Department of Housing and Community Development shall design and implement a 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, 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.

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

(1) Non-code compliant. The unit does not comply with the requirements of applicable building, housing, or health laws.

(2) New accessory dwelling. The unit will be a newly created accessory dwelling unit that meets the requirements of 24 V.S.A. § 4412(1)(E).

(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, 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, 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.

(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. 7. REPORT

On or before February 15, 2023, the Department of Housing and Community Development shall report to the General Assembly concerning the design, implementation, and outcomes of the Vermont Rental Housing Improvement Program, including findings and any recommendations related to the amount of grant awards.

Sec. 8. APPROPRIATIONS

(a) Purpose. The purpose of the appropriations in this section are:

(1) to respond to the far-reaching public health and negative economic impacts of the COVID-19 pandemic; and

(2) to ensure that Vermonters and Vermont communities have an adequate supply of safe, affordable housing.

(b) In fiscal year 2022, the amount of \$20,400,000.00 is appropriated from the America Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds as follows:

(1) \$400,000.00 to the Department of Public Safety to hire one or more Inspector positions authorized pursuant to this act.

(2) \$20,000,000.00 to the Department of Housing and Community Development to implement the Vermont Rental Housing Investment Program created in 10 V.S.A. § 699, provided that the Department shall allocate 20 percent of the funds for new accessory dwellings as follows:

(A) the Department may use not more than 20 percent of the funding available for new accessory dwellings to facilitate a statewide education and navigation system to assist homeowners with designing, financing, permitting, and constructing new accessory dwellings; and

(B) the Department shall use any remaining funds for new accessory dwellings for financial incentives or other financial supports to homeowners developing accessory dwelling units.

Sec. 9. EFFECTIVE DATES

This section and the following sections shall take effect on passage:

(1) Sec. 1 (DPS authority for rental housing health and safety; rental housing registration).

(2) Sec. 2 (DPS positions).

(3) Sec. 3 (conforming changes to Department of Health statutes).

(4) Sec. 4 (DPS rulemaking authority and transition provisions).

(5) Secs. 5–7 (Vermont Rental Housing Improvement Program).

(6) Sec. 8 (ARPA appropriations).

COMMITTEE ON THE PART OF
THE SENATE

SEN. MICHAEL D. SIROTKIN

SEN. ALISON CLARKSON

SEN. RANDOLPH D. BROCK

COMMITTEE ON THE PART OF
THE HOUSE

REP. THOMAS STEVENS

REP. JOHN KILLACKY

REP. TOMMY J. WALZ

Which was considered and adopted on the part of the House.

Rules Suspended to Interrupt Orders of the Day

Rep. Hango of Berkshire moved to suspend the rules to interrupt the Orders of the Day for the purpose of hearing a ceremonial reading of H.C.R. 153, and to recognize the persons honored in the resolution, which was agreed to.

Ceremonial Reading

H.C.R. 153

House concurrent resolution celebrating the State Partnership Program recently established between the Vermont National Guard and Austria

Offered by: Representatives Hango of Berkshire, Austin of Colchester, Birong of Vergennes, Fagan of Rutland City, Goslant of Northfield, Harrison of Chittenden, Martel of Waterford, Morgan, L. of Milton, Morgan, M. of Milton, Morrissey of Bennington, Norris of Sheldon, Ode of Burlington, Page of Newport City, Rosenquist of Georgia, Scheuermann of Stowe, Sibilgia of Dover, Troiano of Stannard, and Walz of Barre City

Having been adopted in concurrence on Friday, April 29, 2022 in accord with Joint Rule 16b, was read.

Rules Suspended; Immediate Consideration; Senate Proposal of Amendment Concurred in

H. 518

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to municipal energy resilience initiatives

Was taken up for immediate consideration.

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

Sec. 1. FINDINGS; MUNICIPAL ENERGY RESILIENCE

The General Assembly finds that:

(1) Vermont's municipalities own and operate more than 2,000 buildings and facilities, which are used to provide services to its citizens, including libraries; storing town vehicles; providing space for civic engagement; and connecting citizens to healthcare, education, and commercial interests.

(2) Vermont's Global Warming Solutions Act sets aggressive targets for greenhouse gas emissions reductions, and the heating of buildings provide significant opportunities for meeting these targets.

(3) The volatile cost of fossil fuel heating is often one of the largest line items in a municipal budget, which impacts the residential and commercial taxpayers in that municipality.

(4) A modest expansion to the State Energy Management Program, established in 29 V.S.A. § 168, made in 2019 can assist municipalities with responding to the greenhouse gas emissions targets set forth in the Global Warming Solutions Act.

(5) Connecting technical resources at the local, regional, and State level and expanding the State's energy management program to include municipal buildings will promote increased resilience and sustained connection to critical services for all Vermonters.

Sec. 2. MUNICIPAL ENERGY RESILIENCE; DEPARTMENT OF BUILDINGS AND GENERAL SERVICES; ASSESSMENTS

(a) Energy resilience assessments. On or before September 1, 2022, the Department of Buildings and General Services shall issue a request for proposal for a comprehensive energy resilience assessment of covered municipal buildings and facilities.

(b) Request for proposal. The Commissioner of Buildings and General Services shall contract with an independent third party to conduct the assessment described in subsection (a) of this section. The assessment shall be completed on or before January 15, 2024.

(c) Application. A covered municipality shall submit an application to the Department of Buildings and General Services to receive an assessment of its buildings and facilities pursuant to the guidelines established in subsection (e) of this section. As part of the application process, a municipality may use the

assistance of a regional planning commission to develop plans.

(d) Scope. For each covered municipality, the assessment described in subsection (a) of this section shall include a scope of work, cost, and timeline for completion for each building or facility. The assessment shall also include:

(1) recommendations for improvements that reduce the operating and maintenance costs, enhance comfort, and reduce energy intensity in a municipal building or facility, including:

(A) the improvement or replacement, or both, of heating, ventilation and air conditioning systems;

(B) the use of a renewable energy source for heating systems, provided that recommendations for the use of a heating systems that uses fossil fuels is not eligible; and

(C) improvements to the buildings or facilities thermal envelope;

(2) an evaluation on the reasonableness of battery storage and EV charging stations and recommended locations, as applicable;

(3) an evaluation of the potential for on-site renewable energy generation options and recommendation on the one most feasible, as applicable;

(4) an estimate of costs for each recommendation;

(5) an estimate of system and equipment life cycle costs and consumption data; and

(6) the potential to phase the scope of work and suggest a prioritized order of completion separate from the energy assessment scope.

(e) Administration. The Department of Buildings and General Services shall establish guidelines for a covered municipality to receive an assessment and shall require at a minimum that:

(1) the covered municipality has access to high-speed Internet as defined in the State's Telecommunication Plan set forth in 30 V.S.A. § 202c or a plan is in place by 2024 to ensure access to high-speed Internet; and

(2) any building that is assessed is compliant with the American Disabilities Act at the time the project is completed.

(f) Definition. As used in this section, "covered municipality" means a city, town, fire district or incorporated village, and all other governmental incorporated units except for school districts.

Sec. 3. MUNICIPAL ENERGY RESILIENCE GRANT PROGRAM

(a) Program established.

(1) In fiscal year 2023, there is established the Municipal Energy Resilience Grant Program to award grants to:

(A) make recommendations to municipalities on the use of more efficient renewable or electric heating systems; and

(B) make necessary improvements to reduce emissions by reducing fossil fuel usage and increasing efficiency in municipally owned buildings.

(2) For the awards granted pursuant to this subsection, the primary design of replacement systems shall prioritize renewable or electric heating systems as the preferred heating source. If, after review, a non-fossil fuel heating system is not technically feasible as a primary heating source, the recommendation may include upgrades for other heating systems, provided they reduce fossil fuel consumption and meet the goals of this act.

(b) Definition. As used in this section, “covered municipality” means a city, town, fire district or incorporated village, and all other governmental incorporated units except for school districts.

(c) Administration; implementation.

(1) Grant awards. The Department of Buildings and General Services, in coordination with Efficiency Vermont, through the State Energy Management Program, shall administer the Program, which shall award grants for the following:

(A) not more than \$500,000.00 to each covered municipality for approved projects for weatherization, thermal efficiency, to supplement or replace fossil fuel heating systems with more efficient renewable or electric heating systems, and any other expenditures necessary for the project to be eligible for funding under federal law and guidelines; and

(B) not more than \$4,000.00 to each covered municipality to facilitate community meetings and communication about municipal energy resilience.

(2) Grant Program design. The Department of Buildings and General Services, in consultation with Efficiency Vermont; the Vermont League of Cities and Towns; regional planning commissions; and experts in the field of thermal enclosure, energy efficiency, and renewable building space systems, shall design the Program. The Program shall include a streamlined and minimal application process for a municipality to apply directly to the

Department of Buildings and General Services or with the assistance of a regional planning commission. The Program design shall establish:

(A) an outreach and education plan by regional planning commissions, including specific tactics to reach and support each covered municipality;

(B) an equitable system for distributing grants statewide on the basis of need according to a system of priorities, including the following ranked in priority order:

(i) a municipality with the highest energy burden community needs and lowest resources, as defined in Efficiency Vermont's 2019 Energy Burden Report;

(ii) a municipality that may not have administrative support to apply for grants;

(iii) geographic location;

(iv) community size; and

(v) whether another division of the municipality has already received a grant;

(C) guidelines for renewable and energy efficiency buildings systems resilience, durability, health, and efficiency measures and costs that will be eligible for grant funding; and

(D) eligibility criteria for covered municipalities, including written commitment by the municipality to conduct community workshops and a self-assessment.

(d) Coordination. The Department of Buildings and General Services shall coordinate with any other State entities and agencies working with covered municipalities to provide grants for the Program.

(e) Funding. The Program shall be funded by the American Rescue Plan Act State and Local Fiscal Recovery Fund.

(f) Assessment. A covered municipality is only eligible for a grant under this section if an assessment of its buildings and facilities has been conducted pursuant to Sec. 2 of this act.

Sec. 4. MUNICIPAL ENERGY RESILIENCE GRANT PROGRAM; APPROPRIATION

In fiscal year 2023, the amount of \$45,000,000.00 shall be appropriated from the American Rescue Plan Act (ARPA) from the State and Local Fiscal

Recovery Fund to the Municipal Energy Resilience Grant Program for use as follows:

(1) The amount of \$2,400,000.00 shall be appropriated to the Department of Buildings and General Services for regional planning commissions to assist with grant and assessment applications and provide programming and technical assistance to covered municipalities. The funding to regional planning commissions shall be distributed as follows:

(A) Fifty-five percent of the funds shall be divided equally among the regional planning commissions.

(B) Forty-five percent of the funds shall be allocated according to the number of Vermont member municipalities in each regional planning commission as of July 1, 2022.

(2) The amount of \$42,600,000.00 shall be appropriated to the Department of Buildings and General Services to be used as follows:

(A) \$5,000,000.00 for hiring a contractor to conduct assessments pursuant to Sec. 2 of this act;

(B) \$1,000,000.00 for costs associated with administering the grant program; and

(C) \$36,600,000.00 for grants to covered municipalities for weatherization, for thermal efficiency, and to supplement or replace heating systems with more efficient renewable or electric heating systems.

* * * Municipal Energy Loan Program * * *

Sec. 5. 29 V.S.A. § 168a is added to read:

§ 168a. MUNICIPAL ENERGY LOAN PROGRAM

(a) Authority. The Department of Buildings and General Service is authorized to provide financing to municipalities through the Municipal Energy Loan Program for equipment replacement, studies, weatherization, construction of improvements affecting the use of energy resources, the implementation of energy efficiency and conservation measures, and the use of renewable resources.

(b) Loan eligibility and criteria. The Commissioner shall establish for the Program described in subsection (a) of this section:

(1) criteria to determine eligibility for funding, including repayment terms;

(2) a priority basis for the selection process that ensures equitable allocation of funds to municipalities, considering at least financial need,

geographic distribution, and ability to repay; and

(3) loan conditions that ensure accountability by a municipality receiving funds.

(c) Definitions. As used in this section:

(1) “Energy efficiency improvement” has the same meaning as in section 168 of this title.

(2) Definition. As used in this section, “covered municipality” means a city, town, fire district or incorporated village, and all other governmental incorporated units except for school districts.

(3) “Renewables” has the same meaning as in 30 V.S.A. § 8002.

(4) “Resource conservation measures” has the same meaning as in section 168 of this title.

Sec. 6. 29 V.S.A. § 168b is added to read:

§ 168b. MUNICIPAL ENERGY REVOLVING FUND

(a) Creation. There is established the Municipal Energy Revolving Fund to provide financing for the Municipal Energy Loan Program established in section 168a of this title.

(b) Monies in the Fund. The Fund shall consist of:

(1) monies appropriated to the Fund and;

(2) loan repayment by municipalities

(c) Repayment terms. A municipality receiving funding shall repay the Fund through its regular operating budget according to a schedule established by the Commissioner.

(d) Fund administration.

(1) The Commissioner of Finance and Management may anticipate receipts to this Fund and issue warrants based thereon.

(2) The Commissioner of Buildings and General Services shall maintain accurate and complete records of all receipts by and expenditures from the Fund.

(3) All balances remaining at the end of a fiscal year shall be carried over to the following year.

(e) Definitions. As used in this section:

(1) “Energy efficiency improvement” has the same meaning as in section 168 of this title.

(2) “Renewables” has the same meaning as in 30 V.S.A. § 8002.

(f) Annual report. Beginning on or before January 15, 2023 and annually thereafter, the Commissioner of Buildings and General Services shall report to the House Committees on Corrections and Institutions and on Energy and Technology and the Senate Committee on Institutions on the expenditure of funds from the Municipal Energy Revolving Fund. For each fiscal year, the report shall include a summary of each project receiving funding and the municipality’s expected savings. 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.

Sec. 7. MUNICIPAL ENERGY REVOLVING FUND; DEPARTMENT OF BUILDINGS AND GENERAL SERVICES; FEE RECOMMENDATION

On or before January 15, 2023, the Commissioner of Buildings and General Services shall submit a recommendation to the House Committee on Ways and Means and the Senate Committee on Finance for a fee amount to be charged to pay for administrative costs associated with the Municipal Energy Revolving Fund.

Sec. 8. MUNICIPAL ENERGY REVOLVING FUND; FY 2023 APPROPRIATION; REPORT

(a) In FY 2023, 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:

(1) not more than \$800,000.00 from the Energy Efficiency Revolving Loan Fund Capitalization Grant allocated in the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 pursuant to the process set forth in 32 V.S.A. § 5; and

(2) not more than \$2,000,000.00 from the Energy Efficiency and Renewable Energy Block Grant Fund in the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 pursuant to the process set forth in 32 V.S.A. § 5.

(b) On or before January 15, 2023, the Department of Public Service shall report to the House Committee on Energy and Technology and the Senate Committee on Finance on the total grant amounts approved by the State and transferred to the Municipal Energy Revolving Fund pursuant to subsection (a) of this section.

Sec. 9. 2015 Acts and Resolves No. 58, Sec. E.112, as amended by 2019 Acts and Resolves No. 72, Sec. E.112, is further amended to read:

Sec. E.112 ENERGY EFFICIENCY; STATE BUILDINGS AND FACILITIES

* * *

(b) Notwithstanding any provision of Title 30 of the Vermont Statutes Annotated, Public Service Board order, or other provision of law to the contrary:

(1) The Department and Efficiency Vermont (EVT) shall augment the Program for a preliminary period of ~~eight~~ 11 years commencing in fiscal year 2016 under which EVT shall provide the Department with support for the Program to deliver cost-effective energy efficiency and conservation measures to State buildings and facilities, with the goal of this pilot to create a self-sustaining program at the Department, with annual savings from energy projects exceeding the annual cost to staff the Program. The Department and EVT may agree to continue conducting this augmented Program in subsequent fiscal years, after considering recommendations for improvement based on evaluation of the preliminary period.

* * *

(2) In addition to the requirements of subdivision (1) of this subsection, the project shall include provision by EVT of support for personnel to implement the Program during fiscal years 2016 to ~~2023~~ 2027.

* * *

(B) Under this subdivision (2), EVT shall provide up to \$290,000 during fiscal year 2016. For the remaining ~~seven~~ 10 fiscal years, EVT shall ~~provide an additional amount sufficient to support annual salary and benefit adjustments~~ make available under agreement with the Department an additional amount sufficient to support annual salary and benefit adjustments. These funds shall be received in the Facilities Operations Fund established in 29 V.S.A. § 160a; and may be spent using excess receipts authority. Efficiency Vermont and the Department may agree to adjust the funding committed to this Program based on a joint evaluation that annual energy savings generated by this Program exceed the annual cost of the staff positions.

(3) The Public Service Board shall adjust any performance measures applicable to EVT to recognize the requirements of this section.

(c) The Department and EVT shall execute a new or amended memorandum of understanding to implement this section, which shall include targets for future energy savings, a process for determining how savings targets

are met, and details of EVT's commitment for personnel over ~~an eight-year~~ a 10-year time period.

(d) On or before October 1 of each year commencing in 2016 and ending in ~~2023~~ 2027, the Department and EVT shall provide a joint report on the implementation of this section.

* * *

(5) The report to be submitted in 2019 ~~and, in 2023, and in 2027~~ shall contain an evaluation of the Program authorized under this section and any resulting recommendations, including recommendations related to Program continuation beyond ~~2023~~ 2027.

* * *

Sec. 10. FY 2023; APPROPRIATION; DEPARTMENT OF BUILDINGS
AND GENERAL SERVICES; REGIONAL PLANNING
COMMISSIONS; POSITIONS

(a) Department of Buildings and General Services. Two full-time, limited-service positions are created in the Department of Buildings and General Services in fiscal year 2023 for three fiscal years to administer the municipal energy resilience assessments pursuant to Sec. 2 of this act. The positions shall be responsible for determining project eligibility; coordinating with the State Energy Management Program to recruit and coordinate auditors, engineers, and contractors; and providing financing technical assistance for municipalities implementing projects. These positions shall be funded from the amount appropriated in Sec. 4(2)(B) of this act.

(b) Department of Buildings and General Services; Municipal Energy Resilience Grant Program. Two full-time, limited-service positions are created in the Department of Buildings and General Services in fiscal year 2023 for three fiscal years to administer the Municipal Energy Resilience Grant Program created in Sec. 3 of this act. The positions shall be funded from the amount of \$1,000,000.00 for administrative costs appropriated in Sec. 4(2)(B) of this act.

* * * Effective Date * * *

Sec. 11. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Which proposal of amendment was considered and concurred in.

Rules Suspended; Bills Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House action on the following bills were ordered messaged to the Senate forthwith:

S. 11

Senate bill, entitled

An act relating to prohibiting robocalls

S. 210

Senate bill, entitled

An act relating to rental housing health and safety and affordable housing

S. 283

Senate bill, entitled

An act relating to miscellaneous changes to education laws

Recess

At three o'clock and forty-four minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 11th day of May, 2022, he signed bills originating in the House of the following titles:

H. 266 An act relating to health insurance coverage for hearing aids

H. 293 An act relating to creating the State Youth Council

H. 411 An act relating to the retrieval and use of covered wild animals

Message from the Senate No. 74

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

S. 188. An act relating to regulating licensed small cannabis cultivation as farming.

And has concurred therein.

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

H. 727. An act relating to the exploration, formation, and organization of union school districts and unified union school districts.

And has accepted and adopted the same on its part.

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

H. 74. An act relating to making miscellaneous changes concerning self-storage businesses.

H. 244. An act relating to authorizing the natural organic reduction of human remains.

H. 477. An act relating to leave for crime victims.

H. 559. An act relating to workers' compensation.

And has passed the same in concurrence.

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

H. 730. An act relating to alcoholic beverages and the Department of Liquor and Lottery.

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

Called to Order

Rep. Krowinski of Burlington presiding. At four o'clock and fourteen minutes in the afternoon, the Speaker called the House to order.

**Rules Suspended; Immediate Consideration; Report of Committee of
Conference Adopted**

H. 720

Appearing on the Calendar for Notice, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to the system of care for individuals with developmental disabilities

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses respectfully reported that it met and considered the same and recommended the following:

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:

H.720. An act relating to the system of care for individuals with developmental disabilities.

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 Sec. 3, report; case manager quality assurance review, in its entirety and inserting in lieu thereof the following:

Sec. 3. REPORT; QUALITY ASSURANCE REVIEW

(a) On or before November 15, 2022, the Department of Disabilities, Aging, and Independent Living shall submit a written report to the House Committee on Human Services and to the Senate Committee on Health and Welfare regarding the oversight of services for individuals with developmental disabilities. The report shall, at a minimum:

(1) identify the current level of quality service reviews required by the Department for home- and community-based services provided by the designated and specialized service agencies and other contracted agencies that provide services to individuals with developmental disabilities and recommend any modifications to these requirements or processes; and

(2) identify the current requirements for the designated and specialized service agencies and other providers to perform on-site visits to individuals

with a developmental disability receiving Medicaid-funded residential services, including the residences of individuals residing with shared living providers; the residences of individuals receiving services in their own home or the home of their family; and the residences of individuals residing in residential care homes, therapeutic community residences, nursing facilities, and any other residential settings.

(b) On or before January 15, 2023, the Department of Disabilities, Aging, and Independent Living shall submit a written report to the House Committee on Human Services and to the Senate Committee on Health and Welfare regarding the oversight of services for individuals with developmental disabilities. The report shall develop an implementation plan that shall address the fiscal and workforce requirements for conducting a minimum of at least one annual on-site quality assurance and improvement visit by the Department to the designated and specialized service agencies and other providers serving individuals with developmental disabilities to address the quality of home- and community-based services, including health and safety, in accordance with personalized service plans for the individuals served.

CHERYL M. HOOKER
RUTH E. HARDY
JOSHUA TEREZINI

Committee on the part of the Senate

THERESA A. WOOD
FRANCIS M. MCFAUN
DANIEL A. NOYES

Committee on the part of the House

Which was considered and adopted on the part of the House.

Rules Suspended; Immediate Consideration; Consideration of Senate Proposal of Amendment Interrupted; Recess; Consideration Resumed; Senate Proposal of Amendment Concurred in

H. 533

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to converting civil forfeiture of property in drug-related prosecutions into a criminal process

Was taken up for immediate consideration.

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

Sec. 1. DRUG-RELATED PROPERTY SEIZURE AND FORFEITURE;
WORKING GROUP; REPORT

(a) Creation. There is created the Property Seizure and Forfeiture Working Group to study Vermont's use of property seizure and forfeiture processes under federal and State law for drug-related offenses.

(b) Membership. The Working Group shall be composed of the following members:

(1) the Chief Judge of the Vermont Superior Court or designee;

(2) the Attorney General or designee;

(3) the State Treasurer or designee;

(4) the Defender General or designee;

(5) the Commissioner of Public Safety or designee;

(6) the Executive Director of the Department of State's Attorney and Sheriffs or designee;

(7) the President of the Vermont Sheriffs' Association or designee; and

(8) the Center for Justice Reform at Vermont Law School.

(c) Powers and duties. The Working Group shall study how Vermont law enforcement used federal and State law to seize and forfeit property in drug-related offenses since 2015. In particular, the study shall examine:

(1) the date, type, quantity, value, and location of any seized property;

(2) the number of State property seizures resulting in federal adoption;

(3) forfeiture actions commenced using the State and federal processes, including the date of commencement, type of forfeiture process used, and why the specific forfeiture process was selected;

(4) drug offenses related to any State and federal forfeiture actions, including the date the offense is charged and date of final judgment, plea agreement, or other agreement disposing of the matter;

(5) whether innocent owners, lienholders, or other interested parties aggrieved by a seizure or forfeiture intervened or otherwise participated in any State and federal forfeiture actions;

(6) the outcomes of State and federal forfeiture actions, including the

dates of disposition and whether property was forfeited, returned, or otherwise disposed;

(7) how and when the proceeds of forfeited property were distributed using the State and federal processes, including the share of proceeds received by any law enforcement agencies and prosecutors' offices;

(8) how any proceeds were used by law enforcement agencies and prosecutors' offices;

(9) any problems, impediments, or issues with the State process, including impacts on the State court system if it is expanded; and

(10) any complaints concerning abuse of the State and federal processes by law enforcement agencies or prosecutors' offices.

(d) Report. On or before December 15, 2022, the Working Group shall submit a written report in the form of proposed legislation to the Joint Legislative Justice Oversight Committee, the Senate Committee on Judiciary, and the House Committee on Judiciary.

(e) Meetings.

(1) The Chief Judge of the Vermont Superior Court or designee shall call the first meeting of the Working Group to occur on or before July 15, 2022.

(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 Working Group shall cease to exist on January 31, 2023.

Sec. 2. 18 V.S.A. § 4247 is amended to read:

§ 4247. DISPOSITION OF PROPERTY

(a) Whenever property is forfeited and delivered to the State Treasurer under this subchapter, the State Treasurer shall, ~~no~~ not sooner than 90 days ~~of~~ after the date the property is delivered, sell the property at a public sale held under 27 V.S.A. chapter ~~13~~ 18, subchapter ~~7~~.

(b) The proceeds from the sale of forfeited property shall be used first to offset any costs of selling the property, and then, after any liens on the property have been paid in full, applied to payment of seizure, storage, and forfeiture expenses, including animal care expenses related to the underlying violation. Remaining proceeds shall be distributed as follows:

* * *

(B) ~~The Governor's Criminal Justice and Substance Abuse Cabinet Agency of Administration~~ is authorized to determine the allocations among the groups listed in subdivision (A) of this subdivision (1); and may only reimburse the prosecutor and law enforcement agencies that participated in the enforcement effort resulting in the forfeiture for expenses incurred, including actual expenses for involved personnel. The proceeds shall be held by the Treasurer until the ~~Cabinet Agency~~ notifies the Treasurer of the allocation determinations, at which time the Treasurer shall forward the allocated amounts to the appropriate agency's operating funds.

* * *

Sec. 3. REPEAL

18 V.S.A. § 4247(b)(1)(B) is repealed on July 1, 2024.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

And that after passage the title of the bill be amended to read:

An act relating to forfeited property disposition and a study assessing civil and criminal seizure and forfeiture of property in drug-related offenses.

At four o'clock and thirty-four minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

At four o'clock and forty-six minutes in the afternoon, the Speaker called the House to order.

Thereupon, consideration resumed on the Senate proposal of amendment and which proposal of amendment was concurred in.

Rules Suspended; Immediate Consideration; Senate Proposal of Amendment Concurred in with a Further Amendment Thereto

H. 572

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to the retirement allowance for interim educators

Was taken up for immediate consideration.

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

Sec. 1. FY 2023; RESTORATION OF SERVICE; VERMONT STATE
TEACHERS' RETIREMENT SYSTEM

(a) Authority. Notwithstanding 16 V.S.A. § 1939 or any other provision of law, in fiscal year 2023, a beneficiary who retired from the System as a Group A or a Group C member may resume service, as that term is defined in 16 V.S.A. § 1931, to serve as an interim school educator for a period not to exceed one school year and receive the beneficiary's retirement allowance for the entire period that service is resumed, provided that:

(1) the beneficiary has received a retirement allowance for six months or more immediately preceding the resumption of service;

(2) the employer of the beneficiary is subject to the assessment set forth in 16 V.S.A. § 1944d on behalf of the beneficiary and remits payment to the Benefits Fund; and

(3) the employer of the beneficiary remits a one-time fee of \$2,500.00 to the State Treasurer for administrative costs associated with the beneficiary resuming service.

(b) Period of service. A person who resumes service under subsection (a) of this section shall not make any contributions to the System during the person's period of service and shall not be entitled to a retirement allowance separately computed for the period that service was resumed.

(c) Employment certification. Each superintendent who hires an interim school educator pursuant to subsection (a) of this section shall certify to the Board that the district exhausted all reasonable options to employ a qualified active educator prior to employing a beneficiary as an interim school educator.

(d) Renewal.

(1) In fiscal years 2024 and 2025, the State Treasurer is authorized to grant not more than two renewals for a one-fiscal-year period to the authority described in subsection (a) of this section. The State Treasurer shall make the determination to renew the authority not earlier than June 1 but not later than June 30 in each fiscal year and shall notify the House and Senate Committees on Government Operations of the determination.

(2) In the event the State Treasurer makes a determination to renew the authority pursuant to subdivision (1) of this subsection, a beneficiary may only resume service during each one-year renewal period if service is performed in a different interim school educator position.

(e) Repeal. This section shall be repealed on June 30, 2026.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Rep. Copeland Hanzas of Bradford** moved to concur in the Senate proposal of amendment with a further amendment thereto as follows:

First: In Sec. 1, FY 2023; restoration of service; Vermont State Teachers' Retirement System, by striking out subdivision (a)(3) in its entirety and inserting a new subdivision (a)(3) to read as follows:

(3) the employer of the beneficiary remits payment to the Vermont Teachers' Retirement Fund, established in 16 V.S.A. § 1944, in an amount equal to the contribution rate established for members of the beneficiary's group for any period that service is resumed.

Second: By adding a new Sec. 2 to read as follows:

Sec. 2. 16 V.S.A. § 1949 is amended to read:

§ 1949. POSTRETIREMENT ADJUSTMENTS TO RETIREMENT
ALLOWANCES

~~(a) For all Group A members, as of June 30 in each year, beginning June 30, 1972, the Board shall determine any increase or decrease, to the nearest one-tenth of one percent, in the ratio of the average of the Consumer Price Index for the month ending on that date to the average of the Index for the month ending on June 30, 1971, or the month ending on June 30 of the most recent year thereafter. In the event of an increase, and provided that the net increase following the application of any offset as provided in this subsection equals or exceeds one percent, the retirement allowance of each beneficiary in receipt of an allowance for at least one year on the next following December 31 shall be increased by an equal percentage. Such increase shall begin on the January 1 immediately following that December 31. An equivalent percentage increase shall also be made in the retirement allowance payable to a beneficiary in receipt of an allowance under an optional election, provided the member on whose account the allowance is payable and such other person shall have received a total of at least 12 monthly payments by such December 31. In the event of a decrease of the Consumer Price Index as of June 30 for the preceding year, the retirement allowance of a beneficiary shall not be subject to any adjustment on the next following January 1; provided, however, that:~~

~~(1) such decrease shall be applied as an offset against the first subsequent year's increase of the Consumer Price Index when such increase equals or exceeds one percent, up to the full amount of such increase; and~~

~~(2) to the extent that such decrease is greater than such subsequent year's increase, such decrease shall be offset in the same manner against two or more years of such increases, for up to but not exceeding five subsequent years of such increases, until fully offset. Postretirement adjustments to retirement allowance. On January 1 of each year, the retirement allowance of each beneficiary of the System who is in receipt of a retirement allowance for at least a one-year period as of December 31 in the previous year, and who meets the eligibility criteria set forth in this section, shall be adjusted by the amount described in subsection (d) of this section. In no event shall a beneficiary receive a negative adjustment to the beneficiary's retirement allowance.~~

~~(b) For Group C members, as of June 30 in each year, commencing June 30, 1981, a determination shall be made of any increase or decrease, to the nearest one-tenth of a percent of the Consumer Price Index for the preceding fiscal year. In the event of an increase, and provided that there exists a net increase following the application of any offset as provided in this subsection, the retirement allowance of each beneficiary in receipt of an allowance for at least one year on the next following December 31 shall be increased by an amount equal to one-half of the net percentage increase. The increase shall commence on the January 1 immediately following that December 31. The increase shall apply to Group C members having attained 57 years of age or completed at least 25 years of creditable service as of June 30, 2010, and receiving an early retirement allowance only in the year following attainment of age 62, and shall apply to Group C members not having attained 57 years of age or having completed at least 25 years of creditable service as of June 30, 2010, and receiving an early retirement allowance only in the year following the member's attainment of 65 years of age, provided the member has received benefits for at least 12 months as of December 31 of the year preceding any January adjustment. In the event of a decrease of the Consumer Price Index as of June 30 for the preceding year, the retirement allowance of a beneficiary shall not be subject to any adjustment on the next following January 1; provided, however, that:~~

~~(1) such decrease shall be applied as an offset against the first subsequent year's increase of the Consumer Price Index, up to the full amount of such increase; and~~

~~(2) to the extent that such decrease is greater than such subsequent year's increase, such decrease shall be offset in the same manner against two~~

~~or more years of such increases, for up to but not exceeding five subsequent years of such increases, until fully offset. Calculation of net percentage increase. Each year, a determination shall be made of any increase or decrease, to the nearest one-tenth of a percent, in the Consumer Price Index for the month ending on June 30 of that year to the average of the Consumer Price Index for the month ending on June 30 of the previous year.~~

(1) Consumer Price Index; maximum and minimum amounts. Any increase or decrease in the Consumer Price Index shall be subject to adjustment so as to remain within the following maximum and minimum amounts:

(A) For Group A members and Group C members who are eligible for normal retirement or unreduced early retirement, or who are vested deferred, on or before June 30, 2022, the maximum amount of any increase or decrease utilized to determine the net percentage increase shall be five percent.

(B) For Group C members who are eligible for retirement and leave active service on or after July 1, 2022, the maximum amount of any increase or decrease utilized to determine the net percentage increase shall be four percent.

(2) Consumer Price Index; decreases. In the event of a decrease of the Consumer Price Index as of June 30 for the preceding year, there shall be no adjustment to the retirement allowance of a beneficiary for the subsequent year beginning on January 1; provided, however, that:

(A) such decrease shall be applied as an offset against the first subsequent year's increase of the Consumer Price Index up to the full amount of such increase; and

(B) to the extent that such decrease is greater than such subsequent year's increase, such decrease shall be offset in the same manner against two or more years of such increases, for up to but not exceeding five subsequent years of such increases, until fully offset.

(3) Consumer Price Index; increases. Subject to the maximum and minimum amounts set forth in subdivision (1) of this subsection, in the event of an increase in the Consumer Price Index, and provided there remains an increase following the application of any offset as in subdivision (2) of this subsection, that amount shall be identified as the net percentage increase and used to determine the members' postretirement adjustment as set forth in subsection (d) of this section.

~~(c) For purposes of subsection (a) of this section, the maximum amount of any increase or decrease utilized to determine the net percentage increase shall be five percent. For purposes of subsection (b) of this section, the maximum~~

amount of any increase or decrease utilized to determine the net percentage increase shall be five percent, and any increase or decrease less than one percent shall be assigned a value of one percent. Eligibility for postretirement adjustment. In order for a beneficiary to receive a postretirement adjustment allowance, the beneficiary must meet the following eligibility requirements:

(1) for any Group A or Group C member eligible for retirement, or who is vested deferred, on or before June 30, 2022, the member must be in receipt of a retirement allowance for at least 12 months prior to the January 1 effective date of any postretirement adjustment; and

(2) for any Group C member who is eligible for retirement and leaves active service on or after July 1, 2022, the member must be in receipt of a retirement allowance for at least 24 months prior to the January 1 effective date of any postretirement adjustment.

(d) Amount of postretirement adjustment. The postretirement adjustment for each member who meets the eligibility criteria set forth in subsection (c) shall be as follows:

(1) the full amount of the net percentage increase calculated pursuant to subsection (b) of this section for all Group A members; and

(2) one-half of the net percentage increase for all Group C members.

(e) As used in this section, "Consumer Price Index" shall mean the Northeast Region Consumer Price Index for all urban consumers, designated as "CPI-U," in the northeast region, as published by the U.S. Department of Labor, Bureau of Labor Statistics.

and by renumbering the remaining section to be numerically correct.

Which was agreed to.

Rules Suspended; Immediate Consideration; Senate Proposal of Amendment Concurred in

H. 512

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to modernizing land records and notarial acts law

Was taken up for immediate consideration.

The Senate proposed to the House to amend the bill as follows:

First: In Sec. 2, 27 V.S.A. chapter 5, subchapter 8, by striking out section 625 in its entirety and inserting in lieu thereof a new section 625 to read as follows:

§ 625. STANDARDS AND BEST PRACTICES

To ensure consistency in the standards and best practices of, and the technologies used by, recorders in this State, all recordings of deeds and other instruments or evidences respecting real estate, regardless of format, shall comply with standards and best practices issued by the Vermont State Archives and Records Administration pursuant to 3 V.S.A. § 117. Recorders shall seek services from the Vermont State Archives and Records Administration to comply with the standards and best practices issued in accordance with this subchapter. No provisions of this subchapter shall be implemented unless a recorder has complied with the standards and best practices issued by the Vermont State Archives and Records Administration in accordance with this subchapter.

Second: In Sec. 3, Vermont State Archives and Records Administration; report, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a)(1) On or before January 15, 2024, the Vermont State Archives and Records Administration shall submit a report to the House Committees on Commerce and Economic Development and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations concerning the fiscal, governance, and operational sustainability of uniform approaches to the modernization of the acceptance, recording, and availability of deeds and other property records, regardless of format.

(2) For the report required by this subsection, the Vermont State Archives and Records Administration shall consult with:

- (A) the Joint Fiscal Office;
- (B) the Vermont League of Cities and Towns;
- (C) the Vermont Municipal Clerks' and Treasurers' Association;
- (D) representatives from the banking, bar, title insurance, and real estate industry; and
- (E) other interested parties.

Third: In Sec. 5 (effective date), by striking Sec. 5 in its entirety and inserting in lieu thereof a Sec. 6 to read as follows:

Sec. 6. EFFECTIVE DATES

(a) This section and Sec. 4 (Vermont State Archives and Records Administration; position) shall take effect on passage.

(b) Secs. 1, 2, 3, and 5 shall take effect on July 1, 2022.

Which proposal of amendment was considered and concurred in.

Rules Suspended; Bills Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House actions on the following bills were ordered messaged to the Senate forthwith:

H. 512

House bill, entitled

An act relating to modernizing land records and notarial acts law

H. 518

House bill, entitled

An act relating to municipal energy resilience initiatives

H. 533

House bill, entitled

An act relating to converting civil forfeiture of property in drug-related prosecutions into a criminal process

H. 572

House bill, entitled

An act relating to the retirement allowance for interim educators

H. 720

House bill, entitled

An act relating to the system of care for individuals with developmental disabilities

Recess

At five o'clock and eleven minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

Message from the Senate No. 75

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Governor has informed the Senate that on May 11, 2022, he did not approve and *allowed to become law without his signature* a bill originating in the Senate of the following title:

S. 197. An act relating to the provision of mental health supports.

Text of Communication from Governor

The text of the communication to the Senate from His Excellency, the Governor, setting forth his reasons for refusing to sign and *allowing to become law without his signature*, **Senate Bill No. S. 197**, is as follows:

“May 11, 2022

Vermont General Assembly
115 State Street
Montpelier, VT 05633

Re: S. 197, An act relating to the provisions of mental health supports

Dear Legislators:

Today, I am letting S. 197, *An act relating to the provisions of mental health supports* go into law because, in the aftermath of remote learning and school masking policies of the last two years of the pandemic, our school staffs and our kids need resources and supports to address learning deficits and mental health needs which only became worse during COVID, particularly among Vermont’s most vulnerable kids. I thank the Legislature for appropriating \$3 million in federal funds for this purpose.

Unfortunately, while S. 197 will become law, it will be without my signature due to what I believe is a separation of powers issue related to executive privilege within the bill. In response to Section 5 of this bill, the Task Force will release materials upon request only, and only to the extent I have made a determination in my discretion to waive the privilege. Letting this bill go into law without my signature does not constitute a waiver of my executive privilege.

Sincerely,

/s/ Philip B. Scott
Governor

PBS/kp”

The Governor has informed the Senate that on the eleventh day of May, 2022, he approved and signed bills originating in the Senate of the following titles:

S. 162. An act relating to the collective bargaining rights of teachers.

S. 206. An act relating to planning and support for individuals and families impacted by Alzheimer's Disease and related disorders.

Message from the Senate No. 76

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has considered the reports of the Committees of Conference upon the disagreeing votes of the two Houses upon Senate bills of the following titles:

S. 11. An act relating to prohibiting robocalls.

S. 210. An act relating to rental housing health and safety and affordable housing.

S. 283. An act relating to miscellaneous changes to education laws.

And has accepted and adopted the same on its part.

The Senate has on its part adopted Senate concurrent resolutions of the following titles:

S.C.R. 22. Senate concurrent resolution congratulating Jay and Joan Zwynenburg on the 50th anniversary of Jay's Art Shop & Frame Gallery and for their roles as exemplary downtown Bennington entrepreneurs.

S.C.R. 23. Senate concurrent resolution celebrating the State Partnership Program recently established between the Vermont National Guard and Austria.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

H.C.R. 170. House concurrent resolution in memory of former Representative, Commissioner of State Buildings, and Labor Relations Board

member John J. Zampieri of Ryegate.

H.C.R. 171. House concurrent resolution congratulating Jayne Barber of Bellows Falls on her 2022 induction into the Vermont Sports Hall of Fame.

Called to Order

At six o'clock and forty-four minutes in the evening, the Speaker called the House to order.

Rules Suspended; Immediate Consideration; Report of Committee of Conference Adopted

H. 727

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to the exploration, formation, and organization of union school districts and unified union school districts

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses respectfully reported that it met and considered the same and recommended the following:

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:

H.727. An act relating to the exploration, formation, and organization of union school districts and unified union school districts.

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:

Sec. 1. 16 V.S.A. chapter 11, subchapter 1 is redesignated to be chapter 9, subchapter 6 to read:

Subchapter ~~46~~. GENERALLY; CONTRACTS BETWEEN DISTRICTS
TO OPERATE SCHOOLS JOINTLY

§ 571. CONTRACTS TO CONSTRUCT AND OPERATE JOINT SCHOOLS

* * *

§ 572. JOINT BOARDS FOR JOINT, CONTRACT, OR CONSOLIDATED
SCHOOLS

* * *

Sec. 2. REPEAL

16 V.S.A. chapter 11 (union schools) is repealed on passage of this act.

Sec. 3. 16 V.S.A. chapter 11 is added to read:

CHAPTER 11. UNION SCHOOL DISTRICTS

Subchapter 1. General Provisions

§ 701. POLICY

It is the policy of the State to provide substantially equal educational opportunities for all children in Vermont by authorizing two or more school districts, including an existing union school district, to form a union school district for the purpose of providing for the education of its resident students in the grades for which it is organized, and for the new union school district to be a body politic and corporate with the powers incident to a municipal corporation, with all of the rights and responsibilities that a town school district has in providing for the education of its resident students. Formation of union school districts shall be designed to encourage and support local decisions and actions that provide substantial equity of educational opportunities statewide, lead students to achieve or exceed the State's Education Quality Standards, maximize operational efficiencies, promote transparency and accountability, and be delivered at a cost that parents, voters, and taxpayers value.

§ 702. DEFINITIONS

As used in this chapter:

(1) "Board clerk" means the individual selected to be clerk of the board of a union school district by the members of the board from among their number pursuant to the provisions of sections 714 (initial members of union school district board), 729 (unified union district board members), and 747

(union elementary and union high school district board members) of this chapter.

(2) “District clerk” means the individual elected as clerk of a union school district by the voters of the district pursuant to the provisions of sections 715 (union school district organizational meeting), 735 (unified union school district officers and election), and 753 (union elementary and union high school district officers and election) of this chapter.

(3) “Forming districts” means all school districts, including union school districts, that are located within the geographical boundaries of a proposed or voter-approved union school district prior to the operational date of the union school district, which will potentially merge or have merged to form the new union school district.

(4) “Member district” means a school district, which can be a union school district, that is a member of a union elementary school district or a union high school district for certain grades, prekindergarten through grade 12, and is a distinct district organized to provide for the education of its resident students for all other grades, whether by operating one or more schools or paying tuition.

(5) “Operational date” means the date on which a union school district formed pursuant to the provisions of this chapter assumes full and sole responsibility for the education of all resident students in the grades for which it is organized.

(6) “School district” means a school district organized as a town school district, city school district, incorporated school district, or union school district, unless clearly inapplicable.

(7) In addition to its plain meaning, “town” means a city or incorporated village.

(8) In addition to its plain meaning, “town school district” means a city school district, or incorporated school district, and does not mean a union school district.

(9) “Town within a unified union school district” means each town located inside the geographic boundaries of a unified union school district and in which the district’s resident students live.

(10) “Transitional period” means the period of time beginning on the day on which a union school district becomes a legal entity pursuant to section 713 (certification of votes) of this chapter and continuing until its operational date.

(11) “Unified union school district” means a union school district organized to provide for the education of the district’s resident students in all grades, prekindergarten through grade 12.

(12) “Union elementary school district” and “union high school district” mean a union school district organized to provide for the education of the district’s resident students in fewer than all grades, prekindergarten through grade 12.

(13)(A) “Union school district” means a municipality formed under the provisions of this chapter that is governed by a single publicly elected board and that is responsible for the education of students residing in two or more towns in the grades for which the district is organized by:

(i) operating a school or schools for all grades;

(ii) operating a school or schools for all students in one or more grades and paying tuition for all students in the remaining grade or grades; or

(iii) paying tuition for all grades.

(B) Use of the term “union school district” or “union district” includes a union elementary school district, union high school district, and unified union school district unless the context clearly limits it to fewer than all options.

(14) “Weighted voting” means a system, sometimes used in the “proportional to town population” model of union school district board membership, set forth in subdivisions 711(d)(1), 711(e)(1), 730(a)(1), 748(a)(1), and 748(b)(1) of this chapter, where proportionality is achieved by assigning a different number of votes to each board member.

§ 703. APPLICATION OF OTHER LAWS AND ARTICLES OF AGREEMENT

(a) Other education laws. The provisions of this chapter are intended to be in addition to the general provisions of law pertaining to schools, school districts, and supervisory unions. General provisions of law shall apply to union school districts unless inconsistent with or otherwise provided in this chapter.

(b) Existing articles of agreement.

(1) If a union school district joins with other school districts to form a new union school district pursuant to the provisions of sections 706–715 (process of exploration, formation, and organization of a union school district) of this chapter, then the articles of agreement of the existing union school

district are repealed, and the articles of agreement of the new union school district shall govern.

(2) If a union school district joins another existing union school district pursuant to the provisions of section 721 (joining an existing union school district) of this chapter, then the articles of agreement of the joining district are repealed, and the articles of agreement of the enlarged union school district shall govern, unless the districts agree otherwise.

Subchapter 2. Exploration, Formation, and Organization

Article 1. Process

§ 706. PROPOSAL TO FORM STUDY COMMITTEE; BUDGET AND MEMBERSHIP

(a) Establishment of committee. When the boards of two or more school districts vote to establish a study committee to study the advisability of forming a union school district or are petitioned to do so by at least five percent of voters in the school district, the boards shall meet with the superintendent or superintendents of each school district. With the advice of the superintendent or superintendents, the boards shall establish a budget for the study committee's work and shall determine the number of persons to serve on the study committee pursuant to subsection (b) of this section.

(b) Budget and membership. Each participating school district's share of the established budget and membership on the study committee shall be the same as the proportion of the school district's equalized pupils to the total equalized pupils of all school districts intending to participate formally in the study committee. As used in this subsection, "equalized pupils" has the same meaning as in section 4001 of this title.

(c) Existing union school districts.

(1) Existing union elementary or union high school district; proposed unified union school district. If the board of an existing union elementary or union high school district votes to participate in a study committee to consider formation of a unified union school district, or is petitioned by the voters to do so, then:

(A) The interests of the existing union school district shall be represented by its member districts on the study committee.

(B) Any warning and vote on the study committee budget pursuant to section 707 of this chapter and the warning and vote on any resulting proposal to form a unified union school district pursuant to section 710 shall be at the member district level.

(C) If the existing union school district does not have any member districts because all towns for which it is organized are members of both a union elementary school district and a union high school district, then the existing union school district shall represent its own interests on the study committee, and the towns within it shall not participate on its behalf.

(D) If a town is a member of both a union elementary school district and a union high school district, is not independently organized as a district that is responsible for the education of students in any grade, and does not have a town school district board, then notwithstanding other provisions to the contrary:

(i) To the extent possible, the boards of the union elementary and union high school districts of which the town is a member shall make a reasonable attempt, jointly, to appoint a member to the study committee who resides in the town.

(ii) The legislative body or appropriate officer of the town shall perform electoral functions, including warning meetings and conducting the voting process, ordinarily performed by and in member districts on behalf of a union school district.

(2) Existing unified union school district; proposed unified union school district. If the board of a unified union school district votes to participate in a study committee to consider formation of a new unified union school district rather than the enlargement of the existing unified union school district pursuant to section 721 (joining an existing union school district) of this chapter, or is petitioned by the voters to do so, then:

(A) The existing unified union school district shall represent its own interests on the study committee, and the towns within it shall not participate on its behalf.

(B) To the extent possible, the board of the existing unified union school district shall make a reasonable attempt to appoint members to the study committee who reside in each town within the district.

(C) Any warning and vote on the study committee budget pursuant to section 707 of this chapter and the warning and vote of the electorate on any resulting proposal to form a new unified union school district pursuant to section 710 shall proceed pursuant to the provisions for commingled Australian ballot voting as set forth in subchapter 3 (unified union school districts) of this chapter.

(3) Existing union elementary or union high school district; proposed union elementary or union high school district. If the board of an existing union elementary or union high school district votes to participate in a study

committee to consider formation of a new union elementary or union high school district rather than enlarging the existing union school district pursuant to section 721 (joining an existing union school district) of this chapter, or is petitioned by the voters to do so, then:

(A) The existing union school district shall represent its own interests on the study committee, and the member districts of the existing union school district shall not participate on its behalf.

(B) To the extent possible, the board of the existing union school district shall make a reasonable attempt to appoint members to the study committee who reside in each of the member districts within the existing union school district.

(C) Any warning and vote on the study committee budget pursuant to section 707 of this chapter and the warning and vote of the electorate on any resulting proposal to form a new union elementary or union high school district pursuant to section 710 of this chapter shall proceed pursuant to the provisions for commingled Australian ballot voting as set forth in subchapter 4 (union elementary and union high school districts) of this chapter.

§ 707. APPROVAL OF STUDY BUDGET; APPOINTMENT OF STUDY COMMITTEE; PARTICIPATION

(a) Proposed budget exceeding \$50,000.00.

(1) If the proposed budget established in section 706 of this chapter exceeds \$50,000.00, then subject to the provisions of that section the board of each potentially participating school district shall warn the district's voters to meet at an annual or special school district meeting to vote whether to appropriate funds necessary to support the district's financial share of a study committee's costs. The meeting in each school district shall be warned for the same date. The warning in each school district shall contain an identical article in substantially the following form:

Shall the school district of _____ appropriate funds necessary to support the school district's financial share of a study to determine the advisability of forming a union school district with some or all of the following school districts: _____, _____, and _____? It is estimated that the _____ school district's share, if all of the identified school districts vote to participate, will be \$ _____. The total proposed budget, to be shared by all participating school districts is \$ _____."

(2) If the vote in subdivision (1) of this subsection is in the affirmative in two or more school districts, then the boards of the affirming school districts shall appoint a study committee consisting of the number of persons

determined pursuant to section 706 (proposed study committee budget and membership) of this chapter. At least one current board member from each participating school district shall be appointed to the study committee. The board of a school district appointing more than one person to the study committee may appoint residents of the school district who are not members of the board to any of the remaining seats.

(3) The sums expended for study purposes under this section shall be considered part of the approved cost of any project in which the union school district, if created, participates pursuant to chapter 123 of this title.

(b) Proposed budget not exceeding \$50,000.00.

(1) If the proposed budget established in section 706 of this chapter does not exceed \$50,000.00, then the boards of the participating school districts shall appoint a study committee consisting of the number of persons determined under that section. At least one current board member from each participating school district shall be appointed to the study committee. The board of a school district appointing more than one person to the study committee may appoint residents of the school district who are not members of the board to any of the remaining seats.

(2) The sums expended for study purposes under this section shall be considered part of the approved cost of any project in which the union school district, if created, participates pursuant to chapter 123 of this title.

(c) Additional costs.

(1) If the voters approve a budget that exceeds \$50,000.00 but the study committee later determines that its budget is likely to exceed the projected, voter-approved amount, then the boards of all participating school districts shall obtain voter approval for the amounts exceeding the previously approved budget in the manner set forth in subdivision (a)(1) of this section before the study committee obligates or expends sums in excess of the initial voter-approved amount.

(2) If a proposed budget does not exceed \$50,000.00 at the time the school boards appoint members to the study committee, but the study committee later determines that its total budget is likely to exceed \$50,000.00, then the boards of all participating school districts shall obtain voter approval for the amounts exceeding \$50,000.00 in the manner set forth in subdivision (a)(1) of this section before the study committee obligates or expends funds in excess of \$50,000.00.

(d) Grants. Costs to be paid by State, federal, or private grants shall not be included when calculating whether a study committee's budget or proposed budget exceeds \$50,000.00.

(e)(1) Subsequent appointments of persons to the study committee; vacancy. Subject to the requirement that each school board appoint at least one current member of the board, the board of a participating school district shall appoint a person residing in the school district to the study committee if one of the school district's seats is vacant because a study committee member:

(A) is no longer a member of the school district's board and was the sole board member appointed by that school district;

(B) has resigned from or is no longer able to serve on the study committee; or

(C) has not attended three consecutive study committee meetings without providing notice to the study committee chair of the reason for each absence and obtaining a determination of the study committee members that the absences were reasonable.

(2) Notice under subdivision (1)(C) of this subsection shall be given in advance of absences whenever possible.

(f) Formal participation in study committee.

(1) A school district shall not be a formal participant in and appoint members to more than one study committee created under this chapter at any one point in time.

(2) A school district shall not formally withdraw its participation in an existing study committee after the school district has appointed members to that committee until the study committee dissolves pursuant to subsection 708(e) of this chapter.

(g) Additional formal participants.

(1) Subject to the provisions of subsection (f) of this section, a school district may join as an additional formal participant in a study committee after creation of the committee if:

(A) the school district's board has requested the committee's approval to participate after either a vote of the school district's board or a petition by five percent of the school district's voters and if the study committee votes to approve formal participation by the district; or

(B) the study committee has voted to ask the school district to participate formally and either the board of the school district votes to approve formal participation or is petitioned by five percent of the school district's voters to do so.

(2) A school district that becomes a formal participant in an existing study committee pursuant to this subsection is subject to the provisions of

section 706 (proposed study committee budget and membership) of this chapter regarding financial and representational proportionality and to all other requirements of study committees set out in this chapter.

(h) Informal participation by other school districts.

(1) The board of a school district that is not a formal participant in an existing study committee may authorize one or more of the board's members to contact the study committee to discuss whether it may be advisable to include the school district within a proposal to form a new union school district as an "advisable" district, as described in section 708 (necessary and advisable districts) of this chapter.

(2) An existing study committee may authorize one or more of its members to contact the board of one or more additional school districts that are not formal participants in the committee to discuss whether it may be advisable to include the school district within a proposal to form a new union school district as an "advisable" district.

(3) An existing study committee may invite representatives of a nonparticipating school district's board to participate informally in the study committee's deliberations.

(4) Nothing in this section shall be construed to prohibit the board of a school district from authorizing informal exploration between and among the boards of school districts prior to the formation of a study committee.

§ 708. STUDY COMMITTEE; NECESSARY AND ADVISABLE DISTRICTS; CONTENTS OF STUDY COMMITTEE REPORT AND PROPOSED ARTICLES; DISSOLUTION OF COMMITTEE

(a) Study committee; process.

(1) The superintendent shall convene a study committee's first meeting when the committee's members are appointed. If the participating districts are members of more than one supervisory union, then the superintendents shall decide which of their number shall convene the meeting. The study committee members shall elect a chair who shall notify the Secretary in writing of the committee's creation and the chair's election within 30 days following the vote of the committee's creation.

(2) Staff of the supervisory union or unions shall provide administrative assistance to the study committee.

(3) The Secretary shall cooperate with the study committee and is authorized to make Agency staff available to provide technical assistance to the committee.

(4) The study committee is a public body pursuant to 1 V.S.A. § 310(4) and is subject to the requirements of 1 V.S.A. chapter 5, subchapter 2.

(5) Although a study committee should try to achieve consensus, committee decisions shall be reached by a majority of all committee members present and voting.

(b) Necessary and advisable school districts. If a study committee decides to recommend formation of a union school district, then it shall determine whether each school district included in the recommended formation is “necessary” or “advisable” to formation.

(1) “Necessary” school district.

(A) The study committee shall identify a school district as “necessary” to formation of the union school district only if the school district is a formal participant in the study committee.

(B) Subject to the provisions of subsection 706(c) of this chapter, the school board of a “necessary” school district is required to warn a vote of the electorate under sections 710 (vote to form union school district) and 711 (initial members of union school district board election) of this chapter.

(C) A proposed union school district is formed only if the voters voting in each “necessary” school district vote to approve formation.

(2) “Advisable” school district.

(A) The study committee may identify any school district as “advisable” to formation of the union school district even if the school district is not a formal participant in the study committee.

(B) The school board of an “advisable” school district is not required to warn a vote of the electorate under sections 710 (vote to form union school district) and 711 (initial members of union school district board election) of this chapter, except upon application of 10 percent of the voters in the school district.

(C) Voter approval in an “advisable” district is not required for formation of a new union school district.

(3) Existing union elementary or union high school district. Notwithstanding other provisions of this subsection, an existing union elementary or union high school district is “necessary” to the formation of a unified union school district even though its interests are represented by its member districts pursuant to subdivision 706(c)(1) (study committee budget and membership for existing union school districts) of this chapter.

(c) Proposal to form union school district; report and proposed articles of agreement. If a study committee determines that it is advisable to propose formation of a union school district, then it shall prepare a report analyzing the strengths and challenges of the current structures of all “necessary” and “advisable” school districts and outlining the ways in which a union school district promotes the State policy set forth in section 701 of this chapter. The study committee shall also prepare proposed articles of agreement that, if approved pursuant to the provisions of this chapter, shall serve as the operating agreement for the new union school district. At a minimum, articles of agreement shall state:

(1) The name of any school district the study committee considers “necessary” to formation of the proposed union school district.

(2) The name of any school district the study committee considers “advisable” to include in the proposed union school district.

(3) The legal name or temporary legal name by which the union school district shall be known.

(4) The grades, if any, that the proposed union school district will operate and the grades, if any, for which it will pay tuition.

(5) The cost and general location of any proposed new school buildings to be constructed and the cost and general description of any proposed renovations to existing school buildings.

(6) A plan for the first year of the union school district’s operation for transportation of students, assignment of staff, and use of curriculum that is consistent with existing contracts, collective bargaining agreements, and other provisions of law. The board of the union school district, if formed, shall make all subsequent decisions regarding transportation, staff, and curriculum subject to existing contracts, collective bargaining agreements, and other provisions of law.

(7) A list of the indebtedness of each “necessary” and “advisable” district, which the union school district shall assume.

(8) The specific pieces of real property of each “necessary” and “advisable” district that the union school district shall acquire, their valuation, and how the union school district shall pay for them.

(9) Consistent with the proportional representation requirements of the Equal Protection Clause of the U.S. Constitution, the method or methods of apportioning representation on the union school district board as set forth in subsections 711(d) (unified union school district), (e) (union elementary or union high school district), and (f) (weighted voting) of this chapter.

(10) The term of office for each member initially elected to the union school district board, to be arranged so that one-third expire on the day of the second annual meeting of the union school district, one-third on the day of the third annual meeting, and one-third on the day of the fourth annual meeting, or as near to that proportion as possible.

(11) The date on which the proposal to create the union school district and the election of initial union school district board members will be submitted to the voters.

(12) The date on which the union school district will be solely responsible for the education of its resident students in the grades for which it is organized and will begin operating any schools, paying any tuition, and providing educational services.

(13) Whether the election of board members, election of school district officers, votes on the union school district budget, or votes on other public questions, or any two or more of these, shall be by Australian ballot.

(14) Any other matters that the study committee considers pertinent.

(d) No proposal to form a union school district. If a study committee determines that it is inadvisable to propose formation of a union school district, then its members shall vote to dissolve the committee. If the study committee members vote to dissolve, then the chair shall notify the Secretary in writing of the vote.

(e) Dissolution of study committee.

(1) If a study committee proposes formation of a union school district pursuant to subsection (c) of this section, then the committee shall cease to exist when the clerk of each school district voting on a proposal to establish the union school district has certified the results of the vote to the Secretary pursuant to subsection 713(a) of this chapter.

(2) If a study committee determines that it is inadvisable to propose formation of a union school district, then the committee shall cease to exist when the chair notifies the Secretary of the committee's vote pursuant to subsection (d) of this section.

§ 709. REVIEW BY LOCAL SCHOOL DISTRICT BOARDS;
CONSIDERATION AND APPROVAL BY STATE BOARD OF
EDUCATION

(a) If a study committee determines that it is advisable to propose formation of a union school district, then the committee shall transmit its report and proposed articles of agreement to the school board of each school district that the report identifies as either "necessary" or "advisable" to

formation of the proposed union school district. Each board may review the report and proposed articles and may provide its comments to the study committee. The study committee has sole authority to determine the contents of the report and proposed articles and to decide whether to submit them to the State Board under subsection (b) of this section.

(b) If a study committee determines that it is advisable to propose formation of a union school district, then the committee shall transmit the report and proposed articles of agreement to the Secretary who shall submit them with recommendations to the State Board.

(c)(1) The State Board:

(A) shall consider the study committee's report and proposed articles of agreement and the Secretary's recommendations;

(B) shall provide the study committee an opportunity to be heard;

(C) may ask the Secretary or the study committee, or both, to make further investigation and may consider any other information the State Board deems to be pertinent; and

(D) may request that the study committee amend the report or the proposed articles of agreement, or both.

(2) If the State Board finds that formation of the proposed union school district is in the best interests of the State, the students, and the school districts, and aligns with the policy set forth in section 701 of this title, then it shall approve the study committee's report and proposed articles of agreement, together with any amendments, as the final report and proposed articles of agreement, and shall give notice of its action to the study committee.

(d) The chair of the study committee shall file a copy of the approved final report and proposed articles of agreement with the clerk of each school district identified as "necessary" or "advisable" at least 30 days prior to the vote of the electorate on whether to form the union school district.

§ 710. VOTE TO FORM UNION SCHOOL DISTRICT

Subject to the provisions of subsections 706(c) (proposal to form study committee; existing union school districts) and 708(b) (study committee; necessary and advisable districts) of this chapter, the voters of each school district identified as "necessary" or "advisable" shall vote whether to form the proposed union school district, as follows:

(1) The vote shall be held on the date specified in the final report.

(2) The vote shall be by Australian ballot.

(3) The vote shall be at separate school district meetings held on the same day.

(4) The opportunity for early and absentee voting pursuant to 17 V.S.A. §§ 2531–2550 shall be provided.

(5) The board of each school district voting on the proposal shall warn the vote either as a special meeting of the school district or as part of its annual meeting.

§ 711. VOTE TO ELECT INITIAL MEMBERS OF THE UNION SCHOOL DISTRICT BOARD

(a) Election of initial members of union school district board. At the meeting warned to vote on formation of a union school district under section 710 of this chapter, the voters shall also elect the initial members who will serve on the board of the union school district if the voters approve the district's formation.

(1) The vote to elect the initial members shall be by Australian ballot.

(2) The opportunity for early and absentee voting pursuant to 17 V.S.A. §§ 2531–2550 shall be provided.

(b) Representation and term length. Initial membership on a union school district board shall be pursuant to the method of representation set forth in the articles of agreement, for the terms specified in that document, and pursuant to the provisions of this section and subdivisions 708(c)(9) and (10) (study committee; proposed articles of agreement; apportionment and terms) of this chapter.

(c) Operational definitions. As used in subsections (d) and (e) of this section, any term not defined in section 702 of this chapter shall have its plain meaning, except as provided in this subsection.

(1) If, pursuant to section 425 (other town school district officers) of this title, the voters of a school district have elected a district clerk who is not also the clerk of the town served by the school district, then "town clerk" means the elected clerk of that school district.

(2) Notwithstanding subdivision (1) of this subsection, if a potential forming district is an existing unified union school district, then:

(A) Reference to the voters of the "school district" means the voters of each town within the existing unified union school district, who shall vote at a location in their town of residence that is identified in the warning issued by the existing unified union school district; provided, however, that the total of all votes cast in the towns shall determine the modified at-large and at-large

election of initial board members pursuant to subdivisions (d)(2) (proposed unified union district; modified at-large), (d)(3) (proposed union district; at-large), (e)(2) (proposed union elementary or union high school district; modified-at large), and (e)(3) (proposed union elementary or union high school district; at-large) of this section, as well as whether the existing unified union school district approves formation of the new unified union school district.

(B) “Town clerk” means the clerk of each town within the existing unified union school district; provided, however, that the town clerk of each town shall transmit the name of each duly nominated candidate to the clerk of the existing unified union school district, who shall prepare the unified union school district ballot for that town and transmit the ballot to the town clerk to make available to the voters.

(3) Notwithstanding subdivision (1) (clerk of school district) of this subsection, if a town is a member of both a union elementary school district and a union high school district, is not independently organized as a district that is responsible for the education of students in any grade, and does not have a town school district board, then:

(A) reference to the voters of the “school district” means the voters of the town that is the member of both existing union school districts, who shall vote at a location in their town of residence that is identified in the warning issued by:

(i) the existing union elementary school district if the voters are voting on a proposed unified union school district or a proposed union elementary school district; or

(ii) the existing union high school district if the voters are voting on a proposed union high school district; and

(B) “town clerk” means the clerk of the town that is a member of both existing union school districts; provided, however, that the town clerk shall transmit the name of each duly nominated candidate to the clerk of the union school district identified in subdivision (A) of this subdivision (3), who shall prepare the ballot for that town and transmit the ballot to the town clerk to make available to the voters.

(d) Proposed unified union school district. Subject to the provisions of subsections 706(c) (existing union school districts) and 708(b) (necessary and advisable school districts) of this chapter, the voters of each school district identified as “necessary” or “advisable” shall vote whether to elect initial board members of a proposed unified union school district, as follows

(1) Proportional to town population. When representation on the board of a proposed unified union school district is apportioned to each potential

town within the proposed district in a number that is closely proportional to the town's relative population:

(A) Voters of each school district identified as either "necessary" or "advisable" to formation of the proposed unified union school district shall file a petition nominating a candidate for the office of unified union school district board member based on town population. A petition shall be valid only if:

(i) the candidate is a current voter of the town;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the town or one percent of the legal voters in the town, whichever is less;

(iv) the voters file the petition with the town clerk of the town in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) The town clerk shall place the name of each duly nominated candidate on the ballot to be presented to the voters of the school district.

(C) The voters of the school district for the town in which the candidate resides shall elect as many board members to the unified union school board as are apportioned based on the town's population.

(2) Modified at-large model: allocation to town; at-large representation. When representation on the board of a proposed unified union school district is allocated to each potential town within the proposed district, but the allocation is not closely proportional to the town's relative population and the board member is elected at-large:

(A) Voters of each school district identified as either "necessary" or "advisable" to formation of the proposed unified union school district shall file a petition nominating a candidate for the office of unified union school district board member allocated to the voters' town. A petition shall be valid only if:

(i) the candidate is a current voter of the town;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the town or one percent of the legal voters in the town, whichever is less;

(iv) the voters file the petition with the town clerk of the town in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) Upon receipt of a petition for a unified union school district board member allocated to a potential town within the proposed district but to be elected at-large under the modified at-large model, the town clerk shall place the name of the duly nominated candidate on the ballot to be presented to the voters of the school district and shall notify the town clerks preparing the ballots for the voters of each of the other "necessary" school districts and of each "advisable" school district voting on formation of the proposed unified union school district to place the candidate's name on the ballot presented to the voters in those districts. Alternatively, at their discretion, the town clerks may meet jointly to prepare a uniform ballot.

(C) The voters of each "necessary" school district and of each "advisable" school district voting on formation of the proposed unified union school district shall vote for the board members to be elected at-large under the modified at-large model; provided, however, that ballots shall be included in the calculation of total votes cast pursuant to the provisions of subdivision 714(a)(2) (calculation of votes) of this chapter.

(3) At-large representation. When representation on the board of a proposed unified union school district is not apportioned or allocated to the potential towns within the proposed district pursuant to subdivision (1) (proportional to town population) or (2) (modified at-large) of this subsection and the board member is elected at-large:

(A) The voters of one or more school districts identified as "necessary" to formation of the proposed unified union school district shall file a petition nominating a candidate for the office of unified union school district board member at-large. A petition shall be valid only if:

(i) the candidate is a current voter of a school district identified as "necessary" to the formation of the proposed union school district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in one or more school districts identified as "necessary" to the formation of the proposed unified union school district;

(iv) the voters file the petition with the town clerk in the “necessary” school district in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate’s name on the ballot.

(B) Upon receipt of a petition for a unified union school district board member elected at-large, the town clerk shall place the name of the duly nominated candidate on the ballot to be presented to the voters of the school district and shall notify the town clerks preparing the ballots for the voters of each of the other “necessary” school districts and of each “advisable” school district voting on formation of the proposed unified union school district to place the candidate’s name on the ballot presented to the voters in those districts. Alternatively, at their discretion, the town clerks may meet jointly to prepare a uniform ballot.

(C) The voters of each “necessary” school district and of each “advisable” school district voting on formation of the proposed unified union school district shall vote for the members to be elected at-large; provided, however, that ballots shall be included in the calculation of total votes cast pursuant to the provisions of subdivision 714(a)(2) (calculation of votes) of this chapter.

(e) Proposed union elementary or union high school district. Subject to the provisions of subsections 706(c) (existing union school districts) and 708(b) (necessary and advisable school districts) of this chapter, the voters of each school district identified as “necessary” or “advisable” shall vote whether to elect initial board members of the proposed union school district, as follows:

(1) Proportional to town population. When representation on the board of a proposed union elementary or union high school district is apportioned to each potential member district of the proposed district in a number that is closely proportional to the potential member district’s relative population:

(A) Voters of each school district identified as either “necessary” or “advisable” to formation of the proposed union school district shall file a petition nominating a candidate for the office of union school district board member representing the potential member district. A petition shall be valid only if:

(i) the candidate is a current voter of the potential member district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the potential member district or one percent of the legal voters in the district, whichever is less;

(iv) the petition is filed with the town clerk not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) The town clerk shall place the name of each duly nominated candidate on the ballot to be presented to the voters of the potential member district.

(C) The voters of the district shall elect as many board members as are apportioned to the potential member district based on population.

(2) Modified at-large model: allocation to town; at-large representation. When representation on the board of a proposed union elementary or union high school district is allocated to each potential member district, but the allocation is not closely proportional to the potential member district's relative population and the board member is elected at-large:

(A) Voters of each school district identified as either "necessary" or "advisable" to formation of the proposed union school district shall file a petition nominating a candidate for the office of union school district board member allocated to the potential member district. A petition shall be valid only if:

(i) the candidate is a current voter of the potential member district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the potential member district or one percent of the legal voters in the district, whichever is less;

(iv) the petition is filed with the town clerk of the school district in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) Upon receipt of a petition for union school district board member allocated to a potential member district but to be elected at-large under the modified at-large mode, the town clerk shall place the name of the duly

nominated candidate on the ballot to be presented to the voters of the potential member district and shall notify the town clerks preparing the ballots for the voters of each of the other “necessary” school districts and of each “advisable” school district voting on formation of the proposed union school district to place the candidate’s name on the ballot presented to the voters in those districts. Alternatively, at their discretion, the town clerks may meet jointly to prepare a uniform ballot.

(C) The voters of each “necessary” school district and of each “advisable” school district voting on formation of the proposed unified union school district shall vote for the board members to be elected at-large under the modified at-large model; provided, however, that ballots shall be included in the calculation of total votes cast pursuant to the provisions of subdivision 714(a)(2) (calculation of votes) of this chapter.

(3) At-large representation. When representation on the board of a proposed union elementary or union high school district board is not apportioned or allocated to the potential member districts pursuant to subdivision (1) (proportional to town population) or (2) (modified at large) of this subsection and the board member is elected at-large:

(A) The voters of one or more school districts identified as “necessary” to the formation of the proposed union school district shall file a petition nominating a candidate for the office of union school district board member at-large. A petition shall be valid only if:

(i) the candidate is a current voter of a school district identified as “necessary” to the formation of the proposed union school district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in one or more school districts identified as “necessary” to the formation of the proposed union school district;

(iv) the petition is filed with the town clerk in the “necessary” school district in which the candidate resides not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate’s name on the ballot.

(B) Upon receipt of a petition for a union school district board member to be elected at-large, the town clerk shall place the name of the duly nominated candidate on the ballot to be presented to the voters of the school district and shall notify the town clerks preparing the ballots for the voters of

each of the other “necessary” school districts and of each “advisable” school district voting on formation of the proposed union school district to place the candidate’s name on the ballot presented to the voters in those districts. Alternatively, at their discretion, the town clerks may meet jointly to prepare a uniform ballot.

(C) The voters of each “necessary” school district and of each “advisable” school district voting on formation of the proposed union school district shall vote for the board members to be elected at-large; provided, however, that ballots shall be included in the calculation of total votes cast pursuant to the provisions of subdivision 714(a)(2) (calculation of votes) of this chapter.

(f) Weighted voting. If representation on a union school district board is apportioned based upon population pursuant to subdivision (d)(1) or (e)(1) of this section, then the union school district may achieve proportionality through a system of weighted voting.

§ 712. CONTENTS OF WARNING ON VOTES TO ESTABLISH THE
UNION SCHOOL DISTRICT AND ELECT THE INITIAL
MEMBERS OF THE UNION SCHOOL DISTRICT BOARD

The warning for each school district meeting to vote on formation of a union school district shall contain two articles in substantially the following form. The language used in Article I shall be the same for each “necessary” and “advisable” district voting on formation of the new district. Article II of the warning shall not include names of candidates for the union school district board.

WARNING

The voters of the _____ School District are hereby notified and warned to meet at _____ on the _____ day of _____, 20____, to vote by Australian ballot between the hours of _____, at which time the polls will open, and _____, at which time the polls will close, upon the following articles of business:

Article I. FORMATION OF UNION SCHOOL DISTRICT

Shall the _____ School District, which the proposed articles of agreement have identified as [“necessary” or “advisable”] to the formation of the proposed union school district, join with the school district[s] of _____ and _____, which are identified as “necessary” to formation, and potentially the school district[s] of _____ and _____, which are identified as “advisable” to formation, for the purpose of forming a union school district, as

provided in Title 16, Vermont Statutes Annotated, upon the following conditions and agreements:

(a) Grades. The union school district shall be organized to provide for the education of resident students in grades _____ through _____ and shall assume full and sole responsibility therefor on July 1, 20__.

(b) Operation of schools. The union school district shall operate and manage one or more schools offering instruction in grades _____ through _____. [Amend as necessary if the district will pay tuition for any or all grades for which it is organized.]

(c) Union school district board. [State method by which representation of each member of the union school board is to be determined pursuant to section 711 (vote to elect initial members) of this chapter.]

(d) Assumption of debts and ownership of school property. The union school district shall assume the indebtedness of forming districts, acquire the school properties of the forming districts, and pay for them, all as specified in the final report and proposed articles of agreement.

(e) Final report. The provisions of the final report and proposed articles of agreement approved by the State Board of Education on the ___ day of _____, 20__, which is on file in the office of the clerk of each school district named in this warning, shall govern the union school district.

Article II. ELECTION OF INITIAL MEMBERS OF THE UNION SCHOOL DISTRICT BOARD

To elect a total of _____ () member(s) to serve as initial members of the proposed union school district board for the terms established in the final report and proposed articles of agreement: [Amend as necessary to reflect method for determining school board membership pursuant to section 711 (vote to elect initial members) of this chapter.]

(a) [Insert number] Board Member[s] to serve until the second annual meeting of the union school district, in 20__.

(b) [Insert number] Board Member[s] to serve until the third annual meeting of the union school district, in 20__.

(c) [Insert number] Board Member[s] to serve until the fourth annual meeting of the union school district, in 20__.

§ 713. CERTIFICATION OF VOTES; DESIGNATION OF DISTRICT AS
UNION SCHOOL DISTRICT; RECORDING BY SECRETARY OF
STATE

(a) Within 45 days after the vote or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of each school district voting on the proposal to form a union school district shall certify the results of that vote to the Secretary of Education. The clerk shall submit the certification regardless of whether the district voters approved the proposed formation of a union school district.

(b) If the voters voting in each school district identified as “necessary” to formation of the proposed union school district vote to form the district, then the “necessary” school districts constitute a union school district, together with any school district designated as “advisable” that votes to form the proposed union school district.

(c) If the voters approve formation of a union school district pursuant to subsection (b) of this section, then upon receiving the certification of each clerk pursuant to subsection (a) of this section, but not sooner than 30 days after the initial vote, the Secretary shall designate the newly formed district as a union school district. The Secretary shall certify that designation and send the certification together with the clerks’ certifications to the Secretary of State, who shall record the certification.

(d) When the Secretary of State records the certification of the Secretary of Education, the union school district shall be a body politic and corporate with the powers incident to a municipal corporation, shall be known by the name or number given in the recorded certification, by that name or number may sue and be sued, and may hold and convey real and personal property for the use of the union school district. The recorded certification shall be notice to all parties of the formation of the union school district with all the powers incident to such a district as provided in this title.

(e) The Secretary of State shall file a certified copy of the recorded certification with the clerk of each member district of a new union elementary or union high school district and with the town clerk of each town within a new unified union school district. The Secretary of State shall file the certified copies not later than 14 days after the date on which the Secretary of Education certifies the existence of the union school district to the Secretary of State. Filing a certified copy with each clerk shall be prima facie evidence of full compliance with the requirements for the formation of a union school district as set forth in this subchapter.

§ 714. INITIAL MEMBERS OF UNION SCHOOL DISTRICT BOARD;
TALLYING OF AT-LARGE VOTES; OATH OF OFFICE AND
ASSUMPTION OF DUTIES

(a) Tallying of at-large votes for initial members of board. If the voters have elected some or all of the initial members of the union school district board under either model involving at-large voting as set forth in subdivision 711(d)(2) (proposed unified union school district; modified at-large), (d)(3) (proposed unified union school district; at-large), (e)(2) (proposed union elementary or union high school district; modified at-large), or (e)(3) (proposed union elementary or union high school district; at-large) of this chapter, then the total votes cast for each of the at-large candidates shall be calculated as follows:

(1) Within seven days after the vote, the clerk of each school district voting on the proposal to form a union school district shall transmit electronically to the Secretary of Education the total number of votes cast in that school district for each at-large candidate.

(2) The Secretary shall calculate the total votes cast for each candidate and transmit those calculations to the clerks for verification. Ballots cast by the voters of any “advisable” district that does not approve the proposal to form a new union school district shall not be included in the calculation.

(3) When each clerk has verified the calculations, the Secretary shall prepare and execute a certification of the votes cast for each candidate.

(b) Notification. If the voters approve formation of a new union school district, then within 30–45 days after the vote or 15 days after a vote to reconsider the original vote to form the district, whichever is later, the notification of the election of initial board members shall be sent to the Secretary of State as follows:

(1) The clerk of each forming district shall transmit the names of board members elected in a manner that is proportional to town population as set forth in subdivision 711(d)(1) (proposed unified union district; proportional to town population) or (e)(1) (proposed union elementary or union high school district; proportional to town population) of this chapter.

(2) The Secretary of Education shall transmit the names of board members elected under either model involving at-large voting.

(c) Oath of office; assumption of duties; election of chair and clerk. The superintendent of the supervisory union serving the new union school district shall cause the initial board members to be sworn in. Although the swearing-in may occur prior to the organizational meeting required by section 715 of this chapter, it shall not occur before the Secretary of State files the certified

copy of the recorded certification with each clerk pursuant to subsection 713(e) of this chapter. The initial board members shall assume office upon being sworn in and shall meet to elect one of their number to serve as the board chair and one other of its number to serve as the board clerk, and to transact any other business within its jurisdiction; provided, however, such meeting shall not occur prior to the organizational meeting required by section 715.

§ 715. ORGANIZATIONAL MEETING; NOTICE; BUSINESS TO BE TRANSACTED

(a) Meeting. The union school district shall hold an organizational meeting within 60 days after the Secretary of State files the certified copy of the recorded certification with each clerk pursuant to subsection 713(e) of this chapter.

(b) Notice.

(1) The Secretary of Education shall prepare and execute a warning for the organizational meeting. The warning shall give notice of the day, hour, and location of the meeting and shall itemize the business to be transacted.

(2) The Secretary of Education shall transmit the signed warning to the superintendent, who shall post the warning in at least one public place in each town within the union school district and shall cause the warning to be published once in a newspaper of general circulation in the towns within the union school district. Posting and publication shall be made not more than 40 days nor less than 30 days before the date of the meeting.

(3) The union school district shall bear the cost of posting and publishing the warning.

(c) Business to be transacted.

(1) The Secretary or a person designated by the Secretary shall call the organizational meeting to order and the registered voters shall consider the following items of business:

(A) Elect a temporary presiding officer and a temporary clerk of the union school district from among the voters present at the organizational meeting.

(B) Adopt Robert's or other rules of order, which shall govern the parliamentary procedures of the organizational meeting and all subsequent meetings of the union school district.

(C) Elect a moderator of the union school district from among the voters.

(D) Elect a clerk of the union school district from among the voters or vote to authorize the school board to appoint a clerk of the union school district from among the voters.

(E) Elect a treasurer of the union school district or vote to authorize the school board to appoint a treasurer of the union school district. The treasurer may also be the supervisory union treasurer and need not be a resident of the union school district.

(F) Determine the date and location of the union school district's annual meeting, which shall be not earlier than February 1 nor later than June 1, if not previously determined by the voter-approved articles of agreement.

(G) Determine whether compensation shall be paid to the moderator, clerk, and treasurer of the union school district elected at the organizational meeting and at subsequent annual meetings of the union school district and, if so, the amount to be paid to them.

(H) Determine whether compensation shall be paid to members of the union school district board and, if so, the amount to be paid to them.

(I) Establish provisions for payment by the union school district of any expense incurred or to be incurred by or on behalf of the district for the period between the date on which the voters approved formation of the union school district and the first annual meeting of the union district.

(J) Determine whether to authorize the initial board of the union school district to borrow money pending receipt of payments from the Education Fund by the issuance of its note payable not later than one year from the date of the note. Regardless of whether the voters provide this authorization, the initial board is authorized to borrow sufficient funds to meet pending obligations until the voters approve a budget for the initial year of operation pursuant to subdivision 716(b)(3) of this chapter.

(K) Transact any other business, the subject matter of which has been included in the warning, that the voters have power to transact at any annual or special meeting and transact any nonbinding business that may legally come before the voters.

(2) When there is only one nominee for temporary presiding officer, temporary clerk, moderator, district clerk, or district treasurer, the voters may, by acclamation, instruct an officer to elect the nominee by casting one ballot, and upon the ballot being cast, the nominee shall be legally elected and shall thereupon be sworn.

(3) The elected officers listed in subdivisions (1)(A) (temporary presiding officer and temporary clerk), (C) (moderator of the union school district), (D) (clerk of the union school district), and (E) (treasurer of the union school district) of this subsection shall be sworn in before entering upon the duties of their offices and a record made by the district clerk. They shall assume office upon being sworn in. The officers listed in subdivisions (1)(C), (D), and (E) of this subsection shall serve terms as set forth in section 735 (unified union school districts; officers) or 753 (union elementary and union high school district; officers) of this chapter unless the voters extend the term length up to three years.

(4) Any member of the union school district board not sworn in before the organizational meeting pursuant to section 714 of this chapter may be sworn in at or after the organizational meeting.

Article 2. Transition; Dissolution, Reorganization, and Discontinuation of
Forming Districts; Sale of Real Property; Supervisory Unions
and Supervisory Districts

§ 716. TRANSITION TO FULL OPERATIONS

(a) Operational date. The operational date of a union school district is the July 1 next following the date on which the voters vote to approve formation of the district, unless the voter-approved articles of agreement establish a different date.

(b) Roles and authority during transitional period. During the transitional period:

(1) The forming districts, through their boards, shall continue to be responsible for the education of their respective resident students.

(2) The board of the new union school district shall develop school district policies; adopt curriculum, educational programs, assessment measures, and reporting procedures; negotiate and enter into contractual agreements; negotiate and enter into collective bargaining agreements; set the school calendar for the fiscal year that begins on the operational date; prepare and present to the voters the proposed budget for the fiscal year that begins on the operational date; prepare for the annual and any special meetings of the new union school district that may occur during the transitional period; and transact any other lawful business coming before it.

(3) During the transitional period and continuing until the voters approve a budget for the initial fiscal year of operation, the board of the new union school district shall have the authority to borrow sufficient funds to meet pending obligations. The board shall vote whether to include the total sum borrowed under this subsection as education spending in the board's proposed

budget for the initial fiscal year or to treat the sum as a deficit pursuant to 24 V.S.A. § 1523(b) (municipal and county government; duties of selectboards as to a deficit).

(c) Assets.

(1) Definition. For purposes of this subsection, the “assets” of a forming district shall include all real and personal property, operating fund accounts, special fund accounts, trust fund accounts, accounts receivable, and any other property to which the forming district holds title or over which it has control.

(2) Transfer and acquisition of title. On or before the operational date, the forming districts shall transfer and the union school district shall acquire ownership of all assets of the forming districts that are owned by the forming districts on or before the June 30 immediately preceding the operational date, unless the voter-approved articles of agreement explicitly provide for an alternative disposition of a specific asset. The transfer of an asset shall be subject to all encumbrances and conditions of record, unless the voter-approved articles of agreement explicitly provide otherwise.

(3) Prohibition. A forming district shall not transfer ownership of an asset to any entity other than the union school district between the date on which the vote occurs pursuant to section 710 (vote to form union school district) of this chapter and the operational date unless explicitly authorized in the voter-approved articles of agreement or approved by the voters of the union school district during the transitional period.

(4) Trust funds. A union school district shall hold and apply all trust funds transferred to it by a forming district as the terms of the trust indicate. If the trust allows, a union school district may use the funds to benefit union school district students who reside, or buildings that are located, outside the geographical boundaries of the forming district that originally held the trust.

(5) Reserve funds. A union school district shall hold and apply all reserve funds transferred to it by a forming district pursuant to the conditions imposed prior to the date on which the forming district voted to approve formation of the union school district.

(d) Liabilities.

(1) Definition. For purposes of this subsection, the “liabilities” of a forming district shall include all contractual obligations, all indebtedness including principal and interest, and any other legal commitment of a forming district.

(2) Transfer and assumption of liabilities. On or before the operational date, the forming districts shall transfer and the union school district shall assume all liabilities of the forming districts that exist on the June 30 immediately preceding the operational date, unless the voter-approved articles of agreement explicitly provide otherwise.

(3) Prohibition. Notwithstanding the provisions of subdivision (2) of this subsection (d), a union school district shall not assume liabilities that a forming district incurs between the date on which the vote occurs pursuant to section 710 (vote to form union school district) of this chapter and the operational date unless explicitly authorized in the voter-approved articles of agreement or approved by the union school district board during the transitional period; provided, however, that a union school district shall in all cases assume the contractual obligations of the member districts regarding each collective bargaining agreement or other employment contract entered into during the transitional period until the agreement's or contract's expiration.

(e) Unpaid expenses. At the district's first annual meeting following assumption of full operations or at a later meeting as necessary, the voters of a new union school district shall vote a sum sufficient to pay any unpaid balance of expenses, as defined in subdivision 715(c)(1)(H) of this chapter, that was incurred by or on behalf of the union school district during the transitional period.

§ 717. DISSOLUTION, REORGANIZATION, AND DISCONTINUATION OF FORMING DISTRICTS

(a) Unified union school district; dissolution of forming districts. On its operational date, a unified union school district shall supplant all forming districts and the forming districts shall cease to exist; provided, however, that if the voter-approved articles of agreement explicitly provide for it, then the supplanted forming districts and their boards may continue to exist for up to six months after the operational date for the sole purpose of completing any outstanding business that cannot legally be performed by the new unified union school district.

(b) Union Elementary and Union High School Districts.

(1) Reorganization of forming districts. On its operational date, a union elementary or union high school district shall supplant each forming district for the grades for which the union elementary or union high school district is organized (the supplanted grades). Each forming district shall cease to be organized to provide for education in the supplanted grades but shall continue to be responsible for the other grades for which it is organized; provided,

however, that if the voter-approved articles of agreement explicitly provide for it, then the forming districts and their boards may continue to exist for the supplanted grades for up to six months after the operational date for the sole purpose of completing any outstanding business that cannot legally be performed by the new union elementary or union high school district.

(2) Dissolution of forming districts. If a forming district is organized to provide for education solely in the grades for which the new union elementary or union high school district is organized and the forming district is a member district of another union school district for all other grades, prekindergarten through grade 12, then the forming district shall cease all educational operations on the new union district's operational date, the new union school district shall assume all powers and responsibilities of the forming district, and the forming district shall cease to exist; provided, however, that if the voter-approved articles of agreement explicitly provide for it, then the forming district and its board may continue to operate for up to six months after the operational date for the sole purpose of completing any outstanding business that cannot legally be performed by the new union elementary or union high school district.

§ 718. TRANSFER OF REAL PROPERTY TO TOWN IN WHICH IT IS
LOCATED

If the original voter-approved articles of agreement require sale of real property to the town in which the property is located and the sale is scheduled to occur after the operational date, or if after the operational date and after completing any statutory and contractual prerequisites the union school district offers to sell any of its real property to the town in which the property is located, then the town may assume title to the real property for a price that is less than the fair market value only as follows:

(1) The conveyance to the town shall be made subject to all encumbrances of record, the assumption or payment of all outstanding bonds and notes, and the repayment of any school construction aid or grants that may be required by law if any such obligation was incurred before the operational date.

(2) The conveyance to the town shall be conditioned upon the town owning and using the real property for community and public purposes for a minimum of five years.

(3) If the town sells the real property prior to five years of ownership, then the town shall compensate the union school district for all capital improvements and renovations initiated after the operational date and prior to the sale to the town.

§ 719. SUPERVISORY UNION; SUPERVISORY DISTRICT

(a) The State Board shall assign each union school district formed under this chapter to a supervisory union for administrative, educational, and planning services, effective on the day on which the union school district becomes a body politic and corporate pursuant to subsection 713(d) (Secretary of State records the certification of the Secretary of Education) of this chapter.

(b) If a union school district formed under this chapter is a unified union school district, then the State Board may designate it as a supervisory district pursuant to the provisions of this title, to be effective not earlier than the operational date of the unified union school district.

(c) If a supervisory union includes at least one district that is a unified union school district, then the State Board, on its own initiative or at the request of the board of the supervisory union or the board of one or more districts in the supervisory union, may at any time, adjust the supervisory union board representation required by section 266 of this title to more fairly and accurately reflect the relative number of students for which each district is responsible and the grades for which the district operates a school or schools.

Article 3. Changes in Union District Membership and
Other Amendments to Articles of Agreement

§ 721. JOINING AN EXISTING UNION SCHOOL DISTRICT

(a) Action initiated by district outside the union school district.

(1) After preliminary study, if the board of a school district determines that it would be advisable to join an existing union school district, then the board of the interested school district shall request approval of the State Board to pursue this possibility.

(2) If the State Board determines that it is in the best interests of the State, the students, and the districts involved and aligns with the policy set forth in section 701 of this title for the interested school district to join the existing union school district, then at a meeting of the interested school district warned for the purpose, the voters shall vote whether to apply to the existing union school district for admission.

(3) If the voters of the interested school district approve the proposal to apply to the union school district for admission, then the clerk of the interested school district shall certify the results of the vote to the Secretary and to the clerk of the union school district.

(4) If the voters of the union school district approve the application of the school district within two years after the vote in subdivision (2) of this

subsection, then the clerk of the union school district shall certify the results of the vote to the Secretary.

(b) Action initiated by union school district.

(1) After preliminary study, if the board of a union school district determines that it would be advisable to enlarge the district, then the board of the union school district shall submit a plan to the State Board requesting approval to incorporate a distinct school district into the union school district.

(2) If the State Board determines that it is in the best interests of the State, the students, and the districts involved and aligns with the policy set forth in section 701 of this title for the school district to join the existing union school district, then at a union school district meeting warned for the purpose, the voters shall vote whether to enlarge the union school district to include the school district.

(3) If the voters of the union school district approve the proposal to include the school district, then the clerk of the union school district shall certify the results of that vote to the Secretary and to the clerk of the school district.

(4) If the voters of the school district approve the offer to join the union school district within two years after the vote in subdivision (2) of this subsection, then the clerk of the school district shall certify the results of the vote to the Secretary.

(c) Certification; Secretary of State. Upon receipt of the clerk's certification pursuant to subdivision (a)(4) (school district application approval) or (b)(5) (school district approval of offer to join the union school district) of this section, the Secretary of Education shall designate the existing union school district to be enlarged pursuant to the votes and shall certify the enlargement to the Secretary of State. When the Secretary of State records the certification of the Secretary of Education, the union school district shall be enlarged accordingly, although the union school district and the school district that will join it may decide in advance of the votes that the enlarged union school district shall have a later operational date. The Secretary of State shall file a certified copy of the recorded certification with the clerks of the union school district and of the district that is joining it. The Secretary of State shall file the certified copies not later than 14 days after the date the Secretary of Education certifies the designation to the Secretary of State. Filing a certified copy with each clerk shall be prima facie evidence of full compliance with the requirements for enlarging an existing union school district as set forth in this section.

(d) Powers and responsibilities. A union school district enlarged pursuant to this section shall have all the powers and responsibilities given to a union school district by this title. Unless otherwise approved by the voters of the union school district and the school district that will join it, if the operational date is delayed pursuant to an agreement under subsection (c) of this section, then the joining school district shall share in the expenses of the union school district beginning on the date the Secretary of State records the certification of the Secretary of Education.

(e) Australian ballot. All votes of the electorate under this section shall occur by Australian ballot.

§ 722. AMENDMENTS TO ARTICLES OF AGREEMENT

(a) The union school district voters. Only the voters of a union school district may amend a specific condition or agreement in the district's articles of agreement if the condition or agreement was set forth as a distinct subsection in the warning required by section 712 (warning on vote to establish union school district and elect initial members of the board) of this chapter to form the union school district or in a subsequent warning to amend the articles pursuant to this section, which the voters approved.

(b) The union school district board. The board of a union school district may amend a specific condition or agreement in the district's articles of agreement only if the condition or agreement was not set forth as a distinct subsection in a warning required in subsection (a) of this section, but was instead incorporated into the warning by reference pursuant subsection 712(e) of this chapter (warning on vote to establish union school district and elect initial members of the board), or if the original articles of agreement or voter-approved amendments authorize the board to amend a specific condition or agreement.

(c) Reduction of grades operated. Notwithstanding the provisions of subsection (a) (union school district voters) of this section, the voters shall not vote whether to reduce the grades that the union school district operates, and to begin paying tuition for those grades, unless the State Board finds it is in the best interests of the State, the students, and the districts involved and aligns with the policy set-forth in section 701 of this title and gives prior approval to the proposed amendment.

(d) Number of board members. Notwithstanding the provisions of subsections (a) (union school district voters) and (b) (union school district board) of this section, if membership on a union school district board is proportional to town population as set forth in subdivisions 711(d)(1) (proposed unified union school district) and (e)(1) (proposed union elementary

or union high school district) of this chapter, and if the district's articles of agreement direct the board to adjust board membership when necessary to conform to each new decennial census, then the board shall amend the articles to adjust the apportionment of board seats without presenting the amendment to the voters for approval.

(e) Districts created by State Board order. Notwithstanding the provisions of subsections (a) (union school district voters) and (b) (union school district board) of this section, the authority to amend the articles governing any union school district formed by the State Board's Final Report and Order issued on November 30, 2018 pursuant to 2015 Acts and Resolves No. 46, as amended, vests either with the electorate or the board pursuant to the provisions of Article 14, as that article was issued by the State Board or subsequently amended by the voters of the union school district.

(f) Process. A vote by the voters of a union school district to amend the articles of agreement shall be by Australian ballot and shall proceed pursuant to sections 737 (warnings of unified union school district meetings) and 739–742 (vote by Australian ballot) of this chapter for unified union school districts and sections 755 (warnings of union elementary and union high school district meetings) and 757–759 (vote by Australian ballot) for union elementary and union high school districts. The warning shall contain each proposed amendment as a distinct question to be determined separately. The provisions of this subsection shall not apply to any issue to the extent that a different section of law provides a specific amendment procedure.

§ 723. DECISION TO VOTE BY AUSTRALIAN BALLOT

(a) If a union school district's articles of agreement do not provide that the election of board members or district officers, budget votes, or votes on other public questions shall proceed by Australian ballot, then the voters of a union school district may vote to do so at any annual or special meeting of the union school district where the question has been duly warned.

(b) Any category of vote to be taken by Australian ballot shall proceed in this manner in all towns within or member districts of a union school district.

(c) If voting in a unified union school district proceeds by Australian ballot, then the provisions of sections 739–742 (vote by Australian ballot) of this chapter shall apply to all votes taken by Australian ballot.

(d) If voting in a union elementary or union high school district proceeds by Australian ballot, then the voters shall also determine whether the ballots shall be commingled prior to counting total votes cast by Australian ballot in the union district.

(1) If the voters determine that the ballots shall not be commingled for counting in this manner, then the board of civil authority of each town within the union elementary or union high school district shall count the ballots cast in that town and report that town's results to the clerk of the union elementary or union high school district, who shall calculate the total votes cast within the district and report the total result to the public.

(2) If the voters determine that the ballots shall be commingled for counting, then the ballots shall be deposited in separate ballot boxes at each polling location and the provisions of sections 757–759 (vote by Australian ballot) of this chapter shall apply.

(e) The vote on whether to proceed by Australian ballot shall be taken by paper ballot.

(f) Unless clearly inconsistent, the provisions of 17 V.S.A. chapter 55 shall apply to actions taken under this section.

§ 724. WITHDRAWAL FROM OR DISSOLUTION OF A UNIFIED UNION SCHOOL DISTRICT

(a) Definition. As used in this section, “petitioning town” means the town within a unified union school district that seeks to withdraw from the union district pursuant to the provisions of this section.

(b) Withdrawal study committee.

(1) To initiate the process set forth in this section, the voters residing in the petitioning town shall submit petitions to the clerk of the unified union school district indicating the petitioners' desire to withdraw the petitioning town from the union district. Individual petitions shall be signed by at least five percent of the voters residing in each of the towns within the union school district, with each town having its own petition. The petitioners shall submit each petition to that town's town clerk for verification of the voting registration status of the signors. On a form created by the Secretary of State's Office, and appended to each petition, shall be the names of three voters residing in the petitioning town to serve on a withdrawal study committee and a signed statement by each of the three named voters consenting to serve. Once each petition has been verified by the subject town clerk, the petitioners shall submit the petitions to the clerk of the unified union school district.

(2) Within 30 days after receiving the petition, the board of the union district shall recognize the creation of the withdrawal study committee and shall appoint a board subcommittee to serve as a liaison between the board and the withdrawal study committee and to represent the interests of the union district.

(3) Within 30 days after the board's appointment of the liaison subcommittee, the superintendent of the union district shall convene the first formal meeting of the withdrawal study committee. The study committee shall elect one committee member to serve as chair.

(4) Before beginning any analysis under subsection (c) of this section or seeking technical or analytical services from the union district staff or supervisory union staff, or both, the withdrawal study committee shall obtain a letter of commitment from a supervisory union board to explore the provision of supervisory union services if withdrawal is ultimately approved.

(5) The withdrawal study committee is a public body pursuant to 1 V.S.A. § 310(4) and is subject to the requirements of chapter 5, subchapter 2 of that title.

(c) Analysis. The withdrawal study committee shall evaluate the strengths and challenges of the current union district structure and consider the ways in which the union district promotes or fails to promote the State policy set forth in section 701 of this chapter. At a minimum, the withdrawal study committee shall evaluate:

(1) the educational advantages and disadvantages likely to result from the proposed withdrawal of the petitioning town from the union district:

(A) on the students residing in the proposed new school district; and

(B) on the students remaining in the union district if withdrawal is approved;

(2) the educational advantages and disadvantages likely to result from the continued inclusion of the petitioning town as a town within the union district:

(A) on the students residing in the petitioning town; and

(B) on the students residing in the other towns within the union district;

(3) the financial advantages and disadvantages likely to result from the proposed withdrawal of the petitioning town from the union district:

(A) on the taxpayers residing in the proposed new school district; and

(B) on the taxpayers remaining in the union district if withdrawal is approved;

(4) the financial advantages and disadvantages likely to result from the continued inclusion of the petitioning town as a town within the union district:

(A) on the taxpayers residing in the petitioning town; and

(B) on the taxpayers residing in the other towns within the union district;

(5) the likely operational and financial viability and sustainability of:

(A) the proposed new school district; and

(B) the union district if withdrawal is approved;

(6) any other advantages and disadvantages of withdrawal, including any advantages and disadvantages to the students and taxpayers of the region and the State; and

(7) the potential source of supervisory union services for the proposed new school district, including discussions with the board of any supervisory union to which the report of the withdrawal study committee might propose assignment.

(d) Report, including a plan for withdrawal; decision not to prepare report.

(1) Report supporting withdrawal.

(A) If, after conducting the analysis required by subsection (c) of this section, the withdrawal study committee votes to advance the withdrawal process as further outlined in this section, then the committee shall prepare a report, which it shall deliver electronically to the union district board and which the superintendent shall publish on the district's website.

(B) At a minimum, the report shall include:

(i) the analysis conducted pursuant to subsection (c) of this section, describing the ways in which the data and analysis:

(I) support withdrawal; and

(II) do not support the continuation of the union district in its current configuration;

(ii) the proposed financial terms of withdrawal, including the proposed ownership of buildings and other assets and the proposed responsibility for financial and other contractual obligations, including debts;

(iii) a plan, including a detailed timeline, for the actions the proposed new school district would take to ensure that, on a proposed operational date, it could provide for the education of its students in prekindergarten through grade 12 by operating all grades, tuitioning all grades, or operating some grades and tuitioning the remainder, in a manner that will meet educational quality standards as required by section 165 of this title, and including, if applicable, the process by which the proposed new school district would explore formation of a new union school district with one or more other

school districts in the region and would integrate or condition any votes to withdraw with votes on formation of a new union district; and

(iv) a proposal, including analysis, for the potential source of supervisory union services for the proposed new school district, including, if applicable to the proposal:

(I) a recommendation of one or more potential supervisory unions to which the State Board could assign the proposed new school district; and

(II) a statement from the board of the potential supervisory union or unions regarding the ability and willingness to accept the proposed new school district as a member district.

(C) Within 45 days following receipt of the withdrawal study committee report, the union district board shall invite the members of the withdrawal study committee to attend a regularly scheduled meeting of the board to present the contents of its report and to answer any questions posed by the board. The board shall also invite the members of the liaison subcommittee to share any analysis and conclusions at the meeting. The withdrawal study committee has sole authority to determine the contents of its report.

(2) Decision not to propose withdrawal. If, after conducting the analysis required by subsection (c) of this section, the withdrawal study committee votes not to approve advancement of the withdrawal process, then:

(A) the withdrawal study committee shall prepare a brief written statement explaining the reasons underlying the votes supporting and not supporting advancement, which it shall deliver electronically to the union district board and which the superintendent shall publish on the district's website;

(B) within 45 days following receipt of the withdrawal study committee report, the union district board shall invite the members of the withdrawal study committee to attend a regularly scheduled meeting of the board to present the contents of the written statement and to answer any questions posed by the board; and

(C) the withdrawal study committee shall cease to exist upon adjournment of the union district board's meeting.

(e) Secretary and State Board.

(1) Secretary. If the study committee voted to proceed pursuant to subdivision (d)(1) of this section, then within 30 days after attending the union district board meeting pursuant to subdivision (d)(1)(C) of this section, it shall

deliver its report electronically to the Secretary for review. The liaison subcommittee may also submit a report outlining its analysis and conclusions. The Secretary shall submit the report or reports, with recommendations, to the State Board.

(2) State Board review. The State Board:

(A) shall consider the report or reports and the Secretary's recommendations;

(B) shall provide representatives of the withdrawal study committee and the liaison subcommittee an opportunity to be heard;

(C) may, in its discretion, take testimony from other individuals and entities;

(D) may ask the Secretary, the withdrawal study committee, or the liaison subcommittee to make further investigation and may consider any other information the State Board deems to be pertinent; and

(E) may request the members of the withdrawal study committee to amend the report.

(3) State Board action.

(A) Advisory opinion with positive recommendation. If the State Board finds that the withdrawal proposal contained in the report, including the most feasible options for the provision of supervisory union services to the proposed new school district, is in the best interests of the State, the region, the students, and the school districts and aligns with the policy set forth in section 701 of this title, then within 90 days after receiving the report of the study committee the State Board shall:

(i) issue an opinion recommending approval of the withdrawal proposal;

(ii) provide a preliminary assessment of most feasible options for the provision of supervisory union services to the proposed new school district if withdrawal is approved by the voters; and

(iii) make any other finding or declaration, and approve any other motion, related and necessary to the withdrawal proposal.

(B) Advisory opinion with negative recommendation. If the State Board finds that the withdrawal proposal contained in the report, including the most feasible options for the provision of supervisory union services to the proposed new school district, is not in the best interests of the State, the region, the students, and the school districts or does not align with the policy

set forth in section 701 of this title, or both, then within 90 days after receiving the report of the study committee the State Board shall:

(i) issue an opinion recommending disapproval of the withdrawal proposal, including a written statement detailing the reasons supporting this conclusion;

(ii) provide a preliminary assessment of most feasible options for the provision of supervisory union services to the proposed new school district if withdrawal is approved by the voters; and

(iii) make any other finding or declaration and approve any other motion related and necessary to the withdrawal proposal.

(f) Vote of the electorate.

(1) Vote following positive recommendation of the State Board.

(A) Within 30 days after receipt of the State Board's written recommendation, the superintendent shall file the withdrawal study committee's report, the State Board's written recommendation, and any report of the liaison subcommittee with the clerk of the union district and the town clerk of each town within the union district.

(B) Within 90 days after the clerk of the union district receiving the reports and recommendations described in subdivision (A) of this subsection, the voters of the union district, including those residing in the petitioning town, shall vote whether to approve withdrawal as set forth in the report. The question shall be determined by Australian ballot and shall proceed pursuant to sections 737 (warnings of unified union school district meetings) and 739-741 (vote by Australian ballot) of this chapter. The ballots shall not be commingled.

(C) Withdrawal from the union district shall occur if the question is approved by a majority vote of the union district voters living in each town within the district, including the petitioning town. If a majority of the voters in one or more towns within the union district do not vote in favor of withdrawal, then the proposed withdrawal shall not occur.

(D) Within 45 days after the vote or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of each town within the union district shall certify the results of the vote to the Secretary of Education, and the Secretary shall advise the State Board of the certified results. Each clerk shall submit the certification regardless of whether the voters in that town approved withdrawal. The withdrawal study committee shall cease to exist when each clerk has submitted a certification to the Secretary.

(2) Vote following negative recommendation of the State Board.

(A) The superintendent shall file the withdrawal study committee's report, the State Board's written recommendation, and any report of the liaison subcommittee with the clerk of the union district and with the town clerk of each town within the union district.

(B) The union district voters residing in the petitioning town shall vote whether to withdraw from the union district pursuant to the terms set forth in the report.

(i) The question shall be determined by Australian ballot and shall proceed pursuant to sections 737 (warnings of unified union school district meetings) and 739–741 (vote by Australian ballot) of this chapter.

(ii) The withdrawal proposal shall proceed to a vote in each of the other towns within the union district only if approved by a majority of the union district voters residing in the petitioning town present and voting yes or no on the warned question. If a majority of the voters in the petitioning town do not vote in favor of withdrawal, then the proposed withdrawal shall not occur.

(C) Within 45 days after the vote in subdivision (B) of this subdivision (f)(2) or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of the petitioning town shall certify the results of the vote to the Secretary of State who shall record the certificate and give notice of the vote to the clerk of the union district, the clerks of each of the other towns within the union district, and the Secretary of Education. The clerk of the petitioning town shall submit the certification regardless of whether the voters in the petitioning town approved withdrawal. The withdrawal study committee shall cease to exist upon submission of the certification.

(D) If the union district voters residing in the petitioning town approve the withdrawal proposal pursuant to subdivision (B) of this subdivision (f)(2), then, within 90 days after receiving notice of the certification as required in subdivision (C) of this subdivision (f)(2), the voters of the union district residing in each of the other towns shall vote on the same day whether to approve withdrawal of the petitioning town as set forth in the final report.

(i) The question shall be determined by Australian ballot and shall proceed pursuant to sections 737 (warnings of unified union school district meetings) and 739–741 (vote by Australian ballot) of this chapter. The ballots shall not be commingled.

(ii) Withdrawal from the union district shall occur if the question is approved by a majority vote of the union district voters living in each of the other towns within the union district. If a majority of the voters in one or more towns within the union district do not vote in favor of withdrawal, then the proposed withdrawal shall not occur.

(E) Within 45 days after the vote in subdivision (D) of this subdivision (f)(2) or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of each of the other towns within the union district shall certify the results of the vote to the Secretary of Education, and the Secretary shall advise the State Board of the certified results. Each clerk shall submit the certification regardless of whether the voters in that town approved withdrawal. The withdrawal study committee shall cease to exist when each clerk has submitted a certification to the Secretary.

(g) Election of potential board members. On the day on which they vote whether to approve withdrawal, the union district voters residing in the petitioning town shall also vote for three individual registered voters from the petitioning town to serve as the initial members of the proposed new school district's board if withdrawal is approved. The nomination and election of the initial members shall proceed pursuant to subdivision 730(a)(1) of this chapter (election of board members under the proportional to town model by Australian ballot). The term of office for each initial member shall be arranged so that one term expires on the day of the second annual meeting of the proposed new school district, one term expires on the day of the third annual meeting, and one term expires on the day of the fourth annual meeting.

(h) State Board's duties if withdrawal is approved. If the union district voters approve withdrawal pursuant to subsection (f) of this section, then upon receiving notice from the Secretary pursuant to subdivision (f)(1)(D) or (f)(2)(E) of this section, the State Board shall:

(1) Declare the withdrawal approved as of the date of the Board's meeting; provided, however, that withdrawal shall not be final until the date identified in the voter-approved proposal of withdrawal.

(2) Declare the creation and existence of the new school district, effective on the date of the Board's declaration; provided, however, that:

(A) the new school district shall assume full and sole responsibility for the education of its resident students on the date identified in the voter-approved proposal of withdrawal; and

(B) until the identified operational date, the new school district shall exist for the sole purposes of:

(i) convening an organizational meeting of the voters of the new school district to prepare the district to assume its responsibilities;

(ii) organizing the school board of the new school district, which shall be responsible for preparing a proposed budget for the fiscal year beginning on the identified operational date;

(iii) approving the budget of the new school district for the fiscal year beginning on the identified operational date; and

(iv) taking any other actions necessary, as district voters or as a school board, for the new school district to assume full responsibility for providing for the education of the district's resident students in all grades, prekindergarten through grade 12, on the identified operational date.

(3) Determine or set a schedule for determining the manner in which supervisory union services will be provided to the new school district, to be effective on the district's identified operational date.

(A) In addition to the considerations set forth in section 261 of this title, when the State Board makes its determination, it shall consider the potential positive and negative consequences on all affected districts and supervisory unions if supervisory union services were provided to the new school district in a manner that required:

(i) a union district serving as its own supervisory district to become a member of a multidistrict supervisory union; or

(ii) a neighboring supervisory union to accept one or more additional districts that the supervisory union testifies it is not able to accommodate.

(B) If assigned to a multidistrict supervisory union, then the board of the new school district may appoint its members to the supervisory union board pursuant to section 266 of this title, where they may participate as nonvoting members of that board until the new school district's operational date.

(i) Certification; Secretary of State. If the State Board declares the creation and existence of a new school district pursuant to subdivision (h)(2) of this section, then within 30 days following such action the Secretary of Education shall certify the adjustment of the towns within the union district to the Secretary of State. When the Secretary of State records the certification of the Secretary of Education, the towns within the union district shall be adjusted accordingly; provided, however, that the voter-approved proposal of withdrawal shall establish the date on which withdrawal shall be final, the new school district shall assume full and sole responsibility for the education of its

resident students, and the union school district shall no longer have responsibility for the education of those students. Not more than 14 days after the date the Secretary of Education certifies the adjustment, the Secretary of State shall file a certified copy of the recorded certification with the clerk of the union district and the clerk for the town in which the new school district is located. Filing a certified copy with the clerks shall be prima facie evidence of full compliance with the requirements for adjusting the union school district by withdrawal as set forth in this section.

(j) Timing of action.

(1) The voters residing in any town within a union district shall not initiate the withdrawal process set forth in this section within the first year after the latter of the operational date of a newly formed union district or, if applicable, the operational date of a union district adjusted pursuant to subsection (i) of this section.

(2) If a petitioning town's action to withdraw from a union school district is unsuccessful, then the voters residing in that town shall not initiate a new withdrawal action under this section until two years after either a withdrawal study committee votes not to approve advancement of the withdrawal process or the vote by the voters that concluded the initial withdrawal action.

§ 725. WITHDRAWAL FROM OR DISSOLUTION OF A
UNION ELEMENTARY OR UNION HIGH SCHOOL DISTRICT

(a) Definitions. As used in this section:

(1) "Petitioning district" means:

(A) a member district of a union elementary or union high school district that seeks to withdraw from the union district pursuant to the provisions of this section; or

(B) a town that is a member of both a union elementary school district and a union high school district, is not independently organized as a district that is responsible for the education of students in any grade, does not have a town school district board, and that seeks to withdraw from a union elementary or union high school district pursuant to the provisions of this section.

(2) "New school district" means the petitioning district once the State Board has declared it to be withdrawn from the union elementary or union high school district.

(b) Withdrawal study committee.

(1) To initiate the process set forth in this section, the board of the petitioning district shall submit a petition to the clerk of the union elementary or union high school district indicating its desire to withdraw the petitioning district from the union district and identifying at least three board members of the petitioning district who will serve on a withdrawal study committee. The board of the petitioning district shall submit the petition to the clerk of the union school district after either a vote by the board of the petitioning district or receipt of individual petitions signed by at least five percent of the voters residing in the petitioning district and five percent of the voters residing in each of the other member districts within the union school district, with each member district having its own petition. The clerk of the petitioning district shall submit each petition to the subject member district's clerk for verification of the voting registration of the signors. Once each petition has been verified by the subject district clerk, the board of the petitioning district shall append the individual petitions to the withdrawal petition it sends to the clerk of the union district.

(2) To initiate the process set forth in this section if the petitioning district does not have a town school district board, the voters residing in the petitioning district shall submit petitions to the clerk of the unified union school district indicating the petitioners' desire to withdraw the petitioning district from the union district. Individual petitions shall be signed by at least five percent of the voters residing in the petitioning district and five percent of the voters residing in each of the member districts within the union school district, with each district having its own petition. The petitioning district shall submit each petition to that district's clerk for verification of the voting registration status of the signors. On a form created by the Secretary of State's Office, and appended to each petition, shall be the names of three voters residing in the petitioning district to serve on a withdrawal study committee and a signed statement by each of the three named voters consenting to serve. Once each petition has been verified by the subject district clerk, the petitioning district shall submit the petitions to the clerk of the union school district.

(3) Within 30 days after receiving the petition, the board of the union district shall recognize the creation of the withdrawal study committee and shall appoint a board subcommittee to serve as a liaison between the board and the withdrawal study committee and to represent the interests of the union district.

(4) Within 30 days after the board's appointment of the liaison subcommittee, the superintendent of the union district shall convene the first formal meeting of the withdrawal study committee. The study committee shall elect one committee member to serve as Chair.

(5) Before beginning any analysis under subsection (c) of this section or seeking technical or analytical services from the union district staff or supervisory union staff, or both, the withdrawal study committee shall obtain a letter of commitment from a supervisory union board to explore the provision of supervisory union services if withdrawal is ultimately approved.

(6) The withdrawal study committee is a public body pursuant to 1 V.S.A. § 310(4) and is subject to the requirements of chapter 5, subchapter 2 of that title.

(c) Analysis. The withdrawal study committee shall evaluate the strengths and challenges of the current union district structure and consider the ways in which the union district promotes or fails to promote the State policy set forth in section 701 of this chapter. At a minimum, the withdrawal study committee shall evaluate:

(1) the educational advantages and disadvantages likely to result from the proposed withdrawal of the petitioning district from the union elementary or union high school district:

(A) on the students residing in the proposed new school district; and

(B) on the students remaining in the union district if withdrawal is approved;

(2) the educational advantages and disadvantages likely to result from the continued inclusion of the petitioning district as a member district of the union elementary or union high school district:

(A) on the students residing in the petitioning district; and

(B) on the students residing in the other member districts of the union district;

(3) the financial advantages and disadvantages likely to result from the proposed withdrawal of the petitioning district from the union elementary or union high school district:

(A) on the taxpayers residing in the proposed new school district; and

(B) on the taxpayers remaining in the union district if withdrawal is approved;

(4) the financial advantages and disadvantages likely to result from the continued inclusion of the petitioning district within the union elementary or union high school district:

(A) on the taxpayers residing in the petitioning district; and

(B) on the taxpayers residing in the other member districts within the union district;

(5) the likely operational and financial viability and sustainability of:

(A) the proposed new school district; and

(B) the union elementary or union high school district if withdrawal is approved;

(6) any other advantages and disadvantages of withdrawal, including any advantages and disadvantages to the students and taxpayers of the region and the State; and

(7) the potential source of supervisory union services for the proposed new district, including discussions with the board of any supervisory union to which the report of the withdrawal study committee might propose assignment or the continuation of assignment.

(d) Report, including a plan for withdrawal; decision not to prepare report.

(1) Report supporting withdrawal.

(A) If, after conducting the analysis required by subsection (c) of this section, the withdrawal study committee votes to advance the withdrawal process as further outlined in this section, then the committee shall prepare a report, which it shall deliver electronically to the union district board and which the superintendent shall publish on the district's website.

(B) At a minimum, the report shall include:

(i) the analysis conducted pursuant to subsection (c) of this section, describing the ways in which the data and analysis:

(I) support withdrawal; and

(II) do not support the continuation of the union elementary or union high school district in its current configuration;

(ii) the proposed financial terms of withdrawal, including the proposed ownership of buildings and other assets and the proposed responsibility for financial and other contractual obligations, including debts;

(iii) a plan, including a detailed timeline, for the actions the proposed new school district would take to ensure that, on the proposed operational date, it could provide for the education of its students in the grades for which the union elementary or union high school district is organized, in a manner that will meet educational quality standards as required by section 165 of this title, and including, if applicable, the process by which the proposed new school district would explore formation of a new union district with one

or more other school districts in the region and would integrate or condition any votes to withdraw with votes on formation of a new union district; and

(iv) a proposal, including analysis, for the source of supervisory union services for the proposed new school district.

(C) Within 45 days following receipt of the study committee report, the union elementary or union high school district board shall invite the members of the withdrawal study committee to attend a regularly scheduled meeting of the board to present the contents of its report and to answer any questions posed by the board. The board shall also invite the members of the liaison subcommittee to share any analysis and conclusions at the meeting. The withdrawal study committee has sole authority to determine the contents of its report.

(2) Decision not to propose withdrawal. If, after conducting the analysis required by subsection (c) of this section, the withdrawal study committee votes not to approve advancement of the withdrawal process, then:

(A) the withdrawal study committee shall prepare a brief written statement explaining the reasons underlying the votes supporting and not supporting advancement, which it shall deliver electronically to the union district board and which the superintendent shall publish on the district's website;

(B) within 45 days following receipt of the study committee report, the union elementary or union high school district board shall invite the members of the withdrawal study committee to attend a regularly scheduled meeting of the board to present the contents of the written statement and to answer any questions posed by the board; and

(C) the withdrawal study committee shall cease to exist upon adjournment of the union elementary or union high school district board's meeting.

(e) Secretary and State Board.

(1) Secretary. If the study committee voted to proceed pursuant to subdivision (d)(1) of this section, then within 30 days after attending the union district board meeting pursuant to subdivision (d)(1)(C) of this section, it shall deliver its report electronically to the Secretary for review. The liaison subcommittee may also submit a report outlining its analysis and conclusions. The Secretary shall submit the report or reports, with recommendations, to the State Board.

(2) State Board review. The State Board:

(A) shall consider the report or reports and the Secretary's recommendations;

(B) shall provide representatives of the withdrawal study committee and the liaison subcommittee an opportunity to be heard;

(C) may, in its discretion, take testimony from other individuals and entities;

(D) may ask the Secretary, the withdrawal study committee, or the liaison subcommittee to make further investigation and may consider any other information the State Board deems to be pertinent; and

(E) may request the members of the withdrawal study committee to amend the report.

(3) State Board action.

(A) Advisory opinion with positive recommendation. If the State Board finds that the withdrawal proposal contained in the report is in the best interests of the State, the region, the students, and the school districts, and aligns with the policy set forth in section 701 of this title, then within 90 days after receiving the report of the study committee the State Board shall:

(i) issue an opinion recommending approval of the withdrawal proposal;

(ii) provide a preliminary assessment of the source of supervisory union services to the proposed new school district if withdrawal is approved by the voters; and

(iii) make any other finding or declaration, and approve any other motion, related and necessary to the withdrawal proposal.

(B) Advisory opinion with negative recommendation. If the State Board finds that the withdrawal proposal contained in the report is not in the best interests of the State, the region, the students, and the school districts or does not align with the policy set forth in section 701 of this title, or both, then within 90 days after receiving the report of the study committee, the State Board shall:

(i) issue an opinion recommending disapproval of the withdrawal proposal, including a written statement detailing the reasons supporting this conclusion;

(ii) provide a preliminary assessment of the source supervisory union services to the proposed new school district if withdrawal is approved by the voters; and

(iii) make any other finding or declaration, and approve any other motion, related and necessary to the withdrawal proposal.

(f) Vote of the electorate.

(1) Vote following positive recommendation of the State Board.

(A) Within 30 days after receipt of the State Board's written recommendation, the superintendent shall file the withdrawal study committee's report, the State Board's written recommendation, and any report of the liaison subcommittee with the clerk of the union elementary or union high school district and the district clerk of each of the member districts within the union elementary or union high school district.

(B) Within 90 days after the clerk of the union district receiving the reports and recommendations described in subdivision (A) of this subdivision (f)(1), the voters of the union elementary or union high school district, including those residing in the petitioning district, shall vote whether to approve withdrawal as set forth in the report. The question shall be determined by Australian ballot and shall proceed pursuant to sections 755 (warnings of union elementary and union high school district meetings) and 757-759 (vote by Australian ballot) of this chapter.

(C) Withdrawal from the union elementary or union high school district shall occur if the question is approved by a majority vote of the union district voters living in each of the member districts within the union elementary or union high school district, including in the petitioning district. If a majority of the voters in one or more member districts within the union elementary or union high school district do not vote in favor of withdrawal, then the proposed withdrawal shall not occur.

(D) Within 45 days after the vote or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of each member district within the union elementary or union high school district shall certify the results of the vote to the Secretary of Education, and the Secretary shall advise the State Board of the certified results. Each clerk shall submit the certification regardless of whether the voters in that district approved withdrawal. The withdrawal study committee shall cease to exist when each clerk has submitted a certification to the Secretary.

(E) If the petitioning district or one of the other member districts does not have a town school district board, the legislative body or appropriate officer of the town shall perform electoral functions, including warning

meetings and conducting the voting process, ordinarily performed by and in member districts on behalf of a union school district.

(2) Vote following negative recommendation of the State Board.

(A) The superintendent shall file the withdrawal study committee's report, the State Board's written recommendation, and any report of the liaison subcommittee with the clerk of the union elementary or union high school district and the district clerk of each of the member districts within the union elementary or union high school district.

(B) The union district voters residing in the petitioning district shall vote whether to withdraw from the union elementary or union high school district pursuant to the terms set forth in the report.

(i) The question shall be determined by Australian ballot and shall proceed pursuant to sections 755 (warnings of union elementary and union high school district meetings) and 757–759 (vote by Australian ballot) of this chapter.

(ii) The withdrawal proposal shall proceed to a vote in each of the other member districts within the union elementary or union high school district only if approved by a majority of the union district voters residing in the petitioning district present and voting yes or no on the warned question. If a majority of the voters in the petitioning district do not vote in favor of withdrawal, then the proposed withdrawal shall not occur.

(C) Within 45 days after the vote in subdivision (B) of this subdivision (f)(2) or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of the petitioning district shall certify the results of the vote to the Secretary of State who shall record the certificate and give notice of the vote to the clerk of the union elementary or union high district, the clerks of each of the other member districts within the union district, and the Secretary of Education. The clerk of the petitioning district shall submit the certification regardless of whether the voters in the petitioning district approved withdrawal. The withdrawal study committee shall cease to exist upon submission of the certification.

(D) If the union elementary or union high school district voters residing in the petitioning district approve the withdrawal proposal pursuant to subdivision (B) of this subdivision (f)(2), then, within 90 days after receiving notice of the certification as required in subdivision (C) of this subdivision (f)(2), the voters of the union elementary or union high school district residing in each of the other member districts shall vote on the same day whether to approve withdrawal of the petitioning district as set forth in the final report.

(i) The question shall be determined by Australian ballot and shall proceed pursuant to sections 755 (warnings of union elementary and union high school district meetings) and 757–759 (vote by Australian ballot) of this chapter.

(ii) Withdrawal from the union elementary or union high school district shall occur if the question is approved by a majority vote of the union district voters living in each of the other member districts within the union elementary or union high school district. If a majority of the voters living in one or more member districts within the union district do not vote in favor of withdrawal, then the proposed withdrawal shall not occur.

(E) Within 45 days after the vote in subdivision (D) of this subdivision (f)(2) or 15 days after a vote to reconsider the original vote under 17 V.S.A. § 2661, whichever is later, the clerk of each of the other member districts within the union elementary or union high school district shall certify the results of the vote to the Secretary of Education, and the Secretary shall advise the State Board of the certified results. Each clerk shall submit the certification regardless of whether the voters in that member district approved withdrawal. The withdrawal study committee shall cease to exist when each clerk has submitted a certification to the Secretary.

(F) If the petitioning district or one of the other member districts does not have a town school district board, the legislative body or appropriate officer of the town shall perform electoral functions, including warning meetings and conducting the voting process, ordinarily performed by and in member districts on behalf of a union school district.

(g) Election of potential board members. If the petitioning district does not have a town school district board, on the day on which they vote whether to approve withdrawal, the union district voters residing in the petitioning school district shall also vote for three individual registered voters from the petitioning district to serve as the initial members of the proposed new school district's board if withdrawal is approved. The nomination and election of the initial members shall proceed pursuant to subdivision 748(a)(1) of this chapter (election of board members under the proportional to town model by Australian ballot). The term of office for each initial member shall be arranged so that one term expires on the day of the second annual meeting of the proposed new school district, one term expires on the day of the third annual meeting, and one term expires on the day of the fourth annual meeting.

(h) State Board's duties if withdrawal is approved. If the union elementary or union high school district voters approve withdrawal pursuant to subsection (f) of this section, then upon receiving notice from the Secretary pursuant to subdivision (f)(1)(D) or (f)(2)(E) of this section, the State Board shall:

(1) declare the withdrawal approved as of the date of the Board's meeting; provided, however, that withdrawal shall not be final until the date identified in the voter-approved proposal of withdrawal;

(2) declare it to be the obligation of the new school district to assume responsibility for the education of its residents in the grades for which the union elementary or union high school district was previously responsible, effective on the date of the Board's declaration; provided, however, that:

(A) the new school district shall assume full and sole responsibility for the education of its resident students in the grades for which the union elementary or union high school district was previously responsible on the date identified in the voter-approved proposal of withdrawal; and

(B) until the identified operational date, the new school district shall exist for the sole purposes of:

(i) providing for the education of its residents in the grades for which it was organized prior to withdrawal;

(ii) convening an organizational meeting of the voters of the new school district to prepare the district to assume its new responsibilities if the petitioning district did not have a town school district board;

(iii) organizing the school board of the new school district if the petitioning district did not have a town school district board;

(iv) preparing a proposed budget for the fiscal year beginning on the identified operational date;

(v) approving the budget of the new school district for the fiscal year beginning on the identified operational date; and

(vi) taking any other actions necessary, as district voters or as a school board, for the new school district to assume full responsibility for providing for the education of the district's resident students in the grades it is now organized to provide for, on the identified operational date; and

(3) ensure a smooth transition of supervisory services, to be effective on the district's identified operational date.

(i) Certification; Secretary of State. If the State Board declares it to be the obligation of the new school district pursuant to subdivision (h)(2) of this section to provide for the education of resident students who were formerly the responsibility of the union elementary or union high school district, then within 30 days following such action the Secretary of Education shall certify the adjustment of the member districts within the union elementary or union high school district to the Secretary of State. When the Secretary of State

records the certification of the Secretary of Education, the member districts within the union elementary or union high school district shall be adjusted accordingly; provided, however, that the voter-approved proposal of withdrawal shall establish the date on which withdrawal shall be final, the new school district shall assume full and sole responsibility for the education of its residents in the grades for which it is now organized, and the union school district shall no longer have responsibility for the education of those students. Not more than 14 days after the date the Secretary of Education certifies the adjustment, the Secretary of State shall file a certified copy of the recorded certification with the clerk of the union elementary or union school district and the clerk for new school district. Filing a certified copy with the clerks shall be prima facie evidence of full compliance with the requirements for adjusting the union school district by withdrawal as set forth in this section.

(j) Timing of action.

(1) The voters residing in any member district within a union elementary or union high school district shall not initiate the withdrawal process set forth in this section within the first year after the latter of the operational date of a newly formed union elementary or union high school district or, if applicable, the operational date of a union elementary or union high school district adjusted pursuant to subsection (h) of this section.

(2) If a petitioning district's action to withdraw from a union elementary or union high school district is unsuccessful, then the voters residing in that member district shall not initiate a new withdrawal action under this section until two years after either a withdrawal study committee votes not to approve advancement of the withdrawal process or the vote by the voters that concluded the initial withdrawal action.

Subchapter 3. Unified Union School Districts

Article 1. Unified Union School Districts – Boards and Board Members

§ 729. BOARD MEMBERS; TERM; CONDUCT OF MEETINGS;
QUORUM AND VOTING; POWERS AND DUTIES

(a) Members. Except as set forth in subchapter 2 (exploration, formation, and organization) of this chapter for initial members, each member of the board of a unified union school district shall:

(1) be elected by the voters at a warned meeting of the unified union school district pursuant to sections 730 (nomination and election of unified union school district board members) and 737 (warnings of unified union school district meetings) of this title;

(2) assume office upon election, except as provided in subdivision 737(f)(3) (warnings of unified union school district meetings) of this chapter; and

(3) be sworn in before entering upon the duties of the office.

(b) Term. A member elected at an annual meeting shall serve for a term of three years or until the member's successor is elected and has taken the oath of office. A member elected at a special meeting shall serve for the balance of the term of office remaining.

(c) Quorum. A majority of the members of the board shall constitute a quorum. Subject to the provisions of subsection (d) of this section but notwithstanding any other provision of law, the concurrence of a majority of members present at a unified union school district board meeting shall be necessary and sufficient for board action; provided, however, the concurrence of more than a majority shall be necessary if required for a particular action by the voter-approved articles of agreement.

(d) Weighted voting. If weighted voting is used to achieve constitutionally required proportionality for members elected under the "proportional to town population" model described in subdivisions 711(d)(1) (proposed unified union school district; proportional to town population) and 730(a)(1) (unified union school district; Australian ballot; proportional to town population) of this chapter, then a number of members of the board holding a majority of the total number of weighted votes shall constitute a quorum, and a majority of the weighted votes cast shall be necessary and sufficient for board action.

(e) Board chair and board clerk. At the board meeting next following each annual district meeting, the unified union school district board shall elect one of its number to serve as the chair of the board and one other of its number to serve as the clerk of the board.

(f) Powers, duties, and liabilities. The powers, duties, and liabilities of a unified union school district board, board chair, and board clerk shall be the same as those of a board, board chair, and board clerk of a town school district.

(g) Minutes. The board clerk shall prepare minutes of the proceedings of the unified union school district board, unless the board votes to delegate those duties to another individual. The board clerk shall transmit the minutes and all other documents constituting the record of board proceedings to the clerk of the unified union school district, who shall be responsible for maintaining a permanent record of board proceedings. In the board clerk's absence, another member of the school board shall assume the duties of the clerk.

(h) Stipend. The board clerk may be paid upon order of the board.

§ 730. UNIFIED UNION SCHOOL DISTRICT BOARD MEMBERS;
NOMINATION AND ELECTION; BOND

(a) If by Australian ballot. The provisions of this subsection (a) shall apply to a unified union school district that conducts elections for board membership by Australian ballot.

(1) Proportional to town population.

(A) When membership on the board of a unified union school district is apportioned to each town within the district in a number that is closely proportional to the town's relative population, the voters residing in the town may file a petition nominating a candidate for board membership. A petition is valid only if:

(i) the candidate is a current voter of the town;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the town or one percent of the legal voters in the town, whichever is less;

(iv) the voters file the petition with the town clerk not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) After confirming that the names on the petition correspond to registered voters of the town, the town clerk shall transmit the name of each duly nominated candidate to the clerk of the unified union school district.

(C) The district clerk shall prepare a unified union school district ballot for each town and shall transmit the ballot to the town clerk to make available to the voters residing in the town.

(D) The voters of a town within the unified union school district shall elect as many board members as are apportioned for that term of office based on the population of the town.

(2) Modified at-large model: allocation to town; at-large representation.

(A) When membership on the board of a unified union school district is allocated to each town within the district, but the allocation is not closely proportional to the town's relative population and the board member is elected at-large, the voters residing in any one or more of the towns within the district may file a petition nominating a candidate for board membership under the "modified at-large" model. A petition is valid only if:

(i) the candidate is a current voter of the town to which the seat is allocated;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in the unified union school district;

(iv) the voters file the petition with the clerk of the unified union school district not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the district clerk a written consent to the printing of the candidate's name on the ballot.

(B) Not later than 5:00 p.m. on the sixth Monday preceding the day of the election, the town clerk of each town within the unified union school district shall furnish to the district clerk, at the expense of the district, authenticated copies of the checklist of legal voters within the town as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150.

(C) The district clerk shall prepare the unified union school district ballot to include the name of each duly nominated candidate and shall transmit the ballot to the town clerk of each town within the district to make available to the voters residing in the town.

(D) The voters of the unified union school district shall elect as many board members as are to be elected at-large for that term of office under the “modified at-large” model.

(3) At-large representation.

(A) When membership on a unified union school district board is not apportioned or allocated pursuant to subdivision (1) (proportional to town population) or (2) (modified at-large) of this subsection (a) and the board member is elected at large, the voters residing in any one or more of the towns within the district may file a petition nominating a candidate for at-large board membership. A petition is valid only if:

(i) the candidate is a current voter of a town within the unified union school district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in the unified union school district;

(iv) the voters file the petition with the clerk of the unified union school district not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the district clerk a written consent to the printing of the candidate's name on the ballot.

(B) Not later than 5:00 p.m. on the sixth Monday preceding the day of the election, the town clerk of each town within the unified union school district shall furnish to the district clerk, at the expense of the district, authenticated copies of the checklist of legal voters within the town as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150.

(C) The district clerk shall prepare the unified union school district ballot to include the name of each duly nominated candidate and shall transmit the ballot to the town clerk of each town within the district to make available to the voters residing in the town.

(D) The voters of the unified union district shall elect as many board members as are to be elected at-large for that term of office.

(b) If not by Australian ballot. The provisions of this subsection shall apply to a unified union school district that has not voted to conduct elections for board membership by Australian ballot.

(1) The nomination and election of candidates for the office of unified union school district board member shall occur at a warned meeting of the unified union school district; provided, however, if the district elects board members under the “proportional to town population” model, then the nomination and election of candidates shall occur at an annual or special meeting of the town in which the candidate resides, warned for the purpose pursuant to subsection 737(f) of this chapter.

(2) Voters shall only nominate a person who is present at the meeting and the person shall accept or reject the nomination.

(3) The clerk shall ensure that the candidate is a voter of a specific town if the district elects board members under either the “proportional to town population” model or the “modified at-large” model.

(c) Bond. Before a newly elected board member enters upon the duties of office, the district shall ensure that the district's blanket bond covers the new member. In lieu of a blanket bond, the district may choose to provide suitable crime insurance coverage.

(d) Notification. Within 10 days after the election of a board member pursuant to this section, the district clerk shall transmit the name of newly elected board members to the Secretary of State.

§ 731. VACANCY ON UNIFIED UNION SCHOOL DISTRICT BOARD

(a) Filling a vacancy. Notwithstanding any other provision of law to the contrary, this section shall apply to a vacancy on a unified union school district board, unless otherwise provided in the articles of agreement of the district as initially approved by the voters on or before July 1, 2019.

(1) Proportional to town population. If the vacancy is for a seat where membership is apportioned to a town within the unified union school district in a number that is closely proportional to the town's relative population and only voters residing in the town elect the board member, then the clerk of the unified union school district shall notify the selectboard of the town not later than five days after learning of the vacancy. Within 30 days after providing notice and after consultation with the selectboard, the unified union school district board shall appoint an eligible person to fill the vacancy until the voters elect a successor at an annual or special meeting.

(2) Modified at-large model: allocation to town; at-large representation. If the vacancy is for a seat where membership is allocated to a town within the unified union school district in a number that is not closely proportional to each town's relative population and the board member is elected at large, then the district clerk shall notify the selectboard of the town not later than five days after learning of the vacancy. Within 30 days after providing notice and after consultation with the selectboard, the unified union school district board shall appoint an eligible person to fill the vacancy until the voters elect a successor at an annual or special meeting.

(3) At-large representation. If the vacancy is for a seat that is neither apportioned nor allocated to a town within the unified union school district as provided in subdivision (1) or (2) of this subsection and the board member is elected at-large, then within 30 days after creation of the vacancy the unified union school district board shall appoint an eligible person to fill the vacancy until the voters elect a successor at an annual or special meeting.

(4) Vacancy in all seats. If all seats on a school board are vacant, then the Secretary of State shall call a special election to fill the vacancies.

(b) Notification. Within 10 days after the appointment of a board member pursuant to this section, the district clerk of the unified union school district shall transmit the name of the appointed board member to the Secretary of State.

(c) Obligations and expenses.

(1) Vacancy in majority. If there are vacancies in a majority of the members of a unified union school district board at the same time, then the remaining member or members are authorized to draw orders for payment of continuing obligations and necessary expenses until a majority of the vacancies are filled pursuant to the provisions of this section.

(2) Vacancy in all seats. If there are no members of the unified union school district board in office, then the Secretary of State shall authorize the district clerk or other qualified person to draw orders for payment of continuing obligations and necessary expenses until a majority of the vacancies are filled.

§ 732. UNIFIED UNION SCHOOL DISTRICT BUDGET; PREPARATION AND AUTHORIZATION

(a) The board of a unified union school district shall prepare and distribute a proposed budget annually for the next school year pursuant to the provisions of subdivision 563(11) (powers of school boards; budget) of this title.

(b) If the voters do not approve the board's proposed budget, then the board shall prepare and present a revised proposed budget pursuant to 17 V.S.A. § 2680(c)(2) (local elections; Australian ballot system; rejected budget).

(c) If the voters do not approve a budget on or before June 30 of any year, then the board of the unified union school district may borrow funds pursuant to the authority granted under section 566 (school district; authority to borrow) of this title. As used in section 566, the "most recently approved school budget" of a union school district in its first fiscal year of full operations means the cumulative budget amount of the most recently approved school budgets of all districts that merged to form the union district plus one percent.

§ 733. ANNUAL REPORT; DATA

(a) The board of a unified union school district shall prepare an annual report concerning the affairs of the district and have it printed and distributed to the voters of the district pursuant to the provisions of subdivision 563(10) (school districts; powers of school boards; report) of this title. The board shall file the report with the unified union school district clerk and with the town clerk of each town within the district.

(b) Annually, on or before August 15, the unified union school district board shall provide to the Secretary answers to statistical inquiries that may be addressed to the district by the Secretary.

Article 2. Unified Union School Districts – Officers, Annual Meetings,
and Special Meetings

§ 735. OFFICERS; ELECTION; TERM; VACANCY; BOND

(a) Officers. At an annual meeting of the unified union school district, the voters shall elect a moderator from among the registered voters of the district. The voters shall also vote to elect a clerk and a treasurer of the district; provided, however, at any annual or special meeting, the voters may vote to authorize the school board to appoint the clerk or the treasurer, or both. The clerk of the district shall be elected or appointed from among the voters. The treasurer may also be the supervisory union treasurer and need not be a resident of the union school district.

(b) Election.

(1) If an officer is elected by Australian ballot in a unified union school district, then the provisions of subdivision 730(a)(3) for election by Australian ballot of at-large candidates for the unified union school district board shall apply.

(2) Votes cast to elect an officer shall be commingled and reported to the voters pursuant to section 742 (commingling of votes cast by Australian ballot and from the floor) of this chapter.

(c) Terms.

(1) Moderator. A moderator elected at an annual meeting pursuant to this section shall assume office on July 1 following the election, unless the voters vote at an annual meeting for the moderator to assume office upon election. A moderator shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(2) Clerk. A clerk elected at an annual meeting pursuant to this section shall assume office on July 1 following the election. A clerk shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(3) Treasurer. A treasurer elected at an annual meeting pursuant to this section shall assume office on July 1 following the election. A treasurer shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(d) Vacancy. The board of the unified union school district shall fill a vacancy in any office elected pursuant to this section as soon as practicable after the vacancy occurs. The appointee shall serve upon appointment for the remainder of the unexpired term of office or until the voters elect a successor.

(e) Oath of office. An officer elected or appointed pursuant to this section shall be sworn in before entering upon the duties of the office.

(f) Bond. The district shall ensure that its blanket bond covers a newly elected or appointed treasurer before the treasurer enters upon the duties of the office. In lieu of a blanket bond, the district may choose to provide suitable crime insurance coverage.

(g) Notification. Within 10 days after the election or appointment of any officer pursuant to this section, the clerk of the unified union school district shall transmit the name of the officer to the Secretary of State.

§ 736. OFFICERS; POWERS, DUTIES, AND LIABILITIES

(a) Moderator. The powers, duties, and liabilities of the moderator of a unified union school district shall be the same as those of a moderator of a town school district. The moderator shall preside at each annual and special meeting of the unified union school district. In the moderator's absence, the voters shall elect a moderator pro tempore to preside.

(b) Clerk. The powers, duties, and liabilities of the clerk of a unified union school district shall be the same as those of a clerk of a town school district. The district clerk shall keep a record of the votes and the proceedings of the union school district meetings and shall provide certified copies of them when requested.

(c) Treasurer. The powers, duties, and liabilities of the treasurer of a unified union school district shall be the same as those of a treasurer of a town school district.

(d) Documents. The person having custody shall provide to each newly elected or appointed officer of a unified union district all books, papers, and electronic documents of the office.

§ 737. WARNINGS OF UNIFIED UNION SCHOOL DISTRICT MEETINGS

(a) The board of a unified union school district shall have the same authority and obligation to warn or call meetings of the district as a town school board has to warn or call town school district meetings.

(b) Except as provided in subsection (f) of this section, the district clerk shall warn a unified union school district meeting pursuant to the provisions of 17 V.S.A. § 2641 (town meetings and local elections; warning and notice publication) by posting a warning and notice to voters, signed by the chair of the board or the chair's designee, specifying the date, time, location, and business of the meeting, in at least one public place in each town within the unified union school district, and causing the same to be published once in a

newspaper circulating in the unified union school district. In the district clerk's absence, the chair of the board or the chair's designee shall warn the meeting pursuant to the provisions of this section.

(c) The warning shall, by separate articles, specifically indicate the business to be transacted, to include the offices and the questions upon which the electorate shall vote. The warning shall also contain any article or articles requested by a petition signed by at least five percent of the voters of the district and filed with the district clerk pursuant to 17 V.S.A. § 2642 (town meetings and local elections; warning and notice contents).

(d) The posted notice that accompanies the warning shall include information on voter registration, early and absentee voting, the time and location at which the ballots will be counted, and any other applicable information.

(e) The warning shall be recorded in the office of the district clerk before posting.

(f) This subsection applies if a unified union school district elects school board members under the "proportional to town population" model and if it elects those members by a floor vote rather than by Australian ballot.

(1) The election shall be warned as follows:

(A) The district clerk shall transmit the signed warning to each town clerk.

(B) The district clerk shall assist each town clerk to incorporate the warning into the warning for the annual or special meeting of each town.

(C) Each town clerk, rather than the district clerk, shall post and publish the warning pursuant to the provisions of subsection (b) of this section.

(2) Notwithstanding any provision of law to the contrary, if any town within the unified union school district elects its selectboard members by Australian ballot, then the warning, nomination, ballot preparation, and election of unified union school district board members shall proceed pursuant to the same laws that govern the town.

(3) If an annual town meeting at which the board members are elected under this subsection is more than 30 days prior to the annual meeting of the unified union school district, then notwithstanding subsection 729(a) (members of unified union school district boards) of this section, the newly elected board members shall assume office at the conclusion of the district's annual meeting.

(g) Notwithstanding any provisions of this section to the contrary, a unified union school district:

(1) shall warn a meeting called for the purpose of considering a bond issue pursuant to the provisions of 24 V.S.A. § 1755; and

(2) shall warn a meeting to consider a revised proposed budget pursuant to the provisions of subsection 732(b) of this chapter.

§ 738. CHECKLIST FOR UNION DISTRICT MEETINGS WHERE
VOTING IS CONDUCTED FROM THE FLOOR

(a) Not later than the close of business on the day before an annual or special meeting of a unified union school district, the town clerk of each town within the district shall furnish to the district clerk, at the expense of the district, authenticated copies of the checklist of legal voters within the town as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150 (elections; registration of voters). The checklist shall control for purposes of determining voter eligibility in the unified union school district.

(b) During the annual or special meeting, one or more members of each town's board of civil authority shall assist the district clerk to determine voter eligibility and to supervise voting during the meeting.

(c) This section shall not apply to a meeting warned pursuant to subsection 737(f) (unified union school district meetings; proportional to town population; floor vote) of this chapter.

§ 739. CONDUCT OF VOTE IF BY AUSTRALIAN BALLOT

For any vote that proceeds by Australian ballot in a unified union school district:

(1) A district voter shall vote by Australian ballot in the town in which the voter currently resides at the polling location identified in the warning.

(2) Voting shall occur in each town on the same day.

(3) The board of civil authority of each town shall be responsible for determining the eligibility of persons to vote and for supervising voting at that polling location.

(4) The opportunity for early and absentee voting pursuant to 17 V.S.A. §§ 2531–2550 (conduct of elections; early and absentee voters) shall be provided.

§ 740. PREPARATION AND FORM OF AUSTRALIAN BALLOT

(a) The clerk of a unified union school district shall prepare the ballot for any vote that proceeds by Australian ballot in the district.

(b) Only questions warned by the unified union school district and presented to the voters of that district shall appear on a ballot prepared pursuant to subsection (a) of this section.

(c) Warned questions of the unified union school district shall not appear on the same ballot as questions warned by the legislative body of a town within the unified union school district.

§ 741. COUNTING OF AUSTRALIAN BALLOTS

(a) Process.

(1) At least two members of the board of civil authority of each town within a unified union school district, or two election officials appointed by the board of civil authority of that town, shall transport ballots cast in the town in a sealed container to a central location designated by the district clerk. The district clerk shall place the ballots from all locations into a single container.

(2) The boards of civil authority shall not count the ballots for purposes of determining the outcome of the votes cast in that town prior to transporting them but may open the containers and count the total number of ballots cast at that polling location.

(3) The district clerk or designee shall supervise representatives of the boards of civil authority, identified in subdivision (1) of this subsection, to count ballots at the central location pursuant to section 742 (commingling and reporting of votes cast by Australian ballot and from the floor) of this title. The district clerk shall also have the authority to appoint current unified union school district board members who are not on the ballot to aid in the counting of ballots.

(4) The ballots shall be counted as soon as possible, but not later than 24 hours after the time at which the polls closed.

(5) If ballots are to be counted on the day following the election, then the clerk of each town within the unified union school district shall store the ballots in a secure location in the town until they are transported on the following day to the central location designated by the district clerk for counting.

(6) After the ballots have been counted, the district clerk shall seal them in a secure container and store them for at least 90 days in a secure location.

(b) Applicability. The counting of Australian ballots cast by voters in a unified union school district for the election of members of the district board, for the election of district officers, for proposed budgets, and for any other public questions shall proceed pursuant to the provisions of this section, except when:

(1) Vermont statute explicitly permits or requires a different method for a specific type of question presented to the voters;

(2) the ballots have been cast to elect a unified union school district board member where membership on the board is apportioned based on town population pursuant to subdivision 730(a)(1) (unified union school district; Australian ballot; proportional to town population) of this title; or

(3) the articles of agreement as initially approved by the voters on or before July 1, 2019 explicitly provide that the board of civil authority of each town within the unified union school district shall count Australian ballots cast in that town and report that town's results to the district clerk, who shall calculate total votes cast within the unified union school district and report the result of the vote to the public.

§ 742. COMMINGLING AND REPORTING OF ALL VOTES CAST BY
AUSTRALIAN BALLOT AND FROM THE FLOOR

(a) Commingling. Votes cast by the voters of a unified union school district shall be commingled, whether cast by Australian ballot or from the floor, and shall not be counted according to the town in which a voter resides.

(b) Report to public. The district clerk shall report the commingled results of votes cast by voters of a unified union school district.

(c) Applicability. The commingling and reporting of votes cast by voters in a unified union school district for the election of members of the district board, for the election of district officers, for proposed budgets, and for any other public question shall proceed pursuant to the provisions of this section regardless of whether the votes proceeds by Australian ballot or by a floor vote, except when:

(1) Vermont statute explicitly permits or requires a different method for a specific type of question presented to the voters;

(2) the ballots have been cast to elect a unified union school district board member where membership on the board is apportioned based on town population pursuant to subdivision 730(a)(1) (unified union school district; Australian ballot; proportional to town population) of this chapter; or

(3) the articles of agreement as initially approved by the voters on or before July 1, 2019 explicitly provide that the board of civil authority of each town within the unified union school district shall count Australian ballots cast in that town and report that town's results to the district clerk, who shall calculate total votes cast within the unified union school district and report the result of the vote to the public.

§ 743. BOND ISSUES; DEBT LIMIT

(a) A unified union school district may make improvements, as defined by 24 V.S.A. § 1751 (municipal and county government; indebtedness definitions), and may incur indebtedness for improvements as provided in 24 V.S.A. chapter 53, subchapter 1 (municipal and county government; indebtedness generally).

(b) The debt limit of the unified union school district shall be 10 times the total of the education grand lists of the towns within the unified union school district. The existing indebtedness of a unified union school district incurred to finance any project approved under sections 3447 to 3456 (State aid for capital construction costs) of this title shall not be considered a part of the indebtedness of the unified union school district for purposes of determining its debt limit for a new proposed bond issue.

(c) Bond issues under this section shall be determined by Australian ballot and shall proceed pursuant to sections 737 (warnings of unified union school district meetings) and 739–742 (vote by Australian ballot) of this subchapter. The ballots shall be commingled before counting.

Subchapter 4. Union Elementary School Districts and
Union High School Districts

§ 745. DEFINITIONS

As used in this subchapter, words have the meaning as defined in section 702 (definitions) of this title and any words not defined in that section have their plain meaning, except:

(1) Member district. “Member district” means either a town school district that is a member district as defined in section 702 (definitions) of this title or a town in a member district if the member district is itself a union elementary or union high school district, as applicable.

(2) Town clerk.

(A) If, pursuant to section 425 (other town school district officers) of this title, the voters of a member district have elected a district clerk who is not also the clerk of the town, then “town clerk” means the elected clerk of that member district.

(B) Notwithstanding subdivision (A) of this subdivision (2), if a union elementary or union high school district is a member district of the union school district, then “town clerk” has its plain meaning and means the clerk of each town in the member district.

Article 1. Union Elementary and Union High School Districts – Boards and Board Members

§ 747. BOARD MEMBERS; TERM; CONDUCT OF MEETINGS; QUORUM AND VOTING; POWERS AND DUTIES

(a) Members. Except as set forth in subchapter 2 (exploration, formation, and organization) of this chapter for initial members, each member of the board of a union elementary school or union high school district shall:

(1) be elected by the voters at warned meeting pursuant to section 748 (union elementary and union high school district board members) of this chapter;

(2) assume office upon election, except as provided in subdivision 755(f)(3) (warnings of union elementary and union high school district meetings) of this chapter; and

(3) be sworn in before entering upon the duties of the office.

(b) Term. A member elected at an annual meeting shall serve for a term of three years or until the member's successor is elected and has taken the oath of office. A member elected at a special meeting shall serve for the balance of the term remaining.

(c) Quorum. A majority of the members of the board shall constitute a quorum. Subject to the provisions of subsection (d) of this section but notwithstanding any other provision of law, the concurrence of a majority of members present at a union elementary or union high school district board meeting shall be necessary and sufficient for board action; provided, however, the concurrence of more than a majority shall be necessary if required for a particular action by the voter-approved articles of agreement.

(d) Weighted voting. If weighted voting is used to achieve constitutionally required proportionality for members elected under the "proportional to town population" model set out in subdivisions 711(e)(1) (proposed union elementary or union high school district; proportional to town population) and 748(a)(1) (union elementary and union high school district board members; Australian ballot; proportional to town population) of this chapter, then a number of members of the board holding a majority of the total number of weighted votes shall constitute a quorum, and a majority of the weighted votes cast shall be necessary and sufficient for board action.

(e) Board chair and board clerk. At the meeting next following each annual meeting, the union elementary or union high school district board shall elect one of its number to serve as the chair of the board and one other of its number to serve as the clerk of the board.

(f) Powers, duties, and liabilities. The powers, duties, and liabilities of a union elementary or union high school district board, board chair, and board clerk shall be the same as those of a board, board chair, and board clerk of a town school district.

(g) Minutes. The board clerk shall prepare minutes of the proceedings of the union elementary or union high school district board, unless the board votes to delegate those duties to another individual. The board clerk shall transmit the minutes and all other documents constituting the record of board proceedings to the clerk of the union elementary or union high school district, who shall be responsible for maintaining a permanent record of board proceedings. In the board clerk's absence, another member of the school board shall assume the duties of the clerk.

(h) Stipend. The board clerk may be paid upon order of the board.

§ 748. UNION ELEMENTARY AND UNION HIGH SCHOOL DISTRICT
BOARD MEMBERS; NOMINATION AND ELECTION; BOND

(a) If by Australian ballot. The provisions of this subsection (a) shall apply to a union elementary or union high school district that conducts elections for board membership by Australian ballot.

(1) Proportional to town population.

(A) When membership on the board of a union elementary or union high school district is apportioned to each member district in a number that is closely proportional to the member district's relative population, the voters of the member district may file a petition nominating a candidate for board membership. A petition is valid only if:

(i) the candidate is a current voter of the member district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 30 voters residing in the member district or one percent of the legal voters in that district, whichever is less;

(iv) the voters file the petition with the town clerk not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the town clerk a written consent to the printing of the candidate's name on the ballot.

(B) After confirming that the names on the petition correspond to registered voters of the member district, the town clerk shall transmit the name

of each duly nominated candidate to the clerk of the union elementary or union high school district.

(C) The union district clerk shall prepare a union elementary or union high school district ballot for each member district and shall transmit the ballot to the town clerk to make available to the voters residing in the member district.

(D) The voters of the member district shall elect as many board members as are apportioned for that term of office on the union elementary or union high school district board based on the population of the member district.

(2) Modified at-large model: allocation to town; at-large representation.

(A) When membership on the board of a union elementary or union high school district is allocated to each member district, but the allocation is not closely proportional to the member district's population and the board member is elected at-large, the voters residing in any one or more of the member districts may file a petition nominating a candidate for board membership under the "modified at-large" model. A petition is valid only if:

(i) the candidate is a current voter of the member district to which the seat is allocated;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in the union elementary or union high school district;

(iv) the voters file the petition with the clerk of the union elementary or union high school district not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the union district clerk a written consent to the printing of the candidate's name on the ballot.

(B) Not later than 5:00 p.m. on the sixth Monday preceding the day of the election, the town clerk of each member district shall furnish to the union district clerk, at the expense of the union district, authenticated copies of the checklist of legal voters within the member district as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150.

(C) The union district clerk shall prepare the union elementary or union high school district ballot to include the name of each duly nominated candidate and shall transmit the ballot to the town clerk of each member district to make available to the voters residing in the member district.

(D) The voters of the union elementary or union high school district shall elect as many board members as are to be elected at-large for that term of office under the “modified at-large” model.

(3) At-large representation.

(A) When membership on the board of a union elementary or union high school district is not apportioned or allocated pursuant to subdivision (1) (proportional to town population) or (2) (modified at-large) of this subsection (a) (Australian ballot) and the board member is elected at large, the voters residing in any one or more of the member districts may file a petition nominating a candidate for at-large board membership. A petition is valid only if:

(i) the candidate is a current voter of the union elementary or union high school district;

(ii) the petition identifies the term of office for which the candidate is nominated;

(iii) the petition is signed by at least 60 voters residing in the union elementary or union high school district;

(iv) the voters file the petition with the clerk of the union elementary or union high school district not later than 5:00 p.m. on the sixth Monday preceding the day of the election; and

(v) the candidate files with the union district clerk a written consent to the printing of the candidate’s name on the ballot.

(B) Not later than 5:00 p.m. on the sixth Monday preceding the day of the election, the town clerk of each member district shall furnish to the union district clerk, at the expense of the union district, authenticated copies of the checklist of legal voters within the member district as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150.

(C) The union district clerk shall prepare the union elementary or union high school district ballot to include the name of each duly nominated candidate and shall transmit the ballot to the town clerk of each member district to make available to the voters residing in the member district.

(D) The voters of the union elementary or union high school district shall elect as many board members as are to be elected at-large for that term of office.

(b) If not by Australian ballot. The provisions of this subsection (b) shall apply to a union elementary or union high school district that does not conduct elections for board membership by Australian ballot.

(1) The nomination and election of candidates for the office of union elementary or union high school district board member shall occur at a warned meeting of the union school district; provided, however, if the union district elects board members under the “proportional to town population” model, then the nomination and election of candidates shall occur at an annual or special meeting of the member district for the town in which the candidate resides, warned for the purpose pursuant to subsection 755(f) (warnings of union elementary and union high school district meetings; members elected under proportional to town population model and by floor vote) of this chapter.

(2) Voters shall only nominate a person who is present at the meeting, and the person shall accept or reject the nomination.

(3) The meeting shall proceed in a manner to ensure that the candidate is a voter of a specific member district if the union district elects board members under either the “proportional to town population” model or the “modified at-large” model.

(c) Bond. Before a newly elected board member enters upon the duties of office, the union district shall ensure that the district’s blanket bond covers the new member. In lieu of a blanket bond, the district may choose to provide suitable crime insurance coverage.

(d) Notification. Within 10 days after the election of a board member pursuant to this section, the union elementary or union high school district clerk shall transmit the name of the newly elected board member to the Secretary of State.

§ 749. VACANCY ON UNION ELEMENTARY OR UNION HIGH SCHOOL DISTRICT BOARD

(a) Filling a vacancy. Notwithstanding any other provisions of law to the contrary, this section shall apply to a vacancy on a union elementary or union high school district board, unless otherwise provided in the articles of agreement of the union elementary or union high school district as initially approved by the voters on or before July 1, 2019.

(1) Proportional to town population. If the vacancy is for a seat where membership is apportioned to a member district in a number that is closely proportional to its relative population and only voters residing in the member district elect the board member, then the union elementary or union high school district clerk shall notify the board of the member district not later than five days after learning of the vacancy. Within 30 days after receiving notice, the board of the member district shall appoint a person who is otherwise eligible to serve as a member of the union elementary or union high school district board to fill the vacancy until the voters elect a successor at an annual

or special meeting pursuant to the provisions of section 748 (union elementary and union high school district board members) of this chapter.

(2) Modified at-large model: allocation to town; at-large representation. If the vacancy is for a seat where membership is allocated to a member district in a number that is not closely proportional to each district's relative population and the board member is elected at-large, then the union elementary or union high school district clerk shall notify the board of the member district not later than five days after learning of the vacancy. Within 30 days after providing notice and after consultation with the member district's board, the union elementary or union high school district board shall appoint a person who is otherwise eligible to serve as a member of the union elementary or union high school district board to fill the vacancy until the voters elect a successor at an annual or special meeting pursuant to the provisions of section 748 (union elementary and union high school district board members) of this chapter.

(3) At-large representation. If the vacancy is for a seat that is neither apportioned nor allocated to a member district pursuant to subdivision (1) (proportional to town population) or (2) (modified at-large) of this subsection and the board member is elected at-large, then within 30 days after creation of the vacancy the union elementary or union high school district board shall appoint a person who is otherwise eligible to serve as a member of the board to fill the vacancy until the voters elect a successor at an annual or special meeting pursuant to the provisions of section 748 (union elementary and union high school district board members) of this chapter.

(4) No board of member district. For purposes of subdivisions (1) (proportional to town population) and (2) (modified at-large) of this subsection (a), if the member district is also a union school district and any related town school district has discontinued operations pursuant to subdivision 717(b)(2) (discontinuation of forming districts in union elementary and union high school districts) of this chapter and has no board, then the clerk of the union elementary or union high school district shall notify the selectboard of the pertinent town not later than five days after learning of the vacancy. Within 30 days after providing notice and after consultation with the selectboard, the union elementary or union high school district board shall appoint a person who is otherwise eligible to serve as a member of the union elementary or union high school district board to fill the vacancy until the voters elect a successor at an annual or special meeting pursuant to the provisions of section 748 (union elementary and union high school district board members) of this chapter.

(5) Vacancy in all seats. If all seats on a school board are vacant, then the Secretary of State shall call a special election to fill the vacancies.

(b) Notification. Within 10 days after the appointment of a board member pursuant to this section, the clerk of the union elementary or union high school district shall transmit the name of the appointed board member to the Secretary of State.

(c) Obligations and expenses.

(1) Vacancy in majority. If there are vacancies in a majority of the members of a union elementary or union high school district board at the same time, then the remaining member or members are authorized to draw orders for payment of continuing obligations and necessary expenses until a majority of the vacancies are filled pursuant to the provisions of this section.

(2) Vacancy in all seats. If there are no members of the union elementary or union high school district board in office, then the Secretary of State shall appoint and authorize the district clerk or other qualified person to draw orders for payment of continuing obligations and necessary expenses until a majority of the vacancies are filled.

§ 750. UNION ELEMENTARY OR UNION HIGH SCHOOL DISTRICT BUDGET; PREPARATION AND AUTHORIZATION

(a) The board of a union elementary or union high school district shall prepare and distribute a proposed budget annually for the next school year pursuant to the provisions of subdivision 563(11) (powers of school boards; budget) of this title.

(b) If the voters do not approve the board's proposed budget, then the board shall prepare a revised proposed budget pursuant to 17 V.S.A. § 2680(c)(2) (local elections using the Australian ballot system; rejected budget).

(c) If the voters do not approve a budget on or before June 30 of any year, the board of the unified union school district may borrow funds pursuant to the authority granted under section 566 (school districts; authority to borrow) of this title. As used in section 566, the "most recently approved school budget" of a union school district in its first fiscal year of full operations means the cumulative budget amount of the most recently approved school budgets of all districts that merged to form the union district plus 1 percent.

§ 751. ANNUAL REPORT; DATA

(a) The board of a union elementary or union high school district shall prepare an annual report concerning the affairs of the district and have it printed and distributed to the voters of the district pursuant to the provisions of subdivision 563(10) (powers of school boards; report) of this title. The board

shall file the report with the union district clerk and the clerk of each member district.

(b) Annually, on or before August 15, the union elementary or union high school district board shall provide to the Secretary answers to statistical inquiries that may be addressed to the district by the Secretary.

Article 2. Union Elementary and Union High School Districts – Officers,
Annual Meetings, and Special Meetings

§ 753. OFFICERS; ELECTION; TERM; VACANCY; BOND

(a) Officers. At an annual meeting of the union elementary or union high school district, the voters shall elect a moderator from among the registered voters. The voters shall also vote to elect a clerk and a treasurer of the district; provided, however, at any annual or special meeting, the voters may vote to authorize the school board to appoint the clerk or the treasurer, or both. The clerk of the district shall be elected or appointed from among the voters. The treasurer may also be the supervisory union treasurer and need not be a resident of the union elementary or union high school district.

(b) Election if by Australian ballot. If a union elementary or union high school district elects its officers by Australian ballot, then the provisions of subdivision 748(a)(3) of this chapter for election by Australian ballot of at-large candidates for the union elementary or union high school district board shall apply.

(c) Terms.

(1) Moderator. A moderator elected at an annual meeting pursuant to this section shall assume office on July 1 following the election, unless the voters vote at an annual meeting for the moderator to assume office upon election. A moderator shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(2) Clerk. A clerk elected at an annual meeting pursuant to this section shall assume office on July 1 following the election. A clerk shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(3) Treasurer. A treasurer elected at an annual meeting pursuant to this section shall assume office on July 1 following the election. A clerk shall serve a term of one year or until a successor is elected and has taken the oath of office unless the voters extend the term length up to three years.

(d) Vacancy. The board of the union elementary or union high school district shall fill a vacancy in any office elected or appointed pursuant to this

section as soon as practicable after the vacancy occurs. The appointee shall serve upon appointment for the remainder of the unexpired term of office or until the voters elect a successor.

(e) Oath of office. An officer elected or appointed pursuant to this section shall be sworn in before entering upon the duties of the office.

(f) Bond. The district shall ensure that its blanket bond covers a newly elected or appointed treasurer before the treasurer enters upon the duties of the office. In lieu of a blanket bond, the district may choose to provide suitable crime insurance coverage.

(g) Notification. Within 10 days after the election or appointment of any officer pursuant to this section, the clerk of the union elementary or union high school district shall transmit the name of the officer to the Secretary of State.

§ 754. OFFICERS; POWERS, DUTIES, AND LIABILITIES

(a) Moderator. The powers, duties, and liabilities of the moderator of a union elementary or union high school district shall be the same as those of a moderator of a town school district. The moderator shall preside at each annual and special meeting of the union elementary or union high school district. In the moderator's absence, the voters shall elect a moderator pro tempore to preside.

(b) Clerk. The powers, duties, and liabilities of the clerk of a union elementary or union high school district shall be the same as those of a clerk of a town school district. The district clerk shall keep a record of the votes and the proceedings of the union school district meetings and shall provide certified copies of them when requested.

(c) Treasurer. The powers, duties, and liabilities of the treasurer of a union elementary or union high school district shall be the same as those of a treasurer of a town school district.

(d) Documents. The person having custody shall provide to each elected or appointed officer of a union district all books, papers, and electronic documents of the office.

§ 755. WARNINGS OF UNION ELEMENTARY AND UNION HIGH SCHOOL DISTRICT MEETINGS

(a) The board of a union elementary or union high school district shall have the same authority and obligation to warn or call meetings of the district as a town school board has to warn or call town school district meetings.

(b) Except as provided in subsection (f) of this section, not less than 30 nor more than 40 days before the meeting, the union district clerk shall warn a

union elementary or union high school district meeting by posting a warning and notice to voters, signed by the chair of the union district board or the chair's designee, specifying the date, time, location, and business of the meeting, in the district clerk's office and at least one public place in each town within the union elementary or union high school district, and causing the same to be published once in a newspaper circulating in the union district at least five days before the meeting. In the district clerk's absence, the chair of the board or the chair's designee shall warn the meeting pursuant to the provisions of this section.

(c) The warning shall, by separate articles, specifically indicate the business to be transacted, including the offices and the questions upon which the electorate shall vote. The warning shall also contain any article or articles requested by a petition signed by at least five percent of the voters of the district and filed with the district clerk pursuant to 17 V.S.A. § 2642 (town meetings and local elections; warning and notice contents).

(d) The posted notice that accompanies the warning shall include information on voter registration, early and absentee voting, the time and location at which the ballots will be counted, and other applicable information.

(e) The warning shall be recorded in the office of the district clerk and shall be provided to the town clerk of each town in the unified elementary or union high school district before being posted.

(f) This subsection shall apply if a union elementary or union high school district elects school board members under the "proportional to town population" model and if it elects those members by a floor vote rather than by Australian ballot.

(1) The election shall be warned as follows:

(A) The district clerk shall transmit the signed warning to each town clerk.

(B) The district clerk shall assist each town clerk to incorporate the warning into the warning for the annual or special meeting of each member district.

(C) Each town clerk, rather than the union district clerk, shall post and publish the warning pursuant to the provisions of subsection (b) of this section.

(2) Notwithstanding any provision of law to the contrary, if any member district elects its own board members by Australian ballot, then the warning, nomination, ballot preparation, and election of union school district board

members shall proceed pursuant to the same laws that govern the member district.

(3) If an annual meeting of a member district at which the union district board members are elected under this subsection is more than 30 days prior to the annual meeting of the union school district, then notwithstanding subsection 747(a) (board members of union elementary and union high school districts) of this chapter, the newly elected board members shall assume office at the conclusion of the union school district's annual meeting.

(g) Notwithstanding any provision of this section to the contrary, a union elementary or union high school district:

(1) shall warn a meeting called for the purpose of considering a bond issue in accordance with the provisions of 24 V.S.A. § 1755; and

(2) shall warn a meeting to consider a revised proposed budget pursuant to the provisions of subsection 750(b) (union elementary or union high school district revised proposed budget) of this chapter.

§ 756. UNION DISTRICT MEETINGS CONDUCTED FROM THE FLOOR

(a) Not later than the close of business on the day before the meeting, the town clerk of each member district of a union elementary or union high school district shall furnish to the union district clerk, at the expense of the union district, authenticated copies of the checklist of legal voters within the member district as the checklist appears after revisions are made pursuant to 17 V.S.A. §§ 2141–2150 (registration of voters). The checklist shall control for purposes of determining voter eligibility in the union elementary or union high school district.

(b) During the annual or special meeting, one or more members of each town's board of civil authority shall assist the union district clerk to determine voter eligibility and to supervise voting during the meeting.

(c) Votes cast at an annual or special meeting shall be commingled and shall not be counted according to the town in which a voter resides.

(d) The provisions of this section shall apply to all votes of the electorate in a union elementary or union high school district that do not proceed by Australian ballot; provided, however:

(1) They shall not apply if Vermont statute explicitly permits or requires a different method for a specific type of question presented to the voters.

(2) They shall not apply to a vote warned pursuant to subsection 755(f) (warnings of union elementary and union high school district meetings;

members elected under proportional to town population model and by floor vote) of this chapter.

(e) If a person who resides in a member district and is otherwise eligible to vote at a union elementary or union high school district meeting has not maintained residence in the member district for the requisite number of days but resided in another member district of the union elementary or union high school district for the requisite number of days, then the town clerk of the member district in which the person currently resides shall enter such person's name on the checklist of legal voters if the person presents to that town clerk a certificate signed by the town clerk of the member district in which the person formally resided confirming that the person lived within the union elementary or union high school district for the requisite number of days.

§ 757. CONDUCT OF VOTE IF BY AUSTRALIAN BALLOT

In any vote that proceeds by Australian ballot in a union elementary or union high school district:

(1) A district voter shall vote by Australian ballot in the town in which the voter currently resides at the polling location identified in the warning.

(2) Voting shall occur in each town on the same day.

(3) The board of civil authority of each town shall be responsible for determining the eligibility of persons to vote and for supervising voting at that polling location.

(4) The opportunity for early and absentee voting pursuant to 17 V.S.A. §§ 2531–2550 (conduct of elections; early or absentee voters) shall be provided.

§ 758. PREPARATION AND FORM OF AUSTRALIAN BALLOT

(a) The clerk of a union elementary or union high school district shall prepare the ballot for any vote that proceeds by Australian ballot in the union school district.

(b) Only questions warned by the union elementary or union high school district and presented to the voters of that district shall appear on a ballot prepared pursuant to subsection (a) of this section.

(c) Warned questions of the union elementary or union high school district shall not appear on the same ballot as questions warned by a member district of the union elementary or union high school district or by the legislative body of a town within the union elementary or union high school district.

§ 759. COUNTING AND REPORTING RESULTS OF VOTE BY
AUSTRALIAN BALLOT

(a) Process if commingled. If the voters have approved the commingling of votes cast by Australian ballot for any or all categories of public questions, including elections and budget votes, or if Vermont law requires commingling, then the following process applies to those votes except to the extent that Vermont law explicitly requires a different process for a specific type of public question.

(1) At least two members of the board of civil authority of each town within a union elementary or union high school district, or two election officials appointed by the board of civil authority of that town, shall transport ballots cast in the member district in a sealed container to a central location designated by the clerk of the union elementary or union high school district.

(2) The boards of civil authority shall not count the ballots for purposes of determining the outcome of the votes cast in the member district prior to transporting them but may open the containers and count the total number of ballots cast at that polling location.

(3) The union elementary or union high school district clerk or designee shall supervise representatives of the boards of civil authority to count ballots at the central location. The union elementary or union high school district clerk shall also have the authority to appoint current union elementary or union high school district board members who are not on the ballot to aid in the counting of ballots

(4) The ballots shall be counted as soon as possible, but not later than 24 hours after the time at which the polls closed.

(5) If ballots are to be counted on the day following the election, then the clerk of each member district shall store the ballots in a secure location until they are transported on the following day to the central location designated by the union district clerk for counting.

(6) Ballots from all member districts shall be combined into a single group before counting and shall not be counted according to the member district or town in which a voter resides.

(7) After the ballots have been counted, the union district clerk shall seal them in a secure container and store them for at least 90 days at a secure location.

(8) The union district clerk shall report the commingled results of votes cast within the union elementary or union high school district to the public.

(b) Process if not commingled. If the voters have not approved the commingling of votes cast by Australian ballot for budgets, elections, or any other category of public question, and if Vermont law does not require commingling, then the following process applies to those votes except to the extent that Vermont law explicitly requires a different process for a specific type of public question.

(1) The board of civil authority of each town within the union elementary or union high school district shall count Australian ballots cast in the member district and report the results to the clerk of the union district.

(2) The clerk of the union district shall calculate total votes cast within the union district for any vote that requires approval by the electorate of the entire union elementary or union high school district, rather than approval by the voters in one member district or by the voters in each member district separately.

(3) The union district shall report to the public the results of total votes cast; provided, however, that both the union district clerk and the clerk of each member school district shall report the results of ballots cast to elect a union school district board member where membership on the board is apportioned based on town population pursuant to subdivision 748(a)(1) of this chapter.

§ 760. BOND ISSUES; DEBT LIMIT

(a) A union elementary or union high school district may make improvements, as defined by 24 V.S.A. § 1751, and may incur indebtedness for the improvements as provided in 24 V.S.A. chapter 53, subchapter 1.

(b) The debt limit of the union elementary or union high school district shall be 10 times the total of the education grand lists of the member districts of the union school district. The existing indebtedness of a union elementary or union high school district incurred to finance any project approved under sections 3447 to 3456 of this title shall not be considered a part of the indebtedness of the union elementary or union high school district for purposes of determining its debt limit for a new proposed bond issue. An obligation incurred by a union elementary or union high school district pursuant to this chapter shall be the joint and several obligation of the union school district and each of its member districts. Any joint or several obligation incurred by a member district pursuant to this subsection shall not be considered in determining the debt limit for the separate purposes of the member district.

(c) Bond issues under this section shall be determined by Australian ballot and shall proceed pursuant to sections 755 (warnings of union elementary school district and union high school district meetings) and 757–759 (vote by

Australian ballot) of this subchapter. Ballots shall be commingled before counting.

Subchapter 5. Districts Formed Pursuant to Prior Laws

§ 763. RATIFICATION; ARTICLES OF AGREEMENT; APPLICATION OF CHAPTER

(a) Each union school district in existence on July 1, 2022, is ratified and subject to the provisions of this chapter 11, regardless of whether the district was formed by an affirmative vote of the electorate or by the State Board as part of its “Final Report of Decisions and Order on Statewide School District Merger Decisions Pursuant to [2015 Acts and Resolves No.] 46, Sections 8(b) and 10” dated November 28, 2018 (the Order).

(b) References in this chapter 11 to articles of agreement initially adopted by the voters shall also mean articles of agreement as issued by the State Board as part of the Order.

(c) Articles of agreement in effect on June 30, 2022, as initially adopted by the voters or subsequently amended, shall govern the district unless and until amended; provided, however, and notwithstanding the provisions of 1 V.S.A. § 214 or other laws to the contrary, the provisions of this chapter 11 shall govern in all matters not addressed in the articles of agreement and shall take precedence in the event of conflict with any article.

§ 764. SECRETARY OF STATE; RECORDING CERTIFICATES

(a) To ensure that documentary evidence relating to the creation of union school districts can be found in one location, the Secretary of Education shall forward to the Secretary of State copies of the certifications designating the existence of each new union school district created pursuant to the State Board’s “Final Report of Decisions and Order on Statewide School District Merger Decisions Pursuant to 2015 Acts and Resolves No. 46, Sections 8(b) and 10” dated November 28, 2018 (the Order).

(b) The Secretary of State shall record the certifications and all subsequent amendments and addenda to the certifications.

(c) The Secretary of State shall file a certified copy of the recorded certification and any amendments or addenda with the elected clerk of each union school district created by the Order.

Sec. 4. WITHDRAWAL ACTIONS APPROVED BY STATE BOARD;
NEW DISTRICTS WITH AN OPERATIONAL DATE ON OR
AFTER JULY 1, 2023

(a) Application of this section. This section shall apply solely to a withdrawal action initiated pursuant to the provisions of 16 V.S.A. § 724 that were in effect prior to the effective date of Sec. 3 of this act (former 16 V.S.A. § 724), if each of the following actions occurred prior to that effective date:

(1) the State Board of Education gave final approval to the voter-approved and voter-ratified proposal to withdraw from the union school district;

(2) the State Board declared a new school district to be reconstituted;

(3) the State Board established the new school district's operational date as July 1, 2023 or after;

(4) the voters of the new school district elected school board members;

(5) the voters of the towns within the union district voted to approve the financial terms of withdrawal negotiated by the boards of the new school district and the union district; and

(6) the State Board charged the new school district and its board with performing the transitional activities necessary to assume sole responsibility for the education of resident students on the identified operational date.

(b) Vote of the board of the new school district; operational date. Before July 1, 2022, the board of the new school district shall vote whether to move forward with preparing for the operational date in effect on July 1, 2022 (current operational date) or whether to extend the operational date by one year. If the school board votes to extend the operational date, the operational date shall be extended to one year from the current operational date (new operational date). The board of the new school district shall notify the State Board and clerk of the union district of its decision and operational date on or before July 1, 2022. The State Board shall then review the preparedness of the new school district pursuant to subsection (d) of this section. The decision of the State Board shall be final regardless of whether it occurs in 2022 or 2023.

(c) Status report. On or before the regular July State Board meeting in the year in which the review will occur, the new school district shall submit a written status report to the Board detailing the actions the district has taken and will take to ensure that, as of its operational date, the district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. § 165 and to ensure the provision of

supervisory union services. The status report shall include a timeline indicating the date by which each action shall be complete.

(d) State Board review and findings.

(1) Review. The State Board shall consider the status report and provide the board of the new school district an opportunity to be heard. The Board may, in its discretion, take testimony from other individuals and entities, including the union school district and the Agency of Education. The State Board shall issue a determination of preparedness based on the review and report on or before the September 1 of the year in which the review will occur.

(2) Preparedness deemed likely. If the State Board determines that it is likely the new school district will be prepared, on the identified operational date provided to the State Board pursuant to subsection (b), to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165, and to ensure the provision of supervisory union services, then the new school district, the union district, and, if applicable, the supervisory union or unions shall continue to take all actions necessary to prepare for the realignment of duties on the operational date.

(3) Preparedness deemed unlikely.

(A) If the State Board determines there is a reasonable risk that the new district will not be able to be prepared, on the operational date provided to the State Board pursuant to subsection (b), to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165, and to ensure the provision of supervisory union services, then the Board shall issue a written advisory statement detailing the factors underlying its conclusion, which it shall post on its website and transmit electronically to the board of the new school district.

(B) Upon receipt of an advisory opinion pursuant to subdivision (d)(3)(A) of this section, the board of the new school district shall post the document on its website and schedule the contents as a topic for public discussion at a special or regular board meeting.

(C) Prior to the operational date and after public discussion and any board deliberations:

(i) The board of the new school district may continue to take all actions necessary to prepare for the realignment of duties on the operational date.

(ii) On its own motion, or if petitioned to do so by at least five percent of the voters in the new school district, the board of the new school district shall warn a vote to request the State Board to reverse its declaration approving withdrawal and reconstituting the new school district. The vote shall be held before the October 1 prior to the operational date.

(I) The question shall be decided by Australian ballot.

(II) Within 45 days after the vote or 15 days after a vote to reconsider under 17 V.S.A. § 2661, whichever is later, the clerk of the new school district shall certify the results of the vote to the Secretary of State who shall record the certificate and give notice of the vote to the clerk of the union district, the clerks of each of the other towns within the union district, and the Secretary of Education. The clerk of the new school district shall submit the certification regardless of whether the voters in the district voted to petition the State Board to reverse its declarations.

(D) If the new school district requests the State Board to take action under subdivision (3)(C) of this subsection (d), then:

(i) the State Board shall reverse and void earlier declarations approving withdrawal and reconstituting the new school district and the withdrawal action initiated pursuant to the former 16 V.S.A. § 724 is concluded; and

(ii) the union school district shall continue to be solely responsible for the education of the students residing in the town that petitioned for withdrawal; provided, however:

(I) the new school district and its board shall continue to exist for up to six months after the day on which the State Board reverses and voids its earlier declarations for the sole purpose of completing any outstanding business that cannot legally be performed by another entity; and

(II) the State Board may make any declarations and take any actions, including recording certifications with the Secretary of State, that are necessary to support the consequences outlined in this subdivision (d)(3)(D).

(e) Repeal. This section is repealed on July 1, 2024.

**Sec. 5. WITHDRAWAL PROPOSALS ON WHICH THE STATE BOARD
HAS NOT TAKEN ACTION; ALTERNATIVE GOVERNANCE
PROPOSAL PREVIOUSLY PRESENTED**

(a) Application of this section.

(1) For purposes of this section and notwithstanding any provision of law to the contrary, the provisions of 16 V.S.A. § 724 that were in effect prior

to the effective date of Sec. 3 of this act (former 16 V.S.A. § 724) are deemed to authorize withdrawal from a unified union school district created by the State Board of Education in its “Final Report of Decisions and Order on Statewide School District Merger Decisions Pursuant to Act 46, Secs. 8(b) and 10” dated November 28, 2018 (Order).

(2) This section shall apply solely to a withdrawal action initiated by a town within a union district (petitioning town) pursuant to the former 16 V.S.A. § 724 if each of the following actions occurred prior to the effective date of Sec. 3 of this act:

(A) the State Board created the union district in its Order;

(B) prior to issuance of the Order, the districts that merged to form the union district submitted a proposal to the Secretary of Education and the State Board setting forth the details of their self-evaluation and a proposal for an alternative governance structure pursuant to 2015 Acts and Resolves No. 46, Sec. 9 (Section 9 proposal);

(C) the voters of the petitioning town approved a proposal to withdraw from the union district;

(D) the voters of each of the other towns within the union district ratified the petitioning town’s proposal to withdraw; and

(E) the State Board of Education has not approved or taken action to approve the withdrawal proposal or to declare that a new school district is reconstituted.

(b) Report and plan. At any time after the effective date of this section, but on or before the regular September 2022 State Board meeting, the self-selected representatives of the petitioning town and the board of the union district shall submit to the State Board in writing:

(1) A report explaining the ways in which the current plan of the petitioning town and the union district for operation after withdrawal conforms to or differs from the Section 9 proposal.

(2) A plan, including a timeline, identifying the actions the petitioning town and the union district have taken and will take to transition to the proposed structure and to ensure that, as of an identified operational date, the proposed new school district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. § 165, including the actions necessary to transition to the proposed method by which supervisory union services would be provided. At a minimum, the plan and timeline should include the actions identified in subsection (d) of this section.

(c) State Board review and action.

(1) Review. The State Board shall consider the report and plan and shall provide the self-selected representatives of the petitioning town and the board of the union district an opportunity to be heard. The Board may, in its discretion, take testimony from other individuals and entities.

(2) Preparedness determination and vote to approve withdrawal. The State Board shall determine if it is likely or unlikely the proposed new school district, on the proposed operational date, will be prepared to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and also whether it is likely or unlikely that supervisory union services will be available to both the proposed new school district and the union district on the operational date. If the State Board determines preparedness is unlikely, it shall issue a written advisory statement detailing the factors underlying its conclusion, which shall be posted on its website. Upon making its preparedness determination, the State Board shall vote to:

(A) approve the withdrawal proposal;

(B) approve any motion necessary for the withdrawal process to proceed pursuant to subsection (d) of this section, including a motion to create a new school district as of the date of the motion in order to enable the election of members to the board of the proposed new school district, negotiation and voter approval of a withdrawal agreement pursuant to the former 16 V.S.A. § 724(c), and preparation to assume full responsibility for the education of resident students on the operational date;

(C) determine or set a schedule for determining the manner in which supervisory union services will be provided to the proposed new school district and, if appropriate, the union district to be effective on the proposed new school district's operational date; and

(D) make any other findings or declarations and approve any other motions that are related and necessary to the withdrawal proposal.

(d) Actions necessary to be fully operational. After the State Board makes its determination of preparedness and approves the withdrawal process pursuant to subdivision (c)(2) of this section, then the new school district, the union district, and, if applicable, the supervisory union or unions shall take all actions necessary to be fully operational on the operational date. At a minimum, the required necessary actions shall include:

(1) election of initial school board members by the voters of the new school district, whose terms of office shall be arranged so that one each expires on the day of the second, third, and fourth annual meeting of the new school

district, and whose sole responsibility until the new school district's operational date shall be to prepare for the district to assume sole responsibility for the education of resident students on that date;

(2) negotiation of the proposed financial terms of withdrawal by the board of the new school district and the board of the union district in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(3) approval by the voters of each town within the union district of the negotiated proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(4) preparation of a proposed budget by the board of the new school district for the fiscal year beginning on the district's operational date, together with presentation to and approval by the district's voters prior to that date;

(5) preparation for the provision of supervisory union services to the new school district and, if applicable, for the transition of the union school district from a supervisory district structure to a supervisory union structure; and

(6) all other actions necessary to transition from one school district to two districts and, if applicable, to transition from a supervisory district structure to a supervisory union structure, including all actions necessary to address the collectively bargained rights of employees of the current employing entity.

(e) Preparedness deemed unlikely.

(1) If the State Board determines preparedness is unlikely and issues a written advisory statement detailing the factors underlying its conclusion pursuant to subdivision (c)(2) of this section, it shall electronically transmit the advisory statement to the board of the new school district upon its election.

(2) Upon receipt of the advisory statement, the board of the new school district shall post the document on its website and schedule the contents as a topic for public discussion at a special or regular board meeting.

(3) Prior to the operational date and after public discussion and any board deliberations:

(A) The board of the new school district may continue to take all actions necessary to prepare for the realignment of duties on the operational date.

(B) On its own motion, or if petitioned to do so by at least five percent of the voters in the new school district, the board of the new school district shall warn a vote to request the State Board to reverse its declaration

approving withdrawal and reconstituting the new school district. The vote shall be held before the October 1 prior to the operational date.

(i) The question shall be decided by Australian ballot.

(ii) Within 45 days after the vote or 15 days after a vote to reconsider under 17 V.S.A. § 2661, whichever is later, the clerk of the new school district shall certify the results of the vote to the Secretary of State who shall record the certificate and give notice of the vote to the clerk of the union district, the clerks of each of the other towns within the union district, and the Secretary of Education. The clerk of the new school district shall submit the certification regardless of whether the voters in the district voted to petition the State Board to reverse its declarations.

(4) If the new school district requests the State Board to take action under subdivision (3) of this subsection, then:

(A) the State Board shall reverse and void earlier declarations approving withdrawal and reconstituting the new school district and the withdrawal action initiated pursuant to the former 16 V.S.A. § 724 is concluded; and

(B) the union school district shall continue to be solely responsible for the education of the students residing in the town that petitioned for withdrawal; provided, however:

(i) the new school district and its board shall continue to exist for up to six months after the day on which the State Board reverses and voids its earlier declarations for the sole purpose of completing any outstanding business that cannot legally be performed by another entity; and

(ii) the State Board may make any declarations and take any actions, including recording certifications with the Secretary of State, that are necessary to support the consequences outlined in this subdivision (e)(4).

(f) Application of this section to withdrawal from a union elementary or union high school district.

(1) The processes outlined in this section shall apply to an action of a member school district to withdraw from a union elementary or union high school district if the five elements set forth in subdivisions (A)–(E) of subdivision (a)(2) are met.

(2) For purposes of applying the process in this section to withdrawal from a union elementary or union high school district under this subsection, the terms used in subsections (a) through (e) have the following meanings:

(A) “Petitioning town” means the member district of the union elementary or union high school district that initiated the withdrawal process pursuant to the provisions of 16 V.S.A. § 721a that were in effect prior to the effective date of Sec. 3 of this act.

(B) “Selectboard” means the board of the member district that initiated the withdrawal process pursuant to the provisions of 16 V.S.A. § 721a that were in effect prior to the effective date of Sec. 3 of this act.

(C) “Town within the union school district” means a member district of the union elementary or union high school district.

(g) Repeal. This section is repealed on July 1, 2024.

Sec. 6. WITHDRAWAL PROPOSALS ON WHICH THE STATE BOARD
HAS NOT TAKEN ACTION; UNION DISTRICT CREATED BY
THE ELECTORATE

(a) Application of this section. This section shall apply solely to a withdrawal action initiated by a town within a union district (petitioning town) pursuant to the provisions of 16 V.S.A. § 724 that were in effect prior to the effective date of Sec. 3 of this act (former 16 V.S.A. § 724) if each of the following actions occurred prior to that date:

(1) the union district formed pursuant to the provisions of 16 V.S.A. §§ 706–706j that were in effect prior to the effective date of Sec. 3 of this act;

(2) the voters of the petitioning town approved a proposal to withdraw from the union district;

(3) the voters of each of the other towns within the union district ratified the petitioning town’s proposal to withdraw; and

(4) the State Board of Education has not approved or taken action to approve the withdrawal proposal or to declare that a new school district is reconstituted.

(b) Decision regarding timing of State Board review. At any time before July 1, 2022, the self-selected representatives of the petitioning town shall decide whether to begin a State Board of Education review of their withdrawal proposal in July of 2022 or July of 2023 and shall transmit their decision and proposed operational date to the State Board of Education and the clerk of the union district. The State Board shall review the withdrawal proposal only once. If the review of the withdrawal proposal occurs in 2023, the State Board may ask for updates from the self-selected members of the petitioning town on preparedness efforts prior to the final withdrawal proposal review. The decision of the State Board shall be final regardless of whether it occurs in 2022 or 2023.

(c) Report and plan. On or before the second Wednesday of July in the year in which the review will occur, the self-selected representatives of the petitioning town shall submit a written report and plan to the State Board and shall indicate to the State Board that the documents are submitted pursuant to this section.

(1) Report. The report shall describe the analysis that has been performed by the petitioning town to evaluate the likely strengths and challenges for the proposed new school district and for the reconfigured union district if withdrawal is approved and the ways in which withdrawal would enable both districts to provide for the education of their respective resident students in a manner that will meet educational quality standards as required by 16 V.S.A. § 165. The report shall address:

(A) the educational advantages and disadvantages likely to result from withdrawal for the students in the proposed new school district and the students in the remaining towns within the union district and the ways in which they are preferable to those of continuing in the current governance structure;

(B) the financial advantages and disadvantages likely to result from withdrawal for the taxpayers in the proposed new school district and the taxpayers in the remaining towns within the union district and the ways in which they are preferable to those of continuing in the current governance structure;

(C) the likely operational and financial viability and sustainability of the proposed new school district and the union district after withdrawal of the petitioning town;

(D) any other advantages and disadvantages of withdrawal, including any advantages and disadvantages to the students and taxpayers of the region and the State; and

(E) the potential source of supervisory union services for the new school district and, if appropriate, for the union district, including discussions with the board of any supervisory union to which the petitioning town proposes assignment.

(2) Plan. The plan shall describe the actions that the petitioning town has taken and will take to ensure that, as of its proposed operational date, the proposed new district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. § 165, including the actions necessary to transition to the proposed method by which supervisory union services would be provided. The plan shall include a

timeline indicating the date by which each action will be complete. At a minimum, the plan and timeline should include the actions identified in subsection (e) of this section.

(d) State Board review and action.

(1) Review. The State Board shall consider the report and plan and shall provide the self-selected representatives of the petitioning town and the board of the union district an opportunity to be heard. The Board may, in its discretion, take testimony from other individuals and entities. The State Board shall issue a determination of preparedness as soon as possible after receipt of the report and plan but in no event later than the September 1 of the year in which the review will occur based on the decision the self-selected representatives of the petitioning town made pursuant to subsection (b) of this section.

(2) Preparedness determination and vote to approve withdrawal. The State Board shall determine if it is likely or unlikely the proposed new school district will be prepared to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and whether it is likely or unlikely that supervisory union services will be available to the proposed new school district on the operational date. If the State Board determines preparedness is unlikely, it shall issue a written advisory statement detailing the factors underlying its conclusion, which shall be posted on its website. Upon making its preparedness determination, the State Board shall vote to:

(A) approve the withdrawal proposal;

(B) approve any motion necessary for the withdrawal process to proceed pursuant to subsection (e) of this section, including a motion to create a new school district as of the date of the motion in order to enable the election of members to the board of the proposed new school district, negotiation and voter approval of a withdrawal agreement pursuant to the former 16 V.S.A. § 724(c), and preparation to assume full responsibility for the education of resident students on the operational date;

(C) determine or set a schedule for determining the manner in which supervisory union services will be provided to the proposed new school district and, if appropriate, the union district, to be effective on the proposed new school district's operational date; and

(D) make any other findings or declarations and approve any other motions that are related and necessary to the withdrawal proposal.

(e) Actions necessary to be fully operational. After the State Board makes its determination of preparedness and approves the withdrawal process

pursuant to subdivision (d)(2) of this section, then the new school district, the union district, and, if applicable, the supervisory union or unions shall take all actions necessary to be fully operational on the identified operational date. At a minimum, the required necessary actions shall include:

(1) election of initial school board members by the voters of the new school district, whose terms of office shall be arranged so that one each expires on the day of the second, third, and fourth annual meeting of the new school district and whose sole responsibility until the new school district's operational date shall be to prepare for the district to assume sole responsibility for the education of resident students on that date;

(2) negotiation by the board of the new school district and the board of the union district of the proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(3) approval by the voters of each town within the union district of the negotiated proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(4) preparation of a proposed budget by the board of the new school district for the fiscal year beginning on the district's operational date, together with presentation to and approval by the district's voters prior to that date;

(5) preparation for the provision of supervisory union services to the new school district and, if applicable, for the transition of the union school district from a supervisory district structure to a supervisory union structure; and

(6) all other actions necessary to transition from one school district to two districts and, if applicable, to transition from a supervisory district structure to a supervisory union structure, including any actions necessary to address the collectively bargained rights of employees of the former employing entity.

(f) Preparedness deemed unlikely.

(1) If the State Board determines preparedness is unlikely and issues a written advisory statement detailing the factors underlying its conclusion pursuant to subdivision (d)(2) of this section, it shall electronically transmit the advisory statement to the board of the new school district upon its election.

(2) Upon receipt of the advisory statement, the board of the new school district shall post the document on its website and schedule the contents as a topic for public discussion at a special or regular board meeting.

(3) Prior to the operational date and after public discussion and any board deliberations:

(A) The board of the new school district may continue to take all actions necessary to prepare for the realignment of duties on the operational date.

(B) On its own motion, or if petitioned to do so by at least five percent of the voters in the new school district, the board of the new school district shall warn a vote to request the State Board to reverse its declaration approving withdrawal and reconstituting the new school district. The vote shall be held before the October 1 prior to the operational date.

(i) The question shall be decided by Australian ballot.

(ii) Within 45 days after the vote or 15 days after a vote to reconsider under 17 V.S.A. § 2661, whichever is later, the clerk of the new school district shall certify the results of the vote to the Secretary of State who shall record the certificate and give notice of the vote to the clerk of the union district, the clerks of each of the other towns within the union district, and the Secretary of Education. The clerk of the new school district shall submit the certification regardless of whether the voters in the district voted to petition the State Board to reverse its declarations.

(4) If the new school district requests the State Board to take action under subdivision (3) of this subsection, then:

(A) the State Board shall reverse and void earlier declarations approving withdrawal and reconstituting the new school district and the withdrawal action initiated pursuant to the former 16 V.S.A. § 724 is concluded; and

(B) the union school district shall continue to be solely responsible for the education of the students residing in the town that petitioned for withdrawal; provided, however:

(i) the new school district and its board shall continue to exist for up to six months after the day on which the State Board reverses and voids its earlier declarations for the sole purpose of completing any outstanding business that cannot legally be performed by another entity; and

(ii) the State Board may make any declarations and take any actions, including recording certifications with the Secretary of State, that are necessary to support the consequences outlined in this subdivision (e)(4).

(g) Application of this section to withdrawal from a union elementary or union high school district.

(1) The processes outlined in this section shall apply to an action of a member school district to withdraw from a union elementary or union high

school district if the four elements set forth in subdivisions (1)–(4) of subdivision (a) are met.

(2) For purposes of applying the process in this section to withdrawal from a union elementary or union high school district under this subsection, the terms used in subsections (a) through (d) of this section have the following meanings:

(A) “Petitioning town” means the member district of the union elementary or union high school district that initiated the withdrawal process pursuant to the provisions of 16 V.S.A. § 721a that were in effect prior to the effective date of Sec. 3 of this act.

(B) “Selectboard” means the board of the member district that initiated the withdrawal process pursuant to the provisions of 16 V.S.A. § 721a that were in effect prior to the effective date of Sec. 3 of this act.

(C) “Town within the union school district” means a member district of the union elementary or union high school district.

(h) Repeal. This section is repealed on July 1, 2025.

Sec. 7. WITHDRAWAL PROPOSALS; NO FINAL RATIFICATION VOTES

(a) Application of this section. This section shall apply solely to a withdrawal action initiated by a town within a union district (petitioning town) pursuant to the provisions of 16 V.S.A. § 724 that were in effect prior to the effective date of Sec. 3 of this act (former 16 V.S.A. § 724) if each of the following actions occurred prior to that date:

(1) the union district formed pursuant to the provisions of 16 V.S.A. §§ 706–706j that were in effect prior to the effective date of Sec. 3 of this act;

(2) a vote in the petitioning town to approve a withdrawal proposal was warned to occur on or before June 1, 2022; and

(3) the voters of each of the other towns within the union district have not voted whether to ratify the withdrawal proposal prior to the effective date of this section or they each voted but the votes are not final prior to the effective date.

(b) Vote of the other towns within the union district. If the voters in the petitioning town vote to approve withdrawal, then within 90 days after the town clerks in the other towns within the union district receive notice from the Secretary of State pursuant to the former 16 V.S.A. § 724(b) that the vote in the petitioning town is final, the voters of the other towns within the union district shall vote whether to ratify the withdrawal proposal. The question

shall be determined by Australian ballot and shall proceed pursuant to Sec. 3, 16 V.S.A. § 737 (warnings of unified union school district meetings) and §§ 739–741 (vote by Australian ballot) of this act. The ballots shall not be commingled.

(1) Vote not to ratify withdrawal. If a majority of the voters in one or more towns within the union district do not vote in favor of withdrawal, then the proposed withdrawal shall not occur. The voters residing in any town within the union district may initiate new withdrawal procedures pursuant to the process set forth in Sec. 3, 16 V.S.A. § 724, of this act.

(2) Vote in favor of withdrawal. If a majority of the voters in all towns within the union district vote in favor of withdrawal, then the withdrawal process shall proceed pursuant to subsections (c)–(g) of this section.

(c) Decision regarding timing of State Board review. Within 30 days after the ratification votes of the other towns within the union district are final, the self-selected representatives of the petitioning town shall decide whether to undergo a State Board of Education review of the withdrawal proposal in 2022 or 2023 and shall transmit their decision and proposed operational date to the State Board of Education and clerk of the union district. In accordance with the decision of the self-selected representatives of the petitioning town regarding the year in which the withdrawal proposal shall be reviewed, the State Board, in consultation with the self-selected representatives, shall determine the date the final withdrawal proposal review will begin and transmit the date to the self-selected representatives of the petitioning town and the clerk of the union school district. The State Board shall review the withdrawal proposal only once. If the review of the withdrawal proposal occurs in 2023, the State Board may ask for updates from the self-selected members of the petitioning town on preparedness efforts prior to the final withdrawal proposal review. The decision of the State Board shall be final regardless of whether it occurs in 2022 or 2023.

(d) Report and plan. On or before the date set by the State Board to begin the final withdrawal proposal review, the self-selected representatives of the petitioning town shall submit a written report and plan to the State Board and shall indicate to the State Board that the documents are submitted pursuant to this section.

(1) Report. The report shall describe the analysis that has been performed by the petitioning town to evaluate the likely strengths and challenges for the proposed new school district and for the reconfigured union district if withdrawal is approved and the ways in which withdrawal would enable both districts to provide for the education of their respective resident

students in a manner that will meet educational quality standards as required by 16 V.S.A. § 165. The report shall address:

(A) the educational advantages and disadvantages likely to result from withdrawal for the students in the proposed new school district and the students in the remaining towns within the union district and the ways in which they are preferable to those of continuing in the current governance structure;

(B) the financial advantages and disadvantages likely to result from withdrawal for the taxpayers in the proposed new school district and the taxpayers in the remaining towns within the union district and the ways in which they are preferable to those of continuing in the current governance structure;

(C) the likely operational and financial viability and sustainability of the proposed new school district and the union district after withdrawal of the petitioning town;

(D) any other advantages and disadvantages of withdrawal, including any advantages and disadvantages to the students and taxpayers of the region and the State; and

(E) the potential source of supervisory union services for the new school district and, if appropriate, for the union district, including discussions with the board of any supervisory union to which the petitioning town proposes assignment.

(2) Plan. The plan shall describe the actions that the petitioning town has taken and will take to ensure that, as of its proposed operational date, the proposed new district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. § 165, including the actions necessary to transition to the proposed method by which supervisory union services would be provided. The plan shall include a timeline indicating the date by which each action will be complete. At a minimum, the plan and timeline should include the actions identified in subsection (f) of this section.

(e) State Board review and action.

(1) Review. The State Board shall consider the report and plan and shall provide the self-selected representatives of the petitioning town and the board of the union district an opportunity to be heard. The Board may, in its discretion, take testimony from other individuals and entities. The State Board shall issue a determination of preparedness as soon as possible after receipt of

the report and plan but in no event later than 90 days after the date set by the State Board to begin the final withdrawal proposal review.

(2) Preparedness determination and vote to approve withdrawal. The State Board shall determine if it is likely or unlikely the proposed new school district will be prepared to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165 and whether it is likely or unlikely that supervisory union services will be available to the proposed new school district on the operational date. If the State Board determines preparedness is unlikely, it shall issue a written advisory statement detailing the factors underlying its conclusion, which shall be posted on its website. Upon making its preparedness determination, the State Board shall vote to:

(A) approve the withdrawal proposal;

(B) approve any motion necessary for the withdrawal process to proceed pursuant to subsection (f) of this section, including a motion to create a new school district as of the date of the motion in order to enable the election of members to the board of the proposed new school district, negotiation and voter approval of a withdrawal agreement pursuant to the former 16 V.S.A. § 724(c), and preparation to assume full responsibility for the education of resident students on the operational date;

(C) determine or set a schedule for determining the manner in which supervisory union services will be provided to the proposed new school district and, if appropriate, the union district, to be effective on the proposed new school district's operational date; and

(D) make any other findings or declarations and approve any other motions that are related and necessary to the withdrawal proposal.

(f) Actions necessary to be fully operational. After the State Board makes its determination of preparedness and approves the withdrawal process pursuant to subdivision (e)(2) of this section, then the new school district, the union district, and, if applicable, the supervisory union or unions shall take all actions necessary to be fully operational on the identified operational date. At a minimum, the required necessary actions shall include:

(1) election of initial school board members by the voters of the new school district, whose terms of office shall be arranged so that one each expires on the day of the second, third, and fourth annual meeting of the new school district and whose sole responsibility until the new school district's operational date shall be to prepare for the district to assume sole responsibility for the education of resident students on that date;

(2) negotiation by the board of the new school district and the board of the union district of the proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(3) approval by the voters of each town within the union district of the negotiated proposed financial terms of withdrawal in order to comply with the requirements of the former 16 V.S.A. § 724(c);

(4) preparation of a proposed budget by the board of the new school district for the fiscal year beginning on the district's operational date, together with presentation to and approval by the district's voters prior to that date;

(5) preparation for the provision of supervisory union services to the new school district and, if applicable, for the transition of the union school district from a supervisory district structure to a supervisory union structure; and

(6) all other actions necessary to transition from one school district to two districts and, if applicable, to transition from a supervisory district structure to a supervisory union structure, including any actions necessary to address the collectively bargained rights of employees of the former employing entity.

(g) Preparedness deemed unlikely.

(1) If the State Board determines preparedness is unlikely and issues a written advisory statement detailing the factors underlying its conclusion pursuant to subdivision (e)(2) of this section, it shall electronically transmit the advisory statement to the board of the new school district upon its election.

(2) Upon receipt of the advisory statement, the board of the new school district shall post the document on its website and schedule the contents as a topic for public discussion at a special or regular board meeting.

(3) Prior to the operational date and after public discussion and any board deliberations:

(A) The board of the new school district may continue to take all actions necessary to prepare for the realignment of duties on the operational date.

(B) On its own motion, or if petitioned to do so by at least five percent of the voters in the new school district, the board of the new school district shall warn a vote to request the State Board to reverse its declaration approving withdrawal and reconstituting the new school district. The vote shall be held before the October 1 prior to the operational date.

(i) The question shall be decided by Australian ballot.

(ii) Within 45 days after the vote or 15 days after a vote to reconsider under 17 V.S.A. § 2661, whichever is later, the clerk of the new school district shall certify the results of the vote to the Secretary of State who shall record the certificate and give notice of the vote to the clerk of the union district, the clerks of each of the other towns within the union district, and the Secretary of Education. The clerk of the new school district shall submit the certification regardless of whether the voters in the district voted to petition the State Board to reverse its declarations.

(4) If the new school district requests the State Board to take action under subdivision (3) of this subsection, then:

(A) the State Board shall reverse and void earlier declarations approving withdrawal and reconstituting the new school district and the withdrawal action initiated pursuant to the former 16 V.S.A. § 724 is concluded; and

(B) the union school district shall continue to be solely responsible for the education of the students residing in the town that petitioned for withdrawal; provided, however:

(i) the new school district and its board shall continue to exist for up to six months after the day on which the State Board reverses and voids its earlier declarations for the sole purpose of completing any outstanding business that cannot legally be performed by another entity; and

(ii) the State Board may make any declarations and take any actions, including recording certifications with the Secretary of State, that are necessary to support the consequences outlined in this subdivision (g)(4).

(h) Application of this section to withdrawal from a union elementary or union high school district.

(1) The processes outlined in this section shall apply to an action of a member school district to withdraw from a union elementary or union high school district if the four elements set forth in subdivisions (1)–(4) of subdivision (a) of this section are met.

(2) For purposes of applying the process in this section to withdrawal from a union elementary or union high school district under this subsection, the terms used in subsections (a) through (g) of this section have the following meanings:

(A) “Petitioning town” means the member district of the union elementary or union high school district that initiated the withdrawal process pursuant to the provisions of 16 V.S.A. § 721a that were in effect prior to the effective date of Sec. 3 of this act.

(B) “Selectboard” means the board of the member district that initiated the withdrawal process pursuant to the provisions of 16 V.S.A. § 721a that were in effect prior to the effective date of Sec. 3 of this act.

(C) “Town within the union school district” means a member district of the union elementary or union high school district.

(i) Repeal. This section is repealed on July 1, 2025.

Sec. 8. TEMPORARY MORATORIUM ON UNION SCHOOL DISTRICT SCHOOL CLOSURES

(a) Notwithstanding any provision of law to the contrary, a union school district shall be prohibited from closing a school building within its district unless the school building closure has already been accounted for in the fiscal year 2023 school budget, the closure is necessary to protect the health and safety of students, the school district is unable to adequately staff the school building at issue, or the closure is approved by the district voters residing in the town in which the building is located. As used in this section, “closing a school building” means the district ceases to use the building to provide direct education for a majority of the grades operated within the building on or before July 1, 2022.

(b) This section is repealed on July 1, 2024.

Sec. 9. UNION SCHOOL DISTRICT CLOSURES; REPORT

On or before September 1, 2023, the Agency of Education shall issue a written report to the Senate and House Committees on Education on union school district school building closures. In preparing the report, the Agency shall consult with the State Board of Education, the Vermont School Boards Association, the Vermont Principals’ Association, the Vermont Superintendents Association, the Vermont National Education Association, and the Vermont League of Cities and Towns. The Agency shall also solicit and consider comments from the public. The report shall include:

(1) an examination of examples of recent school closures, or attempted school closures, within union school districts and identification of common trends and issues;

(2) an examination of the impact school closures have had or are anticipated to have on towns or member districts seeking to withdraw from a union school district;

(3) an examination of the issues leading a school board to consider closing a school building, the options to address the issue that could be employed instead of school closure, and the impact the inability to close a

school building has had or is expected to have on the union school district or any of the towns or member districts within it;

(4) an examination of the factors that should be used to determine school viability and sustainability and how those factors relate to school closure decisions;

(5) an examination of the advantages and disadvantages of creating a consistent statewide process for union school district school closures and a common definition of what actions constitute a closure;

(6) recommendations on school closure standards and processes; and

(7) recommendations for legislative action, including recommended legislative language.

Sec. 10. UNION SCHOOL DISTRICT WITHDRAWAL; ANNUAL REPORT

The Agency of Education shall make an annual report to the Senate and House Committees on Education on or before January 15. The report shall include a detailed analysis of each union school district withdrawal action the Agency reviewed during the preceding year. The report shall also include any recommendations for legislative action.

Sec. 11. 16 V.S.A. § 1804 is added to read:

§ 1804. EMPLOYMENT TRANSITION; NEW SCHOOL DISTRICT CREATED UPON WITHDRAWAL FROM A UNION SCHOOL DISTRICT

(a) Definitions. The definitions in section 1801 of this subchapter shall not apply to this section. As used in this section:

(1) "Expanded district" means a school district:

(A) that was responsible for the education of students residing in a single town for some, but not all, grades, whether by operating all grades, tuitioning all grades, or operating some grades and paying tuition for others; and

(B) that, as the result of its withdrawal from a union elementary or union high school district pursuant to section 725 of this title, is solely responsible for the education of its resident students in all grades prekindergarten through grade 12, whether by operating all grades, tuitioning all grades, or operating some grades and paying tuition for others.

(2) “New district” means:

(A) a school district created by withdrawal from a unified union school district pursuant to section 724 of this title that is responsible for the prekindergarten through grade 12 education of students residing in a single town, whether by operating all grades, tuitioning all grades, or operating some grades and paying tuition for others;

(B) a school district responsible for the prekindergarten through grade 12 education of students residing in a single town, whether by operating all grades, tuitioning all grades, or operating some grades and paying tuition for others, that was formed when another town’s withdrawal from a unified union school district resulted in dissolution of the union district;

(C) an expanded district that did not operate any schools immediately prior to withdrawal and, after withdrawal, operates a school in one or more of the grades previously operated by the union district; or

(D) a school district created by withdrawal from a union elementary or union high school district pursuant to section 725 of this title if prior to withdrawal the withdrawing member was a member of both a union elementary school district and a union high school district, was not independently organized as a district responsible for the education of students in any grade, and did not have a town school district board.

(3) “Operational date” means the date on which a new district or an expanded district assumes full and sole responsibility for the education of its resident students in the grades for which the union district was previously responsible. “Initial operational year” and “second operational year” mean the year commencing on the operational date and the year immediately following the initial operational year, respectively.

(4) “Transitional period” means the period of time beginning on the day on which the State Board declares the creation and existence of the new district or the expanded district pursuant to subdivision 724(h)(2) or 725(h)(2) of this title and continuing until the new district’s or newly expanded district’s operational date.

(b) Negotiations council and recognized representatives of a new district. At its first meeting during the transitional period, the board of a new district shall:

(1) appoint a school board negotiations council for the new district for the purpose of negotiating with the representatives of future licensed and nonlicensed employees of the new district; and

(2) recognize the representative of the employees of the union school district as the recognized representative of the employees of the new district.

(c) Employment agreements for the initial and second operational years of a new district.

(1) After the new district's organizational meeting, the new district's school board negotiations council and the representative of the employees of the new district shall commence negotiations relating to the employment of licensed and nonlicensed employees in the initial operational year. Negotiations shall be conducted pursuant to the provisions of chapter 57 of this title for teachers and administrators and 21 V.S.A. chapter 22 for other employees. The negotiations council or councils representing employees of the union school district shall represent the employees of the new district unless and until the exclusive representative for employees of the new district designates new representatives to a negotiations council.

(2) If the parties do not ratify a new agreement at least 90 days prior to the new district's operational date, then the new district and its employees shall be governed by the terms of the collectively bargained agreement in place for the union district for the year preceding the initial operational year unless and until the parties agree otherwise.

(d) Non-probationary employees; changes to seniority and other provisions. For each new district and its employees, whether governed by an agreement in the initial operational year pursuant to subdivision (c)(1) or (c)(2) of this section:

(1) an employee of the union district in the year preceding the initial operational year who was not a probationary employee of the union district at the conclusion of that year shall not be considered a probationary employee if employed by the new district in the initial operational year; and

(2) prior to the operational date, the board of the union district, the board of the new district, and the representative of the employees of the union district may negotiate a temporary memorandum of understanding to adjust provisions in the union district contract regarding seniority, reductions in force, layoff, and recall in order to assist the workforce needs of both the union district and the new district and the best interests of the licensed and nonlicensed employees they employ.

(e) Individual employment contracts not covered by a collective bargaining agreement. On its operational date, the new district shall assume the obligations of each existing individual employment contract, including accrued leave and associated benefits, of any union district employee not covered by a collective bargaining agreement who worked in the building located in the new

district in the year preceding the initial operational year and who chooses to continue to work in the same capacity in that building in the initial operational year.

(f) Supervisory unions. If the State Board creates a new supervisory union to provide services to the new district and one or more other school districts, then the provisions of subsections (b) through (e) of this section shall apply to the transition of any employee who was employed by the union district in the year prior to the initial operational year to provide services typically provided by a supervisory union employee, if the employee is employed by the new supervisory union in the initial operational year to provide the same services, with the board of the new supervisory union assuming the responsibilities of the board of the new district as outlined in subsections (b) through (e) of this section.

Sec. 12. APPLICATION OF EMPLOYMENT TRANSITION PROVISIONS

The provisions of Sec. 11 of this act shall also apply to any school district with an operational date of July 1, 2023 or later if the State Board of Education created the district as the result of a withdrawal action initiated pursuant to the terms of 16 V.S.A. § 721a or § 724 that were in effect on January 1, 2022.

Sec. 13. EFFECTIVE DATE

This act shall take effect on passage.

*BRIAN A. CAMPION
ANDREW J. PERCHLIK
JOSHUA TERENCE*

Committee on the part of the Senate

*PETER C. CONLON
CASEY J. TOOF
ERIN BRADY*

Committee on the part of the House

Which was considered and adopted on the part of the House.

**Rules Suspended; Immediate Consideration; Senate Proposal of
Amendment Concurred in with a Further Amendment Thereto; Rules
Suspended; House Actions Messaged to Senate Forthwith**

H. 716

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to making miscellaneous changes in education law

Was taken up for immediate consideration.

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

* * * Special Education Funding * * *

Sec. 1. 16 V.S.A. § 2961 is amended to read:

§ 2961. CENSUS GRANT

* * *

(d)(1)(A) For fiscal year 2023, the amount of the census grant for a supervisory union shall be:

(i) the average amount it received for fiscal years 2018, 2019, and 2020, or the average amount it received for fiscal years 2019, 2020, and 2021, whichever amount is greater, from the State for special education under sections 2961 (standard mainstream block grants), 2963 (special education expenditures reimbursement), and 2963a (exceptional circumstances) of this title; increased by

(ii) the annual change in the National Income and Product Accounts (NIPA) Implicit Price Deflator for State and Local Government Consumption Expenditures and Gross Investment as reported by the U.S. Department of Commerce, Bureau of Economic Analysis.

* * *

* * * Holocaust Education; Report * * *

Sec. 2. HOLOCAUST EDUCATION; REPORT AND
RECOMMENDATIONS

On or before January 15, 2023, the Agency of Education shall issue a written report to the Senate and House Committees on Education on the status of Holocaust education in public schools and its recommendations to ensure that Holocaust education is included in the educational programs provided to students in public schools. In preparing the report and recommendations, the

Agency of Education shall work with the Vermont Holocaust Memorial to avail themselves of that organization's knowledge of the subject and experience in Vermont schools.

* * * Crime Insurance Coverage for School Districts * * *

Sec. 3. 16 V.S.A. § 492 is amended to read:

§ 492. POWERS, DUTIES, AND LIABILITIES; BONDS

(a) The powers, duties, and liabilities of the collector, treasurer, prudential committee, and clerk shall be like those of a town collector, treasurer, board of school directors, and the school board clerk, respectively.

(b) Before entering upon their duties, the collector and treasurer shall give a bond to the district conditioned for the faithful performance of their duties, in such sum as may be required. When In lieu of taking a bond from a collector or treasurer, or both, a school district may choose to provide suitable crime insurance covering the collector or treasurer, or both. If a school district has not provided suitable crime insurance in lieu of a bond and a collector or treasurer for 10 days neglects to give a bond as required, his or her that office shall be vacant.

* * * Peer Review Support Grant Program * * *

Sec. 4. EDUCATOR WORKFORCE DEVELOPMENT; APPROPRIATION; REPORT

(a) Purpose. The purpose of this section is to encourage and support the development and retention of qualified and effective Vermont educators. To combat the growing educator shortage throughout the State and meet the needs of Vermont students, it is necessary to invest in nontraditional educator training programs.

(b) Grant program.

(1) Program creation. In fiscal year 2023, there is established the Peer Review Support Grant Program, to be administered by the Agency of Education, to provide grants to expand support, mentoring, and professional development to prospective educators seeking licensure through the Agency of Education's peer review process, with the goal of increased program completion rates.

(2) Program administration. The Agency shall adopt policies, procedures, and guidelines necessary for implementation of the Program described in subdivision (1) of this subsection.

(3) Eligibility criteria. The Agency shall issue grants to organizations or school districts with programs designed to provide prospective educators in

the peer review program the support necessary for successful completion of the peer review process by providing:

(A) support through the Praxis exam process;

(B) local educator lead seminars designed around the Vermont licensure portfolio themes;

(C) local educator mentors;

(D) support in completing the peer review portfolio and licensing process; and

(E) continued professional development support within the first year of licensure.

(4) Report. On or before January 15, 2023, the Agency of Education shall report to the Senate and House Committees on Education on the status of the implementation of the Peer Review Support Grant Program and a summary and performance review of the programs to which grants were awarded. The report shall include any metrics used in the performance review, the number of program participants, endorsement areas of participants, feedback from participants and mentors, and any recommendation for legislative action.

(c) Appropriation. Notwithstanding 16 V.S.A. § 4025(d), the sum of \$712,500.00 is appropriated from the Education Fund to the Agency of Education in fiscal year 2023 for the purpose of funding the Peer Review Support Grant Program.

* * * Income-Based Education Tax Study Committee * * *

Sec. 5. INCOME-BASED EDUCATION TAX; STUDY COMMITTEE

(a) Creation. There is created the Income-Based Education Tax Study Committee to study and make recommendations regarding the creation and implementation of an income-based education tax system to replace the homestead property tax system for education funding in this State.

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

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

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

(c) Powers and duties. The Study Committee shall study the creation and implementation of an income-based education tax system, including the following issues:

(1) restructuring the renter credit under 32 V.S.A. chapter 154 or creating a new credit or other mechanisms to ensure that Vermonters who rent a primary residence participate fairly in the education income tax system;

(2) transitioning from the current homestead property tax system to a new income-based education tax system;

(3) accurate modeling, given the differences between household income for homestead property tax purposes and adjusted gross income for income tax purposes;

(4) whether there should be a limit to the amount of income subject to a new income-based education tax;

(5) challenges or other considerations for administering a new proposed education income tax system;

(6) with regard to income as a tax base, the impact of a new proposed education income tax on the State's taxing capacity, including the impact on the General Fund; and

(7) any other relevant considerations.

(d) Assistance. The Study Committee shall have the administrative, technical, and legal assistance of the Agency of Education, the Department of Taxes, the Joint Fiscal Office, the Office of Legislative Counsel, and the Office of Legislative Operations and shall consult with the Vermont League of Cities and Towns and any other interested stakeholders.

(e) Report. On or before December 30, 2022, the Study Committee shall submit a written report to the House Committees on Education and on Ways and Means and the Senate Committees on Education and on Finance with its findings and recommendations for legislative action, which shall include proposed legislative language.

(f) Meetings.

(1) The Joint Fiscal Office shall call the first meeting of the Study Committee to occur on or before July 15, 2022.

(2) The Study 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 Study Committee shall cease to exist on December 31, 2022.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, members of the Study Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than six meetings. These payments shall be made from monies appropriated to the General Assembly.

* * * Effective Date * * *

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Reps. Webb of Shelburne, Arrison of Weathersfield, Austin of Colchester, Brady of Williston, Brown of Richmond, Conlon of Cornwall, Cupoli of Rutland City, Hooper of Randolph, James of Manchester, Toof of St. Albans Town, and Williams of Granby** moved to concur in the Senate proposal of amendment with a further amendment thereto as follows:

First: By striking out Sec. 3, 16 V.S.A. § 492, and its reader assistance heading in their entirety and inserting in lieu thereof a reader assistance heading and a new Sec. 3 to read:

* * * Special Education Rule Change; Delay * * *

Sec. 3. STATE BOARD OF EDUCATION 2360 RULE SERIES; PARTIAL DELAY

It is the intent of the General Assembly to allow educators and staff time to adequately prepare for the delivery of special education services as required under the State Board of Education special education rules series 2360, which takes effect on July 1, 2022. Therefore, notwithstanding any provision of law to the contrary under 16 V.S.A. § 164 and 3 V.S.A. § 845(d), the State Board of Education shall suspend the implementation of rules 2362 and 2362.2.5 until July 1, 2023. The remaining rules under the 2360 rule series shall take effect on July 1, 2022.

Second: By striking out Sec. 4, educator workforce development; appropriation; report, and its reader assistance heading in their entirety and inserting in lieu thereof the following:

Sec. 4. [Deleted.]

Which was agreed to.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the House's actions on the bill were ordered messaged to the Senate forthwith.

Action on Bill Postponed

H. 738

House bill, entitled

An act relating to technical and administrative changes to Vermont's tax laws

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment?, on motion of **Rep. Long of Newfane**, action on the bill was postponed until May 12, 2022.

Adjournment

At seven o'clock and six minutes in the evening, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at ten o'clock in the forenoon.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Rule 16b of the Joint Rules of the Senate and House of Representatives, are hereby adopted on the part of the House:

H.C.R. 170

House concurrent resolution in memory of former Representative, Commissioner of State Buildings, and Labor Relations Board member John J. Zampieri of Ryegate

H.C.R. 171

House concurrent resolution congratulating Jayne Barber of Bellows Falls on her 2022 induction into the Vermont Sports Hall of Fame

S.C.R. 22

Senate concurrent resolution congratulating Jay and Joan Zwynenburg on the 50th anniversary of Jay's Art Shop & Frame Gallery and for their roles as exemplary downtown Bennington entrepreneurs

S.C.R. 23

Senate concurrent resolution celebrating the State Partnership Program recently established between the Vermont National Guard and Austria

[The full text of the concurrent resolutions appeared in the House and

Senate Calendar Addendums on the preceding legislative day and will appear in the Public Acts and Resolves of the 2022 Adjourned Session.]

Thursday, May 12, 2022

At ten o'clock in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Ben Partridge of Windham.

Message from the Senate No. 77

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 737. An act relating to setting the homestead property tax yields and the nonhomestead property tax rate.

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

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

H. 716. An act relating to making miscellaneous changes in education law.

And has concurred therein.

Senate Proposal of Amendment Concurred in

H. 446

The Senate proposed to the House to amend House bill, entitled

An act relating to miscellaneous natural resources and development subjects

The Senate proposed to the House to amend the bill as follows:

First: By striking out Sec. 4, Environmental Contingency Fund, and its reader assistance heading in their entirety and inserting in lieu thereof a new Sec. 4 and reader assistance to read as follows.

* * * Waste Management Assistance * * *

Sec. 4. [Deleted.]

Second: By striking out Sec. 24, effective date, and its reader assistance heading in their entirety and inserting in lieu thereof six new sections to be Secs. 24–29 and their reader assistance headings to read as follows:

* * * Food Residuals Management * * *

Sec. 24. MORATORIUM ON ISSUANCE OF SOLID WASTE FACILITY
CERTIFICATIONS FOR FOOD DEPACKAGING FACILITIES

Beginning on May 1, 2022, the Secretary of Natural Resources shall not, under 10 V.S.A. chapter 159, issue a new solid waste facility certification for a food depackaging facility or amend an existing solid waste facility certification that results in an increase of capacity at a currently certified food depackaging facility until the rules required under Sec. 27 of this act are adopted and in effect.

Sec. 25. STAKEHOLDER GROUP ON THE ROLE OF DEPACKAGERS IN
MANAGING FOOD WASTE

(a) On or before July 1, 2022, the Secretary of Natural Resources shall convene a collaborative stakeholder process to make recommendations on the proper management of packaged organic materials, including:

(1) recommendations on whether the organics management hierarchy in 10 V.S.A. § 6605k should apply to each generator of organic waste;

(2) whether the Agency of Natural Resources should modify its existing policy surrounding the source separation of organic wastes; and

(3) any recommendations on the proper use of depackagers in the management of organic waste.

(b) The stakeholder process shall include the following participants appointed by the Secretary of Natural Resources:

(1) a representative of the Agency of Agriculture, Food and Markets;

(2) a food waste composter;

(3) a farm that allows animals to forage food waste;

(4) a representative of a company operating a depackaging facility;

(5) a representative from the Vermont Retailers and Grocers Association;

(6) a representative from a company that anaerobically digests food waste; and

(7) a representative from a food product manufacturing company in Vermont.

(c) On or before January 15, 2023, the Secretary of Natural Resources shall submit the recommendations of the stakeholder process required by this section to the Senate Committee on Natural Resources and Energy and the House Committee on Natural Resources, Fish, and Wildlife.

Sec. 26. STUDY ON MICROPLASTICS AND PFAS IN FOOD
PACKAGING AND FOOD WASTE

On or before January 15, 2024, the Secretary of Natural Resources, in consultation with the Secretary of Agriculture, Food and Markets, shall submit to the Senate Committee on Natural Resources and Energy and the House Committee on Natural Resources, Fish, and Wildlife a report regarding the prevalence of microplastics and per- and polyfluoroalkyl substances (PFAS) in food waste and food packaging in Vermont. The report shall include:

(1) a list of the organics management facilities certified in the State under 10 V.S.A. chapter 159;

(2) a summary of the organics management system in Vermont that includes the transportation of food processing residuals and postconsumer food waste and the materials created by organics management facilities and how that material is managed after creation;

(3) a summary of existing data on the levels of microplastics and plastics in the material produced from organics management facilities in the State, including whether the materials have levels of PFAS above background levels;

(4) a summary of the methods used domestically and internationally by jurisdictions with physical contamination standards to evaluate the percentage by weight of physical contamination present in the material produced by depackaging facilities, residual waste, digestate, compost, and soil amendments;

(5) identification of data gaps to the effective management of microplastics and recommendations on how to close those data gaps; and

(6) recommendations on management changes that will reduce the levels of microplastics in the environment, including:

(A) special management requirements at facilities;

(B) bans of certain containers or packaging that pose greater management risks;

(C) restrictions on the location of managing materials that contain

high levels of microplastics;

(D) implementation of the food residuals hierarchy set forth in 10 V.S.A. § 6605k or the current requirements around source separation of organic material from waste material; and

(E) if possible in light of the data, a recommendation for a standard methodology for testing microplastics and a health-based standard for microplastics.

Sec. 27. RULEMAKING

(a) The Secretary of Natural Resources shall adopt by rule requirements for the operation of food waste management facilities certified to operate in the State. The rules may:

(1) establish management standards for the operation of a food waste management facility;

(2) prohibit certain containers and packaging from being managed in a food waste management facility;

(3) establish standards for hand source separation instead of mechanical depackaging;

(4) establish requirements for implementation of the food residuals hierarchy set forth in 10 V.S.A. § 6605k;

(5) place restrictions on the types of food waste that may be managed at a food waste management facility;

(6) adopt a testing methodology for microplastics;

(7) adopt a standard for microplastics from food waste management facilities that protects human health or natural resources; or

(8) at the recommendation of the Secretary of Agriculture, Food and Markets, adopt a standard for microplastics or per- and polyfluoroalkyl substances from food waste management facilities that protects animal health, agricultural soils, or other agricultural resources.

(b) The Secretary of Natural Resources shall not initiate rulemaking under this section until the recommendations required by Secs. 25 and 26 of this act are submitted to the Vermont General Assembly.

Sec. 28. REPEAL

Sec. 24 (moratorium on food depackaging facilities) of this act shall be repealed on the date that the rules required under Sec. 27 of this act are adopted and in effect.

* * * Effective Dates * * *

Sec. 29. EFFECTIVE DATES

(a) This section and Secs. 24–28 (food residuals management) shall take effect on passage.

(b) The remainder of the act shall take effect on July 1, 2022.

Proposal of amendment was considered and concurred in.

**Senate Proposal of Amendment Concurred in
With a Further Amendment Thereto**

H. 626

The Senate proposed to the House to amend House bill, entitled

An act relating to the sale, use, or application of neonicotinoid pesticides

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

Sec. 1. 6 V.S.A. § 1101 is amended to read:

§ 1101. DEFINITIONS

As used in this chapter unless the context clearly requires otherwise:

(1) “Secretary” shall have the meaning stated in subdivision 911(4) of this title.

(2) “Cumulative” when used in reference to a substance means that the substance so designated has been demonstrated to increase twofold or more in concentration if ingested or absorbed by successive life forms.

(3) “Dealer or pesticide dealer” means any person who regularly sells pesticides in the course of business, but not including a casual sale.

(4) “Economic poison” shall have the meaning stated in subdivision 911(5) of this title.

(5) “Pest” means any insect, rodent, nematode, fungus, weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other microorganisms, which the Secretary declares as being injurious to health or environment. Pest shall not mean any viruses, bacteria, or other microorganisms on or in living humans or other living animals.

(6) “Pesticide” for the purposes of this chapter shall be used interchangeably with “economic poison.”

(7) “Treated article” means a pesticide or class of pesticides exempt under 40 C.F.R. § 152.25(a) from regulation under the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136-136y.

(8) “Neonicotinoid pesticide” means any economic poison containing a chemical belonging to the neonicotinoid class of chemicals.

(9) “Neonicotinoid treated article seeds” are treated article seeds that are treated or coated with a neonicotinoid pesticide.

Sec. 2. 6 V.S.A. § 1105a is amended to read:

§ 1105a. TREATED ARTICLES; POWERS OF SECRETARY; BEST
MANAGEMENT PRACTICES

(a) The Secretary of Agriculture, Food and Markets, upon the recommendation of the Agricultural Innovation Board, may adopt by rule:

(1) best management practices (BMPs), standards, procedures, and requirements relating to the sale, use, storage, or disposal of treated articles the use of which the Agricultural Innovation Board has determined will have a hazardous or long-term deleterious effect on the environment, presents a likely risk to human health, or is dangerous;

(2) requirements for the response to or corrective actions for exigent circumstances or contamination from a treated article that presents a threat to human health or the environment;

(3) requirements for the examination or inspection of treated articles the use of which the Agricultural Innovation Board has determined will have a hazardous or long-term deleterious effect on the environment, presents a likely risk to human health, or is dangerous;

(4) requirements for persons selling treated articles to keep or make available to the Secretary records of sale of treated articles, and what treatments were received, the use of which the Agricultural Innovation Board has determined will have a hazardous or long-term deleterious effect on the environment, presents a likely risk to human health, or is dangerous; or

(5) requirements for reporting of incidents resulting from accidental contamination from or misuse of treated articles the use of which the Agricultural Innovation Board has determined will have a hazardous or long-term deleterious effect on the environment, presents a likely risk to human health, or is dangerous.

(b) At least 30 days prior to prefiling a rule authorized under subsection (a) or subsection (c) of this section with the Interagency Committee on Administrative Rules under 3 V.S.A. § 837, the Secretary shall submit a copy

of the draft rule to the Senate Committee on Agriculture and the House Committee on Agriculture and Forestry for review.

(c)(1) Under subsection (a) of this section, the Secretary of Agriculture, Food and Markets, after consultation with the Agricultural Innovation Board, shall adopt by rule BMPs for the use in the State of neonicotinoid treated article seeds. In developing the rules with the Agricultural Innovation Board, the Secretary shall address:

(A) establishment of threshold levels of pest pressure required prior to use of neonicotinoid treated article seeds;

(B) availability of nontreated article seeds that are not neonicotinoid treated article seeds;

(C) economic impact from crop loss as compared to crop yield when neonicotinoid treated article seeds are used;

(D) relative toxicities of different neonicotinoid treated article seeds and the effects of neonicotinoid treated article seeds on human health and the environment;

(E) surveillance and monitoring techniques for in-field pest pressure;

(F) ways to reduce pest harborage from conservation tillage practices; and

(G) criteria for a system of approval of neonicotinoid treated article seeds.

(2) In implementing the rules required under this subsection, the Secretary of Agriculture, Food and Markets shall work with farmers, seed companies, and other relevant parties to ensure that farmers have access to appropriate varieties and amounts of untreated seed or treated seed that are not neonicotinoid treated article seeds.

Sec. 3. 6 V.S.A. § 3036 is added to read:

§ 3036. MONITORING OF POLLINATOR HEALTH

The Secretary of Agriculture, Food and Markets shall monitor managed pollinator health to establish pollinator health benchmarks for Vermont, including:

(1) presence of pesticides in hives;

(2) mite pressure;

(3) disease pressure;

(4) mite control methods;

(5) genetic influence on survival;

(6) winter survival rate; and

(7) forage availability.

Sec. 4. IMPLEMENTATION; REPORT; RULEMAKING

(a) On or before March 1, 2024, the Secretary of Agriculture, Food, and Markets shall submit to the Senate Committee on Agriculture and the House Committee on Agriculture and Forestry a copy of the proposed rules required to be adopted under 6 V.S.A. § 1105a.

(b) The Secretary of Agriculture shall not file the final proposal of the rules required by 6 V.S.A. § 1105a under 3 V.S.A. § 841 until at least 90 days from submission of the proposed rules to the General Assembly under subsection (a) of this section or July 1, 2024, which ever shall occur first.

Sec. 5. REVIEW AND REPORT ON BMPS FOR TREATED ARTICLE SEEDS

On or before February 15, 2023, the Agricultural Innovation Board shall submit to the Senate Committee on Agriculture and the House Committee on Agriculture and Forestry a written report regarding whether best management practices (BMPs) should be adopted for the use of treated article seeds that are not neonicotinoid treated article seeds. The report shall include:

(1) a summary of the Agricultural Innovation Board's review of treated article seeds that are not neonicotinoid treated article seeds, including identification of treated article seeds that may have adverse effects on human health or the environment;

(2) a recommendation of whether BMPs for treated article seeds that are not neonicotinoid treated article seeds should be adopted and whether they should be adopted by rule; and

(3) proposed BMPs for treated article seeds that are not neonicotinoid treated article seeds.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Reps. Surprenant of Barnard and Partridge of Windham** moved to concur in the Senate proposal of amendment with a further amendment thereto as follows:

By adding a Sec. 5a to read as follows:

Sec. 5a. AGENCY OF AGRICULTURE, FOOD AND MARKETS;
RESIDUALS MANAGEMENT POSITIONS

Two new permanent classified positions at the Agency of Agriculture, Food and Markets are authorized in fiscal year 2023 for the purpose of staffing the Agency's Residuals Management Program, supporting the Agricultural Innovation Board, and enforcing and reviewing the use of treated article pesticides in the State. In fiscal year 2023, \$181,190.00 is appropriated to the Agency of Agriculture, Food and Markets for the purpose of hiring the two new positions in the Agency's Residuals Management Program. The two positions shall be funded from the revenue raised from the registration of soil amendments under 6 V.S.A. chapter 28 and the registration of dosage form animal health products and feed supplements under 6 V.S.A. chapter 26.

Which was agreed to.

Senate Proposal of Amendment Concurred in
H. 709

The Senate proposed to the House to amend House bill, entitled
An act relating to miscellaneous agricultural subjects

The Senate proposed to the House to amend the bill as follows:

By striking out Sec. 12, effective date, in its entirety and inserting in lieu thereof a new Sec. 12 to read as follows:

Sec. 12. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Proposal of amendment was considered and concurred in.

Rules Suspended; Immediate Consideration; Senate Proposal of
Amendment Concurred in

H. 730

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to alcoholic beverages and the Department of Liquor and Lottery

Was taken up for immediate consideration.

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

* * * Ready-to-Drink Spirits Beverages; Ciders * * *

Sec. 1. 7 V.S.A. § 2 is amended to read:

§ 2. DEFINITIONS

As used in this title:

* * *

(2) “Alcoholic beverages” means malt beverages, vinous beverages, spirits, ready-to-drink spirits beverages, and fortified wines.

* * *

(6) “Certificate of approval” means a license granted by the Board of Liquor and Lottery to a manufacturer or distributor of malt beverages ~~or~~, vinous beverages, or ~~both~~, ready-to-drink spirits beverages that is not licensed under the provisions of this title, that permits the licensee to sell those beverages to holders of a packager’s or wholesale dealer’s license.

* * *

(15) “Festival permit” means a permit granted by the Division of Liquor Control permitting a person to conduct an event at which ~~malt or vinous alcoholic beverages, or both~~, are sold by the glass to the public, provided the event is approved by the local control commissioners.

(16) “First-class license” means a license permitting the licensee to sell malt ~~and~~ beverages, vinous beverages, and ready-to-drink spirits beverages to the public for consumption only on the premises for which the license is granted.

* * *

(19) “Fourth-class license” means a license permitting a licensed manufacturer or rectifier to sell by the unopened container and distribute by ~~the glass~~ sample, with or without charge, beverages manufactured by the licensee.

* * *

(25) “Malt beverages” means all fermented beverages of any name or description manufactured for sale from malt, wholly or in part, or from any substitute therefor, known as, among other things, beer, ale, or lager, containing not less than one percent nor more than 16 percent alcohol by volume at 60 degrees Fahrenheit.

(26) “Manufacturer’s or rectifier’s license” means a license granted by the Board of Liquor and Lottery that permits the holder to manufacture or

rectify malt beverages, vinous beverages, and fortified wines, or spirits ~~and~~, fortified wines, and ready-to-drink spirits beverages.

* * *

(31) “Ready-to-drink spirits beverage” means an alcoholic beverage containing more than one percent alcohol by volume and not more than 12 percent alcohol by volume at 60 degrees Fahrenheit obtained by distillation, by chemical synthesis, or through concentration by freezing and mixed with nonalcoholic beverages, flavoring, or coloring materials. Ready-to-drink spirits beverages may also contain water, fruit juices, fruit adjuncts, sugar, carbon dioxide, preservatives, and other ingredients. “Ready-to-drink spirits beverage” shall not include a beverage that is packaged in containers greater than 24 fluid ounces in volume.

(32) “Request-to-cater permit” means a permit granted by the Division of Liquor Control authorizing a licensed caterer or commercial caterer to cater individual events.

(32)(33) “Retail dealer” means any person who sells or furnishes malt or beverages, vinous beverages, or ready-to-drink spirits beverages to the public.

(33)(34) “Retail delivery permit” means a permit granted by the Division of Liquor Control that permits a second-class licensee to deliver malt beverages and vinous beverages sold from the licensed premises for consumption off the premises to an individual who is 21 years of age or older at a physical address in Vermont.

(34)(35) “Sampler flight” means a flight, ski, paddle, or any similar device by design or name intended to hold alcoholic beverage samples for the purpose of comparison.

(35)(36) “Second-class license” means a license permitting the licensee to export and to sell malt beverages ~~and~~, vinous beverages, or ready-to-drink spirits beverages to the public for consumption off the premises for which the license is granted.

(36)(37) “Special event permit” means a permit granted by the Division of Liquor Control permitting a licensed manufacturer or rectifier to sell, by the glass or by the unopened bottle, alcoholic beverages manufactured or rectified by the license holder at an event open to the public that has been approved by the local control commissioners.

(37)(38) “Special venue serving permit” means a permit granted by the Division of Liquor Control permitting an art gallery, bookstore, public library, or museum to conduct an event at which malt or vinous beverages, or both, are

served by the glass to the public. As used in this section, “art gallery” means a fixed establishment whose primary purpose is to exhibit or offer for sale works of art; “bookstore” means a fixed establishment whose primary purpose is to offer books for sale; “public library” has the same meaning as in 22 V.S.A. § 101; and “museum” has the same meaning as in 27 V.S.A. § 1151.

~~(38)~~(39) “Specialty beer” means a malt beverage that contains more than eight percent alcohol and not more than 16 percent alcohol by volume at 60 degrees Fahrenheit.

~~(39)~~(40) “Spirits” means beverages that contain more than one percent alcohol obtained by distillation, by chemical synthesis, or through concentration by freezing; vinous beverages containing more than 23 percent alcohol; and malt beverages containing more than 16 percent alcohol by volume at 60 degrees Fahrenheit. “Spirits” also means a ready-to-drink spirits beverage that contains more than 12 percent alcohol by volume at 60 degrees Fahrenheit or is packaged in containers greater than 24 fluid ounces in volume.

~~(40)~~(41) “Third-class license” means a license granted by the Board of Liquor and Lottery permitting the licensee to sell spirits and fortified wines for consumption only on the premises for which the license is granted.

~~(41)~~(42) “Vinous beverages” means all fermented beverages of any name or description manufactured or obtained for sale from the natural sugar content of fruits or other agricultural product, containing sugar, the total alcoholic content of which is not less than one percent nor more than 16 percent by volume at 60 degrees Fahrenheit.

~~(42)~~(43) “Wholesale dealer’s license” means a license granted by the Board of Liquor and Lottery permitting the holder to sell or distribute malt and beverages, vinous beverages, and ready-to-drink spirits beverages to first- and second-class licensees, to educational sampling event permit holders, and to agencies of the United States.

(44) “Cider” means a vinous beverage, made a majority from the fermented natural sugar content of apples or pears, that contains an alcoholic content of not less than one percent or more than 16 percent by volume at 60 degrees Fahrenheit. “Cider” includes sweetened, flavored, and carbonated cider.

Sec. 2. 7 V.S.A. § 62 is amended to read:

§ 62. HOURS OF SALE

(a) First- or first- and third-class licensees; or festival, special event, or educational sampling event permit holders may sell alcoholic beverages between the hours of 8:00 a.m. and 2:00 a.m. the next morning.

(b)(1) Second-class licensees may sell malt ~~and beverages,~~ vinous beverages and ready-to-drink spirits beverages between the hours of 6:00 a.m. and 12:00 midnight.

* * *

Sec. 3. 7 V.S.A. § 63 is amended to read:

§ 63. IMPORTATION OR TRANSPORTATION OF ALCOHOL;
PROHIBITIONS; PERSONAL IMPORT LIMIT; PENALTY

(a)(1) All spirits and fortified wines imported or transported into this State shall be imported or transported by and through the Board of Liquor and Lottery. A person importing or transporting or causing to be imported or transported into this State any spirits or fortified wines, or both, in violation of this section shall be imprisoned not more than one year or fined not more than \$5,000.00, or both.

(2) Notwithstanding subdivision (1) of this subsection, a person may import or transport not more than eight quarts of spirits or fortified wines, or both, into this State in ~~his or her~~ the person's own private vehicle or in his or her actual possession at the time of importation without a license or permit, provided the beverages are not for resale.

(b)(1) Except as provided in sections 277, 278, and 283 of this title, all malt ~~or beverages,~~ vinous beverages, or ready-to-drink spirits beverages, or ~~both a combination of malt beverages, vinous beverages, and ready-to-drink spirits beverages,~~ imported or transported into this State shall be imported or transported by and through the holder of a wholesale dealer's license issued by the Board of Liquor and Lottery. A person importing or transporting or causing to be imported or transported into this State any malt ~~or beverages,~~ vinous beverages, or ready-to-drink spirits beverages, in violation of this section shall be imprisoned not more than one year or fined not more than \$1,000.00, or both.

(2) Notwithstanding subdivision (1) of this subsection, a person may import or transport not more than six gallons of malt ~~or beverages,~~ vinous beverages, or ready-to-drink spirits beverages, or ~~both a combination of malt beverages, vinous beverages, and ready-to-drink spirits beverages,~~ into this State in ~~his or her~~ the person's own private vehicle or in ~~his or her~~ the person's actual possession at the time of importation without a license or permit, provided the beverages are not for resale.

Sec. 4. 7 V.S.A. § 104 is amended to read:

§ 104. DUTIES; AUTHORITY TO RESOLVE ALLEGED VIOLATIONS

The Board shall supervise and manage the sale of spirits and fortified wines

within the State in accordance with the provisions of this title, and through the Commissioner of Liquor and Lottery shall:

* * *

(11) Adopt rules regarding intrastate transportation of malt ~~and beverages~~, vinous beverages, and ready-to-drink spirits beverages.

* * *

Sec. 5. 7 V.S.A. § 161 is amended to read:

§ 161. LICENSES VOTED BY TOWN; TOWN MEETINGS; WARNING

(a) Upon petition of not less than five percent of the legal voters of any town, filed with the town clerk in conformance with 17 V.S.A. § 2642, the warning of the annual or special meeting shall contain an article providing for a vote upon the following questions:

Shall licenses for the sale of malt ~~and beverages~~, vinous beverages, and ready-to-drink spirits beverages be granted in this town?

Shall spirits and fortified wines be sold in this town?

The vote under the article shall be by ballot in the following form:

Shall licenses for the sale of malt ~~and beverages~~, vinous beverages, and ready-to-drink spirits beverages be granted in this town?

Yes ___ No ___

Shall spirits and fortified wines be sold in this town?

Yes ___ No ___

(b) Licenses and permits for the sale of malt ~~and beverages~~, vinous beverages, ready-to-drink spirits beverages, and spirits and fortified wines shall be issued according to the vote at the annual town meeting held in March 1969 until a town votes otherwise.

Sec. 6. 7 V.S.A. § 201 is amended to read:

§ 201. LICENSES CONTINGENT ON TOWN VOTE

Licenses of the first or second class shall not be granted by the control commissioners or the Board of Liquor and Lottery to be exercised in any city or town, the voters of which vote “No” on the question of whether to permit the sale of malt beverages ~~and~~, vinous beverages, and ready-to-drink spirits beverages pursuant to section 161 of this title. Licenses of the third class shall not be granted by the Board of Liquor and Lottery to be exercised in any city or town, the voters of which vote “No” on the question of whether to sell fortified wines and spirits pursuant to section 161 of this title.

Sec. 7. 7 V.S.A. § 204 is amended to read:

§ 204. APPLICATION AND RENEWAL FEES FOR LICENSES AND PERMITS; DISPOSITION OF FEES

(a) The following fees shall be paid when applying for a new license or permit or to renew a license or permit:

(1) For a manufacturer's or rectifier's license to manufacture or rectify malt beverages, or vinous beverages and fortified wines, or spirits~~—and~~, fortified wines, and ready-to-drink spirits beverages, \$285.00 for each license.

* * *

(7) For a shipping license for malt beverages ~~or~~, vinous beverages, or ready-to-drink spirits beverages:

- (A) in-state consumer shipping license, \$330.00;
- (B) out-of-state consumer shipping license, \$330.00;
- (C) vinous beverages retail shipping license, \$250.00.

* * *

(16) For a certificate of approval:

- (A) for malt beverages, \$2,485.00;
- (B) for vinous beverages, \$985.00;
- (C) for ready-to-drink spirits beverages, \$985.00.

* * *

Sec. 8. 7 V.S.A. § 221 is amended to read:

§ 221. FIRST-CLASS LICENSES

* * *

(b)(1) A first-class license permits the holder to sell malt ~~and beverages,~~ vinous beverages, and ready-to-drink spirits beverages for consumption only on those premises.

(2) Except as otherwise provided pursuant to sections 271 and 278 of this title, a first-class license holder shall purchase all malt beverages ~~and~~, vinous beverages, and ready-to-drink spirits beverages sold pursuant to the license from Vermont wholesale dealers or packagers.

(c) A retail dealer carrying on business in more than one place shall acquire a first-class license for each place where the retail dealer sells malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages for

consumption on the premises.

* * *

Sec. 9. 7 V.S.A. § 222 is amended to read:

§ 222. SECOND-CLASS LICENSES

(a)(1) With the approval of the Board of Liquor and Lottery, the control commissioners may grant a second-class license to a retail dealer for the premises where the dealer carries on business if the retail dealer submits an application and pays the fee provided in section 204 of this title and satisfies the Board that the premises:

* * *

(b)(1) A second-class license permits the holder to export malt ~~and beverages,~~ vinous beverages, and ready-to-drink spirits beverages and to sell malt ~~and beverages,~~ vinous beverages, and ready-to-drink spirits beverages to the public from the licensed premises for consumption off the premises.

* * *

(3) Except as otherwise provided pursuant to sections 225, 271, and 278 of this title, a second-class license holder shall purchase all malt beverages ~~and, vinous beverages, and ready-to-drink spirits beverages~~ sold pursuant to its license from Vermont wholesale dealers or packagers.

(c) A retail dealer carrying on business in more than one place shall be required to acquire a second-class license for each place where the retail dealer sells malt ~~and beverages,~~ vinous beverages, and ready-to-drink spirits beverages.

* * *

Sec. 10. 7 V.S.A. § 224 is amended to read:

§ 224. FOURTH-CLASS LICENSES

* * *

(b) At each licensed location, a fourth-class licensee may sell by the unopened container or distribute by the glass, with or without charge, alcoholic beverages manufactured by the licensee.

(1) A licensee may, for consumption at the licensed premises or location, distribute the following amounts of alcoholic beverages to a retail customer:

(A) ~~no not~~ more than two ounces of malt beverages ~~or,~~ vinous beverages, or ready-to-drink spirits beverages with a total of eight ounces; and

* * *

Sec. 11. 7 V.S.A. § 226 is amended to read:

§ 226. RETAIL DELIVERY PERMITS

* * *

(b) A retail delivery permit holder may deliver malt beverages ~~and~~ vinous beverages, and ready-to-drink spirits beverages sold from the licensed premises for consumption off the premises to an individual who is 21 years of age or older subject to the following requirements:

* * *

(4) An employee of a retail delivery permit holder shall not be permitted to make deliveries of malt beverages ~~or~~ vinous beverages, or ready-to-drink spirits beverages pursuant to the permit unless ~~he or she~~ the employee has completed a training program approved by the Division pursuant to section 213 of this chapter.

(5) Malt beverages ~~and~~ vinous beverages, and ready-to-drink spirits beverages delivered pursuant to a retail delivery permit shall be for personal use and not for resale.

Sec. 12. 7 V.S.A. § 228 is amended to read:

§ 228. SAMPLER FLIGHTS

(a) The holder of a first-class license may serve a sampler flight of up to 32 ounces in the aggregate of malt beverages or ciders to a single customer at one time.

(b) The holder of a first-class license may serve a sampler flight of up to 12 ounces in the aggregate of vinous beverages or ready-to-drink spirits beverages to a single customer at one time.

* * *

Sec. 13. 7 V.S.A. § 251 is amended to read:

§ 251. EDUCATIONAL SAMPLING EVENT PERMIT

* * *

(b) An educational sampling event permit holder is permitted to conduct an event that is open to the public at which malt beverages, vinous beverages, ready-to-drink spirits beverages, fortified wines, spirits, or all ~~four~~ five are served only for the purposes of marketing and educational sampling.

* * *

(d) The permit holder shall ensure all the following:

(1) Attendees at the educational sampling event shall be required to pay an entry fee of ~~no~~ not less than \$5.00.

(2)(A) Malt beverages ~~or~~, vinous beverages, or ready-to-drink spirits beverages for sampling shall be offered in glasses that contain ~~no~~ not more than two ounces of either beverage.

* * *

(f) Taxes for the alcoholic beverages served at the event shall be paid as follows:

* * *

(3) spirits: \$19.80 per gallon served; ~~and~~

(4) fortified wines: \$19.80 per gallon served; and

(5) ready-to-drink spirits beverages: \$1.10 per gallon served.

Sec. 14. 7 V.S.A. § 252 is amended to read:

§ 252. SPECIAL EVENT PERMITS

* * *

(b)(1) A special event permit holder may sell alcoholic beverages manufactured or rectified by the permit holder by the glass within the event boundaries or the unopened bottle.

(2) For purposes of tasting, a special event permit holder may distribute beverages manufactured or rectified by the permit holder with or without charge, provided the beverages are distributed:

(A) by the glass; and

(B) in quantities of ~~no~~ not more than two ounces per product and eight ounces total of malt beverages ~~or~~, vinous beverages, or ready-to-drink spirits beverages and ~~no~~ not more than one ounce in total of spirits or fortified wines to each individual.

* * *

Sec. 15. 7 V.S.A. § 253 is amended to read:

§ 253. FESTIVAL PERMITS

* * *

(b) A festival required to be permitted under this section is any event that is open to the public for which the primary purpose is to serve one or more of the

following: malt beverages, vinous beverages, ready-to-drink spirits beverages, fortified wines, or spirits.

(c) A festival permit holder is permitted to conduct an event that is open to the public at which one or more of the following are served: malt beverages, vinous beverages, ready-to-drink spirits beverages, fortified wines, or spirits.

(d) The permit holder shall ensure the following:

* * *

(2)(A) Malt beverages and ciders for sampling shall be offered in glasses that contain not more than 12 ounces, with not more than 60 ounces served to any patron at one event.

(B) Vinous beverages or ready-to-drink spirits beverages for sampling shall be offered in glasses that contain not more than five ounces with not more than 25 ounces served to any patron at one event.

* * *

(E) Patrons attending a festival where combinations of malt beverages, vinous beverages, ready-to-drink spirits beverages, fortified wines, or spirits are mutually sampled shall not be served more than a combined total of six U.S. standard drinks containing 3.6 fluid ounces or 84 grams of pure ethyl alcohol.

* * *

(e)(1) A festival permit holder may purchase invoiced volumes of malt or beverages, vinous beverages, or ready-to-drink spirits beverages directly from a manufacturer or packager licensed in Vermont or a manufacturer or packager that holds a federal Basic Permit or Brewers Notice or evidence of licensure in a foreign country that is satisfactory to the Board.

(2) The invoiced volumes of malt or beverages, vinous beverages, or ready-to-drink spirits beverages may be transported to the site and sold by the glass to the public by the permit holder or its employees and volunteers only during the event.

(f) A festival permit holder shall be subject to the provisions of this title, including section 214 of this title, and the rules of the Board regarding the sale of the alcoholic beverages and shall pay the tax on the malt or beverages, vinous beverages, or ready-to-drink spirits beverages pursuant to section 421 of this title.

* * *

Sec. 16. 7 V.S.A. § 254 is amended to read:

§ 254. SPECIAL VENUE SERVING PERMITS

* * *

(b) A permit holder may purchase malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages directly from a licensed retailer.

* * *

(d) A public library or museum may only be granted a permit pursuant to this section for an event held for a charitable or educational purpose at which malt ~~and~~ beverages, vinous beverages, and ready-to-drink spirits beverages will be served for a period of not more than six hours.

Sec. 17. 7 V.S.A. § 255 is amended to read:

§ 255. RETAIL ALCOHOLIC BEVERAGE TASTING PERMITS

* * *

(b) The Division may grant the following alcoholic beverage tasting permits to the following types of licensees:

(1) A second-class licensee.

(A) The permit authorizes the employees of the second-class licensee or of a designated manufacturer or rectifier to dispense to each customer of legal age on the licensee's premises malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages by the glass not to exceed two ounces of each beverage with a total of eight ounces of malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages.

(B) Malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages dispensed at the tasting event shall be from the inventory of the licensee or purchased from a wholesale dealer.

* * *

(2) A licensed manufacturer or rectifier of malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages.

(A) The permit authorizes the licensed manufacturer or rectifier to dispense to each customer of legal age for consumption on the premises of a second-class licensee beverages produced by the manufacturer or rectifier by the glass not to exceed two ounces of each beverage with a total of eight ounces of malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages.

* * *

(3) A licensed wholesale dealer. The permit authorizes a licensed wholesale dealer to dispense malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages for promotional purposes at the wholesale dealer's premises without charge to invited employees of first-, second-, and third-class licensees, provided the invited employees are of legal age.

(c) A vinous beverage, ready-to-drink spirits beverage, or malt beverage tasting event held pursuant to subsection (b) of this section, not including an alcoholic beverage tasting conducted on the premises of the manufacturer or rectifier, shall comply with the following:

(1) continue for ~~no~~ not more than six hours, with ~~no~~ not more than six beverages to be offered at a single event, and ~~no~~ not more than two ounces of any single beverage and ~~no~~ not more than a total of eight ounces of malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages to be dispensed to a customer;

* * *

Sec. 18. 7 V.S.A. § 256 is amended to read:

§ 256. PROMOTIONAL TASTINGS FOR LICENSEES

(a)(1) At the request of a first- or second-class licensee, a holder of a manufacturer's, rectifier's, or wholesale dealer's license may distribute without charge to the first- or second-class licensee's management and staff, provided they are of legal age, two ounces per person of vinous ~~or~~ beverages, malt beverages, or ready-to-drink spirits beverages for the purpose of promoting the beverage.

* * *

(b)(1) At the request of a holder of a wholesale dealer's license, a first-class licensee may dispense malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages for promotional purposes without charge to invited management and staff of first-, second-, or third-class licensees, provided they are of legal age.

* * *

(c)(1) Upon receipt of a first- or second-class application by the Division, a holder of a wholesale dealer's license may dispense malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages for promotional purposes without charge to invited management and staff of the business that has applied for a first- or second-class license, provided they are of legal age.

* * *

(4) No malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits

beverages shall be left behind at the conclusion of the tasting.

* * *

Sec. 19. 7 V.S.A. § 257 is amended to read:

§ 257. TASTINGS FOR PRODUCT QUALITY ASSURANCE

* * *

(b) Each sample of malt beverages ~~or~~, vinous beverages, or ready-to-drink spirits beverages shall be ~~no~~ not larger than two ounces, and each sample of spirits or fortified wines shall be ~~no~~ not larger than one-quarter ounce.

* * *

Sec. 20. 7 V.S.A. § 271 is amended to read:

§ 271. MANUFACTURER'S OR RECTIFIER'S LICENSE

(a)(1) The Board of Liquor and Lottery may grant a manufacturer's or rectifier's license upon application and payment of the fee provided in section 204 of this title that permits the license holder to operate a facility that manufactures or rectifies:

(A) malt beverages;

(B) vinous beverages and fortified wines; or

(C) spirits, ready-to-drink spirits beverages, and fortified wines.

* * *

(b) Except as otherwise provided in section 224 of this title and subsections (d)–(f) of this section:

* * *

(2) malt beverages ~~and~~, vinous beverages, and ready-to-drink spirits beverages may be manufactured or rectified for sale to packagers or wholesale dealers, or for export, or both.

(c) A licensed manufacturer of vinous beverages or fortified wines, or both, may receive from another manufacturer licensed in or outside this State bulk shipments of vinous beverages to rectify with the licensee's own product, provided that the vinous beverages or fortified wines produced by the licensed manufacturer may contain ~~no~~ not more than 25 percent imported vinous beverages.

* * *

Sec. 21. 7 V.S.A. § 273 is amended to read:

§ 273. WHOLESALE DEALER'S LICENSE

* * *

(b) A wholesale dealer's license holder may distribute or sell malt ~~beverages~~ or vinous beverages, or ready-to-drink spirits beverages to first- and second-class licensees and holders of educational sampling event permits.

* * *

Sec. 22. 7 V.S.A. § 274 is amended to read:

§ 274. CERTIFICATE OF APPROVAL FOR DISTRIBUTION OF MALT
~~OR BEVERAGES, VINOUS BEVERAGES,~~
OR READY-TO DRINK SPIRITS BEVERAGES

(a) The Board of Liquor and Lottery may grant to a manufacturer or distributor of malt ~~or beverages,~~ vinous beverages, or ready-to-drink spirits beverages that is not licensed under the provisions of this title a certificate of approval if the manufacturer or distributor does all of the following:

* * *

(b) A certificate of approval shall permit the holder to export malt ~~or beverages,~~ vinous beverages, or ready-to-drink spirits beverages or sell malt ~~or beverages,~~ vinous beverages, or ready-to-drink spirits beverages to holders of packagers' or wholesale dealers' licenses issued under section 272 or 273 of this title, or both.

(c) A holder of a packager's or a wholesale dealer's license issued under this title shall not purchase within or outside the State, or import or cause to be imported into the State, any malt ~~or beverages,~~ vinous beverages, or ready-to-drink spirits beverages unless the person, manufacturer, or distributor from which the beverages are obtained holds a valid certificate of approval or packager's license.

* * *

Sec. 23. 7 V.S.A. § 275 is amended to read:

§ 275. SOLICITOR'S LICENSE

* * *

(b) A solicitor's license holder may, by canvassing or interviewing holders of licenses issued under the provisions of this title:

(1) solicit orders for and promote the sale of malt ~~or beverages,~~ vinous beverages, or ready-to-drink spirits beverages; and

(2) promote the sale of spirits and fortified wines.

* * *

(d) A person who solicits, or attempts to solicit, orders for malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages; or promotes, or attempts to promote, the sale of malt or vinous beverages, ready-to-drink spirits beverages, spirits, or fortified wines by canvassing or interviewing a holder of a license issued under the provisions of this title, without having first obtained a solicitor's license as provided in this section, or who makes a false or fraudulent statement or representation in an application for the license or in connection with an application shall be imprisoned not more than six months or fined not more than \$500.00, or both.

Sec. 24. 7 V.S.A. § 277 is amended to read:

§ 277. MALT AND, VINOUS, AND READY-TO-DRINK SPIRITS
BEVERAGE CONSUMER SHIPPING LICENSE

(a)(1) A manufacturer or rectifier of malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages licensed in Vermont may be granted an in-state consumer shipping license by filing with the Division of Liquor Control an application in a form required by the Commissioner accompanied by a copy of the applicant's current Vermont manufacturer's license and the fee provided in section 204 of this title.

* * *

(b)(1) A manufacturer or rectifier of malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages licensed in another state that operates a brewery ~~or~~, winery, or distillery in the United States and holds valid state and federal permits and licenses may be granted an out-of-state consumer shipping license by filing with the Division of Liquor Control an application in a form required by the Commissioner accompanied by copies of the applicant's current out-of-state manufacturer's license and the fee provided in section 204 of this title.

* * *

(c)(1) A consumer shipping license granted pursuant to this section shall permit the licensee to ship malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages produced by the licensee to private residents for personal use and not for resale.

(2) A licensee shall not ship more than 12 cases of malt beverages containing ~~no~~ not more than 36 gallons of malt beverages or ~~no~~ not more than 12 cases of vinous beverages or ready-to-drink spirits beverages containing ~~no~~ not more than 29 gallons of vinous beverages or ready-to-drink spirits

beverages to any one Vermont resident in any calendar year.

* * *

Sec. 25. 7 V.S.A. § 279 is amended to read:

§ 279. CONSUMER AND RETAIL SHIPPING LICENSES; GENERAL REQUIREMENTS

A holder of a shipping license granted pursuant to section 277 or 278 of this subchapter shall comply with all of the following:

* * *

(4) Report at least twice per year to the Division if a holder of a consumer shipping license and once per year if a holder of a retail shipping license in a manner and form required by the Commissioner all the following information:

(A) the total amount of malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages shipped into or within the State during the preceding six months if a holder of a consumer shipping license or during the preceding 12 months if a holder of a retail shipping license;

* * *

(5) Pay to the Commissioner of Taxes the tax required pursuant to section 421 of this title on the malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages shipped pursuant to this subchapter and comply with the provisions of 32 V.S.A. chapter 233, 24 V.S.A. § 138, and any other legally authorized local sales taxes. Delivery in this State shall be deemed to constitute a sale in this State at the place of delivery and shall be subject to all appropriate taxes levied by the State of Vermont.

* * *

Sec. 26. 7 V.S.A. § 280 is amended to read:

§ 280. COMMON CARRIERS; REQUIREMENTS

(a) A common carrier shall not deliver malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages pursuant to this chapter until it has complied with the training provisions in section 213 of this title and been certified by the Division of Liquor Control.

(b) No employee of a certified common carrier may deliver malt ~~or~~ beverages, vinous beverages, or ready-to-drink spirits beverages until that employee completes the training required pursuant to subsection 213(c) of this title.

(c) A certified common carrier shall deliver only malt ~~or~~ beverages, vinous

beverages, or ready-to-drink spirits beverages that have been shipped by the holder of a license issued under section 277 or 278 of this subchapter or vinous beverages that have been shipped by the holder of a vinous beverage storage license issued under section 283 of this subchapter.

Sec. 27. 7 V.S.A. § 281 is amended to read:

§ 281. PROHIBITIONS

(a)(1) Except as otherwise provided in section 226 of this title, direct shipments of malt ~~or beverages~~, vinous beverages, or ready-to-drink spirits beverages are prohibited if the shipment is not specifically authorized and in compliance with sections 277–280 of this subchapter.

(2) Any person who knowingly makes, participates in, imports, or receives a direct shipment of malt ~~or beverages~~, vinous beverages, or ready-to-drink spirits beverages from a person who does not hold a license, permit, or certificate pursuant to sections 226 or 277–280 of this title may be fined not more than \$2,500.00 or imprisoned not more than one year, or both.

(b) The holder of a license issued pursuant to section 277 or 278 of this title or a common carrier that ships malt ~~or beverages~~, vinous beverages, or ready-to-drink spirits beverages to an individual under 21 years of age shall be fined not less than \$1,000.00 or more than \$3,000.00 or imprisoned not more than two years, or both.

* * *

* * * Tax on ready-to-drink spirits beverages; effective July 1, 2022 * * *

Sec. 28. 7 V.S.A. § 421 is amended to read:

§ 421. TAX ON MALT AND VINOUS BEVERAGES

(a) Every packager and wholesale dealer shall pay to the Commissioner of Taxes:

(1) the sum of 26 and one-half cents per gallon for every gallon or its equivalent of malt beverages containing not more than six percent of alcohol by volume at 60 degrees Fahrenheit sold by them to retailers in the State; ~~and~~

(2) the sum of 55 cents per gallon for each gallon of:

(A) malt beverages containing more than six percent of alcohol by volume at 60 degrees Fahrenheit; ~~and each gallon of~~

(B) vinous beverages sold by them to retailers in the State; and

(3) the sum of \$1.10 per gallon of ready-to-drink spirits beverages sold by them to retailers in the State.

(b) A manufacturer or rectifier of malt ~~beverages, or~~ vinous beverages, or ready-to-drink spirits beverages shall pay the taxes required by this subsection to the Commissioner of Taxes for all malt and vinous beverages manufactured or rectified by them and sold at retail.

~~(b)(c)~~ A packager or wholesale dealer may sell malt ~~or beverages,~~ vinous beverages, or ready-to-drink spirits beverages to any duly authorized agency of the U.S. Armed Forces on any U.S. Armed Forces' installation presently existing in the State or ~~which~~ that may in the future be established as though to a retail dealer but without the payment of the gallonage tax, subject to the filing of the returns as provided in subsection (c) of this section.

~~(e)(1)(d)(1)~~ For the purpose of ascertaining the amount of tax, on the filing dates set out in subdivision (2) of this subsection according to tax liability, each packager, wholesale dealer, manufacturer, or rectifier shall transmit to the Commissioner of Taxes, upon a form prepared and furnished by the Commissioner, a statement or return under oath or affirmation showing the quantity of malt ~~and beverages,~~ vinous beverages, and ready-to-drink spirits beverages sold by the packager, wholesale dealer, manufacturer, or rectifier during the preceding filing period, and report any other information requested by the Commissioner accompanied by payment of the tax required by this section. The amount of tax computed under subsection (a) of this section shall be rounded to the nearest whole cent. At the same time this form is due, each packager, wholesale dealer, manufacturer, or rectifier also shall transmit to the Commissioner in electronic format a separate report showing the description, quantity, and price of malt ~~and beverages,~~ vinous beverages, and ready-to-drink spirits beverages sold by the packager, wholesale dealer, manufacturer, or rectifier to each retail dealer as defined in section 2 of this title; provided, however, for direct sales to retail dealers by manufacturers or rectifiers of vinous beverages or ready-to-drink spirits beverages, the report required by this subsection may be submitted in a nonelectronic format.

* * *

* * * Tax on ciders; effective July 1, 2023 * * *

Sec. 28a. 7 V.S.A. § 421 is amended to read:

§ 421. TAX ON MALT AND VINOUS BEVERAGES

(a) Every packager and wholesale dealer shall pay to the Commissioner of Taxes:

(1) the sum of 26 and one-half cents per gallon for every gallon or its equivalent of:

(A) malt beverages containing not more than six percent of alcohol

by volume at 60 degrees Fahrenheit sold by them to retailers in the State; and

(B) ciders containing not more than seven percent of alcohol by volume at 60 degrees Fahrenheit sold by them to retailers in the State;

(2) the sum of 55 cents per gallon for each gallon of:

(A) malt beverages containing more than six percent of alcohol by volume at 60 degrees Fahrenheit;

(B) ciders containing more than seven percent of alcohol by volume at 60 degrees Fahrenheit sold by them to retailers in the State; and

(C) vinous beverages sold by them to retailers in the State; and

* * *

Sec. 29. 7 V.S.A. § 651 is amended to read:

§ 651. SOLICITING ORDERS

A person who, for himself or herself or as agent, takes or solicits orders for the sale of malt ~~or beverages~~, vinous beverages, or ready-to-drink spirits beverages, except for licensees or from agencies of the U.S. Armed Forces as specified in section 421 of this title, or of spirits or fortified wines shall be imprisoned not more than six months or fined not more than \$500.00 nor less than \$100.00, or both.

Sec. 30. 7 V.S.A. § 656 is amended to read:

§ 656. PERSON 16 YEARS OF AGE OR OLDER AND UNDER 21 YEARS OF AGE MISREPRESENTING AGE, PROCURING, POSSESSING, OR CONSUMING ALCOHOLIC BEVERAGES; CIVIL VIOLATION

(a) Prohibited conduct; offense.

(1) Prohibited conduct. A person 16 years of age or older and under 21 years of age shall not:

(A) Falsely represent ~~his or her~~ the person's age for the purpose of procuring or attempting to procure malt or vinous beverages, ready-to-drink spirits beverages, spirits, or fortified wines from any licensee, State liquor agency, or other person or persons.

(B) Possess malt or vinous beverages, ready-to-drink spirits beverages, spirits, or fortified wines for the purpose of consumption by ~~himself or herself~~ the person or other minors, except in the regular performance of duties as an employee of a licensee licensed to sell alcoholic liquor.

(C) Consume malt or vinous beverages, ready-to-drink spirits beverages, spirits, or fortified wines. A violation of this subdivision may be prosecuted in a jurisdiction where the minor has consumed malt or vinous beverages, ready-to-drink spirits beverages, spirits, or fortified wines or in a jurisdiction where the indicators of consumption are observed.

* * *

Sec. 31. 7 V.S.A. § 701 is amended to read:

§ 701. DEFINITIONS

Except as otherwise provided pursuant to section 752 of this chapter, as used in this chapter:

(1) “Certificate of approval” means an authorization by the Board of Liquor and Lottery pursuant to section 274 of this title to a manufacturer or distributor of malt beverages ~~or~~ vinous beverages, or ~~both~~, ready-to-drink spirits beverages not licensed under the provisions of this title, to sell those beverages to holders of a packager’s or wholesale dealer’s license issued by the Board pursuant to section 272 or 273 of this title.

(2) “Franchise” or “agreement” ~~shall mean~~ means one or more of the following:

* * *

(B) a relationship that has been in existence for at least one year in which the wholesale dealer is granted the right to offer and sell the brands of malt beverages ~~or~~ vinous beverages, or ready-to-drink spirits beverages offered by the certificate of approval holder or manufacturer;

* * *

(E) a relationship that has been in existence for at least one year in which the wholesale dealer’s business is substantially reliant on the certificate of approval holder or manufacturer for the continued supply of malt beverages ~~or~~ vinous beverages, or ready-to-drink spirits beverages; or

* * *

(3) “Franchisee” means any malt beverages ~~or~~ vinous beverages, or ready-to-drink spirits beverages wholesale dealer to whom a franchise or agreement as defined in this section is granted or offered, or any malt beverages ~~or~~ vinous beverages, or ready-to-drink spirits beverages certificate of approval holder or manufacturer who is a party to a franchise or agreement as defined in this section.

(4) “Franchisor” means any malt beverages ~~or~~ vinous beverages, or

ready-to-drink spirits beverages certificate of approval holder or manufacturer who enters into any franchise or agreement with a malt beverages or vinous beverages wholesale dealer, or any malt beverages or vinous beverages certificate of approval holder or manufacturer who is a party to a franchise or agreement as defined in this section.

* * *

Sec. 32. 7 V.S.A. § 702 is amended to read:

§ 702. PROHIBITED ACTS BY MANUFACTURER OR CERTIFICATE OF APPROVAL HOLDER

A manufacturer or certificate of approval holder shall not do any of the following:

* * *

(2) Induce or coerce, or attempt to induce or coerce, any wholesale dealer to do any illegal act or thing by threatening to cancel or terminate the wholesale dealer's malt beverages ~~or~~, vinous beverages, or ready-to-drink spirits beverages franchise agreement.

(3) Fail or refuse to deliver promptly to a wholesale dealer after the receipt of its order any malt beverages ~~or~~, vinous beverages, or ready-to-drink spirits beverages when the product is available for immediate sale. If a manufacturer or certificate of approval holder believes in good faith that it does not have a sufficient amount of a product available for immediate sale to satisfy the demand of a wholesale dealer and its other customers, it shall allocate the available product between the wholesale dealer and its other customers in a fair and equitable manner.

* * *

Sec. 33. 7 V.S.A. § 705 is amended to read:

§ 705. EXCLUSIVE TERRITORIES

No certificate of approval holder or manufacturer, who designates a sales territory for which a wholesale dealer shall be primarily responsible or in which a wholesale dealer is required to concentrate its efforts, shall enter into any franchise or agreement with any other wholesale dealer for the purpose of establishing an additional franchisee for its brand or brands of malt beverages ~~or~~, vinous beverages, or ready-to-drink spirits beverages in the territory being primarily served or concentrated upon by the first licensed wholesale dealer.

Sec. 34. 7 V.S.A. § 706 is amended to read:

§ 706. SALE TO RETAILERS BY FRANCHISEES

No franchisee that is granted a sales territory for which the franchisee shall be primarily responsible or in which the franchisee is required to concentrate its efforts shall make any sale or delivery of malt beverages ~~or~~, vinous beverages, or ready-to-drink spirits beverages to any retail licensee whose place of business is not within the sales territory granted to the franchisee.

Sec. 35. 10 V.S.A. § 1521 is amended to read:

§ 1521. DEFINITIONS

~~For the purpose of~~ As used in this chapter:

(1) “Beverage” means beer or other malt beverages and mineral waters, mixed wine drink, soda water and carbonated soft drinks in liquid form and intended for human consumption. ~~As of January 1, 1990 “beverage” also shall mean~~ “Beverage” also means liquor and ready-to-drink spirits beverage.

* * *

Sec. 36. TRANSFER TO GENERAL FUND

(a) In fiscal year 2023, a minimum of \$20,400,000.00 shall be transferred from the Liquor Control Enterprise Fund to the General Fund. The amount transferred pursuant to this subsection shall include any amounts transferred pursuant to the fiscal year 2023 annual budget bill.

(b) In fiscal year 2024, a minimum of \$21,200,000.00 shall be transferred from the Liquor Control Enterprise Fund to the General Fund.

(c) It is the intent of the General Assembly that for each year after fiscal year 2024 the amounts transferred from the Liquor Control Enterprise Fund to the General Fund shall annually increase according to the growth rate of liquor tax revenues in the most recent January Consensus Revenue Forecast.

* * * DLL Criminal Background Checks * * *

Sec. 37. 7 V.S.A. § 215 is added to read:

§ 215. AUTHORITY FOR CRIMINAL BACKGROUND CHECKS

Subject to the approval of the Board, the Commissioner shall establish a user agreement with the Vermont Crime Information Center in accordance with 20 V.S.A. chapter 117 for the purpose of obtaining Vermont criminal history records, out-of-state criminal history records, and criminal history records from the Federal Bureau of Investigation to review applications for any liquor or tobacco license issued under this title.

Sec. 38. 31 V.S.A. § 655 is amended to read:

§ 655. DUTIES OF THE COMMISSIONER

* * *

(b) The Commissioner shall:

* * *

(7) Subject to the approval of the Board, establish a user agreement with the Vermont Crime Information Center in accordance with 20 V.S.A. chapter 117 for the purpose of obtaining Vermont criminal history records, out-of-state criminal history records, and criminal history records from the Federal Bureau of Investigation to review applications for any Lottery sales agent license issued under this title.

* * * Appointment of One Deputy Commissioner * * *

Sec. 39. 7 V.S.A. § 101 is amended to read:

§ 101. COMPOSITION OF DEPARTMENT; COMMISSIONER OF
LIQUOR AND LOTTERY; BOARD OF LIQUOR AND LOTTERY

(a)(1) The Department of Liquor and Lottery, created by 3 V.S.A. § 212, shall administer the laws relating to alcoholic beverages, tobacco, and the State Lottery. It shall include the Commissioner of Liquor and Lottery and the Board of Liquor and Lottery.

* * *

(3)(A) The Department of Liquor and Lottery shall be under the immediate supervision and direction of the Commissioner of Liquor and Lottery.

* * *

(D) The Commissioner, with the approval of the Governor, may appoint a Deputy Commissioner of Liquor ~~Control~~ and Lottery to supervise and direct the Division of Liquor Control and a ~~Deputy Commissioner of the State Lottery to supervise and direct~~ the Division of Lottery. ~~Both~~ The Deputy ~~Commissioners~~ Commissioner shall be exempt from the classified service and shall serve at the pleasure of the Commissioner.

* * *

* * * Expansion of Rare Spirits Raffle * * *

Sec. 40. 7 V.S.A. § 5 is amended to read:

§ 5. DIVISION OF LIQUOR CONTROL; RAFFLES FOR RIGHT TO
PURCHASE RARE AND UNUSUAL PRODUCTS SPIRITS

(a) Notwithstanding any provision of 13 V.S.A. chapter 51 to the contrary, the Division of Liquor Control may conduct raffles for the right to purchase certain rare and unusual spirits and fortified wines that are acquired by the Board of Liquor and Lottery. A raffle conducted pursuant to this section shall meet the following requirements:

(1) Tickets to enter the raffle shall only be available for purchase to a member of the general public, or to a third-class licensee by and through an authorized agent, who is 21 years of age or older.

* * *

* * * Staggered Licenses * * *

Sec. 41. TRANSITIONAL PROVISION; STAGGERED LICENSE
RENEWAL

The Department of Liquor and Lottery may extend the expiration date and stagger the issuance or renewal of permits, licenses, and certificates that are set to expire in the years 2023 and 2024. Permits, licenses, and certificates that are renewed on April 30, 2023 shall remain valid for one year or until a later renewal date designated by the Department.

Sec. 42. AGENCY OF ADMINISTRATION; STUDY AND REPORT

(a) Privatization study. On or before January 15, 2024, the Agency of Administration shall submit a written report to the House Committees on Ways and Means and on General, Housing, and Military Affairs and the Senate Committees on Economic Development, Housing and General Affairs and on Finance concerning the potential privatization of Vermont's alcoholic beverage market. The study and report shall examine the impact on State revenue, the taxation and enforcement models that could be used in a private market, and recommendations for whether the State should amend regulatory structures to implement a privatized alcoholic beverage market. The Agency of Administration shall contract with an independent third-party consultant to conduct the study required by this subsection.

(b) Appropriation. The sum of \$50,000.00 is appropriated from the General Fund to the Agency of Administration in fiscal year 2023 for the purpose of contracting with an independent third-party consultant pursuant to subsection (a) of this section.

* * * Effective Dates * * *

Sec. 43. EFFECTIVE DATES

(a) This section and Sec. 41 (transitional provision; staggered license renewal) shall take effect on passage.

(b) Sec. 28a (tax on malt and vinous beverages; ciders) shall take effect on July 1, 2023.

(c) All other sections shall take effect on July 1, 2022.

Which proposal of amendment was considered and concurred in.

Second Reading; Resolution Amended; Third Reading Ordered

J.R.H. 22

Rep. Troiano of Stannard, for the Committee on General, Housing, and Military Affairs, to which had been referred joint House resolution, entitled

Joint resolution urging the President and Congress to spearhead a global effort to prevent nuclear war and opposing the basing of nuclear weapons in Vermont

Reported in favor of its passage when amended by striking the resolution in its entirety and inserting in lieu thereof the following:

Joint resolution urging the President and Congress to spearhead a global effort to prevent nuclear war

Whereas, in 1980, there were more than 54,000 nuclear weapons worldwide, and by 1985 this number had increased to more than 61,000, and

Whereas, in 1982, the General Assembly, in response to the adoption at over 160 town meetings of the nonbinding question asking: “Shall the State Senators and Representatives from this district be advised to introduce into the Vermont Legislature a resolution asking the Vermont Congressional Delegation to: Request the President of the United States to propose to the Soviet Union a mutual freeze on the testing, production, and deployment of nuclear weapons and of missiles and new aircraft designed primarily to deliver nuclear weapons, with verification safeguards satisfactory to both countries,” adopted J.R.H. 55 (1982 Acts and Resolves No. R-82) asking the Vermont Congressional Delegation to make this request of the President, and

Whereas, both these town meeting votes and the General Assembly’s adopting of the joint resolution were significant political statements in support of a verifiable nuclear freeze, and

Whereas, although a nuclear freeze did not occur, the broad political support for this proposal contributed to a major reduction in the world's nuclear arsenals, and

Whereas, as of 2020, there were more than 13,000 nuclear weapons in the world, and an overwhelming majority of these weapons belonged to the United States and Russia, with the balance belonging to other nations, and

Whereas, in 2010, the updated Nuclear Posture Review outlined the Obama Administration's approach to reducing nuclear risks and pursuing the goal of a world without nuclear weapons while maintaining the security interests of the United States, and

Whereas, in 2011, the New Strategic Arms Reduction Treaty (New START) between the United States and Russia took effect, which provided for halving the number of strategic nuclear missile launchers and developing a new inspection and verification system and, in 2021, was extended to an anticipated termination date of February 5, 2026, and

Whereas, in July 2017, representatives of over 135 nations called for the elimination of all nuclear weapons through the adoption of the Treaty on the Prohibition of Nuclear Weapons, which was entered into force on January 22, 2021, and

Whereas, in 2022, global tensions, military conflicts, and perceived changes in nuclear doctrine in countries such as Russia, China and Iran have led to fears of the use of nuclear weapons, inspiring in a number of Vermonters a desire to lead the effort to prevent nuclear war, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges Congress and the President to spearhead a global effort to prevent nuclear war by:

(1) committing to preparing an updated Nuclear Posture Review that will assert the intent of the United States to reduce the role of nuclear weapons in its deterrence and defense policies and to continue to reduce its nuclear weapons stockpile;

(2) establishing additional protections to ensure that the President does not have the sole and unchecked authority to launch a nuclear attack;

(3) adding more protections to the current hair-trigger alert system for U.S. nuclear weapons to lower the risk of accidental or unauthorized launches; and

(4) actively pursuing a verifiable agreement among nuclear-armed nations to eliminate their nuclear arsenals and other offensive weapons of mass-destruction, such as biological weapons, in a way that reduces and eliminates

the need for nuclear weapons as instruments of mutually assured destruction, and be it further

Resolved: That the General Assembly reaffirms its adoption of 1982 Acts and Resolves No. R-82 in opposition to the proliferation of nuclear weapons, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to Governor Philip B. Scott, President Joseph R. Biden, and the Vermont Congressional Delegation.

The resolution, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on General, Housing, and Military Affairs agreed to on a vote by division: Yeas, 83; Nays, 63.

Pending the question, Shall the resolution be read a third time?, **Rep. Small of Winooski** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the resolution be read a third time?, was decided in the affirmative. Yeas, 83. Nays, 62.

Those who voted in the affirmative are:

Ancel of Calais	Grad of Moretown	Patt of Worcester
Anthony of Barre City	Hooper of Montpelier	Pugh of South Burlington
Arrison of Weathersfield	Hooper of Randolph	Rachelson of Burlington
Bartholomew of Hartland	Hooper of Burlington	Rogers of Waterville
Black of Essex	Houghton of Essex	Satcowitz of Randolph
Bluemle of Burlington	Howard of Rutland City	Scheu of Middlebury
Bock of Chester	James of Manchester	Sheldon of Middlebury
Bos-Lun of Westminster	Jerome of Brandon	Small of Winooski
Brady of Williston	Jessup of Middlesex	Squirrel of Underhill
Briglin of Thetford	Killackey of South Burlington	Stebbins of Burlington
Brown of Richmond	Kitzmiller of Montpelier	Stevens of Waterbury
Brownell of Pownal	Kornheiser of Brattleboro	Sullivan of Dorset
Brumsted of Shelburne	LaLonde of South	Surprenant of Barnard
Burke of Brattleboro	Burlington	Till of Jericho
Burrows of West Windsor	Lanpher of Vergennes	Toleno of Brattleboro
Campbell of St. Johnsbury	Lefebvre of Newark	Townsend of South
Christie of Hartford	Lippert of Hinesburg	Burlington
Cina of Burlington	Long of Newfane	Troiano of Stannard
Coffey of Guilford	Masland of Thetford	Vyhovsky of Essex
Colburn of Burlington	McCarthy of St. Albans City	Walz of Barre City
Colston of Winooski	McCormack of Burlington	Webb of Shelburne
Conlon of Cornwall	McCullough of Williston	White of Bethel
Copeland Hanzas of	Mrowicki of Putney	White of Hartford
Bradford	Mulvaney-Stanak of	Whitman of Bennington *
Dolan of Essex	Burlington	Wood of Waterbury
Dolan of Waitsfield	Nicoll of Ludlow	Yacovone of Morristown

Durfee of Shaftsbury
Emmons of Springfield
Garofano of Essex
Goldman of Rockingham

Nigro of Bennington
O'Brien of Tunbridge
Pajala of Londonderry
Partridge of Windham

Yantachka of Charlotte

Those who voted in the negative are:

Achey of Middletown
Springs
Austin of Colchester
Beck of St. Johnsbury
Birong of Vergennes
Bongartz of Manchester
Brennan of Colchester
Burditt of West Rutland
Canfield of Fair Haven
Chase of Colchester
Corcoran of Bennington
Cordes of Lincoln
Cupoli of Rutland City
Donahue of Northfield
Elder of Starksboro
Fagan of Rutland City
Feltus of Lyndon
Gannon of Wilmington
Goslant of Northfield *
Graham of Williamstown
Gregoire of Fairfield

Hango of Berkshire
Harrison of Chittenden
Helm of Fair Haven
Higley of Lowell
Kascenska of Burke
Kimball of Woodstock
Labor of Morgan
LaClair of Barre Town
Laroche of Franklin
Lefebvre of Orange
Leffler of Enosburgh
Marcotte of Coventry
Martel of Waterford
Mattos of Milton
McCoy of Poultney
McFaun of Barre Town
Morgan, L. of Milton
Morgan, M. of Milton
Morris of Springfield
Morrissey of Bennington
Murphy of Fairfax

Norris of Sheldon
Norris of Shoreham
Notte of Rutland City
Noyes of Wolcott
Ode of Burlington
Page of Newport City *
Palasik of Milton
Parsons of Newbury
Pearl of Danville
Peterson of Clarendon
Rosenquist of Georgia
Scheuermann of Stowe
Shaw of Pittsford
Sibilia of Dover
Smith of Derby
Smith of New Haven
Strong of Albany
Taylor of Colchester
Terenzini of Rutland Town
Toof of St. Albans Town
Williams of Granby

Those members absent with leave of the House and not voting are:

Dickinson of St. Albans
Town

Donnally of Hyde Park
Sims of Craftsbury

Walker of Swanton

Rep. Goslant of Northfield explained his vote as follows:

“Madam Speaker:

A man I most admired when I was very young was President John F. Kennedy. Thank God that man had the guts and love for his country to make probably one of the hardest decisions in his life. It may have cost him his life. There is no way I can support this resolution. I love my country, state, and all military and personnel that sacrifice themselves and family each and every day. There too many unknowns in the world. The United States of America has always been known as a nation of power and peace to other nations of this world. These are my personal thoughts. Thank you, all veterans and families that have lost loved ones, so I can say what I feel needed to be said today.”

Rep. Page of Newport City explained his vote as follows:

“Madam Speaker:

This body may not know that I am a retired active-duty member of the Air Force. I was a missile launch officer for two missile systems and I supported a third system. I was also part of an inspector monitor team traveling to the former Soviet Union to ensure that the START treaty was followed.

I do not support this resolution, but I respect the members’ rights to present this resolution. This body should know that there exists an agency that works to prevent the proliferation or use of weapons of mass destruction by working with partner nations to secure, eliminate, detect, and interdict WMD (weapons of mass destruction) related systems and materials.”

Rep. Whitman of Bennington explained his vote as follows:

“Madam Speaker:

I stand with our armed services’ members and military families and believe I as a representative owe an immense debt for their devotion and sacrifice. For me, that includes working towards a world where mass destruction on the scale of nuclear weapons is no longer a threat to humanity. For this reason, I vote yes.”

Rules Suspended; House Actions Messaged to Senate Forthwith

H. 626

House bill, entitled

An act relating to the sale, use, or application of neonicotinoid pesticides

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the House's actions on the bill were ordered messaged to the Senate forthwith.

Rules Suspended; Actions Ordered Messaged to Senate Forthwith and Bills Delivered to the Governor Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House actions on the following bills were severally ordered messaged to the Senate forthwith and the bills delivered to the Governor forthwith:

H. 446

House bill, entitled

An act relating to miscellaneous natural resources and development subjects

H. 709

House bill, entitled

An act relating to miscellaneous agricultural subjects

H. 730

House bill, entitled

An act relating to alcoholic beverages and the Department of Liquor and Lottery

Recess

At eleven o'clock and forty-three minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

Message from the Senate No. 78

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 572. An act relating to the retirement allowance for interim educators.

And has concurred therein.

Message from the Senate No. 79

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 510. An act relating to a Vermont Child Tax Credit and the Vermont Social Security income exclusion.

And has accepted and adopted the same on its part.

Called to Order

At two o'clock and eleven minutes in the afternoon, the Speaker called the House to order.

Rules Suspended; Immediate Consideration; Senate Proposal of Amendment Concurred in**H. 737**

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to setting the homestead property tax yields and the nonhomestead property tax rate

Was taken up for immediate consideration.

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

**Sec. 1. PROPERTY DOLLAR EQUIVALENT YIELD, INCOME
DOLLAR EQUIVALENT YIELD, AND NONHOMESTEAD
PROPERTY TAX RATE FOR FISCAL YEAR 2023**

For fiscal year 2023 only:

(1) Pursuant to 32 V.S.A. § 5402b(b), the property dollar equivalent yield shall be \$13,314.00.

(2) Pursuant to 32 V.S.A. § 5402b(b), the income dollar equivalent yield shall be \$15,948.00.

(3) Notwithstanding 32 V.S.A. § 5402(a)(1) and any other provision of law to the contrary, the nonhomestead property tax rate shall be \$1.466 per \$100.00 of equalized education property value.

**Sec. 2. EDUCATION FUND RESERVES; POLYCHLORINATED
BIPHENYLS (PCBs) IN SCHOOLS**

(a) At the close of fiscal year 2022, notwithstanding 16 V.S.A. § 4025(d), \$22,000,000.00 shall be reserved within the Education Fund for purposes of funding the investigation, testing, assessment, remediation, and removal of polychlorinated biphenyls (PCBs) in schools.

(b) After satisfying the requirements of 16 V.S.A. § 4026 and after other reserve requirements have been met, notwithstanding 16 V.S.A. § 4025(d), of the remaining unreserved and undesignated monies in the Education Fund at the close of fiscal year 2022:

(1) the first \$10,000,000.00 shall remain unreserved and undesignated; and

(2) after accounting for the sum in subdivision (1) of this subsection, \$10,000,000.00 shall be reserved for purposes of funding the investigation, testing, assessment, remediation, and removal of PCBs in schools.

(c) No monies reserved under this section shall be expended for the remediation or removal of PCBs in schools except as authorized pursuant to Sec. 3 of this act. This subsection shall not affect the disbursement of monies reserved under this section for investigation, testing, and assessment of PCBs in schools.

(d) The State may recover from a manufacturer of PCBs monies expended from the reserves created under this section for the investigation, testing, assessment, remediation, and removal of PCBs detected in a school above the relevant action level.

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

(a) On or before January 15, 2023, the Agencies of Education and of Natural Resources and the Department of Health shall submit a written plan to the General Assembly setting out a process for the disbursement of monies reserved in Sec. 2 of this act. No monies shall be expended from the reserves for purposes of remediation, removal, or other required responses to the presence of PCBs in schools until the General Assembly has adopted legislation implementing or approving the plan. Monies may be expended from the reserves created in Sec. 2 of this act on the investigation, testing, and assessment of PCBs in schools, as necessary.

(b) Notwithstanding subsection (a) of this section, in the event of a significant health threat based on the concentration and location of PCBs in schools from July 1, 2022 through January 15, 2023, the Emergency Board is authorized to transfer monies in an amount not to exceed \$2,500,000.00 from the adjusted education payment of Sec. B.505 of the fiscal year 2023 act relating to making appropriations for the support of government to the Agency of Education. A transfer under this subsection shall only be made upon request of the Agencies of Education and of Natural Resources and the Department of Health for purposes of remediation, removal, or other required responses to the presence of PCBs in schools. Any amounts transferred under this subsection shall be addressed in the fiscal year 2023 budget adjustment act using the reserves created in Sec 2 of this act.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

Which proposal of amendment was considered and concurred in.

**Rules Suspended; Immediate Consideration; Report of Committee of
Conference Adopted**

H. 510

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to a Vermont Child Tax Credit and the Vermont Social Security income exclusion

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses respectfully reported that it met and considered the same and recommended the following:

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:

H.510. An act relating to a Vermont Child Tax Credit and the Vermont Social Security income exclusion.

Respectfully reports that it has met and considered the same and recommends that the Senate 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:

* * * Child Tax Credit * * *

Sec. 1. 32 V.S.A. § 5830f is added to read:

§ 5830f. VERMONT CHILD TAX CREDIT

(a) A resident individual or part-year resident individual who is entitled to a child tax credit under the laws of the United States shall be entitled to a refundable credit against the tax imposed by section 5822 of this title for the taxable year. The total credit per taxable year shall be in the amount of \$1,000.00 per qualifying child, as defined under 26 U.S.C. § 152(c), who is five years of age or younger as of the close of the calendar year in which the taxable year of the taxpayer begins. For a part-year resident individual, the amount of the credit shall be multiplied by the percentage that the individual's

income that is earned or received during the period of the individual's residency in this State bears to the individual's total income.

(b) Notwithstanding subsection (a) of this section, the amount of the credit per child under this section shall be reduced, but not below zero, by \$20.00 for each \$1,000.00, or fraction thereof, by which the individual's adjusted gross income exceeds \$125,000.00, irrespective of the individual's filing status. For purposes of this subsection, spouses filing jointly shall be considered an individual.

(c) Notwithstanding any provision of law to the contrary, the refundable credit and its payment authorized under this section shall be treated in the same manner as the federal Earned Income Tax Credit and shall not be considered as assets, income, or resources to the same extent the credit and its payment would be disregarded pursuant to 26 U.S.C. § 6409 and the general welfare doctrine for purposes of determining eligibility for benefits or assistance, or the amount or extent of those benefits or assistance, under any State or local program, including programs established under 33 V.S.A. § 3512 and chapters 11, 17, 19, 21, 25, and 26. This subsection shall only apply to the extent that it does not conflict with federal law relating to the benefit or assistance program and that any required federal approval or waiver is first obtained for that program.

* * * Child and Dependent Care Tax Credit * * *

Sec. 2. 32 V.S.A. § 5822(d) is amended to read:

(d)(1) A taxpayer shall be entitled to a credit against the tax imposed under this section of 24 percent of each of the credits allowed against the taxpayer's federal income tax for the taxable year as follows: the credit for people who are elderly or permanently totally disabled; and the investment tax credit attributable to the Vermont-property portion of the investment; and child care and dependent care credits.

* * *

Sec. 3. 32 V.S.A. § 5828c is amended to read:

§ 5828c. ~~LOW-INCOME CHILD AND DEPENDENT CARE CREDIT~~

~~A resident of this State with federal adjusted gross income less than \$30,000.00 (or \$40,000.00 for married, filing jointly) shall be eligible for a refundable credit against the tax imposed under section 5822 of this title. The credit shall be equal to 50 72 percent of the federal child and dependent care credit allowed to the taxpayer for the taxable year for child or dependent care services provided in this State in a registered home or licensed facility certified by the Agency of Human Services as meeting national accreditation or~~

~~national credential standards endorsed by the Agency. A credit under this section shall be in lieu of any child and dependent care credit available under subsection 5822(d) of this title.~~

* * * Earned Income Tax Credit * * *

Sec. 4. 32 V.S.A. § 5828b(a) is amended to read:

(a) A resident individual or part-year resident individual who is entitled to an earned income tax credit granted under the laws of the United States shall be entitled to a credit against the tax imposed for each year by section 5822 of this title. The credit shall be ~~36~~ 38 percent of the earned income tax credit granted to the individual under the laws of the United States, multiplied by the percentage that the individual's earned income that is earned or received during the period of the individual's residency in this State bears to the individual's total earned income.

* * * Student Loan Interest Deduction * * *

Sec. 5. 32 V.S.A. § 5811 is amended to read:

§ 5811. DEFINITIONS

~~The following definitions shall apply throughout~~ As used in this chapter unless the context requires otherwise:

* * *

(21) "Taxable income" means, in the case of an individual, federal adjusted gross income determined without regard to 26 U.S.C. § 168(k) and:

* * *

(B) decreased by the following items of income (to the extent such income is included in federal adjusted gross income):

* * *

(iv) the portion of federally taxable benefits received under the federal Social Security Act that is required to be excluded under section 5830e of this chapter; ~~and~~

* * *

(vi) the amount of interest paid by a qualified resident taxpayer during the taxable year on a qualified education loan for the costs of attendance at an eligible educational institution; and

* * *

(29) As used in subdivision (21)(B)(vi) of this section:

(A) “Qualified education loan” and “eligible educational institution” shall have the same meanings as under 26 U.S.C. § 221(d).

(B) “Qualified resident taxpayer” means an individual qualifying for residency as defined under subdivision (11) of this section and whose adjusted gross income is equal to or less than:

(i) \$120,000.00 if the individual’s filing status is single, head of household, or married filing separately; or

(ii) \$200,000.00 if the individual’s filing status is married filing jointly.

* * * Retirement Income Exclusions * * *

Sec. 6. 32 V.S.A. § 5811(21)(B)(iv) is amended to read:

(iv) the portion of certain retirement income and federally taxable benefits received under the federal Social Security Act that is required to be excluded under section 5830e of this chapter; ~~and~~

Sec. 7. 32 V.S.A. § 5830e is amended to read:

§ 5830e. RETIREMENT INCOME; SOCIAL SECURITY INCOME

(a) Social Security income. The portion of federally taxable Social Security benefits excluded from taxable income under subdivision 5811(21)(B)(iv) of this chapter shall be as follows:

(1) For taxpayers whose filing status is single, married filing separately, head of household, or ~~qualifying widow or widower~~ surviving spouse:

(A) If the federal adjusted gross income of the taxpayer is less than or equal to ~~\$45,000.00~~ \$50,000.00, all federally taxable benefits received under the federal Social Security Act shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than ~~\$45,000.00~~ \$50,000.00 but less than ~~\$55,000.00~~ \$60,000.00, the percentage of federally taxable benefits received under the Social Security Act to be excluded shall be proportional to the amount of the taxpayer’s federal adjusted gross income over ~~\$45,000.00~~ \$50,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from ~~\$55,000.00~~ \$60,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B) by \$10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the federally taxable benefits received under the Social Security Act.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than ~~\$55,000.00~~ \$60,000.00, no amount of the federally taxable benefits received under the Social Security Act shall be excluded under this section.

(2) For taxpayers whose filing status is married filing jointly:

(A) If the federal adjusted gross income of the taxpayer is less than or equal to ~~\$60,000.00~~ \$65,000.00, all federally taxable benefits received under the Social Security Act shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than ~~\$60,000.00~~ \$65,000.00 but less than ~~\$70,000.00~~ \$75,000.00, the percentage of federally taxable benefits received under the Social Security Act to be excluded shall be proportional to the amount of the taxpayer's federal adjusted gross income over ~~\$60,000.00~~ \$65,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from ~~\$70,000.00~~ \$75,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B) by \$10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the federally taxable benefits received under the Social Security Act.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than ~~\$70,000.00~~ \$75,000.00, no amount of the federally taxable benefits received under the Social Security Act shall be excluded under this section.

(b) Civil Service Retirement System income. The portion of income received from the Civil Service Retirement System excluded from taxable income under subdivision 5811(21)(B)(iv) of this title shall be subject to the limitations under subsection (e) of this section and shall be determined as follows:

(1) For taxpayers whose filing status is single, married filing separately, head of household, or surviving spouse:

(A) If the federal adjusted gross income of the taxpayer is less than or equal to \$50,000.00, the first \$10,000.00 of income received from the Civil Service Retirement System shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than \$50,000.00 but less than \$60,000.00, the percentage of the first \$10,000.00 of income received from the Civil Service Retirement System to be excluded shall be proportional to the amount of the taxpayer's federal adjusted gross income over \$50,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from \$60,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B) by \$10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the income received from the Civil Service Retirement System.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than \$60,000.00, no amount of the income received from the Civil Service Retirement System shall be excluded under this section.

(2) For taxpayers whose filing status is married filing jointly:

(A) If the federal adjusted gross income of the taxpayer is less than or equal to \$65,000.00, the first \$10,000.00 of income received from the Civil Service Retirement System shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than \$65,000.00 but less than \$75,000.00, the percentage of the first \$10,000.00 of income received from the Civil Service Retirement System to be excluded shall be proportional to the amount of the taxpayer's federal adjusted gross income over \$65,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from \$75,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B) by \$10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the income received from the Civil Service Retirement System.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than \$75,000.00, no amount of the income received from the Civil Service Retirement System shall be excluded under this section.

(c) Other contributory retirement systems; earnings not covered by Social Security. Other retirement income, except U.S. military retirement income pursuant to subsection (d) of this section, received by a taxpayer of this State

shall be excluded pursuant to subsection (b) of this section as though the income were received from the Civil Service Retirement System and shall be subject to the limitations under subsection (e) of this section, provided that:

(1) the income is received from a contributory annuity, pension, endowment, or retirement system of:

(A) the U.S. government or a political subdivision or instrumentality of the U.S. government;

(B) this State or a political subdivision or instrumentality of this State; or

(C) another state or a political subdivision or instrumentality of another state; and

(2) the contributory system from which the income is received was based on earnings that were not covered by the Social Security Act.

(d) U.S. military retirement income. U.S. military retirement income received by a taxpayer of this State shall be excluded pursuant to subsection (b) of this section as though the income were received from the Civil Service Retirement System and shall be subject to the limitations under subsection (e) of this section.

(e) Requirement to elect one exclusion. A taxpayer of this State who is eligible during the taxable year for the Social Security income exclusion under subsection (a) of this section and any of the exclusions under subsections (b)–(d) of this section shall elect either one of the exclusions for which the taxpayer is eligible under subsections (b)–(d) of this section or the Social Security income exclusion under subsection (a) of this section, but not both, for the taxable year. A taxpayer of this State who is eligible during the taxable year for more than one of the exclusions under subsections (b)–(d) of this section shall elect only one of the exclusions for which the taxpayer is eligible for the taxable year.

* * * Statutory Purposes for Tax Expenditures * * *

Sec. 8. 32 V.S.A. § 5813 is amended to read:

§ 5813. STATUTORY PURPOSES

* * *

~~(c) The statutory purpose of the Vermont credit for child and dependent care in subsection 5822(d) of this title is to provide financial assistance to employees who must incur dependent care expenses to stay in the workforce in the absence of prekindergarten programming. [Repealed.]~~

* * *

(r) The statutory purpose of the Vermont ~~low-income~~ child and dependent care tax credit in section 5828c of this title is to provide cash relief to ~~lower-income~~ employees who incur dependent care expenses ~~in certified centers~~ to enable them to remain in the workforce.

* * *

(w) The statutory purpose of the partial exemption of federally taxable benefits under the Social Security Act and certain retirement income in section 5830e of this title is to lessen the tax burden on Vermonters with low to moderate income who derive part of their income from Social Security benefits and certain retirement income.

* * *

(y) The statutory purpose of the Vermont child tax credit in section 5830f of this title is to provide financial support to families with young children.

(z) The statutory purpose of the exclusion from income of student loan interest paid in subdivision 5811(21)(B)(vi) of this title is to lessen the financial impact of higher education debt on Vermonters.

* * * Affordable Housing Tax Credit; Manufactured Homes * * *

Sec. 9. 32 V.S.A. § 5930u(g) is amended to read:

(g)(1) In any fiscal year, the allocating agency may award up to:

(A) \$400,000.00 in total first-year credit allocations to all applicants for rental housing projects, for an aggregate limit of \$2,000,000.00 over any given five-year period that credits are available under this subdivision (A);

(B) ~~\$425,000.00~~ \$675,000.00 in total first-year credit allocations for loans or grants for owner-occupied unit financing or down payment loans as provided in subdivision (b)(2) of this section consistent with the allocation plan, including for new construction and manufactured housing, for an aggregate limit of ~~\$2,125,000.00~~ \$3,375,000.00 over any given five-year period that credits are available under this subdivision (B). Of the total first-year credit allocations made under this subdivision (B), \$250,000.00 shall be used each fiscal year for manufactured home purchase and replacement.

(2) If the full amount of first-year credits authorized by an award are not allocated to a taxpayer, the Agency may reclaim the amount not allocated and re-award such allocations to other applicants, and such re-awards shall not be subject to the limits set forth in subdivision (1) of this subsection.

* * * Appropriations * * *

Sec. 10. APPROPRIATION; AID FOR THE AGED, BLIND, AND DISABLED

(a) In fiscal year 2023, in addition to other funds provided to the Department for Children and Families, a total of \$750,000.00 in Global Commitment funds is appropriated to increase the payments to eligible individuals in the Aid for the Aged, Blind, and Disabled program. It is the intent of the General Assembly that this increase should be incorporated into the annual budget funding for the Aid for the Aged, Blind, and Disabled program in fiscal year 2024 and after.

(b) In fiscal year 2023, to fund the Global Commitment investment authorized under subsection (a) of this section, there is appropriated to the Secretary's Office of the Agency of Human Services:

(1) the sum of \$330,000.00 from the General Fund; and

(2) the sum of \$420,000.00 from federal funds.

(c) To the extent permitted under federal law, any increase in payments provided under subsection (a) of this section is intended to be retained by recipients in residential care settings by increasing the individuals' personal needs allowance.

Sec. 11. FY 2023 APPROPRIATION; CHILD CARE WORKER RETENTION GRANT PROGRAM

In fiscal year 2023, the sum of \$1,000,000.00 is appropriated from the General Fund to the Department for Children and Families for the early childhood staff and home-based provider retention grant program established in 2021 Acts and Resolves No. 74, Sec. G.300(a)(30), as added by 2022 Acts and Resolves No. 83, Sec. 68 and as may be further amended by the fiscal year 2023 budget act.

* * * Fees * * *

Sec. 12. 9 V.S.A. § 5302(f) is amended to read:

(f) Investment companies subject to 15 U.S.C. § 80a-1 et seq. shall pay to the Commissioner an initial notice filing fee of \$2,000.00 and an annual renewal fee of ~~\$1,500.00~~ \$1,650.00 for each portfolio or class of investment company securities for which a notice filing is submitted.

* * * Effective Dates * * *

Sec. 13. EFFECTIVE DATES

(a) This section shall take effect on passage.

(b) Notwithstanding 1 V.S.A. § 214, Secs. 1–8 (income tax credits, deduction and exclusions) shall take effect retroactively on January 1, 2022 and shall apply to taxable years beginning on and after January 1, 2022.

(c) Secs. 9–12 (affordable housing tax credit, appropriations, and fees) shall take effect on July 1, 2022.

And that after passage the title of the bill be amended to read:

An act relating to tax reductions and other aid for Vermonters.

*ANN E. CUMMINGS
CHRISTOPHER A. PEARSON
RICHARD A. WESTMAN*

Committee on the part of the Senate

*JANET ANCEL
EMILIE K. KORNHEISER
SCOTT L. BECK*

Committee on the part of the House

Pending the question, Shall the report of the Committee of Conference be adopted?, **Rep. Ancel of Calais** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the report of the Committee of Conference be adopted?, was decided in the affirmative. Yeas, 141. Nays, 4.

Those who voted in the affirmative are:

Achey of Middletown Springs	Grad of Moretown	Norris of Shoreham
Ancel of Calais	Graham of Williamstown	Notte of Rutland City
Anthony of Barre City	Gregoire of Fairfield	Noyes of Wolcott
Arrison of Weathersfield	Harrison of Chittenden	O'Brien of Tunbridge
Austin of Colchester	Helm of Fair Haven	Ode of Burlington
Bartholomew of Hartland	Higley of Lowell	Pajala of Londonderry
Beck of St. Johnsbury	Hooper of Montpelier	Parsons of Newbury
Birong of Vergennes	Hooper of Randolph	Partridge of Windham
Black of Essex	Houghton of Essex	Patt of Worcester
Bluemle of Burlington	Howard of Rutland City	Pearl of Danville
Bock of Chester	James of Manchester	Peterson of Clarendon
Bongartz of Manchester	Jerome of Brandon	Pugh of South Burlington
Bos-Lun of Westminster	Jessup of Middlesex	Rachelson of Burlington
Brady of Williston	Kascenska of Burke	Rogers of Waterville
Brennan of Colchester	Killacky of South Burlington	Rosenquist of Georgia
Briglin of Thetford	Kimbell of Woodstock	Satcowitz of Randolph
Brown of Richmond	Kitzmiller of Montpelier	Scheu of Middlebury
Brownell of Pownal	Kornheiser of Brattleboro *	Scheuermann of Stowe
Brumsted of Shelburne	Labor of Morgan	Shaw of Pittsford
	LaClair of Barre Town	Sheldon of Middlebury

Burditt of West Rutland	LaLonde of South	Sibilia of Dover
Burke of Brattleboro	Burlington	Sims of Craftsbury
Burrows of West Windsor	Lanpher of Vergennes	Small of Winooski
Campbell of St. Johnsbury	Laroche of Franklin	Smith of Derby
Canfield of Fair Haven	Lefebvre of Newark	Smith of New Haven
Chase of Colchester	Lefebvre of Orange	Squirrell of Underhill
Christie of Hartford	Leffler of Enosburgh	Stebbins of Burlington
Cina of Burlington	Lippert of Hinesburg	Stevens of Waterbury
Coffey of Guilford	Long of Newfane	Strong of Albany
Colburn of Burlington	Marcotte of Coventry	Sullivan of Dorset
Colston of Winooski	Martel of Waterford	Surprenant of Barnard
Conlon of Cornwall	Masland of Thetford	Taylor of Colchester
Copeland Hanzas of	Mattos of Milton	Till of Jericho
Bradford	McCarthy of St. Albans City	Toleno of Brattleboro
Corcoran of Bennington	McCormack of Burlington	Toof of St. Albans Town
Cordes of Lincoln	McCoy of Poultney	Townsend of South
Cupoli of Rutland City	McCullough of Williston	Burlington
Dolan of Essex	McFaun of Barre Town	Troiano of Stannard
Dolan of Waitsfield	Morgan, L. of Milton	Vyhovsky of Essex
Donnally of Hyde Park	Morgan, M. of Milton *	Walz of Barre City
Durfee of Shaftsbury	Morris of Springfield	Webb of Shelburne
Elder of Starksboro	Morrissey of Bennington	White of Bethel
Emmons of Springfield	Mrowicki of Putney	White of Hartford
Fagan of Rutland City	Mulvaney-Stanak of	Whitman of Bennington
Feltus of Lyndon	Burlington	Williams of Granby
Gannon of Wilmington	Murphy of Fairfax	Wood of Waterbury
Garofano of Essex	Nicoll of Ludlow	Yacovone of Morristown
Goldman of Rockingham	Nigro of Bennington	Yantachka of Charlotte
Goslant of Northfield *	Norris of Sheldon	

Those who voted in the negative are:

Donahue of Northfield	Page of Newport City
Hango of Berkshire	Terenzini of Rutland Town

Those members absent with leave of the House and not voting are:

Dickinson of St. Albans	Hooper of Burlington	Walker of Swanton
Town	Palasik of Milton	

Rep. Goslant of Northfield explained his vote as follows:

“Madam Speaker:

I voted in favor of this bill, because of the adjustment to help out families with children who I always try to assist. However, I will now express my disappointment once again for taxing military retirement pensions. Another lost opportunity to grow our workforce. These residents will pay taxes in our beautiful state. We could have, and should have, done more for our veterans.”

Rep. Kornheiser of Brattleboro explained her vote as follows:

“Madam Speaker:

This is a significant win for Vermont families— We are creating a clear message in our tax code that Vermont is a place that supports families, supports workers, and — that we understand what it means to parent, to carry student loan debt, to care for aging parents, and that we’re here for you.”

Rep. Morgan, M. of Milton explained his vote as follows:

“Madam Speaker:

I voted yes but feel we could have done more for pension relief for the military. As the member from Rutland said, it helps junior rank retirees primarily, but we could have done more for them. It is a start.”

**Senate Proposal of Amendment Concurred in
With a Further Amendment Thereto; Rules Suspended;
Bill Messaged to Senate Forthwith**

H. 738

The Senate proposed to the House to amend House bill, entitled

An act relating to technical and administrative changes to Vermont’s tax laws

The Senate proposed to the House to amend the bill as follows:

First: By striking out Sec. 15, 10 V.S.A. § 4255(c)(7), in its entirety and inserting in lieu thereof:

Sec. 15. 10 V.S.A. § 4255(c)(7) is amended to read:

(7) A certified citizen of a Native American Indian tribe that has been recognized by the State pursuant to 1 V.S.A. chapter 23 may receive ~~a free permanent fishing license or, if the person qualifies for a hunting license, a free permanent combination hunting and fishing license~~ free of charge one or all of the permanent fishing, hunting, or trapping licenses set forth in subdivisions (1)(A)–(D) of this subsection if qualified for the license and upon submission of a current and valid tribal identification card.

Second: By striking out Sec. 17, effective dates, and its reader assistance heading in their entirety and inserting in lieu thereof the following:

* * * Legislative Expense Reimbursement * * *

Sec. 17. 32 V.S.A. § 1052(b) is amended to read:

(b) During any session of the General Assembly, each member is entitled

to receive expenses as follows:

(1) Mileage reimbursement. ~~An allowance~~ Reimbursement equal to the cost of one round-trip each day between Montpelier and the member's home ~~actual mileage traveled~~ for each day of session in which the member ~~did not rent lodging in Montpelier or the vicinity. If a member rents lodging in Montpelier or the vicinity for an entire week of session, the member is entitled to an allowance for the cost of one round-trip for that week 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. The allowance~~ 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.

* * *

(4) Intent. ~~It is the intent of the General Assembly that only a member who is away from home and remains in Montpelier or the vicinity on the night preceding or following the day in which that member's chamber met shall receive reimbursement for expenses as provided in subdivision (1) of this subsection. [Repealed.]~~

* * * 529 Plans; Student Loan Repayment; VHEIP Income Tax Credit * * *

Sec. 18. 32 V.S.A. § 5825a(b) is amended to read:

(b) A taxpayer who has received a credit under subsection (a) of this section shall repay to the Commissioner 10 percent of any distribution from a higher education investment plan account, up to a maximum of the total credits received by the taxpayer under subsection (a) of this section minus any amount of repayment of such credits in prior tax years except when the distribution:

(1) is used exclusively for costs of attendance at an approved postsecondary education institution as defined in 16 V.S.A. § 2822(6);

(2) is used for a qualifying expense associated with a registered apprenticeship program pursuant to 26 U.S.C. § 529(c)(8); ~~or~~

(3) is made after the death of the beneficiary or after the beneficiary becomes disabled pursuant to subdivisions (q)(2)(C) and (m)(7) of 26 U.S.C. § 72; or

(4) is used for qualified higher education expense loan repayment pursuant to 26 U.S.C. § 529(c)(9), provided the loan being repaid was used exclusively for costs of attendance at an approved postsecondary education institution as defined in 16 V.S.A. § 2822(6).

* * * Communications Union Districts * * *

Sec. 19. 30 V.S.A. § 8086(c)(3) is amended to read:

(3) establish standards for recouping grant funds and transferring ownership of grant-funded network assets ~~to the State~~ if a grantee materially fails to comply with the terms and conditions of a grant;

Sec. 20. 30 V.S.A. § 8086(h) is added to read:

(h)(1) The Board shall require a communications union district that borrows funds for the purpose of financing a broadband project to immediately provide written notice to the Board in the event the communications union district becomes aware that it is at risk of defaulting on the payment of principal or interest on a loan when due. The Board, in turn, shall promptly provide written notice to the General Assembly, or to the Joint Fiscal Committee if the General Assembly is not in session, of such risk of default and shall include in its notification a description of any potential ramifications of the default under the terms and conditions of the applicable loan.

(2) If a communications union district defaults on the payment of principal or interest on a loan secured by grant-funded network assets, such assets may not be transferred or sold for a period of 180 calendar days commencing on the day the loan became past due. To the extent reasonably practicable, it is the intent of the General Assembly that publicly owned network assets remain publicly owned assets.

* * * Crime Insurance Coverage; Municipal Officer or Employee * * *

Sec. 21. 24 V.S.A. §§ 832 and 833 are amended to read:

§ 832. BONDS; REQUIREMENTS

Before the school directors, constable, road commissioner, collector of taxes, treasurer, assistant treasurer when appointed by the selectboard, clerk, and any other officer or employee of the town who has authority to receive or disburse town funds enter upon the duties of their offices, the selectboard shall require each to have crime insurance coverage or give a bond conditioned for the faithful performance of his or her duties: the school directors, to the town school district; the other named officers, to the town. The treasurer, assistant treasurer when appointed by the selectboard, and collector shall also be required to have crime insurance coverage or give a bond to the town school district for like purpose. All such crime insurance coverage or bonds shall be in sufficient sums and with sufficient sureties as prescribed and approved by the selectboard. If the selectboard at any time considers the crime insurance coverage or a bond of any such officer or employee to be insufficient, it may require, by written order, the officer or employee to give an additional bond in

such sum as it deems necessary. If an officer or employee, so required, neglects for ten days after such request to give such original or additional bond, his or her office shall be vacant. A bond or crime insurance coverage furnished pursuant to the provisions of this section shall not be valid if signed by any other officer of the same municipality as surety thereon.

§ 833. APPROVAL; RECORD; EVIDENCE

On the approval of crime insurance coverage or a bond required by section 832 of this title, the selectboard of a town shall file the same in the office of the town clerk to be recorded by such clerk in a book kept for that purpose. Copies thereof duly certified by such clerk shall be evidence in court as if the original were produced.

Sec. 22. 24 V.S.A. § 835 is amended to read:

§ 835. PAYMENT OF PREMIUMS

Bonds or crime insurance coverage required of officers of a municipality shall be paid for by the municipality requiring the same.

Sec. 23. 24 V.S.A. § 1234 is amended to read:

§ 1234. OATH; BOND

Before entering upon ~~his or her~~ a manager's duties, ~~such a~~ manager shall be sworn to the faithful performance of ~~his or her~~ the manager's duties and shall have crime insurance coverage or give a bond to the town in ~~such~~ the amount and with ~~such~~ the sureties as the selectboard may require.

Sec. 24. 24 V.S.A. § 1306 is amended to read:

§ 1306. OATHS AND BONDS OF OFFICERS

The clerk, treasurer, and collector of such corporation shall be sworn. The treasurer and collector shall have crime insurance coverage or give a bond to the corporation in such sum and with such sureties as are prescribed and approved by the trustees, conditioned for the faithful performance of their duties.

Sec. 25. 24 V.S.A. § 2433 is amended to read:

§ 2433. BONDS; ACTIONS

The trustees shall have crime insurance coverage or give bonds to the satisfaction of the selectboard, conditioned for the faithful performance of their duties. In the name of the town, they may prosecute and defend a suit or action for the recovery or protection of the estate entrusted to their care.

* * * City of Montpelier; Tax Increment Financing District * * *

Sec. 26. MONTPELIER TIF DISTRICT; ORIGINAL TAXABLE VALUE

(a) Notwithstanding any other provision of law, and upon approval by the Vermont Economic Progress Council as provided in subsection (b) of this section, the City of Montpelier may reset its original taxable value, as defined in 24 V.S.A. § 1891(5), to the grand list values as of April 1, 2023, provided that the reset:

(1) maintains the same parcels as the City's certified original taxable value;

(2) does not change the creation date of the district; and

(3) does not extend the City's period to incur indebtedness beyond March 31, 2030.

(b) The reset of the original taxable value in the City of Montpelier's tax increment financing district shall only become final upon approval by the Vermont Economic Progress Council of the City's application for a five-year extension of the deadline to incur its first debt. Notwithstanding any other provision of law, the City may apply to the Vermont Economic Progress Council for an extension of the period to incur its first debt not later than 90 days after the final April 1, 2023 grand list is filed with the city clerk. The City's extension application shall include an updated tax increment financing plan that incorporates the proposed reset original taxable value.

* * * Sales and Use Tax Exemption; Manufacturing Machinery
and Equipment * * *

Sec. 27. 32 V.S.A. § 9741(14) is amended to read:

(14)(A) Tangible personal property that becomes an ingredient or component part of, or is consumed or destroyed or loses its identity in the manufacture of tangible personal property for sale;

(B) machinery Machinery and equipment for use or consumption directly and exclusively, except for isolated or occasional uses, used in or consumed as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility engaged in the manufacture of tangible personal property for sale, or in the manufacture of other machinery or equipment, parts, or supplies for use in the manufacturing process; and devices used to monitor manufacturing machinery and equipment or the product during the manufacturing process. Machinery and equipment used in administrative, managerial, sales, or other nonproduction activities, or used prior to the first production operation or subsequent to the initial packaging of a product, shall not be exempt from tax, unless such uses are

~~merely isolated or occasional or unless the machinery used for initial packaging is also used for secondary packaging as part of an integrated process. Machinery and equipment shall not include buildings and structural components thereof. As used in this subdivision, it shall be rebuttably presumed that uses are not isolated or occasional if they total more than four percent of the time the machinery or equipment is operated. For the purposes of this subsection subdivision (14), “manufacture” includes extraction of mineral deposits, the entire printing and bookmaking process, and the entire publication process.~~

(C) As used in this subdivision (14):

(i) “Integrated production operation” means an integrated series of operations at a manufacturing or processing plant or facility to process, transform, or convert tangible personal property by physical, chemical, or other means into a different form, composition, or character from that in which it originally existed. Integrated production operations begin when raw material is first changed physically, chemically, or otherwise in form, composition, or character, including being removed from storage or introduced for this manipulation, and end when the product is placed in initial packaging and shall include production line operations, including initial packaging operations, and waste, pollution, and environmental control operations.

(ii) “Manufacturing or processing business” means a business that utilizes an integrated production operation to manufacture, process, fabricate, or finish items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. “Manufacturing or processing business” does not include nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook, or prepare food products in the regular course of their retail trade; the assembling of product by retailers for sale; grocery stores, meat lockers, and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade; contractors who alter, service, repair, or improve real property; and retail businesses that clean, service, or refurbish and repair tangible personal property for its owner. The examples provided in this subdivision (ii) shall not be construed as exclusive.

(iii) “Manufacturing or processing plant or facility” means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. A business

may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail.

(iv) “Primary” or “primarily” means more than 50 percent of the time.

(v) “Production line” means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs.

(D) For the purposes of this subdivision (14), machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used during the integrated production operation:

(i) to transport, convey, handle, or store the property undergoing manufacturing or processing at any point from the beginning of the production line until it is placed into initial packaging;

(ii) to act upon, effect, promote, or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(iii) to guide, control, or direct the movement of property undergoing manufacturing or processing;

(iv) to test or measure materials, the property undergoing manufacturing or processing, or the finished product during the manufacturer’s integrated production operations;

(v) to plan, manage, control, or record the receipt and flow of property while undergoing manufacturing or processing;

(vi) to lubricate, control the operating of, or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(vii) to transmit or transport electricity, gas, water, steam, or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer’s production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer’s production operations;

(viii) to package the property being manufactured or processed in any container or wrapping in which such property is normally sold or transported, even if the machinery operates after the point of initial packaging;

(ix) to cool, heat, filter, refine, or otherwise treat water, steam,

acid, oil, solvents, or other substances that are used in production operations;

(x) to provide and control an environment required to maintain certain levels of air quality, humidity, or temperature in special and limited areas of the plant or facility where such regulation of temperature or humidity is part of and essential to the production process;

(xi) to treat, transport, or store waste or other byproducts of production operations at the plant or facility and to clean manufacturing machinery and equipment;

(xii) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation; or

(xiii) to inspect or conduct quality control on the product, even if the inspection or quality control machinery operates after the point of initial packaging.

(E) “Machinery and equipment used as an integral or essential part of an integrated production operation” does not mean:

(i) machinery and equipment used for nonproduction purposes, including machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(ii) machinery, equipment, and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(iii) transportation, transmission, and distribution equipment not primarily used in a production, warehousing, or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil, or water, and related equipment, located outside the plant or facility;

(iv) office machines and equipment, including computers and related peripheral equipment, not used directly and primarily to control or measure the manufacturing process;

(v) furniture and other furnishings;

(vi) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(vii) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing, or electrical;

(viii) machinery and equipment used for general plant heating, cooling, and lighting; or

(ix) motor vehicles that are registered for operation on public highways.

(F) Subdivisions (D) and (E) of this subdivision (14) shall not be construed as exclusive lists of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine the qualification of the machinery or equipment for the exemption.

* * * Sales and Use Tax Exemption; Menstrual Products * * *

Sec. 27a. 32 V.S.A. § 9706(oo) is amended to read:

(oo) The statutory purpose of the exemption for ~~feminine hygiene~~ menstrual products in subdivision 9741(56) of this title is to limit the cost of goods that are necessary for the health and welfare of Vermonters.

Sec. 27b. 32 V.S.A. § 9741(56) is amended to read:

(56) ~~Feminine hygiene~~ Menstrual products. As used in this subdivision, “~~feminine hygiene~~ menstrual products” means tampons, panty liners, menstrual cups, sanitary menstrual napkins, and other similar tangible personal property designed for ~~feminine hygiene~~ use in connection with the human menstrual cycle but does not include “grooming and hygiene products” as defined in this chapter.

* * * Effective Dates * * *

Sec. 28. EFFECTIVE DATES

(a) This section and Secs. 27a and 27b (sales and use tax exemption; menstrual products) shall take effect on passage.

(b) Notwithstanding 1 V.S.A. § 214, Secs. 1–3 (enhanced life estates; property transfer tax), 4 and 5 (underpayment penalties; deadlines), and 18 (529 plans; student loan repayment; VHEIP income tax credit) shall take effect retroactively on January 1, 2022 and shall apply to taxable years beginning on and after January 1, 2022.

(c) Notwithstanding 1 V.S.A. § 214, Secs. 6 and 7 (annual link to federal statutes) shall take effect retroactively on January 1, 2022 and shall apply to taxable years beginning on and after January 1, 2021.

(d) Secs. 8 (32 V.S.A. § 5862b; Children’s Trust Foundation checkoff) and

11 (transition; Children's Trust Fund; FY 2023 transfers) shall take effect on July 1, 2022.

(e) Secs. 9 (33 V.S.A. § 3303(b); Children's Trust Fund administration) and 10 (repeals; Children's Trust Fund) shall take effect on December 31, 2022.

(f) Notwithstanding 1 V.S.A. § 214, Secs. 12 and 13 (reporting federal audits and adjustments; partnerships) shall take effect retroactively on January 1, 2022 and shall apply to any adjustments to a taxpayer's federal taxable income with a final determination date occurring on and after July 1, 2022.

(g) Notwithstanding 1 V.S.A. § 214, Sec. 14 (taxation of land underlying solar plant or energy storage facility) shall take effect retroactively on July 1, 2021.

(h) Secs. 15 and 16 (fishing, hunting, and trapping licenses) shall take effect on January 1, 2023.

(i) Sec. 17 (legislative expense reimbursement) shall take effect on January 1, 2023.

(j) Secs. 19 and 20 (communications union districts), 21–25 (crime insurance coverage; municipal officer or employee), 26 (City of Montpelier; tax increment financing district), and 27 (sales and use tax exemption) shall take effect on July 1, 2022.

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Reps. Kornheiser of Brattleboro, Ancel of Calais, Beck of St. Johnsbury, Brennan of Colchester, Canfield of Fair Haven, Durfee of Shaftsbury, Elder of Starksboro, Masland of Thetford, Mattos of Milton, Ode of Burlington, and Till of Jericho** moved that the House concur in the Senate proposal of amendment with further amendment thereto as follows:

First: By striking out Secs. 6 and 7, 32 V.S.A. §§ 5824 and 7402(8), and their reader assistance heading in their entirety and inserting in lieu thereof the following:

Sec. 6. [Deleted.]

Sec. 7. [Deleted.]

Second: By adding a new section to be Sec. 19a to read as follows:

Sec. 19a. REPORT; GRANT-FUNDED BROADBAND NETWORK
ASSETS

On or before January 15, 2023, the Vermont Community Broadband Board shall submit a written report to the Senate Committees on Finance, on Appropriations, and on Economic Development, Housing and General Affairs and the House Committees on Commerce and Economic Development, on Ways and Means, on Energy and Technology, and on Appropriations that analyzes 30 V.S.A. § 8086(c)(3), particularly with regard to the removal of the requirement that ownership of grant-funded network assets be transferred to the State if a grantee materially fails to comply with the terms and conditions of a grant. The Board shall review all financing contracts or agreements entered into by a communications union district on or after May 11, 2022 and make a determination as to whether publicly funded network assets are at risk of privatization due to financial insolvency or default under the terms and conditions of such contracts or agreements and whether additional statutory requirements should be enacted to protect the State's broadband investments.

Third: In Sec. 20, 30 V.S.A. § 8086(h), by striking out subdivision (h)(1) in its entirety and inserting in lieu thereof a new subdivision (h)(1) to read as follows:

(h)(1) The Board shall require a communications union district that borrows funds for the purpose of financing a broadband project to immediately provide written notice to the Board in the event the communications union district becomes aware that it is at risk of financial insolvency or of defaulting on the payment of principal or interest on a loan when due. The Board, in turn, shall promptly provide written notice to the Governor, the Treasurer, and the Joint Fiscal Committee of such risk of insolvency or default and shall include in its notification a description of any potential ramifications of the insolvency or default under the terms and conditions of the applicable loan.

Fourth: In Sec. 28, effective dates, in subsection (j), by striking out “19 and 20” and inserting in lieu thereof “19–20”

Fifth: In Sec. 28, effective dates, by striking out subsection (c) in its entirety and by relettering the remaining subsections to be alphabetically correct.

Which was agreed to.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House action on the bill was ordered messaged to the Senate forthwith.

**Rules Suspended; Actions Ordered Messaged to Senate Forthwith
and Bills Delivered to the Governor Forthwith**

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House actions on the following bills were severally ordered messaged to the Senate forthwith and the bills delivered to the Governor forthwith:

H. 510

House bill, entitled

An act relating to a Vermont Child Tax Credit and the Vermont Social Security income exclusion

H. 737

House bill, entitled

An act relating to setting the homestead property tax yields and the nonhomestead property tax rate

Recess

At three o'clock and sixteen minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

Message from the Senate No. 80

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

S. 226. An act relating to expanding access to safe and affordable housing.

And has concurred therein with an amendment in the passage of which the concurrence of the House is requested.

Message from the Senate No. 81

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

S. 250. An act relating to law enforcement data collection and interrogation.

And has concurred therein with an amendment in the passage of which the concurrence of the House is requested.

Message from the Senate No. 82

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 626. An act relating to the sale, use, or application of neonicotinoid pesticides.

And has concurred therein.

Called to Order

At four o'clock and thirty-eight minutes in the afternoon, the Speaker called the House to order.

**Rules Suspended; Immediate Consideration; Senate Proposal of
Amendment to House Proposal of Amendment Concurred in**

S. 250

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultnery**, the rules were suspended and Senate bill, entitled

An act relating to law enforcement data collection and interrogation

Was taken up for immediate consideration.

The Senate concurred in the House proposal of amendment with the following proposal of amendment thereto:

First: By striking out Sec. 1, 20 V.S.A. § 2366, in its entirety and inserting in lieu thereof a new Sec. 1 to read as follows:

Sec. 1. 20 V.S.A. § 2366 is amended to read:

§ 2366. LAW ENFORCEMENT AGENCIES; FAIR AND IMPARTIAL
POLICING POLICY; RACE DATA COLLECTION

* * *

(4) The data provided pursuant to subdivision (3) of this subsection shall be posted electronically in a manner that is analyzable and accessible to the public on the receiving agency's website and clear and understandable. The receiving agency shall also report the data annually ~~to the General Assembly, on or before December 1, to the House and Senate Committees on Government Operations and on Judiciary and the Executive Director of Racial Equity.~~ The report shall detail how the data is collected, how the data is accessible, how the data is used by the law enforcement agency, a review of the data to determine if additional data criteria is needed, and any recommendations to improve data collection and use.

* * *

Second: By adding a Sec. 1a to read as follows:

Sec. 1a. DEPARTMENT OF PUBLIC SAFETY; LAW ENFORCEMENT
DATA COLLECTION; REPORT

(a) On or before November 1, 2023, the Department of Public Safety shall submit a report concerning the ability of law enforcement agencies to collect data during law enforcement encounters. The report shall specify:

(1) the data currently collected, including law enforcement's capabilities and methods of collection;

(2) any suggested data collection criteria;

(3) any impediments to collecting data;

(4) proposed remedies to resolve any impediments; and

(5) a recommended definition of "law enforcement encounter."

(b) The report shall be submitted to the House and Senate Committees on Government Operations and on Judiciary and the Executive Director of Racial Equity.

(c) It is the intent of the General Assembly that the report's definition of "law enforcement encounter" and data criteria suggestions should be considered for codification into law by the General Assembly during the 2024 legislative session.

Third: In Sec. 4, study on deceptive and coercive methods of law enforcement interrogation; report, in subsection (b), in the third sentence, following "legislation" by inserting , if any

Which proposal of amendment was considered and concurred in.

**Rules Suspended; Immediate Consideration; Senate Proposal of
Amendment to House Proposal of Amendment Concurred in**

S. 226

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and Senate bill, entitled

An act relating to expanding access to safe and affordable housing

Was taken up for immediate consideration.

The Senate concurred in the House proposal of amendment with the following proposal of amendment thereto:

By striking out Sec. 23, effective dates, in its entirety and inserting in lieu thereof the following:

*** * * Municipal Zoning * * ***

Sec. 23. 24 V.S.A. § 2793e is amended to read:

**§ 2793e. NEIGHBORHOOD PLANNING AREAS; DESIGNATION OF
NEIGHBORHOOD DEVELOPMENT AREAS**

(a) Purpose. This section is intended to encourage a municipality to plan for new and infill housing in the area including and immediately encircling its designated downtown, village center, new town center, or within its designated growth center in order to provide needed housing and to further support the commercial establishments in the designated center. To support this goal, this section sets out a two-component process.

*** * ***

(b) Definitions.

(1) “Neighborhood planning area” means an automatically delineated area including and encircling a downtown, village center, or new town center designated under this chapter or within a growth center designated under this chapter. A neighborhood planning area is used for the purpose of identifying locations suitable for new and infill housing that will support a development pattern that is compact, oriented to pedestrians, and consistent with smart growth principles. To ensure a compact settlement pattern, the outer boundary of a neighborhood planning area shall be located entirely within the boundaries of the applicant municipality, unless a joint application is submitted by more than one municipality, and shall be determined:

*** * ***

(c) Application for designation of a neighborhood development area. The State Board shall approve a neighborhood development area if the application

demonstrates and includes all of the following elements:

* * *

(5) The proposed neighborhood development area consists of those portions of the neighborhood planning area that are appropriate for new and infill housing, excluding identified flood hazard and fluvial erosion areas, except those areas containing preexisting development in areas suitable for infill development as defined in § 29-201 of the Vermont Flood Hazard Area and River Corridor Rule. In determining what areas are most suitable for new and infill housing, the municipality shall balance local goals for future land use, the availability of land for housing within the neighborhood planning area, and the smart growth principles. Based on those considerations, the municipality shall select an area for neighborhood development area designation that:

(A) Avoids or ~~that~~ minimizes to the extent feasible the inclusion of “important natural resources” as defined in subdivision 2791(14) of this title. If an “important natural resource” is included within a proposed neighborhood development area, the applicant shall identify the resource, explain why the resource was included, describe any anticipated disturbance to such resource, and describe why the disturbance cannot be avoided or minimized. If the neighborhood development area includes flood hazard areas or river corridors, the local bylaws shall contain provisions consistent with the Agency of Natural Resources’ rules required under 10 V.S.A. § 754(a) to ensure that new infill development within a neighborhood development area occurs outside the floodway and will not cause or contribute to fluvial erosion hazards within the river corridor. If the neighborhood development area includes flood hazard areas or river corridors, local bylaws shall also contain provisions to protect river corridors outside the neighborhood development area consistent with the Agency of Natural Resources’ rules required under 10 V.S.A. § 754(a).

* * *

(6) ~~The neighborhood development area is served by:~~

(A) ~~municipal sewer infrastructure; or~~

(B) ~~a community or alternative wastewater system approved by the Agency of Natural Resources. [Repealed.]~~

(7) The municipal bylaws allow minimum net residential densities within the neighborhood development area greater than or equal to four ~~single-family detached~~ dwelling units per acre for all identified residential uses or residential building types, exclusive of accessory dwelling units, or ~~no~~ not fewer than the average existing density of the surrounding neighborhood, whichever is greater. The methodology for calculating density shall be

established in the guidelines developed by the Department pursuant to subsection 2792(d) of this title.

* * *

Sec. 24. 24 V.S.A. § 2793b is amended to read:

§ 2793b. DESIGNATION OF NEW TOWN CENTER DEVELOPMENT DISTRICTS

* * *

(b) Within 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:

* * *

(2) Provided a community investment agreement that has been executed by authorized representatives of the municipal government, businesses and property owners within the district, and community groups with an articulated purpose of supporting downtown interests, and contains the following:

* * *

(B) Regulations enabling ~~high~~ densities that are ~~greater~~ not less than four dwelling units, including all identified residential uses or residential building types, per acre and not less than those allowed in any other part of the municipality not within an area designated under this chapter.

* * *

Sec. 25. 24 V.S.A. § 4449 is amended to read:

§ 4449. ZONING PERMIT, CERTIFICATE OF OCCUPANCY, AND MUNICIPAL LAND USE PERMIT

(a) Within any municipality in which any bylaws have been adopted:

* * *

(4) No municipal land use permit issued by an appropriate municipal panel or administrative officer, as applicable, for a site plan or conditional use shall be considered abandoned or expired unless more than two years have passed since the permit approval was issued.

* * * Municipal Bylaw Grants * * *

Sec. 26. 24 V.S.A. § 4306 is amended to read:

§ 4306. MUNICIPAL AND REGIONAL PLANNING FUND

(a)(1) The Municipal and Regional Planning Fund for the purpose of

assisting municipal and regional planning commissions to carry out the intent of this chapter is hereby created in the State Treasury.

(2) The Fund shall be composed of 17 percent of the revenue from the property transfer tax under 32 V.S.A. chapter 231 and any monies from time to time appropriated to the Fund by the General Assembly or received from any other source, private or public. All balances at the end of any fiscal year shall be carried forward and remain in the Fund. Interest earned by the Fund shall be deposited in the Fund.

(3) Of the revenues in the Fund, each year:

(A) 10 percent shall be disbursed to the Vermont Center for Geographic Information;

(B) 70 percent shall be disbursed to the Secretary of Commerce and Community Development for performance contracts with regional planning commissions to provide regional planning services pursuant to section 4341a of this title; and

(C) 20 percent shall be disbursed to municipalities.

* * *

(c) Funds allocated to municipalities shall be used for the purposes of:

* * *

(4) reasonable and necessary costs of administering the Fund by the Department of Housing and Community Development, not to exceed six percent of the municipality allocation.

(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.

Sec. 27. 24 V.S.A. § 4307 is added to read:

§ 4307. MUNICIPAL BYLAW MODERNIZATION GRANTS

(a) There are created Municipal Bylaw Modernization Grants to assist municipalities in updating their land use and development bylaws. Bylaws updated under this section shall increase housing choice, affordability, and opportunity in areas planned for smart growth. The Grants shall be funded by monies allocated from the municipality allocation of the Municipal and Regional Planning Funds established in subdivision 4306(a)(3)(C) of this title and any other monies appropriated for this purpose.

(b) Disbursement to municipalities shall be administered by the Department of Housing and Community Development through a competitive

process providing the opportunity for all regions and any eligible municipality to compete regardless of size.

(c) Funds may be disbursed by the Department in installments to ensure the municipal bylaw updates meet the goals of this section.

(d) Funding may be used for the cost of regional planning commission staff or consultant time and any other purpose approved by the Department.

(e) A municipality grantee shall use the funds to prepare amendments to bylaws to increase housing choice, affordability, and opportunity and that support a neighborhood development pattern that is pedestrian oriented in areas planned for smart growth consistent with the smart growth principles established in section 2791 of this title and that prioritize projects in designated areas in accordance with chapter 76A of this title.

(f) To receive the grant, the municipality shall:

(1) identify municipal water and wastewater disposal infrastructure, municipal water and sewer service areas, and the constraints on that infrastructure based on the best available data;

(2) increase allowed housing types and uses, which may include duplexes, to the same extent as single-family homes;

(3) include parking waiver provisions in areas planned for smart growth consistent with smart growth principles as defined in section 2791 of this title and appropriate situations;

(4) review and modify street standards that implement the complete streets principles as described in 19 V.S.A. § 309d and that are oriented to pedestrians;

(5) reduce nonconformities by making the allowed standards principally conform to the existing settlement within any area designated under chapter 76A of this title and increase allowed lot, building, and dwelling unit density by adopting dimensional, use, parking, and other standards that allow compact neighborhood form and support walkable lot and dwelling unit density, which may be achieved with a standard allowing at least four units per acre or allowing the receipt of a State or municipal water and wastewater permit to determine allowable density or by other means established in guidelines issued by the Department;

(6) restrict development of and minimize impact to important natural resources, including new development in flood hazard areas, undeveloped floodplains, and river corridor areas, unless lawfully allowed for infill development in §29-201 of the Vermont Flood Hazard Area and River Corridor Rule;

(7) update the municipal plan's housing element as provided in subdivision 4382(a)(10) of this title related to addressing lower- and moderate-income housing needs, implement that element of the plan including through the bylaw amendments, and demonstrate how those bylaws support the implementation of the housing element; and

(8) comply with State and Federal Fair Housing Act, including the fair housing provisions of Vermont's Planning and Development Act.

(g) On or before September 1, 2022, the Department shall adopt guidelines to assist municipalities applying for grants under this section.

Sec. 28. APPROPRIATION

To the extent that increased funding is provided in fiscal year 2023 to the Municipal and Regional Planning Fund, \$650,000.00 shall be used for Municipal Bylaw Modernization Grants established in 24 V.S.A. § 4307.

* * * Accessory Dwelling Units * * *

Sec. 29. 24 V.S.A. § 4414 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. These bylaws may also include provisions covering the location, size, design, access, landscaping, and screening of those facilities. In determining the number 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.

* * *

* * * Act 250 * * *

Sec. 30. 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:

(I) A priority housing project shall constitute a development under this subdivision (iv) only if the number of housing units in the project is:

(aa) [Repealed.]

(bb) [Repealed.]

(cc) 75 or more, in a municipality with a population of 6,000 or more but less than 10,000.

(dd) 50 or more, in a municipality with a population of 3,000 or more but less than 6,000.

(ee) 25 or more, in a municipality with a population of less than 3,000. [Repealed.]

(ff) Notwithstanding subdivisions (cc) through (ee) of this subdivision (3)(A)(iv)(I), 10 or more if the construction involves the demolition of one or more buildings that are listed on or eligible to be listed on the State or National Register of Historic Places. However, demolition shall not be considered to create jurisdiction under this subdivision (ff) if the Division for Historic Preservation has determined that the proposed demolition will have no adverse effect, will have no adverse effect if specified conditions are met, or will have an adverse effect that will be adequately mitigated. Any imposed conditions shall be enforceable through a grant condition, deed covenant, or other legally binding document.

* * *

(6) “Floodway” means the channel of a watercourse that is expected to flood on an average of at least once every 100 years and the adjacent land areas that are required to carry and discharge the flood of the watercourse, as determined by the Secretary of Natural Resources with full consideration given to upstream impoundments and flood control projects “Flood hazard area” has the same meaning as under section 752 of this title.

(7) “Floodway fringe” means an area that is outside a floodway and is flooded with an average frequency of once or more in each 100 years, as determined by the Secretary of Natural Resources with full consideration given

to upstream impoundments and flood-control projects “River corridor” has the same meaning as under section 752 of this title.

* * *

(27) “Mixed income housing” means a housing project in which the following apply:

(A) Owner-occupied housing. At the option of the applicant, owner-occupied housing may be characterized by either of the following:

(i) ~~at least 15 percent of the housing units have a purchase price that at the time of first sale does not exceed 85 percent of the new construction, targeted area purchase price limits established and published annually by the Vermont Housing Finance Agency; or~~

(ii) ~~at least 20 percent of the housing units have a purchase price that at the time of first sale does not exceed 90 percent of the new construction, targeted area purchase price limits established and published annually by the Vermont Housing Finance Agency~~ meet the requirements of affordable owner-occupied housing under subdivision (29)(A) of this section, adjusted for the number of bedrooms, as established and published annually by the Vermont Housing Finance Agency.

(B) Rental housing. ~~At least 20 percent of the housing units that are rented constitute affordable housing and have a duration of affordability of For not less than 15 years following the date that rental housing is initially placed in service, at least 20 percent of the housing units meet the requirements of affordable rental housing under subdivision (29)(B) of this section, adjusted for the number of bedrooms, as established and published annually by the Vermont Housing Finance Agency.~~

* * *

(35) “Priority housing project” means a discrete project located on a single tract or multiple contiguous tracts of land that consists exclusively of:

(A) mixed income housing or mixed use, or any combination thereof, and is located entirely within a designated downtown development district, designated new town center, designated growth center, or designated village center ~~that is also a designated neighborhood development area under 24 V.S.A. chapter 76A; or~~

(B) ~~mixed income housing and is located entirely within a designated Vermont neighborhood or designated neighborhood development area under 24 V.S.A. chapter 76A.~~

* * *

Sec. 31. 10 V.S.A. § 6081(p) is amended to read:

~~(p)(1) No permit or permit amendment is required for any change to a project that is located entirely within a downtown development district designated pursuant to 24 V.S.A. § 2793, if the change consists exclusively of any combination of mixed use and mixed income housing, and the cumulative changes within any continuous period of five years, commencing on or after May 28, 2002, remain below any applicable jurisdictional threshold specified in subdivision 6001(3)(A)(iv)(I) of this title.~~

(2) No permit or permit amendment is required for a priority housing project in a designated center other than a downtown development district if the project remains below any applicable jurisdictional threshold specified in subdivision 6001(3)(A)(iv)(I) of this title and will comply with all conditions of any existing permit or permit amendment issued under this chapter that applies to the tract or tracts on which the project will be located. If such a priority housing project will not comply with one or more of these conditions, an application may be filed pursuant to section 6084 of this title.

Sec. 32. 10 V.S.A. § 6084(f) is amended to read:

~~(f) This subsection concerns an application for a new permit amendment to change the conditions of an existing permit or existing permit amendment in order to authorize the construction of a priority housing project described in subdivision 6081(p)(2) of this title.~~

~~(1) The District Commission may authorize a district coordinator to issue such an amendment, without notice and a hearing, if the applicant demonstrates that all parties to the existing permit or existing permit amendment, which contains the condition or conditions proposed to be changed, or their successors in interest have consented to the proposed changes to conditions relative to the criteria for which the party obtained party status.~~

(2) If the applicant is not able to obtain the consent of a party or parties or their successors in interest with respect to one or more of the conditions in the existing permit or permit amendment proposed to be changed, the applicant shall file a permit application pursuant to this section. However, review by the District Commission shall be limited to whether the changes to conditions not consented to by the party or parties or their successors in interest enable positive findings to be made under subsection 6086(a) and are authorized under subsection 6086(e) of this title. [Repealed.]

* * * Criterion 1(D) * * *

Sec. 33. 10 V.S.A. § 6086 is amended to read:

§ 6086. ISSUANCE OF PERMIT; CONDITIONS AND CRITERIA

(a) Before granting a permit, the District Commission shall find that the subdivision or development:

* * *

(D) Floodways Flood hazard areas; river corridors. A permit will be granted whenever it is demonstrated by the applicant that, in addition to all other applicable criteria;

(i) the development or subdivision of lands within a floodway flood hazard area or river corridor will not restrict or divert the flow of flood waters, floodwaters; cause or contribute to fluvial erosion; and endanger the health, safety, and welfare of the public or of riparian owners during flooding; and

(ii) the development or subdivision of lands within a floodway fringe will not significantly increase the peak discharge of the river or stream within or downstream from the area of development and endanger the health, safety, or welfare of the public or riparian owners during flooding.

* * *

* * * Municipal Response to Act 250 Requests * * *

Sec. 34. 10 V.S.A. 6086(g) is added to read:

(g) If a municipality fails to respond to a request by the applicant within 90 days as to the impacts related to subdivision (a)(6) or (7) of this section, the application will be presumed not to have an unreasonable burden on educational, municipal, or governmental services.

* * * Wood Products Manufacturers * * *

Sec. 35. 10 V.S.A. § 6001 is amended to read:

§ 6001. DEFINITIONS

* * *

(43) “Wood product” means logs, pulpwood, veneer wood, bolt wood, wood chips, stud wood, poles, pilings, biomass, fuel wood, maple sap, and bark.

(44) “Wood products manufacturer” means a manufacturer that aggregates wood products from forestry operations and adds value through processing or marketing in the wood products supply chain or directly to

consumers through retail sales. “Wood products manufacturer” includes sawmills; veneer mills; pulp mills; pellet mills; producers of firewood, woodchips, mulch, and fuel wood; and log and pulp concentration yards. “Wood products manufacturer” does not include facilities that purchase, market, and resell finished goods, such as wood furniture, wood pellets, and milled lumber, without first receiving wood products from forestry operations.

Sec. 36. 10 V.S.A. § 6086(c) is amended to read:

(c)(1) Permit conditions. A permit may contain such requirements and conditions as are allowable proper exercise of the police power and which that are appropriate within the respect to subdivisions (a)(1) through (10) of this section, including those set forth in 24 V.S.A. §§ 4414(4), 4424(a)(2), 4414(1)(D)(i), 4463(b), and 4464, the dedication of lands for public use, and the filing of bonds to ensure compliance. The requirements and conditions incorporated from Title 24 may be applied whether or not a local plan has been adopted. General requirements and conditions may be established by rule of the Natural Resources Board.

(2) Permit conditions on a wood products manufacturer.

(A) When issuing a permit with conditions on wood products manufacturing and delivery, the District Commission shall account for the seasonal, weather-dependent, land-dependent, and varied conditions unique to the industry.

(B) A permit condition that sets hours of operation for a wood products manufacturer shall only be imposed to mitigate an impact under subdivision (a)(1), (5), or (8) of this section. If an adverse impact would result, a permit with conditions shall allow the manufacturer to operate while allowing for flexible timing of deliveries of wood products from forestry operations to the manufacturer outside permitted hours of operation, including nights, weekends, and holidays, for the number of days demonstrated by the manufacturer as necessary to enable deliveries, not to exceed 90 days per year.

(C) Permit with conditions on the delivery of wood heat fuels. A permit with conditions issued to a wood products manufacturer that produces wood chips, pellets, cord wood, or other fuel wood used for heat shall allow for flexible delivery of that fuel wood from the manufacturer to the end user outside permitted hours of operation, including nights, weekends, and holidays, from October 1 through April 30 of each year. Permits with conditions shall mitigate the undue adverse impacts while enabling deliveries by the manufacturer.

(D) Permit amendments. A wood products manufacturer holding a permit may request an amendment to existing permit conditions related to

hours of operation and seasonal restrictions to be consistent with subdivisions (B) and (C) of this subsection (c). Requests for condition amendments under this subsection shall not be subject to Act 250 Rule 34(E).

* * * One-acre towns * * *

Sec. 37. INTENT; AMENDMENT OF 10 V.S.A. § 6001(3)(A)(ii)

The General Assembly's intent in the amendments to 10 V.S.A. § 6001(3)(A)(ii) set forth in Sec. 38 of this act is to clarify the text to reflect the way jurisdiction over commercial and industrial development in towns without permanent zoning and subdivision bylaws has been determined since the passage of Act 250 in 1970. The General Assembly does not intend any provision of this act to be interpreted as a substantive change to determining jurisdiction under 10 V.S.A. § 6001(3)(A)(ii).

Sec. 38. 10 V.S.A. § 6001 is amended to read:

§ 6001. DEFINITIONS

* * *

(3)(A) "Development" means each of the following:

(i) The construction of improvements on a tract or tracts of land, owned or controlled by a person, involving more than 10 acres of land within a radius of five miles of any point on any involved land, for commercial or industrial purposes in a municipality that has adopted permanent zoning and subdivision bylaws.

(ii) The construction of improvements on a tract or tracts of land, owned or controlled by a person, involving more than one acre of land within a radius of five miles of any point on any involved land, for commercial or industrial purposes ~~on more than one acre of land within in~~ a municipality that has not adopted permanent zoning and subdivision bylaws.

* * *

* * * Reports * * *

Sec. 39. REPORT; ACT 250 JURISDICTION OVER AGRICULTURAL BUSINESSES

On or before January 15, 2023, the Natural Resources Board shall submit to the General Assembly a report with recommendations on how Act 250 jurisdiction should be applied to agricultural businesses, including those located on properties already operating as farms. The Board shall consult with the Agency of Agriculture, Food and Markets, the Vermont Planners Association, the regional planning commissions, and other interested

stakeholders. The report shall include recommendations as to how to clarify what is and what is not an accessory on-farm business. The report shall address the current land use planning requirements for farms and farms with accessory on-farm businesses and whether different types of businesses associated with farms and farming require different levels of review. The report may consider whether or not the location of such businesses is relevant and may consider the designation or adoption of agricultural business innovation zones with different levels of review.

Sec. 40. DESIGNATED AREA REPORT; APPROPRIATION

(a) The sum of \$150,000.00 is appropriated from the General Fund to the Department of Housing and Community Development in fiscal year 2023 for the purpose of hiring a consultant to evaluate the State designation programs established in 24 V.S.A. chapter 76A pursuant to subsection (b) of this section.

(b)(1) The Department of Housing and Community Development shall hire an independent consultant to:

(A) review and assess the State designation programs and incentives established in 24 V.S.A. chapter 76A that recognize and invest in the vitality of Vermont's compact settlement areas; and

(B) conduct statewide stakeholder outreach to support the evaluation of and future improvements to the programs, including participation by State, regional, municipal, and advocacy and nongovernmental organizations.

(2) The consultant shall make recommendations on how to:

(A) objectively define and map existing compact settlements as a basis for broader recognition;

(B) improve the consistency between and among regional plans and future land use maps;

(C) modernize these programs, including consideration of program reform or consolidation;

(D) make the designation programs and associated benefits more accessible to municipalities;

(E) apply regulatory and nonregulatory benefits;

(F) strengthen designation and incentives as a platform for place-based economic development, climate action, complete streets, and equity and efficiency of public investment and service delivery;

(G) implement the smart growth principles established by 24 V.S.A. § 2791; and

(H) achieve the goals established in 24 V.S.A. § 4302.

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

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 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.

* * * Effective Dates * * *

Sec. 42. EFFECTIVE DATES

This act shall take effect on July 1, 2022, except that Sec. 11 (Missing Middle Pilot Program) and Sec. 21 (tax sales) shall take effect on passage.

Which proposal of amendment was considered and concurred in.

**Rules Suspended; Actions Ordered Messaged to Senate Forthwith
and Bills Delivered to the Governor Forthwith**

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House actions on the following bills were severally ordered messaged to the Senate forthwith and the bills delivered to the Governor forthwith:

S. 226

Senate bill, entitled

An act relating to expanding access to safe and affordable housing

S. 250

Senate bill, entitled

An act relating to law enforcement data collection and interrogation

Recess

At five o'clock and eight minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

Message from the Senate No. 83

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

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

H. 740. An act relating to making appropriations for the support of government.

And has accepted and adopted the same on its part.

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

H. 738. An act relating to technical and administrative changes to Vermont's tax laws.

And has concurred therein.

Message from the Senate No. 84

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 54. Joint resolution relating to final adjournment of the General Assembly in 2022.

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

Message from the Senate No. 85

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that the Senate has on its part completed the business of the session and is ready to adjourn *sine die*, pursuant to the provisions of J.R.S. 54.

Called to Order

At five o'clock and forty-seven minutes in the afternoon, the Speaker called the House to order.

Bills Ordered Delivered to the Governor Forthwith

On motion of **Rep. McCoy of Poultney**, the following bills were severally ordered delivered to the Governor forthwith:

H. 572

House bill, entitled

An act relating to the retirement allowance for interim educators

H. 626

House bill, entitled

An act relating to the sale, use, or application of neonicotinoid pesticides

H. 716

House bill, entitled

An act relating to making miscellaneous changes in education law

H. 738

House bill, entitled

An act relating to technical and administrative changes to Vermont's tax laws

Joint Resolution Adopted in Concurrence**J.R.S. 54**

Joint resolution, entitled

By Senator Balint,

J.R.S. 54. Joint resolution relating to final adjournment of the General Assembly in 2022.

Resolved by the Senate and House of Representatives

That the President of the Senate and the Speaker of the House of Representatives adjourn their respective houses *sine die* on the twelfth or thirteenth day of May, 2022.

Was taken up, read, and adopted in concurrence.

Rules Suspended; Immediate Consideration; Report of Committee of Conference Adopted; Rules Suspended; Bill Ordered Messaged to Senate Forthwith and Delivered to Governor Forthwith**H. 740**

Pending entry on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to making appropriations for the support of government

Was taken up for immediate consideration.

The Speaker placed before the House the following Committee of Conference report and its addendum:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses respectfully reported that it met and considered the same and recommended the following:

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

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

H. 740. 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:

Sec. A.100 SHORT TITLE

This bill may be referred to as the BIG BILL – Fiscal Year 2023 Appropriations Act.

Sec. A.101 PURPOSE

(a) The purpose of this act is to provide appropriations for the operations of State government during fiscal year 2023. 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 prior to June 30, 2022. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2023 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 fiscal year 2023.

(b) The sums herein stated 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 and 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, 2023.

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.

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 2023, 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 herein designated as federal. 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 2023, federal funds available to the State of Vermont and designated as federal in this and other acts of the 2022 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 other provision of law, the total number of authorized State positions, both classified and exempt, excluding temporary

positions as defined in 3 V.S.A. § 311(11), shall not be increased during fiscal year 2023 except for new positions authorized by the 2022 session. Limited-service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to this restriction.

Sec. A.108 LEGEND

(a) The bill 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 amendments to the current fiscal year, the D sections contain fund transfers and reserve allocations for the upcoming budget year, the F sections contain Pay Act appropriations, and the G sections contain provisions relating to the American Rescue Plan Act of 2021, Pub. L. No 117-2 (ARPA) – Coronavirus State Fiscal Recovery Fund expenditures and other related funding.

Sec. B.100 Secretary of administration - secretary's office

Personal services	1,652,252
Operating expenses	111,750
Grants	25,000
Total	1,789,002

Source of funds	
General fund	1,092,614
Special funds	25,000
Internal service funds	440,610
Interdepartmental transfers	<u>230,778</u>
Total	1,789,002
Sec. B.101 Secretary of administration - finance	
Personal services	1,256,805
Operating expenses	<u>113,453</u>
Total	1,370,258
Source of funds	
Interdepartmental transfers	<u>1,370,258</u>
Total	1,370,258
Sec. B.102 Secretary of administration - workers' compensation insurance	
Personal services	831,338
Operating expenses	<u>115,218</u>
Total	946,556
Source of funds	
Internal service funds	<u>946,556</u>
Total	946,556
Sec. B.103 Secretary of administration - general liability insurance	
Personal services	507,371
Operating expenses	<u>38,155</u>
Total	545,526
Source of funds	
Internal service funds	<u>545,526</u>
Total	545,526
Sec. B.104 Secretary of administration - all other insurance	
Personal services	192,702
Operating expenses	<u>17,643</u>
Total	210,345
Source of funds	
Internal service funds	<u>210,345</u>
Total	210,345
Sec. B.105 Agency of digital services - communications and information technology	
Personal services	99,364,395
Operating expenses	<u>34,833,539</u>

Total	134,197,934
Source of funds	
General fund	179,572
Special funds	17,159,341
Internal service funds	<u>116,859,021</u>
Total	134,197,934
Sec. B.106 Finance and management - budget and management	
Personal services	1,560,869
Operating expenses	<u>328,431</u>
Total	1,889,300
Source of funds	
General fund	1,287,210
Internal service funds	<u>602,090</u>
Total	1,889,300
Sec. B.107 Finance and management - financial operations	
Personal services	2,258,652
Operating expenses	<u>729,477</u>
Total	2,988,129
Source of funds	
Internal service funds	<u>2,988,129</u>
Total	2,988,129
Sec. B.108 Human resources - operations	
Personal services	9,623,786
Operating expenses	<u>1,337,649</u>
Total	10,961,435
Source of funds	
General fund	1,645,579
Special funds	263,589
Internal service funds	8,582,668
Interdepartmental transfers	<u>469,599</u>
Total	10,961,435
Sec. B.108.1 Human resources - VTHR operations	
Personal services	1,795,870
Operating expenses	<u>712,551</u>
Total	2,508,421
Source of funds	
Internal service funds	<u>2,508,421</u>
Total	2,508,421

Sec. B.109 Human resources - employee benefits & wellness

Personal services	1,109,145
Operating expenses	<u>601,415</u>
Total	1,710,560
Source of funds	
Internal service funds	<u>1,710,560</u>
Total	1,710,560

Sec. B.110 Libraries

Personal services	2,362,959
Operating expenses	892,587
Grants	<u>201,900</u>
Total	3,457,446
Source of funds	
General fund	2,004,119
Special funds	35,276
Federal funds	1,308,858
Interdepartmental transfers	<u>109,193</u>
Total	3,457,446

Sec. B.111 Tax - administration/collection

Personal services	17,831,398
Operating expenses	<u>5,790,925</u>
Total	23,622,323
Source of funds	
General fund	21,409,826
Special funds	2,178,388
Interdepartmental transfers	<u>34,109</u>
Total	23,622,323

Sec. B.112 Buildings and general services - administration

Personal services	1,080,924
Operating expenses	<u>153,965</u>
Total	1,234,889
Source of funds	
Interdepartmental transfers	<u>1,234,889</u>
Total	1,234,889

Sec. B.113 Buildings and general services - engineering

Personal services	96,274
Operating expenses	<u>1,535,829</u>
Total	1,632,103

Source of funds	
General fund	1,132,103
Interdepartmental transfers	<u>500,000</u>
Total	1,632,103
Sec. B.113.1 Buildings and General Services Engineering - Capital Projects	
Personal services	<u>2,756,153</u>
Total	2,756,153
Source of funds	
General fund	<u>2,756,153</u>
Total	2,756,153
Sec. B.114 Buildings and general services - information centers	
Personal services	3,320,126
Operating expenses	<u>1,821,549</u>
Total	5,141,675
Source of funds	
General fund	649,572
Transportation fund	4,059,343
Special funds	<u>432,760</u>
Total	5,141,675
Sec. B.115 Buildings and general services - purchasing	
Personal services	1,134,262
Operating expenses	<u>222,957</u>
Total	1,357,219
Source of funds	
General fund	<u>1,357,219</u>
Total	1,357,219
Sec. B.116 Buildings and general services - postal services	
Personal services	757,054
Operating expenses	<u>249,683</u>
Total	1,006,737
Source of funds	
General fund	84,986
Internal service funds	<u>921,751</u>
Total	1,006,737
Sec. B.117 Buildings and general services - copy center	
Personal services	853,534
Operating expenses	<u>171,957</u>
Total	1,025,491

Source of funds	
Internal service funds	<u>1,025,491</u>
Total	1,025,491
Sec. B.118 Buildings and general services - fleet management services	
Personal services	777,083
Operating expenses	<u>250,909</u>
Total	1,027,992
Source of funds	
Internal service funds	<u>1,027,992</u>
Total	1,027,992
Sec. B.119 Buildings and general services - federal surplus property	
Operating expenses	<u>6,979</u>
Total	6,979
Source of funds	
Enterprise funds	<u>6,979</u>
Total	6,979
Sec. B.120 Buildings and general services - state surplus property	
Personal services	343,550
Operating expenses	<u>125,259</u>
Total	468,809
Source of funds	
Internal service funds	<u>468,809</u>
Total	468,809
Sec. B.121 Buildings and general services - property management	
Personal services	1,467,576
Operating expenses	<u>508,707</u>
Total	1,976,283
Source of funds	
Internal service funds	<u>1,976,283</u>
Total	1,976,283
Sec. B.122 Buildings and general services - fee for space	
Personal services	18,711,733
Operating expenses	<u>14,636,007</u>
Total	33,347,740
Source of funds	
Internal service funds	<u>33,347,740</u>
Total	33,347,740

Sec. B.124 Executive office - governor's office

Personal services	1,487,507
Operating expenses	<u>459,623</u>
Total	1,947,130
Source of funds	
General fund	1,716,379
Interdepartmental transfers	<u>230,751</u>
Total	1,947,130

Sec. B.125 Legislative counsel

Personal services	3,554,623
Operating expenses	<u>255,108</u>
Total	3,809,731
Source of funds	
General fund	<u>3,809,731</u>
Total	3,809,731

Sec. B.126 Legislature

Personal services	5,411,855
Operating expenses	<u>4,510,892</u>
Total	9,922,747
Source of funds	
General fund	<u>9,922,747</u>
Total	9,922,747

Sec. B.126.1 Legislative information technology

Personal services	1,191,177
Operating expenses	<u>564,119</u>
Total	1,755,296
Source of funds	
General fund	<u>1,755,296</u>
Total	1,755,296

Sec. B.127 Joint fiscal committee

Personal services	2,595,286
Operating expenses	<u>170,638</u>
Total	2,765,924
Source of funds	
General fund	<u>2,765,924</u>
Total	2,765,924

Sec. B.128 Sergeant at arms

Personal services	1,194,932
Operating expenses	<u>109,829</u>
Total	1,304,761
Source of funds	
General fund	<u>1,304,761</u>
Total	1,304,761

Sec. B.129 Lieutenant governor

Personal services	206,253
Operating expenses	<u>42,999</u>
Total	249,252
Source of funds	
General fund	<u>249,252</u>
Total	249,252

Sec. B.130 Auditor of accounts

Personal services	3,985,879
Operating expenses	<u>179,191</u>
Total	4,165,070
Source of funds	
General fund	357,074
Special funds	53,145
Internal service funds	<u>3,754,851</u>
Total	4,165,070

Sec. B.131 State treasurer

Personal services	4,615,443
Operating expenses	<u>214,594</u>
Total	4,830,037
Source of funds	
General fund	1,809,658
Special funds	2,803,034
Interdepartmental transfers	<u>217,345</u>
Total	4,830,037

Sec. B.132 State treasurer - unclaimed property

Personal services	829,638
Operating expenses	<u>326,937</u>
Total	1,156,575
Source of funds	
Private purpose trust funds	<u>1,156,575</u>

Total	1,156,575
Sec. B.133 Vermont state retirement system	
Personal services	180,911
Operating expenses	<u>1,399,555</u>
Total	1,580,466
Source of funds	
Pension trust funds	<u>1,580,466</u>
Total	1,580,466
Sec. B.134 Municipal employees' retirement system	
Personal services	198,399
Operating expenses	<u>890,207</u>
Total	1,088,606
Source of funds	
Pension trust funds	<u>1,088,606</u>
Total	1,088,606
Sec. B.134.1 Vermont Pension Investment Commission	
Personal services	1,909,994
Operating expenses	<u>226,691</u>
Total	2,136,685
Source of funds	
Special funds	<u>2,136,685</u>
Total	2,136,685
Sec. B.135 State labor relations board	
Personal services	236,763
Operating expenses	<u>58,324</u>
Total	295,087
Source of funds	
General fund	285,511
Special funds	6,788
Interdepartmental transfers	<u>2,788</u>
Total	295,087
Sec. B.136 VOSHA review board	
Personal services	81,139
Operating expenses	<u>14,783</u>
Total	95,922
Source of funds	
General fund	47,961
Interdepartmental transfers	<u>47,961</u>

Total	95,922
Sec. B.136.1 Ethics Commission	
Personal services	89,979
Operating expenses	<u>26,596</u>
Total	116,575
Source of funds	
Internal service funds	<u>116,575</u>
Total	116,575
Sec. B.137 Homeowner rebate	
Grants	<u>16,500,000</u>
Total	16,500,000
Source of funds	
General fund	<u>16,500,000</u>
Total	16,500,000
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>3,388,000</u>
Total	3,388,000
Source of funds	
General fund	<u>3,388,000</u>
Total	3,388,000
Sec. B.140 Municipal current use	
Grants	<u>17,800,000</u>
Total	17,800,000
Source of funds	
General fund	<u>17,800,000</u>
Total	17,800,000
Sec. B.142 Payments in lieu of taxes	
Grants	<u>10,575,000</u>
Total	10,575,000
Source of funds	
Special funds	<u>10,575,000</u>

Total	10,575,000
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	104,811,247
Transportation fund	4,059,343
Special funds	35,893,006
Federal funds	1,308,858
Internal service funds	178,033,418
Interdepartmental transfers	4,447,671
Enterprise funds	6,979
Pension trust funds	2,669,072
Private purpose trust funds	<u>1,156,575</u>
Total	332,386,169
Sec. B.200 Attorney general	
Personal services	12,222,872
Operating expenses	1,615,595
Grants	<u>20,000</u>
Total	13,858,467
Source of funds	
General fund	6,533,053
Special funds	2,030,838
Tobacco fund	348,000
Federal funds	1,490,970
Interdepartmental transfers	<u>3,455,606</u>
Total	13,858,467

Sec. B.201 Vermont court diversion

Personal services	1,250
Grants	<u>3,006,479</u>
Total	3,007,729
Source of funds	
General fund	2,749,732
Special funds	<u>257,997</u>
Total	3,007,729

Sec. B.202 Defender general - public defense

Personal services	13,536,180
Operating expenses	<u>1,168,458</u>
Total	14,704,638
Source of funds	
General fund	14,114,985
Special funds	<u>589,653</u>
Total	14,704,638

Sec. B.203 Defender general - assigned counsel

Personal services	6,337,191
Operating expenses	<u>49,500</u>
Total	6,386,691
Source of funds	
General fund	<u>6,386,691</u>
Total	6,386,691

Sec. B.204 Judiciary

Personal services	47,987,874
Operating expenses	11,198,662
Grants	<u>121,030</u>
Total	59,307,566
Source of funds	
General fund	52,997,805
Special funds	3,260,434
Federal funds	953,928
Interdepartmental transfers	<u>2,095,399</u>
Total	59,307,566

Sec. B.205 State's attorneys

Personal services	12,905,446
Operating expenses	<u>1,980,473</u>
Total	14,885,919

Source of funds	
General fund	14,358,352
Special funds	101,442
Federal funds	224,319
Interdepartmental transfers	<u>201,806</u>
Total	14,885,919
Sec. B.206 Special investigative unit	
Personal services	86,487
Grants	<u>2,077,230</u>
Total	2,163,717
Source of funds	
General fund	<u>2,163,717</u>
Total	2,163,717
Sec. B.206.1 Crime Victims Advocates	
Personal services	<u>2,562,572</u>
Total	2,562,572
Source of funds	
General fund	<u>2,562,572</u>
Total	2,562,572
Sec. B.207 Sheriffs	
Personal services	4,440,864
Operating expenses	<u>415,366</u>
Total	4,856,230
Source of funds	
General fund	<u>4,856,230</u>
Total	4,856,230
Sec. B.208 Public safety - administration	
Personal services	4,517,183
Operating expenses	<u>5,076,934</u>
Total	9,594,117
Source of funds	
General fund	5,743,935
Special funds	4,105
Federal funds	536,792
Interdepartmental transfers	<u>3,309,285</u>
Total	9,594,117
Sec. B.209 Public safety - state police	
Personal services	62,598,426

Operating expenses	12,660,950
Grants	<u>1,467,153</u>
Total	76,726,529
Source of funds	
General fund	46,676,421
Transportation fund	20,250,000
Special funds	3,116,711
Federal funds	4,820,645
Interdepartmental transfers	<u>1,862,752</u>
Total	76,726,529
Sec. B.210 Public safety - criminal justice services	
Personal services	5,055,792
Operating expenses	<u>1,448,367</u>
Total	6,504,159
Source of funds	
General fund	1,423,477
Special funds	4,646,634
Federal funds	<u>434,048</u>
Total	6,504,159
Sec. B.211 Public safety - emergency management	
Personal services	3,778,940
Operating expenses	1,213,431
Grants	<u>35,889,332</u>
Total	40,881,703
Source of funds	
General fund	627,088
Special funds	710,000
Federal funds	39,537,389
Interdepartmental transfers	<u>7,226</u>
Total	40,881,703
Sec. B.212 Public safety - fire safety	
Personal services	7,549,948
Operating expenses	2,677,499
Grants	<u>107,000</u>
Total	10,334,447
Source of funds	
General fund	740,787
Special funds	8,998,928
Federal funds	549,732

Interdepartmental transfers	<u>45,000</u>
Total	10,334,447
Sec. B.213 Public safety - Forensic Laboratory	
Personal services	3,219,911
Operating expenses	<u>938,253</u>
Total	4,158,164
Source of funds	
General fund	3,407,657
Special funds	62,782
Federal funds	320,000
Interdepartmental transfers	<u>367,725</u>
Total	4,158,164
Sec. B.215 Military - administration	
Personal services	887,895
Operating expenses	656,621
Grants	<u>1,319,834</u>
Total	2,864,350
Source of funds	
General fund	<u>2,864,350</u>
Total	2,864,350
Sec. B.216 Military - air service contract	
Personal services	7,981,247
Operating expenses	<u>1,200,811</u>
Total	9,182,058
Source of funds	
General fund	636,623
Federal funds	<u>8,545,435</u>
Total	9,182,058
Sec. B.217 Military - army service contract	
Personal services	40,946,121
Operating expenses	<u>7,301,437</u>
Total	48,247,558
Source of funds	
Federal funds	<u>48,247,558</u>
Total	48,247,558
Sec. B.218 Military - building maintenance	
Personal services	779,881
Operating expenses	<u>869,698</u>

Total	1,649,579
Source of funds	
General fund	1,587,079
Special funds	<u>62,500</u>
Total	1,649,579
Sec. B.219 Military - veterans' affairs	
Personal services	1,023,293
Operating expenses	154,362
Grants	<u>41,300</u>
Total	1,218,955
Source of funds	
General fund	956,280
Special funds	162,675
Federal funds	<u>100,000</u>
Total	1,218,955
Sec. B.220 Center for crime victim services	
Personal services	1,644,629
Operating expenses	386,431
Grants	<u>7,819,312</u>
Total	9,850,372
Source of funds	
General fund	1,382,712
Special funds	3,461,971
Federal funds	<u>5,005,689</u>
Total	9,850,372
Sec. B.221 Criminal justice council	
Personal services	1,980,066
Operating expenses	<u>1,480,716</u>
Total	3,460,782
Source of funds	
General fund	3,130,282
Interdepartmental transfers	<u>330,500</u>
Total	3,460,782
Sec. B.222 Agriculture, food and markets - administration	
Personal services	1,979,598
Operating expenses	537,899
Grants	<u>227,972</u>
Total	2,745,469
Source of funds	

General fund	1,234,172
Special funds	988,397
Federal funds	<u>522,900</u>
Total	2,745,469

Sec. B.223 Agriculture, food and markets - food safety and consumer protection

Personal services	4,459,775
Operating expenses	844,913
Grants	<u>2,780,000</u>
Total	8,084,688
Source of funds	
General fund	2,945,168
Special funds	3,765,425
Federal funds	1,362,095
Interdepartmental transfers	<u>12,000</u>
Total	8,084,688

Sec. B.224 Agriculture, food and markets - agricultural development

Personal services	5,521,540
Operating expenses	586,011
Grants	<u>5,042,425</u>
Total	11,149,976
Source of funds	
General fund	3,034,777
Special funds	545,738
Federal funds	<u>7,569,461</u>
Total	11,149,976

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

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

 Sec. B.225.1 Agriculture, food and markets - Vermont Agriculture and Environmental Lab

Personal services	1,622,126
Operating expenses	<u>1,237,280</u>
Total	2,859,406
Source of funds	
General fund	1,051,709
Special funds	1,732,793
Interdepartmental transfers	<u>74,904</u>
Total	2,859,406

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

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

Sec. B.226 Financial regulation - administration

Personal services	2,395,168
Operating expenses	<u>159,635</u>
Total	2,554,803
Source of funds	
Special funds	<u>2,554,803</u>
Total	2,554,803

Sec. B.227 Financial regulation - banking

Personal services	2,099,711
Operating expenses	<u>481,536</u>
Total	2,581,247
Source of funds	
Special funds	<u>2,581,247</u>
Total	2,581,247

Sec. B.228 Financial regulation - insurance

Personal services	4,586,782
Operating expenses	<u>678,282</u>

Total	5,265,064
Source of funds	
Special funds	<u>5,265,064</u>
Total	5,265,064
Sec. B.229 Financial regulation - captive insurance	
Personal services	4,748,621
Operating expenses	<u>693,529</u>
Total	5,442,150
Source of funds	
Special funds	<u>5,442,150</u>
Total	5,442,150
Sec. B.230 Financial regulation - securities	
Personal services	1,177,808
Operating expenses	<u>274,059</u>
Total	1,451,867
Source of funds	
Special funds	<u>1,451,867</u>
Total	1,451,867
Sec. B.232 Secretary of state	
Personal services	13,335,882
Operating expenses	<u>4,364,977</u>
Total	17,700,859
Source of funds	
Special funds	13,042,272
Federal funds	<u>4,658,587</u>
Total	17,700,859
Sec. B.233 Public service - regulation and energy	
Personal services	10,741,089
Operating expenses	1,153,898
Grants	<u>1,346,948</u>
Total	13,241,935
Source of funds	
Special funds	11,632,917
Federal funds	1,056,721
ARRA funds	510,535
Enterprise funds	<u>41,762</u>
Total	13,241,935

Sec. B.234 Public utility commission

Personal services	3,597,784
Operating expenses	<u>501,906</u>
Total	4,099,690
Source of funds	
Special funds	<u>4,099,690</u>
Total	4,099,690

Sec. B.235 Enhanced 9-1-1 Board

Personal services	4,144,834
Operating expenses	<u>443,064</u>
Total	4,587,898
Source of funds	
General fund	0
Special funds	<u>4,587,898</u>
Total	4,587,898

Sec. B.236 Human rights commission

Personal services	691,710
Operating expenses	<u>88,837</u>
Total	780,547
Source of funds	
General fund	700,290
Federal funds	<u>80,257</u>
Total	780,547

Sec. B.236.1 Liquor & Lottery Comm. Office

Personal services	452,118
Operating expenses	<u>20,306</u>
Total	472,424
Source of funds	
Enterprise funds	<u>472,424</u>
Total	472,424

Sec. B.236.2 Lottery Operations

Personal services	2,325,309
Operating expenses	1,625,023
Grants	<u>250,000</u>
Total	4,200,332
Source of funds	
Enterprise funds	<u>4,200,332</u>
Total	4,200,332

Sec. B.237 Liquor control - administration

Personal services	3,894,882
Operating expenses	<u>1,386,666</u>
Total	5,281,548
Source of funds	
Tobacco fund	213,843
Enterprise funds	<u>5,067,705</u>
Total	5,281,548

Sec. B.238 Liquor control - enforcement and licensing

Personal services	2,031,174
Operating expenses	<u>415,495</u>
Total	2,446,669
Source of funds	
Federal funds	184,484
Enterprise funds	<u>2,262,185</u>
Total	2,446,669

Sec. B.239 Liquor control - warehousing and distribution

Personal services	1,076,103
Operating expenses	<u>498,696</u>
Total	1,574,799
Source of funds	
Enterprise funds	<u>1,574,799</u>
Total	1,574,799

Sec. B.240 Cannabis Control Board

Personal services	3,211,914
Operating expenses	<u>278,608</u>
Total	3,490,522
Source of funds	
Special funds	<u>3,490,522</u>
Total	3,490,522

Sec. B.241 Total protection to persons and property

Source of funds	
General fund	187,158,391
Transportation fund	20,250,000
Special funds	98,238,728
Tobacco fund	561,843
Federal funds	127,115,612
ARRA funds	510,535

Interdepartmental transfers	12,413,144
Enterprise funds	<u>13,619,207</u>
Total	459,867,460

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

Personal services	12,307,314
Operating expenses	5,340,825
Grants	<u>2,895,202</u>
Total	20,543,341
Source of funds	
General fund	9,056,662
Special funds	135,517
Federal funds	10,569,851
Interdepartmental transfers	<u>781,311</u>
Total	20,543,341

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

Grants	<u>1,835,603,282</u>
Total	1,835,603,282
Source of funds	
General fund	608,430,925
Special funds	33,384,536
Tobacco fund	21,049,373
State health care resources fund	17,078,501
Federal funds	1,151,625,777
Interdepartmental transfers	<u>4,034,170</u>
Total	1,835,603,282

Sec. B.303 Developmental disabilities council

Personal services	424,008
Operating expenses	95,289
Grants	<u>191,595</u>
Total	710,892
Source of funds	
Special funds	12,000
Federal funds	<u>698,892</u>
Total	710,892

Sec. B.304 Human services board

Personal services	766,312
Operating expenses	<u>89,396</u>
Total	855,708
Source of funds	

General fund	490,779
Federal funds	<u>364,929</u>
Total	855,708
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	133,258,216
Operating expenses	27,050,784
Grants	<u>2,912,301</u>
Total	163,221,301
Source of funds	
General fund	34,666,169
Special funds	4,738,197
Federal funds	114,997,590
Global Commitment fund	3,986,316
Interdepartmental transfers	<u>4,833,029</u>
Total	163,221,301
Sec. B.307 Department of Vermont health access - Medicaid program - global commitment	
Personal services	547,983
Grants	<u>837,108,046</u>
Total	837,656,029
Source of funds	
Global Commitment fund	<u>837,656,029</u>
Total	837,656,029
Sec. B.309 Department of Vermont health access - Medicaid program - state only	
Grants	<u>54,104,191</u>
Total	54,104,191
Source of funds	
General fund	44,533,864
Global Commitment fund	<u>9,570,327</u>
Total	54,104,191

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

Grants	<u>35,125,592</u>
Total	35,125,592
Source of funds	
General fund	12,736,699
Federal funds	<u>22,388,893</u>
Total	35,125,592

Sec. B.311 Health - administration and support

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

Sec. B.312 Health - public health

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

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

Personal services	5,533,379
Operating expenses	511,500
Grants	<u>55,582,806</u>
Total	61,627,685

Source of funds	
General fund	4,706,142
Special funds	1,392,101
Tobacco fund	949,917
Federal funds	21,131,903
Global Commitment fund	<u>33,447,622</u>
Total	61,627,685

Sec. B.314 Mental health - mental health

Personal services	37,550,464
Operating expenses	5,023,808
Grants	<u>251,958,650</u>
Total	294,532,922
Source of funds	
General fund	12,966,387
Special funds	1,690,187
Federal funds	10,279,911
Global Commitment fund	269,471,344
Interdepartmental transfers	<u>125,093</u>
Total	294,532,922

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

Personal services	41,932,610
Operating expenses	17,284,575
Grants	<u>3,819,106</u>
Total	63,036,291
Source of funds	
General fund	36,020,845
Special funds	2,789,842
Federal funds	22,463,191
Global Commitment fund	1,409,481
Interdepartmental transfers	<u>352,932</u>
Total	63,036,291

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

Personal services	41,455,253
Operating expenses	5,392,584
Grants	<u>88,864,318</u>
Total	135,712,155
Source of funds	
General fund	56,028,109

Special funds	729,587
Federal funds	32,206,285
Global Commitment fund	46,710,437
Interdepartmental transfers	<u>37,737</u>
Total	135,712,155

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

Personal services	5,486,947
Operating expenses	860,622
Grants	<u>106,205,300</u>
Total	112,552,869
Source of funds	
General fund	33,130,398
Special funds	16,820,011
Federal funds	50,457,478
Global Commitment fund	12,144,941
Interdepartmental transfers	<u>41</u>
Total	112,552,869

Sec. B.319 Department for children and families - office of child support

Personal services	11,906,476
Operating expenses	<u>3,745,167</u>
Total	15,651,643
Source of funds	
General fund	4,718,623
Special funds	455,719
Federal funds	10,089,701
Interdepartmental transfers	<u>387,600</u>
Total	15,651,643

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>2,823,574</u>

Total	2,838,574
Source of funds	
General fund	2,541,239
Federal funds	11,320
Global Commitment fund	<u>286,015</u>
Total	2,838,574
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>27,235,606</u>
Total	27,266,239
Source of funds	
General fund	15,097,457
Special funds	5,955,834
Federal funds	3,531,330
Global Commitment fund	<u>2,681,618</u>
Total	27,266,239
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	707,738
Operating expenses	80,979
Grants	<u>19,896,892</u>
Total	20,685,609
Source of funds	
General fund	14,328,930
Special funds	58,135

Federal funds	4,942,559
Global Commitment fund	<u>1,355,985</u>
Total	20,685,609

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

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

Sec. B.327 Department for Children and Families - Secure Residential Treatment

Personal services	258,100
Operating expenses	441,999
Grants	<u>3,476,862</u>
Total	4,176,961
Source of funds	
General fund	4,146,961
Global Commitment fund	<u>30,000</u>
Total	4,176,961

Sec. B.328 Department for children and families - disability determination services

Personal services	7,271,721
Operating expenses	<u>472,446</u>
Total	7,744,167
Source of funds	
General fund	115,885
Federal funds	<u>7,628,282</u>
Total	7,744,167

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

Personal services	37,398,355
Operating expenses	<u>6,178,888</u>
Total	43,577,243
Source of funds	
General fund	19,725,270

Special funds	1,390,457
Federal funds	21,360,232
Global Commitment fund	35,000
Interdepartmental transfers	<u>1,066,284</u>
Total	43,577,243

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

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

Sec. B.331 Disabilities, aging, and independent living - blind and visually impaired

Grants	<u>1,761,457</u>
Total	1,761,457
Source of funds	
General fund	489,154
Special funds	223,450
Federal funds	743,853
Global Commitment fund	<u>305,000</u>
Total	1,761,457

Sec. B.332 Disabilities, aging, and independent living - vocational rehabilitation

Grants	<u>7,024,368</u>
Total	7,024,368
Source of funds	
General fund	1,371,845
Federal funds	4,402,523
Interdepartmental transfers	<u>1,250,000</u>
Total	7,024,368

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

Grants	<u>282,169,830</u>
Total	282,169,830
Source of funds	
General fund	155,125
Special funds	15,463

Federal funds	359,857
Global Commitment fund	281,589,385
Interdepartmental transfers	<u>50,000</u>
Total	282,169,830

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

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

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

Grants	<u>247,242,665</u>
Total	247,242,665
Source of funds	
General fund	498,579
Federal funds	2,083,333
Global Commitment fund	<u>244,660,753</u>
Total	247,242,665

Sec. B.335 Corrections - administration

Personal services	3,370,381
Operating expenses	<u>238,644</u>
Total	3,609,025
Source of funds	
General fund	<u>3,609,025</u>
Total	3,609,025

Sec. B.336 Corrections - parole board

Personal services	385,959
Operating expenses	<u>59,216</u>
Total	445,175
Source of funds	
General fund	<u>445,175</u>
Total	445,175

Sec. B.337 Corrections - correctional education

Personal services	3,504,641
Operating expenses	<u>244,932</u>
Total	3,749,573
Source of funds	

General fund	3,600,789
Education fund	0
Interdepartmental transfers	<u>148,784</u>
Total	3,749,573
Sec. B.338 Corrections - correctional services	
Personal services	124,883,844
Operating expenses	24,337,405
Grants	<u>0</u>
Total	149,221,249
Source of funds	
General fund	144,682,340
Special funds	935,963
Federal funds	460,376
Global Commitment fund	2,746,255
Interdepartmental transfers	<u>396,315</u>
Total	149,221,249
Sec. B.338.1 Corrections – Justice Reinvestment II	
Grants	<u>9,868,567</u>
Total	9,868,567
Source of funds	
General fund	7,290,879
Federal funds	13,147
Global Commitment fund	<u>2,564,541</u>
Total	9,868,567
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	549,029
Operating expenses	<u>455,845</u>
Total	1,004,874
Source of funds	
Special funds	<u>1,004,874</u>
Total	1,004,874
Sec. B.341 Corrections - Vermont offender work program	

Personal services	1,173,281
Operating expenses	<u>525,784</u>
Total	1,699,065
Source of funds	
Internal service funds	<u>1,699,065</u>
Total	1,699,065
Sec. B.342 Vermont veterans' home - care and support services	
Personal services	18,693,897
Operating expenses	<u>4,698,211</u>
Total	23,392,108
Source of funds	
General fund	4,068,733
Special funds	11,892,624
Federal funds	<u>7,430,751</u>
Total	23,392,108
Sec. B.343 Commission on women	
Personal services	364,225
Operating expenses	<u>70,416</u>
Total	434,641
Source of funds	
General fund	430,793
Special funds	<u>3,848</u>
Total	434,641
Sec. B.344 Retired senior volunteer program	
Grants	<u>150,961</u>
Total	150,961
Source of funds	
General fund	<u>150,961</u>
Total	150,961
Sec. B.345 Green Mountain Care Board	
Personal services	7,816,704
Operating expenses	<u>395,026</u>
Total	8,211,730
Source of funds	
General fund	3,261,362
Special funds	<u>4,950,368</u>
Total	8,211,730

Sec. B.346 Total human services

Source of funds	
General fund	1,118,252,689
Special funds	122,249,086
Tobacco fund	23,088,208
State health care resources fund	17,078,501
Education fund	0
Federal funds	1,651,894,729
Global Commitment fund	1,788,710,309
Internal service funds	1,699,065
Interdepartmental transfers	28,014,227
Permanent trust funds	<u>25,000</u>
Total	4,751,011,814

Sec. B.400 Labor - programs

Personal services	40,893,754
Operating expenses	5,784,394
Grants	<u>15,432,900</u>
Total	62,111,048
Source of funds	
General fund	10,449,258
Special funds	10,772,259
Federal funds	40,639,531
Interdepartmental transfers	<u>250,000</u>
Total	62,111,048

Sec. B.401 Total labor

Source of funds	
General fund	10,449,258
Special funds	10,772,259
Federal funds	40,639,531
Interdepartmental transfers	<u>250,000</u>
Total	62,111,048

Sec. B.500 Education - finance and administration

Personal services	16,916,498
Operating expenses	4,121,123
Grants	<u>14,770,700</u>
Total	35,808,321
Source of funds	
General fund	6,044,058
Special funds	16,441,181

Education fund	3,444,471
Federal funds	9,253,287
Global Commitment fund	260,000
Interdepartmental transfers	<u>365,324</u>
Total	35,808,321
Sec. B.501 Education - education services	
Personal services	28,826,010
Operating expenses	1,073,385
Grants	<u>481,143,571</u>
Total	511,042,966
Source of funds	
General fund	4,880,340
Special funds	3,009,310
Tobacco fund	750,388
Federal funds	<u>502,402,928</u>
Total	511,042,966
Sec. B.502 Education - special education: formula grants	
Grants	<u>208,073,400</u>
Total	208,073,400
Source of funds	
Education fund	<u>208,073,400</u>
Total	208,073,400
Sec. B.503 Education - state-placed students	
Grants	<u>17,500,000</u>
Total	17,500,000
Source of funds	
Education fund	<u>17,500,000</u>
Total	17,500,000
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>9,143,000</u>
Total	9,143,000

Source of funds	
General fund	921,500
Education fund	<u>8,221,500</u>
Total	9,143,000
Sec. B.505 Education - adjusted education payment	
Grants	<u>1,561,661,000</u>
Total	1,561,661,000
Source of funds	
Education fund	<u>1,561,661,000</u>
Total	1,561,661,000
Sec. B.506 Education - transportation	
Grants	<u>21,786,000</u>
Total	21,786,000
Source of funds	
Education fund	<u>21,786,000</u>
Total	21,786,000
Sec. B.507 Education - small school grants	
Grants	<u>8,200,000</u>
Total	8,200,000
Source of funds	
Education fund	<u>8,200,000</u>
Total	8,200,000
Sec. B.510 Education - essential early education grant	
Grants	<u>7,511,638</u>
Total	7,511,638
Source of funds	
Education fund	<u>7,511,638</u>
Total	7,511,638
Sec. B.511 Education - technical education	
Grants	<u>16,253,900</u>
Total	16,253,900
Source of funds	
Education fund	<u>16,253,900</u>
Total	16,253,900
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.514 State teachers' retirement system	
Grants	<u>187,273,782</u>
Total	187,273,782
Source of funds	
General fund	154,345,678
Education fund	<u>32,928,104</u>
Total	187,273,782
Sec. B.514.1 State teachers' retirement system administration	
Personal services	236,503
Operating expenses	<u>1,609,560</u>
Total	1,846,063
Source of funds	
Pension trust funds	<u>1,846,063</u>
Total	1,846,063
Sec. B.515 Retired teachers' health care and medical benefits	
Grants	<u>50,206,128</u>
Total	50,206,128
Source of funds	
General fund	35,106,128
Education fund	<u>15,100,000</u>
Total	50,206,128
Sec. B.516 Total general education	
Source of funds	
General fund	204,865,262
Special funds	19,450,491
Tobacco fund	750,388
Education fund	1,900,680,013
Federal funds	512,572,265
Global Commitment fund	260,000
Interdepartmental transfers	365,324
Pension trust funds	<u>1,846,063</u>
Total	2,640,789,806
Sec. B.600 University of Vermont	
Grants	<u>52,509,093</u>

Total	52,509,093
Source of funds	
General fund	<u>52,509,093</u>
Total	52,509,093
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>15,000,000</u>
Total	15,000,000
Source of funds	
General fund	<u>15,000,000</u>
Total	15,000,000
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>20,978,588</u>
Total	20,978,588
Source of funds	
General fund	<u>20,978,588</u>
Total	20,978,588
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>84,000</u>
Total	84,000
Source of funds	
General fund	<u>84,000</u>
Total	84,000

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	119,861,685
Education fund	41,225
Global Commitment fund	<u>409,461</u>
Total	120,312,371

Sec. B.700 Natural resources - agency of natural resources - administration

Personal services	4,896,594
Operating expenses	<u>1,329,284</u>
Total	6,225,878
Source of funds	
General fund	4,188,563
Special funds	680,985
Interdepartmental transfers	<u>1,356,330</u>
Total	6,225,878

Sec. B.701 Natural resources - state land local property tax assessment

Operating expenses	<u>2,661,618</u>
Total	2,661,618
Source of funds	
General fund	2,240,118
Interdepartmental transfers	<u>421,500</u>
Total	2,661,618

Sec. B.702 Fish and wildlife - support and field services

Personal services	20,034,378
Operating expenses	8,439,670

Grants	<u>923,524</u>
Total	29,397,572
Source of funds	
General fund	6,883,540
Special funds	701,314
Fish and wildlife fund	10,600,911
Federal funds	9,667,795
Interdepartmental transfers	<u>1,544,012</u>
Total	29,397,572
Sec. B.703 Forests, parks and recreation - administration	
Personal services	923,670
Operating expenses	<u>1,544,702</u>
Total	2,468,372
Source of funds	
General fund	<u>2,468,372</u>
Total	2,468,372
Sec. B.704 Forests, parks and recreation - forestry	
Personal services	6,710,849
Operating expenses	872,648
Grants	<u>1,160,000</u>
Total	8,743,497
Source of funds	
General fund	5,624,772
Special funds	511,000
Federal funds	2,280,669
Interdepartmental transfers	<u>327,056</u>
Total	8,743,497
Sec. B.705 Forests, parks and recreation - state parks	
Personal services	10,725,136
Operating expenses	3,273,814
Grants	<u>120,000</u>
Total	14,118,950
Source of funds	
General fund	641,157
Special funds	<u>13,477,793</u>
Total	14,118,950
Sec. B.706 Forests, parks and recreation - lands administration and recreation	
Personal services	2,284,177
Operating expenses	1,408,591

Grants	<u>2,827,589</u>
Total	6,520,357
Source of funds	
General fund	1,025,494
Special funds	2,190,151
Federal funds	3,082,575
Interdepartmental transfers	<u>222,137</u>
Total	6,520,357
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	7,618,171
Operating expenses	4,543,203
Grants	<u>158,279</u>
Total	12,319,653
Source of funds	
General fund	2,248,161
Special funds	597,172
Federal funds	1,444,364
Interdepartmental transfers	<u>8,029,956</u>
Total	12,319,653
Sec. B.710 Environmental conservation - air and waste management	
Personal services	16,109,934
Operating expenses	10,203,296
Grants	<u>7,163,707</u>
Total	33,476,937
Source of funds	
General fund	301,826
Special funds	28,941,896
Federal funds	4,047,690
Interdepartmental transfers	<u>185,525</u>
Total	33,476,937
Sec. B.711 Environmental conservation - office of water programs	
Personal services	28,912,366

Operating expenses	7,706,054
Grants	<u>34,868,553</u>
Total	71,486,973
Source of funds	
General fund	8,429,243
Special funds	26,283,274
Federal funds	36,032,470
Interdepartmental transfers	<u>741,986</u>
Total	71,486,973
Sec. B.713 Natural resources board	
Personal services	2,929,837
Operating expenses	<u>352,482</u>
Total	3,282,319
Source of funds	
General fund	673,554
Special funds	<u>2,608,765</u>
Total	3,282,319
Sec. B.714 Total natural resources	
Source of funds	
General fund	34,954,725
Special funds	75,992,350
Fish and wildlife fund	10,600,911
Federal funds	56,555,563
Interdepartmental transfers	<u>12,828,502</u>
Total	190,932,051
Sec. B.800 Commerce and community development - agency of commerce and community development - administration	
Personal services	2,392,723
Operating expenses	939,863
Grants	<u>539,820</u>
Total	3,872,406
Source of funds	
General fund	3,406,417
Federal funds	351,000
Interdepartmental transfers	<u>114,989</u>
Total	3,872,406
Sec. B.801 Economic development	
Personal services	4,678,628
Operating expenses	1,055,724

Grants	<u>8,638,149</u>
Total	14,372,501
Source of funds	
General fund	5,065,846
Special funds	2,905,350
Federal funds	3,932,132
Interdepartmental transfers	<u>2,469,173</u>
Total	14,372,501
Sec. B.802 Housing and community development	
Personal services	5,321,306
Operating expenses	673,807
Grants	<u>76,513,512</u>
Total	82,508,625
Source of funds	
General fund	4,065,708
Special funds	7,204,966
Federal funds	68,364,457
Interdepartmental transfers	<u>2,873,494</u>
Total	82,508,625
Sec. B.806 Tourism and marketing	
Personal services	2,097,922
Operating expenses	11,900,488
Grants	<u>50,000</u>
Total	14,048,410
Source of funds	
General fund	3,490,357
Federal funds	10,483,053
Interdepartmental transfers	<u>75,000</u>
Total	14,048,410
Sec. B.808 Vermont council on the arts	
Grants	<u>859,445</u>
Total	859,445
Source of funds	
General fund	<u>859,445</u>
Total	859,445
Sec. B.809 Vermont symphony orchestra	
Grants	<u>141,087</u>
Total	141,087
Source of funds	

General fund	<u>141,087</u>
Total	141,087
Sec. B.810 Vermont historical society	
Grants	<u>1,015,470</u>
Total	1,015,470
Source of funds	
General fund	<u>1,015,470</u>
Total	1,015,470
Sec. B.811 Vermont housing and conservation board	
Grants	<u>99,461,424</u>
Total	99,461,424
Source of funds	
Special funds	22,473,849
Federal funds	<u>76,987,575</u>
Total	99,461,424
Sec. B.812 Vermont humanities council	
Grants	<u>234,829</u>
Total	234,829
Source of funds	
General fund	<u>234,829</u>
Total	234,829
Sec. B.813 Total commerce and community development	
Source of funds	
General fund	18,279,159
Special funds	32,584,165
Federal funds	160,118,217
Interdepartmental transfers	<u>5,532,656</u>
Total	216,514,197
Sec. B.900 Transportation - finance and administration	
Personal services	14,996,787
Operating expenses	4,843,354
Grants	<u>50,000</u>
Total	19,890,141
Source of funds	
Transportation fund	18,569,701
Federal funds	<u>1,320,440</u>
Total	19,890,141

Sec. B.901 Transportation - aviation

Personal services	3,930,770
Operating expenses	5,346,224
Grants	<u>222,000</u>
Total	9,498,994

Source of funds

Transportation fund	5,693,133
Federal funds	<u>3,805,861</u>
Total	9,498,994

Sec. B.902 Transportation - buildings

Operating expenses	<u>2,050,000</u>
Total	2,050,000

Source of funds

Transportation fund	850,000
TIB fund	<u>1,200,000</u>
Total	2,050,000

Sec. B.903 Transportation - program development

Personal services	67,084,877
Operating expenses	317,718,748
Grants	<u>28,106,566</u>
Total	412,910,191

Source of funds

Transportation fund	63,006,826
TIB fund	16,199,908
Federal funds	330,355,267
Interdepartmental transfers	75,000
Local match	<u>3,273,190</u>
Total	412,910,191

Sec. B.904 Transportation - rest areas construction

Personal services	150,000
Operating expenses	<u>268,416</u>
Total	418,416

Source of funds

Transportation fund	41,842
Federal funds	<u>376,574</u>
Total	418,416

Sec. B.905 Transportation - maintenance state system

Personal services	44,709,478

Operating expenses	<u>59,736,553</u>
Total	104,446,031
Source of funds	
Transportation fund	103,700,216
Federal funds	645,815
Interdepartmental transfers	<u>100,000</u>
Total	104,446,031
Sec. B.906 Transportation - policy and planning	
Personal services	4,767,663
Operating expenses	1,035,700
Grants	<u>10,784,247</u>
Total	16,587,610
Source of funds	
Transportation fund	3,217,573
Federal funds	13,314,762
Interdepartmental transfers	<u>55,275</u>
Total	16,587,610
Sec. B.907 Transportation - rail	
Personal services	4,662,380
Operating expenses	30,650,803
Grants	<u>50,000</u>
Total	35,363,183
Source of funds	
Transportation fund	14,201,368
Federal funds	18,015,401
Interdepartmental transfers	2,985,206
Local match	<u>161,208</u>
Total	35,363,183
Sec. B.908 Transportation - public transit	
Personal services	5,369,937
Operating expenses	103,704
Grants	<u>39,065,637</u>
Total	44,539,278
Source of funds	
Transportation fund	4,108,577
Federal funds	40,390,701
Interdepartmental transfers	<u>40,000</u>
Total	44,539,278

Sec. B.909 Transportation - central garage

Personal services	4,847,286
Operating expenses	<u>17,906,809</u>
Total	22,754,095
Source of funds	
Internal service funds	<u>22,754,095</u>
Total	22,754,095

Sec. B.910 Department of motor vehicles

Personal services	27,635,785
Operating expenses	<u>12,106,049</u>
Total	39,741,834
Source of funds	
Transportation fund	37,942,872
Federal funds	1,657,266
Interdepartmental transfers	<u>141,696</u>
Total	39,741,834

Sec. B.911 Transportation - town highway structures

Grants	<u>7,200,000</u>
Total	7,200,000
Source of funds	
Transportation fund	<u>7,200,000</u>
Total	7,200,000

Sec. B.912 Transportation - town highway local technical assistance program

Personal services	371,731
Operating expenses	<u>42,750</u>
Total	414,481
Source of funds	
Transportation fund	114,481
Federal funds	<u>300,000</u>
Total	414,481

Sec. B.913 Transportation - town highway class 2 roadway

Grants	<u>8,600,000</u>
Total	8,600,000
Source of funds	
Transportation fund	<u>8,600,000</u>
Total	8,600,000

Sec. B.914 Transportation - town highway bridges

Personal services	15,948,483
Operating expenses	<u>14,365,704</u>
Total	30,314,187
Source of funds	
Transportation fund	1,230,817
TIB fund	2,402,455
Federal funds	25,529,514
Local match	<u>1,151,401</u>
Total	30,314,187

Sec. B.915 Transportation - town highway aid program

Grants	<u>27,837,624</u>
Total	27,837,624
Source of funds	
Transportation fund	<u>27,837,624</u>
Total	27,837,624

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

Operating expenses	265,000

Grants	<u>6,185,498</u>
Total	6,450,498
Source of funds	
Transportation fund	705,000
Special funds	4,317,498
Federal funds	<u>1,428,000</u>
Total	6,450,498
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	169,595
Operating expenses	<u>21,367</u>
Total	190,962
Source of funds	
Transportation fund	<u>190,962</u>
Total	190,962
Sec. B.922 Total transportation	
Source of funds	
Transportation fund	298,509,742
TIB fund	19,802,363
Special funds	4,367,498
Federal funds	438,299,601
Internal service funds	22,754,095
Interdepartmental transfers	3,597,177
Local match	<u>4,585,799</u>
Total	791,916,275
Sec. B.1000 Debt service	
Operating expenses	<u>76,877,244</u>
Total	76,877,244
Source of funds	
General fund	76,375,109
Transportation fund	502,135

TIB debt service fund	0
Total	76,877,244

Sec. B.1001 Total debt service

Source of funds	
General fund	76,375,109
Transportation fund	502,135
TIB debt service fund	0
Total	76,877,244

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:

(1) \$220,000 to the Agency of Administration for the Inclusion, Diversity, Equity, Action, Leadership (IDEAL) VT initiative to support municipalities in promoting these values within their communities.

(2) \$37,000 to the Ethics Commission to support the cost of one half-time position.

(3) \$205,000 to the Sergeant at Arms to support the costs associated with transitioning positions in the Capitol Police Department.

(4) \$120,000 to the Judiciary for Sustaining Language Access Program improvements.

(5) \$1,283,400 to the Office of the Defender General to support costs associated with the reopening of the courts.

(6) \$700,000 to the Secretary of State as follows:

(A) \$450,000 for election support.

(B) \$250,000 to support operational expenditures not covered by revenue resulting from telehealth.

(7) \$2,408,000 to the Agency of Agriculture, Food and Markets, as follows:

(A) \$1,000,000 for the development of an agricultural Payment for Ecosystems Services Program to support the work of the Payment for Ecosystem Services and Soil Health Working Group (PES WG) – as authorized by 2019 Acts and Resolves No. 83, amended by 2020 Acts and Resolves No. 129 and 2021 Acts and Resolves No. 47 – to enable Payment for Ecosystem Services Program development to retain facilitation services,

contract identified research needs, fund pilot program development, and deliver payments to farmers for quantified ecosystem services.

(B) \$200,000 to grant as a single-source contract to an eligible entity to administer these funds to assist individuals with low-income to access local, fresh, or whole food at farmers' markets and through Community Supported Agriculture (CSA) shares. This one-time appropriation will respond to the record demand in these fresh food access programs due to increased food insecurity experienced by Vermonters during the pandemic. The Agency shall allow a primary care health provider to apply on behalf of up to 20 patients for whom CSA shares have been recommended for improved health.

(C) \$420,000 for the purchase of laboratory equipment to test for per- and Polyfluoroalkyl Substances (PFAS) in drinking water to support public health testing requirements of the Agencies of Natural Resources, Transportation and Agriculture, Food and Markets.

(D) \$90,000 for grants to State fairs and field days organizations.

(E) \$300,000 of which \$200,000 is to establish a grant program for organic milk farmers that are transitioning to a new buyer to assist with the costs of modifications needed to accommodate the new buyer and \$100,000 to the Produce Safety Improvement grant program.

(F) \$150,000 to contract with an eligible consultant for the development of a State Food Security Action Plan that will include a strategy to improve the resilience of the statewide food system in order to better meet the food needs of citizens of Vermont during times of disruption to the national food distribution chain caused by emergencies such as the COVID-19 pandemic.

(G) \$248,000 for a grant to the Conservation Districts for equipment and capital improvements.

(8) \$1,512,636 to the Center for Crime Victims Services as follows:

(A) \$660,000 to replace shortfall in special fund revenue relating to fines and fees from the courts and traffic tickets.

(B) \$519,600 to replace declining federal Victims of Crime Act (VOCA) funds.

(C) \$308,036 for a grant to the Vermont Network Against Domestic and Sexual Violence.

(D) \$25,000 to support Kurn Hattin Survivors.

(9) \$150,000 to the Criminal Justice Council for the following:

(A) \$100,000 for an incident simulator to enable de-escalation training.

(B) \$50,000 for the development of a new entrance exam.

(10) \$8,000,000 to the Department of Public Safety- Emergency Management to provide state match for FEMA funds to purchase properties identified for high flood risk.

(11) \$1,180,000 to the Department for Children and Families for the following:

(A) \$50,000 for a grant to the Vermont Donor Milk Center for statewide activities.

(B) \$750,000 to the Parent Child Centers for upgrades to facilities, systems, or new equipment.

(C) \$180,000 to be granted to the Vermont Food Bank for statewide provision of diapers to families in need.

(D) \$200,000 to be granted to the five youth service provider organizations (Youth Services Inc., St. Johnsbury Area Youth Services Bureau, Washington County Youth Services Bureau, Windsor County Youth Services, and Spectrum Youth and Family Services) that currently have contracts with the Department of Health and the Department for Children and Families. Each organization shall receive a grant of \$20,000 and the remaining funds shall be granted to each organization in an equitable manner after consultation with the organizations and consideration of the scope of services by each organization.

(12) \$3,645,250 for Substance Use Disorder Prevention Investments within the Agency of Human Services as follows:

(A) \$3,000,000 to the Department of Health, Office of Alcohol and Drug Abuse Programs for a grant to the substance Misuse Prevention Coalitions. The Office of Alcohol and Drug Abuse Programs (ADAP) shall require that, as part of the grant agreement with the Substance Misuse Prevention Coalitions, information on the use of the funds, including the specific activities supported by the funds; a description of the number of people served; and information on the outcomes achieved by this investment be provided to ADAP in an agreed upon time frame. The ADAP shall report to the House and Senate Committees on Appropriations, the House Committee on Human Services, and the Senate Committee on Health and Welfare on or before January 10, 2023.

(i) It is the intent of the General Assembly that funding for the Substance Misuse Prevention Coalitions be funded with one-time general

funds until funds from the cannabis excise tax revenues pursuant to 32 V.S.A. § 7909 become available.

(B) \$100,000 to the Department of Health, Office of Alcohol and Drug Abuse Programs for a grant to the Jenna's House program. The grant is in addition to \$400,000 of base funding provided in Sec. B. 313 of this act.

(C) \$50,000 to the Department of Health – Public Health, for a grant to the University of Vermont's Comprehensive Care Clinic for HIV/AIDS for increased mental health counseling.

(D) \$345,250 to the Department of Disabilities, Aging, and Independent Living – Vocational Rehabilitation to fund two-year Employment Assistance Center pilot programs to serve Recovery Center clients.

(i) \$270,250 shall be to establish a two-year pilot program in collaboration with the Burlington Recovery Center. Funds may be granted to the Vermont Association of Business Industry and Rehabilitation to fund a dedicated employment consultant position for this pilot program. The Division of Vocational Rehabilitation is authorized to establish two limited service positions for this pilot program: one employment counselor and one employment assistance staff position, which is anticipated to be half time.

(ii) \$75,000.00 to establish a second pilot program at one of the other recovery centers in the State. The division of Vocational Rehabilitation is authorized to establish one limited-service employment counselor position for this pilot.

(iii) On or before January 10, 2024, the Division of Vocational Rehabilitation, in collaboration with the Vermont Association of Business Industry and Rehabilitation, shall submit a report to the House Committees on Commerce and Economic Development, on Appropriations, and on Human Services and to the Senate Committees on Economic Development, Housing and General Affairs, on Appropriations, and on Health and Welfare summarizing the effectiveness of the pilot programs, including:

(I) educational attainment and achievement of program recipients;

(II) acquisition of a credential of value pursuant to 10V.S.A. § 546;

(III) number of job placements; and

(IV) job retention rates.

(E) \$150,000 to the Department of Health's Division of Alcohol and Drug Abuse Programs to award a grant to a Burlington/Chittenden county-

based organization providing substance use treatment counseling or substance use recovery support, or both, for individuals within and transitioning out of the criminal justice system. The Division shall award grants based on an applicant's ability to accomplish the following:

(i) provide justice-involved individuals with direct substance use support services while incarcerated, such as through alcohol and drug abuse counselors licensed pursuant to 26 V.S.A. chapter 62 or certified recovery coaches, or both;

(ii) support justice-involved individuals in their transition out of incarceration, such as through warm handoffs to existing statewide resources for substance use treatment or recovery; or

(iii) provide long-term support for justice-involved individuals, such as by coordinating peer support services or ongoing counseling post incarceration.

(13) \$1,215,860 to the Agency of Education as follows:

(A) \$500,000 for Child Nutrition Grants to school districts to purchase local foods.

(B) \$15,860 to the Vermont Ethnic and Social Equity Standards Advisory Working Group to cover per diem and reimbursement of expenses.

(C) \$700,000 to Adult Education and Literacy to provide grants to the Adult Learning Centers.

(14) \$67,000 to the Attorney General for the Court Diversion program to replace special fund shortfall.

(15) \$325,000 to the Agency of Natural Resources for the following:

(A) \$75,000 to the Central Office for contractual support to complete work associated with implementing the Global Warming Solutions Act of 2020.

(B) \$250,000 to the Department of Environmental Conservation to complete statewide wetland mapping updates and to update the Vermont Significant Wetland Inventory maps.

(16) \$130,000 to the Agency of Commerce and Community Development for a grant to the Vermont Adaptive Ski and Sports program.

(17) \$500,000 to the Agency of Human Services, Central Office for the Vermont Refugee Resettlement program to provide aid to refugees.

(18) \$1,500,000 to the Department of Disabilities, Aging, and Independent Living (DAIL) to be used for grants to adult day service providers

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

(19) \$250,000 to the Agency of Commerce and Community Development for a grant to the Vermont League of Cities and Towns to provide technical assistance to towns related to seeking or expending federal funds.

(20) \$267,364 to the Department of Taxes for appraisal and litigation costs associated with the Sheldon Springs Hydroelectric Dam.

(21) \$600,000 to the Department of Public Service for Public Access, Education, and Government Media to fund the 24 media centers.

(22) \$450,000 to the Vermont Historical Society for HVAC systems.

(23) \$50,000 to the Department of Buildings and General Services to be granted to the Mount Ascutney Regional Commission to hire a consultant to facilitate community discussions on the use of the former Southeast State Correctional Facility property in Windsor to enable work, education, and health monitoring; to create base maps; and to conduct a legal analysis.

(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.

(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.

(c) \$10,000,000 is appropriated from the General Fund to the Agency of Administration for State Employees fiscal year 2023 transitional employer contribution to be distributed as needed to departments and agencies if approved by the Commissioner of Finance and Management to fund the fiscal year 2023 payroll assessment necessary to meet the State employees' pension and other post-employment benefits resulting from any changes to these programs enacted in the 2022 legislative session. The Commissioner shall report to the Joint Fiscal Committee at its November 2022 meeting on the status of this appropriation.

* * * Fiscal Year 2022 Adjustments, Appropriations, and Amendments * * *

Sec. C.100 2021 Acts and Resolves No. 74, Sec. D.101(b)(2) is amended to read:

(b)(2) The following estimated amounts, which may be all or a portion of unencumbered fund balances, shall be transferred from the following funds 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.

* * *

62100	Unclaimed Property Fund	\$3,027,750.00	<u>\$4,106,300.00</u>

Sec. C.101 2021 Acts and Resolves No. 74, Sec. E.602.2 is amended to read:

Sec. E.602.2 VERMONT STATE COLLEGES

(a) The Vermont State College (VSC) system shall transform itself into a fully integrated system that achieves financial stability in a responsible and sustainable way in order to meet each of these strategic priorities:

(1) Affordability. Ensure that student costs and debt obligations are not barriers to student access.

(2) Accessibility. Ensure that each VSC student, regardless of where the student's home campus is located, has increased access to academic opportunities, majors and courses across the statewide system.

(3) Equitability. Determine the extent to which gaps in educational access and success are being reduced for students from economically deprived backgrounds, first-generation students, students of color, and other marginalized groups.

~~(3)~~(4) Relevance.

(A) Ensure that each VSC student is prepared for a lifelong career and personal success in the globally competitive 21st century.

(B) Ensure that VSC offers educational programs that are:

- (i) aligned with State workforce needs;
- (ii) offered in a fiscally responsible manner; and
- (iii) delivered in a manner that is relevant to current student and employer needs.

(b) VSC shall meet the following requirements during the transformation of its system required under subsection (a) of this section and shall accommodate the oversight of the General Assembly in so doing.

(1) VSC shall reduce its structural deficit by \$5,000,000.00 per year ~~for five years~~ through a combination of annual operating expense reductions and increased enrollment revenues, for a total of \$25,000,000.00 by the end of fiscal year 2026. These reductions shall be structural in nature and shall not be met by use of one-time funds. The VSC Board of Trustees, through the Chancellor or designee, shall report the results of these structural reductions to the House and Senate Committees on Education and on Appropriations annually during the Chancellor's budget presentation.

(2) The VSC Board of Trustees shall develop and implement a 10-year strategic plan for managing its physical assets that is fiscally sustainable, maintains reasonable net asset value, and meets the needs of Vermont learners. ~~On or before March 1, 2022, the Chancellor shall present this Board approved plan~~ Updates to the plan and an annual report on its implementation shall be presented to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

(3) VSC shall maintain its present campus locations as educational and student-support centers, recognizing that overall campus size, governance and operational structures as well as program and service offerings may change as circumstances require.

(4) Beginning in fiscal year 2022 and through 2031, the VSC Board of Trustees, acting through the Chancellor or designee, shall brief, as part of the Chancellor's annual budget proposal, the House and Senate Committees on Education and Committees on Appropriations:

(A) enrollment levels in courses offered by VSC, reported on the basis of courses with fewer than five students, courses with five to nine students, courses with 10 to 14 students, and courses with 15 or more students, along with relevant information about these enrollment data;

(B) in order to demonstrate accessibility, the percentage of courses and programs offered by VSC on a statewide basis and on the formats in which they are offered;

(C) an assessment of affordability and accessibility within VSC and recommendations on how to improve them;

(D) retention statistics with corresponding trend lines and benchmarks;

(E) enrollment statistics with methods of comparison using readily available metrics that pertain to the student enrollment efforts authorized by the current fiscal year ~~2022~~ Vermont budget bill with the net student revenue generated and discount rate applied in order to enroll the students, aggregated by cohort; and

* * *

Sec. C.102 2022 Acts and Resolves No. 83, Sec. 53 is amended to read

Sec. 53. FISCAL YEAR 2022 UNALLOCATED RESERVE

(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 \$86,000,000 of remaining unreserved and undesignated funds at the close of fiscal year 2022 shall remain in the General Fund and be carried forward to fiscal year 2023. These funds may be used to provide state match to the federal Infrastructure Investment and Jobs Act.

(b) After meeting the requirements of subsection (a) of this section, but prior to satisfying the requirements of 32 V.S.A. § 308c, the remaining unreserved and undesignated funds at the close of fiscal year 2022 shall be allocated to the extent available as follows:

(1) \$850,000 shall be transferred to the to the Cannabis Regulation Fund (21998).

(2) \$1,700,000 to the State Liability Self-Insurance Fund (56200).

(3) ~~\$1,877,092~~ \$1,900,000 to the Correctional Industries Internal Services Fund (59100).

(4) ~~\$9,961,531~~ \$10,000,000 to the Agency of Human Services-Central Office-Global Commitment to offset one-time pressure related to the suspension of Medicaid eligibility redeterminations for fiscal year 2023. This appropriation is made to the extent the Global Commitment fiscal need is identified after analysis of the impact of continued enhanced pandemic related Federal Medical Assistance Percentage (FMAP) in tandem with the updated analysis on the fiscal impact related to caseload redetermination and cost per

member per month. The Agency of Human Services, in consultation with the Joint Fiscal Office and the Department of Finance and Management shall provide this analysis as part of the Medicaid end-of-year report provided the Emergency Board in July 2022.

(5) ~~\$25,000,000 is reserved and carried forward into fiscal year 2023 to improve the debt position of the State. This may include the redemption of general obligation bonds, reducing the amount of new debt to be issued or to address negative internal fund balances. To the extent funds are available they shall be applied and shall be allocated as follows:~~

(A) \$5,000,000 shall be transferred to the Property Management Fund (58700) established by 29 V.S.A. § 160.

(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 established in 32 V.S.A. § 1001b created in Sec. E.106.1 of this act.

(6) \$6,000,000 to the Department for Children and Families to be granted to childcare providers to address emergent and exigent circumstances following the COVID-19 pandemic for workforce retention bonuses to retain early childhood staff and home-based providers. It is the intent of the General Assembly that the eligible employers awarded funds pursuant to this section shall use the funds to make retention payments to their employees. The employers shall be afforded flexibility in determining how best to provide the financial retention assistance to their employees and how best to encourage employment beyond the terms of this program.

(i) The Department is authorized to establish parameters related to minimum hours worked for an employee or home-based provider to be eligible for a bonus under this subdivision (30), and to design a program that does not allow for duplication of bonuses to staff who work for more than one provider. Staff under a teacher contract shall not be eligible for this program.

(ii) Notwithstanding any provision of Vermont law to the contrary and to the extent permitted under federal law, the amount of a recruitment or retention payment received by an employee under this section shall be disregarded for purposes of determining the employee's or employee's household's income eligibility for any benefit program.

(7) \$9,600,000 is appropriated to the Judiciary, of which \$3,880,000 is for the reopening of the courts and \$5,720,000 is to replace HVAC in county court houses.

(8) \$10,000,000 to Vermont Housing Conservation Board for housing development.

(9) \$2,000,000 is transferred to the Workers' Compensation Fund (56100)

(10) \$15,000,000 reserved for the Department for Children Families emergency or transitional housing needs in the event federal emergency rental assistance funds are insufficient to meet needs in fiscal year 2023.

(11) \$50,250,000 is transferred to the Technology Modernization Special Fund created in Sec. E.105.1 of this act.

(12) \$25,000,000 shall be transferred to the Capital Expenditure Cash Fund, as established in 32 V.S.A. § 1001b created in Sec. E.106.1 of this act.

(c) After meeting the requirements of subsections (a) and (b) of this section, but prior to satisfying the requirements of 32 V.S.A. § 308c, the remaining unreserved and undesignated funds at the close of fiscal year 2022 shall remain in the General Fund and be carried forward to fiscal year 2023.

Sec. C.102.1 [Deleted.]

Sec. C.103 2021 Acts and Resolves No. 74, Sec G.300(a) as amended by 2022 Acts and Resolves No. 83, Sec. 68 is further amended to read:

(a) ~~\$187,114,176~~ \$181,114,176 in fiscal year 2022 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

* * *

(7) \$2,000,000 in fiscal year 2022 to the University of Vermont.

(A) \$1,000,000 for matching funds for research grant opportunities related to COVID-19.

(B) \$1,000,000 to provide up to two free classes in calendar year 2022 for any Vermont resident who is seeking to transition to a new career or to enhance the resident's job skills.

(8) \$19,700,000 in fiscal year 2022 to the Vermont State Colleges for the following programs; funds shall be carried forward until expended:

(A) \$2,000,000 to provide funding for up to six credits or two courses in the 2022–2023 academic year, including wraparound services for Vermonters whose employment was impacted by the COVID-19 public health

emergency since March 13, 2020. The wraparound services may also be provided to students who enroll in six credit hours or two courses in the summer or fall of 2021 and spring of 2022 pursuant to 2021 Acts and Resolves No. 9, Sec. 18.

(B) \$3,000,000 to provide degree completion scholarships for up to 30 credits towards a credential of value for adult learners who have earned at least 40 credits towards an undergraduate degree and have a gap in attendance of at least two years.

(C) \$14,700,000 to provide free last dollar tuition for one year of undergraduate studies for critical occupation careers, including bookkeeping certificate, IT service desk specialist certificate, certified production technician, graphic design certificate, software and web development program, electrical and plumbing apprenticeships, dental hygiene, certificate in accounting, small business management, radiologic science, and respiratory therapy. \$540,000 of these funds shall be allocated for paramedic/EMS programs and any unexpended amount of this allocation shall be available for the broader purpose in this subdivision (C). Funds may be used for practical nursing, ~~childcare~~ child care, nursing, ~~and~~ mental health counseling, and psychology and social work programs only after available federal and State financial aid is applied to ensure no cost to the student. Of this amount, \$7,350,000 shall be carried forward for the 2022–2023 school year. If demand from undergraduates is met, then funds may be used to pay for tuition for the following graduate programs:

- (i) ~~Master~~ Master's in Education (all programs);
- (ii) ~~Master~~ Master's in Educational Leadership;
- (iii) ~~Master~~ Master's of Arts and ~~Certificate~~ of Advanced Graduate Studies in ~~School~~ Psychology;
- (iv) ~~Masters~~ Master's in Counseling; and
- (v) ~~Masters~~ Master's in Clinical Mental Health Counseling; and
- (vi) Master's in Clinical Social Work.

* * *

~~(30) \$6,000,000 to the Department for Children and Families to be granted to childcare providers to address emergent and exigent circumstances following the COVID-19 pandemic for workforce retention bonuses to retain early childhood staff and home-based providers. It is the intent of the General Assembly that the eligible employers awarded funds pursuant to this section shall use the funds to make retention payments to their employees. The employers shall be afforded flexibility in determining how best to provide the~~

financial retention assistance to their employees and how best to encourage employment beyond the terms of this program.

(A) The Department is authorized to establish parameters related to minimum hours worked for an employee or home-based provider to be eligible for a bonus under this subdivision (30), and to design a program that does not allow for duplication of bonuses to staff who work for more than one provider. Staff under a teacher contract shall not be eligible for this program.

(B) Notwithstanding any provision of Vermont law to the contrary and to the extent permitted under federal law, the amount of a recruitment or retention payment received by an employee under this section shall be disregarded for purposes of determining the employee's or employee's household's income eligibility for any benefit program.

* * *

Sec. C.104 FISCAL YEAR 2022 AND FISCAL YEAR 2023; OUT-OF-STATE BEDS SAVINGS; APPROPRIATION

(a) In fiscal year 2022, \$360,140 of the amount appropriated in 2021 Acts and Resolves No. 74, Sec. B.339 (correctional services for out-of-state beds) shall be allocated as follows:

(1) \$300,000 to the Department of Corrections to expand and eliminate participant fees for community-based domestic violence intervention programming and to create domestic violence intervention programming and curricula for lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ) individuals; and

(2) \$60,140 for Offender Management System/data system improvements.

(b) In fiscal year 2022, \$417,030 of the amount appropriated in 2021 Acts and Resolves No. 74, Sec. B.338 (correctional services) shall be used for community justice centers.

Sec. C.105 2022 Acts and Resolves No. 83, Sec. 72a is amended to read:

Sec. 72a. MEDICAID HOME- AND COMMUNITY-BASED SERVICES (HCBS) PLAN

(a) Pursuant to Sec. 9817 of the American Rescue Plan Act (ARPA), in ~~October 2021~~ February 2022, the State submitted a home- and community-based services (HCBS) spending plan to the Centers for Medicare and Medicaid Services. This plan currently totals \$146,600,000 \$149,550,122, consisting of the following major components:

(1) ~~\$77,800,000~~ \$77,839,612 allocated to improve services;

(2) \$25,000,000 \$20,258,042 allocated to promote a high-performing and stable HCBS workforce; and

(3) \$43,800,000 \$51,452,468 allocated to improve HCBS care through data systems, value-based payment models, and oversight.

* * *

(e) In fiscal year 2023, a total of \$71,239,891 is appropriated from the Global Commitment Fund to AHS to meet the objectives of the HCBS plan. This appropriation consists of \$17,136,654 as appropriated in 2021 Acts and Resolves No. 74 for a three percent rate increase to HCBS providers, including the assistive community care rates and children integrated services rates, and the following appropriations in distinct one-time departmental IDs:

(1) \$23,510,987 is appropriated to the Agency of Human Services – Secretary’s Office.

(2) \$10,500,000 is appropriated to the Department of Disabilities, Aging, and Independent Living.

(3) \$1,500,000 is appropriated to the Department of Mental Health.

(4) \$17,000,000 is appropriated to the Department of Vermont Health Access.

(5) \$1,500,000 is appropriated to the Department of Health.

(6) \$92,250 is appropriated to the Department for Children and Families.

(f) The Global Commitment Fund appropriated in subsection (e) of this section may be obligated in fiscal year 2023 for the purposes of bringing HCBS plan spending authority forward into fiscal year 2024. The funds appropriated in subsections (b), (c), and (e) of this section may be transferred on a net-neutral basis in fiscal year 2023 in the same manner as the Global Commitment appropriations in Sec. E.301 of this act. The Agency shall report to the Joint Fiscal Committee in September 2023 on transfers of appropriations made and final amounts expended by each department in fiscal year 2023 and any obligated funds carried forward to be expended in fiscal year 2024.

Sec. C.106 CANNABIS CONTROL BOARD; PHASE I SYSTEM

(a) In fiscal year 2022, the amount of \$760,000 is transferred from the General Fund to the Cannabis Regulation Fund (21998) to support phase one of the online registration, licensing, and business application portal.

Sec. C.107 REPEAL

2022 Acts and Resolves No. 83, Sec. 66 (Educational Assistance; Medical Student Incentive Scholarship Program; Appropriation) is repealed.

Sec. C.107.1 TRANSITION OF FUNDING TO NURSE INCENTIVE
SCHOLARSHIP PROGRAM TO NURSE FORGIVABLE
LOAN PROGRAM

(a) At the close of fiscal year 2022, to the extent that funds are unexpended in the appropriation made in 2021 Acts and Resolves No. 74 Sec, C 100(a)(1) and allocated for the Nurse-Scholarship Program defined in 2020 Acts and Resolves No. 155 and 2021 Acts and Resolves No. 74 Sec. E.311.3, these funds shall be available in Fiscal Year 2023 to fund the Vermont Nursing Foregivable Loan Incentive Program in the Vermont Department of Health administered in collaboration with VSAC as established in 18 V.S.A. § 34.

(b) These funds shall be matched within the Global Commitment Program to the extent allowed by federal requirements.

(c) Any adjustments needed to the Department of Health Global Commitment Fund appropriation for transfer to VSAC for the Vermont Nursing Foregivable Loan Incentive Program shall be included in the fiscal year 2023 budget adjustment proposal.

Sec. C.107.2 FISCAL YEAR 2022 INCENTIVE SCHOLARSHIP FUNDING
REVERSION AND HEALTH CARE WORKFORCE
RESERVE CARE

(a) At the close of fiscal year 2022, to the extent that funds are unexpended in the appropriation made in 2021 Acts and Resolves No. 74 Sec, C 100(a)(1) and allocated for the University of Vermont College of Medicine, Medical Student Incentive Scholarship defined in 2020 Acts and Resolves No. 155 and 2021 Acts and Resolves No. 74 Secs. E.311.1 and E.311.3, these funds shall be reverted as follows:

(1) 2020 Acts and Resolves No.155, Sec. 4a

\$267,704

(2) 2021 Acts and Resolves No. 74 Sec, C 100 (a)(1)

\$438,579

(b) At the close of fiscal year 2022, \$700,000 is reserved in the General Fund for health care and social service workforce needs. The Agency of Administration in consultation with the Agency of Human Services shall provide recommendations to the General Assembly for the of these one-time funds in the fiscal year 2024 budget proposal.

Sec. C.108 DEPARTMENT OF LABOR; TRADE APPRENTICESHIP
EXPENSE REIMBURSEMENT; PROGRAM EXPANSION

(a) Up to \$1,000,000 of the funds appropriated in 2021 Acts and Resolves No. 74, Sec. G.300(a)(6) may be carried forward by the Vermont Department of Labor and used to reimburse Vermont employers for costs incurred for work tools and personal protective equipment for new apprentices and for expansion of registered apprenticeship programs and participants. Employers may be reimbursed up to \$300 for tools per apprentice.

Sec. C.109 [Deleted.]

Sec. C.110 ONE-TIME TOBACCO FUND APPROPRIATION;
SUBSTANCE MISUSE AND PREVENTION COALITIONS

(a) In fiscal year 2023, funds are appropriated from the Tobacco Fund to the Department of Health, Office of Alcohol and Drug Abuse Programs (ADAP) and shall be carried forward in fiscal year 2023 as follows:

(1) \$1,000,000 for substance use disorder (SUD) and tobacco prevention and cessation activities. Substance Misuse and Prevention Coalitions and tobacco cessation programs that target youth vaping may apply for funding. The Commissioner of ADAP shall determine levels of funding to award to applicants.

(A) The Office of ADAP shall require that, as part of the grant agreement with the Substance Misuse Prevention Coalitions, information on the use of the funds including the specific activities supported by the funds, a description of the number of people served, and information on the outcomes achieved by this investment be provided to ADAP in an agreed-upon time frame. The ADAP shall report on these metrics to the House and Senate Committees on Appropriations, the House Committee on Human Services, and the Senate Committee on Health and Welfare on or before January 10, 2023.

(2) \$350,000 for statewide AIDS Service Organizations for HIV/AIDS prevention and syringe exchange programs. Of this amount, \$150,000 shall be granted to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for syringe exchange programs, and \$200,000 shall be granted to the Howard Center's Safe Recovery program. 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.

Sec. C.111 2021 Acts and Resolves No. 74, Sec. E.335 as amended by 2022 Acts and Resolves No. 83, Sec. 62, is further amended by adding a subsection (c) to read:

(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.

Sec. C.112 2021 Acts and Resolves No. 74, Sec. B.1106(a)(1)(C) is amended to read:

(C) \$14,400,000 for distribution to departments to fund the annual increase in the Vermont State Employee Retirement Systems (VSERS) Actuarially Determined Employer Contribution (ADEC). Amounts not distributed shall be transferred to the Vermont State Retirement Fund (60100) in the fiscal year 2022 as needed to meet the fiscal year 2022 ADEC requirement.

Sec. C.113 2021 Acts and Resolves No.74, Sec. D.101(b)(3) is amended to read:

(3) Notwithstanding 2016 Acts and Resolves No. 172, Sec. E.228, \$46,078,618 \$47,736,618 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.

Sec. C.114 2021 Acts and Resolves No.74, Sec. B.1106, as amended by 2022 Acts and Resolves No.83, Sec. 46 is further amended read with the insertion of a subsection B.1106(a)(34) as follows:

(34) \$1,658,000 to the Military Department to provide state match for the federal Facilities Sustainment, Restoration, and Modernization (SRM) funds eligible for receipt in fiscal year 2022.

* * * Fiscal Year 2023 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 \$428,933 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 above \$428,933 from the property transfer tax that are deposited into the Current Use Administration Special Fund shall be transferred into the General Fund.

(2) The sum of \$21,128,985 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board.

Notwithstanding 10 V.S.A. § 312, amounts above \$21,128,985 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, is to 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 2023 appropriation of \$21,128,985 to VHCB 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, the \$1,500,000 reduction in the appropriation to VHCB is intended to be restored.

(3) The sum of \$5,882,597 is appropriated from the Municipal and Regional Planning Fund. Notwithstanding 24 V.S.A. § 4306(a), amounts above \$5,882,597 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$5,882,597 shall be allocated as follows:

(A) \$4,574,417 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

(B) \$872,120 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.101 FUND TRANSFERS, REVERSIONS, AND RESERVES

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

(1) From the General Fund to the All Other Insurance Fund (56300): \$1,000,000.

(2) From the General Fund to the Enhanced 911 Special Fund (21711): \$1,300,000.

(3) From the General Fund to the Cannabis Regulation Fund (21998): \$2,540,000.

(4) From the General Fund to the Technology Modernization Special Fund created in Sec. E.105.1 of this act: \$16,760,000.

(5) From the Clean Water Fund (21932) established by 10 V.S.A. § 1388 to the Agricultural Water Quality Special Fund (21933) created under 6 V.S.A. § 4803: \$5,816,111.

(6) From the Clean Water Fund established by 10 V.S.A. § 1388 to the Lake in Crisis Response Program Special Fund (21938) created under 10 V.S.A. § 1315: \$50,000.

(7) From the Transportation Fund to 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 2023:

(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>\$20,400,000</u>
	<u>Caledonia Fair</u>	<u>\$5,000</u>
	<u>North Country Hospital Loan</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 from the following funds 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 & reimbursement – Court order</u>	<u>\$2,000,000</u>
<u>21928</u>	<u>Secretary of State Services Funds</u>	<u>\$1,200,000</u>
<u>62100</u>	<u>Unclaimed Property Fund</u>	<u>\$1,773,425</u>

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

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

<u>1210002000</u>	<u>Legislature</u>	<u>\$205,000</u>
<u>1100030000</u>	<u>Executive Branch Pay Act</u>	<u>\$4,450,000</u>

(c) Notwithstanding any provisions of law to the contrary, in fiscal year 2023 the following estimated General Fund reserves shall be made:

(1) Pursuant to 32 V.S.A. § 308, an estimated amount of \$15,935,255 shall be reserved in the General Fund Budget Stabilization Reserve.

Sec. D.102 27/53 RESERVE

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

Sec. D.103 [Deleted.]

* * * General Government * * *

Sec. E.100 EXECUTIVE BRANCH POSITIONS

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

(1) Permanent classified positions:

(A) Agency of Agriculture, Food and Markets - Vermont Agriculture and Environmental Lab: one new VAEL Scientist IV; Chemistry.

(B) Department of Buildings and General Services – Fee for Space:

- (i) one BGS Utility Mechanic;
- (ii) three BGS Institutional Custodians; and
- (iii) one BGS Maintenance Mechanic II.

(C) Department of Disabilities, Aging, and Independent Living's Administration and Support division:

- (i) one Survey and Certification Non-clinical Manager;
- (ii) three Nurse Surveyors;
- (iii) one Administrative Assistant; and
- (iv) one Office of Public Guardian Community Financial Specialist.

(D) Department of Mental Health:

- (i) one Suicide Prevention Director;
- (ii) one Quality Control Specialist III;
- (iii) one Staffing Office Manager;
- (iv) five Mental Health Scheduling Coordinators;
- (v) one DMH Psychologist;
- (vi) one DMH Activity Therapist;
- (vii) one Psychiatric Social Worker II;
- (viii) two Food Service Workers;
- (ix) two Cook Cs; and
- (x) one Supervising Chef.

(E) Agency of Education:

- (i) one School Facility Coordinator; and
- (ii) one Communication Coordinator.

(F) Cannabis Control Board:

- (i) two enforcement officers; and
- (ii) one data analyst.

(G) State Treasurer: one Retirement Program Technician.(H) Agency of Natural Resources Central Office:

- (i) one Environmental Analyst VII; and
- (ii) two Environmental Analyst V.

(2) Permanent Exempt Positions:

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

(b) The conversion of the following limited-service positions to classified permanent status is authorized in fiscal year 2023 as follows:

(1) Department of Vermont Health Access:

- (A) DVHA, Business Office Unit – one Financial Manager III;
- (B) DVHA, Business Office Unit – one Grants Management Specialist;

(C) DVHA, Contracts & Grants Unit – two Contracts & Grants Administrators;

(D) DVHA, Contracts & Grants Unit – one Financial Manager I;

(E) DVHA, HAEEU – one Assister Program Manager;

(F) DVHA, HAEEU – seven Benefits Program Mentors;

(G) DVHA, HAEEU – two Business Analysts;

(H) DVHA, HAEEU – one Communications & Outreach Coordinator;

(I) DVHA, HAEEU – one Health Care Training/Community Manager;

(J) DVHA, HAEEU – seven Health Program Administrators;

(K) DVHA, HAEEU – three Healthcare Assistant Admin Is;

(L) DVHA, HAEEU – five Healthcare Assistant Admin IIs;

(M) DVHA, HAEEU – one VHC Business Process Coordinator;

(N) DVHA, HAEEU – one VHC Education & Outreach Coordinator;

(O) DVHA, HAEEU – five VHC Support Services Specialists;

(P) DVHA, HAEEU – 16 VT Healthcare Service Specialist Is;

(Q) DVHA, HAEEU – 25 VT Healthcare Service Specialist IIs;

(R) DVHA, HAEEU – five VT Healthcare Service Specialist IIIs;

(S) DVHA, Health Care Appeals Unit – five Fair Hearing Specialists;

(T) DVHA, Health Care Appeals Unit – one Program Technician I;

(U) DVHA, Legal Unit – one Staff Attorney II; and

(V) DVHA, Long Term Care Unit – three Long Term Care Specialist Is.

(2) Department of Forests, Parks and Recreation – Forestry: one Forester III.

(3) State Treasurer: one Financial Manager.

(c) The establishment of the following new classified limited-service positions are authorized in fiscal year 2023 as follows:

(1) Department of Labor: three positions to assist with the UI Modernization project.

(2) Agency of Education:

(A) one Grants Manager; and

(B) three Monitoring Coordinators.

(3) Department of Environmental Conservation:

(A) one Environmental Analyst V.

(4) Department of Motor Vehicles – to support DMV Core Modernization Phase II:

(A) one Purchasing/Inventory & Facilities Specialist III,

(B) two Direct Client Service Specialist I,

(C) one Financial Specialist III, and

(D) one Direct Customer Service Specialist I.

(d) The establishment of the following new classified limited-service positions are authorized in fiscal year July 1, 2022 through December 31, 2024 as follows:

(1) Department of State’s Attorneys and Sheriffs:

(A) ten Deputy State’s Attorneys; and

(B) two Administrative Assistants.

(e) The transfer of the following exempt position is authorized in fiscal year 2023 as follows:

(1) From the Agency of Administration to the Office of the Attorney General:

(A) one Staff Attorney III.

(f) The establishment of two additional classified permanent Tax Examiner positions is authorized in the Department of Taxes beginning in fiscal year 2023.

(1) Department of Taxes:

(A) two Tax Examiners.

Sec. E.100.1 2014 Acts and Resolves No. 179, Sec. E.100(d), as amended by 2015 Acts and Resolves No. 4, Sec. 74; 2016 Acts and Resolves No. 172, Sec. E.100.2; 2017 Acts and Resolves No. 85, Sec. E.100.1; 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.100.1; 2020 Acts and Resolves No. 120, Sec. A.7; 2020 Act and Resolves No. 154, Sec. E.100.2; and by 2021 Acts and Resolves No. 74, Sec. E.100.1, is further amended to read:

(d) Position Pilot Program. A Position Pilot is hereby created to assist participating departments in more effectively managing costs of overtime, compensatory time, temporary employees, and contractual work by removing the position cap with the goal of maximizing resources to the greatest benefit of Vermont taxpayers.

(1) Notwithstanding Sec. A.107 of this act, the Agency of Transportation, the Department for Children and Families, the Agency of Natural Resources, the Department of Buildings and General Services, the Department of Labor, the Department of Corrections, and the Department of Public Safety, the Department of State's Attorneys and Sheriffs, and the Vermont Veterans' Home shall not be subject to the cap on positions for the duration of the Pilot.

(A) The Department of Corrections is authorized to add only Correctional Officer I and II positions.

(B) The Department of State's Attorneys and Sheriffs is authorized to add only State's Attorney positions.

(C) The Vermont Veterans' Home is authorized to add direct care positions, including part-time positions. Prior to authorizing positions under subdivision (d)(2) of this section, the Secretary of Administration shall be provided the financial analysis from the Vermont Veterans' Home reviewed by the Commissioner of Finance and Management which demonstrates reduction in the cost of overtime expenses or other expenses equal to or greater than the projected cost of the positions for the current and successive fiscal year of operations.

* * *

(7) This Pilot shall sunset on ~~July 1, 2023~~ July 1, 2025, unless extended or modified by the General Assembly.

(8) ~~On or before January 15, 2019~~ Annually on or before January 15, the Commissioner of Human Resources, in coordination with the Vermont State Employees' Association (VSEA), shall provide a report on the total number of positions created under the authority of this section to the House and Senate Committees on Appropriations. The report shall include a recommendation on whether this program should be expanded and continue and, if so, should it be extended but remain in session law or be made permanent by codification in statute.

Sec. E.100.2 CHIEF PREVENTION OFFICER

(a) The Office of the Chief Prevention Officer shall coordinate all budget and policy initiatives across the full spectrum of the prevention continuum.

Sec. E.100.3 PENSION OVERSIGHT

(a) The Secretary of Administration, in consultation with the State Treasurer, shall study and recommend criteria for a longevity incentive for Group F members of the Vermont State Employees' Retirement System that reduces future employer pension costs. As part of the study, the Secretary shall identify the following:

(1) a baseline of recent member retirement behavior relative to assumptions during the five most recently completed fiscal years;

(2) a method for targeting incentives to encourage more employees to retire at later ages than currently assumed;

(3) the amount and structure of proposed incentives; and

(4) whether additional funds are required to support the proposed incentive program.

(b) On or before December 15, 2022, the Secretary shall submit a report on the study described in subsection (a) of this section to the Joint Public Pension Oversight Committee, and the House and Senate Committees on Appropriations and on Government Operations.

Sec. E.105 3 V.S.A. § 3303 is amended to read:

§ 3303. REPORTING, RECORDS, AND REVIEW REQUIREMENTS

(a) Annual report and budget. The Secretary shall submit to the General Assembly, concurrent with the Governor's annual budget request required under 32 V.S.A. § 306, an annual report for information technology and cybersecurity. The report shall reflect the priorities of the Agency and shall include:

(1) performance metrics and trends, including baseline and annual measurements, for each division of the Agency;

(2) a financial report of revenues and expenditures to date for the current fiscal year;

(3) costs avoided or saved as a result of technology optimization for the previous fiscal year;

(4) an outline summary of information, including scope, schedule, budget, and status for information technology projects with total costs of \$500,000.00 or greater;

(5) an annual update to the strategic plan prepared pursuant to subsection (c) of this section;

(6) a summary of independent reviews as required by subsection (d) of this section; and

(7) the Agency budget submission; and

(8) a report on the expenditures of the Technology Modernization Special Fund, a list of projects receiving funding from the Fund in the prior fiscal year, and a list of prioritized recommendations for projects to be funded from the Fund in the next fiscal year.

* * *

Sec. E.105.1 3 V.S.A. § 3305 is added to read:

§ 3305. TECHNOLOGY MODERNIZATION SPECIAL FUND

(a) Creation. There is created the Technology Modernization Special Fund, to be administered by the Agency of Digital Services. Monies in the Fund shall be used to purchase, implement, and upgrade technology platforms, systems, and cybersecurity services used by State agencies and departments to carry out their statutory functions.

(b) Funds. The Fund shall consist of:

(1) any amounts transferred or appropriated to it by the General Assembly; and

(2) any interest earned by the Fund.

(c) Fund balance. Any balance remaining at the end of the fiscal year shall remain in the Fund.

(d) Receipts. The Commissioner of Finance and Management may anticipate receipts to this Fund and issue warrants based thereon.

(e) Priorities. The General Assembly shall prioritize projects to receive monies from the Fund based on recommendations from the Chief Information Officer submitted pursuant to subsection 3303(a) of this title. Expenditures shall only be made from the fund through appropriation and project authorization by the General Assembly. Plans for use shall be submitted as part of the budget adjustment or budget process.

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

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

(1) the sum of \$11,800,000 for Enterprise Resource Planning (ERP) system upgrade of core statewide financial accounting system and integration

with the Vermont Department of Labor and the Agency of Transportation financial systems;

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

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

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

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

(1) adequacy of departmental readiness;

(2) the responsiveness of requests for proposals; and

(3) results of the independent review.

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

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

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

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

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

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

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

Sec. E.106 EXECUTIVE BRANCH FEES AND FUND DEFICITS;
PROPOSED INCREASES AND FOREGONE REVENUE;
REPORT

(a) According to the report submitted by the Commissioner of Finance and Management pursuant to 2021 Acts and Resolves No. 74, Sec. E.106, \$22,000,000 in revenue was foregone in one fiscal year due to lack of inflationary increases in certain fees, including Agency of Transportation fees.

(b) On or before November 15, 2022, the Commissioner of Finance and Management shall submit an inventory of all existing fees within State government to the Joint Fiscal Committee in Excel format. This inventory shall include all fees collected by the Executive Branch, the Attorney General, and the State Treasurer, as well as fees collected by the Judicial Branch. For fees within the Judicial Branch, the Commissioner shall have the assistance of the State Court Administrator. The fee inventory shall contain the following information for each fee in existence on the preceding July 1:

(1) the statutory authorization and termination date if any;

(2) its current rate or amount and the date this was last set or adjusted by the General Assembly or by the Joint Fiscal Committee;

(3) the fund into which its revenues are deposited;

(4) the revenues derived from it in each of the two previous fiscal years and an estimate of what will be collected in the current fiscal year; and

(5) in the case of licensing and registration fees, whether the fee is collected annually, biennially, or on some other set time frame.

(c) On or before November 15, 2022, the Secretary of State shall submit an inventory of its existing fees to the Joint Fiscal Committee in Excel format. The fee inventory shall contain the following information for each fee in existence on the preceding July 1:

(1) the statutory authorization and termination date if any;

(2) its current rate or amount and the date this was last set or adjusted by the General Assembly or by the Joint Fiscal Committee;

(3) the fund into which its revenues are deposited;

(4) the revenues derived from it in each of the two previous fiscal years and an estimate of what will be collected in the current fiscal year; and

(5) in the case of licensing and registration fees, whether the fee is collected annually, biennially, or on some other set time frame.

(d) On or before November 15, 2022, the Commissioner of Finance and Management shall provide a list of all funds to the Joint Fiscal Committee for which one or both of the following conditions are true:

(A) the fund was in a deficit at the end of the most recent fiscal year or is expected to be in a deficit at the end of the current fiscal year; or

(B) general funds were needed in any of the last three years to address a fund deficit or to support the related operating costs of programs supported by the fund.

(e) On or before January 15, 2023, the Commissioner of Finance and Management shall submit a report to the General Assembly that provides a list of programs by department where the fees do not fully cover the cost of providing the service or regulatory function.

Sec. E.106.1 32 V.S.A. § 1001b is added to read:

§ 1001b. CAPITAL EXPENDITURE CASH FUND

(a) Creation. There is hereby created the Capital Expenditure Cash Fund to be administered by the Commissioner of Finance and Management, in consultation with the State Treasurer, for the purpose of using general funds to defray the costs of future capital expenditures that would otherwise be paid for using the State's general obligation bonding authority and debt service obligations.

(b) Fund. The Fund may consist of:

(1) any appropriations or transfers made by the General Assembly; and

(2) any interest earned by the Fund.

(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 shall only be used for:

(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;

(2) projects with an anticipated lifespan of less than 20 years;

(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 at the end of any fiscal year shall be carried forward and remain part of the Fund.

(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 (c)(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.

Sec. E.106.2 CAPITAL EXPENDITURE CASH FUND; ANALYSIS

(a) The Commissioner of Finance and Management, in consultation with the Joint Fiscal Office and the State Treasurer, shall analyze and make recommendations on:

(1) a dedicated revenue source or State fiscal capacity to fund the Capital Expenditure Cash fund; and

(2) for any revenue source or State fiscal capacity identified in subdivision (1) of this subsection, an analysis of the benefits and costs of dedicating this revenue source to the Capital Expenditure Cash Fund in comparison to other identified unfunded State fiscal pressures.

(3) Amendments to 32 V.S.A. § 1001b(c) on the use of the Capital Expenditure Cash Fund, including;

(A) if uses of the Fund should be prioritized in statute;

(B) how to prioritize the use of the Fund to emphasize strong financial management in Vermont State government;

(C) if an allowed use should include internal State debts or deficits; and

(D) if an allowed use should include State assistance for projects to mitigate emergent health and safety needs.

(b) On or before January 15, 2023, the Commissioner of Finance and Management shall submit any recommendations to the House Committees on Appropriations and on Corrections and Institutions and the Senate Committees on Appropriations and on Institutions.

Sec. E.107 CORONAVIRUS RELIEF FUND APPROPRIATIONS;
REVERSION AND REALLOCATION; REPORTS

(a) From July 1, 2022 through September 30, 2022, the Commissioner of Finance and Management is authorized to revert all unobligated Coronavirus Relief Fund (CRF) appropriations and allocate the monies for expenditure pursuant to 32 V.S.A. § 511 to any agency or department for CRF-eligible costs incurred from March 1, 2020 through December 31, 2021.

(b) The Commissioner of Finance and Management shall report at the September meeting of the Joint Fiscal Committee on final CRF activity and if any monies will be returned to the federal government.

Sec. E.126 TRANSFER OF FUNDS WITHIN LEGISLATIVE BRANCH

(a) Notwithstanding 32 V.S.A. § 706, in fiscal year 2023, appropriations within the Legislative Branch may be transferred between respective offices to ensure a balanced close-out in the fiscal year.

Sec. E.126.1 RESTORATIVE JUSTICE; STUDY

(a) The Joint Legislative Justice Oversight Committee shall study Vermont's restorative justice programming and services, including the administration and funding of pretrial services, court diversion programs, balanced and restorative justice initiatives, and community justice center services with the purpose to develop recommendations for a comprehensive and efficient statutory framework for programming and services that further restorative justice principles. In conducting its study, the Committee shall:

(1) consider strategies for ensuring geographic consistency and equity for restorative justice programming and services, including equal access for all Vermonters and adequate resources for all providers; and

(2) recommend any changes to streamline restorative justice programming and services that coordinate the roles, responsibilities, and funding of the Department of Corrections, the Office of the Attorney General, the Department of Children and Families, and any other entity that administers restorative justice programming and services in the State.

(b) On or before December 15, 2022, the Committee shall submit any proposed legislation resulting from its study to the House Committees on Corrections and Institutions, on Judiciary, and on Appropriations, and the Senate Committees on Institutions, on Judiciary, and on Appropriations.

Sec. E.128 SERGEANT AT ARMS

(a) The Capitol Police may submit a request for equipment purchases or leases for up to \$15,000 to the Joint Legislative Management Committee for

review and approval. Upon approval, equipment purchases or leases shall be funded by General Fund carryforward within the legislative budget.

Sec. E.128.1 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 2023 Farmers' Night Concert Series and who are not otherwise sponsored or compensated for their participation.

Sec. E.131 STATE TREASURER – VOLUNTEER INCOME TAX
ASSISTANCE (VITA) PROGRAM

(a) Included in the appropriation in Sec. B.131 of this act is \$400,000 to contract with the Champlain Valley Office of Economic Opportunity (CVOEO) on behalf of the Vermont Community Action Partnership to manage and administer the Volunteer Income Tax Assistance (VITA) program.

Sec. E.134 VERMONT MUNICIPAL EMPLOYEES' RETIREMENT
SYSTEM; FISCAL YEARS 2023–2026; RATES

(a) Notwithstanding the provisions of 24 V.S.A. § 5064(b), for the period from July 1, 2022 through June 30, 2023, contributions shall be made by:

(1) Group A members at the rate of 3.5 percent of earnable compensation;

(2) Group B members at the rate of 5.875 percent of earnable compensation;

(3) Group C members at the rate of 11 percent of earnable compensation; and

(4) Group D members at the rate of 12.35 percent of earnable compensation.

(b) Notwithstanding the provisions of 24 V.S.A. § 5064(b), for the period from July 1, 2023 through June 30, 2024, contributions shall be made by:

(1) Group A members at the rate of 3.75 percent of earnable compensation;

(2) Group B members at the rate of 6.125 percent of earnable compensation;

(3) Group C members at the rate of 11.25 percent of earnable compensation; and

(4) Group D members at the rate of 12.6 percent of earnable compensation.

(c) Notwithstanding the provisions of 24 V.S.A. § 5064(b), for the period from July 1, 2024 through June 30, 2025, contributions shall be made by:

(1) Group A members at the rate of 4 percent of earnable compensation;

(2) Group B members at the rate of 6.375 percent of earnable compensation;

(3) Group C members at the rate of 11.5 percent of earnable compensation; and

(4) Group D members at the rate of 12.85 percent of earnable compensation.

(d) Notwithstanding the provisions of 24 V.S.A. § 5064(b), for the period from July 1, 2025 through June 30, 2026, contributions shall be made by:

(1) Group A members at the rate of 4.25 percent of earnable compensation;

(2) Group B members at the rate of 6.625 percent of earnable compensation;

(3) Group C members at the rate of 11.75 percent of earnable compensation; and

(4) Group D members at the rate of 13.1 percent of earnable compensation.

Sec. E.134.1 3 V.S.A. § 522 is amended to read:

§ 522. VERMONT PENSION INVESTMENT COMMISSION

* * *

(i) Assistance and expenses.

~~(1) The Commission shall have the administrative and technical support of the Office of the State Treasurer.~~

(2) The Commission may collect proportionally from the funds of the three retirement systems and any individual municipalities that have been allowed to invest their retirement funds pursuant to subsection 523(a) of this title, any expenses incurred that are associated with carrying out its duties, and any expenses incurred by the Treasurer's office in support of the Commission.

~~(3)(2)~~ The Attorney General shall serve as legal advisor to the Commission.

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

§ 524. VERMONT PENSION INVESTMENT COMMISSION SPECIAL FUND

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

(b) Funds. The Fund shall consist of:

(1) any amounts collected and transferred by the three retirement systems and any individual municipalities that have been allowed to invest their retirement funds pursuant to subsection 523(a) of this title;

(2) any amounts transferred or appropriated to it by the General Assembly; and

(3) any interest earned by the Fund.

Sec. E.134.3 VERMONT PENSION INVESTMENT COMMISSION;
SOURCE OF FUNDS

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

(b) The funds appropriated from the pension systems for administrative costs in Secs. B.133, B.134, and B.514.1 of this act are intended to provide spending authority needed to transfer funds from the State's pension systems to the Treasurers Retirement Admin Costs fund (21520) to cover the portion of the Treasurer's budget attributable to the State's pension systems.

Sec. E.134.4 MEMBERSHIP TRANSFER OF CERTAIN SHERIFF
DEPARTMENT EMPLOYEES; COSTS; MUNICIPAL
EMPLOYEES' RETIREMENT SYSTEM; STATE
TREASURER; REPORT

(a) The State Treasurer, in consultation with the Joint Pension Oversight Committee shall, with assistance of actuarial analysis, determine the costs associated with transferring the membership of:

(1) certified law enforcement officials employed by county sheriff departments from Group F in the Vermont State Employees' Retirement System to a Group D membership in the Vermont Municipal Employees' Retirement System; and

(2) support staff employed by county sheriff departments from Group F in the Vermont State Employees' Retirement System to Group A, B, or C in the Vermont Municipal Employees' Retirement System.

(b) On or before October 1, 2022, the State Treasurer shall submit a report to the House Committees on Appropriations and on Government Operations and the Senate Committees on Appropriations and on Government Operations that includes the results of the study described in subsection (a) of this section. The report shall include an inventory of all employees, as of a specified date, for each county sheriff department with the current enrollment status of each employee in a State or municipal pension system by group; or if the employee is not enrolled in a State or municipal pension system; or is enrolled in another retirement system.

Sec. E.136.1 2017 Acts and Resolves No. 79, Sec. 13, as amended by 2020 Acts and Resolves No. 120, Sec. A.8, and 2021 Acts and Resolves No. 44, Sec. 2, is further amended to read:

Sec. 13. STATE ETHICS COMMISSION FUNDING SOURCE
SURCHARGE; REPEAL

(a) Surcharge.

(1) Notwithstanding the provisions of 3 V.S.A. § 2283(c) setting forth the purpose and rate of charges collected in the Human Resource Services Internal Service Fund, in fiscal year 2018 and thereafter, a surcharge of up to 2.3 percent, but no greater than the cost of the activities of the State Ethics Commission set forth in Sec. 7 of this act, on the per-position portion of the charges authorized in 3 V.S.A. § 2283(c)(2) shall be assessed to all Executive Branch agencies, departments, and offices and shall be paid by all assessed entities solely with State funds.

(2) The amount collected shall be accounted for within the Human Resource Services Internal Service Fund and used solely for the purposes of funding the activities of the State Ethics Commission set forth in Sec. 7 of this act.

(b) Repeal. This section shall be repealed on ~~July 1, 2022~~ July 1, 2025.

Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

(a) Of the funds appropriated 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 the hydroelectric plants and

expenses incurred to undertake complex commercial and utility property appraisals conducted by the Department to aid town valuations.

Sec. E.142 PAYMENTS IN LIEU OF TAXES

(a) This appropriation is for State payments in lieu of property taxes under 32 V.S.A. chapter 123, subchapter 4, and 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 do not exceed 100 percent of the assessed value of State buildings defined by 32 V.S.A. § 3701(2).

Sec. E.143 PAYMENTS IN LIEU OF TAXES – MONTPELIER

(a) Payments in lieu of taxes under this section 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 this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

* * * Protection to Persons and Property * * *

Sec. E.200 ATTORNEY GENERAL

(a) Notwithstanding any other provisions of law, 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.203 [Deleted.]

Sec. E.205 24 V.S.A. § 290 is amended to read:

§ 290. COUNTY SHERIFF'S DEPARTMENT

* * *

(b) Full-time State deputy sheriffs whose primary responsibility is transportation of prisoners and persons with a mental condition or psychiatric disability shall be paid by the State of Vermont. ~~The appointment of such deputies and their salary shall be approved by the Governor or his or her designee. The Executive Committee of the Vermont Sheriffs Association and the Executive Director of the Department of State's Attorneys and Sheriffs shall jointly have authority for the assignment of position locations in the counties of State-paid deputy sheriffs and shall review the county location assignments periodically for efficient use of resources. The positions and their funding shall be assigned to the Department of State's Attorneys and Sheriffs. The Executive Director shall have the authority to determine job duties for the position, assignment of positions to county, regular and temporary work locations, assistance to other State agencies and departments, timesheet systems, daily work logs, and to have final approval of personnel matters including, but not limited to, approval for hiring, paygrade assignment, hiring rate, discipline, and termination. The Sheriffs shall have an Executive Committee of not more than five current Sheriffs, elected for a two-year term by a vote of the Sheriffs held not later than January 15, for a term starting February 1. The Executive Committee shall have a Chair, Vice-Chair, Secretary-Treasurer, and two members at large. The Executive Committee shall meet at least quarterly to provide input to the Department of State's Attorneys and Sheriffs regarding budget, legislation, personnel and policies, and the assignment of positions, when vacancies arise, for efficient use of resources.~~

* * *

Sec. E.205.1 32 V.S.A. § 1591(2) is amended to read:

(2) For the transportation and care of prisoners, juveniles, and patients with a mental condition or psychiatric disability:

(A) For necessary assistance in arresting or transporting prisoners, juveniles, or persons with mental illness, ~~the sum of \$18.00 per hour~~ State's Attorneys and Sheriffs Executive Director shall annually set the per hour chargeable rate for each deputy sheriff or assistant so required ~~if the~~ to assist in the transport. The Executive Director shall consult with the Sheriffs Association before setting the per hour chargeable rate. The sheriff or constable makes oath that the deputy sheriff, assistant, or assistants were required, giving the name of the assistant or assistants if there were more than one; provided, however, a full-time law enforcement officer shall provide the documentation required by the Department. The deputy sheriff or assistant shall not receive compensation under this subsection if otherwise compensated from any other funding source for the same hours during which such

~~transportation is performed. In addition to the rate established the sheriffs' department shall be reimbursed for the costs of the employers' contribution to Social Security and workers' compensation insurance attributable to services provided under this section. Reimbursement shall be calculated on an hourly basis; the sheriff's department shall also be reimbursed for the costs of employer contributions for unemployment compensation, when a claim is filed and the percentage owed from the sheriff's department to the State can be accounted for under this section.~~

* * *

Sec. E.208 PUBLIC SAFETY – ADMINISTRATION

(a) The Commissioner of Public Safety is authorized to 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 Sheriff.

Sec. E.209 PUBLIC SAFETY – STATE POLICE

(a) Of the General Fund appropriation in Sec. B.209, \$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, \$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 fund the work of the Drug Task Force or carried forward.

Sec. E.209.1 PUBLIC SAFETY – VERMONT STATE POLICE; DISPATCH WORKING GROUP; TRANSITION PROPOSAL; REPORT

(a) Creation. The Commissioner of the Department of Public Safety shall convene a working group on the new regional dispatch model. The task force shall provide a written report to the Governor and the General Assembly on or before December 1, 2022. The report shall include recommendations on:

(1) The long-term funding model for regional dispatch that fairly assesses costs statewide, does not unduly affect property taxes, and clearly identifies the potential impact on property taxes;

(2) The estimated timeline and transition funding needed as new regional dispatch centers come online and local dispatch services are transitioned away from State-operated facilities.

(3) Identify the reduction in workload that will result at the two Vermont State Police dispatch centers from a fully operational regional dispatch model.

(b) Membership. The working group shall be composed of the following members:

(1) one representative of the Vermont State Police, selected by the Commissioner of Public Safety;

(2) two representatives of local legislative bodies, selected by the Vermont League of Cities and Towns, one of which utilizes a State-dispatch center and one of which utilizes an existing regional or local dispatch center;

(3) one representative of an existing local or regional dispatch center, selected by the Vermont League of Cities and Towns;

(4) two police chiefs, selected by the Vermont Police Chiefs Association, one of whom utilizes a State-dispatch center and one of whom utilizes an existing regional or local dispatch center;

(5) one emergency medical responder, selected by the Vermont EMS Advisory Committee;

(6) one firefighter, selected by the Vermont State Firefighters Association;

(7) one sheriff, selected by the Vermont Sheriffs Association; and

(8) one representative of the Enhanced 911 Board, selected by the Board Chair.

(c) Powers and Duties. The working group shall:

(1) Consider and document how current dispatch services are provided statewide and the various methods of funding that exist to cover the cost of dispatch services. This shall include detail by town and or by emergency service provider. This analysis shall identify any funding inequities that exist in the current system between those entities paying for services using local funds and those entities receiving dispatch services provided by the State without cost. The analysis of current costs and payments flows for dispatch services shall be compared to the projected costs and payment flows under the new regional dispatch model. This analysis shall also estimate how first responder entities dispatched through the new regional system may be financially impacted in the transition to the new regional system.

(2) Identify a transitional timeline and the tasks to be completed within that timeline for transitioning to the new regional dispatch model.

(3) Identify any State resources that may become available once the new dispatch system is fully operational and recommend if and how such resources should be distributed to equitably reduce local costs.

(4) Identify any other ongoing sources of statewide revenue to be dedicated to statewide emergency response communications to equitably reduce local costs.

(d) Meetings.

(1) The Commissioner of Public Safety or designee shall call the first meeting of the working group.

(2) The working group shall determine its chair from among the members of the working group.

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

(e) Assistance. The working group shall have the administrative, technical, and legal assistance of the Department of Public Safety.

Sec. E.212 PUBLIC SAFETY – FIRE SAFETY

(a) Of the funds appropriated in Sec. B.212 of this act, \$55,000 shall be granted to the Vermont Rural Fire Protection Task Force for the purpose of designing 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.222 NEW FARMER PROGRAM COORDINATION

(a) The Secretary of Agriculture shall, in consultation with the Vermont Housing Conservation Board, inventory the programs available to assist new farmers beginning operations in the State. On or before January 15, 2023, the Secretary shall provide a report to the House and Senate Committees on Agriculture on the degree of coordination across these programs. This shall

include recommendations for improvement or change in operations and coordination that would benefit new farmers experience in seeking assistance.

Sec. E.232 [Deleted.]

Sec. E.233 30 V.S.A. § 8083(b)(6) is amended to read:

(6) upon approval by the General Assembly, up to \$1,500,000.00 annually to fund the operational expenses of the Board and the Department to the extent the Department's expenses support the work of the Board.

Sec. E.233.1 VERMONT COMMUNITY BROADBAND BOARD;
OPERATIONAL EXPENSES; ANNUAL BUDGET

(a) On or before December 1, 2022, the Vermont Community Broadband Board shall submit to the Governor and the General Assembly a proposed budget for its operational expenses for fiscal year 2023 for inclusion in the fiscal year 2023 budget adjustment act.

(b) On or before January 15, 2023, the Vermont Community Broadband Board shall submit to the Governor and the General Assembly a proposed budget for its operational expenses in fiscal year 2024 for inclusion in the Governor's recommended fiscal year 2024 appropriations for the support of government.

(c) In preparing a proposed budget for its operational expenses, the Vermont Community Broadband Board shall maximize first the use of any federal funds in the Vermont Community Broadband Fund that are available for administrative costs, and then shall draw upon monies transferred to the Vermont Community Broadband Fund pursuant to 30 V.S.A. § 7523(b).

Sec. E.233.2 VERMONT COMMUNITY BROADBAND BOARD

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

Sec. E.233.3 MUNICIPAL FUNDS FOR BROADBAND

(a) Notwithstanding any other provision of law to the contrary, a municipality may accept and finance broadband projects with funds received from the American Rescue Plan Act of 2021, Pub. L. 117-2, including funds received as lost revenue.

Sec. E.240 CANNABIS CONTROL BOARD

(a) The funds appropriated for the Cannabis Control Board in Sec. B.240 of this act include one-time special funds of \$703,432 to support phase two of the license application and seed to sale tracking information technology system.

* * * Cannabis Regulation Fund; Cannabis Excise Tax Revenue in Fiscal Years 2024 and 2025* * *

Sec. E.240.1 7 V.S.A. § 845 is amended to read:

§ 845. CANNABIS REGULATION FUND

(a) There is established the Cannabis Regulation Fund, which shall be managed in accordance with 32 V.S.A. chapter 7, subchapter 5. The Fund shall be maintained by the Cannabis Control Board.

(b) The Fund shall be composed of:

(1) all State application fees, annual license fees, renewal fees, and civil penalties collected by the Board pursuant to chapters 33 (cannabis establishments) and 37 (medical cannabis dispensaries) of this title; ~~and~~

(2) all annual and renewal fees collected by the Board pursuant to chapter 35 (medical cannabis registry) of this title; and

(3) all cannabis excise tax revenue raised pursuant to 32 V.S.A. § 7902.

(c) Monies from the Fund shall only be appropriated for the purposes of implementation, administration, and enforcement of this chapter and chapter 33 of this title.

(d) The Commissioner of Finance and Management shall do the following not later than July 31 each year:

(1) transfer the unexpended and unobligated balance of the Cannabis Regulation Fund to the General Fund at the close of the prior fiscal year; and

(2) report the amount of the transfer made pursuant to subdivision (1) of this subsection to the Joint Fiscal Committee.

Sec. E.240.2 32 V.S.A. § 7909 is amended to read:

§ 7909. SUBSTANCE MISUSE PREVENTION FUNDING

(a) ~~Thirty percent of the revenues raised by the cannabis excise tax imposed by section 7902 of this title~~ unexpended and unobligated balance of the Cannabis Regulation Fund that is transferred to the General Fund pursuant to 7 V.S.A. § 845(d)(1), not to exceed \$10,000,000.00 per fiscal year, shall be

used to fund substance misuse prevention programming in the subsequent fiscal year.

* * *

Sec. E.240.3. REPEAL

(a) 2020 Acts and Resolves No. 164, Sec. 6c (contingent Cannabis Regulation Fund deficit offset) is repealed.

Sec. E.240.4 2020 Acts and Resolves No. 164, Sec. 33(h) is amended to read:

~~(h) Sec. 6c (contingent Cannabis Regulation Fund deficit offset) shall take effect on July 1, 2024. [Repealed.]~~

* * * Cannabis Excise Tax Revenue Starting in Fiscal Year 2026 * * *

Sec. E.240.5. 7 V.S.A. § 845 is amended to read:

§ 845. CANNABIS REGULATION FUND

(a) There is established the Cannabis Regulation Fund, which shall be managed in accordance with 32 V.S.A. chapter 7, subchapter 5. The Fund shall be maintained by the Cannabis Control Board.

(b) The Fund shall be composed of:

(1) all State application fees, annual license fees, renewal fees, and civil penalties collected by the Board pursuant to chapters 33 (cannabis establishments) and 37 (medical cannabis dispensaries) of this title; and

(2) all annual and renewal fees collected by the Board pursuant to chapter 35 (medical cannabis registry) of this title; and,

~~(3) all cannabis excise tax revenue raised pursuant to 32 V.S.A. § 7902. [Repealed.]~~

(c) Monies from the Fund shall only be appropriated for the purposes of implementation, administration, and enforcement of this chapter and chapter 33 of this title.

~~(d) The Commissioner of Finance and Management shall do the following not later than July 31 each year:~~

~~(1) transfer the unexpended and unobligated balance of the Cannabis Regulation Fund to the General Fund at the close of the prior fiscal year; and~~

~~(2) report the amount of the transfer made pursuant to subdivision (1) of this subsection to the Joint Fiscal Committee. [Repealed.]~~

Sec. E.240.6. 32 V.S.A. § 7909(a) is amended to read:

(a) Thirty percent of the revenues raised by the cannabis excise tax imposed by section 7902 of this title unexpended and unobligated balance of the Cannabis Regulation Fund that is transferred to the General Fund pursuant to 7 V.S.A. § 845(d)(1), not to exceed \$10,000,000.00 per fiscal year, shall be used to fund substance misuse prevention programming in the subsequent fiscal year.

Sec. E.240.7 TRANSFER IN JULY 2025

(a) Notwithstanding any provision of law to the contrary, the Commissioner of Finance and Management shall do the following not later than July 31, 2025:

(1) transfer the unexpended and unobligated balance of the Cannabis Regulation Fund to the General Fund at the close of the 2024 fiscal year; and

(2) report the amount of the transfer made pursuant to subdivision (1) of this section to the Joint Fiscal Committee.

* * * Human Services * * *

Sec. E.300 FUNDING FOR THE OFFICE OF THE HEALTH CARE
ADVOCATE

(a) Of the funds appropriated in Sec. B.300 of this act, \$1,847,406 shall be used for the contract with the Office of the Health Care Advocate.

Sec. E.300.1 PRIVATE NONMEDICAL INSTITUTIONS; COSTS

(a) On or before September 1, 2022, the Agency of Human Services shall report to Joint Fiscal Committee on a plan to address costs associated with contract staffing for private nonmedical institutions. The plan shall include a timeline to address the rate setting process for future ongoing base costs starting in State fiscal year 2023.

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

(a) The Agency of Human Services (AHS) shall use the funds appropriated in this section 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 for Health Waiver (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 this section, a total estimated sum of \$25,231,644 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) \$22,230,100 certified State match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with \$28,269,900 of federal funds appropriated in Sec. B.301 of this act equals a total estimated expenditure of \$50,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) \$3,001,544 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) In order to facilitate the end-of-year closeout for fiscal year 2023, 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 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 September 2023 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 for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

Sec. E.301.2 GLOBAL COMMITMENT WAIVER AMENDMENT

(a) The Secretary of Human Services is authorized to seek to extend or renew Vermont’s Global Commitment to Health Section 1115 Demonstration Waiver, which is currently set to expire on June 30, 2022. The Agency of Human Services shall strive to maintain or increase the State’s flexibility to

use Global Commitment investment dollars to increase access to care and coverage, improve health outcomes, strengthen health care delivery, and promote transformation to value-based and integrated models of care.

Sec. E.301.3 PROVIDER RATE INCREASES

(a) Recipients of any increased rates under Secs. B.314, B.333, and B. 334.1 of this act shall be transparent in the use of these funds through timely and accurate reporting.

(b) On or before April 15, 2023, based on the information reported in subsection (a) of this section from the Designated and Specialized Service Agencies and the Home Health Provider Agencies, the Agency of Human Services shall provide a preliminary report to General Assembly on whether the fiscal year 2023 provider rate increase is having an impact on:

(1) reducing the wait times for community-based mental health services or community-based home health services under the Choices for Care Program;

(2) reducing the use of emergency department resources at local hospitals for mental health related incidents; and

(3) improving the staff vacancy rate at these providers through their ability to recruit and retain employees.

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, 2023, but only in the event that new state or federal law or guidance require 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 [Deleted.]

Sec. E.312 HEALTH – PUBLIC HEALTH

(a) AIDS/HIV funding.

(1) In fiscal year 2023 and as provided in this section, the Department of Health shall provide grants in the amount of \$475,000 in AIDS Medication Rebates special funds to the 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 2023 and as provided in this section, 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 take action.

(B) As provided in this section, 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 2023, 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 2023, the Department of Health shall provide grants in the amount of \$300,0000 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 will be State fiscal year 2023. Grant reporting shall include outcomes and results.

(6) In fiscal year 2023, the Department of Health shall not reduce any grants to the Vermont AIDS service and peer-support organizations or syringe service programs from funds appropriated for AIDS/HIV services to levels below those in fiscal year 2022 without receiving prior approval from the Joint Fiscal Committee.

Sec. E.313 REPORT, PUBLIC INEBRIATE AND SOBER BED
PROGRAMMING

(a) The new alcohol and drug abuse program beds funded through Sec. B.313 of this act shall be used to treat public inebriates instead of having these individuals held by the Department of Corrections. On or before January 15, 2023, the Department of Health, in consultation with the Chief Prevention Officer, Vermont Preferred Providers, Vermont Care Partners, the Vermont Association for Mental Health and Addiction Recovery, and the Vermont Alliance for Recovery Residences, shall submit a written report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare examining whether there is excess bed capacity among those programs designated for use by public inebriates. The report shall include an analysis of financial sustainability of the programs. If the Department determines that there is excess capacity, the report shall include a plan to make efficient use of the excess capacity, including possibly redesignating beds for alternative purposes.

Sec. E.314 DEPARTMENT OF MENTAL HEALTH; MOBILE CRISIS
OUTREACH SERVICES

(a) The Department of Mental Health shall build an urgent care model for mental health by expanding mobile outreach services based on the Department's analysis of statewide mobile crisis services and gaps pursuant to its State Planning Grant from the Centers for Medicare and Medicaid Services. The urgent care model shall address geographic gaps and the regions of the State in which the lack of mobile outreach is most directly driving unnecessary emergency department visits or unnecessary law enforcement responses.

(b) The new mobile outreach services shall:

(1) be based on evidence-based and trauma-informed practices, including using peer support staff;

(2) be developed in conjunction with the continuum of urgent care response related to the new 9-8-8 suicide prevention line; and

(3) comply with federal requirements as needed to qualify for three years of federal financial participation at an enhanced 85 percent federal match rate.

(c) The Department, in coordination with the Agency of Human Services Secretary's Office, Department of Vermont Health Access and the Department of Financial Regulation, shall develop a sustainability plan to ensure that the services will continue to be available after expiration of the enhanced federal match rate.

(d) On or before January 15, 2023, the Department shall provide a status report on:

(1) the experience of the Rutland pilot project which includes the number of Vermonters served by this pilot through 2022, as well as a description of the evaluation of the operating model of the pilot since it was launched to date; and

(2) the status of expansion of the urgent care model for mental health by expanding mobile outreach services funded in fiscal year 2023, including grants issued to date, operating status of the programs provided funding, and number of Vermonters served in 2022.

Sec. E.314.1 DEPARTMENT OF MENTAL HEALTH; EMERGENCY
DEPARTMENTS; PATIENT EXPERIENCE OF CARE;
REPORT

(a) On or before January 15, 2023, the Department of Mental Health shall report to the House Committee on Health Care and the Senate Committee on Health and Welfare regarding the progress of the health care system in improving the patient experience of care for individuals encountering lengthy emergency departments waits for admission for inpatient psychiatric treatment. The report shall include an assessment of the services offered to these patients in emergency departments and the extent to which stakeholder input is included in decisions about services and patient care. The report shall include the most recent data pertaining to patient length of stay in emergency departments due to a lack of appropriate alternative mental health level 1 or step-down bed placements, and any changes anticipated in the inventory of level 1 or step-down beds system wide.

Sec. E.314.2 29 V.S.A. § 821 is amended to read:

§ 821. STATE FACILITIES

(a) State buildings.

* * *

(15) “River Valley Therapeutic Residence” shall be the name of the secure residential recovery facility in Essex.

* * *

Sec. E.316 PARENT CHILD CENTER GRANT

(a) The Department for Children and Families shall, within the administration of the grant for parent child centers and in consultation with the parent child centers, seek to ensure that services are targeted to families most at risk of having young children come into State custody. The shared goal of preventing that outcome and bringing Vermont’s rate of young children coming into State custody down to a level more consistent with other states experience, shall be reflected in the grant agreement.

Sec. E.317 33 V.S.A. § 5126 is added to read:

§ 5126. PLACEMENT OF A CHILD INTO A QUALIFIED RESIDENTIAL TREATMENT PROGRAM

(a) Within 60 days of the start of a placement of a child into a qualified residential treatment program by the Commissioner, the Family Division of the Superior Court or the Judicial Master shall review the assessment, determination, and documentation provided by the qualified individual conducting the assessment required pursuant to 42 U.S.C. § 675a. The court or Judicial Master shall determine whether the needs of the child can be met through placement with family members, in a foster family home, or in another approved setting designed to meet specialized needs. If placement in a setting described above is not appropriate, the court or Judicial Master shall consider whether placement of the child in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment, and whether such a placement is consistent with the short- and long-term goals for the child, as specified in the case plan for the child.

(b) The court or Judicial Master shall approve or disapprove the placement in a qualified residential treatment program based on the factors considered in subsection (a) of this section and make written findings as to the basis for the determination. The decision and findings shall be submitted to the parties.

(c) Nothing in this section shall be construed to limit the Commissioner's authority to place a child who is in the Commissioner's legal custody in a family home or a treatment, rehabilitative, detention, or educational facility or institution as provided in subdivision 5106(4) of this title.

(d) This section shall not apply to children placed in a setting that is intended for the detention of minors.

Sec. E.318 REPEAL

2019 Acts and Resolves No. 72, Sec. E.318.7 is repealed.

Sec. E.318.1 CHILD CARE CAPACITY-BUILDING GRANTS

(a) Of the funds appropriated in Sec. B.318 of this act, \$800,000 is allocated for the purpose of expanding infant and toddler child care capacity.

(b) The Child Development Division shall award grants to eligible applicants. An eligible applicant shall:

(1) be a new or existing regulated, privately owned center-based child care program or family child care home in good regulatory standings;

(2) participate in Child Care Financial Assistance Program (CCFAP);

(3) provide year-round, full day child care and early learning services;

(4) provide child care and early learning services for infants and toddlers; and

(5) participate in the Step Ahead Recognition System (STARS).

(c) Center-based child care program or family child care homes receiving a grant pursuant to this section shall remain in compliance with the Division's rules, continue participation in STARS, and maintain enrollment of children supported by CCFAP.

Sec. E.318.2 PRE-APPRENTICESHIP PROGRAM IN EARLY CHILDHOOD EDUCATION: APPROPRIATION

(a) Of the federal funds appropriated in Sec. B.318 of this act to the Department for Children and Families Division of Child Development, \$100,000 shall be transferred to Vermont Department of Labor for the pre-apprenticeship program in Early Childhood Education provided by Vermont Career and Technical Education centers.

Sec. E. 318.3 CHILD DEVELOPMENT DIVISION; STEP AHEAD
RECOGNITION SYSTEM

As part of its fiscal year 2023 budget adjustment presentation to the General Assembly, the Department for Children and Families shall present its proposed policy changes to the Step Ahead Recognition System (STARS) to the House Committee on Human Services and the Senate Committee on Health and Welfare. The Division's presentation shall summarize its proposed changes to STARS, including any anticipated impacts on child care providers and families.

Sec. E.318.4 CHILD DEVELOPMENT DIVISION INFORMATION
SYSTEM; MODERNIZATION; CHILD CARE FINANCIAL
ASSISTANCE PROGRAM

(a) On or before January 1, 2024, or six months after both the modernization of the Child Development Division Information System (CDDIS) pursuant to 2021 Acts and Resolves No. 45, Sec. 5 and the implementation of the corresponding eligibility changes to the Child Care Financial Assistance Program (CCFAP) pursuant to 2021 Acts and Resolves No. 45, Sec. 2 have taken effect, whichever is first occurring, the Department for Children and Families shall submit a written report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare evaluating the effectiveness of the CDDIS modernization project and the CCFAP eligibility changes. The report shall address how implementation of CDDIS and CCFAP changes impact the availability and affordability of child care throughout Vermont.

Sec. E.321 [Deleted.]

Sec. E.321.1 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.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 funds appropriated in Sec. B.325 of this act, \$12,699,440 shall be granted to community agencies for homeless assistance 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.

Sec. E.325.1 TRANSITIONAL HOUSING; RULEMAKING

(a) Notwithstanding 2022 Acts and Resolves No. 83, Sec. 54(c)(1), the Department for Children and Families may withdraw its permanent rule filing and shall file a second emergency rule to be effective upon the expiration of the Transitional Housing Program Emergency Rules (22-E07), adopted by the Department on March 31, 2022 and effective until September 28, 2022. The Department shall be deemed to have met the emergency rulemaking criteria in 3 V.S.A. § 844 if a second emergency rule that is substantially similar to the Transitional Housing Program Emergency Rules (22-E07) is adopted. The Department shall file permanent rules pursuant to 3 V.S.A. chapter 25 if the availability of federal ERAP funding extends beyond March 31, 2023.

(b) Prior to filing a second emergency rule pursuant to this section, the Department shall:

(1) send a draft of the second emergency rule to the Joint Fiscal Committee 30 days prior to its September 2022 meeting;

(2) present the second emergency rule and an update on the funding forecast for the transitional housing program at the Joint Fiscal Committee's September 2022 meeting and consider any input and recommendations offered by the Joint Fiscal Committee; and

(3) inform the General Assistance working group described in 2021 Acts and Resolves No. 74, Secs. E.321 and E.321.2 of any inconsistencies between the first and second emergency rules and consider any input on the changes offered by the working group.

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 [Deleted.]

Sec. E.334 SPECIFIC HOME- AND COMMUNITY-BASED SERVICE
PROVIDER RATE STUDY; REPORT

(a) The Department of Vermont Health Access, in collaboration with the Department of Disabilities, Aging, and Independent Living, shall conduct a rate study of the Medicaid reimbursement rates paid for adult day, adult day rehabilitation, personal care, and homemaker services.

(b) On or before February 15, 2023, the Department of Vermont Health Access shall report the results of its rate study to the House Committees on Human Services and on Appropriations and the Senate Committees on Health and Welfare and on Appropriations.

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.

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

(a) In fiscal year 2023, the Secretary of Administration may, upon recommendation of the Secretary of Human Services, transfer unexpended funds between the respective appropriations for correctional services; provided, however, that no transfer shall be made from correctional services out-of-state beds. At least three days prior to any such transfer being made, the Secretary of Administration shall report the intended transfer to the Joint Fiscal Office and shall report any completed transfers to the Joint Fiscal Committee at its next scheduled meeting.

(b) In fiscal year 2023, any unexpended funds for correctional services out-of-state beds shall be carried forward to fiscal year 2024, and the amount reported to the Joint Legislative Justice Oversight Committee in September 2023, to support community-based service programs. Funds may only be expended on community-based service programs upon approval of the Joint Legislative Justice Oversight Committee. The House Committees on Appropriations and on Corrections and Institutions and the Senate Committees on Appropriations and on Judiciary shall be notified of any proposed expenditures on community-based service programs.

(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.

Sec. E.335.1 [Deleted]

Sec. E.335.2 28 V.S.A. § 125 is added to read:

§ 125. JUSTICE REINVESTMENT II INITIATIVES; REPORT

(a) On or before January 15 each year, the Commissioner of Corrections, in consultation with the Commissioners of Health, of Mental Health and for Children and Families and the Attorney General shall submit a report to the House Committees on Appropriations 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.

(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.

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.345 [Deleted.]

* * * Labor * * *

Sec. E.400 [Deleted.]

Sec. E.400.1 [Deleted.]

* * * K-12 Education * * *

Sec. E.500 EDUCATION – FINANCE AND ADMINISTRATION

(a) The Global Commitment funds appropriated in this section 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 2021 Acts and Resolves No. 66, Sec. 14 is amended to read:

Sec. 14. FINDINGS AND PURPOSE

(a) Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended, requires that not later than July 1, 2022 all Vermont supervisory unions, supervisory districts, school districts, and independent technical center districts utilize the same ~~shared school district data management system (eFinancePlus)~~ Shared School District Data Management System (SSDDMS), which shall be selected by the Agency of Education per State procurement guidelines.

(b) The purpose of Secs. 15–17 of this act is to:

(1) extend the deadline to December 31, ~~2022~~ 2024 for statewide adoption of ~~eFinancePlus~~ SSDDMS;

(2) pause until ~~January 1, 2022~~ July 1, 2023 the further implementation of ~~eFinancePlus~~ SSDDMS to provide time for further evaluation of the system, provided that:

(A) the Agency of Education and its contractor for implementation of the system shall continue to support users of the system; and

(B) a supervisory union, supervisory district, school district, or independent technical center district ~~that does not use the system~~ may ~~join an implementation round offered by the Agency of Education~~ implement or leave SSDDMS during the pause period after consultation with the Agency of Education and upon approval by its governing body; and

* * *

Sec. E.500.2 2021 Acts and Resolves No. 66, Sec. 15 is amended to read:

Sec. 15. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.500.1, as amended by 2019 Acts and Resolves No. 72, Sec. E.500.5, is further amended to read:

Sec. E.500.1. SHARED SCHOOL DISTRICT FINANCIAL DATA
MANAGEMENT SYSTEM

(a) Not later than December 31, 2022 2024, all Vermont supervisory unions, supervisory districts, school districts, and independent technical center districts shall utilize the same school finance and financial data management system. The system shall be selected by the Agency of Education per State procurement guidelines.

* * *

Sec. E.500.3 2021 Acts and Resolves No. 66, Sec. 16 is amended to read:

Sec. 16. PAUSE OF IMPLEMENTATION OF SHARED SCHOOL
DISTRICT FINANCIAL DATA MANAGEMENT SYSTEM

Notwithstanding Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended, the implementation of the Shared School District Data Management System (SSDDMS) shall be paused until ~~January 1, 2022~~ July 1, 2023, provided that:

(1) the Agency of Education and its contractor for implementation of the system shall continue to support users, as of the date of enactment of this act, of the system; and

(2) a supervisory union, supervisory district, school district, or independent technical center district ~~that does not use the system may join an implementation round offered by the Agency of Education~~ implement or leave SSDDMS during the pause period after consultation with the Agency of Education and upon approval by its governing body.

Sec. E.500.4 2021 Acts and Resolves No. 66, Sec. 17 is amended to read:

Sec. 17. AGENCY OF EDUCATION; REPORTS

(a) On or before June 30, 2021 and quarterly thereafter until March 31, 2023 2025, the Agency of Education shall provide a written report to the General Assembly and the Vermont Association of School Business Officials on the status of improving and implementing the Shared School District Data Management System, including the status of:

* * *

Sec. E.500.5 AGENCIES OF EDUCATION AND OF DIGITAL SERVICES;
JOINT REPORT ON THE SHARED SCHOOL DISTRICT
DATA MANAGEMENT SYSTEM

(a) On or before December 15, 2022, the Agencies of Education and of Digital Services shall jointly submit a report to the House and Senate Committees on Education on the status of improving and implementing the

Shared School District Data Management System (SSDDMS) and a recommendation on whether to continue, discontinue, suspend, or delay implementation of SSDDMS and the reasons for their recommendation. In preparing their report, the Agencies of Education and of Digital Services shall solicit feedback from the Vermont Association of School Business Officials, school business managers and users and nonusers of SSDDMS around the State, the Vermont chapter of the American Association of School Personnel Administrators, and school human resources managers around the State.

Sec. E.500.6 2019 Acts and Resolves No. 1, Sec. 1, as amended by 2021 Acts and Resolves No. 66, Sec. 12, is further amended to read:

Sec. 1. ETHNIC AND SOCIAL EQUITY STANDARDS ADVISORY
WORKING GROUP

* * *

(d) Appointment and operation.

* * *

(D) The Working Group shall cease to exist on July 1, 2022
July 1, 2023.

* * *

(g) Duties of the Working Group.

(1) The Working Group shall review standards for student performance adopted by the State Board of Education under 16 V.S.A. § 164(9) and, on or before December 31, ~~2021~~ 2022, recommend to the State Board updates and additional standards to recognize fully the history, contributions, and perspectives of ethnic groups and social groups. These recommended additional standards shall be designed to:

* * *

(h) Reports.

* * *

(3) The Working Group shall, on or before ~~December 31, 2022~~
June 30, 2023, submit a report to the General Assembly that includes:

* * *

(i) Duties of the State Board of Education. The Board of Education shall, on or before ~~December 31, 2022~~ June 30, 2023, consider adopting ethnic and social equity studies standards into standards for student performance adopted by the State Board under 16 V.S.A. § 164(9) for students in prekindergarten

through grade 12, taking into account the report submitted by the Working Group under subdivision (g)(1) of this section.

Sec. E. 500.7 2021 Acts and Resolves No. 66, Sec. 13 is amended to read:

* * *

(c) Any unused portion of these appropriations shall, as of July 1, 2022, revert to the General Fund.

* * * Amendment to S.287, When Enacted * * *

Sec. E. 500.7 Subdivision (d)(1) of Sec. 4, amendment to 16 V.S.A. § 4010; determination of weighted long-term membership and per pupil education spending, of S.287 as enacted is amended to read:

(1) The Secretary shall first apply grade level weights. Each pupil included in long-term membership ~~from subsection (b) of this section~~ shall count as one, multiplied by the following amounts:

(A) prekindergarten—negative 0.54;

(B) grades six through eight—0.36; and

(C) grades nine through 12—0.39.

Sec. E.500.8 Subdivision (b)(1) of Sec. 7, calculation of tax rates; tax rate review; fiscal years 2025–2029; of S.287 as enacted is amended to read:

(b)(1) In order to determine which school districts shall be subject to a Tax Rate Review, the Secretary of Education shall calculate the fiscal year 2024 per pupil education spending, as defined in 16 V.S.A. § 4001(14) as in effect on July 1, 2024, of each school district subject to subsection (a) of this section as though the funding formula created under this act applied to fiscal year 2024. In fiscal year 2025, if a school district's per pupil education spending calculated using the funding formula created under this act increases by 10 percent or more over the school district's fiscal year 2024 per pupil education spending as calculated by the Secretary under this subsection, then the school district shall be subject to a Tax Rate Review. In fiscal years 2026–2029, if a school district's per pupil education spending calculated using the funding formula created under this act increases by 10 percent or more over the school district's prior fiscal year per pupil education spending, then the school district shall be subject to a Tax Rate Review. Upon request of the Secretary, a school district shall submit its budget to a Tax Rate Review to determine whether its increase in per pupil education spending was beyond the school district's control or for other good cause. In conducting the Review, the Secretary shall select three business managers and three superintendents to serve in an advisory role in the Review. The Review shall consider the extent

to which the increase in per pupil education spending is caused by at least the following factors:

(A) ~~the extent to which the increase in per pupil education spending is caused by declining enrollment in the school district; and declining enrollment in the school district;~~

(B) ~~the extent to which the increase in per pupil education spending is caused by increases in tuition paid by the school district.;~~

(C) costs associated with facilities improvements required to protect the health and safety of students, teachers, and staff; and

(D) new State and federal requirements.

Sec. E.500.9 Sec. 15, evaluation and reporting on implementation of act, of S.287 as enacted is amended to read:

Sec. 15. EVALUATION AND REPORTING ON IMPLEMENTATION OF
ACT

(a) The Joint Fiscal Office shall design and contract for an evaluation of the impact of the changes required under this act in achieving the goals under Sec. 2 of this act. ~~On or before December 15, 2029, the Joint Fiscal Office shall submit to the House and Senate Committees on Education, the House Committee on Ways and Means, and the Senate Committee on Finance its written evaluation report. In order to maintain independence, the Joint Fiscal Office shall not contract with an individual who has consulted on, or contracted to provide services in relation to, the Pupil Weighting Factors Report dated December 24, 2019 or the December 17, 2021 report prepared in accordance with 2021 Acts and Resolves No. 59.~~

(b) The contractor shall consult with the Joint Fiscal Office and the Agency of Education to determine appropriate metrics such as Vermont Education Quality Standards and other common educational standards; standardized test scores, graduation rates, and other student performance measures; student health and wellness measures; budget and finance measures; teacher and staff compensation comparisons; and educational opportunity comparisons across school districts. The evaluation shall be conducted using rigorous and objective standards for fiscal and educational program review.

(c) On or before December 15, 2029, the Joint Fiscal Office shall submit to the House and Senate Committees on Education, the House Committee on Ways and Means, and the Senate Committee on Finance its written evaluation report.

Sec. E.501 AGENCY OF EDUCATION; ESSER III FUND PLAN

(a) The following sums are appropriated from the ESSER III funds provided to the State pursuant to Sec. 2001(f) of the American Rescue Plan Act of 2021 to the Agency of Education in fiscal year 2023:

(1) \$2,852,234 for Evidence-Based Summer Programming for the implementation of evidence-based summer enrichment programs and to ensure such programs respond to students' academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student populations described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care.

(2) \$2,852,234 for Evidence-Based Afterschool Programming for the implementation of evidence-based comprehensive afterschool programs, and to ensure such programs respond to students' academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student populations described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care.

(3) \$1,352,170 to address lost instructional time due to COVID-19 in accordance with 2021 Acts and Resolves No. 28 to support literacy with a specific prioritization for the implementation of 2018 Acts and Resolves No. 173.

(4) \$1,130,586 for meeting other needs as determined by the State educational agency (AOE) to address issues in responding to COVID-19. This may include the implementation of a facilities planning grant program per 2021 Acts and Resolves No. 72.

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 \$4,073,400 shall be used by the Agency of Education in fiscal year 2023 as funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the Secretary shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d).

Sec. E.504.1 EDUCATION – FLEXIBLE PATHWAYS

(a) Of the appropriation in Sec. B.504 of this act, \$2,100,000 from the Education Fund shall be distributed to school districts for reimbursement of high school completion services pursuant to 16 V.S.A. § 943(c).

(b) Notwithstanding 16 V.S.A. § 4025(b), 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) \$1,800,000 is available to support the Vermont Virtual High School;

(3) \$400,000 is available for secondary school reform grants; and

(4) \$3,000,000 is available for Early College pursuant to 16 V.S.A. § 4011(e).

(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.514 STATE TEACHERS' RETIREMENT SYSTEM

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

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

Sec. E.515 RETIRED TEACHERS' HEALTH CARE AND MEDICAL BENEFITS

(a) In accordance with 16 V.S.A. § 1944b(b)(2), and consistent with system changes enacted for fiscal year 2023 in the 2022 session, the annual contribution to the Retired Teachers' Health and Medical Benefits plan shall be \$50,206,128.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$15,100,000 is the "normal contribution," and \$35,106,128 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) for the purpose of

complying 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 for the purpose of complying 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 the appropriated amount remaining after accounting for subsection (a) of this section, not less than 93 percent of this appropriation shall be used for direct student aid.

(c) To the extent other funding is provided to VSAC in this act or other legislation enacted into law this year, up to six percent, but not to exceed \$100,000, may be used for staff expenses associated with administering the funds. 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.

Sec. E.605.1 NEED-BASED STIPEND FOR DUAL ENROLLMENT AND EARLY COLLEGE STUDENTS

(a) Notwithstanding 16 V.S.A. § 4025(b), 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. VSAC 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) VSAC shall report on the program to the House Committees on Appropriations and on Commerce and Economic Development and to the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs on or before January 15, 2023.

Sec. E.700 10 V.S.A. § 581 is amended to read:

§ 581. BUILDING EFFICIENCY GOALS

It shall be goals of the State:

(1) To improve substantially the energy fitness of at least ~~20 percent of the State's housing stock by 2017 (more than 60,000 housing units), and 25 percent of the State's housing stock by 2020 (approximately 80,000 housing units)~~ 120,000 housing units and reduce greenhouse gas emissions by 0.15 MMTCO₂e by 2031.

* * *

Sec. E.702 23 V.S.A. § 3513 is amended to read:

§ 3513. LIABILITY INSURANCE; AUTHORITY TO CONTRACT FOR
LAW ENFORCEMENT SERVICES

(a) The amount of 85 percent of the fees and penalties collected under this chapter, except interest, is allocated to the ~~Agency of Natural Resources Department of Forests, Parks and Recreation~~ for use by the Vermont ATV Sportsman's Association (VASA) for development and maintenance of a Statewide ATV Trail Program, for trail liability insurance, and to contract for law enforcement services with any constable, sheriff's department, municipal police department, the Department of Public Safety, and the Department of Fish and Wildlife for purposes of trail compliance pursuant to this chapter. The Departments of Public Safety and of Fish and Wildlife are authorized to contract with VASA to provide these law enforcement services. The Agency of Natural Resources The Department of Forests, Parks and Recreation shall retain for its use up to \$7,000.00 during each fiscal year to be used for administration of this Program.

* * *

Sec. E.709 10 V.S.A. § 1283(g)(3) is amended to read:

(3) “Release” means any intentional or unintentional action or omission resulting in the spilling, leaking, pumping, pouring, emitting, emptying, dumping, or disposing of hazardous materials into the surface or groundwaters, or onto the lands in the State, or into waters outside the jurisdiction of the State when damage may result to the public health, lands, waters, or natural resources within the jurisdiction of the State. “Release” also means the intentional or unintentional action or omission resulting in the spilling, leaking, emission, or disposal of polychlorinated biphenyls (PCBs) from building materials in ~~a building or structure~~ public schools and approved and recognized independent schools, as those terms are defined in 16 V.S.A. § 11, that were constructed or renovated before 1980.

Sec. E.709.1 10 V.S.A. § 6602(17) is amended to read:

(17) “Release” means any intentional or unintentional action or omission resulting in the spilling, leaking, pumping, pouring, emitting, emptying, dumping, or disposing of hazardous materials into the surface or groundwaters, or onto the lands in the State, or into waters outside the jurisdiction of the State when damage may result to the public health, lands, waters, or natural resources within the jurisdiction of the State. “Release” also means the intentional or unintentional action or omission resulting in the spilling, leaking, emission, or disposal of polychlorinated biphenyls (PCBs) from building materials in ~~a building or structure~~ public schools and approved and recognized independent schools, as those terms are defined in 16 V.S.A. § 11, that were constructed or renovated before 1980.

Sec. E.709.2 REPORT ON REGULATION OF PCB RELEASES FROM BUILDING MATERIALS IN NONSCHOOL BUILDINGS

On or before January 15, 2023, the Secretary of Natural Resources shall submit to the Senate Committees on Appropriations and on Natural Resources and Energy and the House Committees on Appropriations and on Natural Resources, Fish, and Wildlife a report regarding the indoor air quality testing of buildings for releases of polychlorinated biphenyls (PCBs) from building materials. The report shall include:

(1) a proposal for the best method for regulating releases of PCBs from PCB-containing building materials in non-school buildings;

(2) a proposal of who will be required to test for a release or potential release of PCBs from building materials, including whether and how testing will be required under the Brownfields Reuse and Environmental Liability Limitation Program or as part of an environmental assessment for a property transaction;

(3) a summary of when during a corrective action or property transaction testing would be required and why it would be required;

(4) the standard or standards that would be utilized to determine if a release occurred;

(5) the action or remediation that would be required if PCBs are identified in excess of the proposed standard;

(6) how responsive action or remediation would be funded, including potential federal or State sources of funding; and

(7) how the requirement to test may affect investment in the redevelopment of historic downtowns or similar areas.

* * * Transportation * * *

Sec. E.903 MULTI-AGENCY INVESTMENTS IN ELECTRIC VEHICLE SUPPLY EQUIPMENT INFRASTRUCTURE

(a) Definitions. As used in this section:

(1) “Area median income” means the county or Metropolitan Statistical Area median income published by the federal Department of Housing and Urban Development.

(2) “Electric vehicle supply equipment (EVSE)” has the same meaning as in 30 V.S.A. § 201.

(3) “Level 1 charger” or “level 1 EVSE” means EVSE that plugs directly into a standard 120-volt AC outlet and supplies an average output of 1.3 to 2.4 kilowatts.

(4) “Level 2 charger” or “level 2 EVSE” means galvanically connected EVSE with a single-phase input voltage range from 208 to 240 volts AC and a maximum output current less than or equal to 80 amperes AC.

(5) “Level 3 charger,” “level 3 EVSE,” or “direct-current fast charger (DCFC),” means EVSE that uses dedicated direct current (DC) to provide energy to a plug-in electric vehicle.

(6) “Multiunit affordable housing” means a multiunit dwelling where:

(A) at least 50 percent of the units are or will be occupied by households whose income does not exceed 100 percent of the greater of the State or area median income; or

(B) all units are affordable to households earning between 60 and 120 percent of area median income.

(7) “Multiunit dwelling” means a housing project, such as cooperatives, condominiums, dwellings, or mobile home parks, with three or more units constructed or maintained on a tract or tracts of land.

(8) “Workplace” means a place where an individual works.

(b) Housing, employers, and public venues and attractions.

(1) In fiscal year 2023, \$10,000,000 is appropriated in Sec. G.600 (b) of this act to the Agency of Commerce and Community Development to support the following:

(A) one or more grant programs, which may build upon the existing EVSE Grant Program, to support the continued buildout of level 1 and 2 EVSE at multiunit dwellings, including multiunit affordable housing, with less than 20 units prioritized and not less than 30 percent of the total appropriation, less the administration expenses allowed under subsection (d c) of this section, allocated to this purpose;

(B) one or more grant programs, which may build upon the existing EVSE Grant Program, to support the continued buildout of level 1 and 2 EVSE at private workplaces, with the workplaces of employers with fewer than 100 employees prioritized;

(C) one or more grant programs, which may build upon the existing EVSE Grant Program, to support the continued buildout of level 1, 2, and 3 EVSE at public venues and attractions, such as parks, State parks and access areas, downtowns, museums, and ski mountains, that are available to any member of the public; and

(D) the purchase and installation of level 1 and 2 EVSE that is available to the public at State workplaces or to provide grants to persons for the purchase and installation of level 1 and 2 EVSE that is available to the public at State workplaces, or both.

(2) If the Agency of Commerce and Community Development, in consultation with the EVSE Interagency Workgroup, determines that programmatic funding remains available following the first round of grant awards made under subdivision (1) of this subsection, then the balance of the \$10,000,000 shall be awarded in grants that prioritize placing EVSE at multiunit affordable housing and workplaces of employers with fewer than 100 employees.

(c) Administration costs. The Agency of Commerce and Community Development may use up to 15 percent of the appropriation in subsection (b) of this section for administrative costs associated with installing EVSE at multiunit housing, workplaces, and public venues and attractions.

(d) Carryforward; deployment in fiscal year 2023.

(1) Notwithstanding any other provision of law and subject to the approval of the Secretary of Administration, appropriations to support the expenditures under this section remaining unexpended on June 30, 2023 shall be carried forward and designated for the same expenditures in the subsequent fiscal year.

(2) Every reasonable effort shall be made to obligate and deploy the monies appropriated for expenditure under this section in fiscal year 2023 in order to achieve a pace of EVSE deployment necessary to meet the emissions reduction requirements of 10 V.S.A. § 578(a) and the recommendations of the Climate Action Plan (CAP) issued under 10 V.S.A. § 592.

(e) Outreach and marketing. The Agency of Commerce and Community Development shall ensure that there is sufficient outreach and marketing, including the use of translation and interpretation services, of the EVSE grant programs implemented pursuant to subsection (b) of this section and such costs shall be considered administrative costs for purposes of subsection (c) of this section.

* * * Collective Bargaining Agreements; Fiscal Years 2023 and 2024 * * *

Sec. F.100 COLLECTIVE BARGAINING AGREEMENTS; FISCAL YEAR
2023 AND 2024

(a) Fiscal year 2023. This act fully funds the first year of the collective bargaining agreements between the State and the Vermont State Employees' Association and the State and the Vermont Troopers' Association for the period of July 1, 2022 through June 30, 2023. The collective bargaining agreements for classified employees provide in fiscal year 2023 an average 1.9 percent step increase and 3.0 percent across-the-board increase for a total of a 4.9 percent increase, plus a one-time cash payment of \$1,500.00.

(b) Fiscal year 2024. This act fully funds the second year of the collective bargaining agreements between the State and the Vermont State Employees' Association and the State and the Vermont Troopers' Association for the period of July 1, 2023 through June 30, 2024. The collective bargaining agreements for classified employees provide in fiscal year 2024 an average 1.9 percent step increase and 2.0 percent across-the-board increase for a total of a 3.9 percent increase, plus a one-time cash payment of \$1,000.00.

* * * Exempt Employees; Fiscal Years 2023 and 2024 * * *

Sec. F.101 EXEMPT EMPLOYEES; PERMITTED SALARY INCREASES;
FISCAL YEARS 2023 AND 2024

(a) Fiscal year 2023. Executive, Judicial, and Legislative Branches may extend the fiscal year 2023 provisions of the collective bargaining agreements that are funded by this act to employees not covered by the bargaining agreements as they determine to be appropriate and in accordance with the appropriations provided to each branch.

(b) Fiscal year 2024. Executive, Judicial, and Legislative Branches may extend the fiscal year 2024 provisions of the collective bargaining agreements that are funded by this act to employees not covered by the bargaining agreements as they determine to be appropriate and in accordance with the appropriations provided to each branch.

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

(a) Fiscal year 2023. For purposes of determining annual salary adjustments, special salary increases, and bonuses under 32 V.S.A. §§ 1003(b) and 1020(b), “the average rate of adjustment available to classified employees under the collective bargaining agreement” shall be, in fiscal year 2023, 4.9 percent.

(b) Fiscal year 2024. For purposes of determining annual salary adjustments, special salary increases, and bonuses under 32 V.S.A. §§ 1003(b) and 1020(b), “the average rate of adjustment available to classified employees under the collective bargaining agreement” shall be, in fiscal year 2024, 3.9 percent.

* * * Executive Branch; Miscellaneous Statutory Salaries;
Fiscal Years 2023 and 2024 * * *

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

§ 1003. STATE OFFICERS

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

<u>Annual</u> <u>Salary</u> <u>as of</u> <u>January 5,</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 4,</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 3,</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 2,</u>

	2020	2021	<u>2022</u>	<u>2023</u>
Governor	\$184,113	\$191,754	<u>\$201,150</u>	<u>\$208,995</u>
Lieutenant Governor	78,153	81,396	<u>\$85,384</u>	<u>\$88,714</u>
Secretary of State	116,745	121,590	<u>\$127,548</u>	<u>\$132,522</u>
State Treasurer	116,745	121,590	<u>\$127,548</u>	<u>\$132,522</u>
Auditor of Accounts	116,745	121,590	<u>\$127,548</u>	<u>\$132,522</u>
Attorney General	139,790	145,591	<u>\$152,725</u>	<u>\$158,681</u>

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

(1) Heads of the following Departments and Agencies:

	Base Salary as of January 5, 2020	Base Salary as of July 4, 2021	<u>Base Salary as of July 3, 2022</u>	<u>Base Salary as of July 2, 2023</u>
(A) Administration	\$111,332	\$115,952	<u>\$121,634</u>	<u>\$126,378</u>
(B) Agriculture, Food and Markets	111,332	115,952	<u>\$121,634</u>	<u>\$126,378</u>
(C) Financial Regulation	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>

(D) Buildings and General Services	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(E) Children and Families	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(F) Commerce and Community Development	111,332	115,952	<u>\$121,634</u>	<u>\$126,378</u>
(G) Corrections	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(H) Defender General	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(I) Disabilities, Aging, and Independent Living	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(J) Economic Development	94,413	98,331	<u>\$103,149</u>	<u>\$107,172</u>
(K) Education	111,332	115,952	<u>\$121,634</u>	<u>\$126,378</u>
(L) Environmental Conservation	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(M) Finance and Management	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(N) Fish and Wildlife	94,413	98,331	<u>\$103,149</u>	<u>\$107,172</u>
(O) Forests, Parks and Recreation	94,413	98,331	<u>\$103,149</u>	<u>\$107,172</u>
(P) Health	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(Q) Housing and Community Development	94,413	98,331	<u>\$103,149</u>	<u>\$107,172</u>
(R) Human Resources	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(S) Human Services	111,332	115,952	<u>\$121,634</u>	<u>\$126,378</u>
(T) Digital Services	111,332	115,952	<u>\$121,634</u>	<u>\$126,378</u>
(U) Labor	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>

(V) Libraries	94,413	98,331	<u>\$103,149</u>	<u>\$107,172</u>
(W) Liquor and Lottery	94,413	98,331	<u>\$103,149</u>	<u>\$107,172</u>
(X) [Repealed.]				
(Y) Mental Health	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(Z) Military	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(AA) Motor Vehicles	94,413	98,331	<u>\$103,149</u>	<u>\$107,172</u>
(BB) Natural Resources	111,332	115,952	<u>\$121,634</u>	<u>\$126,378</u>
(CC) Natural Resources Board Chair	94,413	98,331	<u>\$103,149</u>	<u>\$107,172</u>
(DD) Public Safety	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(EE) Public Service	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(FF) Taxes	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(GG) Tourism and Marketing	94,413	98,331	<u>\$103,149</u>	<u>\$107,172</u>
(HH) Transportation	111,332	115,952	<u>\$121,634</u>	<u>\$126,378</u>
(II) Vermont Health Access	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>
(JJ) Veterans' Home	104,079	108,398	<u>\$113,710</u>	<u>\$118,145</u>

(2) ~~The Secretary of Administration may include the Director of the Office of Professional Regulation in any pay plans that may be established under the authority of subsection 1020(e) of this title, provided the minimum hiring rate does not fall below a base salary, as of January 5, 2020 of \$80,041.00 and as of July 4, 2021 of \$83,363.00. [Repealed.]~~

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

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

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

(e) Notwithstanding the maximum salary established in subsection (b) of this section, the maximum salary for the Commissioner of Health shall not exceed ~~\$150,000.00~~ 100 percent above the base salary for this position.

* * * Judicial Branch; Statutory Salaries; Fiscal Years 2023 and 2024 * * *

Sec. F.104 32 V.S.A. § 1003(c) is amended to read:

(c) The officers of the Judicial Branch named in this subsection shall be entitled to annual salaries as follows:

	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>January 5,</u> <u>2020</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 4,</u> <u>2021</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 3,</u> <u>2022</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 2,</u> <u>2023</u>
(1) Chief Justice of Supreme Court	\$177,203	\$184,557	<u>\$193,600</u>	<u>\$201,150</u>
(2) Each Associate Justice	~~169,121~~	~~176,140~~	<u>\$184,771</u>	<u>\$191,977</u>
(3) Administrative Judge	~~169,121~~	~~176,140~~	<u>\$184,771</u>	<u>\$191,977</u>
(4) Each Superior Judge	~~160,777~~	~~167,449~~	<u>\$175,654</u>	<u>\$182,505</u>
(5) [Repealed.]				
(6) Each Magistrate	~~121,224~~	~~126,255~~	<u>\$132,441</u>	<u>\$137,606</u>
(7) Each Judicial Bureau hearing officer	~~121,224~~	~~126,255~~	<u>\$132,441</u>	<u>\$137,606</u>

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

§ 1141. ASSISTANT JUDGES

(a)(1) Each assistant judge of the Superior Court shall be entitled to receive compensation in the amount of ~~\$185.86~~ \$203.05 a day as of ~~January 5, 2020~~ July 3, 2022 and ~~\$193.57~~ \$210.97 a day as of ~~July 4, 2021~~ 2, 2023 for time spent in the performance of official duties and necessary expenses as allowed

to classified State employees. Compensation under this section shall be based on a two-hour minimum and hourly thereafter.

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

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

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

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

§ 1142. PROBATE JUDGES

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

	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>January 5,</u> <u>2020</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 4,</u> <u>2021</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 3,</u> <u>2022</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 2,</u> <u>2023</u>
(1) Addison	\$63,384	\$66,014	<u>\$69,249</u>	<u>\$71,950</u>
(2) Bennington	80,127	83,452	<u>\$87,541</u>	<u>\$90,955</u>
(3) Caledonia	56,210	58,543	<u>\$61,412</u>	<u>\$63,807</u>
(4) Chittenden	133,720	139,269	<u>\$146,093</u>	<u>\$151,791</u>
(5) Essex	15,703	16,355	<u>\$17,156</u>	<u>\$17,825</u>
(6) Franklin	63,384	66,014	<u>\$69,249</u>	<u>\$71,950</u>
(7) Grand Isle	15,703	16,355	<u>\$17,156</u>	<u>\$17,825</u>
(8) Lamoille	44,249	46,085	<u>\$48,343</u>	<u>\$50,228</u>
(9) Orange	52,620	54,804	<u>\$57,489</u>	<u>\$59,731</u>
(10) Orleans	51,425	53,559	<u>\$56,183</u>	<u>\$58,374</u>
(11) Rutland	113,613	118,328	<u>\$124,126</u>	<u>\$128,967</u>
(12) Washington	87,301	90,924	<u>\$95,379</u>	<u>\$99,099</u>

(13) Windham	70,560	73,488	<u>\$77,089</u>	<u>\$80,095</u>
(14) Windsor	95,674	99,644	<u>\$104,527</u>	<u>\$108,604</u>

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

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

* * * Sheriffs; Statutory Salaries; Fiscal Years 2023 and 2024 * * *

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

§ 1182. SHERIFFS

(a) The sheriffs of all counties except Chittenden shall be entitled to receive salaries in the amount of ~~\$86,116.00~~ \$94,085 as of ~~January 5, 2020~~ July 3, 2022 and ~~\$89,690.00~~ \$97,754 as of ~~July 4, 2021~~ 2, 2023. The Sheriff of Chittenden County shall be entitled to an annual salary in the amount of ~~\$91,133.00~~ \$99,566 as of ~~January 5, 2020~~ July 3, 2022 and ~~\$94,915.00~~ \$103,449 as of ~~July 4, 2021~~ 2, 2023.

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

* * * State’s Attorneys; Statutory Salaries; Fiscal Years 2023 and 2024 * * *

Sec. F.108 32 V.S.A. § 1183 is amended to read:

§ 1183. STATE’S ATTORNEYS

(a) The State’s Attorneys shall be entitled to receive annual salaries as follows:

	Annual Salary as of January 5, 2020	Annual Salary as of July 4, 2021	Annual Salary as of July 3, 2022	Annual Salary as of July 2, 2023
(1) Addison County	\$116,486	\$121,320	<u>\$127,265</u>	<u>\$132,228</u>
(2) Bennington County	\$116,486	\$121,320	<u>\$127,265</u>	<u>\$132,228</u>
(3) Caledonia County	\$116,486	\$121,320	<u>\$127,265</u>	<u>\$132,228</u>

(4) Chittenden County	\$121,782	\$126,836	\$133,051	\$138,240
(5) Essex County	\$87,366	\$90,992	\$95,451	\$99,174
(6) Franklin County	\$116,486	\$121,320	\$127,265	\$132,228
(7) Grand Isle County	\$87,366	\$90,992	\$95,451	\$99,174
(8) Lamoille County	\$116,486	\$121,320	\$127,265	\$132,228
(9) Orange County	\$116,486	\$121,320	\$127,265	\$132,228
(10) Orleans County	\$116,486	\$121,320	\$127,265	\$132,228
(11) Rutland County	\$116,486	\$121,320	\$127,265	\$132,228
(12) Washington County	\$116,486	\$121,320	\$127,265	\$132,228
(13) Windham County	\$116,486	\$121,320	\$127,265	\$132,228
(14) Windsor County	\$116,486	\$121,320	\$127,265	\$132,228

* * *

* * * Appropriations * * *

Sec. F.109 PAY ACT APPROPRIATIONS; FISCAL YEARS 2023 AND
2024

(a) Executive Branch. The first and second years of the two-year agreements between the State of Vermont and the Vermont State Employees' Association for the Defender General, Non-Management, Supervisory, and Corrections bargaining units, and, for the purpose of appropriation, the State's Attorneys' offices bargaining unit, for the period of July 1, 2022 through June 30, 2024; the collective bargaining agreement with the Vermont Troopers' Association for the period of July 1, 2022 through June 30, 2024; and salary increases for employees in the Executive Branch not covered by the bargaining agreements shall be funded as follows:

(1) Fiscal year 2023.

(A) General Fund. The amount of \$23,614,294.00 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2023 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$1,502,420.00 is appropriated from the Transportation Fund to the Secretary of Administration for distribution to the Agency of Transportation and the Department of Public Safety to fund the fiscal year 2023 collective bargaining agreements and the requirements of this act.

(C) Other funds. The Administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the fiscal year 2023 collective bargaining agreements and the requirements of this act. The estimated amounts are \$35,872,729.00 from a special fund, federal funds, and other sources.

(D) Transfers. With due regard to the possible availability of other funds, for fiscal year 2023, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(2) Fiscal year 2024.

(A) General Fund. The amount of \$19,029,823.00 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2024 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$2,500,000.00 is appropriated from the Transportation Fund to the Secretary of Administration for distribution to the Agency of Transportation and the Department of Public Safety to fund the fiscal year 2024 collective bargaining agreements and the requirements of this act.

(C) Other funds. The Administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the fiscal year 2024 collective bargaining agreements and the requirements of this act. The estimated amounts are \$27,500,943.00 from a special fund, federal funds, and other sources.

(D) Transfers. With due regard to the possible availability of other funds, for fiscal year 2024, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

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

(b) Judicial Branch.

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

(2) Fiscal year 2023. The first year of the two-year agreements between the State of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period of July 1, 2022 through June 30, 2023 and salary increases for employees in the Judicial Branch not covered by the bargaining agreements shall be funded as follows: the amount of \$3,217,628.00 is appropriated from the General Fund and the amount of \$287,032.00 is provided from other sources to the Judiciary to fund the fiscal year 2023 collective bargaining agreement and the requirements of this act.

(3) Fiscal year 2024. The second year of the two-year agreements between the State of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period of July 1, 2023 through June 30, 2024 and salary increases for employees in the Judicial Branch not covered by the bargaining agreements shall be funded as follows: the amount of \$1,803,013.00 is appropriated from the General Fund and the amount of \$160,840.00 is provided from other sources to the Judiciary to fund the fiscal year 2024 collective bargaining agreement and the requirements of this act.

(c) Legislative Branch.

(1) For the period of July 1, 2022 through June 30, 2023, the General Assembly including all Legislative Branch employees shall be funded as follows: the amount of \$985,111.00 is appropriated from the General Fund to the Legislative Branch.

(2) For the period of July 1, 2023 through June 30, 2024, the General Assembly including all Legislative Branch employees shall be funded as follows: the amount of \$776,000.00 is appropriated from the General Fund to the Legislative Branch.

* * * American Rescue Plan Act Appropriations * * *

* * * Intent and Other Funding * * *

Sec. G.100 MULTIYEAR FUNDING PRIORITIES INTENT

(a) The appropriations of ARPA – Coronavirus State Fiscal Recovery Funds in made in Secs. G.300–G.700 of this act by categorical areas are made consistent with the intent expressed in Sec. G.100 of 2021 Acts and Resolves No. 74 (the Big Bill), and reiterated in 2022 Acts and Resolves No. 83, Sec. 67a. In some cases, other funding sources are included or are referenced for specific programs or projects providing comprehensive funding by category. All appropriations of ARPA funds in this act are made only to the extent permitted by federal law and guidance. Appropriations not expended in fiscal year 2023 shall carry forward.

Sec. G.200 AMERICAN RESCUE PLAN ACT (ARPA) - CORONAVIRUS
STATE FISCAL RECOVERY FUND (SFR)
APPROPRIATIONS; REVERSION AND REALLOCATION;
REPORTS

(a) On or before September 15, 2022 and annually thereafter until September 15, 2026, the Commissioner of Finance and Management shall submit a report to the Joint Fiscal Committee on the status of all appropriations made from the Coronavirus State and Local Fiscal Recovery Fund (SLFR) provided to the State from the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (ARPA). The report shall include updates on project eligibility, obligated funds, actual expenditures, and any compliance or reporting issues.

(b) On or before January 15, 2023, the Commissioner of Finance and Management shall provide an update to the September 15, 2022 ARPA report described in subsection (a) of this section to the House and Senate Committees on Appropriations, including recommendations, if any, for reallocation of ARPA SLFR funds in the fiscal year 2023 budget adjustment act.

* * * Economy, Workforce, and Communities * * *

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

(a) \$48,700,000 in fiscal year 2023 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

(1) \$1,050,000 to the Natural Resources Board, to be used as needed to prioritize and expedite permitting of ARPA-funded projects, including the costs of three exempt limited-service positions.

(2) \$750,000 to the Secretary of State for expenses related to telehealth.

(3) \$14,900,000 to the Vermont State Colleges for bridge funding to transform the system. This includes offsets to continuing costs and impacts from COVID-19 pandemic.

(4) \$2,000,000 to the Department for Children and Families' Economic Services Division to grant to the Vermont Foodbank to support access to food for Vermonters with low income.

(5) \$30,000,000 to the Agency of Commerce and Community Development for the Community Recovery and Grant Revitalization Program.

(b) General Fund Workforce Appropriations. In fiscal year 2023, \$1,500,000 is appropriated from the General Fund to Vermont Student

Assistance Corp (VSAC) 802 Opportunity Program for increasing the household income eligibility limit from \$50,000 to \$75,000.

(c) Community Economic Development. \$12,200,000 is appropriated in fiscal year 2023 from the General Fund for community based economic development initiatives as follows:

(1) \$5,000,000 to the Department of Forests, Parks and Recreation for the Vermont Outdoor Recreation Economic Collaborative (VOREC) Community Grant Program.

(2) \$6,000,000 to the Department of Economic Development for the remediation and redevelopment of brownfield sites.

(3) \$800,000 to the Agency of Transportation to grant to the Vermont Association of Snow Travelers (VAST) as follows:

(A) \$50,000 for the VAST for the Law Enforcement and Safety Program.

(B) \$750,000 for the VAST Equipment Grant-in-Aid Program.

(4) \$400,000.00 to the Agency of Transportation in fiscal year 2023, in addition to other funds appropriated to the Agency of Transportation under this act, for the purpose of payment of fees under 10 V.S.A. chapter 151 to mitigate development of primary agricultural soils at the Franklin County State Airport and for payment of attendant permitting costs for the development at the airport. The funds appropriated under this section shall be used solely to address development on the acreage at the Franklin County State Airport under the control of the Agency of Transportation at the time of the effective date of this section.

(d) \$16,400,000 to the Department of Libraries from the Coronavirus Capital Projects Fund provided to the State from the American Rescue Plan Act of 2021, Pub. L. No. 117-217 (ARPA), for the Libraries Capital Project for capital improvements to libraries, including Americans with Disabilities Act compliance, space renovations for improved Internet access for telehealth appointments and job interviews, and general building renovations.

* * * Addressing Homelessness, Housing Insecurity and Increasing the Stock of Low- and Moderate-Income Housing * * *

Sec. G.400 HOUSING AND HOMELESSNESS INVESTMENTS

(a) \$30,000,000 to the Vermont Housing and Conservation Board (VHCB) in fiscal year 2023 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Fund to the to provide affordable mixed-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. These funds shall carry forward into fiscal year 2024.

(b) Additional funding for housing investments of \$10,000,000 through VHCB are included in Sec. C.102 of this act contingent upon fiscal year 2022 revenue. Other legislation of the 2022 session allocates \$40,000,000 of ARPA funds for other housing development programs.

* * * Broadband Connectivity and Technology
Modernization Investments * * *

Sec. G.500 BROADBAND CONNECTIVITY INVESTMENTS

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

(b) \$1,600,000 to the Department of Forests, Parks and Recreation from the Coronavirus Capital Projects Fund provided to the State from the American Rescue Plan Act of 2021, Pub. L. No. 117-217 (ARPA), for the Parks Connectivity Project to improve reliability, performance, and support Internet connectivity services to all State parks.

* * * Weatherization and Other Climate Change Mitigation Investments * * *

Sec. G.600 CLIMATE ACTION INVESTMENTS

(a) In fiscal year 2023, \$129,760,000 is appropriated from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Funds for climate change mitigation initiatives as follows:

(1) \$45,000,000 to the Department for Children and Families, Office of Economic Opportunity, Home Weatherization Assistance Program to be used in fiscal years 2023 and 2024. Households approved for assistance in this section will also be offered services outlined in subdivision (4) of this subsection.

(2) \$35,000,000 to the Department of Public Service to grant to Efficiency Vermont for the purpose of weatherization incentives to Vermonters

with a moderate income. These funds shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be available for use by Efficiency Vermont through December 31, 2024. Households approved for assistance in this section will also be offered services outlined in subdivision (4) of this subsection.

(3) \$2,000,000 to the Agency of Transportation to support the continued build-out of public electric vehicle charging infrastructure along highway networks.

(4) \$25,000,000 to the Department of Public Service, of which \$20,000,000 is to provide financial and technical assistance for Vermonters with low- and moderate-income to upgrade home electrical systems to enable installation of energy saving technologies, and \$5,000,000 is to establish a “Switch and Save” program to provide financial and technical assistance for Vermonters with low and moderate income to install, at low- or no-cost, heat pump water heaters, with a focus on replacing water heaters near the end of their useful life and serving households participating in the electrical system upgrades described in this subsection.

(5) \$2,000,000 to the Department of Public Service for load management and storage efforts to assist Vermonters with low and moderate income customers to purchase electric equipment for heating, cooling, and vehicle charging. In addition, investments will be made in load control and management platforms to enable smaller municipal and cooperative utilities to capture and share benefits of load management and funding for municipal back-up electricity storage installations. The same use of funds shall apply to \$5,000,000 of the funds appropriated in 2021 Acts and Resolves No. 74, Sec G.600(a)(5).

(6) \$15,000,000 to improve landscape resilience and mitigate flood hazards to be allocated as follows:

(A) \$14,750,000 to the Department of Public Safety, Division of Emergency Management, for a State-level buyout program for flood-vulnerable parcels; and

(B) \$250,000 to the Department of Environmental Conservation to provide technical assistance to the statewide hazard mitigation program.

(7) \$4,760,000 to the Agency of Agriculture, Food and Markets to provide farms in Vermont with financial assistance for the implementation of soil-based practices that improve soil quality and nutrient retention, increase crop production, minimize erosion potential, and reduce agricultural waste discharges. Assistance may take the form of programs that provide education, training, or instruction to farmers.

(8) \$1,000,000 to the Department of Forests, Parks and Recreation for the Urban and Community Forestry (UCF) Program to plant up to 5,000 trees to improve air quality and reduce heat island effects in urban areas in accordance with UCF program standards for design, planting, and maintenance.

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

(1) \$10,000,000 to the Agency of Commerce and Community Development to install level 1, 2, and 3 EVSE at dwellings, workplaces, and community attractions in accordance with Sec. E.903 of this act.

(2) \$12,000,000 to the Agency of Transportation for the Incentive Program for New PEVs, established in 2019 Acts and Resolves No. 59, Sec. 34, as amended.

(3) \$2,000,000 to the Agency of Transportation for the public-private partnership with Drive Electric Vermont to support the expansion of the plug-in electric vehicle market in the State.

(4) \$3,000,000 to the Agency of Transportation to grant to the Community Action Agencies to support the MileageSmart Program, established in 2019 Acts and Resolves No. 59, Sec. 34, as amended.

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

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

(A) \$1,200,000 general funds for transit agencies to, as practicable and in the sole discretion of the transit agencies, operate routes other than commuter and LINK Express on a zero-fare basis and provide service at pre-COVID-19 levels; and

(B) \$1,000,000 general funds and \$500,000 Transportation funds to continue administering the Mobility and Transportation Innovation (MTI) Grant program to support projects that improve both mobility and access to services for transit-dependent Vermonters, reduce the use of single-occupancy vehicles, and reduce greenhouse gas emissions.

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

(c) In fiscal year 2023, \$8,000,000 is appropriated from the General Fund to the Department of Public Service to offer up to 70 percent reimbursement to municipal and cooperative electrical distribution utilities for the implementation of one or more systems of Advanced Metering Infrastructure that has been approved by the Public Utility Commission.

(d) Additional grant funding of \$45,000,000 from ARPA is included in other legislation of the 2022 session for Municipal Energy Resilience Grant Program.

* * * Clean Water Investments * * *

Sec. G.700 WATER AND SEWER INVESTMENTS

(a) In fiscal year 2023, \$104,000,000 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

(1) \$31,000,000 for Stormwater Retrofit Projects to provide three-acre stormwater permitting design and construction support for entities subject to the Vermont 3- 9050 Stormwater General Permit and to provide design and construction for practices necessary to restore impaired waters subject to flow restoration plans. These funds shall be allocated as follows:

(A) \$30,000,000 to the Department of Environmental Conservation to provide three-acre stormwater permitting design and construction support for entities subject to the Vermont 3- 9050 Stormwater General Permit and to provide permitting, design, and construction services; and

(B) \$1,000,000 to the Department of Forests, Parks and Recreation to support compliance with the three-acre stormwater rule.

(2) \$30,000,000 to the Department of Environmental Conservation to support water and wastewater projects and pretreatment activities, as follows:

(A) \$15,000,000 to support the design and construction of community-scale water or decentralized wastewater projects, or both, to support underserved designated centers;

(B) \$5,000,000 to provide financial assistance to municipalities, Vermont businesses, and nonprofit entities to install or enhance pretreatment processes to address high strength or toxic wastes that otherwise require treatment at municipal expense by publicly owned treatment facilities; and

(C) \$10,000,000 to municipalities with small and primarily residential customer bases to upgrade or replace existing water or wastewater treatment systems that are at risk of failure.

(3) \$20,000,000 to the Department of Environmental Conservation to assist municipalities to design and construct projects to reduce or eliminate wet weather sewer overflows.

(4) \$23,000,000 to make repairs or improvements to water and wastewater systems in Vermont homes to be allocated as follows:

(A) \$6,500,000 to the Department of Environmental Conservation for improving water/wastewater systems at coop-owned or nonprofit mobile home parks (MHPs);

(B) \$15,000,000 to the Department of Environmental Conservation to replace failed on-site wastewater and water supplies for Vermonters with low income or who are unable to access or afford market rate loans; and

(C) \$1,500,000 to the Department of Housing and Community Development to update leaking service lines, old plumbing, and replacing outdated fixtures (sinks, toilets, dishwashers, laundry) with high-efficiency devices.

Sec. G.701 APPROPRIATIONS: OFFSET CAPITAL BILL FUNDED
PROJECTS BY SWAP TO ARPA

(a) Fiscal year 2022. \$500,000 in fiscal year 2022 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds to the Department of Forests, Parks and Recreation for forestry access road water quality improvements.

(b) Fiscal year 2023. \$5,236,781 in fiscal year 2023 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds for projects authorized in the fiscal year 2023 Capital Budget Adjustment Act as follows:

(1) \$600,000 to the Department of Buildings and General Services for three-acre parcel stormwater planning, design, and implementation;

(2) \$300,000 to the Department of Forests, Parks and Recreation for State parks major maintenance;

(3) \$585,000 to the Department of Environmental Conservation for Municipal Pollution Control Grants;

(4) \$700,000 to the Department of Forests, Parks and Recreation for forestry access road water quality improvements;

(5) \$2,451,781 to the Agency of Agriculture, Food and Markets for water quality grants; and

(6) \$600,000 to the Vermont Housing and Conservation Board for agricultural water quality projects.

Sec. G.702 2021 Acts and Resolves No. 74, Sec. G.700(c) is amended to read as follows:

(c) ~~\$15,000,000 to be used to~~ To the extent capital funds have been appropriated to projects supporting water and sewer infrastructure in fiscal year 2022 and capital appropriations can be offset for reuse for future capital construction projects in the fiscal years 2022–2023 capital budget adjustment process. ~~On or~~ on or before December 15, 2021, the Commissioner of Finance and Management shall review and recommend water and sewer infrastructure projects funded in ~~fiscal year 2022~~ that could be funded with ARPA funds to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and to the Governor for the fiscal years 2022–2023 capital budget adjustment report.

* * * Administration * * *

Sec. G.800 ARPA AND GENERAL ONE-TIME FUND FUNDED
LIMITED-SERVICE POSITIONS

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

(1) Agency of Administration: one Grants Manager.

(2) Agency of Agriculture, Food and Markets: two Water Quality Program Coordinators.

(3) Public Service Department:

(A) one Administrative Services Coordinator;

(B) one Outreach Coordinator;

(C) one Grants Manager;

(D) one Financial Manager; and

(E) one Program Coordinator.

(4) Vermont Community Broadband Board:

(A) one Fiscal and Federal Reporting Specialist;

(B) one Rural Broadband Technical Specialist;

(C) one Business Office Manager; and

(D) one Digital Equity Office Manager.

(E) Vermont Community Broadband Board: one Fiber Optics Engineer.

(5) Natural Resources Board:

(A) two District Coordinators; and

(B) one Executive Director.

(6) Agency of Human Services, Office of Economic Opportunity:

(A) one Senior Energy Services Program Officer; and

(B) two Energy Services Program Officers.

(7) Department of Labor: three Program Technicians.

(8) Agency of Natural Resources, Department of Forests, Parks and Recreation: one Environmental Analyst III.

(9) Agency of Transportation:

(A) one Grants Management Specialist; and

(B) one Grants Manager.

(10) Department of Libraries

(A) one Grants Administrator; and

(B) one Buildings Project Manager II.

(11) Agency of Commerce and Community Development:

(A) one Community Affairs Planning Coordinator;

(B) two Grants Management Specialist;

(C) one Agency of Transportation Environmental Specialist 1; and

(D) one Historic Resource Specialist.

Sec. G.801 APPROPRIATION FOR ADMINISTRATIVE COSTS

(a) \$10,500,000 in fiscal year 2023 is appropriated from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Funds to the Agency of Administration to be distributed as needed to address the statewide costs of administering these funds, including the costs of related limited-service positions, and contracting for programs and services.

* * * Effective Dates * * *

Sec. H.100 EFFECTIVE DATES

(a) This section, Secs. C.100 through C.114 (fiscal year 2022 one-time appropriations, adjustments, and amendments), E.105.1 (Technology

Modernization Special Fund), E.106.1 (Capital Cash Expenditure Cash Fund), E.240.3 (repeal of 2020 Acts and Resolves No. 164, Sec. 6(c)), E.240.4 (repeal of 2020 Acts and Resolves No. 164, Sec. 33(h)), G.702 (amendment to 2021 Acts and Resolves No.74, Sec. G.700(c)), and G.701(a) (offset capital funds by swap to ARPA) shall take effect upon passage.

(b) Secs. E.240.5 (7 V.S.A. § 845) and E.240.6 (32 V.S.A. § 7909(a)) shall take effect on July 1, 2025.

(c) Notwithstanding 1 V.S.A. § 214, Secs. E.709 and E.709.1 (definition of release; PCBs) shall take effect retroactively on July 1, 2021.

(d) Secs. E.240.1 (7 V.S.A. § 845); E.240.2 (32 V.S.A. § 7909); E.702 (Fish and Wildlife); F.100(b), F.101(b), F.102(b) and F.103 (Executive Branch; Exempt Employees, Misc. Statutory Salaries; Fiscal Year 2024); F.104–106 (Judicial Branch; Statutory Salaries, Fiscal Year 2024); F.107 (Sheriffs, Statutory Salaries, Fiscal Year 2024); F.108 (State’s Attorney’s; Statutory Salaries; Fiscal Year 2024); and Secs. F.109(a)(2), F.109(b)(3), and F.109(c)(2) (Appropriations; Fiscal Year 2024) shall take effect on July 1, 2023.

(e) Secs. E.500.7–500.9 shall be effective as of the date of enactment of S.287 (2022).

(f) All remaining sections shall take effect on July 1, 2022.

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

M. JANE KITCHEL

PHILIP E. BARUTH

RICHARD A. WESTMAN

Committee on the part of the Senate

MARY S. HOOPER

PETER J. FAGAN

KIMBERLY JESSUP

Committee on the part of the House

Addendum to the Report of Committee of Conference:

By adding a new section to be Sec. E.400.1 to read as follows:

Sec. E.400.1. UNEMPLOYMENT INSURANCE; INFORMATION
TECHNOLOGY MODERNIZATION FUNDING; REPORT

(a) On or before January 15, 2023, the Commissioner of Labor shall submit a written report to the House Committees on Commerce and Economic

Development and on Ways and Means and the Senate Committees on Economic Development, Housing and General Affairs and on Finance evaluating potential funding mechanisms to support ongoing unemployment insurance information technology modernization and unemployment-insurance-related administrative costs without utilizing appropriations from the General Fund.

(b) The report shall do the following:

(1) identify and evaluate funding mechanisms utilized by other states for similar purposes;

(2) in the Commissioner's discretion, identify and evaluate other potential funding mechanisms that could support ongoing unemployment insurance information technology modernization and unemployment-insurance-related administrative costs; and

(3) examine any benefits, adverse impacts, or challenges related to implementing the identified funding mechanisms.

(c) The report shall include a recommendation for one or more funding mechanisms to support ongoing unemployment insurance information technology modernization and unemployment-insurance-related administrative costs without utilizing appropriations from the General Fund. The report may include a recommendation for legislative action to implement the recommended funding mechanism or mechanisms.

M. JANE KITCHEL

PHILIP E. BARUTH

RICHARD A. WESTMAN

Committee on the part of the Senate

MARY S. HOOPER

PETER J. FAGAN

KIMBERLY JESSUP

Committee on the part of the House

Pending the question, Shall the report of the Committee of Conference be adopted?, **Rep. Hooper of Montpelier** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the report of the Committee of Conference be adopted?, was decided in the affirmative. Yeas, 133. Nays, 3.

Those who voted in the affirmative are:

Achey of Middletown
Springs

Grad of Moretown
Gregoire of Fairfield

Nicoll of Ludlow
Nigro of Bennington

Ancel of Calais	Hango of Berkshire	Norris of Sheldon
Anthony of Barre City	Harrison of Chittenden	Norris of Shoreham
Arrison of Weathersfield	Helm of Fair Haven	Notte of Rutland City
Austin of Colchester	Higley of Lowell	Noyes of Wolcott
Bartholomew of Hartland	Hooper of Montpelier	Ode of Burlington
Beck of St. Johnsbury	Hooper of Randolph	Page of Newport City
Birong of Vergennes	Hooper of Burlington	Pajala of Londonderry
Black of Essex	Houghton of Essex	Partridge of Windham
Bluemle of Burlington	Howard of Rutland City	Patt of Worcester
Bock of Chester	James of Manchester	Pugh of South Burlington
Bongartz of Manchester	Jerome of Brandon	Rachelson of Burlington
Bos-Lun of Westminster	Jessup of Middlesex	Rogers of Waterville
Brady of Williston	Kascenska of Burke	Rosenquist of Georgia
Briglin of Thetford	Killackey of South Burlington	Satcowitz of Randolph
Brown of Richmond	Kimbell of Woodstock	Scheu of Middlebury
Brownell of Pownal	Kitzmiller of Montpelier	Shaw of Pittsford
Brumsted of Shelburne	Kornheiser of Brattleboro	Sheldon of Middlebury
Burditt of West Rutland	Labor of Morgan	Sibilia of Dover
Burke of Brattleboro	LaClair of Barre Town	Sims of Craftsbury
Burrows of West Windsor	LaLonde of South	Small of Winooski
Campbell of St. Johnsbury	Burlington	Smith of Derby
Canfield of Fair Haven	Lanpher of Vergennes	Squirrell of Underhill
Chase of Colchester	Laroche of Franklin	Stebbins of Burlington
Cina of Burlington	Lefebvre of Newark	Stevens of Waterbury
Coffey of Guilford	Lefebvre of Orange	Strong of Albany
Colburn of Burlington	Leffler of Enosburgh	Taylor of Colchester
Colston of Winooski	Lippert of Hinesburg	Till of Jericho
Conlon of Cornwall	Long of Newfane *	Toleno of Brattleboro
Copeland Hanzas of	Marcotte of Coventry	Toof of St. Albans Town
Bradford	Martel of Waterford	Townsend of South
Corcoran of Bennington	Masland of Thetford	Burlington
Cordes of Lincoln	Mattos of Milton	Troiano of Stannard
Cupoli of Rutland City	McCarthy of St. Albans City	Vyhovsky of Essex
Dolan of Essex	McCormack of Burlington	Walz of Barre City
Dolan of Waitsfield	McCoy of Poultney	Webb of Shelburne
Donahue of Northfield	McCullough of Williston	White of Bethel
Donnelly of Hyde Park	McFaun of Barre Town	White of Hartford
Durfee of Shaftsbury	Morgan, L. of Milton	Whitman of Bennington
Emmons of Springfield	Morgan, M. of Milton	Williams of Granby
Fagan of Rutland City	Morris of Springfield	Wood of Waterbury
Feltus of Lyndon	Morrissey of Bennington	Yacovone of Morristown
Gannon of Wilmington	Mrowicki of Putney	Yantachka of Charlotte
Garofano of Essex	Mulvaney-Stanak of	
Goldman of Rockingham	Burlington	
Goslant of Northfield	Murphy of Fairfax	

Those who voted in the negative are:

Parsons of Newbury	Peterson of Clarendon	Terenzini of Rutland Town

Those members absent with leave of the House and not voting are:

Brennan of Colchester	Graham of Williamstown	Smith of New Haven
Christie of Hartford	O'Brien of Tunbridge	Sullivan of Dorset
Dickinson of St. Albans	Palasik of Milton	Surprenant of Barnard
Town	Pearl of Danville	Walker of Swanton
Elder of Starksboro	Scheuermann of Stowe	

Rep. Long of Newfane explained her vote as follows:

“Madam Speaker:

Today I vote yes to invest in a better future for Vermonters that leaves no one behind.

I thank the Appropriations Committee for their diligent, thoughtful consideration of policy proposals and competing priorities to arrive at historic investments in workforce, housing, climate action and so much more.

This balanced, thoughtful budget is one we can all be proud of.”

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House action on the bill was ordered messaged to the Senate forthwith and delivered to the Governor forthwith.

Senate Notified of Completion of House Business

Rep. McCoy of Poultney moved that the House direct the Clerk to inform the Senate that the House has completed the business of the Biennial Session and is ready to adjourn *sine die* pursuant to the provisions of J.R.S. 54, which was agreed to.

Governor Notified of Completion of House Business

Rep. McCoy of Poultney moved that the Speaker appoint a committee of six to inform the Governor that the House has completed the business of the Biennial Session and is ready to adjourn *sine die* pursuant to the provisions of J.R.S. 54, which was agreed to. Thereupon, the Speaker appointed to serve on the Committee the following members:

Rep. Long of Newfane
Rep. LaClair of Barre Town
Rep. Colburn of Burlington
Rep. Murphy of Fairfax
Rep. Ancel of Calais
Rep. Feltus of Lyndon

Governor Presented at the Bar of the House

The Committee appointed to wait upon the Governor retired to the Executive Chamber and returned with His Excellency, The Governor Philip B. Scott, and presented him at the bar of the House. The Governor addressed the House and, having completed his remarks, was escorted from the Hall by the Committee.

Adjournment

At seven o'clock and nineteen minutes in the evening, on motion of **Rep. Long of Newfane**, the House adjourned *sine die* pursuant to the provisions of J.R.S. 54.

C E R T I F I C A T E

hereby certify that the foregoing Journal is a true and correct record of the proceedings of the House of Representatives of the State of Vermont for the second year of the Seventy-Sixth Biennial Session of the General Assembly, beginning on the fourth day of January, 2022, and ending on the twelfth day of May, 2022.

s BetsyAnn Bras
ler of the House

FINAL MESSAGES AND COMMUNICATIONS**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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 16th day of May, 2022, he signed bills originating in the House of the following titles:

H.447 An act relating to approval of amendments to the charter of the Town of Springfield

H.462 An act relating to miscellaneous Department of Health programs

H.482 An act relating to the Petroleum Cleanup Fund

H.661 An act relating to licensure of mental health professionals

H.711 An act relating to the creation of the Opioid Settlement Advisory Committee and the Opioid Abatement Special Fund

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 19th day of May, 2022, he signed bills originating in the House of the following titles:

H.287 An act relating to patient financial assistance policies and medical debt protection

H.500 An act relating to prohibiting the sale of mercury lamps in the State

H.553 An act relating to eligibility of domestic partners for reimbursement from the Victims Compensation Program

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 19th day of May 2022, *allowed to become law without his signature* bills originating in the House of the following titles:

H.523 An act relating to reducing hydrofluorocarbon emissions

H.744 An act relating to approval of an amendment to the charter of the City of Burlington

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 19th day of May, 2022, he returned without signature and *vetoed* bills originating in the House of the following titles:

H.505 An act relating to the creation of the Drug Use Standards Advisory Board within the Vermont Sentencing Commission

H.534 An act relating to expanding eligibility for expungement and sealing of criminal history records for nonviolent offenses

Veto Letter

“May 19, 2022

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 am returning H. 505, *An act relating to the creation of the Drug Use Standards Advisory Board within the Vermont Sentencing Commission*, without my signature.

Vermont has made progress in treating drug and alcohol addiction as an illness, de-stigmatizing, expanding treatment, and instituting recovery systems that enable individuals to re-build their lives. This year, I proposed, and the Legislature passed, significant investments in these areas because this continues to be a priority issue, especially as we experience an alarming increase in the number of overdose deaths and deaths by suicide.

I agree that the criminal justice system cannot, and should not, be the only tool in this work – and in Vermont, it is not. However, we cannot completely abandon reasonable regulation and law enforcement as a tool.

Specifically, this bill creates a Drug Use Standards Advisory Board with a stated goal to identify a path to effectively legalize personal possession and use of dangerous and highly addictive drugs, stating:

“The primary objective of the Board shall be to determine, for each regulated and unregulated drug, the benchmark personal use dosage and the benchmark personal use supply. The benchmarks determined pursuant to this subsection shall be determined with a goal of preventing and reducing the criminalization of personal drug use.”

It places no limits on which drugs can be contemplated for legalization or the amounts, and while rightly saying we need to view substance abuse as a public health matter – a point where I agree – it includes absolutely no recognition of the often-disastrous health and safety impacts of using drugs like fentanyl, heroin, cocaine, methamphetamines, and more. Nor does it acknowledge the role of enforcement in tracking down and stopping the dealers who seek to poison Vermonters – including children – for profit.

In its written testimony, the Department of Public Safety expressed its concern that Vermont remains a “destination for drug trafficking” due in part to demand, and in part because of the view by drug traffickers that “the financial incentives outweigh the risks posed by Vermont’s criminal laws.”

For these reasons, I cannot allow H. 505 to go into law, and must return it without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,

/s/Philip B. Scott
Governor
PBS/kp"

Veto Letter

“May 19, 2022

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 am returning H.534, *An act relating to expanding eligibility for expungement and sealing of criminal history records for nonviolent offenses*, without my signature because of my objections described herein.

Safe schools and communities are a top priority of State government and must consistently be a key consideration when criminal justice legislation is debated. Ultimately, I find this bill inconsistent with the State's responsibilities to keep the public safe. Vermont is currently experiencing a significant spike in violent crime with most being drug-related. From my perspective, this bill seeks to make offenses relating to possessing, selling, cultivating, dispensing and transporting dangerous, illicit and highly addictive drugs – as well as the use of fraud or deceit to obtain these dangerous drugs – expungable offenses.

In addition, H.534 conflicts with recent policy to increase gun safety. Specifically, the Legislature recently passed – and I signed – a firearm safety measure which increases reliance on background checks to disclose Brady-disqualifying felonies. This was done to keep guns out of the hands of people who should not have them. H.534, however, would expunge felonies that would otherwise disqualify someone from purchasing and owning a gun.

Another area of contradictory policy can be seen with the Legislature's recent creation of a contractor registry to address home improvement fraud. Yet, this bill makes home improvement fraud an expungable offense, eliminating the ability to hold offenders accountable through the registry the Legislature simultaneously said was about accountability. Similarly, despite passing new laws to expand criminal threatening and prohibit carrying a gun into a hospital, these crimes are also expungable.

In total, over 20 new felony crimes, including felony identity theft, could be erased – inaccessible to anyone, even law enforcement – from an individual's criminal record if this bill becomes law.

To address these concerns, my administration proposed a uniform, simplified system of *sealing* – rather than erasing – criminal records. This approach would eliminate undue consequences related to housing, job and education for those Vermonters who are not repeat offenders, while also ensuring access for law enforcement and criminal justice purposes as well as for background checks necessary to ensure public safety and security.

Without allowing access to records for public safety purposes, and resolving all of the very clear inconsistency in policy and conflicts in law H. 534 would create, I cannot support this effort.

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 24th day of May, 2022, he signed bills originating in the House of the following titles:

H.96 An act relating to creating the Truth and Reconciliation Commission

H.265 An act relating to the Office of the Child, Youth, and Family Advocate

H.279 An act relating to miscellaneous changes affecting the duties of the Department of Vermont Health Access

H.353 An act relating to pharmacy benefit management

H.410 An act relating to the use and oversight of artificial intelligence in State government

H.444 An act relating to approval of amendments to the charter of the City of Barre

H.464 An act relating to miscellaneous changes to the Reach Up Program

H.465 An act relating to boards and commissions

H.466 An act relating to surface water withdrawals and interbasin transfers

H.477 An act relating to leave for crime victims

H.489 An act relating to miscellaneous provisions affecting health insurance regulation

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 27th day of May, 2022, he signed bills originating in the House of the following titles:

H.510 An act relating to tax reductions and other aid for Vermonters

H.515 An act relating to banking, insurance, and securities

H.517 An act relating to educational benefits for members of the military and their families and eligibility for election to serve as Adjutant and Inspector General

H.533 An act relating to forfeited property disposition and a study assessing civil and criminal seizure and forfeiture of property in drug-related offenses

H.546 An act relating to racial justice statistics

H.551 An act relating to prohibiting racially and religiously restrictive covenants in deeds

H.559 An act relating to workers' compensation

H.626 An act relating to the sale, use, or application of neonicotinoid pesticides

H.697 An act relating to eligibility of reserve forestland for enrollment in the Use Value Appraisal Program

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 31st day of May, 2022, he signed bills originating in the House of the following titles:

H.729 An act relating to miscellaneous judiciary procedures

H.742 An act relating to approval of amendments to the charter of the Town of Milton

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 2nd day of June, 2022, he signed bills originating in the House of the following titles:

H.74 An act relating to making miscellaneous changes concerning self-storage businesses

H.244 An act relating to authorizing the natural organic reduction of human remains

H.446 An act relating to miscellaneous natural resources and development subjects

H.512 An act relating to modernizing land records and notarial acts law

H.518 An act relating to municipal energy resilience initiatives

H.572 An act relating to the retirement allowance for interim educators

H.709 An act relating to miscellaneous agricultural subjects

H.716 An act relating to making miscellaneous changes in education law

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 2nd day of June, 2022, he returned without signature and *vetoed* a bill originating in the House of the following title:

H.606 An act relating to community resilience and biodiversity protection

Veto Letter

“June 2, 2022

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 am returning H.606, *An act relating to community resilience and biodiversity protection*, without my signature.

Vermont has a long history of effective land conservation that has significantly contributed to the state's vibrant, resilient working landscape of farms and forests, vast natural areas, and world class opportunities for outdoor recreation. This is a result of flexible and innovative tools like our current use program and the payment-for-ecosystem-services model. These programs are critical to achieving our conservation priorities because they combine conservation planning with incentives – making it more attractive and affordable for Vermont families to keep and conserve their land, farms and forests.

Over the course of the legislative session, the Agency of Natural Resources testified multiple times against this bill. Among the objections, the Agency pointed to the conservation goals established in H.606 are unnecessarily tied to – and unreasonably limited to – permanent protection. The Agency has repeatedly said that permanent preservation has not been, and cannot be, the state's exclusive conservation tool and this bill, intentional or not, would diminish the existing and successful conservation tools we have.

Based on the objections outlined above, 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”

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 7th day of June, 2022, he signed bills originating in the House of the following titles:

H.727 An act relating to the exploration, formation, and organization of union school districts and unified union school districts

H.730 An act relating to alcoholic beverages and the Department of Liquor and Lottery

H.737 An act relating to setting the homestead property tax yields and the nonhomestead property tax rate

H.738 An act relating to technical and administrative changes in Vermont's tax laws

H.739 An act relating to capital construction and State bonding budget adjustment

H.743 An act relating to amending the charter of the Town of Hardwick

H.745 An act relating to the approval of the adoption of the charter of the Town of Montgomery

H.746 An act relating to an amendment to the charter of the City of Burlington

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 7th day of June, 2022, he returned without signature and *vetoed* a bill originating in the House of the following title:

H.728 An act relating to opioid overdose response services

Veto Letter

“June 7, 2022

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 am returning H.728, *An act relating to opioid overdose response services*, without my signature because it directs the Administration to design a plan for the implementation of one or more overdose prevention sites (also known as “safe injection sites”). From my standpoint, it seems counterintuitive to divert resources from proven harm reduction strategies to plan injection sites without clear data on the effectiveness of this approach.

We are all aware the pandemic has had negative impacts on the mental health of Vermonters. This includes concerning increases in drug and alcohol addiction, overdose deaths and suicides.

Prior to the pandemic, Vermont was making progress treating opioid addiction with our groundbreaking “hub-and-spoke” treatment system and medically assisted treatment of our corrections populations.

We also utilize harm reduction strategies, including syringe programs, distribution of Narcan, fentanyl test strips and comprehensive community education. These are proven, evidence-based approaches to saving lives but we must also continue to focus on preventing addiction in the first place and supporting people through treatment and recovery.

Unfortunately, this bill proposes to shift state policy and financial resources away from prevention and toward unproven strategies such as overdose prevention sites. It’s important to note that what little data exists on this approach is for sites located in large cities, so it’s not applicable to the vast majority of Vermont. Last year, I signed the experimental decriminalization of buprenorphine and am now waiting for the data to show if this had a positive impact on addiction or overdose rates in our state. I believe it’s important to analyze this data before moving to another experimental strategy.

For these reasons, I cannot allow H.728 to go into law, and must return it 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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 9th day of June, 2022, he signed bills originating in the House of the following titles:

H.736 An act relating to the Transportation Program and miscellaneous changes to laws related to transportation

H.740 An act relating to making appropriations for the support of government

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:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 9th day of June 2022, *allowed to become law without his signature* a bill originating in the House of the following title:

H.720 An act relating to the system of care for individuals with developmental disabilities

Message from the Senate No. 86

A message was received from the Senate by Mr. Bloomer, its Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Governor has informed the Senate that on the twenty-third day of May, 2022, he approved and signed bills originating in the Senate of the following titles:

S. 122. An act relating to the required votes of presidential electors.

S. 127. An act relating to clarifying community supervision furlough appeals and the powers of the Corrections Monitoring Commission.

S. 220. An act relating to State-paid deputy sheriffs.

S. 254. An act relating to maintaining records of judgments and settlements paid by law enforcement agencies and a legal analysis of qualified immunity.

S. 287. An act relating to improving student equity by adjusting the school funding formula and providing education quality and funding oversight.

The Governor has informed the Senate that on the thirty-first day of May, 2022, he approved and signed bills originating in the Senate of the following titles:

S. 53. An act relating to changes to Vermont corporate income tax and conformity to federal tax laws.

S. 90. An act relating to establishing an amyotrophic lateral sclerosis registry.

S. 91. An act relating to the Parent Child Center Network.

S. 100. An act relating to universal school meals.

S. 139. An act relating to nondiscriminatory school branding.

S. 140. An act relating to prohibiting civil arrests at courthouses.

S. 148. An act relating to environmental justice in Vermont.

S. 161. An act relating to extending the baseload renewable power portfolio requirement.

S. 173. An act relating to the State House art collection.

S. 181. An act relating to authorizing miscellaneous regulatory authority for municipal governments.

S. 188. An act relating to regulating licensed small cannabis cultivation as farming.

The Governor has informed the Senate that on the first day of June, 2022, he approved and signed bills originating in the Senate of the following titles:

S. 201. An act relating to best management practices for trapping.

S. 224. An act relating to juvenile proceedings.

S. 250. An act relating to law enforcement data collection and interrogation.

S. 258. An act relating to agricultural water quality, enforcement, and dairy farming.

S. 261. An act relating to municipal retention of property tax collections and valuation for purposes of the education property tax.

S. 269. An act relating to extending the Energy Savings Account Partnership Pilot Program.

S. 281. An act relating to hunting coyotes with dogs.

S. 283. An act relating to miscellaneous changes to education laws.

S. 285. An act relating to health care reform initiatives, data collection, and access to home- and community-based services.

The Governor has informed the Senate that on June 1, 2022, he returned without signature and *vetoed* a bill originating in the Senate of the following title:

S. 234. An act relating to changes to Act 250.

Text of Communication from Governor

The text of the communication from His Excellency, the Governor, whereby he vetoed and returned unsigned **Senate Bill No. 234**, to the Senate is as follows:

“June 1, 2022

The Honorable John Bloomer, Jr.

Secretary of the Senate

115 State House

Montpelier, VT 05633-5401

Dear Secretary Bloomer:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I am returning S.234, *An Act Relating to Changes to Act 250*, without my signature because this bill moves us in the wrong direction on Act 250.

From my perspective, this bill makes Act 250 even more cumbersome than it is today and it will make it harder to build the housing we desperately need. These concerns were raised by elected leaders on both sides of the aisle, though were not addressed by the Legislature.

Fortunately, the pieces of this bill that will make some modest improvements were added to another bill, which I plan to sign.

Based on the objections outlined above, 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 Senate that on the seventh day of June, 2022, he approved and signed bills originating in the Senate of the following titles:

S. 210. An act relating to rental housing health and safety and affordable housing.

S. 226. An act relating to expanding access to safe and affordable housing.

The Governor has informed the Senate that on the eighth day of June, 2022, he approved and signed a bill originating in the Senate of the following title:

S. 11. An act relating to economic and workforce development.

Based on the objections outlined above, 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 Senate that on the seventh day of June, 2022, he approved and signed bills originating in the Senate of the following titles:

S. 210. An act relating to rental housing health and safety and affordable housing.

S. 226. An act relating to expanding access to safe and affordable housing.

The Governor has informed the Senate that on the eighth day of June, 2022, he approved and signed a bill originating in the Senate of the following title:

S. 11. An act relating to economic and workforce development.

MEMBERS APPOINTED AFTER FINAL ADJOURNMENT

Appointment to Opioid Settlement Advisory Committee

Pursuant to the provisions of 18 V.S.A. § 4772, which was added by 2021, Act No. 118 (Adj. Sess.) (H.711), Sec. 1, the Speaker appointed the following Representative to serve on the Opioid Settlement Advisory Committee:

Rep. Whitman of Bennington

Appointment to Oversight Commission on Children, Youths, and Families

Pursuant to the provisions of 33 V.S.A. § 3211, which was added by 2021, Act No. 129 (Adj. Sess.) (H.265), Sec. 1, the Speaker appointed the following Representative to serve on the Oversight Commission on Children, Youths, and Families:

Rep. Noyes of Wolcott

Appointments to Giglio Database Study Committee

Pursuant to the provisions of 2021, Act No. 161 (Adj. Sess.) (S.250), Sec. 2, the Speaker appointed the following Representatives to serve on the Giglio Database Study Committee:

Rep. Burditt of West Rutland
Rep. Dolan of Essex

Appointments to Task Force to Revitalize the Vermont Dairy Industry

Pursuant to the provisions of 2021, Act No. 162 (Adj. Sess.) (S.258), Sec. 9, the Speaker appointed the following Representatives to serve on the Task Force to Revitalize the Vermont Dairy Industry:

Rep. Marcotte of Coventry
Rep. O'Brien of Tunbridge

Appointments to Income-Based Education Tax Study Committee

Pursuant to the provisions of 2021, Act No. 175 (Adj. Sess.) (H.716), Sec. 5, the Speaker appointed the following Representatives to serve on the Income-Based Education Tax Study Committee:

Rep. Beck of St. Johnsbury
Rep. Conlon of Cornwall
Rep. Kornheiser of Brattleboro

**Appointment to Special Oversight Committee on
Workforce Expansion and Development**

Pursuant to the provisions of 2021, Act No. 183 (Adj. Sess.) (S.11), Sec. 5(b), the Speaker appointed the following Representative to serve on the Special Oversight Committee on Workforce Expansion and Development:

Rep. Marcotte of Coventry

Appointment to Vermont Film and Media Industry Task Force

Pursuant to the provisions of 2021, Act No. 183 (Adj. Sess.) (S.11), Sec. 49, the Speaker appointed the following Representative to serve on the Vermont Film and Media Industry Task Force:

Rep. Jerome of Brandon

Appointments to Sports Betting Study Committee

Pursuant to the provisions of 2021, Act No. 183 (Adj. Sess.) (S.11), Sec. 56, the Speaker appointed the following Representatives to serve on the Sports Betting Study Committee:

Rep. Birong of Vergennes

Rep. Ode of Burlington

APPENDIX A

Members, Standing Committees and Panels, Legislative Districts, and Officers and Assistants of the House of Representatives *2022 Adjourned Session*

Prepared by BetsyAnn Wrask, Clerk of the House

MEMBERS OF THE HOUSE

Jill Krowinski, Speaker of the House
Burlington

Representatives	Town	Committee	Seat
Achey, Sally	Middletown Springs	Energy and Technology	34
Ancel, Janet	Calais	Ways and Means	135
Anthony, Peter D.	Barre City	Government Operations	78
Arrison, Norman “John”	Weathersfield	Education	32
Austin, Sarah “Sarita”	Colchester	Education	38
Bartholomew, John L.	Hartland	Transportation	133
Beck, Scott L.	St. Johnsbury	Ways and Means	117
Birong, Matthew J.	Vergennes	General, Housing, and Military Affairs	80
Black, Alyssa	Essex	Health Care	29
Bluemle, Tiffany	Burlington	General, Housing, and Military Affairs	83
Bock, Thomas A.	Chester	Agriculture and Forestry	42
Bongartz, Seth	Manchester	Natural Resources, Fish, and Wildlife	100
Bos-Lun, Michelle	Westminster	Corrections and Institutions	125
Brady, Erin	Williston	Education	26
Brennan, Patrick M.	Colchester	Ways and Means	76
Briglin, Timothy C.	Thetford	Energy and Technology	93
Brown, Jana	Richmond	Education	70
Brownell, Nelson I.	Pownal	Natural Resources, Fish, and Wildlife	25
Brumsted, Jessica C.	Shelburne	Human Services	126
Burditt, Thomas B.	West Rutland	Judiciary	115
Burke, Mollie S.	Brattleboro	Transportation	24
Burrows, Elizabeth	West Windsor	Health Care	58
Campbell, R. Scott	St. Johnsbury	Corrections and Institutions	2
Canfield, William P.	Fair Haven	Ways and Means	71
Chase, Seth B.	Colchester	Energy and Technology	64
Christie, Kevin B.	Hartford	Judiciary	10
Cina, Brian J.	Burlington	Health Care	88
Coffey, Sara E.	Guilford	Corrections and Institutions	12
Colburn, Selene	Burlington	Judiciary	53
Colston, Harold “Hal”	Winooski	Government Operations	11
Conlon, Peter C.	Cornwall	Education	145
Copeland Hanzas, Sarah	Bradford	Government Operations	149
Corcoran, Timothy R.	Bennington	Transportation	62
Cordes, Mari K.	Lincoln	Health Care	9
Cupoli, Lawrence P.	Rutland City	Education	75

Dickinson, Eileen “Lynn”	St. Albans Town	Commerce and Economic Development	72
Dolan, Karen	Essex	Corrections and Institutions	57
Dolan, Katherine “Kari”	Waitsfield	Natural Resources, Fish, and Wildlife	15
Donahue, Anne B.	Northfield	Health Care	20
Donnally, Katherine	Hyde Park	Judiciary	49
Durfee, David K.	Shaftsbury	Ways and Means	97
Elder, Caleb R.	Starksboro	Ways and Means	47
Emmons, Alice M.	Springfield	Corrections and Institutions	61
Fagan, Peter J.	Rutland City	Appropriations	36
Feltus, Martha A.	Lyndon	Appropriations	18
Gannon, John M.	Wilmington	Government Operations	13
Garofano, Golrang “Rey”	Essex	Human Services	60
Goldman, Leslie	Rockingham	Health Care	21
Goslant, Kenneth W.	Northfield	Judiciary	103
Grad, Maxine J.	Moretown	Judiciary	140
Graham, Rodney P.	Williamstown	Agriculture and Forestry	68
Gregoire, James A.	Fairfield	Human Services	120
Hango, Lisa A.	Berkshire	General, Housing, and Military Affairs	7
Harrison, James	Chittenden	Appropriations	40
Helm, Robert G.	Fair Haven	Appropriations	113
Higley, Mark A.	Lowell	Government Operations	37
Hooper, Mary S.	Montpelier	Appropriations	95
Hooper, Philip “Jay” J.	Randolph	Education	45
Hooper, Robert J.	Burlington	Government Operations	98
Houghton, Lori	Essex	Health Care	28
Howard, Mary E.	Rutland City	General, Housing, and Military Affairs	56
James, Kathleen C.	Manchester	Education	16
Jerome, Stephanie Z.	Brandon	Commerce and Economic Development	14
Jessup, Kimberly	Middlesex	Appropriations	96
Kascenska, John	Burke	Commerce and Economic Development	35
Killackey, John R.	South Burlington	General, Housing, and Military Affairs	55
Kimball, Charles A.	Woodstock	Commerce and Economic Development	147
Kitzmiller, Warren F.	Montpelier	Commerce and Economic Development	137
Kornheiser, Emilie K.	Brattleboro	Ways and Means	148
Krowinski, Jill L.	Burlington	Rules	1
Labor, Larry	Morgan	Corrections and Institutions	142
LaClair, Robert B.	Barre Town	Government Operations	111
LaLonde, Martin J.	South Burlington	Judiciary	31
Lanpher, Diane M.	Vergennes	Transportation	85
Laroche, Wayne A.	Franklin	Commerce and Economic Development	107
Lefebvre, Paul D.	Newark	Natural Resources, Fish, and Wildlife	106
Lefebvre, Samantha	Orange	Government Operations	67
Leffler, Felisha R.	Enosburgh	Judiciary	43
Lippert, William J.	Hinesburg	Health Care	124
Long, Emily J.	Newfane	Health Care	131
Marcotte, Michael J.	Coventry	Commerce and Economic Development	66
Martel, Marcia R.	Waterford	Corrections and Institutions	63
Martin, Paul	Franklin	Commerce and Economic Development	107
Masland, James W.	Thetford	Ways and Means	82
Mattos, Christopher P.	Milton	Ways and Means	118
McCarthy, Michael D.	St. Albans City	Government Operations	132
McCormack, Curtis A.	Burlington	Transportation	89
McCoy, Patricia A.	Poultney	Transportation	110

McCullough, James M.	Williston	Natural Resources, Fish, and Wildlife	123
McFaun, Francis M.	Barre Town	Human Services	5
Morgan, Leland J.	Milton	Natural Resources, Fish, and Wildlife	6
Morgan, Michael	Milton	Corrections and Institutions	19
Morris, Kristi C.	Springfield	Natural Resources, Fish, and Wildlife	22
Morrissey, Mary A.	Bennington	Corrections and Institutions	74
Mrowicki, Michael	Putney	Government Operations	138
Mulvaney-Stanak, Emma	Burlington	Commerce and Economic Development	52
Murphy, Barbara S.	Fairfax	General, Housing, and Military Affairs	41
Nicoll, Logan M.	Ludlow	Commerce and Economic Development	141
Nigro, Michael	Bennington	Commerce and Economic Development	90
Norris, Robert	Sheldon	Judiciary	104
Norris, Terry E.	Shoreham	Agriculture and Forestry	114
Notte, William J.	Rutland City	Judiciary	46
Noyes, Daniel A.	Wolcott	Human Services	122
O'Brien, John K.	Tunbridge	Agriculture and Forestry	39
Ode, Carol	Burlington	Ways and Means	136
Page, Woodman H.	Newport City	Health Care	102
Pajala, Kelly M.	Londonderry	Human Services	121
Palasik, John E.	Milton	General, Housing, and Military Affairs	105
Parsons, Joseph	Newbury	General, Housing, and Military Affairs	108
Partridge, Carolyn W.	Windham	Agriculture and Forestry	139
Patt, Avram I.	Worcester	Energy and Technology	129
Pearl, Henry	Danville	Agriculture and Forestry	51
Peterson, Arthur	Clarendon	Health Care	65
Pugh, Ann D.	South Burlington	Human Services	59
Rachelson, Barbara	Burlington	Judiciary	84
Rogers, Lucy E.	Waterville	Energy and Technology	30
Rosenquist, Carl J.	Georgia	Human Services	17
Satcowitz, Lawrence	Randolph	Natural Resources, Fish, and Wildlife	50
Seymour, Patrick	Sutton	Commerce and Economic Development	35
Scheu, Robin P.	Middlebury	Appropriations	144
Scheuermann, Heidi E.	Stowe	Energy and Technology	77
Shaw, Charles "Butch"	Pittsford	Transportation	116
Sheldon, Amy D.	Middlebury	Natural Resources, Fish, and Wildlife	92
Sibilia, Laura H.	Dover	Energy and Technology	127
Sims, Katherine	Craftsbury	Energy and Technology	94
Small, Taylor	Winooski	Human Services	86
Smith, Brian D.	Derby	Transportation	8
Smith, Harvey T.	New Haven	Natural Resources, Fish, and Wildlife	109
Squirrell, Trevor J.	Underhill	Appropriations	4
Stebbins, Gabrielle	Burlington	Transportation	128
Stevens, Thomas S.	Waterbury	General, Housing, and Military Affairs	150
Strong, Vicki M.	Albany	Agriculture and Forestry	73
Sullivan, Linda J.	Dorset	Corrections and Institutions	48
Surprenant, Heather	Barnard	Agriculture and Forestry	87
Taylor, Curt D.	Colchester	Corrections and Institutions	79
Terenzini, Thomas P.	Rutland Town	Natural Resources, Fish, and Wildlife	101
Till, George W.	Jericho	Ways and Means	143
Toleno, Tristan D.	Brattleboro	Appropriations	99
Toof, Casey J.	St. Albans Town	Education	112
Townsend, Maida F.	South Burlington	Appropriations	3
Troiano, Joseph "Chip"	Stannard	General, Housing, and Military Affairs	130

Vyhovsky, Tanya	Essex	Government Operations	54
Walker, Matthew E.	Swanton	Transportation	119
Walz, Tommy J.	Barre City	General, Housing, and Military Affairs	44
Webb, Kathryn L.	Shelburne	Education	134
White, Kirk White,	Bethel	Commerce and Economic Development	27
Rebecca E.	Hartford	Transportation	23
Whitman, Dane	Bennington	Human Services	69
Williams, Terri Lynn	Granby	Education	33
Wood, Theresa A.	Waterbury	Human Services	91
Yacovone, David W.	Morristown	Appropriations	146
Yantachka, Michael I.	Charlotte	Energy and Technology	81

STANDING COMMITTEES AND PANELS OF THE HOUSE OF REPRESENTATIVES

Agriculture and Forestry

Partridge of Windham, *Chair*
 Graham of Williamstown, *Vice Chair*
 Bock of Chester, *Ranking Member*
 Norris of Shoreham, *Clerk*
 O'Brien of Tunbridge
 Pearl of Danville
 Surprenant of Barnard
 Strong of Albany

Appropriations

Hooper of Montpelier, *Chair*
 Fagan of Rutland City, *Vice Chair*
 Jessup of Middlesex, *Ranking Member*
 Feltus of Lyndon
 Harrison of Chittenden
 Helm of Fair Haven
 Scheu of Middlebury
 Squirrell of Underhill
 Toleno of Brattleboro
 Townsend of South Burlington, *Clerk*
 Yacovone of Morristown

Commerce and Economic Development

Marcotte of Coventry, *Chair*
 Kimbell of Woodstock, *Vice Chair*
 Jerome of Brandon, *Ranking Member*
 Dickinson of St. Albans Town
 Kascenska of Burke
 Kitzmiller of Montpelier
 Laroche of Franklin
 Mulvaney-Stanak of Burlington
 Nicoll of Ludlow
 Nigro of Bennington
 White of Bethel, *Clerk*

Corrections and Institutions

Emmons of Springfield, *Chair*
 Coffey of Guilford, *Vice Chair*
 Morrissey of Bennington, *Ranking Member*
 Bos-Lun of Westminster
 Campbell of St. Johnsbury
 Dolan of Essex, *Clerk*
 Labor of Morgan
 Martel of Waterford
 Morgan, M. of Milton
 Sullivan of Dorset
 Taylor of Colchester

Education

Webb of Shelburne, *Chair*
 Cupoli of Rutland City, *Vice Chair*
 Conlon of Cornwall, *Ranking Member*
 Arrison of Weathersfield
 Austin of Colchester
 Brady of Williston
 Brown of Richmond
 Hooper of Randolph
 James of Manchester, *Clerk*
 Toof of St. Albans Town
 Williams of Granby

Energy and Technology

Briglin of Thetford, *Chair*
 Sibilia of Dover, *Vice Chair*
 Scheuermann of Stowe, *Ranking Member*
 Achey of Middletown Springs
 Chase of Colchester
 Patt of Worcester
 Rogers of Waterville, *Clerk*
 Sims of Craftsbury
 Yantachka of Charlotte

General, Housing, and Military Affairs

Stevens of Waterbury, *Chair*
Troiano of Stannard, *Vice Chair*
Murphy of Fairfax, *Ranking Member*
Birong of Vergennes
Bluemle of Burlington
Hango of Berkshire
Howard of Rutland City, *Clerk*
Killacky of South Burlington
Palasik of Milton
Parsons of Newbury
Walz of Barre City

Government Operations

Copeland Hanzas of Bradford, *Chair*
Gannon of Wilmington, *Vice Chair*
LaClair of Barre Town, *Ranking Member*
Anthony of Barre City
Colston of Winooski, *Clerk*
Higley of Lowell
Hooper of Burlington
Lefebvre of Orange
McCarthy of St. Albans City
Mrowicki of Putney
Vyhovsky of Essex

Health Care

Lippert of Hinesburg, *Chair*
Donahue of Northfield, *Vice Chair*
Houghton of Essex, *Ranking Member*
Black of Essex
Burrows of West Windsor
Cina of Burlington
Cordes of Lincoln, *Clerk*
Goldman of Rockingham
Long of Newfane
Page of Newport City
Peterson of Clarendon

House Discrimination Prevention Panel

Cordes of Lincoln, *Chair*
Killacky of South Burlington
Mattos of Milton
Pajala of Londonderry
Small of Winooski

House Ethics Panel

Gannon of Wilmington, *Chair*
Cina of Burlington
Cupoli of Rutland City
Jessup of Middlesex
Sibilia of Dover

House Sexual Harassment Prevention Panel

Burke of Brattleboro, *Chair*
Bluemle of Burlington
Feltus of Lyndon
McCoy of Poultney
Mrowicki of Putney

Human Services

Pugh of South Burlington, *Chair*
Wood of Waterbury, *Vice Chair*
McFaun of Barre Town, *Ranking Member*
Brumsted of Shelburne
Garofano of Essex
Gregoire of Fairfield
Noyes of Wolcott, *Clerk*
Pajala of Londonderry
Rosenquist of Georgia
Small of Winooski
Whitman of Bennington

Judiciary

Grad of Moretown, *Chair*
Burditt of West Rutland, *Vice Chair*
Christie of Hartford, *Ranking Member*
Colburn of Burlington
Donnally of Hyde Park
Goslant of Northfield, *Clerk*
LaLonde of South Burlington
Leffler of Enosburgh
Notte of Rutland City
Norris of Sheldon
Rachelson of Burlington

Natural Resources, Fish, and Wildlife

Sheldon of Middlebury, *Chair*
McCullough of Williston, *Vice Chair*
Smith of New Haven, *Ranking Member*
Bongartz of Manchester
Brownell of Pownal
Dolan of Waitsfield, *Clerk*
Lefebvre of Newark
Morgan, L. of Milton
Morris of Springfield
Satcowitz of Randolph
Terenzini of Rutland Town

Rules

Krowinski of Burlington, *Chair ex officio*
Long of Newfane, *Vice Chair*
McCarthy of St. Albans City
Bartholomew of Hartland
McCoy of Poultney
LaClair of Barre Town
Donahue of Northfield

Transportation

Lanpher of Vergennes, *Chair*
Shaw of Pittsford, *Vice Chair*
Corcoran of Bennington, *Ranking Member*
Bartholomew of Hartland
Burke of Brattleboro
McCormack of Burlington
McCoy of Poultney
Smith of Derby
Stebbins of Burlington
Walker of Swanton
White of Hartford, *Clerk*

Ways and Means

Ancel of Calais, *Chair*
Kornheiser of Brattleboro, *Vice Chair*
Canfield of Fair Haven, *Ranking Member*
Beck of St. Johnsbury
Brennan of Colchester
Durfee of Shaftsbury, *Clerk*
Elder of Starksboro
Ode of Burlington
Masland of Thetford
Mattos of Milton
Till of Jericho

**LEGISLATIVE DISTRICTS
AND THEIR REPRESENTATIVES**

District	Representatives
Addison-1	Robin P. Scheu (D) Amy D. Sheldon (D)
Addison-2	Peter C. Conlon (D)
Addison-3	Matthew J. Birong (D) Diane M. Lanpher (D)
Addison-4	Mari K. Cordes (D) Caleb R. Elder (D)
Addison-5	Harvey T. Smith (R)
Addison-Rutland	Terry E. Norris (I)
Bennington-1	Nelson I. Brownell (D)
Bennington-2-1	Timothy R. Corcoran, II (D) Dane Whitman (D)
Bennington-2-2	Mary A. Morrissey (R) Michael Nigro (D)
Bennington-3	David K. Durfee (D)
Bennington-4	Seth Bongartz (D) Kathleen C. James (D)
Bennington-Rutland	Linda J. Sullivan (D)
Caledonia-1	Marcia R. Martel (R)
Caledonia-2	Joseph “Chip” J. Troiano (D)
Caledonia-3	Scott L. Beck (R) R. Scott Campbell (D)
Caledonia-4	Martha A. Feltus (R) John Kascenska (R)
Caledonia-Washington	Henry Pearl (D)
Chittenden-1	Jana Brown (D)
Chittenden-2	Erin Brady (D) James M. McCullough (D)
Chittenden-3	Trevor J. Squirrell (D) George W. Till (D)

District	Representatives
Chittenden-4-1	Michael I. Yantachka (D)
Chittenden-4-2	William J. Lippert, Jr. (D)
Chittenden-5-1	Kathryn L. Webb (D)
Chittenden-5-2	Jessica C. Brumsted (D)
Chittenden-6-1	Robert J. Hooper (D)
	Carol Ode (D)
Chittenden-6-2	Emma Mulvaney-Stanak (P/D)
Chittenden-6-3	Jill L. Krowinski (D)
	Curtis A. McCormack (D)
Chittenden-6-4	Brian J. Cina (P/D)
	Selene Colburn (P)
Chittenden-6-5	Tiffany Bluemle (D)
	Gabrielle Stebbins (D)
Chittenden-6-6	Barbara Rachelson (D)
Chittenden-6-7	Harold "Hal" E. Colston (D)
	Taylor Small (P/D)
Chittenden-7-1	Martin J. LaLonde (D)
Chittenden-7-2	Ann D. Pugh (D)
Chittenden-7-3	John R. Killacky (D)
Chittenden-7-4	Maida F. Townsend (D)
Chittenden-8-1	Golrang "Rey" Garofano (D)
	Tanya Vyhovsky (P/D)
Chittenden-8-2	Karen Dolan (D)
	Lori Houghton (D)
Chittenden-8-3	Alyssa Black (D)
Chittenden-9-1	Seth B. Chase (D)
	Curt D. Taylor (D)
Chittenden-9-2	Sarah "Sarita" C. Austin (D)
	Patrick M. Brennan (R)
Chittenden-10	Christopher P. Mattos (R)
	John E. Palasik (R)
Essex-Caledonia	Terri Lynn Williams (R)
Essex-Caledonia-Orleans	Paul D. Lefebvre (I)
Franklin-1	Carl J. Rosenquist (R)

District	Representatives
Franklin-2	Barbara S. Murphy (I)
Franklin-3-1	Michael D. McCarthy (D) Casey J. Toof (R)
Franklin-3-2	Eileen “Lynn” Dickinson (R)
Franklin-4	Robert Norris (R) Matthew E. Walker (R)
Franklin-5	Lisa A. Hango (R) Wayne A. Laroche (R)
Franklin-6	James A. Gregoire (R)
Franklin-7	Felisha R. Leffler (R)
Grand Isle-Chittenden	Leland J. Morgan (R) Michael Morgan (R)
Lamoille-1	Heidi E. Scheuermann (R)
Lamoille-2	Katherine Donnally (D) Daniel A. Noyes (D)
Lamoille-3	Lucy E. Rogers (D)
Lamoille-Washington	Avram I. Patt (D) David W. Yacovone (D)
Orange-1	Rodney P. Graham (R) Samantha Lefebvre (R)
Orange-2	Sarah L. Copeland Hanzas (D)
Orange-Caledonia	Joseph Parsons (R)
Orange-Washington-Addison	Philip “Jay” J. Hooper (D) Lawrence Satcowitz (D)
Orleans-1	Larry Labor (R) Brian D. Smith (R)
Orleans-2	Michael J. Marcotte (R) Woodman H. Page (R)
Orleans-Caledonia	Katherine Sims (D) Vicki M. Strong (R)
Orleans-Lamoille	Mark A. Higley (R)
Rutland-1	Patricia A. McCoy (R)
Rutland-2	Thomas B. Burditt (R) Arthur Peterson (R)

District	Representatives
Rutland-3	William P. Canfield (R) Robert G. Helm (R)
Rutland-4	Thomas P. Terenzini (R)
Rutland-5-1	Peter J. Fagan (R)
Rutland-5-2	Lawrence P. Cupoli (R)
Rutland-5-3	Mary E. Howard (D)
Rutland-5-4	William J. Notte (D)
Rutland-6	Stephanie Z. Jerome (D) Charles “Butch” H. Shaw (R)
Rutland-Bennington	Sally Achey (R)
Rutland-Windsor-1	James Harrison (R)
Rutland-Windsor-2	Logan M. Nicoll (D)
Washington-1	Anne B. Donahue (R) Kenneth W. Goslant (R)
Washington-2	Robert B. LaClair (R) Francis M. McFaun (R)
Washington-3	Peter D. Anthony (D) Tommy J. Walz (D)
Washington-4	Mary S. Hooper (D) Warren F. Kitzmiller (D)
Washington-5	Kimberly Jessup (D)
Washington-6	Janet Ancel (D)
Washington-7	Katherine “Kari” Dolan (D) Maxine J. Grad (D)
Washington-Chittenden	Thomas S. Stevens (D) Theresa A. Wood (D)
Windham-1	Sara E. Coffey (D)
Windham-2-1	Emilie K. Kornheiser (D)
Windham-2-2	Mollie S. Burke (P/D)
Windham-2-3	Tristan D. Toleno (D)
Windham-3	Leslie Goldman (D) Carolyn W. Partridge (D)
Windham-4	Michelle Bos-Lun (D) Michael Mrowicki (D)

District	Representatives
Windham-5	Emily J. Long (D)
Windham-6	John M. Gannon (D)
Windham-Bennington	Laura H. Sibilia (I)
Windham-Bennington-Windsor	Kelly M. Pajala (I)
Windsor-1	John L. Bartholomew (D) Elizabeth Burrows (D/P)
Windsor-2	Norman “John” Arrison (D)
Windsor-3-1	Thomas A. Bock (D)
Windsor-3-2	Alice M. Emmons (D) Kristi C. Morris (D)
Windsor-4-1	Heather Surprenant (P/D)
Windsor-4-2	Kevin B. Christie (D) Rebecca E. White (D)
Windsor-5	Charles A. Kimbell (D)
Windsor-Orange-1	John K. O’Brien (D)
Windsor-Orange-2	Timothy C. Briglin (D) James W. Masland (D)
Windsor-Rutland	Kirk White (D/P)

**OFFICERS AND ASSISTANTS
OF THE HOUSE OF REPRESENTATIVES**

Name	Residence	Office
Jill L. Krowinski	Burlington	Speaker of the House
Conor Kennedy	Montpelier	Speaker's Chief of Staff
BetsyAnn Wrask	Waterbury	Clerk of the House
Melissa R. Kucserik	Montpelier	First Assistant Clerk
Alona Tate	Montpelier	Second Assistant Clerk
Rebecca Silbernagel	Fayston	Journal Clerk
Christine Ditmeyer	Plainfield	Clerk Associate

APPENDIX B

The following table includes all constitutional proposals of amendment, bills, joint resolutions, and House resolutions acted on by the House of Representatives during the 2022 Adjourned Session, arranged numerically with the name of the individual introducing the same. Under each title is an abbreviated history of the action taken on the document, with references to the pages of the printed House Journal on which that record of action may be found. The number in parentheses following the number of a bill is the act number, for those bills that were enacted into law.

The following is a list of abbreviations and their meanings:

act	action
adj	adjourn; adjournment
adpt	adopt; adoption
adptd	adopted
adv	adverse/ly
agrd	agreed
A&F	Agriculture and Forestry
amend	amended; amendment/s
app	approve
Appr	Appropriations
appt	appoint; appointed; appoints
C	Committee/Committees
C of C	Committee of Conference
Cal	Calendar
C&EcD	Commerce and Economic Development
cmtd	committed
con	concur; concurred; concurrence
cons	consider; consideration
consti	constitution/al
C&I	Corrections and Institutions
delv	deliver/ed
disagr/d	disagree/d
disp	dispense
divid	divide; divided; division
Edu	Education
E&T	Energy and Technology
exp	explained
fav	favorable
f/w	forthwith
fr	from
GO	Government Operations
GH&MA	General, Housing, and Military Affairs
Gov	Governor
H	House
HC	Health Care

HS	Human Services
imm	immediate
indef	indefinitely
instnc	instance
Jt Assy	Joint Assembly
Judic	Judiciary
lv	leave
mess	message/d
mo	motion
NRF&W	Natural Resources, Fish, and Wildlife
neg	negative
O of D	Orders of the Day
offd	offered
ord	order/ed
pass	passed/passage
p/con	pass/d in concurrence
pndg	pending
pl	placed
pt of o	point of order
postp	postpone/d
pro	proposal; propose/d
prov	provision/s
purs	pursuant
qstn	question
R	Rules
R C	Roll Call
rd	read
rdg	reading
recd	received
recomd	recommended
recmt/d	recommit/ed
reconsid/d	reconsider/ed; reconsideration
ref	referred
rej/d	reject/ed
relv/d	relieve/d
rpt	report
rptd	reported
req	request/ed
res	resolution
resmd	resumed
rl/d/s; rul/d/s	rule/d/s
S	Senate
S O	special order
stgs	stages
subst/d	substitute/d
susp/d	suspend/ed; suspension
sustnd	sustained
tkn	taken

t	time
T	Title
Trans	Transportation
W&W	Ways and Means
w	with
wdr	withdraw
wdrn	withdrawn
w/o	without

CONSTITUTIONAL PROPOSALS

Prop 2. Declaration of rights; clarifying the prohibition on slavery and indentured servitude.

Read, 177; Rep. Colston of Winooski rptd for the C on GO, 177; Rep. Colston of Winooski demanded yeas and nays, 178; R C Yeas = 139, Nays = 3, 178; Adptd in con, 178.

Prop 5. Declaration of rights; right to personal reproductive liberty.

Rep. Pugh of South Burlington moved to postp act until February 8, 2022 which was agrd to, 180; Read, 183; Rep. Pugh of South Burlington rptd for the C on HS, 183; Rep. Pugh of South Burlington demanded yeas and nays, 184; R C Yeas = 107, Nays = 41, 184; Adptd in con, 184.

HOUSE BILLS

By Representative Shaw of Pittsford,

H. 16. An act relating to the sale and use of fireworks.

Rep. Burditt of West Rutland moved that the C on Judic be relv/d of the bill and that the same be cmtd to the C on GH&MA which was agrd to, 166.

By Representative Marcotte of Coventry,

H. 74. (No. 0168) An act relating to making miscellaneous changes concerning self-storage businesses.

Rep. Marcotte of Coventry moved to postp act until January 18, 2022 which was agrd to, 59; Rd 2nd t, 82; Rep. Nigro of Bennington rptd for the C on C&EcD, 82; Rpt of C on C&EcD agrd to, 92; 3rd rdg ord, 92; Amend as offd by Rep. Donahue of Northfield agrd to, 111; Rd 3rd t and pass, 111; S Message, p/con, 2213; Delv to the Gov on May 27, 2022; Signed by Gov on June 2, 2022, 2571.

By Representatives Christie of Hartford, Colston of Winooski, Stevens of Waterbury, Cina of Burlington, Copeland Hanzas of Bradford, LaClair of Barre Town, LaLonde of South Burlington, Lippert of Hinesburg, Long of Newfane, and Redmond of Essex,

H. 96. (No. 0128) An act relating to creating the Truth and Reconciliation Commission.

Ref to C on Appr per Rule 35(a), 494; Rep. Stevens of Waterbury moved to postp act until March 23, 2022 which was agrd to, 771; Rd 2nd t, 809; Rep. Stevens of Waterbury rptd for the C on GH&MA, 809; Rep. Toleno of Brattleboro recomd for the C on Appr, 820; Rpt of

the C on GH&MA amend as recomd by the C on Appr, 822; Amend as offd by Rep. Donahue of Northfield wdrn, 822; Rpt of C on GH&MA as amend agrd to, 824; Rep. Peterson of Clarendon demanded yeas and nays, 824; R C Yeas = 109, Nays = 30, 824; 3rd rdg ord, 824; Rd 3rd t and pass, 936; S Message, p/con w pro of amend, 1605; S pro of amend con in, 1791; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representatives Stebbins of Burlington, Cordes of Lincoln, Ode of Burlington, Patt of Worcester, Squirrell of Underhill, Townsend of South Burlington, Walz of Barre City, White of Hartford, and Yantachka of Charlotte,

H. 115. An act relating to household products containing hazardous substances.

Rd 2nd t, 478; Rep. Dolan of Waitsfield rptd for the C on NRF&W, 478; Rpt of C on NRF&W agrd to, 493; 3rd rdg ord, 493; Rd 3rd t, 497; Divid demanded, 498; Divid results Yes 80 No 35, 498; Passed, 498.

By Representatives Campbell of St. Johnsbury, Anthony of Barre City, Austin of Colchester, Brumsted of Shelburne, Christie of Hartford, Cina of Burlington, Colburn of Burlington, Cordes of Lincoln, Masland of Thetford, McCullough of Williston, Ode of Burlington, Patt of Worcester, Stebbins of Burlington, Till of Jericho, Townsend of South Burlington, Troiano of Stannard, Walz of Barre City, White of Hartford, and Yantachka of Charlotte,

H. 157. An act relating to registration of construction contractors.

S Message, p/con w pro of amend, 9; Rep. Troiano of Stannard moved to postp act until January 14, 2022 which was agrd to, 39; Rep. Troiano of Stannard moved to postp act until January 18, 2022 which was agrd to, 72; Act postp to next legislative day as moved by Rep. Troiano of Stannard, 92; Rep. Troiano of Stannard moved that the H con in the S pro of amend w a further amend thereto, 104; Rep. Higley of Lowell moved to amend the H pro of amend offd by Rep. Troiano of Stannard, 110; Divid demanded, 110; Divid results Yeas 46, Nays 75, 110; Which was disagr/d to, 110; S pro of amend con in w further amend thereto, as offd by Rep. Troiano of Stannard, 111; Divid demanded, 111; Divid results Yeas 82, Nays 45, 111; S Message, H pro of amend to S pro of amend con in, 152; Delv to the Gov on February 8, 2022; Vetoed by the Gov on February 10, 2022, 202; Act postp to next legislative day as moved by Rep. Troiano of Stannard, 297; Rep. Stevens of Waterbury moved to postp act until April 20, 2022 which was agrd to, 300; Rep. Stevens of Waterbury moved to postp act until May 6, 2022 which was agrd to, 1025; Rep. Stevens of Waterbury moved to postp act until May 17, 2022 which was agrd to, 1947.

By Representatives Coffey of Guilford, Burke of Brattleboro, James of Manchester, Jerome of Brandon, Killacky of South Burlington, Kimbell of Woodstock, Lefebvre of Newark, and White of Bethel,

H. 159. An act relating to community and economic development and workforce revitalization.

S Message, p/con w pro of amend, 1030; Rep. Kornheiser of Brattleboro moved to commit bill to the C on W&M which was agrd to, 1153.

By Representatives Partridge of Windham, Lippert of Hinesburg, Bartholomew of Hartland, Beck of St. Johnsbury, Coffey of Guilford, Cordes

of Lincoln, James of Manchester, Masland of Thetford, Mrowicki of Putney, Ode of Burlington, Stebbins of Burlington, Surprenant of Barnard, White of Bethel, and White of Hartford,

H. 244. (No. 0169) An act relating to authorizing the natural organic reduction of human remains.

Ref to C on W&M per Rule 35(a), 467; Rd 2nd t, 512; Rep. Walz of Barre City rptd for the C on GH&MA, 512; Rep. Masland of Thetford recomd for the C on W&M, 534; Rpt of C on GH&MA agrd to, 534; 3rd rdg ord, 534; Rd 3rd t and pass, 561; S Message, p/con, 2213; Delv to the Gov on May 27, 2022; Signed by Gov on June 2, 2022, 2571.

By Representatives Noyes of Wolcott, Brumsted of Shelburne, Austin of Colchester, Bluemle of Burlington, Christie of Hartford, Cina of Burlington, Coffey of Guilford, Colburn of Burlington, Houghton of Essex, Kornheiser of Brattleboro, Nicoll of Ludlow, Pajala of Londonderry, Small of Winooski, Stebbins of Burlington, and Wood of Waterbury,

H. 265. (No. 0129) An act relating to the Office of the Child, Youth, and Family Advocate.

S Message, p/con w pro of amend, 1959; S pro of amend con in, 2020; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representatives Wood of Waterbury, Anthony of Barre City, Brady of Williston, Cordes of Lincoln, Goldman of Rockingham, Hango of Berkshire, Hooper of Burlington, Howard of Rutland City, Killackey of South Burlington, Kornheiser of Brattleboro, Nicoll of Ludlow, Noyes of Wolcott, Ode of Burlington, Patt of Worcester, Squirrell of Underhill, Sullivan of Dorset, Vyhovsky of Essex, White of Bethel, Whitman of Bennington, and Yantachka of Charlotte,

H. 266. (No. 0108) An act relating to health insurance coverage for hearing aids.

Rd 2nd t, 557; Rep. Goldman of Rockingham rptd for the C on HC, 557; Rep. Goldman of Rockingham moved to amend the rpt of the C on HC, which was agrd to, 561; Rpt of C on HC as amend agrd to, 561; 3rd rdg ord, 561; Rd 3rd t and pass, 628; S Message, p/con w pro of amend, 1310; S pro of amend con in, 1345; Delv to the Gov on May 5, 2022; Signed by Gov on May 11, 2022, 2212.

By Representative Houghton of Essex,

H. 279. (No. 0130) An act relating to miscellaneous changes affecting the duties of the Department of Vermont Health Access.

Rd 2nd t, 498; Rep. Page of Newport City rptd for the C on HC, 498; Rpt of C on HC agrd to, 501; 3rd rdg ord, 501; Rd 3rd t and pass, 512; S Message, p/con w pro of amend, 1605; S pro of amend con in, 1802; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representatives Cordes of Lincoln, Anthony of Barre City, Burrows of West Windsor, Cina of Burlington, Colburn of Burlington, Houghton of Essex, Ode of Burlington, Small of Winooski, Surprenant of Barnard, Troiano of Stannard, and Vyhovsky of Essex,

H. 287. (No. 0119) An act relating to patient financial assistance policies and medical debt protection.

Rep. Lippert of Hinesburg moved to postp act until March 17, 2022 which was agrd to, 565; Rd 2nd t, 619; Rep. Black of Essex rptd for the C on HC, 619; Rpt of C on HC agrd to, 627; 3rd rdg ord, 627; Rd 3rd t and pass, 698; S Message, p/con, 1411; Delv to the Gov on May 13, 2022; Signed by Gov on May 19, 2022, 2565.

By Representatives Lanpher of Vergennes, Mrowicki of Putney, Anthony of Barre City, Birong of Vergennes, Bos-Lun of Westminster, Brady of Williston, Brumsted of Shelburne, Cina of Burlington, Coffey of Guilford, Dolan of Essex, Donnally of Hyde Park, Hooper of Burlington, James of Manchester, Noyes of Wolcott, Ode of Burlington, Pajala of Londonderry, Satcowitz of Randolph, Sheldon of Middlebury, Squirrel of Underhill, Stevens of Waterbury, Sullivan of Dorset, Townsend of South Burlington, Vyhovsky of Essex, Wood of Waterbury, and Yacovone of Morristown,

H. 293. (No. 0109) An act relating to creating the State Youth Council.

Rd 2nd t, 830; Rep. Mrowicki of Putney rptd for the C on GO, 830; Rep. Scheu of Middlebury recomd for the C on Appr, 834; Rpt of the C on GO amend as recomd by the C on Appr, 834; Amend as offd by Rep. Harrison of Chittenden wrdn, 834; Rep. Mrowicki of Putney, Anthony of Barre City, Colston of Winooski, Copeland Hanzas of Bradford, Gannon of Wilmington, Higley of Lowell, Hooper of Burlington, LaClair of Barre Town, Lefebvre of Orange, McCarthy of St. Albans City, and Vyhovsky of Essex moved to amend the bill which was agrd to, 835; Rpt of C on GO as amend agrd to, 835; 3rd rdg ord, 835; Rd 3rd t and pass, 936; S Message, p/con, 1309; Delv to the Gov on May 5, 2022; Signed by Gov on May 11, 2022, 2212.

By Representatives Stevens of Waterbury and Christie of Hartford,

H. 320. An act relating to prohibiting agreements that prevent an employee from working for the employer following the settlement of a discrimination claim.

Rd 2nd t, 161; Rep. Bluemle of Burlington rptd for the C on GH&MA, 161; Rpt of C on GH&MA agrd to, 162; 3rd rdg ord, 162; Rd 3rd t, 166; Divid demanded, 166; Divid results Yeas 91, Nays 37, 166; Passed, 166.

By Representative Cordes of Lincoln,

H. 353. (No. 0131) An act relating to pharmacy benefit management.

Ref to C on W&M per Rule 35(a), 510; Rep. Lippert of Hinesburg moved to postp act until March 22, 2022 which was agrd to, 634; Rd 2nd t, 735; Rep. Cordes of Lincoln rptd for the C on HC, 735; Rep. Durfee of Shaftsbury recomd for the C on W&M, 746; Rpt of C on HC agrd to, 746; 3rd rdg ord, 746; Rd 3rd t and pass, 826; S Message, p/con w pro of amend, 2087; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2098; S pro of amend con in, 2111; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representatives Burke of Brattleboro, Kornheiser of Brattleboro, and Toleno of Brattleboro,

H. 361. An act relating to approval of amendments to the charter of the Town of Brattleboro.

S Message, p/con, 298; Delv to the Gov on February 22, 2022; Vetoed by the Gov on February 28, 2022, 417; Rep. Copeland Hanzas of Bradford moved to postp act until March 11, 2022 which was agrd to, 472; R C Yeas = 102, Nays = 47, 496; Veto of the Gov overridden by a vote of Yeas = 102, Nays = 47, 496; S Message, Gov's veto sustnd, 984.

By Representative Yantachka of Charlotte,

H. 367. (No. 0084) An act relating to the management of perpetual care funds by cemetery associations.

Rd 2nd t, 167; Rep. Lefebvre of Orange rptd for the C on GO, 167; Rpt of C on GO agrd to, 167; Amend as offd by Rep. Lefebvre of Orange agrd to, 167; 3rd rdg ord, 167; Rd 3rd t and pass, 176; S Message, p/con w pro of amend, 415; S pro of amend con in, 470; Delv to the Gov on March 17, 2022; Signed by Gov on March 22, 2022, 806.

By Representatives James of Manchester, Austin of Colchester, Brady of Williston, and Jerome of Brandon,

H. 377. An act relating to the creation of a public-private partnership with Advance Vermont to increase postsecondary attainment in Vermont.

Rep. Webb of Shelburne moved that the C on Edu be relv/d of the bill and that the same be cmdt to the C on C&EcD which was agrd to, 302.

By Representatives Coffey of Guilford, Batchelor of Derby, Bluemle of Burlington, Burke of Brattleboro, Bos-Lun of Westminster, Brumsted of Shelburne, Cina of Burlington, James of Manchester, Killackey of South Burlington, Ode of Burlington, Satcowitz of Randolph, and Stebbins of Burlington,

H. 399. (No. 0104) An act relating to incarceration terms for criminal defendants who are primary caretakers of dependent children.

Rd 2nd t, 566; Rep. Donnally of Hyde Park rptd for the C on Judic, 566; Rpt of C on Judic agrd to, 567; 3rd rdg ord, 567; Rd 3rd t and pass, 628; S Message, p/con, 1180; Delv to the Gov on April 29, 2022; Signed by Gov on May 5, 2022, 1746.

By Representatives Cina of Burlington, Christie of Hartford, Cordes of Lincoln, Mulvaney-Stanak of Burlington, Vyhovsky of Essex, White of Bethel, and Yantachka of Charlotte,

H. 406. An act relating to promoting racial and social equity in economic opportunity and cultural empowerment.

Rep. Stevens of Waterbury moved that the C on GH&MA be relv/d of the bill and that the same be cmdt to the C on C&EcD which was agrd to, 27.

By Representatives Cina of Burlington, Christie of Hartford, Sibilia of Dover, and Toleno of Brattleboro,

H. 410. (No. 0132) An act relating to the use and oversight of artificial intelligence in State government.

Ref to C on Appr per Rule 35(a), 67; Rd 2nd t, 835; Rep. Rogers of Waterville rptd for the C on E&T, 835; Rep. Feltus of Lyndon recomd for the C on Appr, 843; Rpt of the C on E&T amend as recomd by the C on Appr, 843; Rpt of C on E&T as amend agrd to, 843; 3rd rdg ord, 843; Rd 3rd t and pass, 936; S Message, p/con w pro of amend, 1605; S pro of amend con in, 1802; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representative Sheldon of Middlebury,

H. 411. (No. 0110) An act relating to the retrieval and use of covered wild animals.

Rd 2nd t, 302; Rep. Sheldon of Middlebury rptd for the C on NRF&W, 302; Rpt of C on NRF&W agrd to, 304; 3rd rdg ord, 304; Rd 3rd t and pass, 306; S Message, p/con w pro of amend, 1310; S pro of amend con in, 1346; Delv to the Gov on May 5, 2022; Signed by Gov on May 11, 2022, 2212.

By Representatives Walz of Barre City and Anthony of Barre City,

H. 444. (No. M015) An act relating to approval of amendments to the charter of the City of Barre.

S Message, p/con w pro of amend, 941; Rep. Copeland Hanzas of Bradford moved to postp act until March 31, 2022 which was agrd to, 964; Act postp to next legislative day as moved by Rep. Anthony of Barre City, 979; Rep. Anthony of Barre City moved to postp act until April 6, 2022 which was agrd to, 982; Rep. Anthony of Barre City moved to commit bill to the C on GO which was agrd to, 990; S pro of amend cons, 1596; Rep. Anthony of Barre City moved to con in the S pro of amend w a further amend thereto, 1597; Which was agrd to, 1601; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1602; S Message, H pro of amend to S pro of amend con in, 1960; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By the Committee on Natural Resources, Fish, and Wildlife,

H. 446. (No. 0170) An act relating to miscellaneous natural resources and development subjects.

S Message, p/con w pro of amend, 2087; S pro of amend cons, 2340; S pro of amend con in, 2344; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 2377; Delv to the Gov on May 27, 2022; Signed by Gov on June 2, 2022, 2571.

By Representatives Emmons of Springfield, Bock of Chester, and Morris of Springfield,

H. 447. (No. M013) An act relating to approval of amendments to the charter of the Town of Springfield.

Rep. Mrowicki of Putney moved to postp act until Febuary 15, 2022 which was agrd to, 210; Rd 2nd t, 214; Rep. Mrowicki of Putney rptd for the C on GO, 214; Rpt of C on GO agrd to, 255; 3rd rdg ord, 255; Rd 3rd t and pass, 300; S Message, p/con w pro of amend, 978; Rep. Copeland Hanzas of Bradford moved to commit bill to the C on GO which was agrd to, 990; S pro of amend cons, 1025; Rep. Vyhovsky of Essex moved to con in the S pro of amend w a further amend thereto, 1026; Which was agrd to, 1027; S Message, H pro of amend con in, 1411; Delv to the Gov on May 10, 2022; Signed by Gov on May 16, 2022, 2565.

By Representatives Cina of Burlington, Bluemle of Burlington, Colburn of Burlington, Colston of Winooski, Hooper of Burlington, McCormack of Burlington, Mulvaney-Stanak of Burlington, Ode of Burlington, Rachelson of Burlington, Small of Winooski, and Stebbins of Burlington,

H. 448. (No. M009) An act relating to approval of amendments to the charter of the City of Burlington.

Ref to C on W&M per Rule 35(a), 299; Rd 2nd t, 390; Rep. Hooper of Burlington rptd

for the C on GO, 390; Rep. Ode of Burlington recomd for the C on W&M, 391; Rep. McCoy of Poultney demanded yeas and nays, 391; R C Yeas = 96, Nays = 47, 391; Rpt of C on GO agrd to, 391; 3rd rdg ord, 392; Rd 3rd t and pass, 399; S Message, p/con, 988; Delv to the Gov on April 14, 2022; Signed by Gov on April 20, 2022, 1029.

By the Committee on Government Operations,

H. 454. (No. M007) An act relating to approval of an amendment to the charter of the City of Burlington.

S Message, p/con, 159; Delv to the Gov on February 8, 2022; Signed by Gov on February 14, 2022, 213.

By Representatives Killackey of South Burlington, Campbell of St. Johnsbury, Howard of Rutland City, Ode of Burlington, and Troiano of Stannard,

H. 455. An act relating to the sales and use tax exemption for charges for admission by or to certain nonprofit organizations.

Rd 1st t and ref to the C on W&M, 10.

By Representatives Fagan of Rutland City and James of Manchester,

H. 456. An act relating to establishing strategic goals and reporting requirements for the Vermont State Colleges.

Rd 1st t and ref to the C on Edu, 10; Act postp to next legislative day as moved by Rep. James of Manchester, 309; Rd 2nd t, 387; Rep. James of Manchester rptd for the C on Edu, 387; Rep. James of Manchester, Arrison of Weathersfield, Austin of Colchester, Brady of Williston, Brown of Richmond, Conlon of Cornwall, Cupoli of Rutland City, Hooper of Randolph, Toof of St. Albans Town, Webb of Shelburne, and Williams of Granby moved to amend the rpt of the C on Edu, which was agrd to, 389; Rpt of C on Edu as amend agrd to, 390; 3rd rdg ord, 390; Rd 3rd t and pass, 399; S Message, p/con w pro of amend, 1456; S pro of amend cons, 1776; Rep. Webb of Shelburne moved the H refuse to con and asked for a C of C, 1782; Which was agrd to, 1782; Speaker apptd Webb of Shelburne, James of Manchester and Cupoli of Rutland City as members of the C of C on the part of the H, 1782; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1783; S Message, C of C members apptd, 1961.

By Representatives Patt of Worcester, Fagan of Rutland City, and Masland of Thetford,

H. 457. An act relating to the status of Holocaust education in public schools.

Rd 1st t and ref to the C on Edu, 10.

By Representatives Strong of Albany, Higley of Lowell, and LaClair of Barre Town,

H. 458. An act relating to informed consent for the administration of immunizations.

Rd 1st t and ref to the C on Judic, 10.

By Representative Patt of Worcester,

H. 459. An act relating to prorated Tier III renewable energy credits.

Rd 1st t and ref to the C on E&T, 10.

By Representative Rogers of Waterville,

H. 460. An act relating to cemetery fencing.

Rd 1st t and ref to the C on GO, 11.

By Representative Ancel of Calais,

H. 461. (No. 0096) An act relating to excluding the income of asylum seekers and refugees from household income.

Rd 1st t and ref to the C on W&M, 11; Rd 2nd t, 167; Rep. Ode of Burlington rptd for the C on W&M, 167; Rpt of C on W&M agrd to, 168; 3rd rdg ord, 168; Rd 3rd t and pass, 176; S Message, p/con w pro of amend, 1000; S pro of amend con in, 1012; Delv to the Gov on April 21, 2022; Signed by Gov on April 27, 2022, 1310.

By Representative Pugh of South Burlington,

H. 462. (No. 0115) An act relating to miscellaneous Department of Health programs.

Rd 1st t and ref to the C on HS, 11; Rd 2nd t, 138; Rep. Whitman of Bennington rptd for the C on HS, 138; Rpt of C on HS agrd to, 142; 3rd rdg ord, 142; Rd 3rd t and pass, 156; S Message, p/con w pro of amend, 1310; S pro of amend con in, 1346; Delv to the Gov on May 10, 2022; Signed by Gov on May 16, 2022, 2565.

By Representatives Burrows of West Windsor and Killackey of South Burlington,

H. 463. An act relating to the Working Group to Address the Presence of Toxigenic Mold in Buildings.

Rd 1st t and ref to the C on HS, 11.

By Representative Pugh of South Burlington,

H. 464. (No. 0133) An act relating to miscellaneous changes to the Reach Up Program.

Rd 1st t and ref to the C on HS, 11; Ref to C on Appr per Rule 35(a), 510; Rd 2nd t, 771; Rep. Brumsted of Shelburne rptd for the C on HS, 771; Rep. Jessup of Middlesex recomd for the C on Appr, 786; Rpt of the C on HS amend as recomd by the C on Appr, 786; Rpt of C on HS as amend agrd to, 787; 3rd rdg ord, 787; Rd 3rd t and pass, 826; S Message, p/con w pro of amend, 1456; S pro of amend con in, 1741; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representatives Gannon of Wilmington and LaClair of Barre Town,

H. 465. (No. 0134) An act relating to boards and commissions.

Rd 1st t and ref to the C on GO, 12; Ref to C on Appr per Rule 35(a), 510; Rd 2nd t, 635; Rep. Higley of Lowell rptd for the C on GO, 635; Rep. Harrison of Chittenden recomd for the C on Appr, 642; Rpt of the C on GO amend as recomd by the C on Appr, 643; Rep. Higley of Lowell, Anthony of Barre City, Colston of Winooski, Copeland Hanzas of Bradford, Gannon of Wilmington, Hooper of Burlington, LaClair of Barre Town, Lefebvre of Orange, McCarthy of St. Albans City, Mrowicki of Putney, and Vyhovsky of Essex moved to amend the rpt of the C on GO, as amend, which was agrd to, 643; Rpt of C on GO as amend agrd to, 644; 3rd rdg ord, 644; Rd 3rd t and pass, 698; S Message, p/con w pro of amend, 1784; S pro of amend cons, 1966; S pro of amend con in w further amend thereto, as offd by Rep. Higley of Lowell, Colston of Winooski, Copeland Hanzas of Bradford, Gannon of Wilmington, Hooper of Burlington, and McCarthy of St. Albans City, 1970; R susp/d and bill msg f/w to the S as

moved by Rep. McCoy of Poultney, 2056; S Message, H pro of amend to S pro of amend con in, 2121; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representatives Dolan of Waitsfield and Sheldon of Middlebury,
H. 466. (No. 0135) An act relating to surface water withdrawals and interbasin transfers.

Rd 1st t and ref to the C on NRF&W, 12; Rd 2nd t, 142; Rep. Dolan of Waitsfield rptd for the C on NRF&W, 142; Rpt of C on NRF&W agrd to, 143; 3rd rdg ord, 143; Rd 3rd t and pass, 156; S Message, p/con w pro of amend, 1959; S pro of amend con in, 2029; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representatives Sibia of Dover, Patt of Worcester, Rogers of Waterville, and Sims of Craftsbury,

H. 467. An act relating to extending the baseload renewable power portfolio requirement.

Rd 1st t and ref to the C on E&T, 12.

By Representatives James of Manchester and Kimbell of Woodstock,

H. 468. An act relating to establishing a remote learning pilot program for CTE students.

Rd 1st t and ref to the C on Edu, 12.

By Representative White of Bethel,

H. 469. An act relating to creditable service for temporary State employment.

Rd 1st t and ref to the C on GO, 12.

By Representatives Dolan of Essex and Colburn of Burlington,

H. 470. An act relating to referral of domestic violence, sexual violence, and stalking cases to community justice centers.

Rd 1st t and ref to the C on Judic, 13.

By Representative Burke of Brattleboro,

H. 471. An act relating to entering a vehicle without legal authority or consent.

Rd 1st t and ref to the C on Judic, 13.

By Representative Fagan of Rutland City,

H. 472. An act relating to establishing the Vermont Nursing Scholarship Program.

Rd 1st t and ref to the C on HC, 13.

By Representatives Grad of Moretown and LaLonde of South Burlington,

H. 473. An act relating to defense of others and justifiable homicide.

Rd 1st t and ref to the C on Judic, 13.

By Representative Ancel of Calais,

H. 474. An act relating to exempting common law ways of necessity from the Marketable Record Title Act.

Rd 1st t and ref to the C on Judic, 13.

By Representatives Grad of Moretown, LaLonde of South Burlington, and Notte of Rutland City,

H. 475. An act relating to the classification system for criminal offenses.

Rd 1st t and ref to the C on Judic, 14; Rd 2nd t, 567; Rep. LaLonde of South Burlington rptd for the C on Judic, 567; Rpt of C on Judic agrd to, 595; 3rd rdg ord, 595; Rd 3rd t and pass, 628.

By Representatives Walz of Barre City and Anthony of Barre City,

H. 476. An act relating to State-paid sheriff's deputies.

Rd 1st t and ref to the C on GO, 14.

By Representatives Grad of Moretown and Stevens of Waterbury,

H. 477. (No. 0136) An act relating to leave for crime victims.

Rd 1st t and ref to the C on GH&MA, 14; Rd 2nd t, 199; Rep. Stevens of Waterbury rptd for the C on GH&MA, 199; Rpt of C on GH&MA agrd to, 200; 3rd rdg ord, 200; Rd 3rd t and pass, 207; S Message, p/con, 2213; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representative Colburn of Burlington,

H. 478. An act relating to reinstatement of an operator's license after a lifetime suspension or revocation.

Rd 1st t and ref to the C on Judic, 14.

By Representative Rachelson of Burlington,

H. 479. An act relating to portable benefits for intermediary workers.

Rd 1st t and ref to the C on GH&MA, 14.

By Representatives Dolan of Waitsfield, Anthony of Barre City, Bos-Lun of Westminster, Brady of Williston, Burrows of West Windsor, Coffey of Guilford, Dolan of Essex, Durfee of Shaftsbury, Goldman of Rockingham, Houghton of Essex, Masland of Thetford, Mrowicki of Putney, Ode of Burlington, Sims of Craftsbury, Stebbins of Burlington, Till of Jericho, White of Hartford, Wood of Waterbury, and Yantachka of Charlotte,

H. 480. An act relating to adopting COVID-19 test to stay guidance for child care facilities.

Rd 1st t and ref to the C on HS, 14.

By Representatives Rachelson of Burlington and Pugh of South Burlington,

H. 481. An act relating to prohibiting mobile billboards.

Rd 1st t and ref to the C on NRF&W, 15.

By Representative Marcotte of Coventry,

H. 482. (No. 0116) An act relating to the Petroleum Cleanup Fund.

Rd 1st t and ref to the C on NRF&W, 15; Ref to C on Appr per Rule 35(a), 494; Rd 2nd t, 601; Rep. Satcowitz of Randolph rptd for the C on NRF&W, 601; Rep. Feltus of Lyndon recomd for the C on Appr, 601; 3rd rdg ord, 601; Rd 3rd t and pass, 629; S Message, p/con,

1455; Delv to the Gov on May 10, 2022; Signed by Gov on May 16, 2022, 2565.

By Representatives Kimbell of Woodstock, James of Manchester, Dickinson of St. Albans Town, and Toof of St. Albans Town,

H. 483. An act relating to potential new models of funding and governance structures to improve the quality, duration, and access to career technical education in Vermont.

Rd 1st t and ref to the C on Edu, 15; Ref to C on Appr per Rule 35(a), 386.

By Representatives Donahue of Northfield and Elder of Starksboro,

H. 484. An act relating to regulating health care expense-sharing arrangements.

Rd 1st t and ref to the C on HC, 15.

By Representatives Houghton of Essex and Black of Essex,

H. 485. An act relating to extending Medicaid postpartum benefits.

Rd 1st t and ref to the C on HC, 16.

By Representative Nicoll of Ludlow,

H. 486. An act relating to health insurance coverage for newborns.

Rd 1st t and ref to the C on HC, 16.

By Representative McFaun of Barre Town,

H. 487. An act relating to a secure facility for justice-involved youth.

Rd 1st t and ref to the C on C&I, 16.

By Representative Taylor of Colchester,

H. 488. An act relating to the authority of the Commissioner of Corrections to collect supervisory fees.

Rd 1st t and ref to the C on C&I, 16.

By Representatives Lippert of Hinesburg and Donahue of Northfield,

H. 489. (No. 0137) An act relating to miscellaneous provisions affecting health insurance regulation.

Rd 1st t and ref to the C on HC, 16; Rd 2nd t, 168; Rep. Donahue of Northfield rptd for the C on HC, 168; Rpt of C on HC agrd to, 175; 3rd rdg ord, 175; Rd 3rd t and pass, 176; S Message, p/con w pro of amend, 1783; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 1820; Rep. Donahue of Northfield, Black of Essex, Burrows of West Windsor, Cordes of Lincoln, Goldman of Rockingham, Houghton of Essex, Lippert of Hinesburg, Page of Newport City, and Peterson of Clarendon moved to con in the S pro of amend w a further amend thereto, 1820; Which was agrd to, 1821; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1821; S Message, H pro of amend to S pro of amend con in, 2087; Delv to the Gov on May 18, 2022; Signed by Gov on May 24, 2022, 2569.

By Representative Sullivan of Dorset,

H. 490. An act relating to elections and holding elected office.

Rd 1st t and ref to the C on GO, 17.

By Representatives Houghton of Essex and Dolan of Essex,

H. 491. (No. M010) An act relating to the creation of the City of Essex Junction and the adoption of the City charter.

Rd 1st t and ref to the C on GO, 17; Ref to C on W&M per Rule 35(a), 163; Rd 2nd t, 310; Rep. Anthony of Barre City rptd for the C on GO, 310; Rep. Mattos of Milton recomd for the C on W&M, 329; Rpt of the C on GO amend as recomd by the C on W&M, 330; Rpt of C on GO as amend agrd to, 330; 3rd rdg ord, 330; Rd 3rd t and pass, 390; S Message, p/con, 988; Delv to the Gov on April 14, 2022; Signed by Gov on April 20, 2022, 1029.

By Representatives Sheldon of Middlebury and Bongartz of Manchester,

H. 492. An act relating to the structure of the Natural Resources Board.

Rd 1st t and ref to the C on NRF&W, 17; Ref to C on W&M per Rule 35(a), 408; Ref to C on Appr per Rule 35(a), 494; Rep. Sheldon of Middlebury moved to postp act until March 22, 2022 which was agrd to, 700; Rd 2nd t, 746; Rep. Bongartz of Manchester rptd for the C on NRF&W, 746; Rep. Ancel of Calais recomd for the C on W&M, 766; Rep. Squirrell of Underhill recomd for the C on Appr, 767; Rpt of the C on NRF&W amend as recomd by the C on W&M, 767; Rpt of the C on NRF&W, as amend, amend as recomd by the C on Appr, 767; Rep. McCoy of Poultney demanded yeas and nays, 767; R C Yeas = 92, Nays = 49, 767; Rpt of C on NRF&W as amend agrd to, 767; 3rd rdg ord, 769; Rd 3rd t and pass, 826.

By Representative Shaw of Pittsford,

H. 493. An act relating to withdrawal from a unified union or union school district and to electoral functions of a union school district where a member district is also a union school district.

Rd 1st t and ref to the C on Edu, 17.

By Representative LaClair of Barre Town,

H. 494. An act relating to workforce development.

Rd 1st t and ref to the C on GO, 17.

By Representative McCormack of Burlington,

H. 495. An act relating to prohibiting the sale of mercury-containing lamps.

Rd 1st t and ref to the C on NRF&W, 18.

By Representative Harrison of Chittenden,

H. 496. An act relating to establishing an extended producer responsibility program for out-of-service solar panels.

Rd 1st t and ref to the C on NRF&W, 18.

By Representatives Donahue of Northfield, Hango of Berkshire, Higley of Lowell, Martel of Waterford, and Rosenquist of Georgia,

H. 497. An act relating to protecting health care providers' rights of conscience.

Rd 1st t and ref to the C on HC, 18.

By Representative Houghton of Essex,

H. 498. An act relating to the Green Mountain Care Board's duties and reappointment processes.

Rd 1st t and ref to the C on HC, 18.

By Representative LaClair of Barre Town,

H. 499. An act relating to the use of sluice boxes for recreational mineral prospecting.

Rd 1st t and ref to the C on NRF&W, 18.

By Representative Sheldon of Middlebury,

H. 500. (No. 0120) An act relating to prohibiting the sale of mercury lamps in the State.

Rd 1st t and ref to the C on NRF&W, 19; Rd 2nd t, 534; Rep. McCullough of Williston rptd for the C on NRF&W, 534; Rpt of C on NRF&W agrd to, 538; 3rd rdg ord, 538; Rd 3rd t and pass, 561; S Message, p/con, 1605; Delv to the Gov on May 13, 2022; Signed by Gov on May 19, 2022, 2565.

By Representative McCullough of Williston,

H. 501. An act relating to the regulation of food depackaging facilities.

Rd 1st t and ref to the C on NRF&W, 19; Rd 2nd t, 404; Rep. McCullough of Williston rptd for the C on NRF&W, 404; Rpt of C on NRF&W agrd to, 406; 3rd rdg ord, 406; Rd 3rd t and pass, 409.

By Representative Noyes of Wolcott,

H. 502. An act relating to the cannabis wholesale gross receipts tax.

Rd 1st t and ref to the C on W&M, 19.

By Representatives Briglin of Thetford and Masland of Thetford,

H. 503. An act relating to regulating the use of wake boats on State waters.

Rd 1st t and ref to the C on NRF&W, 19.

By Representative Shaw of Pittsford,

H. 504. An act relating to the reorganization, enhancement, and enforcement of animal welfare requirements in the State.

Rd 1st t and ref to the C on A&F, 19.

By Representatives Grad of Moretown, LaLonde of South Burlington, and Nottle of Rutland City,

H. 505. An act relating to the creation of the Drug Use Standards Advisory Board within the Vermont Sentencing Commission.

Rd 1st t and ref to the C on Judic, 20; Ref to C on Appr per Rule 35(a), 494; Rd 2nd t, 700; Rep. LaLonde of South Burlington rptd for the C on Judic, 700; Rep. Scheu of Middlebury recomd for the C on Appr, 720; Rep. Gannon of Wilmington moved to amend the rpt of the C on Judic, which was agrd to, 720; Rep. Donahue of Northfield moved to amend the rpt of the C on Judic, which was agrd to, 721; Rpt of C on Judic as amend agrd to, 721; 3rd rdg ord, 721; Rep. Murphy of Fairfax moved to amend the bill which was agrd to, 770; Rd 3rd t and pass, 771; S Message, p/con w pro of amend, 1310; S pro of amend con in, 1353; Delv to the Gov on May 13, 2022; Vetoed by the Gov on May 19, 2022, 2566.

By Representatives Townsend of South Burlington and Yacovone of Morristown,

H. 506. An act relating to preserving the rights of a parent with a disability.

Rd 1st t and ref to the C on Judic, 20.

By Representative Masland of Thetford,

H. 507. An act relating to certain civil process fees of sheriffs' departments.

Rd 1st t and ref to the C on W&M, 20.

By Representatives Anthony of Barre City and Walz of Barre City,

H. 508. An act relating to refunding property tax overpayments by the City of Barre.

Rd 1st t and ref to the C on W&M, 20.

By Representative Sheldon of Middlebury,

H. 509. An act relating to Act 250 jurisdiction in one-acre towns.

Rd 1st t and ref to the C on NRF&W, 20.

By Representatives Ancel of Calais, Beck of St. Johnsbury, Kornheiser of Brattleboro, Ode of Burlington, Pugh of South Burlington, and Webb of Shelburne,

H. 510. (No. 0138) An act relating to a Vermont Child Tax Credit and the Vermont Social Security income exclusion.

Rd 1st t and ref to the C on W&M, 21; Rd 2nd t, 186; Rep. Kornheiser of Brattleboro recomd for the C on W&M, 186; Rep. Toof of St. Albans Town moved to commit the bill to the C on Appr, 190; Divid demanded, 190; Divid results Yeas 54, Nays 93, 190; Which was disagr/d to, 190; Rpt of C on W&M agrd to, 190; Rep. Ancel of Calais demanded yeas and nays, 190; R C Yeas = 102, Nays = 46, 190; 3rd rdg ord, 192; Rep. LaClair of Barre Town moved to amend the bill, 194; Rep. McCormack of Burlington asked that the qstn be divid, 195; Rep. McCoy of Poultney demanded yeas and nays, 196; R C Yeas = 55, Nays = 88, 196; 1st divid of amend disagr/d to, 196; Rep. Bartholomew of Hartland raised a Point of Order, 197; Pt of o ruled well tkn, 197; 2nd instnc of amend ruled not germane, 197; Rep. Sibilia of Dover, Birong of Vergennes, and Hango of Berkshire moved to amend the bill, 197; Amend as offd by Rep. Sibilia of Dover, Birong of Vergennes, and Hango of Berkshire wdrn, 198; Rd 3rd t and pass, 198; S Message, p/con w pro of amend, 1261; S pro of amend cons, 1315; Rep. Ancel of Calais moved the H refuse to con and asked for a C of C, 1324; Which was agrd to, 1324; Speaker apptd Ancel of Calais, Kornheiser of Brattleboro and Beck of St. Johnsbury as members of the C of C on the part of the H, 1324; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1325; S Message, C of C members apptd, 1412; S Message, rpt of C of C adptd, 2378; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2381; Rep. Ancel of Calais demanded yeas and nays, 2390; R C Yeas = 141, Nays = 4, 2390; C of C rpt adptd (HH bill), 2390; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 2403; Delv to the Gov on May 23, 2022; Signed by Gov on May 27, 2022, 2570.

By Representatives Bongartz of Manchester, James of Manchester, Birong of Vergennes, Black of Essex, Bluemle of Burlington, Coffey of Guilford,

Dolan of Essex, Durfee of Shaftsbury, Houghton of Essex, Kimbell of Woodstock, McCullough of Williston, Nicoll of Ludlow, Nigro of Bennington, Scheu of Middlebury, Sibia of Dover, Sims of Craftsbury, Vyhovsky of Essex, Whitman of Bennington, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte,

H. 511. An act relating to promoting housing in Vermont's centers.

Rd 1st t and ref to the C on NRF&W, 21.

By Representatives Kimbell of Woodstock and Marcotte of Coventry,

H. 512. (No. 0171) An act relating to modernizing land records and notarial acts law.

Rd 1st t and ref to the C on GO, 21; Rep. Copeland Hanzas of Bradford moved that the C on GO be relv/d of the bill and that the same be cmdt to the C on C&EcD which was agrd to, 46; Rep. Marcotte of Coventry moved that the C on C&EcD be relv/d of the bill and that the same be cmdt to the C on GO which was agrd to, 466; Rep. Copeland Hanzas of Bradford moved that the C on GO be relv/d of the bill and that the same be cmdt to the C on C&EcD which was agrd to, 475; Ref to C on W&M per Rule 35(a), 510; Ref to C on Appr per Rule 35(a), 612; Rd 2nd t, 787; Rep. Kimbell of Woodstock rptd for the C on C&EcD, 787; Rep. Canfield of Fair Haven recomd for the C on W&M, 801; Rep. Toleno of Brattleboro recomd for the C on Appr, 802; Rpt of C on C&EcD agrd to, 802; 3rd rdg ord, 802; Rd 3rd t and pass, 826; S Message, p/con w pro of amend, 2121; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2223; S pro of amend con in, 2225; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2225; Delv to the Gov on May 27, 2022; Signed by Gov on June 2, 2022, 2571.

By Representative Grad of Moretown,

H. 513. An act relating to expanding criminal threatening to include threats to third persons.

Rd 1st t and ref to the C on Judic, 21.

By Representatives Beck of St. Johnsbury and Ancel of Calais,

H. 514. An act relating to creating a uniform local share of sales and use tax revenue.

Rd 1st t and ref to the C on W&M, 21.

By Representatives Marcotte of Coventry and Kimbell of Woodstock,

H. 515. (No. 0139) An act relating to banking, insurance, and securities.

Rd 1st t and ref to the C on C&EcD, 22; Ref to C on W&M per Rule 35(a), 208; Rd 2nd t, 330; Rep. Jerome of Brandon rptd for the C on C&EcD, 330; Rep. Elder of Starksboro recomd for the C on W&M, 384; Rpt of C on C&EcD agrd to, 384; 3rd rdg ord, 384; Rd 3rd t and pass, 390; S Message, p/con w pro of amend, 1310; S pro of amend con in, 1356; Delv to the Gov on May 23, 2022; Signed by Gov on May 27, 2022, 2570.

By Representative Yacovone of Morristown,

H. 516. An act relating to increasing asset limits for Medicaid for the Aged, Blind, and Disabled.

Rd 1st t and ref to the C on HS, 22.

By Representative Fagan of Rutland City,

H. 517. (No. 0140) An act relating to educational benefits for members of the military and their families and eligibility for election to serve as Adjutant and Inspector General.

Rd 1st t and ref to the C on GH&MA, 22; Rep. Stevens of Waterbury moved to postp act until March 9, 2022 which was agrd to, 421; Rd 2nd t, 468; Rep. Hango of Berkshire rptd for the C on GH&MA, 468; Amend as offd by Rep. Marcotte of Coventry, Dickinson of St. Albans Town, Jerome of Brandon, Kascenska of Burke, Kimbell of Woodstock, Kitzmiller of Montpelier, Laroche of Franklin, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Nigro of Bennington, and White of Bethel wdwn, 470; 3rd rdg ord, 470; Rep. Marcotte of Coventry, Dickinson of St. Albans Town, Jerome of Brandon, Kascenska of Burke, Kimbell of Woodstock, Kitzmiller of Montpelier, Laroche of Franklin, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Nigro of Bennington, and White of Bethel moved to amend the bill which was agrd to, 476; Rd 3rd t and pass, 478; S Message, p/con w pro of amend, 1411; Rep. Stevens of Waterbury moved to postp act until May 5, 2022 which was agrd to, 1589; S pro of amend con in, 1711; Delv to the Gov on May 23, 2022; Signed by Gov on May 27, 2022, 2570.

By Representative Sibilia of Dover,

H. 518. (No. 0172) An act relating to municipal energy resilience initiatives.

Rd 1st t and ref to the C on E&T, 22; Ref to C on Appr per Rule 35(a), 300; Ref to C on W&M per Rule 35(a), 493; Rd 2nd t, 644; Rep. Sibilia of Dover rptd for the C on E&T, 644; Rep. Harrison of Chittenden recomd for the C on Appr, 653; Rep. Elder of Starksboro recomd for the C on W&M, 654; Rpt of the C on E&T amend as recomd by the C on Appr, 655; Rpt of the C on E&T amend as recomd by the C on W&M, 655; Rpt of C on E&T as amend agrd to, 655; 3rd rdg ord, 655; Rd 3rd t and pass, 698; S Message, p/con w pro of amend, 2087; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2202; S pro of amend con in, 2211; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2225; Delv to the Gov on May 27, 2022; Signed by Gov on June 2, 2022, 2571.

By Representative Rachelson of Burlington,

H. 519. An act relating to indemnification of employee legal expenses.

Rd 1st t and ref to the C on GH&MA, 22.

By Representatives Masland of Thetford and Sims of Craftsbury,

H. 520. An act relating to creating the Office of Native American Affairs.

Rd 1st t and ref to the C on GH&MA, 23.

By Representative Stevens of Waterbury,

H. 521. An act relating to the Vermont basic needs budget.

Rd 1st t and ref to the C on GH&MA, 23.

By Representative McCoy of Poultney,

H. 522. An act relating to automobile insurance and aftermarket parts.

Rd 1st t and ref to the C on C&Ecd, 23.

By Representative McCormack of Burlington,

H. 523. (No. 0121) An act relating to reducing hydrofluorocarbon emissions.

Rd 1st t and ref to the C on NRF&W, 23; Rd 2nd t, 538; Rep. Morris of Springfield rptd for the C on NRF&W, 538; Rpt of C on NRF&W agrd to, 540; 3rd rdg ord, 540; Amend as offd by Rep. Shaw of Pittsford agrd to, 562; Rd 3rd t and pass, 562; S Message, p/con w pro of amend, 1456; S pro of amend con in, 1745; Delv to the Gov on May 13, 2022; Allowed to become law w/o the signature of the Gov on May 19, 2022, 2566.

By Representative McCormack of Burlington,

H. 524. An act relating to preventing sprawl through municipal zoning.

Rd 1st t and ref to the C on NRF&W, 23.

By Representative McCormack of Burlington,

H. 525. An act relating to roadside memorials.

Rd 1st t and ref to the C on Trans, 23.

By Representative McCormack of Burlington,

H. 526. An act relating to adding electric vehicle supply equipment to Vermont's energy efficiency standards for appliances and equipment.

Rd 1st t and ref to the C on E&T, 24.

By Representative Canfield of Fair Haven,

H. 527. An act relating to tax relief for Vermonters.

Rd 1st t and ref to the C on W&M, 24.

By Representatives Peterson of Clarendon, Achey of Middletown Springs, Donahue of Northfield, Gregoire of Fairfield, Harrison of Chittenden, Helm of Fair Haven, Lefebvre of Orange, Leffler of Enosburgh, Martel of Waterford, Morgan, L. of Milton, Morgan, M. of Milton, Page of Newport City, Parsons of Newbury, Rosenquist of Georgia, Smith of Derby, and Strong of Albany,

H. 528. An act relating to tax benefits for home study programs.

Rd 1st t and ref to the C on W&M, 24.

By Representative Till of Jericho,

H. 529. An act relating to situational surveillance at birth.

Rd 1st t and ref to the C on HS, 24.

By Representatives Rogers of Waterville, Noyes of Wolcott, Page of Newport City, Wood of Waterbury, and Yacovone of Morristown,

H. 530. An act relating to creating the Vermont Silver Alert Program.

Rd 1st t and ref to the C on GO, 28.

By Representatives Yacovone of Morristown, Brumsted of Shelburne, Webb of Shelburne, and Wood of Waterbury,

H. 531. An act relating to supported housing options for individuals served through the developmental services waiver.

Rd 1st t and ref to the C on HS, 29.

By Representative Till of Jericho,

H. 532. An act relating to the Rare Disease Advisory Council.

Rd 1st t and ref to the C on HC, 29.

By Representatives Rachelson of Burlington, Leffler of Enosburgh, and Grad of Moretown,

H. 533. (No. 0141) An act relating to forfeited property disposition and a study assessing civil and criminal seizure and forfeiture of property in drug-related offenses.

Rd 1st t and ref to the C on Judic, 29; Ref to C on Appr per Rule 35(a), 408; Rd 2nd t, 657; Rep. Leffler of Enosburgh rptd for the C on Judic, 657; Rep. Squirrell of Underhill recomd for the C on Appr, 668; Rpt of the C on Judic amend as recomd by the C on Appr, 669; Rpt of C on Judic as amend agrd to, 669; 3rd rdg ord, 669; Rd 3rd t and pass, 698; S Message, p/con w pro of amend, 2121; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2215; S pro of amend con in, 2218; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2225; Delv to the Gov on May 23, 2022; Signed by Gov on May 27, 2022, 2570.

By Representative Grad of Moretown,

H. 534. An act relating to expanding eligibility for expungement and sealing of criminal history records for nonviolent offenses.

Rd 1st t and ref to the C on Judic, 29; Ref to C on Appr per Rule 35(a), 409; Rd 2nd t, 669; Rep. Colburn of Burlington rptd for the C on Judic, 669; Rep. Squirrell of Underhill recomd for the C on Appr, 685; Rpt of the C on Judic amend as recomd by the C on Appr, 685; Rpt of C on Judic as amend agrd to, 685; 3rd rdg ord, 685; Rd 3rd t and pass, 698; S Message, p/con w pro of amend, 1179; S pro of amend con in, 1303; Delv to the Gov on May 13, 2022; Vetoed by the Gov on May 19, 2022, 2566.

By Representative Rachelson of Burlington,

H. 535. An act relating to judicial nominations and appointments.

Rd 1st t and ref to the C on Judic, 29.

By Representatives LaLonde of South Burlington, Grad of Moretown, Jerome of Brandon, and Kimbell of Woodstock,

H. 536. An act relating to the Vermont Uniform Power of Attorney Act.

Rd 1st t and ref to the C on Judic, 30.

By Representatives Vyhovsky of Essex, Cordes of Lincoln, Black of Essex, Bluemle of Burlington, Brady of Williston, Brown of Richmond, Burrows of West Windsor, Colburn of Burlington, Dolan of Essex, Elder of Starksboro, Goldman of Rockingham, Houghton of Essex, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Rachelson of Burlington, Sims of Craftsbury, Small of Winooski, and Till of Jericho,

H. 537. An act relating to a statewide mask mandate.

Rd 1st t and ref to the C on HS, 30.

By Representative Grad of Moretown,

H. 538. An act relating to the establishment, ownership, and operation of a

cemetery by a nonprofit college or university.

Rd 1st t and ref to the C on GH&MA, 30.

By Representative Pugh of South Burlington,

H. 539. An act relating to youth banking by minors in foster care.

Rd 1st t and ref to the C on C&EcD, 30.

By Representatives Goldman of Rockingham, Burrows of West Windsor, Brumsted of Shelburne, Donahue of Northfield, Houghton of Essex, Noyes of Wolcott, Page of Newport City, Pajala of Londonderry, and Small of Winooski,

H. 540. An act relating to strengthening support for social determinants of health.

Rd 1st t and ref to the C on HS, 31.

By Representatives Dolan of Essex, Black of Essex, Bluemle of Burlington, Christie of Hartford, Coffey of Guilford, Notte of Rutland City, and Vyhovsky of Essex,

H. 541. An act relating to establishing the Victims Services Advisory Council within the Center for Crime Victims Services.

Rd 1st t and ref to the C on Judic, 31.

By Representatives Dolan of Waitsfield, Anthony of Barre City, Austin of Colchester, Brumsted of Shelburne, Campbell of St. Johnsbury, and Satcowitz of Randolph,

H. 542. An act relating to establishing riparian protection areas in the State.

Rd 1st t and ref to the C on NRF&W, 31.

By Representatives Dolan of Waitsfield, Anthony of Barre City, Bluemle of Burlington, Bos-Lun of Westminster, Brumsted of Shelburne, Campbell of St. Johnsbury, McCarthy of St. Albans City, McCullough of Williston, Mrowicki of Putney, Ode of Burlington, Sheldon of Middlebury, Squirrel of Underhill, and Yantachka of Charlotte,

H. 543. An act relating to regulation of wetlands in the State.

Rd 1st t and ref to the C on NRF&W, 31.

By Representatives Canfield of Fair Haven, Helm of Fair Haven, and Norris of Shoreham,

H. 544. An act relating to leveling Vermont Route 22A.

Rd 1st t and ref to the C on Trans, 32.

By Representatives Christie of Hartford, Austin of Colchester, Bluemle of Burlington, Coffey of Guilford, Colston of Winooski, Cordes of Lincoln, Dolan of Waitsfield, Goldman of Rockingham, Killackey of South Burlington, Rogers of Waterville, Small of Winooski, Vyhovsky of Essex, and Wood of Waterbury,

H. 545. An act relating to per diems for boards and commissions.
Rd 1st t and ref to the C on GO, 32.

By Representatives Grad of Moretown, Christie of Hartford, LaLonde of South Burlington, and Colston of Winooski,

H. 546. (No. 0142) An act relating to racial justice statistics.

Rd 1st t and ref to the C on Judic, 32; Ref to C on Appr per Rule 35(a), 401; Rd 2nd t, 724; Rep. LaLonde of South Burlington rptd for the C on Judic, 724; Rep. Hooper of Montpelier recomd for the C on Appr, 731; Rpt of C on Judic agrd to, 731; 3rd rdg ord, 731; Rd 3rd t and pass, 771; S Message, p/con w pro of amend, 1605; S pro of amend con in, 1811; Delv to the Gov on May 23, 2022; Signed by Gov on May 27, 2022, 2570.

By Representatives Wood of Waterbury, Brumsted of Shelburne, Burrows of West Windsor, Coffey of Guilford, Harrison of Chittenden, Houghton of Essex, McFaun of Barre Town, Mulvaney-Stanak of Burlington, Pajala of Londonderry, and Small of Winooski,

H. 547. An act relating to exempting students from standardized assessments in public schools.

Rd 1st t and ref to the C on Edu, 32.

By Representatives Grad of Moretown and Burditt of West Rutland,

H. 548. An act relating to miscellaneous cannabis establishment procedures.

Rd 1st t and ref to the C on Judic, 32; Rep. Burditt of West Rutland moved that the C on Judic be relv/d of the bill and that the same be cmtd to the C on GO which was agrd to, 166; Rd 2nd t, 595; Rep. Gannon of Wilmington rptd for the C on GO, 595; Rpt of C on GO agrd to, 598; 3rd rdg ord, 598; Rd 3rd t and pass, 629; S Message, p/con w pro of amend, 1310; Rep. Gannon of Wilmington moved to postp act until May 4, 2022 which was agrd to, 1357; Rep. Gannon of Wilmington moved to postp act until May 5, 2022 which was agrd to, 1609; S pro of amend cons, 1718; S pro of amend con in w further amend thereto, as offd by Rep. Gannon of Wilmington, 1725; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1746; S Message, H pro of amend not con in and C of C apptd, 1965; Speaker apptd Copeland Hanzas of Bradford, Gannon of Wilmington and Colston of Winooski as members of the C of C on the part of the H, 1965; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1966.

By Representatives Hango of Berkshire, Gregoire of Fairfield, Harrison of Chittenden, Higley of Lowell, Leffler of Enosburgh, Page of Newport City, and Palasik of Milton,

H. 549. An act relating to Vermont Housing Regulation Modernization.

Rd 1st t and ref to the C on NRF&W, 33.

By Representatives Terenzini of Rutland Town, Brennan of Colchester, Goslant of Northfield, Hango of Berkshire, Higley of Lowell, Lefebvre of Newark, Morgan, L. of Milton, Morgan, M. of Milton, Page of Newport City, and Peterson of Clarendon,

H. 550. An act relating to the energy efficiency charge for net metering customers.

Rd 1st t and ref to the C on E&T, 33.

By Representatives Grad of Moretown, Christie of Hartford, Colburn of Burlington, Colston of Winooski, Kornheiser of Brattleboro, LaLonde of South Burlington, and Rachelson of Burlington,

H. 551. (No. 0143) An act relating to prohibiting racially and religiously restrictive covenants in deeds.

Rd 1st t and ref to the C on Judic, 33; Ref to C on W&M per Rule 35(a), 493; Rd 2nd t, 598; Rep. Grad of Moretown rptd for the C on Judic, 598; Rep. Mattos of Milton recomd for the C on W&M, 601; Rpt of C on Judic agrd to, 601; 3rd rdg ord, 601; Rd 3rd t and pass, 629; S Message, p/con w pro of amend, 1606; S pro of amend con in, 1818; Delv to the Gov on May 23, 2022; Signed by Gov on May 27, 2022, 2570.

By Representatives Bartholomew of Hartland, Burke of Brattleboro, McCormack of Burlington, Stebbins of Burlington, White of Hartford, Anthony of Barre City, Austin of Colchester, Black of Essex, Bluemle of Burlington, Bock of Chester, Bongartz of Manchester, Bos-Lun of Westminster, Briglin of Thetford, Brown of Richmond, Brumsted of Shelburne, Burrows of West Windsor, Campbell of St. Johnsbury, Chase of Colchester, Cina of Burlington, Coffey of Guilford, Colburn of Burlington, Copeland Hanzas of Bradford, Cordes of Lincoln, Dolan of Essex, Dolan of Waitsfield, Donnally of Hyde Park, Durfee of Shaftsbury, Elder of Starksboro, Goldman of Rockingham, Hooper of Randolph, Houghton of Essex, James of Manchester, Kitzmiller of Montpelier, LaLonde of South Burlington, Long of Newfane, Masland of Thetford, McCarthy of St. Albans City, McCullough of Williston, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, O'Brien of Tunbridge, Ode of Burlington, Patt of Worcester, Rachelson of Burlington, Satcowitz of Randolph, Sheldon of Middlebury, Sibilia of Dover, Sims of Craftsbury, Small of Winooski, Squirrell of Underhill, Surprenant of Barnard, Till of Jericho, Troiano of Stannard, Vyhovsky of Essex, Walz of Barre City, White of Bethel, Whitman of Bennington, Yacovone of Morristown, and Yantachka of Charlotte,

H. 552. An act relating to transportation initiatives to reduce carbon emissions.

Rd 1st t and ref to the C on Trans, 33.

By Representatives Rachelson of Burlington, Dolan of Essex, and Grad of Moretown,

H. 553. (No. 0122) An act relating to eligibility of domestic partners for reimbursement from the Victims Compensation Program.

Rd 1st t and ref to the C on Judic, 34; Ref to C on Appr per Rule 35(a), 45; Rd 2nd t, 844; Rep. Rachelson of Burlington rptd for the C on Judic, 844; Rep. Townsend of South Burlington recomd for the C on Appr, 844; Rep. Rachelson of Burlington moved to amend the bill which was agrd to, 844; Rpt of C on Judic as amend agrd to, 844; 3rd rdg ord, 844; Rd 3rd t and pass, 936; S Message, p/con w pro of amend, 1410; S pro of amend con in, 1589; Delv to the Gov on May 13, 2022; Signed by Gov on May 19, 2022, 2565.

By Representatives Dolan of Waitsfield, Anthony of Barre City, Bock of Chester, Masland of Thetford, Ode of Burlington, and Squirrell of Underhill,

H. 554. An act relating to an aquatic invasive species decal.

Rd 1st t and ref to the C on Trans, 34.

By Representative Webb of Shelburne,

H. 555. An act relating to health insurance coverage for children's hearing aids.

Rd 1st t and ref to the C on HC, 34.

By Representatives Sims of Craftsbury, Bluemle of Burlington, Brumsted of Shelburne, Anthony of Barre City, Birong of Vergennes, Bongartz of Manchester, Brown of Richmond, Christie of Hartford, Cina of Burlington, Cordes of Lincoln, Goldman of Rockingham, Killackey of South Burlington, Mrowicki of Putney, O'Brien of Tunbridge, Ode of Burlington, Rachelson of Burlington, Stebbins of Burlington, Stevens of Waterbury, Surprenant of Barnard, Troiano of Stannard, White of Hartford, Whitman of Bennington, Wood of Waterbury, and Yantachka of Charlotte,

H. 556. (No. 0090) An act relating to exempting property owned by Vermont-recognized Native American tribes from property tax.

Rd 1st t and ref to the C on W&M, 35; Rd 2nd t, 301; Rep. Brennan of Colchester recomd for the C on W&M, 301; Rpt of C on W&M agrd to, 301; 3rd rdg ord, 301; Rd 3rd t and pass, 302; S Message, p/con, 988; Delv to the Gov on April 14, 2022; Signed by Gov on April 20, 2022, 1029.

By Representatives Masland of Thetford, Anthony of Barre City, Burke of Brattleboro, McCullough of Williston, Mrowicki of Putney, Mulvaney-Stanak of Burlington, and Squirrell of Underhill,

H. 557. An act relating to energy from large hydroelectric plants.

Rd 1st t and ref to the C on E&T, 35.

By Representatives Harrison of Chittenden, Achey of Middletown Springs, Beck of St. Johnsbury, Birong of Vergennes, Brownell of Pownal, Christie of Hartford, Coffey of Guilford, Dolan of Waitsfield, Donahue of Northfield, Gannon of Wilmington, Goslant of Northfield, Gregoire of Fairfield, Hango of Berkshire, Hooper of Burlington, Labor of Morgan, Leffler of Enosburgh, Morgan, L. of Milton, Morgan, M. of Milton, Morris of Springfield, Norris of Sheldon, Noyes of Wolcott, Page of Newport City, Palasik of Milton, Parsons of Newbury, Peterson of Clarendon, Rosenquist of Georgia, Scheuermann of Stowe, Smith of Derby, Troiano of Stannard, and Williams of Granby,

H. 558. An act relating to increasing the income tax exemption for Social Security benefits.

Rd 1st t and ref to the C on W&M, 35.

By Representatives Kimbell of Woodstock and Marcotte of Coventry,

H. 559. (No. 0144) An act relating to workers' compensation.

Rd 1st t and ref to the C on C&EcD, 36; Ref to C on W&M per Rule 35(a), 175; Rd 2nd t, 192; Rep. Mulvaney-Stanak of Burlington rptd for the C on C&EcD, 192; Rep. Durfee of Shaftsbury recomd for the C on W&M, 192; 3rd rdg ord, 192; Rd 3rd t and pass, 198; S Message, p/con, 2213; Delv to the Gov on May 23, 2022; Signed by Gov on May 27, 2022, 2570.

By Representatives Houghton of Essex, Black of Essex, Burrows of West Windsor, Cina of Burlington, Cordes of Lincoln, Donahue of Northfield, Goldman of Rockingham, Lippert of Hinesburg, and Small of Winooski,

H. 560. An act relating to the certification of mental health peer support specialists.

Rd 1st t and ref to the C on HC, 36.

By Representatives Houghton of Essex, Black of Essex, Burrows of West Windsor, Cina of Burlington, Cordes of Lincoln, Goldman of Rockingham, and Small of Winooski,

H. 561. An act relating to peer-operated respite centers.

Rd 1st t and ref to the C on HC, 36.

By Representatives Rachelson of Burlington, Bluemle of Burlington, Cordes of Lincoln, Donahue of Northfield, Donnally of Hyde Park, Kornheiser of Brattleboro, Masland of Thetford, Mulvaney-Stanak of Burlington, Notte of Rutland City, Stebbins of Burlington, Vyhovsky of Essex, and Whitman of Bennington,

H. 562. An act relating to nonconsensual removal of or tampering with a sexual protective device.

Rd 1st t and ref to the C on Judic, 36.

By Representatives Strong of Albany, Achey of Middletown Springs, Hango of Berkshire, Higley of Lowell, Lefebvre of Orange, Martel of Waterford, Morrissey of Bennington, Peterson of Clarendon, Rosenquist of Georgia, and Williams of Granby,

H. 563. An act relating to regulating facilities that provide abortion services.

Rd 1st t and ref to the C on HS, 36.

By Representatives Strong of Albany, Achey of Middletown Springs, Hango of Berkshire, Higley of Lowell, Lefebvre of Orange, Martel of Waterford, Morrissey of Bennington, Peterson of Clarendon, Rosenquist of Georgia, and Williams of Granby,

H. 564. An act relating to requiring notification of a parent or guardian prior to performing an abortion on a minor.

Rd 1st t and ref to the C on HS, 37.

By Representatives Strong of Albany, Achey of Middletown Springs, Hango of Berkshire, Higley of Lowell, Lefebvre of Orange, Martel of Waterford, Peterson of Clarendon, Rosenquist of Georgia, and Williams of Granby,

H. 565. An act relating to requiring the performance of a fetal ultrasound prior to obtaining an abortion.

Rd 1st t and ref to the C on HS, 37.

By Representatives Sims of Craftsbury, Partridge of Windham, Anthony of Barre City, Austin of Colchester, Bock of Chester, Bongartz of Manchester, Brumsted of Shelburne, Campbell of St. Johnsbury, Feltus of Lyndon, Harrison of Chittenden, Kimbell of Woodstock, Masland of Thetford, Norris of Shoreham, Pajala of Londonderry, Patt of Worcester, Rogers of Waterville, Sibilia of Dover, Surprenant of Barnard, White of Bethel, Williams of Granby, Wood of Waterbury, and Yantachka of Charlotte,

H. 566. An act relating to the establishment of the Vermont Forest Future Program.

Rd 1st t and ref to the C on A&F, 37; Ref to C on Appr per Rule 35(a), 386.

By Representatives Rachelson of Burlington, Anthony of Barre City, Killacky of South Burlington, Masland of Thetford, Mulvaney-Stanak of Burlington, Troiano of Stannard, Vyhovsky of Essex, Walz of Barre City, and Yantachka of Charlotte,

H. 567. An act relating to seizure action plans in public schools and approved independent schools.

Rd 1st t and ref to the C on Edu, 38.

By Representatives Cordes of Lincoln, Anthony of Barre City, Austin of Colchester, Bos-Lun of Westminster, Burrows of West Windsor, Campbell of St. Johnsbury, Mulvaney-Stanak of Burlington, Rachelson of Burlington, Sims of Craftsbury, Till of Jericho, Vyhovsky of Essex, and Yantachka of Charlotte,

H. 568. An act relating to the dissemination of masks and at-home rapid antigen tests.

Rd 1st t and ref to the C on HS, 38.

By Representatives Marcotte of Coventry and Kimbell of Woodstock,

H. 569. An act relating to supporting economic development.

Rd 1st t and ref to the C on C&EcD, 38.

By Representatives Marcotte of Coventry and Kimbell of Woodstock,

H. 570. An act relating to enhancing data privacy protections for consumers.

Rd 1st t and ref to the C on C&EcD, 38.

By Representatives Bos-Lun of Westminster, Goldman of Rockingham, Anthony of Barre City, Austin of Colchester, Burke of Brattleboro, Burrows of

West Windsor, Christie of Hartford, Cina of Burlington, Howard of Rutland City, Masland of Thetford, McCullough of Williston, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Ode of Burlington, Page of Newport City, Pajala of Londonderry, Patt of Worcester, Vyhovsky of Essex, White of Hartford, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte,

H. 571. An act relating to increasing Medicaid dental reimbursement rates.
Rd 1st t and ref to the C on HC, 38.

By Representatives Webb of Shelburne, Brumsted of Shelburne, and Hooper of Randolph,

H. 572. (No. 0173) An act relating to the retirement allowance for interim educators.

Rd 1st t and ref to the C on GO, 40; Ref to C on Appr per Rule 35(a), 421; Rd 2nd t, 501; Rep. Copeland Hanzas of Bradford rptd for the C on GO, 501; Rep. Scheu of Middlebury recomd for the C on Appr, 502; Rpt of C on GO agrd to, 502; 3rd rdg ord, 502; Rd 3rd t and pass, 512; S Message, p/con w pro of amend, 2087; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2218; S pro of amend con in w further amend thereto, as offd by Rep. Copeland Hanzas of Bradford, 2220; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2221; S Message, H pro of amend con in, 2378; Rep. McCoy of Poultney moved to delv the bill to the Gov f/w, which was agrd to, 2421; Delv to the Gov on May 27, 2022; Signed by Gov on June 2, 2022, 2571.

By Representatives Strong of Albany, Higley of Lowell, LaClair of Barre Town, Peterson of Clarendon, and Williams of Granby,

H. 573. An act relating to prohibiting discrimination based on immunization status.

Rd 1st t and ref to the C on GH&MA, 41.

By Representative Harrison of Chittenden,

H. 574. An act relating to simplifying access to benefits and services.

Rd 1st t and ref to the C on HS, 41.

By Representatives Ode of Burlington, Dolan of Waitsfield, and Grad of Moretown,

H. 575. An act relating to music therapists and art therapists.

Rd 1st t and ref to the C on GO, 41.

By Representatives Rosenquist of Georgia, Strong of Albany, Achey of Middletown Springs, Hango of Berkshire, and Peterson of Clarendon,

H. 576. An act relating to banning selective abortions based on sex, Down syndrome, or genetic abnormalities.

Rd 1st t and ref to the C on HS, 41.

By Representative Webb of Shelburne,

H. 577. An act relating to Vermont's adoption of the Audiology and Speech-Language Pathology Interstate Compact.

Rd 1st t and ref to the C on GO, 41.

By Representative Stebbins of Burlington,

H. 578. An act relating to requirements for older drivers to renew operator's licenses.

Rd 1st t and ref to the C on Trans, 42.

By Representatives Cordes of Lincoln, Anthony of Barre City, Cina of Burlington, Elder of Starksboro, Lefebvre of Orange, Mulvaney-Stanak of Burlington, Pajala of Londonderry, Patt of Worcester, Stebbins of Burlington, Surprenant of Barnard, Till of Jericho, Troiano of Stannard, Vyhovsky of Essex, and White of Hartford,

H. 579. An act relating to health insurance coverage for donated human breast milk.

Rd 1st t and ref to the C on HC, 42.

By Representatives Scheu of Middlebury and Conlon of Cornwall,

H. 580. An act relating to a grant program for adaptive sports and mobility-enhancing equipment.

Rd 1st t and ref to the C on C&EcD, 42.

By Representatives Kimbell of Woodstock, Birong of Vergennes, Brady of Williston, Burrows of West Windsor, Coffey of Guilford, Conlon of Cornwall, Feltus of Lyndon, Goldman of Rockingham, Gregoire of Fairfield, Harrison of Chittenden, Jerome of Brandon, Lefebvre of Newark, Nicoll of Ludlow, Norris of Shoreham, Noyes of Wolcott, Pajala of Londonderry, Pearl of Danville, Rogers of Waterville, Rosenquist of Georgia, Seymour of Sutton, Sibilia of Dover, Sims of Craftsbury, Stebbins of Burlington, Surprenant of Barnard, White of Bethel, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte,

H. 581. An act relating to rural economic development.

Rd 1st t and ref to the C on NRF&W, 42.

By Representative Sibilia of Dover,

H. 582. An act relating to the creation of the Pipelines and Pathways Grant Program.

Rd 1st t and ref to the C on Edu, 43.

By Representatives Achey of Middletown Springs, Hango of Berkshire, Harrison of Chittenden, Higley of Lowell, Morgan, L. of Milton, Morgan, M. of Milton, Page of Newport City, Peterson of Clarendon, Rosenquist of Georgia, Strong of Albany, Williams of Granby, and Yantachka of Charlotte,

H. 583. An act relating to a right of appeal for listers.

Rd 1st t and ref to the C on W&M, 43.

By Representatives Bos-Lun of Westminster, Christie of Hartford, Burrows of West Windsor, Black of Essex, Brady of Williston, Colston of Winooski, Cordes of Lincoln, Dolan of Essex, Dolan of Waitsfield, Donahue

of Northfield, Goldman of Rockingham, Grad of Moretown, Houghton of Essex, Lippert of Hinesburg, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Ode of Burlington, Rachelson of Burlington, Sibia of Dover, Small of Winooski, Surprenant of Barnard, Vyhovsky of Essex, White of Hartford, and Yacovone of Morristown,

H. 584. An act relating to the creation of an antiracist education certification.

Rd 1st t and ref to the C on Edu, 43.

By Representatives Sims of Craftsbury, Anthony of Barre City, Colston of Winooski, Leffler of Enosburgh, Sibia of Dover, and Vyhovsky of Essex,

H. 585. An act relating to reapportionment.

Rd 1st t and ref to the C on GO, 43.

By Representatives Rogers of Waterville, Burke of Brattleboro, Dolan of Waitsfield, Kornheiser of Brattleboro, McCullough of Williston, and Pajala of Londonderry,

H. 586. An act relating to eco-sanitation systems.

Rd 1st t and ref to the C on NRF&W, 44.

By Representative Birong of Vergennes,

H. 587. An act relating to expressly authorizing the manufacture of alcoholic beverages pursuant to contract.

Rd 1st t and ref to the C on GH&MA, 44.

By Representative Birong of Vergennes,

H. 588. An act relating to authorizing satellite tasting rooms for manufacturers of alcoholic beverages.

Rd 1st t and ref to the C on GH&MA, 44.

By the Committee on Government Operations,

H. 589. (No. 0080) An act relating to reapportioning the initial districts of the House of Representatives.

C bill rd the 1st t and pl on Notice cal on January 13, 2022, 44; Rd 2nd t, 72; Rep. Gannon of Wilmington rptd for the C on GO, 72; Rep. Scheuermann of Stowe and Toof of St. Albans Town moved to amend the bill, 72; Which was disagr/d to, 73; Divid demanded, 73; Divid results Yeas 32, Nays 90, 73; Amend as offd by Rep. Gannon of Wilmington agrd to, 73; 3rd rdg ord, 74; Rd 3rd t and pass, 92; S Message, p/con, 121; Delv to the Gov on January 27, 2022; Signed by Gov on February 2, 2022, 175.

By Representative Birong of Vergennes,

H. 590. An act relating to low-alcohol spirits beverages.

Rd 1st t and ref to the C on GH&MA, 49.

By Representative Birong of Vergennes,

H. 591. An act relating to a direct-to-consumer spirits shipping license.

Rd 1st t and ref to the C on GH&MA, 49.

By Representative Satcowitz of Randolph,

H. 592. An act relating to municipal ordinances governing nuisance properties containing salvage and scrap.

Rd 1st t and ref to the C on GO, 49.

By Representative Campbell of St. Johnsbury,

H. 593. An act relating to new motor vehicle arbitration.

Rd 1st t and ref to the C on Trans, 50.

By Representatives Campbell of St. Johnsbury, Anthony of Barre City, Austin of Colchester, Bartholomew of Hartland, Colburn of Burlington, Cordes of Lincoln, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Ode of Burlington, Patt of Worcester, Vyhovsky of Essex, White of Hartford, and Yantachka of Charlotte,

H. 594. An act relating to jurisdiction over building energy codes.

Rd 1st t and ref to the C on E&T, 50.

By Representative Black of Essex,

H. 595. An act relating to allowing essential caregivers to visit residents of long-term care facilities during a public health emergency.

Rd 1st t and ref to the C on HS, 50.

By Representatives Mulvaney-Stanak of Burlington, Burrows of West Windsor, Cina of Burlington, Colburn of Burlington, Goldman of Rockingham, Small of Winooski, Surprenant of Barnard, and Vyhovsky of Essex,

H. 596. An act relating to proper disposal of unused prescription drugs.

Rd 1st t and ref to the C on HS, 50.

By Representatives Canfield of Fair Haven, Birong of Vergennes, Hango of Berkshire, Martel of Waterford, and Noyes of Wolcott,

H. 597. An act relating to exempting military retirement and military survivor benefit income.

Rd 1st t and ref to the C on W&M, 51.

By Representatives Page of Newport City, Anthony of Barre City, Bongartz of Manchester, Bos-Lun of Westminster, Goldman of Rockingham, Hango of Berkshire, Houghton of Essex, Labor of Morgan, Lefebvre of Newark, Masland of Thetford, Morgan, L. of Milton, Morgan, M. of Milton, Mrowicki of Putney, Nicoll of Ludlow, Rosenquist of Georgia, Seymour of Sutton, Sims of Craftsbury, Smith of Derby, and Yantachka of Charlotte,

H. 598. An act relating to a rail feasibility study.

Rd 1st t and ref to the C on Trans, 51.

By Representatives Mulvaney-Stanak of Burlington, Anthony of Barre City, Bluemle of Burlington, Christie of Hartford, Cina of Burlington, Coffey of Guilford, Colburn of Burlington, Howard of Rutland City, Kornheiser of

Brattleboro, Small of Winooski, Surprenant of Barnard, and Vyhovsky of Essex,

H. 599. An act relating to the administration of Executive Branch contracts.

Rd 1st t and ref to the C on GO, 51.

By Representatives Campbell of St. Johnsbury, Anthony of Barre City, Austin of Colchester, Bartholomew of Hartland, Bos-Lun of Westminster, Coffey of Guilford, Colburn of Burlington, Cordes of Lincoln, Dolan of Essex, Elder of Starksboro, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Ode of Burlington, Patt of Worcester, Scheu of Middlebury, Sims of Craftsbury, Vyhovsky of Essex, White of Hartford, and Yantachka of Charlotte,

H. 600. An act relating to heating and cooling systems owned or controlled by the State.

Rd 1st t and ref to the C on C&I, 51.

By Representatives Page of Newport City, Marcotte of Coventry, Smith of Derby, Anthony of Barre City, Bos-Lun of Westminster, Goldman of Rockingham, Hango of Berkshire, Higley of Lowell, Houghton of Essex, Labor of Morgan, Lefebvre of Newark, Masland of Thetford, Morgan, L. of Milton, Morgan, M. of Milton, Mrowicki of Putney, Ode of Burlington, Rosenquist of Georgia, Seymour of Sutton, Sims of Craftsbury, Strong of Albany, and Williams of Granby,

H. 601. An act relating to declaring Lake Memphremagog to be a lake in crisis.

Rd 1st t and ref to the C on NRF&W, 52.

By Representatives Page of Newport City, Chase of Colchester, Goldman of Rockingham, Houghton of Essex, Morgan, L. of Milton, Morgan, M. of Milton, Rosenquist of Georgia, Seymour of Sutton, and Yantachka of Charlotte,

H. 602. An act relating to prohibiting the sale of tobacco products utilizing single-use filters.

Rd 1st t and ref to the C on HS, 52.

By Representative Wood of Waterbury,

H. 603. An act relating to requirements for transfer of nursing home ownership.

Rd 1st t and ref to the C on HS, 52.

By Representatives Scheuermann of Stowe and Rogers of Waterville,

H. 604. An act relating to valuation of time-share projects.

Rd 1st t and ref to the C on W&M, 52.

By Representatives Dolan of Waitsfield, Christie of Hartford, Noyes of Wolcott, Ode of Burlington, and Sheldon of Middlebury,

H. 605. An act relating to clean water funding.

Rd 1st t and ref to the C on NRF&W, 53.

By Representative Sheldon of Middlebury,

H. 606. An act relating to community resilience and biodiversity protection.

Rd 1st t and ref to the C on NRF&W, 53; Rd 2nd t, 540; Rep. Sheldon of Middlebury rptd for the C on NRF&W, 540; Rep. Peterson of Clarendon demanded yeas and nays, 544; R C Yeas = 98, Nays = 42, 544; Rpt of C on NRF&W agrd to, 544; 3rd rdg ord, 546; Rep. Donahue of Northfield moved to amend the bill which was agrd to, 562; Rd 3rd t and pass, 562; S Message, p/con, 1784; Delv to the Gov on May 27, 2022; Vetoed by the Gov on June 2, 2022, 2571.

By Representatives Durfee of Shaftsbury, Bongartz of Manchester, and Nigro of Bennington,

H. 607. An act relating to medical debt collection.

Rd 1st t and ref to the C on HC, 53.

By Representatives Cupoli of Rutland City, Anthony of Barre City, Arrison of Weathersfield, Harrison of Chittenden, Leffler of Enosburgh, Page of Newport City, Parsons of Newbury, Williams of Granby, and Yacovone of Morristown,

H. 608. An act relating to the simplification of the home study program.

Rd 1st t and ref to the C on Edu, 53.

By Representatives Cupoli of Rutland City, Anthony of Barre City, Arrison of Weathersfield, Harrison of Chittenden, Page of Newport City, and Williams of Granby,

H. 609. An act relating to technical corrections to Title 16.

Rd 1st t and ref to the C on Edu, 53.

By Representatives Hango of Berkshire, Martin of Franklin, and Murphy of Fairfax,

H. 610. An act relating to airport expansion and primary agricultural soils.

Rd 1st t and ref to the C on A&F, 54.

By Representative Smith of Derby,

H. 611. An act relating to flag displays at public schools.

Rd 1st t and ref to the C on Edu, 54.

By Representatives Page of Newport City, Anthony of Barre City, Arrison of Weathersfield, Chase of Colchester, Hango of Berkshire, Harrison of Chittenden, Higley of Lowell, Houghton of Essex, Labor of Morgan, LaClair of Barre Town, Marcotte of Coventry, Masland of Thetford, Morgan, L. of Milton, Morgan, M. of Milton, Morris of Springfield, Mrowicki of Putney, Peterson of Clarendon, Rosenquist of Georgia, Seymour of Sutton, Smith of

Derby, Williams of Granby, and Yantachka of Charlotte,

H. 612. An act relating to landlord notice of utility disconnections.

Rd 1st t and ref to the C on E&T, 54.

By Representative Biron of Vergennes,

H. 613. An act relating to farm-based manufacturers of alcoholic beverages.

Rd 1st t and ref to the C on GH&MA, 54.

By Representative Ode of Burlington,

H. 614. An act relating to time off for illness and for federal holidays.

Rd 1st t and ref to the C on GH&MA, 55.

By Representatives Mulvaney-Stanak of Burlington, Bluemle of Burlington, Anthony of Barre City, Burrows of West Windsor, Cina of Burlington, Coffey of Guilford, Colburn of Burlington, Goldman of Rockingham, Howard of Rutland City, Killacky of South Burlington, Kornheiser of Brattleboro, Small of Winooski, Stebbins of Burlington, Surprenant of Barnard, Vyhovsky of Essex, and Walz of Barre City,

H. 615. An act relating to compensation history and transparency.

Rd 1st t and ref to the C on GH&MA, 55.

By Representatives Mulvaney-Stanak of Burlington, Kornheiser of Brattleboro, Anthony of Barre City, Black of Essex, Bluemle of Burlington, Bos-Lun of Westminster, Cina of Burlington, Colburn of Burlington, Donnally of Hyde Park, Goldman of Rockingham, Howard of Rutland City, Jessup of Middlesex, Kitzmiller of Montpelier, Mrowicki of Putney, Nicoll of Ludlow, Ode of Burlington, Patt of Worcester, Scheu of Middlebury, Sims of Craftsbury, Small of Winooski, Squirrell of Underhill, Stebbins of Burlington, Surprenant of Barnard, Toleno of Brattleboro, Troiano of Stannard, Vyhovsky of Essex, Walz of Barre City, White of Bethel, and Yacovone of Morristown,

H. 616. An act relating to establishing the Office of the Unemployment Insurance Advocate.

Rd 1st t and ref to the C on C&EcD, 55.

By Representative Kimbell of Woodstock,

H. 617. An act relating to notice of employment laws.

Rd 1st t and ref to the C on C&EcD, 56.

By Representatives O'Brien of Tunbridge, Brumsted of Shelburne, Donahue of Northfield, Webb of Shelburne, and White of Hartford,

H. 618. An act relating to providing the Abenaki with access to State lands.

Rd 1st t and ref to the C on GH&MA, 56.

By Representative Toof of St. Albans Town,

H. 619. An act relating to the installation of fireblocking in single-family dwellings.

Rd 1st t and ref to the C on GH&MA, 56.

By Representative Stevens of Waterbury,

H. 620. An act relating to Abenaki land ownership and land repatriation.

Rd 1st t and ref to the C on GH&MA, 56.

By Representatives Troiano of Stannard, Anthony of Barre City, Austin of Colchester, Bartholomew of Hartland, Bluemle of Burlington, Burrows of West Windsor, Cina of Burlington, Colburn of Burlington, Cordes of Lincoln, Hooper of Burlington, Howard of Rutland City, Killacky of South Burlington, Kornheiser of Brattleboro, Masland of Thetford, McCullough of Williston, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Notte of Rutland City, Patt of Worcester, Townsend of South Burlington, Vyhovsky of Essex, Walz of Barre City, and Yantachka of Charlotte,

H. 621. An act relating to the certification of collective bargaining representatives.

Rd 1st t and ref to the C on GH&MA, 56.

By Representative Morrissey of Bennington,

H. 622. An act relating to service dog training.

Rd 1st t and ref to the C on GO, 57.

By Representatives Burke of Brattleboro and Coffey of Guilford,

H. 623. An act relating to employment protections for volunteer firefighters.

Rd 1st t and ref to the C on GH&MA, 57.

By Representatives Jerome of Brandon, Austin of Colchester, Brumsted of Shelburne, Burke of Brattleboro, Campbell of St. Johnsbury, Cina of Burlington, Coffey of Guilford, Cupoli of Rutland City, Dolan of Waitsfield, Durfee of Shaftsbury, Hango of Berkshire, Killacky of South Burlington, Kitzmiller of Montpelier, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Noyes of Wolcott, Page of Newport City, Pajala of Londonderry, Rachelson of Burlington, Scheuermann of Stowe, Sims of Craftsbury, Stebbins of Burlington, White of Bethel, Wood of Waterbury, and Yantachka of Charlotte,

H. 624. An act relating to supporting creative sector businesses and cultural organizations.

Rd 1st t and ref to the C on C&EcD, 57; Ref to C on Appr per Rule 35(a), 495; Rd 2nd t, 802; Rep. Jerome of Brandon rptd for the C on C&EcD, 802; Rep. Toleno of Brattleboro recomd for the C on Appr, 804; Rep. Toleno of Brattleboro, Fagan of Rutland City, Feltus of Lyndon, Harrison of Chittenden, Helm of Fair Haven, Hooper of Montpelier, Jessup of Middlesex, Scheu of Middlebury, Squirrel of Underhill, Townsend of South Burlington, and Yacovone of Morristown moved to subst/d an amend which was agrd to, 804; Rpt of the C on C&EcD amend as recomd by the C on Appr as subst/d, 804; Rpt of C on C&EcD as amend

agrd to, 804; 3rd rdg ord, 804; Rd 3rd t and pass, 826.

By Representatives Bluemle of Burlington, Troiano of Stannard, Walz of Barre City, Anthony of Barre City, Burrows of West Windsor, Mulvaney-Stanak of Burlington, Rachelson of Burlington, and Stebbins of Burlington,

H. 625. An act relating to providing protections against eviction, foreclosure, and tax sales.

Rd 1st t and ref to the C on GH&MA, 57.

By Representatives Sheldon of Middlebury and Troiano of Stannard,

H. 626. (No. 0145) An act relating to the sale, use, or application of neonicotinoid pesticides.

Rd 1st t and ref to the C on A&F, 58; Ref to C on Appr per Rule 35(a), 495; Rd 2nd t, 721; Rep. Surprenant of Barnard rptd for the C on A&F, 721; Rep. Toleno of Brattleboro recomd for the C on Appr, 723; Rpt of the C on A&F amend as recomd by the C on Appr, 724; Rpt of C on A&F as amend agrd to, 724; 3rd rdg ord, 724; Rd 3rd t and pass, 771; S Message, p/con w pro of amend, 2087; S pro of amend cons, 2344; S pro of amend con in w further amend thereto, as offd by Rep. Partridge of Windham and Surprenant of Barnard, 2347; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2377; S Message, H pro of amend to S pro of amend con in, 2410; Rep. McCoy of Poultney moved to delv the bill to the Gov f/w, which was agrd to, 2421; Delv to the Gov on May 23, 2022; Signed by Gov on May 27, 2022, 2570.

By the Committee on Commerce and Economic Development,

H. 627. (No. 0091) An act relating to the Vermont Economic Development Authority.

C bill rd the 1st t and pl on Notice cal on January 14, 2022, 58; Rd 2nd t, 92; Rep. Kimbell of Woodstock spoke for the C on C&EcD, 92; 3rd rdg ord, 92; Amend as offd by Rep. Wood of Waterbury, Brumsted of Shelburne, Garofano of Essex, Gregoire of Fairfield, McFaun of Barre Town, Noyes of Wolcott, Pajala of Londonderry, Pugh of South Burlington, Rosenquist of Georgia, Small of Winooski, and Whitman of Bennington agrd to, 111; Rd 3rd t and pass, 112; S Message, p/con, 988; Delv to the Gov on April 14, 2022; Signed by Gov on April 20, 2022, 1029.

By Representatives Small of Winooski, Black of Essex, Bluemle of Burlington, Bos-Lun of Westminster, Brown of Richmond, Brumsted of Shelburne, Burrows of West Windsor, Cina of Burlington, Coffey of Guilford, Colburn of Burlington, Colston of Winooski, Copeland Hanzas of Bradford, Cordes of Lincoln, Dolan of Essex, Donnally of Hyde Park, Elder of Starksboro, Goldman of Rockingham, Grad of Moretown, James of Manchester, Killacky of South Burlington, Kornheiser of Brattleboro, Lippert of Hinesburg, Pajala of Londonderry, Pugh of South Burlington, Rachelson of Burlington, Rogers of Waterville, Sibia of Dover, Sims of Craftsbury, Stebbins of Burlington, Surprenant of Barnard, Vyhovsky of Essex, White of Hartford, Whitman of Bennington, and Wood of Waterbury,

H. 628. (No. 0088) An act relating to amending a birth certificate to reflect gender identity.

Rd 1st t and ref to the C on HS, 58; Rd 2nd t, 295; Rep. Small of Winooski rptd for the C on HS, 295; Rpt of C on HS agrd to, 297; 3rd rdg ord, 297; Rd 3rd t and pass, 300; S Message, p/con, 960; Delv to the Gov on April 5, 2022; Signed by Gov on April 6, 2022, 991.

By Representatives Webb of Shelburne, Brumsted of Shelburne, Grad of Moretown, and Townsend of South Burlington,

H. 629. (No. 0100) An act relating to access to adoption records.

Rd 1st t and ref to the C on Judic, 60; Rep. Goslant of Northfield moved to postp act until March 17, 2022 which was agrd to, 503; Rd 2nd t, 614; Rep. Goslant of Northfield rptd for the C on Judic, 614; Rpt of C on Judic agrd to, 619; 3rd rdg ord, 619; Rd 3rd t and pass, 698; S Message, p/con w pro of amend, 1000; S pro of amend con in, 1013; Delv to the Gov on April 27, 2022; Signed by Gov on May 3, 2022, 1604.

By Representatives Colburn of Burlington, Kornheiser of Brattleboro, Bluemle of Burlington, Cina of Burlington, Donnally of Hyde Park, Killackey of South Burlington, Mulvaney-Stanak of Burlington, Notte of Rutland City, Rachelson of Burlington, Small of Winooski, Surprenant of Barnard, Vyhovsky of Essex, and White of Hartford,

H. 630. An act relating to voluntary engagement in sex work.

Rd 1st t and ref to the C on Judic, 61.

By Representatives Ode of Burlington, Bluemle of Burlington, Burke of Brattleboro, Coffey of Guilford, Bongartz of Manchester, Noyes of Wolcott, and Satcowitz of Randolph,

H. 631. An act relating to raising the age of eligibility to marry.

Rd 1st t and ref to the C on Judic, 61.

By Representative Seymour of Sutton,

H. 632. An act relating to exempting all Social Security benefits for all Vermonters.

Rd 1st t and ref to the C on W&M, 61.

By Representatives Dolan of Waitsfield and Satcowitz of Randolph,

H. 633. An act relating to erosion control certification for excavation contractors.

Rd 1st t and ref to the C on NRF&W, 61.

By Representative Till of Jericho,

H. 634. An act relating to pregnancy center fraud.

Rd 1st t and ref to the C on HS, 61.

By Representatives Colston of Winooski, Mrowicki of Putney, Anthony of Barre City, Bluemle of Burlington, Christie of Hartford, Cina of Burlington, Copeland Hanzas of Bradford, Donnally of Hyde Park, Lippert of Hinesburg, McCormack of Burlington, Patt of Worcester, Stebbins of Burlington, Troiano of Stannard, and Vyhovsky of Essex,

H. 635. (No. 0106) An act relating to secondary enforcement of minor traffic offenses.

Rd 1st t and ref to the C on Judic, 62; Rep. Grad of Moretown moved that the C on Judic be relv/d of the bill and that the same be cmtd to the C on GO which was agrd to, 205; Rep. McCarthy of St. Albans City moved to postp act until March 22, 2022 which was agrd to, 601; Rd 2nd t, 769; Rep. Colston of Winooski rptd for the C on GO, 769; Rpt of C on GO agrd to, 770; 3rd rdg ord, 770; Rep. Shaw of Pittsford moved to amend the bill which was agrd to, 827; Rd 3rd t and pass, 828; S Message, p/con w pro of amend, 1029; Rep. Colston of Winooski moved to postp act until April 27, 2022 which was agrd to, 1177; S pro of amend con in, 1263; Delv to the Gov on May 3, 2022; Signed by Gov on May 9, 2022, 1963.

By Representatives Page of Newport City, Anthony of Barre City, Chase of Colchester, Cupoli of Rutland City, Goldman of Rockingham, Hango of Berkshire, Harrison of Chittenden, Houghton of Essex, Labor of Morgan, Morgan, L. of Milton, Morgan, M. of Milton, Mrowicki of Putney, Nicoll of Ludlow, Peterson of Clarendon, Rosenquist of Georgia, Seymour of Sutton, and Yantachka of Charlotte,

H. 636. An act relating to establishing the Vermont Imagination Library.

Rd 1st t and ref to the C on Edu, 62.

By Representatives Noyes of Wolcott, Donahue of Northfield, and Goldman of Rockingham,

H. 637. An act relating to increasing income eligibility thresholds for the Medicare Savings Programs.

Rd 1st t and ref to the C on HS, 62.

By Representatives Page of Newport City, Anthony of Barre City, Bongartz of Manchester, Chase of Colchester, Hango of Berkshire, Harrison of Chittenden, Houghton of Essex, Labor of Morgan, Morgan, L. of Milton, Morgan, M. of Milton, Nicoll of Ludlow, Rosenquist of Georgia, Seymour of Sutton, and Smith of Derby,

H. 638. An act relating to a direct-to-consumer spirits shipping license.

Rd 1st t and ref to the C on GH&MA, 62.

By Representatives Noyes of Wolcott and Wood of Waterbury,

H. 639. An act relating to payment reform for adult day service providers.

Rd 1st t and ref to the C on HS, 63.

By Representatives Cina of Burlington, Burrows of West Windsor, Christie of Hartford, Colburn of Burlington, Troiano of Stannard, and Vyhovsky of Essex,

H. 640. An act relating to creating tenant rights to purchase an apartment building.

Rd 1st t and ref to the C on GH&MA, 63.

By Representatives Notte of Rutland City, Mulvaney-Stanak of Burlington, Anthony of Barre City, Bluemle of Burlington, Bos-Lun of Westminster, Burrows of West Windsor, Christie of Hartford, Cina of Burlington, Coffey of Guilford, Colburn of Burlington, Colston of Winooski,

Cordes of Lincoln, Dolan of Waitsfield, Elder of Starksboro, Jerome of Brandon, Killacky of South Burlington, Masland of Thetford, Morris of Springfield, Mrowicki of Putney, Nicoll of Ludlow, Small of Winooski, Surprenant of Barnard, Troiano of Stannard, Vyhovsky of Essex, White of Hartford, Wood of Waterbury, and Yantachka of Charlotte,

H. 641. An act relating to public schools' or public postsecondary schools' mascots, nicknames, logos, letterhead, and team names.

Rd 1st t and ref to the C on Edu, 63.

By Representatives Smith of New Haven, Elder of Starksboro, Norris of Sheldon, and Parsons of Newbury,

H. 642. An act relating to utility-terrain vehicles.

Rd 1st t and ref to the C on Trans, 63.

By Representatives Bluemle of Burlington, Stebbins of Burlington, Anthony of Barre City, Colburn of Burlington, Mulvaney-Stanak of Burlington, and Rachelson of Burlington,

H. 643. An act relating to the governance of the Vermont State Colleges and the University of Vermont.

Rd 1st t and ref to the C on Edu, 64.

By Representatives Nicoll of Ludlow, Colburn of Burlington, Anthony of Barre City, Bartholomew of Hartland, Bluemle of Burlington, Bos-Lun of Westminster, Burke of Brattleboro, Burrows of West Windsor, Campbell of St. Johnsbury, Chase of Colchester, Christie of Hartford, Cina of Burlington, Colston of Winooski, Conlon of Cornwall, Cordes of Lincoln, Dolan of Essex, Donnally of Hyde Park, Elder of Starksboro, Hooper of Randolph, Hooper of Burlington, Houghton of Essex, Kitzmiller of Montpelier, Kornheiser of Brattleboro, McCormack of Burlington, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Pajala of Londonderry, Patt of Worcester, Rachelson of Burlington, Satcowitz of Randolph, Scheu of Middlebury, Sims of Craftsbury, Small of Winooski, Stebbins of Burlington, Surprenant of Barnard, Till of Jericho, Toleno of Brattleboro, Troiano of Stannard, Vyhovsky of Essex, White of Bethel, White of Hartford, and Yacovone of Morristown,

H. 644. An act relating to decriminalization of a personal use supply of a regulated drug.

Rd 1st t and ref to the C on Judic, 64.

By Representatives Cina of Burlington, Brumsted of Shelburne, Colburn of Burlington, Cordes of Lincoln, Dolan of Waitsfield, Elder of Starksboro, Houghton of Essex, Masland of Thetford, McCullough of Williston, Notte of Rutland City, Ode of Burlington, Rachelson of Burlington, Sims of Craftsbury, Small of Winooski, Surprenant of Barnard, Toleno of Brattleboro, and Vyhovsky of Essex,

H. 645. An act relating to the creation of a scholarship program and pilot

project for the preservation of the Abenaki language.

Rd 1st t and ref to the C on Edu, 64.

By Representatives Stebbins of Burlington, Anthony of Barre City, Burke of Brattleboro, Cordes of Lincoln, Elder of Starksboro, McCullough of Williston, Mrowicki of Putney, Patt of Worcester, and Yantachka of Charlotte,

H. 646. An act relating to joining the Transportation and Climate Initiative.

Rd 1st t and ref to the C on Trans, 65.

By Representatives Stebbins of Burlington, Anthony of Barre City, Burke of Brattleboro, Cordes of Lincoln, Elder of Starksboro, McCullough of Williston, Mrowicki of Putney, Patt of Worcester, and Yantachka of Charlotte,

H. 647. An act relating to funds collected from cap-and-invest programs.

Rd 1st t and ref to the C on Trans, 65.

By Representative Burditt of West Rutland,

H. 648. An act relating to funding for the Vermont Internet Crimes Against Children (VT-ICAC) Task Force.

Rd 1st t and ref to the C on Judic, 65.

By Representatives Noyes of Wolcott, Surprenant of Barnard, Colburn of Burlington, Mulvaney-Stanak of Burlington, Pearl of Danville, Small of Winooski, and Vyhovsky of Essex,

H. 649. An act relating to motor vehicle inspections.

Rd 1st t and ref to the C on Trans, 65.

By Representatives McCullough of Williston, Stebbins of Burlington, and Rachelson of Burlington,

H. 650. An act relating to prohibiting perfluoroalkyl and polyfluoroalkyl substances in products to be sold in Vermont and the use and import of wastes containing microplastics.

Rd 1st t and ref to the C on NRF&W, 65.

By Representatives Christie of Hartford, Cina of Burlington, Vyhovsky of Essex, Bos-Lun of Westminster, Burke of Brattleboro, Burrows of West Windsor, Colburn of Burlington, Dolan of Essex, Houghton of Essex, Small of Winooski, and Surprenant of Barnard,

H. 651. An act relating to environmental justice in Vermont.

Rd 1st t and ref to the C on NRF&W, 66.

By Representative Pugh of South Burlington,

H. 652. An act relating to physician assistant licensure by endorsement.

Rd 1st t and ref to the C on HC, 66.

By Representative Lefebvre of Newark,

H. 653. An act relating to the creation of an ecological management qualification for the Use Value Appraisal program.

Rd 1st t and ref to the C on A&F, 66.

By the Committee on Health Care,

H. 654. (No. 0085) An act relating to extending COVID-19 health care regulatory flexibility.

C bill rd the 1st t and pl on Notice cal on January 18, 2022, 66; Rep. Lippert of Hinesburg moved to recmt/d the bill to the C on HC which was agrd to, 71; Rd 2nd t, 123; Rep. Houghton of Essex rptd for the C on HC, 123; Rep. Noyes of Wolcott, Brumsted of Shelburne, Garofano of Essex, Gregoire of Fairfield, McFaun of Barre Town, Pajala of Londonderry, Pugh of South Burlington, Rosenquist of Georgia, Small of Winooski, Whitman of Bennington, and Wood of Waterbury moved to amend the rpt of the C on HC, which was agrd to, 134; Rpt of C on HC as amend agrd to, 135; 3rd rdg ord, 135; Rep. Houghton of Essex, Black of Essex, Burrows of West Windsor, Cina of Burlington, Cordes of Lincoln, Donahue of Northfield, Goldman of Rockingham, Lippert of Hinesburg, Page of Newport City, and Peterson of Clarendon moved to amend the bill which was agrd to, 136; Rd 3rd t and pass, 137; S Message, p/con, 419; Delv to the Gov on March 17, 2022; Signed by Gov on March 22, 2022, 806.

By the Committee on Health Care,

H. 655. (No. 0107) An act relating to telehealth licensure and registration and to provisional licensure for professions regulated by the Office of Professional Regulation.

C bill rd the 1st t and pl on Notice cal on January 18, 2022, 67; Rep. Lippert of Hinesburg moved to recmt/d the bill to the C on HC which was agrd to, 72; Ref to C on W&M per Rule 35(a), 182; Ref to C on Appr per Rule 35(a), 396; Rd 2nd t, 546; Rep. Houghton of Essex rptd for the C on HC, 546; Rep. Durfee of Shaftsbury recomd for the C on W&M, 553; Rep. Townsend of South Burlington recomd for the C on Appr, 555; Rpt of the C on HC amend as recomd by the C on W&M, 555; Rpt of C on HC as amend agrd to, 555; 3rd rdg ord, 555; Rd 3rd t and pass, 563; S Message, p/con, 1309; Delv to the Gov on May 3, 2022; Signed by Gov on May 9, 2022, 1963.

By Representative Hooper of Burlington,

H. 656. An act relating to the publication of State, county, and municipal notices on electronic news media.

Rd 1st t and ref to the C on GO, 76.

By Representatives Ode of Burlington, Smith of Derby, Page of Newport City, Durfee of Shaftsbury, Hango of Berkshire, and O'Brien of Tunbridge,

H. 657. An act relating to the designation of a lake in crisis.

Rd 1st t and ref to the C on NRF&W, 76.

By Representatives Vyhovsky of Essex and Surprenant of Barnard,

H. 658. An act relating to providing Medicaid-equivalent coverage to all Vermonters.

Rd 1st t and ref to the C on HC, 76.

By Representatives Vyhovsky of Essex, Small of Winooski, Burrows of West Windsor, Cina of Burlington, Colburn of Burlington, Cordes of Lincoln, Donnally of Hyde Park, Mulvaney-Stanak of Burlington, Rachelson of Burlington, and Surprenant of Barnard,

H. 659. An act relating to allowing minors to consent to nonsurgical, gender-affirming care.

Rd 1st t and ref to the C on HC, 77.

By Representatives Vyhovsky of Essex, Christie of Hartford, Cina of Burlington, Colburn of Burlington, Colston of Winooski, Mulvaney-Stanak of Burlington, Small of Winooski, and Surprenant of Barnard,

H. 660. An act relating to creating municipal and regional civilian oversight of law enforcement.

Rd 1st t and ref to the C on GO, 77.

By Representatives Vyhovsky of Essex, Anthony of Barre City, Bluemle of Burlington, Bos-Lun of Westminster, Burrows of West Windsor, Christie of Hartford, Cina of Burlington, Colburn of Burlington, Mulvaney-Stanak of Burlington, Rachelson of Burlington, Surprenant of Barnard, and Troiano of Stannard,

H. 661. (No. 0117) An act relating to licensure of mental health professionals.

Rd 1st t and ref to the C on GO, 77; Ref to C on Appr per Rule 35(a), 510; Rd 2nd t, 844; Rep. Vyhovsky of Essex rptd for the C on GO, 844; Rep. Townsend of South Burlington recomd for the C on Appr, 850; Rep. Lippert of Hinesburg, Black of Essex, Cina of Burlington, Cordes of Lincoln, Donahue of Northfield, Goldman of Rockingham, and Houghton of Essex moved to amend the rpt of the C on GO, which was agrd to, 850; Rpt of C on GO as amend agrd to, 856; 3rd rdg ord, 856; Rd 3rd t and pass, 936; S Message, p/con w pro of amend, 1410; S pro of amend con in, 1589; Delv to the Gov on May 10, 2022; Signed by Gov on May 16, 2022, 2565.

By Representatives Vyhovsky of Essex and Mulvaney-Stanak of Burlington,

H. 662. An act relating to studying an expansion of the Vermont State Employees' Retirement System.

Rd 1st t and ref to the C on GO, 77.

By Representatives Lefebvre of Orange, Achey of Middletown Springs, Brennan of Colchester, Morgan, M. of Milton, and Parsons of Newbury,

H. 663. An act relating to false statements made in connection with petitions for relief from abuse.

Rd 1st t and ref to the C on Judic, 78.

By Representatives Masland of Thetford and Mrowicki of Putney,

H. 664. An act relating to jurors' compensation.

Rd 1st t and ref to the C on Judic, 78.

By Representative Notte of Rutland City,

H. 665. An act relating to court appearances by misdemeanor defendants receiving residential substance use disorder treatment.

Rd 1st t and ref to the C on Judic, 78.

By Representatives Ode of Burlington, Burke of Brattleboro, Coffey of Guilford, Black of Essex, Brumsted of Shelburne, Dolan of Essex, Dolan of Waitsfield, Goldman of Rockingham, Houghton of Essex, Howard of Rutland City, Jerome of Brandon, Jessup of Middlesex, Mulvaney-Stanak of Burlington, Sheldon of Middlebury, and Stebbins of Burlington,

H. 666. An act relating to sexual harassment and assault in the Vermont National Guard.

Rd 1st t and ref to the C on GH&MA, 78.

By Representatives Jerome of Brandon, Dolan of Waitsfield, Nicoll of Ludlow, and Notte of Rutland City,

H. 667. An act relating to enacting the Uniform Restrictive Employment Agreements Act.

Rd 1st t and ref to the C on C&EcD, 79.

By Representatives Stevens of Waterbury, Anthony of Barre City, Bluemle of Burlington, Bos-Lun of Westminster, Brumsted of Shelburne, Burke of Brattleboro, Burrows of West Windsor, Christie of Hartford, Cina of Burlington, Coffey of Guilford, Donahue of Northfield, Killackey of South Burlington, Lippert of Hinesburg, McCullough of Williston, Mrowicki of Putney, Notte of Rutland City, Sims of Craftsbury, Sullivan of Dorset, Toleno of Brattleboro, Troiano of Stannard, White of Bethel, White of Hartford, and Wood of Waterbury,

H. 668. An act relating to the protection of Abenaki sacred sites.

Rd 1st t and ref to the C on GH&MA, 79.

By Representative Ode of Burlington,

H. 669. An act relating to employee scheduling.

Rd 1st t and ref to the C on GH&MA, 79.

By Representatives Ode of Burlington, Bluemle of Burlington, and Killackey of South Burlington,

H. 670. An act relating to employee expense reimbursement.

Rd 1st t and ref to the C on GH&MA, 79.

By Representative Scheuermann of Stowe,

H. 671. An act relating to allowing dogs on the patios of food establishments.

Rd 1st t and ref to the C on HS, 80.

By Representatives Small of Winooski, Anthony of Barre City, Bluemle of Burlington, Brumsted of Shelburne, Burke of Brattleboro, Christie of Hartford, Cina of Burlington, Colburn of Burlington, Donnally of Hyde Park, Kornheiser of Brattleboro, Mulvaney-Stanak of Burlington, Pajala of Londonderry, Surprenant of Barnard, Troiano of Stannard, Vyhovsky of Essex, Whitman of Bennington, and Wood of Waterbury,

H. 672. An act relating to miscellaneous amendments to the Reach Up program.

Rd 1st t and ref to the C on HS, 80.

By Representatives Stebbins of Burlington, Rogers of Waterville, Birong of Vergennes, Bock of Chester, Conlon of Cornwall, Durfee of Shaftsbury, Hango of Berkshire, Jerome of Brandon, Parsons of Newbury, Rosenquist of Georgia, Seymour of Sutton, Sibilia of Dover, Sims of Craftsbury, White of Bethel, Williams of Granby, and Wood of Waterbury,

H. 673. An act relating to permits for overweight and overlength motor vehicles.

Rd 1st t and ref to the C on Trans, 80.

By Representatives Burke of Brattleboro, Sibilia of Dover, Stebbins of Burlington, and White of Hartford,

H. 674. An act relating to requiring the removal of snow and ice from vehicles operated on public highways.

Rd 1st t and ref to the C on Trans, 80.

By Representative Austin of Colchester,

H. 675. An act relating to excessive motor vehicle noise.

Rd 1st t and ref to the C on Trans, 81.

By Representatives Jerome of Brandon, Anthony of Barre City, Black of Essex, Bos-Lun of Westminster, Brumsted of Shelburne, Burrows of West Windsor, Coffey of Guilford, Dolan of Waitsfield, Durfee of Shaftsbury, Hooper of Burlington, Masland of Thetford, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Ode of Burlington, Patt of Worcester, Sims of Craftsbury, Sullivan of Dorset, White of Bethel, and Wood of Waterbury,

H. 676. An act relating to child care capacity development grants.

Rd 1st t and ref to the C on HS, 81.

By Representatives Whitman of Bennington, Anthony of Barre City, Bluemle of Burlington, Brumsted of Shelburne, Campbell of St. Johnsbury, Coffey of Guilford, Cordes of Lincoln, Dolan of Waitsfield, Durfee of Shaftsbury, Elder of Starksboro, Houghton of Essex, Jerome of Brandon, Masland of Thetford, Mrowicki of Putney, Nicoll of Ludlow, Noyes of Wolcott, Ode of Burlington, Pajala of Londonderry, Rachelson of Burlington, Scheu of Middlebury, Sheldon of Middlebury, Small of Winooski, White of Hartford, Wood of Waterbury, and Yacovone of Morristown,

H. 677. An act relating to regulating cosmetic products containing certain chemicals and chemical classes.

Rd 1st t and ref to the C on HS, 81.

By Representatives Mulvaney-Stanak of Burlington, Rogers of Waterville, Burke of Brattleboro, Chase of Colchester, Christie of Hartford, Colburn of Burlington, Donnally of Hyde Park, Goldman of Rockingham, Kitzmiller of Montpelier, Leffler of Enosburgh, Nicoll of Ludlow, Notte of Rutland City, Seymour of Sutton, Sibilia of Dover, Sims of Craftsbury, Small of Winooski, Surprenant of Barnard, Vyhovsky of Essex, White of Hartford, and Whitman of Bennington,

H. 678. An act relating to legislator compensation and benefits.

Rd 1st t and ref to the C on GO, 81.

By the Committee on Appropriations,

H. 679. (No. 0083) An act relating to fiscal year 2022 budget adjustments.

C bill rd the 1st t and pl on Notice cal on January 19, 2022, 82; Rd 2nd t, 116; Rep. Hooper of Montpelier spoke for the C on Appr, 116; Rep. Hooper of Montpelier demanded yeas and nays, 116; R C Yeas = 140, Nays = 0, 116; 3rd rdg ord, 116; Rd 3rd t and pass, 118; S Message, p/con w pro of amend, 193; Rep. Fagan of Rutland City moved to postp act until February 15, 2022 which was agrd to, 210; S pro of amend not con in and C of C req/d upon mo of Rep. Jessup of Middlesex, 255; Speaker apptd Hooper of Montpelier, Fagan of Rutland City and Jessup of Middlesex as members of the C of C on the part of the H, 295; Rep. McCoy of Poultney moved to susp/d R to msg to the S f/w, 295; Which was agrd to, 295; S Message, C of C members apptd, 298; S Message, rpt of C of C adptd, 400; C of C rpt adptd (HH bill), 423; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 464; Delv to the Gov on March 10, 2022; Signed by Gov on March 16, 2022, 611.

By Representative Graham of Williamstown,

H. 680. (No. 0092) An act relating to obtaining a marriage license in any town in Vermont.

Rd 1st t and ref to the C on GO, 93; Rd 2nd t, 423; Rep. Lefebvre of Orange rptd for the C on GO, 423; 3rd rdg ord, 423; Rd 3rd t and pass, 470; S Message, p/con, 989; Delv to the Gov on April 14, 2022; Signed by Gov on April 20, 2022, 1029.

By Representatives Scheuermann of Stowe, Birong of Vergennes, and Wood of Waterbury,

H. 681. An act relating to the definition of "cider".

Rd 1st t and ref to the C on GH&MA, 94.

By Representatives McCormack of Burlington and Cina of Burlington,

H. 682. An act relating to municipal authority to limit the increase of rental rates.

Rd 1st t and ref to the C on GO, 94.

By Representative Gannon of Wilmington,

H. 683. An act relating to deducting municipal fire and rescue services from the taxes collected in unorganized towns and gores.

Rd 1st t and ref to the C on GO, 94.

By Representative Birong of Vergennes,
H. 684. An act relating to first- and third-class alcoholic beverage licenses for food trucks.

Rd 1st t and ref to the C on GH&MA, 94.

By Representative Birong of Vergennes,

H. 685. An act relating to exceptions to Vermont's tied-house law.

Rd 1st t and ref to the C on GH&MA, 94.

By Representative Birong of Vergennes,

H. 686. An act relating to parity in the manufacture and sale of alcoholic beverages.

Rd 1st t and ref to the C on GH&MA, 95.

By Representative Birong of Vergennes,

H. 687. An act relating to including lower alcohol fortified wines in the definition of "vinous beverages".

Rd 1st t and ref to the C on GH&MA, 95.

By Representative Birong of Vergennes,

H. 688. An act relating to authorizing satellite tasting rooms for alcoholic beverage manufacturers.

Rd 1st t and ref to the C on GH&MA, 95.

By Representative McCormack of Burlington,

H. 689. An act relating to requiring municipalities to adopt local enforcement plans.

Rd 1st t and ref to the C on GO, 95.

By Representative Satcowitz of Randolph,

H. 690. An act relating to amending the methods for notification of tax delinquency and tax sale proceedings.

Rd 1st t and ref to the C on W&M, 95.

By Representatives Birong of Vergennes, Hango of Berkshire, and Sibia of Dover,

H. 691. An act relating to establishing qualifications for the Adjutant and Inspector General.

Rd 1st t and ref to the C on GH&MA, 96.

By Representatives Austin of Colchester, Christie of Hartford, Cordes of Lincoln, Mulvaney-Stanak of Burlington, and Ode of Burlington,

H. 692. An act relating to language access.

Rd 1st t and ref to the C on GO, 120.

By the Committee on Government Operations,

H. 693. (No. M008) An act relating to the annual budget vote of the Northeast Kingdom Waste Management District.

C bill rd the 1st t and pl on Notice cal on January 26, 2022, 121; Rd 2nd t, 138; Rep.

Higley of Lowell spoke for the C on GO, 138; 3rd rdg ord, 138; Rd 3rd t and pass, 156; S Message, p/con, 177; Delv to the Gov on February 9, 2022; Signed by Gov on February 14, 2022, 213.

By Representative Small of Winooski,

H. 694. An act relating to prohibiting perfluoroalkyl and polyfluoroalkyl substances in Vermont.

Rd 1st t and ref to the C on NRF&W, 122.

By Representative Conlon of Cornwall,

H. 695. An act relating to the taxation of trailer coaches as real property.

Rd 1st t and ref to the C on W&M, 136.

By Representative Birong of Vergennes,

H. 696. An act relating to on-farm restaurants.

Rd 1st t and ref to the C on A&F, 153.

By the Committee on Natural Resources, Fish, and Wildlife,

H. 697. (No. 0146) An act relating to eligibility of reserve forestland for enrollment in the Use Value Appraisal Program.

C bill rd 1st t, 153; Ref to C on W&M per Rule 35(a), 153; Rd 2nd t, 409; Rep. Bongartz of Manchester rptd for the C on NRF&W, 409; Rep. Masland of Thetford recomd for the C on W&M, 409; Rpt of C on W&M agrd to, 411; Rep. Lefebvre of Orange moved that the bill be cmtd to the C on A&F which was not agrd to, 411; Rep. Higley of Lowell demanded yeas and nays, 411; R C Yeas = 83, Nays = 43, 411; 3rd rdg ord, 411; Rep. LaClair of Barre Town demanded yeas and nays, 422; R C Yeas = 99, Nays = 40, 422; Rd 3rd t and pass, 422; S Message, p/con w pro of amend, 2087; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2095; S pro of amend con in, 2095; Delv to the Gov on May 23, 2022; Signed by Gov on May 27, 2022, 2570.

By Representatives Kimbell of Woodstock, Sibilia of Dover, and Sims of Craftsbury,

H. 698. An act relating to the regulation of the recreational trails.

Rd 1st t and ref to the C on NRF&W, 153.

By Representative Black of Essex,

H. 699. An act relating to prohibiting surveillance devices on private property without consent of the property owner.

Rd 1st t and ref to the C on Judic, 153.

By Representatives Black of Essex, Brady of Williston, Dolan of Essex, Donahue of Northfield, Garofano of Essex, Houghton of Essex, and Page of Newport City,

H. 700. An act relating to suicide prevention.

Rd 1st t and ref to the C on HC, 154.

By the Committee on Ways and Means,

H. 701. (No. 0086) An act relating to cannabis license fees and the regulation of the medical cannabis registry.

Rd 1st Time, 154; Pl on cal for Notice on February 1, 2022, 154; Rd 2nd t, 166; Rep. Elder of Starksboro spoke for the C on W&M, 166; 3rd rdg ord, 166; Rd 3rd t and pass, 176; S Message, p/con w pro of amend, 505; S pro of amend con in, 606; Delv to the Gov on March 24, 2022; Signed by Gov on March 25, 2022, 959.

By Representatives Coffey of Guilford and Killacky of South Burlington,
H. 702. An act relating to appropriating funds for the 2023 Farmers' Night Concert Series.

Rd 1st t and ref to the C on Appr, 161.

By Representative Toleno of Brattleboro,

H. 703. An act relating to promoting workforce development.

Rd 1st t and ref to the C on C&EcD, 161; Ref to C on W&M per Rule 35(a), 510; Ref to C on Appr per Rule 35(a), 611; Rep. Kimbell of Woodstock moved to postp act until March 24, 2022 which was agrd to, 856; Rd 2nd t, 859; Rep. Kimbell of Woodstock rptd for the C on C&EcD, 859; Rep. Till of Jericho recomd for the C on W&M, 888; Rep. Toleno of Brattleboro recomd for the C on Appr, 890; Rep. Kimbell of Woodstock, Marcotte of Coventry, Dickinson of St. Albans Town, Jerome of Brandon, Kascenska of Burke, Kitzmiller of Montpelier, Laroche of Franklin, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Nigro of Bennington, and White of Bethel moved to subst/d an amend for the rpt of the C on Appr, 893; Which was agrd to, 933; Rpt of C on W&M wdrn, 933; Rpt of the C on C&EcD amend as recomd by the C on Appr as subst/d, 933; Rpt of C on C&EcD as amend agrd to, 933; 3rd rdg ord, 933; Rep. Cordes of Lincoln moved to amend the bill which was agrd to, 945; Rd 3rd t, 948; Rep. Marcotte of Coventry demanded yeas and nays, 948; R C Yeas = 139, Nays = 0, 948; Passed, 948.

By Representative Kimbell of Woodstock,

H. 704. An act relating to the regulation of accessory on-farm businesses.

Rd 1st t and ref to the C on A&F, 163; Ref to C on W&M per Rule 35(a), 510; Rep. Ancel of Calais moved that the C on W&M be relv/d of the bill and that the same be cmtd to the C on NRF&W which was agrd to, 696.

By Representative Leffler of Enosburgh,

H. 705. An act relating to prohibiting the running of livestock at large.

Rd 1st t and ref to the C on A&F, 163.

By Representatives Mulvaney-Stanak of Burlington, Cina of Burlington, Colburn of Burlington, Donnally of Hyde Park, Lippert of Hinesburg, Small of Winooski, Surprenant of Barnard, and Vyhovsky of Essex,

H. 706. An act relating to inclusive data collection policies for insurers and health care providers.

Rd 1st t and ref to the C on C&EcD, 182.

By Representative Austin of Colchester,

H. 707. An act relating to requiring public schools to offer prekindergarten to children four years of age and to children five years of age who are not yet enrolled in kindergarten.

Rd 1st t and ref to the C on Edu, 193.

By the Committee on Government Operations,

H. 708. An act relating to the approval of an amendment to the charter of the City of Burlington.

C bill rd the 1st t and pl on Notice cal on February 17, 2022, 299; Rd 2nd t, 306; Rep. Hooper of Burlington rptd for the C on GO, 306; Rep. Scheuermann of Stowe moved to commit the bill to the C on GH&MA which was disagr/d to, 307; Rep. McCoy of Poultney demanded yeas and nays, 307; R C Yeas = 98, Nays = 49, 307; 3rd rdg ord, 307; Rd 3rd t and pass, 390; S Message, p/con w pro of amend, 1000; S pro of amend con in, 1014; Delv to the Gov on April 27, 2022; Vetoed by the Gov on May 3, 2022, 1602; Rep. Copeland Hanzas of Bradford moved to postp act until May 10, 2022 which was agrd to, 1783; Veto of the Gov sustnd, by a vote of Yeas = 99, Nays = 51, 2059; R C Yeas = 99, Nays = 51, 2059.

By the Committee on Agriculture and Forestry,

H. 709. (No. 0174) An act relating to miscellaneous agricultural subjects.

C bill rd the 1st t and pl on Notice cal on February 17, 2022, 299; Rd 2nd t, 309; Rep. Bock of Chester rptd for the C on A&F, 309; 3rd rdg ord, 309; Rd 3rd t and pass, 390; S Message, p/con w pro of amend, 2087; S pro of amend cons, 2348; S pro of amend con in, 2348; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 2378; Delv to the Gov on May 27, 2022; Signed by Gov on June 2, 2022, 2571.

By Representatives Sims of Craftsbury, Campbell of St. Johnsbury, Higley of Lowell, Lefebvre of Newark, Page of Newport City, Smith of Derby, Troiano of Stannard, and Williams of Granby,

H. 710. An act relating to landfill operational standards.

Rd 1st t and ref to the C on NRF&W, 305.

By the Committee on Human Services,

H. 711. (No. 0118) An act relating to the creation of the Opioid Settlement Advisory Committee and the Opioid Abatement Special Fund.

C bill rd the 1st t and pl on Notice cal on February 22, 2022, 305; Rep. Pugh of South Burlington moved that the bill be cmt'd to the C on HS which was agrd to, 306; Ref to C on Appr per Rule 35(a), 473; Rd 2nd t, 686; Rep. Garofano of Essex rptd for the C on HS, 686; Rep. Fagan of Rutland City recomd for the C on Appr, 693; Rpt of the C on HS amend as recomd by the C on Appr, 695; Rep. Garofano of Essex moved to amend the rpt of the C on HS, which was agrd to, 695; Rpt of C on HS as amend agrd to, 695; 3rd rdg ord, 695; Rd 3rd t and pass, 698; S Message, p/con w pro of amend, 1310; S pro of amend con in, 1357; Delv to the Gov on May 10, 2022; Signed by Gov on May 16, 2022, 2565.

By Representative Yantachka of Charlotte,

H. 712. An act relating to provider eligibility for broadband grants under the Vermont Community Broadband Fund.

Rd 1st t and ref to the C on E&T, 386.

By Representatives Stevens of Waterbury, Bluemle of Burlington, Killacky of South Burlington, Troiano of Stannard, and Walz of Barre City,

H. 713. An act relating to medical leave for a serious injury.

Rd 1st t and ref to the C on GH&MA, 396.

By Representatives Page of Newport City, Hango of Berkshire, and Labor of Morgan,

H. 714. An act relating to the creation of a blighted property special fund.
Rd 1st t and ref to the C on GO, 396.

By the Committee on Energy and Technology,

H. 715. An act relating to the Clean Heat Standard.

C bill rd 1st t, 408; Ref to C on Appr per Rule 35(a), 408; Rd 2nd t, 602; Rep. Briglin of Thetford spoke for the C on E&T, 602; Rep. Scheu of Middlebury recomd for the C on Appr, 602; Rep. Harrison of Chittenden, Fagan of Rutland City, and Murphy of Fairfax moved to amend the bill which was disagr/d to, 602; Rep. Murphy of Fairfax demanded yeas and nays, 603; R C Yeas = 44, Nays = 96, 603; Rep. Briglin of Thetford demanded yeas and nays, 604; R C Yeas = 96, Nays = 44, 604; 3rd rdg ord, 604; Rd 3rd t and pass, 629; S Message, p/con w pro of amend, 1410; S pro of amend cons, 1571; Rep. LaClair of Barre Town demanded yeas and nays, 1587; R C Yeas = 88, Nays = 37, 1587; S pro of amend con in, 1587; Rep. Bartholomew of Hartland moved to delv the bill to the Gov f/w, which was agrd to, 1602; Delv to the Gov on May 4, 2022; Vetoed by the Gov on May 6, 2022, 1955; Rep. Briglin of Thetford moved to postp act until May 10, 2022 which was agrd to, 2055; Veto of the Gov sustnd, by a vote of Yeas = 99, Nays = 51, 2074; R C Yeas = 99, Nays = 51, 2074.

By the Committee on Education,

H. 716. (No. 0175) An act relating to making miscellaneous changes in education law.

C bill rd 1st t, 408; Ref to C on W&M per Rule 35(a), 408; Ref to C on Appr per Rule 35(a), 494; Rd 2nd t, 695; Rep. Webb of Shelburne spoke for the C on Edu, 695; Rep. Beck of St. Johnsbury recomd for the C on W&M, 695; Rep. Scheu of Middlebury recomd for the C on Appr, 696; Rpt of C on W&M agrd to, 696; 3rd rdg ord, 696; Rd 3rd t and pass, 698; S Message, p/con w pro of amend, 2098; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2334; S pro of amend con in w further amend thereto, as offd by Rep. Webb of Shelburne, Arrison of Weathersfield, Austin of Colchester, Brady of Williston, Brown of Richmond, Conlon of Cornwall, Cupoli of Rutland City, Hooper of Randolph, James of Manchester, Toof of St. Albans Town, and Williams of Granby, 2338; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2339; S Message, H pro of amend to S pro of amend con in, 2340; Rep. McCoy of Poultney moved to delv the bill to the Gov f/w, which was agrd to, 2421; Delv to the Gov on May 27, 2022; Signed by Gov on June 2, 2022, 2571.

By the Committee on Appropriations,

H. 717. (No. 0082) An act relating to providing humanitarian assistance to the people of Ukraine.

C bill rd the 1st t and pl on Notice cal on March 9, 2022, 420; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 464; Rd 2nd t, 465; Rep. Harrison of Chittenden recomd for the C on Appr, 465; 3rd rdg ord, 465; R susp/d and bill pl in all remaining stgs of pass as moved by Rep. McCoy of Poultney, 465; Rd 3rd t and pass, 465; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 465; S Message, p/con, 472; Delv to the Gov on March 11, 2022; Signed by Gov on March 15, 2022, 556.

By Representative Taylor of Colchester,

H. 718. (No. M011) An act relating to approval of the dissolution of

Colchester Fire District No. 1.

Rd 1st t and ref to the C on GO, 420; Ref to C on W&M per Rule 35(a), 612; Rd 2nd t, 857; Rep. Lefebvre of Orange rptd for the C on GO, 857; Rep. Brennan of Colchester recomd for the C on W&M, 858; 3rd rdg ord, 858; Rd 3rd t and pass, 936; S Message, p/con, 1020; Delv to the Gov on April 21, 2022; Signed by Gov on April 27, 2022, 1311.

By Representative Anthony of Barre City,

H. 719. An act relating to support for municipal services that have traditionally been provided by the State.

Rd 1st t and ref to the C on GO, 420.

By the Committee on Human Services,

H. 720. (No. 0186) An act relating to the system of care for individuals with developmental disabilities.

C bill rd 1st t, 420; Ref to C on Appr per Rule 35(a), 420; Rd 2nd t, 731; Rep. Wood of Waterbury spoke for the C on HS, 731; Rep. Yacovone of Morristown recomd for the C on Appr, 731; Rpt of C on Appr agrd to, 731; Amend as offd by Rep. Wood of Waterbury, Brumsted of Shelburne, Garofano of Essex, Gregoire of Fairfield, McFaun of Barre Town, Noyes of Wolcott, Pajala of Londonderry, Pugh of South Burlington, Rosenquist of Georgia, Small of Winooski, and Whitman of Bennington agrd to, 731; 3rd rdg ord, 732; Rd 3rd t and pass, 771; S Message, p/con w pro of amend, 1411; S pro of amend cons, 1590; Rep. Wood of Waterbury moved the H refuse to con and asked for a C of C, 1596; Which was agrd to, 1596; Speaker apptd Wood of Waterbury, McFaun of Barre Town and Noyes of Wolcott as members of the C of C on the part of the H, 1596; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1602; S Message, C of C members apptd, 1606; S Message, rpt of C of C adptd, 2088; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2214; C of C rpt adptd (HH bill), 2215; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2225; Delv to the Gov on June 3, 2022; Allowed to become law w/o the signature of the Gov on June 9, 2022, 2575.

By Representative Notte of Rutland City,

H. 721. An act relating to the right to enroll a child in a public school where the property owned by the child's parent or guardian in the municipality is not their homestead.

Rd 1st t and ref to the C on Edu, 493.

By the Committee on Government Operations,

H. 722. (No. 0089) An act relating to reapportioning the final representative districts of the House of Representatives and the senatorial districts of the Senate.

C bill rd the 1st t and pl on Notice cal on March 15, 2022, 492; Rd 2nd t, 563; Rep. Copeland Hanzas of Bradford spoke for the C on GO, 563; Rep. Copeland Hanzas of Bradford demanded yeas and nays, 563; R C Yeas = 129, Nays = 13, 563; 3rd rdg ord, 563; Rd 3rd t and pass, 629; S Message, p/con w pro of amend, 960; S pro of amend con in, 972; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 977; Delv to the Gov on March 31, 2022; Signed by Gov on April 6, 2022, 991.

By Representative Cina of Burlington,

H. 723. An act relating to establishing a program to encourage the

implementation of year-round agricultural practices.

Rd 1st t and ref to the C on A&F, 507.

By Representative Cina of Burlington,

H. 724. An act relating to artificial intelligence and workforce development.

Rd 1st t and ref to the C on C&EcD, 507.

By Representatives Chase of Colchester, Patt of Worcester, White of Bethel, White of Hartford, and Yantachka of Charlotte,

H. 725. An act relating to regulating credit reporting by landlords and others.

Rd 1st t and ref to the C on C&EcD, 507.

By Representatives Stebbins of Burlington, Bluemle of Burlington, Cina of Burlington, Colburn of Burlington, Hooper of Burlington, McCormack of Burlington, Mulvaney-Stanak of Burlington, Ode of Burlington, Rachelson of Burlington, and Small of Winooski,

H. 726. An act relating to the Agency of Natural Resources' testing of schools for the presence of PCBs.

Rd 1st t and ref to the C on NRF&W, 507.

By the Committee on Education,

H. 727. (No. 0176) An act relating to the exploration, formation, and organization of union school districts and unified union school districts.

C bill rd the 1st t and pl on Notice cal on March 16, 2022, 507; Rd 2nd t, 629; Rep. Conlon of Cornwall rptd for the C on Edu, 629; Rep. Leffler of Enosburgh, Colburn of Burlington, Cordes of Lincoln, Higley of Lowell, LaClair of Barre Town, Laroche of Franklin, Lefebvre of Orange, Mrowicki of Putney, Norris of Sheldon, Page of Newport City, Patt of Worcester, Small of Winooski, Strong of Albany, Surprenant of Barnard, Vyhovsky of Essex, and Yacovone of Morristown moved to amend the bill, 630; Divid demanded, 632; Divid results Yeas 46, Nays 73, 632; Which was disagr/d to, 632; Rep. Cordes of Lincoln demanded yeas and nays, 632; R C Yeas = 98, Nays = 39, 632; 3rd rdg ord, 632; Amend as offd by Rep. Peterson of Clarendon wdrn, 699; Rd 3rd t and pass, 699; S Message, p/con w pro of amend, 1784; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 1821; Rep. Conlon of Cornwall moved the H refuse to con and asked for a C of C, 1924; Which was agrd to, 1924; Speaker apptd Conlon of Cornwall, Toof of St. Albans Town and Brady of Williston as members of the C of C on the part of the H, 1924; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1924; S Message, C of C members apptd, 1961; S Message, rpt of C of C adptd, 2213; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2228; C of C rpt adptd (HH bill), 2333; Delv to the Gov on June 1, 2022; Signed by Gov on June 7, 2022, 2572.

By the Committee on Human Services,

H. 728. An act relating to opioid overdose response services.

C bill rd 1st t, 508; Ref to C on Appr per Rule 35(a), 508; Rep. Whitman of Bennington moved to postp act until March 24, 2022 which was agrd to, 805; Rd 2nd t, 933; Rep. Whitman of Bennington spoke for the C on HS, 933; Rep. Fagan of Rutland City recomd for the C on Appr, 933; Rpt of C on Appr agrd to, 934; Rep. Whitman of Bennington moved to

amend the bill which was agrd to, 934; 3rd rdg ord, 936; Rd 3rd t and pass, 949; S Message, p/con w pro of amend, 1606; Act postp to next legislative day as moved by Rep. Whitman of Bennington, 1819; S pro of amend con in, 1971; Delv to the Gov on June 1, 2022; Vetoed by the Gov on June 7, 2022, 2573.

By the Committee on Judiciary,

H. 729. (No. 0147) An act relating to miscellaneous judiciary procedures.

C bill rd 1st t, 508; Ref to C on W&M per Rule 35(a), 508; Ref to C on Appr per Rule 35(a), 612; Rd 2nd t, 858; Rep. Norris of Sheldon spoke for the C on Judic, 858; Rep. Canfield of Fair Haven recomd for the C on W&M, 858; Rep. Scheu of Middlebury recomd for the C on Appr, 858; 3rd rdg ord, 858; Rd 3rd t and pass, 937; S Message, p/con w pro of amend, 1456; Rep. Norris of Sheldon moved to postp act until May 6, 2022 which was agrd to, 1745; S pro of amend cons, 1925; Rep. Norris of Sheldon moved to con in the S pro of amend w a further amend thereto, 1942; Rep. Bartholomew of Hartland moved to amend the H pro of amend offd by Rep. Norris of Sheldon, 1942; Which was agrd to, 1942; S pro of amend con in w further amend thereto, 1942; S Message, H pro of amend to S pro of amend con in, 2087; Delv to the Gov on May 25, 2022; Signed by Gov on May 31, 2022, 2570.

By the Committee on General, Housing, and Military Affairs,

H. 730. (No. 0177) An act relating to alcoholic beverages and the Department of Liquor and Lottery.

C bill rd 1st t, 508; Ref to C on W&M per Rule 35(a), 508; Rd 2nd t, 856; Rep. Birong of Vergennes spoke for the C on GH&MA, 856; Rep. Elder of Starksboro recomd for the C on W&M, 856; Rpt of C on W&M agrd to, 857; 3rd rdg ord, 857; Rd 3rd t and pass, 937; S Message, p/con w pro of amend, 2213; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2348; S pro of amend con in, 2373; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 2378; Delv to the Gov on June 1, 2022; Signed by Gov on June 7, 2022, 2572.

By the Committee on Government Operations,

H. 731. (No. 0105) An act relating to technical corrections for the 2022 legislative session.

C bill rd the 1st t and pl on Notice cal on March 16, 2022, 508; Rd 2nd t, 634; Rep. LaClair of Barre Town rptd for the C on GO, 634; 3rd rdg ord, 634; Rd 3rd t and pass, 699; S Message, p/con w pro of amend, 1020; S pro of amend con in, 1027; Delv to the Gov on April 29, 2022; Signed by Gov on May 5, 2022, 1746.

By Representatives Cina of Burlington, Austin of Colchester, Burrows of West Windsor, and Harrison of Chittenden,

H. 732. An act relating to hosting the Winter Olympics in Vermont.

Rd 1st t and ref to the C on C&EcD, 508.

By Representative Till of Jericho,

H. 733. An act relating to lowering the legal blood alcohol concentration limit to operate a motor vehicle to below 0.05.

Rd 1st t and ref to the C on Trans, 509.

By Representative Grad of Moretown,

H. 734. An act relating to adopting the Council of State Governments' recommendations set forth in its November of 2021 report to the Justice

Reinvestment II Working Group.

Rd 1st t and ref to the C on Judic, 509.

By Representative Stebbins of Burlington,

H. 735. An act relating to considering using reference-based pricing for the State employees' health plan.

Rd 1st t and ref to the C on HC, 509.

By the Committee on Transportation,

H. 736. (No. 0184) An act relating to the Transportation Program and miscellaneous changes to laws related to transportation.

C bill rd 1st t, 556; Ref to C on W&M per Rule 35(a), 556; Ref to C on Appr per Rule 35(a), 610; Rd 2nd t, 937; Rep. Lanpher of Vergennes spoke for the C on Trans, 937; Rep. Brennan of Colchester recomd for the C on W&M, 937; Rep. Toleno of Brattleboro recomd for the C on Appr, 937; Rpt of C on Appr agrd to, 939; Rep. Burke of Brattleboro moved to amend the bill which was agrd to, 939; 3rd rdg ord, 939; Rd 3rd t and pass, 950; S Message, p/con w pro of amend, 1179; Rep. Lanpher of Vergennes moved to postp act until April 28, 2022 which was agrd to, 1307; Rep. Lanpher of Vergennes moved to postp act until April 29, 2022 which was agrd to, 1312; S pro of amend cons, 1360; Rep. Lanpher of Vergennes moved to con in the S pro of amend w a further amend thereto, 1400; Rep. Small of Winooski moved to amend the H pro of amend offd by Rep. Lanpher of Vergennes, 1406; Rep. Small of Winooski asked and was granted lv to wdr amend, 1408; S pro of amend con in w further amend thereto, as offd by Rep. Lanpher of Vergennes, 1408; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1408; S Message, H pro of amend to S pro of amend con in w further amend thereto, 1959; S pro of amend to H pro of amend to S pro of amend con in, 2049; Delv to the Gov on June 3, 2022; Signed by Gov on June 9, 2022, 2574.

By the Committee on Ways and Means,

H. 737. (No. 0178) An act relating to setting the homestead property tax yields and the nonhomestead property tax rate.

C bill rd the 1st t and pl on Notice cal on March 22, 2022, 697; Rd 2nd t, 828; Rep. Beck of St. Johnsbury spoke for the C on W&M, 828; 3rd rdg ord, 828; Rd 3rd t and pass, 937; S Message, p/con w pro of amend, 2340; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2379; S pro of amend con in, 2381; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 2403; Delv to the Gov on June 1, 2022; Signed by Gov on June 7, 2022, 2573.

By the Committee on Ways and Means,

H. 738. (No. 0179) An act relating to technical and administrative changes to Vermont's tax laws.

C bill rd the 1st t and pl on Notice cal on March 22, 2022, 697; Rd 2nd t, 828; Rep. Ode of Burlington spoke for the C on W&M, 828; Rep. Mulvaney-Stanak of Burlington moved to amend the bill, 828; Rep. Bartholomew of Hartland raised a Point of Order, 829; Pt of o ruled well tkn, 829; Ruling of the Chair was challenged by Rep. Colburn of Burlington which ruling was upheld, 829; Divid results Yeas 130, Nays 6, 829; Amend of Rep. Mulvaney-Stanak of Burlington ruled not germane, 829; 3rd rdg ord, 829; Rd 3rd t and pass, 937; S Message, p/con w pro of amend, 2058; Rep. Long of Newfane moved to postp act until May 12, 2022 which was agrd to, 2339; S pro of amend cons, 2392; S pro of amend con in w further amend thereto, as offd by Rep. Kornheiser of Brattleboro, Ancel of Calais, Beck of St. Johnsbury, Brennan of Colchester, Canfield of Fair Haven, Durfee of Shaftsbury, Elder of Starksboro, Masland of

Thetford, Mattos of Milton, Ode of Burlington, and Till of Jericho, 2401; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2402; S Message, H pro of amend con in, 2420; Rep. McCoy of Poultney moved to delv the bill to the Gov f/w, which was agrd to, 2421; Delv to the Gov on June 1, 2022; Signed by Gov on June 7, 2022, 2573.

By the Committee on Corrections and Institutions,

H. 739. (No. 0180) An act relating to capital construction and State bonding budget adjustment.

C bill rd 1st t, 734; Ref to C on Appr per Rule 35(a), 734; Rd 2nd t, 956; Rep. Emmons of Springfield spoke for the C on C&I, 956; Rep. Feltus of Lyndon recomd for the C on Appr, 956; Rpt of C on Appr agrd to, 958; 3rd rdg ord, 958; Rd 3rd t and pass, 964; S Message, p/con w pro of amend, 1409; Rep. Emmons of Springfield moved to postp act until May 5, 2022 which was agrd to, 1601; Rep. Coffey of Guilford moved to postp act until May 7, 2022 which was agrd to, 1726; S pro of amend cons, 1977; S pro of amend con in w further amend thereto, as offd by Rep. Emmons of Springfield, 1989; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2059; S Message, H pro of amend to S pro of amend con in, 2121; Delv to the Gov on June 1, 2022; Signed by Gov on June 7, 2022, 2573.

By the Committee on Appropriations,

H. 740. (No. 0185) An act relating to making appropriations for the support of government.

C bill rd the 1st t and pl on Notice cal on March 23, 2022, 734; Rd 2nd t, 940; Rep. Hooper of Montpelier spoke for the C on Appr, 940; 3rd rdg ord, 940; Rep. Hooper of Montpelier, Fagan of Rutland City, Feltus of Lyndon, Harrison of Chittenden, Helm of Fair Haven, Jessup of Middlesex, Scheu of Middlebury, Toleno of Brattleboro, Townsend of South Burlington, Squirrell of Underhill, and Yacovone of Morristown moved to amend the bill which was agrd to, 950; Rd 3rd t, 952; Rep. Fagan of Rutland City demanded yeas and nays, 953; R C Yeas = 135, Nays = 4, 953; Passed, 953; S Message, p/con w pro of amend, 1029; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 1034; Rep. Hooper of Montpelier moved the H refuse to con and asked for a C of C, 1152; Which was agrd to, 1152; Speaker apptd Hooper of Montpelier, Fagan of Rutland City and Jessup of Middlesex as members of the C of C on the part of the H, 1152; Rep. McCoy of Poultney moved to susp/d R to msg to the S f/w, 1152; Which was agrd to, 1152; S Message, C of C members apptd, 1180; S Message, rpt of C of C adptd, 2420; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2422; Rep. Hooper of Montpelier demanded yeas and nays, 2561; R C Yeas = 133, Nays = 3, 2561; C of C rpt adptd (HH bill), 2561; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 2563; Delv to the Gov on June 3, 2022; Signed by Gov on June 9, 2022, 2575.

By Representatives McCarthy of St. Albans City and Toof of St. Albans Town,

H. 741. (No. M012) An act relating to approval of amendments to the charter of the City of St. Albans.

Rd 1st t and ref to the C on GO, 806; Rd 2nd t, 1003; Rep. McCarthy of St. Albans City rptd for the C on GO, 1003; Rpt of C on GO agrd to, 1003; 3rd rdg ord, 1003; Rd 3rd t and pass, 1006; S Message, p/con, 1309; Delv to the Gov on May 3, 2022; Signed by Gov on May 9, 2022, 1963.

By Representatives Morgan, M. of Milton, Mattos of Milton, Morgan, L. of Milton, and Palasik of Milton,

H. 742. (No. M016) An act relating to approval of amendments to the charter of the Town of Milton.

Rd 1st t and ref to the C on GO, 961; Rd 2nd t, 1415; Rep. Higley of Lowell moved to postp act until later in the O of D which was agrd to, 1416; Rep. Higley of Lowell rptd for the C on GO, 1432; Rpt of C on GO agrd to, 1433; 3rd rdg ord, 1433; Rd 3rd t and pass, 1609; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1705; S Message, p/con, 2086; Delv to the Gov on May 25, 2022; Signed by Gov on May 31, 2022, 2570.

By Representative Troiano of Stannard,

H. 743. (No. M017) An act relating to amending the charter of the Town of Hardwick.

Rd 1st t and ref to the C on GO, 978; Rd 2nd t, 1183; Rep. Lefebvre of Orange rptd for the C on GO, 1183; Rpt of C on GO agrd to, 1183; 3rd rdg ord, 1183; Rd 3rd t and pass, 1264; S Message, p/con, 1964; Delv to the Gov on June 1, 2022; Signed by Gov on June 7, 2022, 2573.

By the Committee on Government Operations,

H. 744. (No. M014) An act relating to approval of an amendment to the charter of the City of Burlington.

C bill rd the 1st t and pl on Notice cal on April 6, 2022, 985; Rd 2nd t, 992; Rep. LaClair of Barre Town spoke for the C on GO, 992; 3rd rdg ord, 992; Rd 3rd t and pass, 995; S Message, p/con, 1309; Delv to the Gov on May 13, 2022; Allowed to become law w/o the signature of the Gov on May 19, 2022, 2566.

By Representative Leffler of Enosburgh,

H. 745. (No. M018) An act relating to the approval of the adoption of the charter of the Town of Montgomery.

Rd 1st t and ref to the C on GO, 989; Ref to C on W&M per Rule 35(a), 1181; Rd 2nd t, 1415; Rep. Lefebvre of Orange rptd for the C on GO, 1415; Rep. Ancel of Calais recomd for the C on W&M, 1417; Rpt of the C on GO amend as recomd by the C on W&M, 1417; Rpt of C on GO as amend agrd to, 1417; 3rd rdg ord, 1417; Rd 3rd t and pass, 1610; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1705; S Message, p/con, 2087; Delv to the Gov on June 1, 2022; Signed by Gov on June 7, 2022, 2573.

By Representatives Hooper of Burlington, Anthony of Barre City, Bluemle of Burlington, Cina of Burlington, Colston of Winooski, Mulvaney-Stanak of Burlington, Ode of Burlington, Rachelson of Burlington, Small of Winooski, Stebbins of Burlington, and Vyhovsky of Essex,

H. 746. (No. M019) An act relating to an amendment to the charter of the City of Burlington.

Rd 1st t and ref to the C on GO, 994; Rd 2nd t, 1558; Rep. Gannon of Wilmington rptd for the C on GO, 1558; Rep. LaClair of Barre Town demanded yeas and nays, 1558; R C Yeas = 105, Nays = 33, 1558; 3rd rdg ord, 1558; Rd 3rd t and pass, 1610; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1705; S Message, p/con, 2087; Delv to the Gov on June 1, 2022; Signed by Gov on June 7, 2022, 2573.

SENATE BILLS

By Senator Baruth,

S. 4. (No. 0087) An act relating to procedures involving firearms.

Rd 1st t and ref to the C on Judic, 509; Rd 2nd t, 655; Rep. Notte of Rutland City rptd for the C on Judic, 655; Rep. LaClair of Barre Town demanded yeas and nays, 655; R C Yeas = 90, Nays = 42, 655; 3rd rdg ord, 655; Rd 3rd t and p/con, 699; S Message, signed by Gov March 25, 2022, 965.

By Senators Sears and Brock,

S. 11. (No. 0183) An act relating to economic and workforce development.

Ref to C on W&M per Rule 35(a), 1311; Ref to C on Appr per Rule 35(a), 1408; Rd 2nd t, 1456; Rep. Kimbell of Woodstock rptd for the C on C&EcD, 1456; Rep. Ancel of Calais recomd for the C on W&M, 1511; Rep. Toleno of Brattleboro recomd for the C on Appr, 1511; Rpt of the C on C&EcD amend as recomd by the C on W&M, 1512; Rep. Kimbell of Woodstock, Dickinson of St. Albans Town, Jerome of Brandon, Kascenska of Burke, Laroche of Franklin, Marcotte of Coventry, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Nigro of Bennington, and White of Bethel moved to amend the rpt of the C on C&EcD, as amend, which was agrd to, 1512; Rpt of C on C&EcD as amend agrd to, 1518; 3rd rdg ord, 1518; R susp/d and bill pl in all remaining stgs of pass as moved by Rep. McCoy of Poultney, 1518; Rd 3rd t and p/con w pro of amend, 1518; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1518; S Message, H pro of amend con in w further amend thereto, 1614; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 1614; Rep. Kimbell of Woodstock moved the H refuse to con and asked for a C of C, 1700; Which was agrd to, 1700; Speaker apptd Marcotte of Coventry, Kimbell of Woodstock and Jerome of Brandon as members of the C of C on the part of the H, 1700; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1700; S Message, C of C members apptd, 1707; R susp/d and tkn up for imm cons as moved by Rep. LaClair of Barre Town, 2123; C of C rpt adptd (SS bill), 2191; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2212; S Message, rpt of C of C adptd, 2227; S Message, signed by Gov June 8, 2022, 2577.

By Senators Baruth, Balint, Bray, Campion, Chittenden, Clarkson, Cummings, Hardy, Hooker, Lyons, McCormack, Pearson, Perchlik, Ram Hinsdale, Sirotkin, and White,

S. 30. An act relating to prohibiting possession of firearms within hospital buildings.

Rd 2nd t, 143; Rep. Notte of Rutland City rptd for the C on Judic, 143; Rep. Smith of Derby moved to commit the bill to the C on HC, 148; Rep. Brennan of Colchester demanded yeas and nays, 149; R C Yeas = 55, Nays = 90, 149; Which was disagr/d to, 149; Rep. Peterson of Clarendon demanded yeas and nays, 150; R C Yeas = 97, Nays = 49, 150; Rpt of C on Judic agrd to, 150; Divid demanded, 152; Divid results Yeas 93, Nays 47, 152; 3rd rdg ord, 152; Amend as offd by Rep. Brennan of Colchester wdrn, 156; Rd 3rd t and p/con w pro of amend, 157; Divid demanded, 157; Divid results Yeas 84, nays 42, 157; S Message, H pro of amend con in w further amend thereto, 181; Rep. Notte of Rutland City moved to postp act until February 10, 2022 which was agrd to, 201; Rep. Brennan of Colchester demanded yeas and nays, 206; R C Yeas = 91, Nays = 53, 206; S pro of amend to the H pro of amend agrd to, 206; S Message, vetoed by Gov February 22, 2022, 394; S Message, Gov's veto overridden, 506; Rep. Grad of Moretown moved to postp act until May 17, 2022 which was agrd to, 696.

By Senators Sirotkin, Balint, Brock, and Clarkson,

S. 33. An act relating to project-based tax increment financing districts.

R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 1947; Rd 2nd t, 1947; Rep. Kimbell of Woodstock rptd for the C on C&EcD, 1947; Rep. Kornheiser of Brattleboro recomd for the C on W&M, 1949; Rpt of the C on C&EcD amend as recomd by the C on W&M, 1954; Rpt of C on C&EcD as amend agrd to, 1954; 3rd rdg ord, 1954; R susp/d and bill pl in all remaining stgs of pass as moved by Rep. McCoy of Poultney, 1954; Rd 3rd t and p/con w pro of amend, 1954; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1954.

By Senators Pearson, Lyons, Sirotkin, and Hardy,

S. 53. (No. 0148) An act relating to changes to Vermont corporate income tax and conformity to federal tax laws.

S Message, H pro of amend con in w further amend thereto, 733; Rep. Ancel of Calais moved to postp act until March 30, 2022 which was agrd to, 858; Rep. Ancel of Calais moved the H refuse to con and asked for a C of C, 966; Which was agrd to, 972; Speaker apptd Ancel of Calais, Kornheiser of Brattleboro and Beck of St. Johnsbury as members of the C of C on the part of the H, 972; S Message, C of C members apptd, 984; C of C rpt adptd (SS bill), 2049; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2056; S Message, rpt of C of C adptd, 2088; S Message, signed by Gov May 31, 2022, 2575.

By Senators Lyons and Sears,

S. 72. (No. 0101) An act relating to the Interstate Compact on the Placement of Children.

Rd 1st t and ref to the C on HS, 942; Ref to C on Appr per Rule 35(a), 985; Rd 2nd t, 998; Rep. Gregoire of Fairfield rptd for the C on HS, 998; Rep. Jessup of Middlesex recomd for the C on Appr, 998; Rep. Gregoire of Fairfield and Small of Winooski moved to amend the bill which was agrd to, 998; 3rd rdg ord, 998; Rd 3rd t and p/con w pro of amend, 1001; S Message, H pro of amend con in, 1029; S Message, signed by Gov May 3, 2022, 1605.

By Senators McCormack, Clarkson, Lyons, and Sirotkin,

S. 74. (No. 0097) An act relating to modifications to Vermont's patient choice at end of life laws.

Rd 1st t and ref to the C on HS, 123; Rd 2nd t, 1007; Rep. Pugh of South Burlington rptd for the C on HS, 1007; Rep. Donahue of Northfield moved to amend the bill, 1007; Rep. Donahue of Northfield demanded yeas and nays, 1008; R C Yeas = 41, Nays = 98, 1008; Which was disagr/d to, 1008; 3rd rdg ord, 1009; Rd 3rd t and p/con, 1010; S Message, signed by Gov April 27, 2022, 1324.

By Senator Hooker,

S. 78. (No. 0081) An act relating to binding interest arbitration for employees of the Vermont Judiciary.

Rep. Walz of Barre City moved to postp act until January 20, 2022 which was agrd to, 39; Rd 2nd t, 115; Rep. Walz of Barre City rptd for the C on GH&MA, 115; Amend as offd by Rep. Walz of Barre City agrd to, 115; 3rd rdg ord, 116; Rd 3rd t and p/con w pro of amend, 118; S Message, H pro of amend con in, 160; S Message, signed by Gov February 8, 2022, 193.

By Senators Lyons, Terenzini, Campion, Chittenden, Cummings, Hardy, Hooker, and Perchlik,

S. 90. (No. 0149) An act relating to establishing an amyotrophic lateral sclerosis registry.

Rd 1st t and ref to the C on HC, 942; Rep. Lippert of Hinesburg moved that the C on HC be relv/d of the bill and that the same be cmdt to the C on HS which was agrd to, 964; Rd 2nd t, 1568; Rep. Small of Winooski rptd for the C on HS, 1568; Rpt of C on HS agrd to, 1571; 3rd rdg ord, 1571; Rd 3rd t and p/con w pro of amend, 1610; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1705; S Message, H pro of amend con in, 1960; S Message, signed by Gov May 31, 2022, 2576.

By Senators Westman, Hardy, Hooker, McCormack, and Perchlik,

S. 91. (No. 0150) An act relating to the Parent Child Center Network.

Rd 1st t and ref to the C on HS, 942; Ref to C on Appr per Rule 35(a), 1954; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2091; Rd 2nd t, 2091; Rep. Brumsted of Shelburne rptd for the C on HS, 2091; Rep. Jessup of Middlesex recomd for the C on Appr, 2094; Rpt of C on HS agrd to, 2094; 3rd rdg ord, 2094; R susp/d and bill pl in all remaining stgs of pass as moved by Rep. McCoy of Poultney, 2094; Rd 3rd t and p/con w pro of amend, 2094; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2094; S Message, H pro of amend con in, 2121; S Message, signed by Gov May 31, 2022, 2576.

By the Committee on Agriculture,

S. 100. (No. 0151) An act relating to universal school meals.

Ref to C on W&M per Rule 35(a), 992; Ref to C on Appr per Rule 35(a), 1021; Rd 2nd t, 1183; Rep. Brady of Williston rptd for the C on Edu, 1183; Rep. Durfee of Shaftsbury recomd for the C on W&M, 1188; Rep. Scheu of Middlebury recomd for the C on Appr, 1189; Divid demanded, 1189; Divid results Yays 93, Nays 33, 1189; Rpt of the C on Edu amend as recomd by the C on W&M, 1189; Rpt of C on Edu as amend agrd to, 1189; 3rd rdg ord, 1189; Rd 3rd t and p/con w pro of amend, 1264; S Message, H pro of amend con in w further amend thereto, 1959; S pro of amend to the H pro of amend con in, 2039; S Message, signed by Gov May 31, 2022, 2576.

By Senators Sears and Campion,

S. 113. (No. 0093) An act relating to establishing a cause of action for medical monitoring expenses.

Rd 1st t and ref to the C on Judic, 182; Rd 2nd t, 993; Rep. Burditt of West Rutland rptd for the C on Judic, 993; 3rd rdg ord, 994; Rd 3rd t and p/con, 995; S Message, signed by Gov April 21, 2022, 1030.

By Senator Pearson,

S. 122. (No. 0123) An act relating to the required votes of presidential electors.

Rd 1st t and ref to the C on GO, 299; Rd 2nd t, 1560; Rep. Vyhovsky of Essex rptd for the C on GO, 1560; 3rd rdg ord, 1560; Rd 3rd t and p/con, 1610; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1705; S Message, signed by Gov May 23, 2022, 2575.

By Senator Sears,

S. 127. (No. 0124) An act relating to clarifying community supervision furlough appeals and the powers of the Corrections Monitoring Commission.

Rd 1st t and ref to the C on C&I, 942; Rd 2nd t, 1256; Rep. Dolan of Essex rptd for the C on C&I, 1256; Rpt of C on C&I agrd to, 1260; 3rd rdg ord, 1260; Rd 3rd t and p/con w pro of amend, 1264; S Message, H pro of amend con in, 1606; S Message, signed by Gov May 23, 2022, 2575.

By Senator McCormack,

S. 139. (No. 0152) An act relating to nondiscriminatory school branding.

Rd 1st t and ref to the C on Edu, 556; Rep. Webb of Shelburne moved to postp act until May 5, 2022 which was agrd to, 1560; Rd 2nd t, 1709; Rep. Brown of Richmond rptd for the C on Edu, 1709; Rep. Mulvaney-Stanak of Burlington demanded yeas and nays, 1709; R C Yeas = 96, Nays = 47, 1709; 3rd rdg ord, 1709; Rd 3rd t and p/con, 1788; S Message, signed by Gov May 31, 2022, 2576.

By Senator Baruth,

S. 140. (No. 0153) An act relating to prohibiting civil arrests at courthouses.

Rd 1st t and ref to the C on Judic, 942; Rep. Grad of Moretown moved to postp act until May 4, 2022 which was agrd to, 1571; Rd 2nd t, 1607; Rep. Colburn of Burlington rptd for the C on Judic, 1607; Rpt of C on Judic agrd to, 1609; 3rd rdg ord, 1609; Rd 3rd t and p/con w pro of amend, 1727; S Message, H pro of amend con in, 2087; S Message, signed by Gov May 31, 2022, 2576.

By Senators Ram Hinsdale, Campion, Hardy, Lyons, Pearson, Perchlik, and Pollina,

S. 148. (No. 0154) An act relating to environmental justice in Vermont.

Rd 1st t and ref to the C on NRF&W, 979; Ref to C on Appr per Rule 35(a), 1263; Rd 2nd t, 1417; Rep. Dolan of Waitsfield rptd for the C on NRF&W, 1417; Rep. Feltus of Lyndon recomd for the C on Appr, 1430; Rpt of the C on NRF&W amend as recomd by the C on Appr, 1430; Rep. Dolan of Waitsfield demanded yeas and nays, 1431; R C Yeas = 109, Nays = 31, 1431; Rpt of C on NRF&W as amend agrd to, 1431; 3rd rdg ord, 1432; Rd 3rd t and p/con w pro of amend, 1610; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1706; S Message, H pro of amend con in, 1960; S Message, signed by Gov May 31, 2022, 2576.

By Senator White,

S. 155. An act relating to the creation of the Agency of Public Safety.

Rd 1st t and ref to the C on GO, 961.

By Senators Kitchel, Benning, and Starr,

S. 161. (No. 0155) An act relating to extending the baseload renewable power portfolio requirement.

Rd 1st t and ref to the C on E&T, 942; Ref to C on W&M per Rule 35(a), 1311; Rd 2nd t, 1561; Rep. Patt of Worcester rptd for the C on E&T, 1561; Rep. Masland of Thetford recomd for the C on W&M, 1566; Rpt of C on E&T agrd to, 1566; 3rd rdg ord, 1566; Rd 3rd t and p/con w pro of amend, 1610; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of

Poultney, 1706; S Message, H pro of amend con in, 2058; S Message, signed by Gov May 31, 2022, 2576.

By Senator Perchlik,

S. 162. (No. 0111) An act relating to the collective bargaining rights of teachers.

Rd 1st t and ref to the C on Edu, 943; Rd 2nd t, 1176; Rep. Arrison of Weathersfield rptd for the C on Edu, 1176; 3rd rdg ord, 1177; Rd 3rd t and p/con, 1181; S Message, signed by Gov May 11, 2022, 2227.

By Senator Balint,

S. 163. (No. 0098) An act relating to State court petitions for vulnerable noncitizen youth.

Rd 1st t and ref to the C on Judic, 943; Rd 2nd t, 1012; Rep. Rachelson of Burlington rptd for the C on Judic, 1012; 3rd rdg ord, 1012; Rd 3rd t and p/con, 1015; S Message, signed by Gov April 27, 2022, 1324.

By Senator Cummings,

S. 169. An act relating to education property tax overpayments by a municipality or school district.

Rd 1st t and ref to the C on W&M, 305.

By Senators Pollina and White,

S. 171. (No. 0102) An act relating to adoption of a State code of ethics.

Rd 1st t and ref to the C on GO, 943; Rd 2nd t, 1003; Rep. Gannon of Wilmington rptd for the C on GO, 1003; Rpt of C on GO agrd to, 1005; 3rd rdg ord, 1005; Rd 3rd t and p/con w pro of amend, 1005; S Message, H pro of amend con in, 1029; S Message, signed by Gov May 3, 2022, 1606.

By Senator White,

S. 172. (No. 0077) An act relating to authorizing alternative procedures for 2022 annual municipal meetings in response to COVID-19.

Rd 1st t and ref to the C on GO, 25; Rep. McCoy of Poultney moved to susp/d R to permit imm cons of the bill, pndg its entry on the notice calendar, 26; Rd 2nd t, 26; Rep. Anthony of Barre City rptd for the C on GO, 26; Rep. Toof of St. Albans Town moved that the H pro to the S to amend the bill which was disagr/d to, 26; 3rd rdg ord, 27; R susp/d and bill pl in all remaining stgs of pass as moved by Rep. McCoy of Poultney, 27; Rd 3rd t and p/con, 27; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 27; S Message, signed by Gov January 14, 2022, 75.

By Senators Hardy and Clarkson,

S. 173. (No. 0156) An act relating to the State House art collections.

Rd 1st t and ref to the C on C&I, 556; Ref to C on Appr per Rule 35(a), 1783; Rd 2nd t, 2003; Rep. Taylor of Colchester rptd for the C on C&I, 2003; Rep. Townsend of South Burlington recomd for the C on Appr, 2007; Rpt of C on C&I agrd to, 2007; 3rd rdg ord, 2007; Rd 3rd t and p/con w pro of amend, 2065; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2095; S Message, H pro of amend con in, 2121; S Message, signed by Gov May 31, 2022, 2576.

By Senator White,

S. 175. An act relating to confidential information concerning the initial arrest and charge of a child.

Rd 1st t and ref to the C on GO, 396.

By Senator Sears,

S. 178. An act relating to supermajority verdicts in civil trials.

Rd 1st t and ref to the C on Judic, 943.

By Senator White,

S. 181. (No. 0157) An act relating to authorizing miscellaneous regulatory authority for municipal governments.

Rd 1st t and ref to the C on GO, 985; Ref to C on W&M per Rule 35(a), 1414; Rd 2nd t, 2007; Rep. Anthony of Barre City rptd for the C on GO, 2007; Rep. Durfee of Shaftsbury recomd for the C on W&M, 2016; Rpt of the C on GO amend as recomd by the C on W&M, 2017; Rep. Anthony of Barre City moved to amend the rpt of the C on GO, as amend, which was agrd to, 2017; Rpt of C on GO as amend agrd to, 2017; 3rd rdg ord, 2017; Rd 3rd t and p/con w pro of amend, 2065; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2095; S Message, H pro of amend con in, 2121; S Message, signed by Gov May 31, 2022, 2576.

By Senators Sears, White, Baruth, Benning, and Nitka,

S. 183. (No. 0094) An act relating to midpoint probation review.

Rd 1st t and ref to the C on C&I, 123; Rd 2nd t, 980; Rep. Morgan, M. of Milton rptd for the C on C&I, 980; Rep. Morgan, M. of Milton moved to amend the bill which was agrd to, 980; 3rd rdg ord, 980; Rd 3rd t and p/con w pro of amend, 982; S Message, H pro of amend con in, 1000; S Message, signed by Gov April 21, 2022, 1030.

By Senators Benning, Sears, Brock, Chittenden, Collamore, Cummings, Ingalls, Lyons, McCormack, Nitka, Parent, Perchlik, Starr, Terenzini, Westman, and White,

S. 184. (No. 0095) An act relating to defense of others and justifiable homicide.

Rd 1st t and ref to the C on Judic, 194; Rd 2nd t, 987; Rep. Grad of Moretown rptd for the C on Judic, 987; 3rd rdg ord, 987; Rd 3rd t and p/con, 990; S Message, signed by Gov April 21, 2022, 1030.

By Senators Sears, Benning, Chittenden, and Pollina,

S. 188. (No. 0158) An act relating to regulating licensed small cannabis cultivation as farming.

Rd 1st t and ref to the C on A&F, 734; Ref to C on W&M per Rule 35(a), 1177; Rd 2nd t, 1448; Rep. O'Brien of Tunbridge rptd for the C on A&F, 1448; Rep. Elder of Starksboro recomd for the C on W&M, 1455; Rpt of the C on A&F amend as recomd by the C on W&M, 1455; Rpt of C on A&F as amend agrd to, 1455; 3rd rdg ord, 1455; Rd 3rd t and p/con w pro of amend, 1611; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1706; S Message, H pro of amend con in w further amend thereto, 1959; Rep. O'Brien of Tunbridge moved to postp act until May 10, 2022 which was agrd to, 2055; S pro of amend cons, 2077; Rep. O'Brien of Tunbridge and Partridge of Windham moved to con w the S pro of amend to the H pro of amend w a further amend thereto, 2078; Rep. Gannon of Wilmington

moved to amend the H pro of amend offd by Rep. O'Brien of Tunbridge and Partridge of Windham, 2086; Which was agrd to, 2086; S pro of amend to H pro of amend con in w further amend thereto, as offd by Rep. O'Brien of Tunbridge and Partridge of Windham, as amend, 2086; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2095; S Message, H pro of amend to S pro of amend to H pro of amend con in, 2213; S Message, signed by Gov May 31, 2022, 2576.

By Senators Hooker, Lyons, Chittenden, Hardy, Perchlik, Pollina, and Ram Hinsdale,

S. 195. An act relating to the certification of mental health peer support specialists.

Rd 1st t and ref to the C on HC, 979; Rd 2nd t, 1260; Rep. Burrows of West Windsor rptd for the C on HC, 1260; Rpt of C on HC agrd to, 1262; 3rd rdg ord, 1262; Rd 3rd t and p/con w pro of amend, 1265.

By Senator Lyons,

S. 197. (No. 0112) An act relating to the provision of mental health supports.

Rd 1st t and ref to the C on Edu, 961; Ref to C on Appr per Rule 35(a), 1022; Rd 2nd t, 1034; Rep. Austin of Colchester rptd for the C on Edu, 1034; Rep. Scheu of Middlebury recomd for the C on Appr, 1034; 3rd rdg ord, 1034; Rd 3rd t and p/con, 1161; S Message, allowed to become law w/o Gov's signature on May 11, 2022, 2226.

By Senator McCormack,

S. 201. (No. 0159) An act relating to best management practices for trapping.

Rd 1st t and ref to the C on NRF&W, 943; Rd 2nd t, 2017; Rep. Dolan of Waitsfield rptd for the C on NRF&W, 2017; Rpt of C on NRF&W agrd to, 2019; 3rd rdg ord, 2019; Rd 3rd t and p/con w pro of amend, 2065; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2095; S Message, H pro of amend con in, 2121; S Message, signed by Gov June 1, 2022, 2576.

By Senators Lyons, Hooker, Hardy, Perchlik, and Ram Hinsdale,

S. 204. An act relating to licensure of freestanding birth centers.

Rd 1st t and ref to the C on HC, 985.

By Senators Brock, Hardy, Ingalls, and Parent,

S. 206. (No. 0113) An act relating to planning and support for individuals and families impacted by Alzheimer's Disease and related disorders.

Rd 1st t and ref to the C on HS, 556; Ref to C on Appr per Rule 35(a), 1010; Rd 2nd t, 1032; Rep. Noyes of Wolcott rptd for the C on HS, 1032; Rep. Yacovone of Morristown recomd for the C on Appr, 1033; Rpt of C on HS agrd to, 1034; Rpt of C on Appr agrd to, 1034; 3rd rdg ord, 1034; Rd 3rd t and p/con w pro of amend, 1161; S Message, signed by Gov May 11, 2022, 2227.

By Senators Sirotkin, Balint, Clarkson, and Ram Hinsdale,

S. 210. (No. 0181) An act relating to rental housing health and safety and affordable housing.

Rd 1st t and ref to the C on GH&MA, 214; Ref to C on W&M per Rule 35(a), 1010; Ref

to C on Appr per Rule 35(a), 1023; Rd 2nd t, 1161; Rep. Stevens of Waterbury rptd for the C on GH&MA, 1161; Rep. Masland of Thetford recomd for the C on W&M, 1174; Rep. Jessup of Middlesex recomd for the C on Appr, 1174; Rpt of the C on GH&MA amend as recomd by the C on Appr, 1175; Rep. McCoy of Poultney asked that the qstn be divid, 1175; Which was agrd to, 1175; Rep. McCoy of Poultney demanded yeas and nays, 1175; R C Yeas = 88, Nays = 54, 1175; 1st divid of amend agrd to, 1175; 2nd divid of amend agrd to, 1177; Rpt of C on GH&MA as amend agrd to, 1177; 3rd rdg ord, 1177; Rep. Sibilia of Dover asked and was granted lv to wdr amend, 1182; Rd 3rd t and p/con w pro of amend, 1182; S Message, H pro of amend con in w further amend thereto, 1606; S pro of amend to H pro of amend cons, 1942; Rep. Stevens of Waterbury moved the H refuse to con and asked for a C of C, 1947; Which was agrd to, 1946; Speaker apptd Stevens of Waterbury, Walz of Barre City and Killackey of South Burlington as members of the C of C on the part of the H, 1946; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1951; S Message, C of C members apptd, 1964; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2192; C of C rpt adptd (SS bill), 2202; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2212; S Message, rpt of C of C adptd, 2227; S Message, signed by Gov June 7, 2022, 2577.

By Senator Westman,

S. 214. An act relating to valuation for purposes of the education property tax.

Rd 1st t and ref to the C on W&M, 943.

By Senator Champion,

S. 219. An act relating to ensuring compliance with the U.S. and Vermont Constitutions in the use of public funds for tuition.

Rd 1st t and ref to the C on Edu, 961.

By Senator Parent,

S. 220. (No. 0125) An act relating to State-paid deputy sheriffs.

Rd 1st t and ref to the C on GO, 965; Ref to C on Appr per Rule 35(a), 1263; Rd 2nd t, 1340; Rep. Mrowicki of Putney rptd for the C on GO, 1342; Rep. Squirrell of Underhill recomd for the C on Appr, 1342; Rpt of C on GO agrd to, 1342; 3rd rdg ord, 1342; R susp/d and bill pl in all remaining stgs of pass as moved by Rep. McCoy of Poultney, 1342; Rd 3rd t and p/con w pro of amend, 1342; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1342; S Message, H pro of amend con in, 1606; S Message, signed by Gov May 23, 2022, 2575.

By the Committee on Government Operations,

S. 222. (No. 0078) An act relating to authorizing temporary Open Meeting Law procedures in response to COVID-19.

Rd 1st t and ref to the C on GO, 39; Rep. McCoy of Poultney moved to susp/d R to permit imm cons of the bill, pndg its entry on the notice calendar, 46; Which was agrd to, 46; Rd 2nd t, 46; Rep. Mrowicki of Putney rptd for the C on GO, 46; 3rd rdg ord, 46; R susp/d and bill pl in all remaining stgs of pass as moved by Rep. McCoy of Poultney, 46; Rd 3rd t and p/con, 46; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 46; S Message, signed by Gov January 18, 2022, 93.

By the Committee on Government Operations,

S. 223. (No. 0079) An act relating to authorizing temporary elections procedures for annual meetings in the year 2022.

Rd 1st t and ref to the C on GO, 45; Rep. McCoy of Poultney moved to susp/d R to permit imm cons of the bill, pndg its entry on the notice calendar, 59; Which was agrd to, 59; Rd 2nd t, 59; Rep. LaClair of Barre Town rptd for the C on GO, 59; 3rd rdg ord, 59; R susp/d and bill pl in all remaining stgs of pass as moved by Rep. McCoy of Poultney, 59; Rd 3rd t and p/con, 59; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 59; S Message, signed by Gov January 18, 2022, 93.

By the Committee on Judiciary,

S. 224. (No. 0160) An act relating to juvenile proceedings.

Rd 1st t and ref to the C on Judic, 96; Rd 2nd t, 1727; Rep. Donnally of Hyde Park rptd for the C on Judic, 1727; Rpt of C on Judic agrd to, 1741; 3rd rdg ord, 1741; Rd 3rd t and p/con w pro of amend, 1788; S Message, H pro of amend con in, 2087; S Message, signed by Gov June 1, 2022, 2576.

By Senators Ram Hinsdale and Clarkson,

S. 226. (No. 0182) An act relating to expanding access to safe and affordable housing.

Rd 1st t and ref to the C on GH&MA, 981; Ref to C on Appr per Rule 35(a), 1022; Ref to C on W&M per Rule 35(a), 1324; Rd 2nd t, 1747; Rep. Stevens of Waterbury rptd for the C on GH&MA, 1747; Rep. Jessup of Middlesex recomd for the C on Appr, 1767; Rep. Kornheiser of Brattleboro recomd for the C on W&M, 1767; Rpt of the C on GH&MA amend as recomd by the C on W&M, 1767; Rep. Stevens of Waterbury moved to amend the rpt of the C on GH&MA, as amend, which was agrd to, 1768; Rep. Stevens of Waterbury moved to amend the rpt of the C on GH&MA, as amend, which was agrd to, 1770; Rep. Jessup of Middlesex, Fagan of Rutland City, Feltus of Lyndon, Harrison of Chittenden, Helm of Fair Haven, Hooper of Montpelier, Scheu of Middlebury, Squirrel of Underhill, Toleno of Brattleboro, Townsend of South Burlington, and Yacovone of Morristown moved to amend the rpt of the C on GH&MA, as amend, which was agrd to, 1775; Rep. Higley of Lowell moved to amend the rpt of the C on GH&MA, which was disagr/d to, 1775; Rpt of C on GH&MA as amend agrd to, 1776; 3rd rdg ord, 1776; Rep. Donahue of Northfield moved to amend the H pro of amend which was agrd to, 1788; Rep. Bluemle of Burlington moved to amend the H pro of amend which was agrd to, 1789; Rd 3rd t, 1789; Rep. Stevens of Waterbury demanded yeas and nays, 1789; R C Yeas = 103, Nays = 42, 1789; P/con w pro of amend, 1789; S Message, p/con w pro of amend, 2403; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2406; S pro of amend to the H pro of amend con in, 2419; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 2420; S Message, signed by Gov June 7, 2022, 2577.

By Senators Bray, Balint, Clarkson, and Lyons,

S. 234. An act relating to changes to Act 250.

Rd 1st t and ref to the C on NRF&W, 966; Ref to C on W&M per Rule 35(a), 1023; Ref to C on Appr per Rule 35(a), 1311; Rd 2nd t, 1519; Rep. Bongartz of Manchester rptd for the C on NRF&W, 1519; Rep. Ode of Burlington recomd for the C on W&M, 1555; Rep. Squirrel of Underhill recomd for the C on Appr, 1555; Rpt of the C on NRF&W amend as recomd by the C on Appr, 1555; Rep. Donahue of Northfield asked that the qstn be divid, 1555; Which was agrd to, 1556; 1st divid of amend agrd to, 1556; Divid demanded, 1556; Divid results Yays 94, Nays 45, 1556; 2nd divid of amend agrd to, 1556; Rpt of C on NRF&W as amend

agrd to, 1556; Rep. Sheldon of Middlebury demanded yeas and nays, 1556; R C Yeas = 99, Nays = 43, 1556; 3rd rdg ord, 1556; Rep. Laroché of Franklin moved to amend the bill, 1611; Rep. McCoy of Poultney demanded yeas and nays, 1611; R C Yeas = 44, Nays = 97, 1611; Which was disagr/d to, 1611; Rd 3rd t and p/con w pro of amend, 1613; S Message, vetoed by Gov June 1, 2022, 2577.

By Senators Hooker, Balint, Hardy, Lyons, Pollina, and Ram Hinsdale,

S. 239. (No. 0099) An act relating to enrollment in Medicare supplemental insurance policies.

Rd 1st t and ref to the C on HC, 979; Rd 2nd t, 992; Rep. Black of Essex rptd for the C on HC, 992; Rpt of C on HC agrd to, 993; 3rd rdg ord, 993; Rd 3rd t and p/con w pro of amend, 995; S Message, H pro of amend con in, 1020; S Message, signed by Gov April 27, 2022, 1324.

By Senators Lyons, Hardy, Hooker, and Ram Hinsdale,

S. 247. An act relating to prohibiting discrimination based on genetic information.

Rd 1st t and ref to the C on HC, 735; Rep. Lippert of Hinesburg moved to postp act until April 21, 2022 which was agrd to, 1009; Rep. Cordes of Lincoln moved to postp act until April 27, 2022 which was agrd to, 1032; Rep. Cordes of Lincoln moved to postp act until May 3rd, 2022 which was agrd to, 1263; Ord to Lie upon mo of Rep. Cordes of Lincoln, 1601.

By Senator Ram Hinsdale,

S. 250. (No. 0161) An act relating to law enforcement data collection and interrogation.

Rd 1st t and ref to the C on Judic, 943; Rep. Grad of Moretown moved that the C on Judic be relv/d of the bill and that the same be cmdt to the C on GO which was agrd to, 992; Ref to C on Appr per Rule 35(a), 1783; Rd 2nd t, 2111; Rep. Colston of Winooski rptd for the C on GO, 2111; Rep. Squirrel of Underhill recomd for the C on Appr, 2117; Rpt of the C on GO amend as recomd by the C on Appr, 2118; Rep. Colston of Winooski moved to amend the rpt of the C on GO, as amend, which was agrd to, 2118; Rep. LaClair of Barre Town demanded yeas and nays, 2118; R C Yeas = 99, Nays = 48, 2118; Rpt of C on GO as amend agrd to, 2118; 3rd rdg ord, 2120; R susp/d and bill pl in all remaining stgs of pass as moved by Rep. McCoy of Poultney, 2120; Rd 3rd t and p/con w pro of amend, 2120; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2120; S Message, H pro of amend con in w further amend thereto, 2404; R susp/d and tkn up for imm cons as moved by Rep. McCoy of Poultney, 2404; S pro of amend to the H pro of amend con in, 2405; R susp/d and act on the bill msg to the S f/w and the bill delv to the Gov f/w as moved by Rep. McCoy of Poultney, 2420; S Message, signed by Gov June 1, 2022, 2576.

By Senators Sears, Balint, Baruth, and Ram Hinsdale,

S. 254. (No. 0126) An act relating to maintaining records of judgments and settlements paid by law enforcement agencies and a legal analysis of qualified immunity.

Rd 1st t and ref to the C on Judic, 961; Rd 2nd t, 1010; Rep. Christie of Hartford rptd for the C on Judic, 1010; Rpt of C on Judic agrd to, 1012; 3rd rdg ord, 1012; Rd 3rd t, 1015; Rep. LaClair of Barre Town demanded yeas and nays, 1016; R C Yeas = 95, Nays = 40, 1016; P/con w pro of amend, 1016; S Message, H pro of amend con in w further amend thereto, 1180; Rep. LaLonde of South Burlington moved to postp act until April 29, 2022 which was agrd to, 1325; S pro of amend to the H pro of amend con in, 1339; S Message, signed by Gov

May 23, 2022, 2575.

By Senators Pearson and Pollina,

S. 258. (No. 0162) An act relating to agricultural water quality, enforcement, and dairy farming.

Rd 1st t and ref to the C on A&F, 944; Ref to C on Appr per Rule 35(a), 1177; Act postp to next legislative day as moved by Rep. Partridge of Windham, 1342; Rd 2nd t, 1433; Rep. Pearl of Danville rptd for the C on A&F, 1433; Rep. Toleno of Brattleboro recomd for the C on Appr, 1436; Rpt of C on A&F agrd to, 1436; Rpt of C on Appr agrd to, 1436; 3rd rdg ord, 1436; Rd 3rd t and p/con w pro of amend, 1613; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1706; S Message, H pro of amend con in, 1960; S Message, signed by Gov June 1, 2022, 2576.

By Senator Parent,

S. 261. (No. 0163) An act relating to municipal retention of property tax collections and valuation for purposes of the education property tax.

Ref to C on W&M per Rule 35(a), 509; Rd 2nd t, 1437; Rep. Elder of Starksboro recomd for the C on W&M, 1437; Rpt of C on W&M agrd to, 1439; 3rd rdg ord, 1439; Rd 3rd t and p/con w pro of amend, 1613; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1706; S Message, H pro of amend con in, 1963; S Message, signed by Gov June 1, 2022, 2576.

By Senators Clarkson, Sears, Balint, Cummings, MacDonald, McCormack, and Perchlik,

S. 265. (No. 0103) An act relating to expanding criminal threatening to include threats to third persons.

Rd 1st t and ref to the C on Judic, 396; Rd 2nd t, 996; Rep. Notte of Rutland City rptd for the C on Judic, 996; Rpt of C on Judic agrd to, 997; 3rd rdg ord, 997; Rd 3rd t, 1001; Rep. LaClair of Barre Town demanded yeas and nays, 1001; R C Yeas = 89, Nays = 32, 1001; P/con w pro of amend, 1001; S Message, H pro of amend con in, 1179; S Message, signed by Gov May 3, 2022, 1605.

By Senators Parent and Brock,

S. 269. (No. 0164) An act relating to extending the Energy Savings Account Partnership Pilot Program.

Rd 1st t and ref to the C on E&T, 944; Ref to C on W&M per Rule 35(a), 1152; Rd 2nd t, 1566; Rep. Yantachka of Charlotte rptd for the C on E&T, 1566; Rep. Kornheiser of Brattleboro recomd for the C on W&M, 1566; Rpt of C on W&M agrd to, 1567; 3rd rdg ord, 1567; Rd 3rd t and p/con w pro of amend, 1613; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1706; S Message, H pro of amend con in, 1963; S Message, signed by Gov June 1, 2022, 2576.

By the Committee on Transportation,

S. 280. An act relating to miscellaneous changes to laws related to vehicles.

Rd 1st t and ref to the C on Trans, 208; Ref to C on W&M per Rule 35(a), 1022; Rep. Shaw of Pittsford moved to postp act until April 22, 2022 which was agrd to, 1034; Rd 2nd t, 1153; Rep. Lanpher of Vergennes rptd for the C on Trans, 1153; Rep. Brennan of Colchester recomd for the C on W&M, 1160; Rpt of C on Trans agrd to, 1161; 3rd rdg ord, 1161; Rep.

Rogers of Waterville, Hango of Berkshire, Pearl of Danville, Sims of Craftsbury, and Surprenant of Barnard moved to amend the bill which was agrd to, 1182; Rd 3rd t and p/con w pro of amend, 1182; S Message, H pro of amend con in w further amend thereto, 1456; Rep. Lanpher of Vergennes moved to postp act until May 10, 2022 which was agrd to, 1746; S pro of amend cons, 2065; Rep. Lanpher of Vergennes moved to con w the S pro of amend to the H pro of amend w a further amend thereto, 2067; Which was agrd to, 2074; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2095.

By the Committee on Natural Resources and Energy,

S. 281. (No. 0165) An act relating to hunting coyotes with dogs.

Rd 1st t and ref to the C on NRF&W, 981; Ref to C on W&M per Rule 35(a), 1030; Rd 2nd t, 1343; Rep. McCullough of Williston rptd for the C on NRF&W, 1343; Rep. Brennan of Colchester recomd for the C on W&M, 1345; Rep. Sheldon of Middlebury moved to postp act until later in the O of D which was agrd to, 1345; Rep. McCullough of Williston moved to amend the rpt of the C on NRF&W, which was agrd to, 1359; Rpt of C on NRF&W agrd to, 1360; 3rd rdg ord, 1360; Rep. Sheldon of Middlebury moved to postp act until May 4, 2022 which was agrd to, 1601; Rep. Till of Jericho moved to amend the bill, 1700; Rep. Till of Jericho demanded yeas and nays, 1703; Rep. Cina of Burlington moved to commit the bill to the C on Judic, 1703; Rep. McCoy of Poultney demanded yeas and nays, 1703; R C Yeas = 89, Nays = 49, 1704; Which was agrd to, 1704; Rep. Notte of Rutland City moved to postp act until May 10, 2022 which was agrd to, 2020; Rep. Notte of Rutland City rptd for the C on Judic, 2060; Rpt of C on Judic agrd to, 2064; Rep. Higley of Lowell moved to commit the bill to the C on Judic which was disagr/d to, 2064; Rd 3rd t and p/con w pro of amend, 2064; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2095; S Message, H pro of amend con in, 2121; S Message, signed by Gov June 1, 2022, 2576.

By the Committee on Education,

S. 283. (No. 0166) An act relating to miscellaneous changes to education laws.

Rd 1st t and ref to the C on Edu, 557; Ref to C on Appr per Rule 35(a), 1311; Rd 2nd t, 1440; Rep. Conlon of Cornwall rptd for the C on Edu, 1440; Rep. Scheu of Middlebury recomd for the C on Appr, 1448; Rpt of C on Edu agrd to, 1448; 3rd rdg ord, 1448; Rd 3rd t and p/con w pro of amend, 1613; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1706; S Message, H pro of amend not con in and C of C apptd, 1960; Speaker apptd Webb of Shelburne, Conlon of Cornwall and Cupoli of Rutland City as members of the C of C on the part of the H, 1966; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1966; R susp/d and tkn up for imm cons as moved by Rep. LaClair of Barre Town, 2122; C of C rpt adptd (SS bill), 2123; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 2212; S Message, rpt of C of C adptd, 2227; S Message, signed by Gov June 1, 2022, 2576.

By the Committee on Health and Welfare,

S. 285. (No. 0167) An act relating to health care reform initiatives, data collection, and access to home- and community-based services.

Rd 1st t and ref to the C on HC, 981; Ref to C on Appr per Rule 35(a), 1153; Rep. Houghton of Essex moved to postp act until April 29, 2022 which was agrd to, 1314; Rd 2nd t, 1328; Rep. Houghton of Essex rptd for the C on HC, 1328; Rep. Yacovone of Morristown recomd for the C on Appr, 1338; Rpt of the C on HC amend as recomd by the C on Appr, 1339; Rpt of C on HC as amend agrd to, 1339; 3rd rdg ord, 1339; Rd 3rd t and p/con w pro of amend, 1415; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 1415;

S Message, H pro of amend con in w further amend thereto, 1959; S pro of amend to the H pro of amend con in, 2040; S Message, signed by Gov June 1, 2022, 2576.

By the Committee on Government Operations,

S. 286. (No. 0114) An act relating to amending various public pension and other postemployment benefits.

Rd 1st t and ref to the C on GO, 989; Ref to C on W&M per Rule 35(a), 1010; Ref to C on Appr per Rule 35(a), 1023; Rd 2nd t, 1189; Rep. Gannon of Wilmington rptd for the C on GO, 1189; Rep. Gannon of Wilmington, Anthony of Barre City, Colston of Winooski, Copeland Hanzas of Bradford, Higley of Lowell, Hooper of Burlington, LaClair of Barre Town, Lefebvre of Orange, McCarthy of St. Albans City, Mrowicki of Putney, and Vyhovsky of Essex moved to subst/d an amend for the rpt of the C on GO, 1202; Which was agrd to, 1248; Rep. Elder of Starksboro recomd for the C on W&M, 1248; Rep. Fagan of Rutland City recomd for the C on Appr, 1248; Rep. Gannon of Wilmington moved to amend the rpt of the C on GO, as subst/d, 1248; Which was agrd to, 1253; Rep. Copeland Hanzas of Bradford demanded yeas and nays, 1253; R C Yeas = 144, Nays = 0, 1253; Rpt of the C on GO, as subst/d and amend, agrd to, 1253; 3rd rdg ord, 1256; Rep. Beck of St. Johnsbury asked and was granted lv to wdr amend, 1265; Rd 3rd t and p/con w pro of amend, 1277; R susp/d and bill msg f/w to the S as moved by Rep. LaClair of Barre Town, 1277; S Message, H pro of amend con in, 1409; S Message, vetoed by Gov May 2, 2022, 1413; S Message, Gov's veto overridden, 1605; R C Yeas = 148, Nays = 0, 1786; Veto of the Gov overridden by a vote of Yeas = 148, Nays = 0, 1786.

By the Committee on Finance,

S. 287. (No. 0127) An act relating to improving student equity by adjusting the school funding formula and providing education quality and funding oversight.

Rd 1st t and ref to the C on W&M, 966; Ref to C on Appr per Rule 35(a), 1030; Rd 2nd t, 1277; Rep. Kornheiser of Brattleboro recomd for the C on W&M, 1277; Rep. Scheu of Middlebury recomd for the C on Appr, 1302; Rpt of the C on W&M amend as recomd by the C on Appr, 1302; Rpt of C on W&M as amend agrd to, 1303; 3rd rdg ord, 1303; Rep. Kornheiser of Brattleboro, Ancel of Calais, Beck of St. Johnsbury, Brennan of Colchester, Canfield of Fair Haven, Durfee of Shaftsbury, Elder of Starksboro, Masland of Thetford, Mattos of Milton, Ode of Burlington, and Till of Jericho moved to amend the H pro of amend which was agrd to, 1312; Rd 3rd t, 1313; Rep. Toof of St. Albans Town demanded yeas and nays, 1313; R C Yeas = 132, Nays = 11, 1313; P/con w pro of amend, 1313; S Message, H pro of amend con in, 1784; S Message, signed by Gov May 23, 2022, 2575.

JOINT HOUSE RESOLUTIONS

By Representative Lefebvre of Orange,

J.R.H. 11. Joint resolution urging Congress and the states to adopt an amendment establishing nine as the number of U.S. Supreme Court justices.

Rd 1st t, treated as a bill, and ref to the C on GO, 67.

By Representatives Long of Newfane and McCoy of Poultney,

J.R.H. 12. (No. R138) Joint resolution amending the application of temporary Joint Rule 22A.

Rd and adptd, 96; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 97; S Message, adptd in con, 113.

By the Committee on Rules,

J.R.H. 13. (No. R147) Joint resolution extending the application of temporary Joint Rule 22A.

Rd and adptd, 155; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 156; S Message, adptd in con, 159.

By Representative Brumsted of Shelburne,

J.R.H. 14. (No. R150) Joint resolution authorizing the 2022 Green Mountain Girls State educational program to use the State House.

Rd 1st t and pl on cal for act purs to Rule 52, 163; Adopted, 176; S Message, adptd in con, 193.

By Representatives Long of Newfane and McCoy of Poultney,

J.R.H. 15. (No. R157) Joint resolution extending the application of temporary Joint Rule 22A through Tuesday, March 8, 2022.

Rd and adptd, 209; R susp/d and res msg f/w to the S as moved by Rep. McCoy of Poultney, 209; S Message, adptd in con, 298.

By Representative Marcotte of Coventry,

J.R.H. 16. (No. R184) Joint resolution authorizing the Green Mountain Boys State educational program to use the State House.

Rd 1st t and pl on cal for act purs to Rule 52, 397; Adopted, 407; S Message, adptd in con, 472.

By the Committee on Rules,

J.R.H. 17. (No. R185) Joint resolution authorizing remote participation in joint committees under restricted, COVID-19-related circumstances through the remainder in 2022.

Rd 1st t and pl on cal for act purs to Rule 52, 401; Adopted, 415; R susp/d and bill msg f/w to the S as moved by Rep. McCoy of Poultney, 415; S Message, adptd in con, 472.

By All members of the House of Representatives,

J.R.H. 18. (No. R254) Joint resolution relating to the Russian invasion of Ukraine.

Rd and adptd, 465; S Message, adptd in con, 1606.

By Representative Mrowicki of Putney,

J.R.H. 19. Joint resolution urging President Joseph Biden to continue, and to intensify, his administration's antitrust efforts against the meatpacking and gasoline industries and urging Governor Philip Scott to make a similar request of the President.

Rd 1st t, treated as a bill, and ref to the C on C&EcD, 473.

By Representative Killackey of South Burlington,

J.R.H. 20. Joint resolution authorizing remote participation in joint committees through the remainder of 2022 for members with a disability as an accommodation under the Americans with Disabilities Act

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Rd 1st t, treated as a bill, and ref to the C on R, 807; Rd 2nd t, 1018; Rep. McCarthy of St. Albans City rptd for the C on R, 1018; 3rd rdg ord, 2019; Rd 3rd t, 1022; Adopted, 1022.

By Representative McCormack of Burlington,

J.R.H. 21. Joint resolution urging the U.S. Environmental Protection Agency to approve the use of R-1234yf refrigerant for use in heavy-duty truck air conditioning systems.

Rd 1st t, treated as a bill, and ref to the C on NRF&W, 962.

By Representatives Small of Winooski, Troiano of Stannard, Brumsted of Shelburne, Burke of Brattleboro, Burrows of West Windsor, Cina of Burlington, Colburn of Burlington, Colston of Winooski, Cordes of Lincoln, Dolan of Essex, Garofano of Essex, Hooper of Randolph, Houghton of Essex, McCormack of Burlington, McCullough of Williston, Mulvaney-Stanak of Burlington, Rachelson of Burlington, Surprenant of Barnard, Townsend of South Burlington, Vyhovsky of Essex, White of Hartford, Whitman of Bennington, and Wood of Waterbury,

J.R.H. 22. Joint resolution urging the President and Congress to spearhead a global effort to prevent nuclear war and opposing the basing of nuclear weapons in Vermont.

Rd 1st t, treated as a bill, and ref to the C on GH&MA, 1030; Rd 2nd t, 2373; Rep. Troiano of Stannard rptd for the C on GH&MA, 2373; Divid demanded, 2375; Divid results Yays 83, Nays 63, 2375; Rpt of C on GH&MA agrd to, 2375; Rep. Small of Winooski demanded yeas and nays, 2375; R C Yeas = 83, Nays = 62, 2375; 3rd rdg ord, 2375.

JOINT SENATE RESOLUTIONS

By Senator Balint,

J.R.S. 30. (No. R129) Joint resolution amending temporary Joint Rule 22A.

Rd and adptd in con, 7.

By Senator Balint,

J.R.S. 31. (No. R130) Joint resolution to provide for a Joint Assembly to receive the State-of-the-State message from the Governor.

Rd and adptd in con, 7.

By Senator Kitchel,

J.R.S. 32. (No. R131) Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

Rd and adptd in con, 25.

By Senator Balint,

J.R.S. 33. (No. R132) Joint resolution relating to Town Meeting adjournment.

Rd and adptd in con, 25.

By Senator Balint,

J.R.S. 34. (No. R133) Joint resolution relating to weekend adjournment.
Rd and adptd in con, 26.

By Senator Balint,

J.R.S. 35. (No. R134) Joint resolution relating to weekend adjournment.
Rd and adptd in con, 45.

By Senator Balint,

J.R.S. 36. (No. R158) Joint resolution relating to weekend adjournment.
Rd and adptd in con, 97.

By Senator Balint,

J.R.S. 37. (No. R159) Joint resolution relating to weekend adjournment.
Rd and adptd in con, 123.

By Senator Balint,

J.R.S. 38. (No. R160) Joint resolution relating to weekend adjournment.
Rd and adptd in con, 164.

By Senator Balint,

J.R.S. 39. (No. R161) Joint resolution providing for a Joint Assembly for the election of two legislative Trustees of the Vermont State Colleges Corporation.

Rd 1st t and pl on cal for act purs to Rule 52, 164; Adptd in con, 176.

By Senator Balint,

J.R.S. 40. (No. R162) Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2022.

Rd 1st t and pl on cal for act purs to Rule 52, 165; Adptd in con, 177.

By Senator Balint,

J.R.S. 41. (No. R163) Joint resolution relating to weekend adjournment.
Rd and adptd in con, 194.

By Senator Balint,

J.R.S. 42. (No. R201) Joint resolution relating to weekend adjournment.
Rd and adptd in con, 300.

By the Committee on Institutions,

J.R.S. 43. (No. R234) Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to exchange quit claim deeds with the Vermont Land Trust and the Nature Conservancy in order to confirm the boundary between the Long Trail State Forest and the land co-owned by the Vermont Land Trust and the Nature Conservancy in the Towns of Eden and Belvidere.

Rd 1st t, treated as a bill, and ref to the C on C&I, 511; Rd 2nd t, 987; Rep. Labor of Morgan rptd for the C on C&I, 987; 3rd rdg ord, 987; Rd 3rd t, 990; Adptd in con, 990.

By Senator Nitka,

J.R.S. 44. (No. R235) Joint resolution providing for a Joint Assembly to vote on the retention of six Superior Judges.

Rd 1st t and pl on cal for act purs to Rule 52, 495; Act postp to next legislative day as moved by Rep. Long of Newfane, 555; Act postp to next legislative day as moved by Rep. Long of Newfane, 561; Rep. Long of Newfane and McCoy of Poultney moved to amend the res, 627; Which was agrd to, 628; Adptd in con w pro of amend, 628; S Message, H pro of amend con in, 941.

By Senator Balint,

J.R.S. 45. (No. R202) Joint resolution relating to weekend adjournment.

Rd and adptd in con, 474.

By Senator Balint,

J.R.S. 46. (No. R203) Joint resolution relating to weekend adjournment.

Rd and adptd in con, 612.

By Senator Balint,

J.R.S. 47. (No. R204) Joint resolution relating to weekend adjournment.

Rd and adptd in con, 808.

By Senator Balint,

J.R.S. 48. (No. R236) Joint resolution relating to weekend adjournment.

Rd and adptd in con, 966.

By Senator Balint,

J.R.S. 49. (No. R237) Joint resolution relating to weekend adjournment.

Rd and adptd in con, 989.

By Senator Balint,

J.R.S. 50. (No. R238) Joint resolution relating to weekend adjournment.

Rd and adptd in con, 1005.

By Senator Balint,

J.R.S. 51. (No. R239) Joint resolution relating to weekend adjournment.

Rd and adptd in con, 1023.

By Senator Balint,

J.R.S. 52. (No. R240) Joint resolution relating to weekend adjournment.

Rd and adptd in con, 1263.

By Senators Balint, Campion, Cummings, Hardy, Hooker, and Lyons,

J.R.S. 53. (No. R255) Joint resolution supporting transgender youth and their parents who seek essential medical care for the treatment of gender dysphoria.

Rd 1st t and pl on cal for act purs to Rule 52, 2056; Rep. Mulvaney-Stanak of Burlington demanded yeas and nays, 2088; R C Yeas = 134, Nays = 5, 2088; Adptd in con, 2088.

By Senator Balint,

J.R.S. 54. (No. R256) Joint resolution relating to final adjournment of the General Assembly in 2022.

Rd and adptd in con, 2422.

HOUSE RESOLUTIONS

By the Committee on Rules,

H.R. 13. House resolution authorizing remote operation of the House of Representatives and House committees.

Rep. Terenzini of Rutland Town demanded yeas and nays, 4; R C Yeas = 106, Nays = 19, 4; Rd and adptd, 4.

By the Committee on Rules,

H.R. 14. House resolution authorizing specified, time-limited remote operation of the House of Representatives and House committees.

Read, 68; Rep. McCullough of Williston moved to amend the res, 69; Rep. McCullough of Williston demanded yeas and nays, 70; R C Yeas = 30, Nays = 112, 70; Which was disagr/d to, 70; Adopted, 71.

By Representatives Bongartz of Manchester, Brownell of Pownal, Burke of Brattleboro, Coffey of Guilford, Corcoran of Bennington, Durfee of Shaftsbury, Goldman of Rockingham, James of Manchester, Long of Newfane, Morrissey of Bennington, Mrowicki of Putney, Nigro of Bennington, Pajala of Londonderry, Partridge of Windham, Toleno of Brattleboro, and Whitman of Bennington,

H.R. 15. House resolution urging the United States Postal Service to improve immediately the reliability and timeliness of its deliveries and requesting that Congress take any necessary legislative actions to effectuate this objective.

Rd 1st t and pl on cal for act purs to Rule 52, 113; Adopted, 118.

By the Committee on Rules,

H.R. 16. House resolution relating to time-limited hybrid operation of the House of Representatives and House committees and to House Rules Committee meeting authority.

Read, 154; Adopted, 155.

By the Committee on Rules,

H.R. 17. House resolution relating to extending the time-limited hybrid operation of the House of Representatives and House committees and to House Rules Committee meeting authority.

Rd and adptd, 204.

By the Committee on Rules,

H.R. 18. House resolution revising and adopting by rule the House member dress code.

Rd and pl on cal for act purs to Rule 33, 305; Adopted, 393.

By Representative Gannon of Wilmington,

H.R. 19. House resolution amending the Rules and Orders of the House of Representatives related to House ethics.

Rd and pl on cal for act purs to Rule 33, 397; Rep. Donahue of Northfield moved to amend the res, which was agrd to, 406; Adopted, 407.

By the Committee on Rules,

H.R. 20. House resolution authorizing remote participation in House sessions and committees under restricted, COVID-19-related circumstances through the remainder of 2022 and 2023-24 alternative procedure convening and organizing authority.

Rd 1st t and pl on cal for act purs to Rule 52, 402; Rep. Kitzmiller of Montpelier demanded yeas and nays, 413; R C Yeas = 108, Nays = 17, 413; Adopted, 413.

By Representatives Burke of Brattleboro, Lanpher of Vergennes, Brady of Williston, Brumsted of Shelburne, Canfield of Fair Haven, Coffey of Guilford, Conlon of Cornwall, Copeland Hanzas of Bradford, Cupoli of Rutland City, Dolan of Waitsfield, Fagan of Rutland City, Killacky of South Burlington, Lippert of Hinesburg, Masland of Thetford, McCormack of Burlington, McCoy of Poultney, McCullough of Williston, McFaun of Barre Town, Ode of Burlington, Page of Newport City, Toof of St. Albans Town, Wood of Waterbury, and Yantachka of Charlotte,

H.R. 21. House resolution commemorating St. Patrick's Day, celebrating the contributions of Vermonters of Irish heritage, and expressing the hope that the calm and cooperation that the 1998 Good Friday Agreement has engendered in Ireland will endure.

Rd and adptd, 613.

By Representative Killacky of South Burlington,

H.R. 22. House resolution authorizing remote participation in House sessions and committees through the remainder of 2022 for members with a disability as an accommodation under the Americans with Disabilities Act.

Rd 1st t, treated as a bill, and ref to the C on R, 807; Rd 2nd t, 1018; Rep. McCarthy of St. Albans City rptd for the C on R, 1018; 3rd rdg ord, 1018; Rd 3rd t, 1022; Adopted, 1022.

By Representatives Bluemle of Burlington, Burke of Brattleboro, Feltus of Lyndon, McCoy of Poultney, and Mrowicki of Putney,

H.R. 23. House resolution amending the Rules and Orders of the House of Representatives related to the prevention of sexual harassment.

Rd and pl on cal for act purs to Rule 33, 962; Rep. Burke of Brattleboro moved to postp act until March 31, 2022 which was agrd to, 977; Adopted, 979.

By Representatives Partridge of Windham, Ancel of Calais, and Webb of Shelburne,

H.R. 24. House resolution reaffirming the friendship between Vermont

and the Republic of China (Taiwan) and supporting both enhanced United States-Taiwan bilateral relations and Taiwan's participation in the international community.

Rd 1st t and pl on cal for act purs to Rule 52, 986; Adopted, 991.

By All members of the House of Representatives,

H.R. 25. House resolution honoring Senator Patrick J. Leahy for his nearly half century of extraordinary public service in the U.S. Senate.

Rd and adptd, 1024.

By the Committee on Rules,

H.R. 26. House resolution relating to the remote authority of the House Ethics Panel, the House Sexual Harassment Prevention Panel, and the House Discrimination Prevention Panel.

Rd and pl on cal for act purs to Rule 33, 1326; Adopted, 1568.

By the Committee on Rules,

H.R. 27. House resolution requiring the House to apply the requirements of the federal Americans with Disabilities Act in regulating its procedure.

Rd and pl on cal for act purs to Rule 33, 1964; Adopted, 2088.

HOUSE CONCURRENT RESOLUTIONS

By Representatives Hango of Berkshire, Martin of Franklin, Leffler of Enosburgh, Achey of Middletown Springs, Ancel of Calais, Anthony of Barre City, Arrison of Weathersfield, Austin of Colchester, Bartholomew of Hartland, Beck of St. Johnsbury, Birong of Vergennes, Black of Essex, Bluemle of Burlington, Bock of Chester, Bongartz of Manchester, Bos-Lun of Westminster, Brady of Williston, Brennan of Colchester, Briglin of Thetford, Brown of Richmond, Brownell of Pownal, Brumsted of Shelburne, Burditt of West Rutland, Burke of Brattleboro, Burrows of West Windsor, Campbell of St. Johnsbury, Canfield of Fair Haven, Chase of Colchester, Christie of Hartford, Cina of Burlington, Coffey of Guilford, Colburn of Burlington, Colston of Winooski, Conlon of Cornwall, Copeland Hanzas of Bradford, Corcoran of Bennington, Cordes of Lincoln, Cupoli of Rutland City, Dickinson of St. Albans Town, Dolan of Essex, Dolan of Waitsfield, Donahue of Northfield, Donnally of Hyde Park, Durfee of Shaftsbury, Elder of Starksboro, Emmons of Springfield, Fagan of Rutland City, Feltus of Lyndon, Gannon of Wilmington, Goldman of Rockingham, Goslant of Northfield, Grad of Moretown, Graham of Williamstown, Gregoire of Fairfield, Harrison of Chittenden, Helm of Fair Haven, Higley of Lowell, Hooper of Montpelier, Hooper of Randolph, Hooper of Burlington, Houghton of Essex, Howard of Rutland City, James of Manchester, Jerome of Brandon, Jessup of Middlesex, Killacky of South Burlington, Kimbell of Woodstock, Kitzmiller of Montpelier, Kornheiser of Brattleboro, Krowinski of Burlington, LaClair of

Barre Town, LaLonde of South Burlington, Lanpher of Vergennes, Lefebvre of Newark, Lefebvre of Orange, Lippert of Hinesburg, Long of Newfane, Marcotte of Coventry, Martel of Waterford, Masland of Thetford, Mattos of Milton, McCarthy of St. Albans City, McCormack of Burlington, McCoy of Poultney, McCullough of Williston, McFaun of Barre Town, Morgan, L. of Milton, Morgan, M. of Milton, Morris of Springfield, Morrissey of Bennington, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Murphy of Fairfax, Nicoll of Ludlow, Nigro of Bennington, Norris of Sheldon, Norris of Shoreham, Notte of Rutland City, Noyes of Wolcott, O'Brien of Tunbridge, Ode of Burlington, Page of Newport City, Pajala of Londonderry, Palasik of Milton, Parsons of Newbury, Partridge of Windham, Patt of Worcester, Pearl of Danville, Peterson of Clarendon, Pugh of South Burlington, Rachelson of Burlington, Redmond of Essex, Rogers of Waterville, Rosenquist of Georgia, Satcowitz of Randolph, Savage of Swanton, Scheu of Middlebury, Scheuermann of Stowe, Seymour of Sutton, Shaw of Pittsford, Sheldon of Middlebury, Sibilis of Dover, Sims of Craftsbury, Small of Winooski, Smith of Derby, Smith of New Haven, Squirrell of Underhill, Stebbins of Burlington, Stevens of Waterbury, Strong of Albany, Sullivan of Dorset, Surprenant of Barnard, Taylor of Colchester, Terenzini of Rutland Town, Till of Jericho, Toleno of Brattleboro, Toof of St. Albans Town, Townsend of South Burlington, Troiano of Stannard, Vyhovsky of Essex, Walz of Barre City, Webb of Shelburne, White of Bethel, White of Hartford, Whitman of Bennington, Williams of Granby, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte,

By All members of the Senate,

H.C.R. 76. (No. R119) House concurrent resolution congratulating Elle Purrier St. Pierre on her outstanding performance in the 2020 Olympics women's 1500-meter race.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 48.

By Representatives Hango of Berkshire and Martin of Franklin,

By Senators Brock and Parent,

H.C.R. 77. (No. R120) House concurrent resolution honoring Douglas Weld for his exemplary community service in the town of Berkshire.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 48.

By Representatives Marcotte of Coventry and Page of Newport City,

By Senators Ingalls and Starr,

H.C.R. 78. (No. R121) House concurrent resolution congratulating the successful rescue effort of Newport City Fire Chief John Harlamert and retired Chief Robert (RJ) George.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 48.

By Representatives Mattos of Milton, Morgan, L. of Milton, Morgan, M. of Milton, and Palasik of Milton,

H.C.R. 79. (No. R122) House concurrent resolution congratulating the 2021 Milton High School Yellowjackets Division II boys' varsity soccer team.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 48; Ceremonial Reading, 1015.

By Representatives Burke of Brattleboro, Kornheiser of Brattleboro, and Toleno of Brattleboro,

By Senators Balint and White,

H.C.R. 80. (No. R123) House concurrent resolution honoring former Brattleboro Town Manager Peter Elwell for his outstanding municipal public service.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 48.

By Representatives Donahue of Northfield and Goslant of Northfield,

H.C.R. 81. (No. R124) House concurrent resolution in memory and recognition of Henry A. LaGue Jr. of Berlin.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 49; Ceremonial Reading, 409.

By Representatives Shaw of Pittsford and Jerome of Brandon,

H.C.R. 82. (No. R125) House concurrent resolution honoring former Brandon Police Lieutenant Rodney Pulsifer for his exemplary law enforcement career.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 49.

By Representatives Burke of Brattleboro, Kornheiser of Brattleboro, and Toleno of Brattleboro,

By Senators Balint and White,

H.C.R. 83. (No. R126) House concurrent resolution honoring former Brattleboro Public Works Director Stephen Barrett for his outstanding municipal public service.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 49.

By Representatives Burke of Brattleboro, Kornheiser of Brattleboro, and Toleno of Brattleboro,

By Senators Balint and White,

H.C.R. 84. (No. R127) House concurrent resolution honoring the civic contributions of John H. and Mary F. Carnahan to the community life of Brattleboro.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 49.

By Representatives Stevens of Waterbury and Pugh of South Burlington,

H.C.R. 85. (No. R128) House concurrent resolution designating January 20, 2022, as Homelessness Awareness Day in Vermont.

Adptd purs to Joint Rule 16b, 47; S Message, adptd in con, 49; Ceremonial Reading, 115.

By Representatives Conlon of Cornwall, Brady of Williston, Christie of Hartford, Durfee of Shaftsbury, Hango of Berkshire, Long of Newfane, and Sibilia of Dover,

H.C.R. 86. (No. R136) House concurrent resolution designating January 2022 as School Board Recognition Month in Vermont.

Adptd purs to Joint Rule 16b, 119; S Message, adptd in con, 120; Ceremonial Reading, 156.

By the Committee on Education,

By the Committee on Education,

H.C.R. 87. (No. R137) House concurrent resolution recognizing January 25, 2022, as Mentoring Day at the General Assembly.

Adptd purs to Joint Rule 16b, 119; S Message, adptd in con, 120; Ceremonial Reading, 121.

By Representatives Beck of St. Johnsbury, Campbell of St. Johnsbury, Feltus of Lyndon, Martel of Waterford, Pearl of Danville, and Seymour of Sutton,

By Senators Kitchel and Benning,

H.C.R. 88. (No. R139) House concurrent resolution congratulating the 2021 St. Johnsbury Academy Hilltoppers Division I boys' cross-country championship team.

Adptd purs to Joint Rule 16b, 157; S Message, adptd in con, 159.

By Representatives Beck of St. Johnsbury, Campbell of St. Johnsbury, Feltus of Lyndon, Martel of Waterford, Pearl of Danville, and Seymour of Sutton,

By Senators Kitchel and Benning,

H.C.R. 89. (No. R140) House concurrent resolution congratulating St. Johnsbury Academy Hilltopper Evan Thornton-Sherman on winning the 2021 individual boys' Division I cross-country running championship.

Adptd purs to Joint Rule 16b, 157; S Message, adptd in con, 159.

By Representatives Dolan of Essex, Black of Essex, Garofano of Essex, Houghton of Essex, and Vyhovsky of Essex,

H.C.R. 90. (No. R141) House concurrent resolution congratulating the Essex High School Hornets 2021 Division I championship varsity football team.

Adptd purs to Joint Rule 16b, 157; S Message, adptd in con, 159.

By Representatives Vyhovsky of Essex, Black of Essex, Dolan of Essex, Garofano of Essex, and Houghton of Essex,

H.C.R. 91. (No. R142) House concurrent resolution congratulating Iris Hsiang on winning the 2021 Rights & Democracy Human Rights Award for Vermont.

Adptd purs to Joint Rule 16b, 157; S Message, adptd in con, 159.

By Representatives Black of Essex, Dolan of Essex, Garofano of Essex, Houghton of Essex, and Vyhovsky of Essex,

H.C.R. 92. (No. R143) House concurrent resolution congratulating the Essex High School Hornets 2021 Division I championship boys' varsity soccer team.

Adptd purs to Joint Rule 16b, 157; S Message, adptd in con, 159.

By Representatives Masland of Thetford and Briglin of Thetford,

H.C.R. 93. (No. R144) House concurrent resolution congratulating the 2021 Thetford Academy Panthers Division III girls' cross-country championship team.

Adptd purs to Joint Rule 16b, 158; S Message, adptd in con, 159.

By Representatives Vyhovsky of Essex, Black of Essex, Dolan of Essex, Garofano of Essex, and Houghton of Essex,

H.C.R. 94. (No. R145) House concurrent resolution in memory of Robert D. Bates.

Adptd purs to Joint Rule 16b, 158; S Message, adptd in con, 160.

By Representatives Black of Essex, Dolan of Essex, Garofano of Essex, Houghton of Essex, and Vyhovsky of Essex,

H.C.R. 95. (No. R146) House concurrent resolution congratulating the 2021 Essex High School Hornets State championship girls' varsity volleyball team.

Adptd purs to Joint Rule 16b, 158; S Message, adptd in con, 160.

By Representatives Killacky of South Burlington, LaLonde of South Burlington, Pugh of South Burlington, and Townsend of South Burlington,

H.C.R. 96. (No. R148) House concurrent resolution recognizing July 2022 as Park and Recreation Month in Vermont and designating July 15, 2022, as Vermont Park and Recreation Professionals Day in Vermont.

Adptd purs to Joint Rule 16b, 181; S Message, adptd in con, 182; Ceremonial Reading, 467.

By Representatives Mrowicki of Putney and Bos-Lun of Westminster,

By Senators Balint and White,

H.C.R. 97. (No. R149) House concurrent resolution congratulating Alicia Dana on winning the Women's Road Race H1-4 cycling bronze medal at the 2020 Paralympics in Tokyo.

Adptd purs to Joint Rule 16b, 181; S Message, adptd in con, 182.

By Representative Morrissey of Bennington,

H.C.R. 98. (No. R151) House concurrent resolution congratulating Mary L. Miner of Manchester on her 100th birthday.

Adptd purs to Joint Rule 16b, 210; S Message, adptd in con, 212.

By Representative Scheuermann of Stowe,

H.C.R. 99. (No. R152) House concurrent resolution congratulating the Town of Stowe on earning a three-year designation as a Quality Youth Development Community.

Adptd purs to Joint Rule 16b, 210; S Message, adptd in con, 212.

By Representative Hooper of Montpelier,

By Senator Kitchel,

H.C.R. 100. (No. R153) House concurrent resolution honoring Rebecca Buck for her superb service as a member of the Joint Fiscal Office staff.

Adptd purs to Joint Rule 16b, 210; S Message, adptd in con, 212.

By Representatives Brumsted of Shelburne, Donnally of Hyde Park, Noyes of Wolcott, Rogers of Waterville, and Scheuermann of Stowe,

H.C.R. 101. (No. R154) House concurrent resolution in memory of former Representative Carl D. Powden of Johnson.

Adptd purs to Joint Rule 16b, 211; S Message, adptd in con, 212.

By Representative Hooper of Montpelier,

By Senator Kitchel,

H.C.R. 102. (No. R155) House concurrent resolution honoring Stephen A. Klein for his dedicated leadership as the General Assembly's Chief Fiscal Officer.

Adptd purs to Joint Rule 16b, 211; S Message, adptd in con, 212.

By Representatives Fagan of Rutland City, Krowinski of Burlington, Achey of Middletown Springs, Anthony of Barre City, Arrison of Weathersfield, Austin of Colchester, Beck of St. Johnsbury, Birong of Vergennes, Black of Essex, Bongartz of Manchester, Brady of Williston, Brennan of Colchester, Briglin of Thetford, Brownell of Pownal, Brumsted of Shelburne, Burditt of West Rutland, Burke of Brattleboro, Canfield of Fair Haven, Chase of Colchester, Cina of Burlington, Coffey of Guilford, Conlon of Cornwall, Corcoran of Bennington, Cupoli of Rutland City, Dolan of Essex, Dolan of Waitsfield, Donahue of Northfield, Durfee of Shaftsbury, Emmons of Springfield, Feltus of Lyndon, Garofano of Essex, Goslant of Northfield, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Helm of Fair Haven, Higley of Lowell, Houghton of Essex, Howard of Rutland City, James of Manchester, Jessup of Middlesex, Killacky of South Burlington, Labor of Morgan, LaClair of Barre Town, LaLonde of South Burlington, Lanpher of Vergennes, Lefebvre of Orange, Lippert of Hinesburg, Long of Newfane, Marcotte of Coventry, Martel of Waterford, Masland of Thetford, Mattos of Milton, McCoy of Poultney, McCullough of Williston, McFaun of Barre Town, Morgan, L. of Milton, Morgan, M. of Milton, Morris of Springfield, Morrissey of Bennington, Murphy of Fairfax, Nicoll of Ludlow, Nigro of Bennington, Norris of Shoreham, Notte of Rutland City, Noyes of

Wolcott, Ode of Burlington, Page of Newport City, Palasik of Milton, Parsons of Newbury, Partridge of Windham, Patt of Worcester, Peterson of Clarendon, Rosenquist of Georgia, Scheuermann of Stowe, Shaw of Pittsford, Smith of Derby, Smith of New Haven, Squirrell of Underhill, Stebbins of Burlington, Stevens of Waterbury, Strong of Albany, Sullivan of Dorset, Taylor of Colchester, Till of Jericho, Toleno of Brattleboro, Townsend of South Burlington, Troiano of Stannard, Vyhovsky of Essex, Webb of Shelburne, White of Hartford, Whitman of Bennington, Williams of Granby, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte,

By All members of the Senate,

H.C.R. 103. (No. R156) House concurrent resolution congratulating the 2021 class of Eagle Scouts in the State of Vermont.

Adptd purs to Joint Rule 16b, 211; S Message, adptd in con, 212; Ceremonial Reading, 1707.

By Representatives Burke of Brattleboro, Kornheiser of Brattleboro, and Toleno of Brattleboro,

By Senators Balint and White,

H.C.R. 104. (No. R168) House concurrent resolution commemorating the centennial anniversary of the Harris Hill Ski Jump in Brattleboro.

S Message, adptd in con, 385; Adptd purs to Joint Rule 16b, 385.

By Representatives Houghton of Essex, Black of Essex, Dolan of Essex, Garofano of Essex, and Vyhovsky of Essex,

H.C.R. 105. (No. R169) House concurrent resolution in memory of former Representative Deborah G. Evans of Essex.

S Message, adptd in con, 385; Adptd purs to Joint Rule 16b, 385.

By Representative Nicoll of Ludlow,

By Senators Clarkson, McCormack, and Nitka,

H.C.R. 106. (No. R170) House concurrent resolution in memory of Robert William Kirkbride.

S Message, adptd in con, 416; Adptd purs to Joint Rule 16b, 416.

By Representatives Vyhovsky of Essex, Pugh of South Burlington, Cina of Burlington, Ancel of Calais, Donnally of Hyde Park, and Rachelson of Burlington,

H.C.R. 107. (No. R171) House concurrent resolution designating March 10, 2022, as Social Worker Advocacy Day at the State House.

S Message, adptd in con, 416; Adptd purs to Joint Rule 16b, 416; Ceremonial Reading, 475.

By Representative Pugh of South Burlington,

H.C.R. 108. (No. R172) House concurrent resolution designating the legislative week of March 8–11, 2022 as Early Childhood Week at the General Assembly.

S Message, adptd in con, 416; Adptd purs to Joint Rule 16b, 416; Ceremonial Reading, 421.

By Representatives Vyhovsky of Essex, Black of Essex, Dolan of Essex, Garofano of Essex, and Houghton of Essex,

H.C.R. 109. (No. R173) House concurrent resolution congratulating the 2022 Essex High School Hornets girls' indoor track and field team on winning a second consecutive Division I championship.

Adptd purs to Joint Rule 16b, 503; S Message, adptd in con, 505.

By Representatives Vyhovsky of Essex, Black of Essex, Dolan of Essex, Garofano of Essex, and Houghton of Essex,

H.C.R. 110. (No. R174) House concurrent resolution congratulating the 2022 Essex High School boys' indoor track and field team on winning a second consecutive Division I championship.

Adptd purs to Joint Rule 16b, 503; S Message, adptd in con, 505.

By Representatives Garofano of Essex, Black of Essex, Dolan of Essex, Houghton of Essex, and Vyhovsky of Essex,

H.C.R. 111. (No. R175) House concurrent resolution congratulating William O'Neil of Essex on his induction into the Vermont Sports Hall of Fame.

Adptd purs to Joint Rule 16b, 503; S Message, adptd in con, 505.

By Representative Austin of Colchester,

H.C.R. 112. (No. R176) House concurrent resolution honoring the Voices of St. Joseph's Orphanage.

Adptd purs to Joint Rule 16b, 503; S Message, adptd in con, 505; Ceremonial Reading, 994.

By Representatives Hango of Berkshire, Austin of Colchester, Birong of Vergennes, Dolan of Essex, Fagan of Rutland City, Goslant of Northfield, Gregoire of Fairfield, Harrison of Chittenden, Higley of Lowell, Houghton of Essex, Howard of Rutland City, Lefebvre of Orange, Martel of Waterford, Morgan, M. of Milton, Morrissey of Bennington, Murphy of Fairfax, Norris of Sheldon, Norris of Shoreham, Ode of Burlington, Page of Newport City, Palasik of Milton, Scheuermann of Stowe, Sibilia of Dover, and Wood of Waterbury,

By Senators Brock, Kitchel, and Ram Hinsdale,

H.C.R. 113. (No. R177) House concurrent resolution honoring the USS VERMONT (SSN 792).

Adptd purs to Joint Rule 16b, 503; S Message, adptd in con, 505; Ceremonial Reading, 557.

By Representatives Burke of Brattleboro, Kornheiser of Brattleboro, and Toleno of Brattleboro,

By Senators Balint and White,

H.C.R. 114. (No. R178) House concurrent resolution congratulating the 2021 Brattleboro Union High School Colonels Division II championship boys' hockey team.

Adptd purs to Joint Rule 16b, 503; S Message, adptd in con, 505.

By Representatives Vyhovsky of Essex, Black of Essex, Dolan of Essex, Garofano of Essex, and Houghton of Essex,

H.C.R. 115. (No. R179) House concurrent resolution congratulating the 2022 Essex High School Hornets State championship gymnastics team.

Adptd purs to Joint Rule 16b, 504; S Message, adptd in con, 506.

By Representatives James of Manchester, Bongartz of Manchester, Brownell of Pownal, Corcoran of Bennington, Durfee of Shaftsbury, Morrissey of Bennington, Nigro of Bennington, Pajala of Londonderry, Sullivan of Dorset, and Whitman of Bennington,

By Senators Campion and Sears,

H.C.R. 116. (No. R180) House concurrent resolution commemorating the 250th anniversary of the New Yorkers' capture and Bennington posse's rescue of early Arlington leader and pre-Revolutionary War patriot Remember Baker Jr.

Adptd purs to Joint Rule 16b, 504; S Message, adptd in con, 506; Ceremonial Reading, 697.

By Representatives Morrissey of Bennington, Brownell of Pownal, Corcoran of Bennington, Durfee of Shaftsbury, Nigro of Bennington, and Whitman of Bennington,

By Senators Campion and Sears,

H.C.R. 117. (No. R181) House concurrent resolution congratulating Catamount Access Television in Bennington on its 30th anniversary.

Adptd purs to Joint Rule 16b, 504; S Message, adptd in con, 506.

By Representatives Pugh of South Burlington, Marcotte of Coventry, Wood of Waterbury, and Yacovone of Morristown,

By Senators Lyons and Westman,

H.C.R. 118. (No. R182) House concurrent resolution honoring Diane Dalmasse for her extraordinary half century of State public service and leadership.

Adptd purs to Joint Rule 16b, 504; S Message, adptd in con, 506; Ceremonial Reading, 512.

By Representatives Donahue of Northfield, Goslant of Northfield, and Grad of Moretown,

H.C.R. 119. (No. R183) House concurrent resolution honoring Anthony

Mariano for 44 years of exemplary athletics leadership at Norwich University.

Adptd purs to Joint Rule 16b, 504; S Message, adptd in con, 506; Ceremonial Reading, 1785.

By Representatives Morrissey of Bennington, Brownell of Pownal, Corcoran of Bennington, Durfee of Shaftsbury, Nigro of Bennington, and Whitman of Bennington,

By Senators Campion and Sears,

H.C.R. 120. (No. R186) House concurrent resolution congratulating the 2022 Mt. Anthony Union High School boys' Division I Nordic skiing championship team.

Adptd purs to Joint Rule 16b, 732; S Message, adptd in con, 733.

By Representatives Morrissey of Bennington, Brownell of Pownal, Corcoran of Bennington, Durfee of Shaftsbury, Nigro of Bennington, and Whitman of Bennington,

By Senators Campion and Sears,

H.C.R. 121. (No. R187) House concurrent resolution congratulating the 2022 Mt. Anthony Union High School Patriots State championship wrestling team.

Adptd purs to Joint Rule 16b, 732; S Message, adptd in con, 733.

By Representative Parsons of Newbury,

By Senators Benning and Kitchel,

H.C.R. 122. (No. R188) House concurrent resolution congratulating the 2022 Blue Mountain Union School Bucks Division IV championship boys' basketball team.

Adptd purs to Joint Rule 16b, 958; S Message, adptd in con, 960.

By Representatives Yantachka of Charlotte, Brady of Williston, Brumsted of Shelburne, Lippert of Hinesburg, McCullough of Williston, and Webb of Shelburne,

H.C.R. 123. (No. R189) House concurrent resolution congratulating the 2022 Champlain Valley Union High School Redhawks State championship girls' Alpine skiing team.

Adptd purs to Joint Rule 16b, 958; S Message, adptd in con, 960.

By Representatives Lefebvre of Orange and Graham of Williamstown,

H.C.R. 124. (No. R190) House concurrent resolution congratulating Anna Chandler of Orange on her centennial birthday.

Adptd purs to Joint Rule 16b, 958; S Message, adptd in con, 960.

By Representatives Lippert of Hinesburg and Yantachka of Charlotte,

H.C.R. 125. (No. R191) House concurrent resolution honoring Gill Coates for a half century of exemplary community leadership in Hinesburg.

Adptd purs to Joint Rule 16b, 958; S Message, adptd in con, 960.

By Representatives Jerome of Brandon, Shaw of Pittsford, Achey of Middletown Springs, Anthony of Barre City, Austin of Colchester, Bartholomew of Hartland, Bongartz of Manchester, Bos-Lun of Westminster, Brumsted of Shelburne, Burditt of West Rutland, Campbell of St. Johnsbury, Canfield of Fair Haven, Coffey of Guilford, Cupoli of Rutland City, Dolan of Waitsfield, Fagan of Rutland City, Goldman of Rockingham, Harrison of Chittenden, Helm of Fair Haven, Houghton of Essex, Howard of Rutland City, James of Manchester, Masland of Thetford, McCoy of Poultney, Nicoll of Ludlow, Norris of Shoreham, Notte of Rutland City, Ode of Burlington, Patt of Worcester, Peterson of Clarendon, Pugh of South Burlington, Scheu of Middlebury, Sullivan of Dorset, Terenzini of Rutland Town, Till of Jericho, Walz of Barre City, Webb of Shelburne, White of Bethel, and Yantachka of Charlotte,

H.C.R. 126. (No. R192) House concurrent resolution commemorating Thomas Davenport, electrical inventor.

Adptd purs to Joint Rule 16b, 959; S Message, adptd in con, 960.

By Representatives Yantachka of Charlotte, Brady of Williston, Brumsted of Shelburne, Lippert of Hinesburg, McCullough of Williston, and Webb of Shelburne,

H.C.R. 127. (No. R193) House concurrent resolution congratulating the 2022 Champlain Valley Union High School Redhawks boys' Alpine ski team on winning a second consecutive State championship.

Adptd purs to Joint Rule 16b, 959; S Message, adptd in con, 960.

By Representatives Mattos of Milton, Morgan, L. of Milton, Morgan, M. of Milton, and Palasik of Milton,

H.C.R. 128. (No. R194) House concurrent resolution congratulating the 2022 Milton High School Yellowjackets Division II boys' ice hockey championship team.

Adptd purs to Joint Rule 16b, 982; S Message, adptd in con, 984; Ceremonial Reading, 1328.

By Representatives Toof of St. Albans Town, Dickinson of St. Albans Town, and McCarthy of St. Albans City,

By Senators Brock and Parent,

H.C.R. 129. (No. R195) House concurrent resolution congratulating the 2022 Bellows Free Academy-St Albans Comets Division I girls' championship ice hockey team.

Adptd purs to Joint Rule 16b, 982; S Message, adptd in con, 984; Ceremonial Reading, 1181.

By Representatives Hango of Berkshire, Achey of Middletown Springs, Austin of Colchester, Birong of Vergennes, Bongartz of Manchester, Canfield of Fair Haven, Christie of Hartford, Cina of Burlington, Cupoli of Rutland

City, Dickinson of St. Albans Town, Goslant of Northfield, Gregoire of Fairfield, Howard of Rutland City, Killacky of South Burlington, Labor of Morgan, Laroche of Franklin, Martel of Waterford, Masland of Thetford, McCoy of Poultney, Morgan, M. of Milton, Morrissey of Bennington, Murphy of Fairfax, Norris of Sheldon, Page of Newport City, Parsons of Newbury, Peterson of Clarendon, Rosenquist of Georgia, Scheuermann of Stowe, Shaw of Pittsford, Smith of Derby, Stevens of Waterbury, Toof of St. Albans Town, Troiano of Stannard, Walker of Swanton, Walz of Barre City, and Yantachka of Charlotte,

By Senators Brock, Collamore, Ingalls, Mazza, and Parent,

H.C.R. 130. (No. R196) House concurrent resolution recognizing April 2022 as the Month of the Military Child and April 15, 2022 as Purple Up Day in Vermont.

Adptd purs to Joint Rule 16b, 983; S Message, adptd in con, 984.

By Representatives Rachelson of Burlington, Anthony of Barre City, Austin of Colchester, Birong of Vergennes, Bluemle of Burlington, Brumsted of Shelburne, Cina of Burlington, Colburn of Burlington, Copeland Hanzas of Bradford, Dolan of Waitsfield, Garofano of Essex, Hooper of Burlington, Killacky of South Burlington, LaClair of Barre Town, Masland of Thetford, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Ode of Burlington, Partridge of Windham, Pugh of South Burlington, Sims of Craftsbury, Stebbins of Burlington, Stevens of Waterbury, Till of Jericho, Vyhovsky of Essex, Wood of Waterbury, and Yantachka of Charlotte,

By Senators Baruth, Chittenden, Hardy, Pearson, Ram Hinsdale, and Sirotkin,

H.C.R. 131. (No. R197) House concurrent resolution honoring Melinda Moulton and Lisa Steele for their pivotal role in rejuvenating the Burlington waterfront.

Adptd purs to Joint Rule 16b, 983; S Message, adptd in con, 984; Ceremonial Reading, 1006.

By Representatives Rachelson of Burlington, Anthony of Barre City, Austin of Colchester, Black of Essex, Bluemle of Burlington, Brown of Richmond, Brownell of Pownal, Brumsted of Shelburne, Canfield of Fair Haven, Cina of Burlington, Copeland Hanzas of Bradford, Dolan of Waitsfield, Garofano of Essex, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Hooper of Burlington, Howard of Rutland City, Jerome of Brandon, LaClair of Barre Town, Leffler of Enosburgh, Morrissey of Bennington, Mulvaney-Stanak of Burlington, Murphy of Fairfax, Nicoll of Ludlow, Ode of Burlington, Page of Newport City, Partridge of Windham, Pugh of South Burlington, Scheu of Middlebury, Sims of Craftsbury, Small of Winooski, Stebbins of Burlington, Till of Jericho, Vyhovsky of Essex, White

of Bethel, Williams of Granby, Wood of Waterbury, and Yantachka of Charlotte,

By Senators Baruth, Brock, Chittenden, Hardy, Pearson, and Ram Hinsdale,

H.C.R. 132. (No. R198) House concurrent resolution recognizing April 2022 as National Donate Life Month in Vermont.

Adptd purs to Joint Rule 16b, 983; S Message, adptd in con, 984; Ceremonial Reading, 994.

By Representatives Vyhovsky of Essex, Black of Essex, Dolan of Essex, Garofano of Essex, and Houghton of Essex,

H.C.R. 133. (No. R199) House concurrent resolution congratulating the 2022 Essex High School Hornets Division I boys' ice hockey championship team.

Adptd purs to Joint Rule 16b, 983; S Message, adptd in con, 984.

By Representative Grad of Moretown,

By Senator Ram Hinsdale,

H.C.R. 134. (No. R200) House concurrent resolution recognizing April 6, 2022 as Start by Believing Day in Vermont.

Adptd purs to Joint Rule 16b, 983; S Message, adptd in con, 984; Ceremonial Reading, 989.

By Representative Noyes of Wolcott,

By Senator Brock,

H.C.R. 135. (No. R208) House concurrent resolution designating April 27, 2022 as Alzheimer's Awareness Day at the State House.

Adptd purs to Joint Rule 16b, 999; S Message, adptd in con, 1000; Ceremonial Reading, 1263.

By Representatives Partridge of Windham, Bos-Lun of Westminster, Goldman of Rockingham, and Mrowicki of Putney,

By Senators Balint and White,

H.C.R. 136. (No. R209) House concurrent resolution congratulating the 2021 Bellows Falls Union High School Terriers Division II championship football team.

Adptd purs to Joint Rule 16b, 999; S Message, adptd in con, 1000.

By Representatives Dickinson of St. Albans Town, McCarthy of St. Albans City, and Toof of St. Albans Town,

By Senators Brock and Parent,

H.C.R. 137. (No. R210) House concurrent resolution honoring Bellows Free Academy-St. Albans boys' ice hockey Head Coach Toby Ducolon for his outstanding achievements.

Adptd purs to Joint Rule 16b, 999; S Message, adptd in con, 1000; Ceremonial Reading, 1181.

By Representatives Yantachka of Charlotte, Brady of Williston, Brumsted of Shelburne, Lippert of Hinesburg, McCullough of Williston, and Webb of Shelburne,

H.C.R. 138. (No. R211) House concurrent resolution congratulating the Champlain Valley Union High School RoboHawks on winning the 2022 Vermont State FIRST Tech Challenge Robotics Championships.

Adptd purs to Joint Rule 16b, 999; S Message, adptd in con, 1000.

By Representatives Bos-Lun of Westminster, Emmons of Springfield, Morris of Springfield, and Mrowicki of Putney,

By Senators Balint, Clarkson, McCormack, Nitka, and White,

H.C.R. 139. (No. R212) House concurrent resolution congratulating the Vermont winners of the 2022 NYSRAEF ProStart Invitational culinary competition.

Adptd purs to Joint Rule 16b, 1019; S Message, adptd in con, 1021.

By Representatives Norris of Sheldon and Walker of Swanton,

H.C.R. 140. (No. R213) House concurrent resolution congratulating E.J. Barrette & Sons Inc. of Swanton on its centennial.

Adptd purs to Joint Rule 16b, 1019; S Message, adptd in con, 1021; Ceremonial Reading, 1311.

By Representatives Vyhovsky of Essex, Black of Essex, Dolan of Essex, Garofano of Essex, and Houghton of Essex,

H.C.R. 141. (No. R214) House concurrent resolution congratulating Chef Christian Kruse on his selection as a 2022 semifinalist for the receipt of the James Beard Foundation's Best Chef: Northeast Award.

Adptd purs to Joint Rule 16b, 1019; S Message, adptd in con, 1021.

By Representatives Bluemle of Burlington, Anthony of Barre City, Arrison of Weathersfield, Black of Essex, Brennan of Colchester, Briglin of Thetford, Brown of Richmond, Brownell of Pownal, Burke of Brattleboro, Burrows of West Windsor, Coffey of Guilford, Colston of Winooski, Conlon of Cornwall, Cordes of Lincoln, Cupoli of Rutland City, Dickinson of St. Albans Town, Dolan of Essex, Garofano of Essex, Goldman of Rockingham, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Hooper of Burlington, Howard of Rutland City, James of Manchester, Killacky of South Burlington, Lippert of Hinesburg, Long of Newfane, Marcotte of Coventry, Masland of Thetford, McCormack of Burlington, Morrissey of Bennington, Mulvaney-Stanak of Burlington, Murphy of Fairfax, Norris of Sheldon, Norris of Shoreham, Ode of Burlington, Partridge of Windham, Pugh of South Burlington, Rachelson of Burlington, Rosenquist of Georgia, Scheu of Middlebury, Sims of Craftsbury, Small of Winooski, Squirrel of Underhill, Stebbins of Burlington, Stevens of Waterbury, Surprenant of Barnard, Townsend of South Burlington, Troiano of Stannard, Webb of Shelburne,

Whitman of Bennington, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte,

By Senators Balint, Benning, Brock, Campion, Chittenden, Clarkson, Collamore, Cummings, Hardy, Hooker, Kitchel, Lyons, Nitka, Pearson, Ram Hinsdale, Sears, Starr, and White,

H.C.R. 142. (No. R215) House concurrent resolution in memory of Sister Janice E. Ryan, RSM.

Adptd purs to Joint Rule 16b, 1019; S Message, adptd in con, 1021.

By Representatives Lefebvre of Orange and Lippert of Hinesburg,

H.C.R. 143. (No. R216) House concurrent resolution in memory of George H. Severance of Hinesburg.

Adptd purs to Joint Rule 16b, 1019; S Message, adptd in con, 1021; Ceremonial Reading, 1312.

By Representatives Bartholomew of Hartland, Burrows of West Windsor, Goldman of Rockingham, and Partridge of Windham,

By Senators Balint, Clarkson, McCormack, Nitka, and White,

H.C.R. 144. (No. R217) House concurrent resolution congratulating Blake Hill Preserves' owners Vicki Allard and Joe Hanglin on being named the U.S. Small Business Administration's 2022 Vermont Small Business Persons of the Year.

Adptd purs to Joint Rule 16b, 1178; S Message, adptd in con, 1179; Ceremonial Reading, 1328.

By Representatives Copeland Hanzas of Bradford, Anthony of Barre City, Austin of Colchester, Bartholomew of Hartland, Beck of St. Johnsbury, Birong of Vergennes, Black of Essex, Bluemle of Burlington, Bongartz of Manchester, Burke of Brattleboro, Campbell of St. Johnsbury, Canfield of Fair Haven, Christie of Hartford, Cina of Burlington, Conlon of Cornwall, Dolan of Essex, Dolan of Waitsfield, Donnally of Hyde Park, Gannon of Wilmington, Garofano of Essex, Goldman of Rockingham, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Hooper of Burlington, Houghton of Essex, Howard of Rutland City, James of Manchester, Jerome of Brandon, Killackey of South Burlington, Kornheiser of Brattleboro, Lefebvre of Orange, Lippert of Hinesburg, Marcotte of Coventry, Masland of Thetford, McCormack of Burlington, Morris of Springfield, Morrissey of Bennington, Mrowicki of Putney, Murphy of Fairfax, Nicoll of Ludlow, Ode of Burlington, Page of Newport City, Pajala of Londonderry, Partridge of Windham, Pugh of South Burlington, Rachelson of Burlington, Scheu of Middlebury, Shaw of Pittsford, Sibilia of Dover, Small of Winooski, Stebbins of Burlington, Stevens of Waterbury, Strong of Albany, Till of Jericho, Troiano of Stannard, Vyhovsky of Essex, White of Hartford, Whitman of Bennington, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte,

H.C.R. 145. (No. R218) House concurrent resolution recognizing June 27, 2022 as Post-Traumatic Stress Injury Awareness Day in Vermont.

Adptd purs to Joint Rule 16b, 1178; S Message, adptd in con, 1179.

By Representatives Brumsted of Shelburne and Webb of Shelburne,

H.C.R. 146. (No. R219) House concurrent resolution congratulating Megan Nick on winning the bronze medal in women's individual aerials at the 2022 Winter Olympics.

Adptd purs to Joint Rule 16b, 1178; S Message, adptd in con, 1179.

By Representatives Brown of Richmond, Austin of Colchester, Brumsted of Shelburne, Cordes of Lincoln, and Webb of Shelburne,

H.C.R. 147. (No. R220) House concurrent resolution congratulating Ryan Cochran-Siegle of Starksboro on winning the silver medal in the super-G alpine skiing race at the 2022 Winter Olympics.

Adptd purs to Joint Rule 16b, 1178; S Message, adptd in con, 1180.

By Representative Yantachka of Charlotte,

H.C.R. 148. (No. R221) House concurrent resolution recognizing April 2022 as World Landscape Architecture Month and designating April 26, 2022 as Fredrick Law Olmsted Day in Vermont.

Adptd purs to Joint Rule 16b, 1178; S Message, adptd in con, 1180.

By Representatives Durfee of Shaftsbury, Bongartz of Manchester, and James of Manchester,

By Senators Campion and Sears,

H.C.R. 149. (No. R222) House concurrent resolution honoring former Sunderland Town Clerk and Treasurer Rose Keough.

Adptd purs to Joint Rule 16b, 1178; S Message, adptd in con, 1180.

By Representatives Lefebvre of Orange, Anthony of Barre City, Brownell of Pownal, Campbell of St. Johnsbury, Coffey of Guilford, Colston of Winooski, Cordes of Lincoln, Dolan of Waitsfield, Gannon of Wilmington, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Higley of Lowell, Houghton of Essex, Masland of Thetford, Morgan, M. of Milton, Morrissey of Bennington, Norris of Sheldon, Page of Newport City, Partridge of Windham, Patt of Worcester, Scheuermann of Stowe, Sims of Craftsbury, Strong of Albany, Till of Jericho, Whitman of Bennington, Williams of Granby, Wood of Waterbury, and Yantachka of Charlotte,

H.C.R. 150. (No. R223) House concurrent resolution designating April 2022 as Vermont Public Safety Telecommunicators Month.

Adptd purs to Joint Rule 16b, 1409; S Message, adptd in con, 1412; Ceremonial Reading, 1786.

By Representatives Bluemle of Burlington, Cina of Burlington, Colburn of Burlington, Hooper of Burlington, Krowinski of Burlington, McCormack of

Burlington, Mulvaney-Stanak of Burlington, Ode of Burlington, Rachelson of Burlington, and Stebbins of Burlington,

By Senators Chittenden, Lyons, and Ram Hinsdale,

H.C.R. 151. (No. R224) House concurrent resolution congratulating the Burlington High School Seahorses girls' Nordic skiing team on winning a second consecutive Division I championship.

Adptd purs to Joint Rule 16b, 1409; S Message, adptd in con, 1412.

By Representatives Palasik of Milton, Hango of Berkshire, Austin of Colchester, Beck of St. Johnsbury, Birong of Vergennes, Cupoli of Rutland City, Gregoire of Fairfield, Harrison of Chittenden, Labor of Morgan, Martel of Waterford, McCoy of Poultney, McFaun of Barre Town, Morgan, L. of Milton, Morgan, M. of Milton, Morrissey of Bennington, Mrowicki of Putney, Murphy of Fairfax, Ode of Burlington, Page of Newport City, Partridge of Windham, Smith of Derby, Strong of Albany, Sullivan of Dorset, Troiano of Stannard, Walker of Swanton, Williams of Granby, and Wood of Waterbury,

H.C.R. 152. (No. R225) House concurrent resolution honoring the Vermont Thunder Ride on its 30th anniversary.

Adptd purs to Joint Rule 16b, 1409; S Message, adptd in con, 1412.

By Representatives Hango of Berkshire, Austin of Colchester, Birong of Vergennes, Fagan of Rutland City, Goslant of Northfield, Harrison of Chittenden, Martel of Waterford, Morgan, L. of Milton, Morgan, M. of Milton, Morrissey of Bennington, Norris of Sheldon, Ode of Burlington, Page of Newport City, Rosenquist of Georgia, Scheuermann of Stowe, Sibilila of Dover, Troiano of Stannard, and Walz of Barre City,

By Senator Collamore,

H.C.R. 153. (No. R226) House concurrent resolution celebrating the State Partnership Program recently established between the Vermont National Guard and Austria.

Adptd purs to Joint Rule 16b, 1409; S Message, adptd in con, 1412; Ceremonial Reading, 2202.

By Representative Rogers of Waterville,

By Senator Westman,

H.C.R. 154. (No. R227) House concurrent resolution honoring Waterville Selectboard Chair Donald W. Lynch Sr. for his outstanding municipal leadership.

Adptd purs to Joint Rule 16b, 1409; S Message, adptd in con, 1412.

By Representatives Bluemle of Burlington, Killacky of South Burlington, and Rachelson of Burlington,

H.C.R. 155. (No. R228) House concurrent resolution honoring Rita Markley for her superb leadership in the effort to eradicate homelessness in Vermont.

Adptd purs to Joint Rule 16b, 1409; S Message, adptd in con, 1412; Ceremonial Reading, 1607.

By All members of the House of Representatives,

H.C.R. 156. (No. R229) House concurrent resolution recognizing National Foster Care Month in Vermont.

Adptd purs to Joint Rule 16b, 1410; S Message, adptd in con, 1412; Ceremonial Reading, 1708.

By Representatives Dolan of Essex, Anthony of Barre City, Arrison of Weathersfield, Black of Essex, Bluemle of Burlington, Bos-Lun of Westminster, Brownell of Pownal, Brumsted of Shelburne, Burditt of West Rutland, Campbell of St. Johnsbury, Coffey of Guilford, Emmons of Springfield, Gannon of Wilmington, Garofano of Essex, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Higley of Lowell, Houghton of Essex, Howard of Rutland City, Labor of Morgan, Laroche of Franklin, Lefebvre of Orange, Martel of Waterford, Masland of Thetford, McCoy of Poultney, Morgan, M. of Milton, Morrissey of Bennington, Murphy of Fairfax, Nicoll of Ludlow, Ode of Burlington, Page of Newport City, Scheu of Middlebury, Sims of Craftsbury, Squirrell of Underhill, Strong of Albany, Sullivan of Dorset, Taylor of Colchester, Toof of St. Albans Town, Walker of Swanton, White of Bethel, White of Hartford, Williams of Granby, Wood of Waterbury, and Yantachka of Charlotte,

H.C.R. 157. (No. R230) House concurrent resolution honoring Vermont's correctional personnel and recognizing National Correctional Officers Week in Vermont.

Adptd purs to Joint Rule 16b, 1410; S Message, adptd in con, 1412; Ceremonial Reading, 1415.

By Representatives Scheuermann of Stowe, Anthony of Barre City, Austin of Colchester, Campbell of St. Johnsbury, Canfield of Fair Haven, Coffey of Guilford, Dolan of Essex, Dolan of Waitsfield, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Higley of Lowell, Jerome of Brandon, Kimbell of Woodstock, Lefebvre of Orange, Masland of Thetford, McCoy of Poultney, Morrissey of Bennington, Norris of Shoreham, Ode of Burlington, Page of Newport City, Partridge of Windham, Peterson of Clarendon, Sims of Craftsbury, Smith of New Haven, Strong of Albany, Walker of Swanton, Webb of Shelburne, Whitman of Bennington, Wood of Waterbury, and Yantachka of Charlotte,

H.C.R. 158. (No. R231) House concurrent resolution welcoming the 2022 International Workshop on Agritourism to Vermont.

Adptd purs to Joint Rule 16b, 1410; S Message, adptd in con, 1412.

By Representatives Burditt of West Rutland and Peterson of Clarendon,

H.C.R. 159. (No. R232) House concurrent resolution congratulating the

2022 West Rutland High School Golden Horde Division IV girls' basketball championship team.

Adptd purs to Joint Rule 16b, 1410; S Message, adptd in con, 1412.

By All members of the House of Representatives,

By All members of the Senate,

H.C.R. 160. (No. R233) House concurrent resolution honoring the General Assembly's venerable head doorkeeper, Cornelius F. Reed Jr. of Wolcott.

Adptd purs to Joint Rule 16b, 1410; S Message, adptd in con, 1413; Ceremonial Reading, 2058.

By Representatives Pugh of South Burlington, Brumsted of Shelburne, Garofano of Essex, Gregoire of Fairfield, McFaun of Barre Town, Noyes of Wolcott, Pajala of Londonderry, Rosenquist of Georgia, Small of Winooski, Whitman of Bennington, and Wood of Waterbury,

H.C.R. 161. (No. R243) House concurrent resolution honoring Alice Harter for her dedicated service as a long-term care ombudsman.

Adptd purs to Joint Rule 16b, 1956; S Message, adptd in con, 1961.

By Representatives Ancel of Calais, Burke of Brattleboro, Anthony of Barre City, Hooper of Montpelier, Kitzmiller of Montpelier, Lippert of Hinesburg, McCullough of Williston, Townsend of South Burlington, and Walz of Barre City,

H.C.R. 162. (No. R244) House concurrent resolution honoring Vermont Historical Society Librarian extraordinaire Paul A. Carnahan for his superb professional leadership.

Adptd purs to Joint Rule 16b, 1957; S Message, adptd in con, 1961.

By Representative Nicoll of Ludlow,

By Senators Nitka, Clarkson, and McCormack,

H.C.R. 163. (No. R245) House concurrent resolution honoring Ludlow civic leader Herbert Van Guilder.

Adptd purs to Joint Rule 16b, 1957; S Message, adptd in con, 1961.

By Representatives Noyes of Wolcott, Donnally of Hyde Park, Burke of Brattleboro, Coffey of Guilford, Killacky of South Burlington, and Toleno of Brattleboro,

By Senator Westman,

H.C.R. 164. (No. R246) House concurrent resolution honoring Linda Wrazen for her exemplary career at Vermont Humanities.

Adptd purs to Joint Rule 16b, 1957; S Message, adptd in con, 1961.

By Representatives Austin of Colchester, Brennan of Colchester, Chase of Colchester, and Taylor of Colchester,

By Senator Mazza,

H.C.R. 165. (No. R247) House concurrent resolution congratulating the Green Mountain Power Corporation of Colchester on Time Magazine's designating it as one of the 100 most influential companies in the world.

Adptd purs to Joint Rule 16b, 1957; S Message, adptd in con, 1961.

By Representatives Donahue of Northfield and Goslant of Northfield,

H.C.R. 166. (No. R248) House concurrent resolution honoring Berlin Town Clerk Rosemary Morse for 20 years of exemplary dedication to her community.

Adptd purs to Joint Rule 16b, 1957; S Message, adptd in con, 1962.

By Representatives Morgan, L. of Milton, Morgan and M. of Milton,

H.C.R. 167. (No. R249) House concurrent resolution commemorating the 75th Anniversary of the U.S. Air Force.

Adptd purs to Joint Rule 16b, 1957; S Message, adptd in con, 1962.

By Representative Conlon of Cornwall,

H.C.R. 168. (No. R250) House concurrent resolution in memory of former House Majority Leader Willem Westpalm van Hoorn Jewett of Ripton.

Adptd purs to Joint Rule 16b, 1957; S Message, adptd in con, 1962.

By Representative Coffey of Guilford,

H.C.R. 169. (No. R251) House concurrent resolution congratulating the Vermont students at the Pioneer Valley Regional School in Northfield, Massachusetts, who are being honored as 2022 Peacemaker Award winners.

Adptd purs to Joint Rule 16b, 1957; S Message, adptd in con, 1962.

By Representatives Smith of Derby, Emmons of Springfield, and Martel of Waterford,

H.C.R. 170. (No. R252) House concurrent resolution in memory of former Representative, Commissioner of State Buildings, and Labor Relations Board member John J. Zampieri of Ryegate.

S Message, adptd in con, 2227; Adptd purs to Joint Rule 16b, 2339.

By Representatives Partridge of Windham, Bos-Lun of Westminster, Goldman of Rockingham, and Mrowicki of Putney,

H.C.R. 171. (No. R253) House concurrent resolution congratulating Jayne Barber of Bellows Falls on her 2022 induction into the Vermont Sports Hall of Fame.

S Message, adptd in con, 2228; Adptd purs to Joint Rule 16b, 2339.

SENATE CONCURRENT RESOLUTIONS

By Senators White and Balint,

By Representatives Partridge of Windham and Goldman of Rockingham,

S.C.R. 10. (No. R135) Senate concurrent resolution congratulating the 2021 Bellows Falls Union High School Terriers Division II championship varsity football team.

Adptd in con purs to Joint Rule 16b, 48; S Message, adptd in con, 48.

By Senators Campion and Sears,

By Representatives Corcoran of Bennington, Morrissey of Bennington, Nigro of Bennington, and Whitman of Bennington,

S.C.R. 11. (No. R164) Senate concurrent resolution honoring John Shannahan for his exemplary leadership of the Better Bennington Corporation.

Adptd in con purs to Joint Rule 16b, 119; S Message, adptd in con, 120.

By Senators Ram Hinsdale, Balint, Benning, Bray, Brock, Campion, Chittenden, Clarkson, Hardy, Hooker, Kitchel, Lyons, McCormack, Parent, Pearson, Perchlik, Pollina, Sears, Sirotkin, Terenzini, and White,

By Representatives Cordes of Lincoln, Achey of Middletown Springs, Ancel of Calais, Anthony of Barre City, Arrison of Weathersfield, Austin of Colchester, Bartholomew of Hartland, Beck of St. Johnsbury, Birong of Vergennes, Black of Essex, Bluemle of Burlington, Bock of Chester, Bongartz of Manchester, Bos-Lun of Westminster, Brady of Williston, Brennan of Colchester, Briglin of Thetford, Brown of Richmond, Brownell of Pownal, Brumsted of Shelburne, Burditt of West Rutland, Burke of Brattleboro, Burrows of West Windsor, Campbell of St. Johnsbury, Canfield of Fair Haven, Chase of Colchester, Christie of Hartford, Cina of Burlington, Coffey of Guilford, Colburn of Burlington, Colston of Winooski, Conlon of Cornwall, Copeland Hanzas of Bradford, Corcoran of Bennington, Cupoli of Rutland City, Dickinson of St. Albans Town, Dolan of Essex, Dolan of Waitsfield, Donahue of Northfield, Donnally of Hyde Park, Durfee of Shaftsbury, Elder of Starksboro, Emmons of Springfield, Fagan of Rutland City, Feltus of Lyndon, Gannon of Wilmington, Garofano of Essex, Goldman of Rockingham, Goslant of Northfield, Grad of Moretown, Graham of Williamstown, Gregoire of Fairfield, Hango of Berkshire, Harrison of Chittenden, Helm of Fair Haven, Higley of Lowell, Hooper of Montpelier, Hooper of Randolph, Hooper of Burlington, Houghton of Essex, Howard of Rutland City, James of Manchester, Jerome of Brandon, Jessup of Middlesex, Killackey of South Burlington, Kimbell of Woodstock, Kitzmiller of Montpelier, Kornheiser of Brattleboro, Krowinski of Burlington, Labor of Morgan, LaClair of Barre Town, LaLonde of South Burlington, Lanpher of Vergennes, Lefebvre of Newark, Lefebvre of Orange, Leffler of Enosburgh, Lippert of Hinesburg, Long of Newfane, Marcotte of Coventry, Martel of Waterford, Martin of

Franklin, Masland of Thetford, Mattos of Milton, McCarthy of St. Albans City, McCormack of Burlington, McCoy of Poultney, McCullough of Williston, McFaun of Barre Town, Morgan, L. of Milton, Morgan, M. of Milton, Morris of Springfield, Morrissey of Bennington, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Murphy of Fairfax, Nicoll of Ludlow, Nigro of Bennington, Norris of Sheldon, Norris of Shoreham, Notte of Rutland City, Noyes of Wolcott, O'Brien of Tunbridge, Ode of Burlington, Page of Newport City, Pajala of Londonderry, Palasik of Milton, Parsons of Newbury, Partridge of Windham, Patt of Worcester, Pearl of Danville, Peterson of Clarendon, Pugh of South Burlington, Rachelson of Burlington, Rogers of Waterville, Rosenquist of Georgia, Satcowitz of Randolph, Scheu of Middlebury, Scheuermann of Stowe, Seymour of Sutton, Shaw of Pittsford, Sheldon of Middlebury, Sibia of Dover, Sims of Craftsbury, Small of Winooski, Smith of Derby, Smith of New Haven, Squirrell of Underhill, Stebbins of Burlington, Stevens of Waterbury, Strong of Albany, Sullivan of Dorset, Surprenant of Barnard, Taylor of Colchester, Terenzini of Rutland Town, Till of Jericho, Toleno of Brattleboro, Toof of St. Albans Town, Townsend of South Burlington, Troiano of Stannard, Vyhovsky of Essex, Walz of Barre City, Webb of Shelburne, White of Bethel, White of Hartford, Whitman of Bennington, Williams of Granby, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte,

S.C.R. 12. (No. R165) Senate concurrent resolution memorializing the more than 500 Vermonters who have died due to COVID-19, extending sincere condolences to their families, and thanking those Vermonters whose frontline jobs have been especially challenging during the pandemic.

Adptd in con purs to Joint Rule 16b, 211; S Message, adptd in con, 212.

By Senators Ram Hinsdale, Cummings, Lyons, Perchlik, and Pollina,

S.C.R. 13. (No. R166) Senate concurrent resolution congratulating Kekla Magoon on her 2021 and 2022 literary honors as an author of young people's literature.

Adptd in con purs to Joint Rule 16b, 211; S Message, adptd in con, 212.

By Senators Ram Hinsdale, Cummings, Lyons, Perchlik, Pollina, and Sirotkin,

S.C.R. 14. (No. R167) Senate concurrent resolution congratulating Jason Chin of Burlington on his winning of the 2022 Randolph Caldecott Medal.

Adptd in con purs to Joint Rule 16b, 211; S Message, adptd in con, 212.

By Senator Brock,

By Representative Christie of Hartford,

S.C.R. 15. (No. R205) Senate concurrent resolution recognizing February 2022 as Black History Month in Vermont.

S Message, adptd in con, 385; Adptd in con purs to Joint Rule 16b, 385.

By Senators Campion and Sears,

By Representatives Corcoran of Bennington, Durfee of Shaftsbury, Morrissey of Bennington, Nigro of Bennington, and Whitman of Bennington,

S.C.R. 16. (No. R206) Senate concurrent resolution commemorating the centennial of Robert Frost's poem "Stopping by Woods on a Snowy Evening".

S Message, adptd in con, 385; Adptd in con purs to Joint Rule 16b, 385.

By Senators Campion and Sears,

By Representatives Corcoran of Bennington, Morrissey of Bennington, Nigro of Bennington, and Whitman of Bennington,

S.C.R. 17. (No. R207) Senate concurrent resolution honoring John Shannahan for his extraordinary contributions to the economic and cultural life of the Town of Bennington.

Adptd in con purs to Joint Rule 16b, 732; S Message, adptd in con, 733.

By Senators Cummings, Perchlik, and Pollina,

By Representatives Ancel of Calais, Hooper of Montpelier, and Kitzmiller of Montpelier,

S.C.R. 18. (No. R241) Senate concurrent resolution in memory of former Assistant Attorney General Mark Di Stefano of Montpelier.

Adptd in con purs to Joint Rule 16b, 1019; S Message, adptd in con, 1021.

By Senator MacDonald,

By Representatives Graham of Williamstown and Lefebvre of Orange,

S.C.R. 19. (No. R242) Senate concurrent resolution honoring Williamstown High School boys' basketball Head Coach Jack Carrier on his outstanding career.

Adptd in con purs to Joint Rule 16b, 1410; S Message, adptd in con, 1411.

By Senators Cummings, Clarkson, Benning, Brock, Campion, Chittenden, Collamore, Hardy, Hooker, Lyons, McCormack, Nitka, Pollina, Ram Hinsdale, and White,

S.C.R. 20. (No. R257) Senate concurrent resolution congratulating the Vermont Spring Open Studio Weekend on its 30th anniversary.

Adptd in con purs to Joint Rule 16b, 1957; S Message, adptd in con, 1961.

By Senator Lyons,

S.C.R. 21. (No. R258) Senate concurrent resolution recognizing the week beginning May 1, 2022 as Tardive Dyskinesia Awareness Week in Vermont.

Adptd in con purs to Joint Rule 16b, 1957; S Message, adptd in con, 1961.

By Senators Campion and Sears,

By Representatives Corcoran of Bennington, Morrissey of Bennington, Nigro of Bennington, and Whitman of Bennington,

S.C.R. 22. (No. R259) Senate concurrent resolution congratulating Jay and Joan Zwynenburg on the 50th anniversary of Jay's Art Shop & Frame

Gallery and for their roles as exemplary downtown Bennington entrepreneurs.

S Message, adptd in con, 2227; Adptd in con purs to Joint Rule 16b, 2339.

By Senators Brock, Clarkson, Benning, Collamore, Ingalls, and Westman,

S.C.R. 23. (No. R260) Senate concurrent resolution celebrating the State Partnership Program recently established between the Vermont National Guard and Austria.

S Message, adptd in con, 2227; Adptd in con purs to Joint Rule 16b, 2339.

GENERAL INDEX

2022

The following is a list of abbreviations and their meanings:

Prop.....	Constitutional Proposal
H.....	House Bill
H.R.....	House Resolution
J.R.H.....	Joint Resolution of the House
S.....	Senate Bill
J.R.S.....	Joint Resolution of the Senate
Table.....	Appendix B
Introduced.....	See Table for other sponsors
Offered.....	See Table for other sponsors

For information on House and Senate Concurrent Resolutions, please see Appendix B and the Acts and Resolves of 2022. “See table and page #” under bill categories refers to Appendix B's Table of Bills.

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- Banning selective abortions based on sex, Down syndrome, or genetic abnormalities.
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- Regulating facilities that provide abortion services. See table H. 563.....2618
- Requiring notification of a parent or guardian prior to performing an abortion
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Achey, Sally

Member from Middletown Springs (District Rutland-Bennington)

Committee:

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Ancl, Janet

Member from Calais (District Washington-6)

Committee:

Ways and Means, Chair

Health Reform Oversight, *ex officio*

Joint Fiscal, *ex officio*

Joint Legislative Management

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Anthony, Peter D.

Member from Barre City (District Washington-3)

Committee:

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Arrison, Norman "John"

Member from Weathersfield (District Windsor-2)

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Austin, Sarah "Sarita" C.

Member from Colchester (District Chittenden-9-2)

Committee:

Education

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Bartholomew, John L.

Member from Hartland (District Windsor-1)

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Beck, Scott L.

Member from St. Johnsbury (District Caledonia-3)

Committee:

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Birong, Matthew J.

Member from Vergennes (District Addison-3)

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Black, Alyssa

Member from Essex (District Chittenden-8-3)

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H. 661 Moved to amend committee report.....	850
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Bluemle, Tiffany

Member from Burlington (District Chittenden-6-5)

Committee:

General, Housing, and Military Affairs

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H. 641 Introduced.....	63
H. 643 Introduced.....	64
H. 644 Introduced.....	64
H. 661 Introduced.....	77
H. 668 Introduced.....	79
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H. 672 Introduced.....	80
H. 677 Introduced.....	81
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Bock, Thomas A.

Member from Chester (District Windsor-3-1)

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Bongartz, Seth

Member from Manchester (District Bennington-4)

Committee:

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Bos-Lun, Michelle

Member from Westminster (District Windham-4)

Committee:

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Brady, Erin

Member from Williston (District Chittenden-2)

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Brennan, Patrick M.

Member from Colchester (District Chittenden-9-2)

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Briglin, Timothy C.

Member from Thetford (District Windsor-Orange-2)

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H.R. 25 Offered.....	1024

Broadband

Provider eligibility for broadband grants under the Vermont Community Broadband Fund. See table H. 712.....	2641

Brown, Jana

Member from Richmond (District Chittenden-1)

Committee:

Education

Motions, etc.

H. 456 Moved to amend committee report.....	389
H. 537 Introduced.....	30
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 628 Introduced.....	58
H. 716 Moved to concur with further amend.....	2338
S. 139 Reported for committee.....	1709
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Brownell, Nelson I.

Member from Pownal (District Bennington-1)

Committee:

Natural Resources, Fish, and Wildlife

Motions, etc.

H. 558 Introduced.....	35
J.R.H. 18 Offered.....	465
H.R. 15 Offered.....	113
H.R. 25 Offered.....	1024

Brumsted, Jessica C.

Member from Shelburne (District Chittenden-5-2)

Committee:

Human Services

Building Bright Futures Council

Government Accountability

Motions, etc.

H. 293 Introduced.....	471
H. 399 Introduced.....	336
H. 464 Reported for committee.....	771
H. 531 Introduced.....	29
H. 540 Introduced.....	31
H. 542 Introduced.....	31
H. 543 Introduced.....	31
H. 547 Introduced.....	32
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 566 Introduced.....	37
H. 572 Introduced.....	40
H. 618 Introduced.....	56
H. 624 Introduced.....	57

Brumsted, Jessica C., cont.

H. 627 Moved to amend..... 111

H. 628 Introduced.....58

H. 629 Introduced.....60

H. 645 Introduced.....64

H. 654 Moved to amend committee report..... 134

H. 666 Introduced.....78

H. 668 Introduced.....79

H. 672 Introduced.....80

H. 676 Introduced.....81

H. 677 Introduced.....81

H. 720 Moved to amend.....731

S. 91 Reported for committee.....2091

J.R.H. 14 Offered.....163

J.R.H. 18 Offered.....465

J.R.H. 22 Offered.....1030

H.R. 21 Offered.....613

H.R. 25 Offered.....1024

Budget Adjustment

Fiscal year 2022 budget adjustments. See table H. 679.....2637

Burditt, Thomas B.

Member from West Rutland (District Rutland-2)

Committee:

Judiciary, Vice Chair

Judicial Rules

Giglio Database Study.....2578

Motions, etc.

H. 16 Moved committee be relieved.....166

H. 548 Introduced.....32

Moved committee be relieved.....166

H. 648 Introduced.....65

S. 113 Reported for committee.....993

J.R.H. 18 Offered.....465

H.R. 25 Offered.....1024

Burke, Mollie Sullivan

Member from Brattleboro (District Windham-2-2)

Committee:

Transportation

House Sexual Harassment Prevention Panel, Chair

Motions, etc.

H. 399 Introduced.....336

H. 471 Introduced.....13

H. 552 Introduced.....33

H. 557 Introduced.....35

H. 571 Introduced.....38

H. 586 Introduced.....44

H. 623 Introduced.....57

Burke, Mollie Sullivan, cont.

H. 624 Introduced.....	57
H. 631 Introduced.....	61
H. 644 Introduced.....	64
H. 646 Introduced.....	65
H. 647 Introduced.....	65
H. 651 Introduced.....	66
H. 666 Introduced.....	78
H. 668 Introduced.....	79
H. 672 Introduced.....	80
H. 674 Introduced.....	80
H. 678 Introduced.....	81
H. 736 Moved to amend.....	939
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 15 Offered.....	113
H.R. 21 Offered.....	613
H.R. 23 Offered.....	962
Moved to postpone action.....	977
H.R. 25 Offered.....	1024
Devotional Exercise.....	611

Burrows, Elizabeth

Member from West Windsor (District Windsor-1)

Committee:

Health Care

Motions, etc.

Prop 2 Explained vote.....	178
H. 287 Introduced.....	352
H. 463 Introduced.....	11
H. 480 Introduced.....	14
H. 489 Moved to concur with further amend.....	1820
H. 537 Introduced.....	30
H. 540 Introduced.....	31
H. 547 Introduced.....	32
H. 552 Introduced.....	33
H. 560 Introduced.....	36
H. 561 Introduced.....	36
H. 568 Introduced.....	38
H. 571 Introduced.....	38
H. 581 Introduced.....	42
H. 584 Introduced.....	43
H. 596 Introduced.....	50
H. 615 Introduced.....	55
H. 621 Introduced.....	56
H. 625 Introduced.....	57
H. 628 Introduced.....	58
H. 640 Introduced.....	63
H. 641 Introduced.....	63
H. 644 Introduced.....	64

Burrows, Elizabeth, cont.

H. 651 Introduced.....	66
H. 654 Moved to amend.....	136
H. 659 Introduced.....	77
H. 661 Introduced.....	77
H. 668 Introduced.....	79
H. 676 Introduced.....	81
H. 732 Introduced.....	508
S. 195 Reported for committee.....	1260
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
J.R.S. 53 Explained vote.....	2088
H.R. 25 Offered.....	1024

C.**Campbell, R. Scott**

Member from St. Johnsbury (District Caledonia-3)

Committee:

Corrections and Institutions

Motions, etc.

H. 455 Introduced.....	10
H. 542 Introduced.....	31
H. 543 Introduced.....	31
H. 552 Introduced.....	33
H. 566 Introduced.....	37
H. 568 Introduced.....	38
H. 593 Introduced.....	50
H. 594 Introduced.....	50
H. 600 Introduced.....	51
H. 624 Introduced.....	57
H. 644 Introduced.....	64
H. 677 Introduced.....	81
H. 710 Introduced.....	305
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Candidates

Elections and holding elected office. See table H. 490.....	2606

Canfield, William P.

Member from Fair Haven (District Rutland-3)

Committee:

Ways and Means, Ranking Member

Motions, etc.

H. 512 Recommended for committee.....	801
H. 527 Introduced.....	24
H. 544 Introduced.....	32
H. 597 Introduced.....	51
H. 729 Recommended for committee.....	858
H. 738 Moved to concur with further amend.....	2401

Canfield, William P., cont.

S. 287 Moved to amend proposal of amend.....	1312
J.R.H. 18 Offered.....	465
H.R. 21 Offered.....	613
H.R. 25 Offered.....	1024

Cannabis

Cannabis license fees and the regulation of the medical cannabis registry.	
See table H. 701.....	2639
Miscellaneous cannabis establishment procedures. See table H. 548.....	2614
Regulating licensed small cannabis cultivation as farming. See table S. 188.....	2654
The cannabis wholesale gross receipts tax. See table H. 502.....	2607

Capital Construction

Capital construction and State bonding budget adjustment. See table H. 739.....	2647

Career Technical Education

Establishing a remote learning pilot program for CTE students. See table H. 468....	2603
Potential new models of funding and governance structures to improve the quality, duration, and access to career technical education in Vermont.	
See table H. 483.....	2605
The creation of the Pipelines and Pathways Grant Program. See table H. 582.....	2621

Cemeteries

Cemetery fencing. See table H. 460.....	2602
The establishment, ownership, and operation of a cemetery by a nonprofit college or university. See table H. 538.....	2613
The management of perpetual care funds by cemetery associations. See table H. 367.....	2599

Certification

The certification of mental health peer support specialists. See table H. 560.....	2617

Chase, Seth B.

Member from Colchester (District Chittenden-9-1)

Committee:

 Energy and Technology

 Joint Information Technology Oversight Committee, Vice Chair

Motions, etc.

H. 552 Introduced.....	33
H. 602 Introduced.....	52
H. 612 Introduced.....	54
H. 636 Introduced.....	62
H. 638 Introduced.....	62
H. 644 Introduced.....	64
H. 678 Introduced.....	81
H. 725 Introduced.....	507
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Child Care

- Adopting COVID-19 test to stay guidance for child care facilities. See table H. 4802605
- Child care capacity development grants. See table H. 676.....2636

Child Welfare

- The Interstate Compact on the Placement of Children. See table S. 72.....2650
- The Office of the Child, Youth, and Family Advocate. See table H. 265..... 2597

Children and Families

- The Parent Child Center Network. See table S. 91..... 2651

Christie, Kevin B.

Member from Hartford (District Windsor-4-2)

Committee:

Judiciary, Ranking Member

Motions, etc.

Prop 2 Explained vote.....	178
H. 96 Introduced.....	471
H. 320 Introduced.....	125
H. 410 Introduced.....	471
H. 541 Introduced.....	31
H. 545 Introduced.....	32
H. 546 Introduced.....	32
H. 551 Introduced.....	33
H. 556 Introduced.....	35
H. 558 Introduced.....	35
H. 571 Introduced.....	38
H. 584 Introduced.....	43
H. 599 Introduced.....	51
H. 605 Introduced.....	53
H. 635 Introduced.....	62
H. 640 Introduced.....	63
H. 641 Introduced.....	63
H. 644 Introduced.....	64
H. 651 Introduced.....	66
H. 660 Introduced.....	77
H. 661 Introduced.....	77
H. 668 Introduced.....	79
H. 672 Introduced.....	80
H. 678 Introduced.....	81
H. 692 Introduced.....	120
H. 740 Explained vote.....	953
S. 148 Explained vote.....	1431
S. 254 Reported for committee.....	1010
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Cina, Brian J.

Member from Burlington (District Chittenden-6-4)

Committee:

Health Care

Cina, Brian J., cont.

House Ethics Panel

Motions, etc.

H. 96 Introduced.....	471
H. 287 Introduced.....	352
H. 293 Introduced.....	471
H. 399 Introduced.....	336
H. 410 Introduced.....	471
H. 448 Introduced.....	213
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 560 Introduced.....	36
H. 561 Introduced.....	36
H. 571 Introduced.....	38
H. 579 Introduced.....	42
H. 596 Introduced.....	50
H. 599 Introduced.....	51
H. 615 Introduced.....	55
H. 616 Introduced.....	55
H. 621 Introduced.....	56
H. 624 Introduced.....	57
H. 628 Introduced.....	158
H. 630 Introduced.....	61
H. 635 Introduced.....	62
H. 640 Introduced.....	63
H. 641 Introduced.....	63
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 651 Introduced.....	66
H. 654 Moved to amend.....	136
H. 659 Introduced.....	77
H. 660 Introduced.....	77
H. 661 Introduced.....	77
Moved to amend committee report.....	850
H. 668 Introduced.....	79
H. 672 Introduced.....	80
H. 682 Introduced.....	94
H. 706 Introduced.....	182
H. 723 Introduced.....	507
H. 724 Introduced.....	507
H. 726 Introduced.....	507
H. 732 Introduced.....	508
H. 746 Introduced.....	994
S. 281 Moved to commit.....	1703
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024
Devotional Exercise.....	386

Climate Change

The Clean Heat Standard. See table H. 715.....2641

Coffey, Sara E.

Member from Guilford (District Windham-1)

Committee:

Corrections and Institutions, Vice Chair

Nuclear Decommissioning Citizens Advisory Panel

Motions, etc.

H. 244 Introduced.....	318
H. 293 Introduced.....	471
H. 399 Introduced.....	336
H. 480 Introduced.....	14
H. 511 Introduced.....	21
H. 541 Introduced.....	31
H. 545 Introduced.....	32
H. 547 Introduced.....	32
H. 552 Introduced.....	33
H. 558 Introduced.....	35
H. 581 Introduced.....	42
H. 599 Introduced.....	51
H. 600 Introduced.....	51
H. 615 Introduced.....	55
H. 623 Introduced.....	57
H. 624 Introduced.....	57
H. 628 Introduced.....	58
H. 631 Introduced.....	61
H. 641 Introduced.....	63
H. 666 Introduced.....	78
H. 668 Introduced.....	79
H. 676 Introduced.....	81
H. 677 Introduced.....	81
H. 702 Introduced.....	161
H. 739 Moved to postpone action.....	1726
J.R.H. 18 Offered.....	465
H.R. 15 Offered.....	113
H.R. 21 Offered.....	613
H.R. 25 Offered.....	1024

Cognitive Disorders

Planning and support for individuals and families impacted by Alzheimer's

Disease and related disorders. See table S. 206.....2655

Colburn, Selene

Member from Burlington (District Chittenden-6-4)

Committee:

Judiciary

Judicial Retention

Motions, etc.

H. 287 Introduced.....	352
H. 448 Introduced.....	213

Colburn, Selene, cont.

H. 470 Introduced.....	13
H. 478 Introduced.....	14
H. 534 Reported for committee.....	669
H. 537 Introduced.....	30
H. 551 Introduced.....	33
H. 552 Introduced.....	33
H. 594 Introduced.....	50
H. 596 Introduced.....	50
H. 599 Introduced.....	51
H. 600 Introduced.....	51
H. 615 Introduced.....	55
H. 616 Introduced.....	55
H. 621 Introduced.....	56
H. 628 Introduced.....	58
H. 630 Introduced.....	61
H. 640 Introduced.....	63
H. 641 Introduced.....	63
H. 643 Introduced.....	64
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 649 Introduced.....	65
H. 651 Introduced.....	66
H. 659 Introduced.....	77
H. 660 Introduced.....	77
H. 661 Introduced.....	77
H. 672 Introduced.....	80
H. 678 Introduced.....	81
H. 706 Introduced.....	182
H. 726 Introduced.....	507
H. 727 Moved to amend.....	630
H. 738 Appealed ruling of chair.....	829
S. 140 Reported for committee.....	1607
S. 254 Explained vote.....	1016
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024

Collective Bargaining

The certification of collective bargaining representatives. See table H. 621.....	2626
The collective bargaining rights of teachers. See table S. 162.....	2653

Colston, Harold "Hal" E.

Member from Winooski (District Chittenden-6-7)

Committee:

Government Operations, Clerk

Joint Legislative Management

Conference on H. 548.....1965

Motions, etc.

Prop 2 Reported for committee..... 177

Colston, Harold "Hal" E., cont.

Demanded Yeas and Nays.....	178
H. 96 Introduced.....	471
H. 293 Moved to amend.....	835
H. 448 Introduced.....	213
H. 465 Moved to amend.....	643
Moved to concur with further amend.....	1970
H. 545 Introduced.....	32
H. 546 Introduced.....	32
H. 551 Introduced.....	336
H. 584 Introduced.....	43
H. 585 Introduced.....	43
H. 628 Introduced.....	58
H. 635 Introduced.....	414
Reported for committee.....	769
Moved to postpone action.....	1177
H. 641 Introduced.....	63
H. 644 Introduced.....	64
H. 660 Introduced.....	77
H. 746 Introduced.....	994
S. 250 Reported for committee.....	2111
Moved to amend.....	2118
S. 254 Explained vote.....	1016
S. 286 Moved to substitute amend.....	1202
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024

Commerce and Economic Development Committee

H. 627 Introduced.....	58

Commerce and Trade

A grant program for adaptive sports and mobility-enhancing equipment. See table H. 580.....	2620
Adding electric vehicle supply equipment to Vermont's energy efficiency standards for appliances and equipment. See table H. 526.....	2611
Artificial intelligence and workforce development. See table H. 724.....	2643
Community and economic development and workforce revitalization. See table H. 159.....	2597
Economic and workforce development. See table S. 11.....	2649
Enhancing data privacy protections for consumers. See table H. 570.....	2619
Hosting the Winter Olympics in Vermont. See table H. 732.....	2645
Making miscellaneous changes concerning self-storage businesses. See table H. 74.....	2595
Prohibiting discrimination based on immunization status. See table H. 573.....	2620
Promoting racial and social equity in economic opportunity and cultural empowerment. See table H. 406.....	2600
Promoting workforce development. See table H. 703.....	2639
Registration of construction contractors. See table H. 157.....	2596
Regulating credit reporting by landlords and others. See table H. 725.....	2644
Supporting creative sector businesses and cultural organizations. See table H. 624.....	2627
Supporting economic development. See table H. 569.....	2619

Commerce and Trade, cont.

The Vermont Economic Development Authority. See table H. 627.....2628

Commissions

Creating the Truth and Reconciliation Commission. See table H. 96.....2596

Community Justice Centers

Referral of domestic violence, sexual violence, and stalking cases to
community justice centers. See table H. 470.....2604

Compensation

Jurors' compensation. See table H. 664.....2634

Per diems for boards and commissions. See table H. 545.....2614

Conlon, Peter C.

Member from Cornwall (District Addison-2)

Committee:

Education, Ranking Member

Conference on H. 727.....1924

Conference on S. 283.....1966

Motions, etc.

H. 456 Moved to amend committee report.....389

H. 580 Introduced.....42

H. 581 Introduced.....42

H. 644 Introduced.....64

H. 673 Introduced.....80

H. 695 Introduced.....136

H. 716 Moved to concur with further amend.....2338

H. 727 Reported for committee.....629

Requested committee of conference.....1924

S. 283 Reported for committee.....1440

J.R.H. 18 Offered.....465

H.R. 21 Offered.....613

H.R. 25 Offered.....1024

Conservation and Development

Act 250

Act 250 jurisdiction in one-acre towns. See table H. 509.....2608

Airport expansion and primary agricultural soils. See table H. 610.....2625

Changes to Act 250. See table S. 234.....2657

Promoting housing in Vermont's centers. See table H. 511.....2609

The regulation of accessory on-farm businesses. See table H. 704.....2640

The regulation of the recreational trails. See table H. 698.....2639

Miscellaneous

Agricultural water quality, enforcement, and dairy farming. See table S. 258.2659

Clean water funding. See table H. 605.....2624

Community resilience and biodiversity protection. See table H. 606.....2624

Declaring Lake Memphremagog to be a lake in crisis. See table H. 601.....2624

Eco-sanitation systems. See table H. 586.....2621

Conservation and Development - Miscellaneous, cont.

Household products containing hazardous substances. See table H. 115.....	2596
Miscellaneous natural resources and development subjects. See table H. 446.....	2600
Rural economic development. See table H. 581.....	2621
Surface water withdrawals and interbasin transfers. See table H. 466.....	2603
The designation of a lake in crisis. See table H. 657.....	2633
An aquatic invasive species decal. See table H. 554.....	2616
Environmental justice in Vermont. See table H. 651.....	2632
Environmental justice in Vermont. See table S. 148.....	2652
Erosion control certification for excavation contractors. See table H. 633.....	2629
Establishing an extended producer responsibility program for out-of-service solar panels. See table H. 496.....	2607
Establishing riparian protection areas in the State. See table H. 542.....	2613
On-farm restaurants. See table H. 696.....	2639
Prohibiting mobile billboards. See table H. 481.....	2605
Prohibiting the sale of mercury lamps in the State. See table H. 500.....	2607
Prohibiting the sale of mercury-containing lamps. See table H. 495.....	2607
Reducing hydrofluorocarbon emissions. See table H. 523.....	2611
Regulation of wetlands in the State. See table H. 543.....	2614
The establishment of the Vermont Forest Future Program. See table H. 566.....	2618
The Petroleum Cleanup Fund. See table H. 482.....	2605
The use of sluice boxes for recreational mineral prospecting. See table H. 499.....	2607

Solid Waste

Landfill operational standards. See table H. 710.....	2641
Miscellaneous natural resources and development subjects. See table H. 446.....	2600
Prohibiting perfluoroalkyl and polyfluoroalkyl substances in products to be sold in Vermont and the use and import of wastes containing microplastics. See table H. 650.....	2632
The regulation of food depackaging facilities. See table H. 501.....	2607

Constitutional Proposals

Declaration of rights; clarifying the prohibition on slavery and indentured servitude. See table Prop 2.....	2583
Declaration of rights; right to personal reproductive liberty. See table Prop 5.....	2583

Consumer Protection

Economic and workforce development. See table S. 11.....	2649
Enhancing data privacy protections for consumers. See table H. 570.....	2619
Household products containing hazardous substances. See table H. 115.....	2596
Pregnancy center fraud. See table H. 634.....	2629
Providing protections against eviction, foreclosure, and tax sales. See table H. 625.....	2627
Registration of construction contractors. See table H. 157.....	2596
Regulating cosmetic products containing certain chemicals and chemical classes. See table H. 677.....	2636
Regulating credit reporting by landlords and others. See table H. 725.....	2644

Contractors

Registration of construction contractors. See table H. 157.....	2596

Contracts

The administration of Executive Branch contracts. See table H. 599.....2623

Copeland Hanzas, Sarah L.

Member from Bradford (District Orange-2)

Committee:

Government Operations, Chair

Joint Public Pension Oversight

Pension Benefits, Design, and Funding Task Force, Co-Chair

Conference on H. 548.....1965

Motions, etc.

H. 96 Introduced.....471

H. 293 Moved to amend.....835

H. 361 Moved to postpone action.....472

H. 444 Moved to postpone action.....964

H. 447 Moved to commit.....990

H. 465 Moved to amend.....643

Moved to concur with further amend.....1970

H. 512 Moved committee be relieved.....46

Moved committee be relieved.....475

H. 552 Introduced.....33

H. 572 Reported for committee.....501

Moved to concur with further amend.....2220

H. 628 Introduced.....58

H. 635 Introduced.....62

H. 708 Moved to postpone action.....1783

H. 715 Explained vote.....2074

Explained vote.....2074

H. 722 Spoke for committee.....563

Demanded Yeas and Nays.....563

S. 286 Moved to substitute amend.....1202

Demanded Yeas and Nays.....1253

Explained vote.....1253

J.R.H. 18 Offered.....465

H.R. 21 Offered.....613

H.R. 25 Offered.....1024

Corcoran, Timothy R.

Member from Bennington (District Bennington-2-1)

Committee:

Transportation, Ranking Member

Motions, etc.

J.R.H. 18 Offered.....465

H.R. 15 Offered.....113

H.R. 25 Offered.....1024

Cordes, Mari K.

Member from Lincoln (District Addison-4)

Committee:

Health Care, Clerk

Cordes, Mari K., cont.

House Discrimination Prevention Panel, Chair

Motions, etc.

H. 115 Introduced.....	276
H. 244 Introduced.....	318
H. 266 Introduced.....	335
H. 287 Introduced.....	352
H. 353 Introduced.....	414
Reported for committee.....	735
H. 489 Moved to concur with a further amend.....	1820
H. 537 Introduced.....	30
H. 545 Introduced.....	32
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 560 Introduced.....	36
H. 561 Introduced.....	36
H. 562 Introduced.....	36
H. 568 Introduced.....	38
H. 579 Introduced.....	42
H. 584 Introduced.....	43
H. 594 Introduced.....	50
H. 600 Introduced.....	51
H. 621 Introduced.....	56
H. 628 Introduced.....	58
H. 641 Introduced.....	63
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 646 Introduced.....	65
H. 647 Introduced.....	65
H. 654 Moved to amend.....	136
H. 659 Introduced.....	77
H. 661 Moved to amend committee report.....	850
H. 677 Introduced.....	81
H. 692 Introduced.....	120
H. 703 Moved to amend.....	945
H. 715 Explained vote.....	604
H. 727 Moved to amend.....	630
Demanded Yeas and Nays.....	632
S. 30 Explained vote.....	149
S. 247 Moved to postpone action.....	1032
Moved to postpone action.....	1263
Moved ordered to lie.....	1601
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024
Devotional Exercise.....	2098

Correctional Facilities

A secure facility for justice-involved youth. See table H. 487.....	2605

Corrections

- Clarifying community supervision furlough appeals and the powers of the
Corrections Monitoring Commission. See table S. 127..... 2652
- Midpoint probation review. See table S. 183..... 2654
- The authority of the Commissioner of Corrections to collect supervisory fees.
See table H. 488..... 2606

Corrections and Institutions Committee

- H. 739 Introduced..... 734

Courts; Court Procedure

- Miscellaneous judiciary procedures. See table H. 729..... 2644
- Prohibiting civil arrests at courthouses. See table S. 140..... 2652
- Supermajority verdicts in civil trials. See table S. 178..... 2654
- The Vermont Uniform Power of Attorney Act. See table H. 536..... 2613

COVID-19

- Adopting COVID-19 test to stay guidance for child care facilities.
See table H. 480..... 2605
- Authorizing alternative procedures for 2022 annual municipal meetings in
response to COVID-19. See table S. 172..... 2653
- Authorizing temporary Open Meeting Law procedures in response to COVID-19.
See table S. 222..... 2656
- Extending COVID-19 health care regulatory flexibility. See table H. 654..... 2632
- Prohibiting discrimination based on immunization status. See table H. 573..... 2620
- Statewide mask mandate. See table H. 537..... 2612
- The dissemination of masks and at-home rapid antigen tests. See table H. 568..... 2619

Creative Sector

- Supporting creative sector businesses and cultural organizations. See table H. 624.. 2627

Crime Victims

- Eligibility of domestic partners for reimbursement from the Victims
Compensation Program. See table H. 553..... 2616
- Funding for the Vermont Internet Crimes Against Children (VT-ICAC) Task Force.
See table H. 648..... 2632
- Juvenile proceedings. See table S. 224..... 2657
- Leave for crime victims. See table H. 477..... 2604

Crimes; Criminal Procedure

- Adopting the Council of State Governments' recommendations set forth in its
November of 2021 report to the Justice Reinvestment II Working Group.
See table H. 734..... 2645
- Court appearances by misdemeanor defendants receiving residential substance
use disorder treatment. See table H. 665..... 2634
- Decriminalization of a personal use supply of a regulated drug. See table H. 644.... 2631
- Defense of others and justifiable homicide. See table H. 473..... 2604
- Defense of others and justifiable homicide. See table S. 184..... 2654
- Eligibility of domestic partners for reimbursement from the Victims
Compensation Program. See table H. 553..... 2616

Crimes; Criminal Procedure, cont.

Entering a vehicle without legal authority or consent. See table H. 471.....	2604
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Forfeited property disposition and a study assessing civil and criminal seizure and forfeiture of property in drug-related offenses. See table H. 533.....	2612
Incarceration terms for criminal defendants who are primary caretakers of dependent children. See table H. 399.....	2599
Nonconsensual removal of or tampering with a sexual protective device. See table H. 562.....	2618
Procedures involving firearms. See table S. 4.....	2649
Prohibiting surveillance devices on private property without consent of the property owner. See table H. 699.....	2639
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Criminal Sentencing

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Incarceration terms for criminal defendants who are primary caretakers of dependent children. See table H. 399.....	2599

Cultural Organizations

Supporting creative sector businesses and cultural organizations. See table H. 624..	2627

Cupoli, Lawrence P.

Member from Rutland City (District Rutland-5-2)

Committee:

Education, Vice Chair

House Ethics Panel

Conference on H. 456.....1782

Conference on S. 283.....1966

Motions, etc.

H. 456 Moved to amend committee report.....389

H. 608 Introduced.....53

H. 609 Introduced.....53

H. 624 Introduced.....57

H. 636 Introduced.....62

H. 716 Moved to concur with further amend.....2338

J.R.H. 18 Offered.....465

H.R. 21 Offered.....613

Cupoli, Lawrence P., cont.

H.R. 25 Offered..... 1024

Curriculum

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Definitions

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See table H. 687.....2638

The definition of "cider". See table H. 681.....2637

Dentistry

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Department of Financial Regulation

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Regulating health care expense-sharing arrangements. See table H. 484..... 2605

Department of Health

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The Working Group to Address the Presence of Toxigenic Mold in Buildings.

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Department of Liquor and Lottery

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Developmental Disabilities

The system of care for individuals with developmental disabilities.

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Rep. Donahue of Northfield..... 959

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Amelia Struthers.....	697
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Julia Wayne.....	999
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Rostyslav Yarovyk.....	465

Dickinson, Eileen "Lynn" G.

Member from St. Albans Town (District Franklin-3-2)

Committee:

Commerce and Economic Development

Motions, etc.

H. 483 Introduced.....	15
H. 517 Asked leave to withdraw amend.....	470
Moved to amend.....	476
H. 703 Moved to substitute amend.....	893
S. 11 Moved to amend.....	1512
J.R.H. 18 Offered.....	465
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Discrimination

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Prohibiting discrimination based on genetic information. See table S. 247.....	2658
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Disposition of Human Remains

Authorizing the natural organic reduction of human remains. See table H. 244.....	2597

Dolan, Karen

Member from Essex (District Chittenden-8-2)

Committee:

Corrections and Institutions, Clerk

Government Accountability

Giglio Database Study.....2578

Motions, etc.

H. 293 Introduced.....	471
H. 470 Introduced.....	13
H. 480 Introduced.....	14
H. 491 Introduced.....	17
H. 511 Introduced.....	21
H. 537 Introduced.....	30
H. 541 Introduced.....	31
H. 552 Introduced.....	33
H. 553 Introduced.....	34
H. 584 Introduced.....	43
H. 600 Introduced.....	51
H. 628 Introduced.....	58
H. 644 Introduced.....	64
H. 651 Introduced.....	66
H. 666 Introduced.....	78
H. 700 Introduced.....	154
S. 127 Reported for committee.....	1256
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024

Dolan, Katherine "Kari" T.

Member from Waitsfield (District Washington-7)

Committee:

Natural Resources, Fish, and Wildlife, Clerk

Motions, etc.

H. 115 Reported for committee.....	478
H. 466 Introduced.....	12
Reported for committee.....	142
H. 480 Introduced.....	14
H. 542 Introduced.....	31
H. 543 Introduced.....	31
H. 545 Introduced.....	32
H. 552 Introduced.....	33
H. 554 Introduced.....	34

Dolan, Katherine "Kari" T., cont.

H. 558 Introduced.....	35
H. 575 Introduced.....	41
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H. 586 Introduced.....	44
H. 605 Introduced.....	53
H. 624 Introduced.....	57
H. 633 Introduced.....	61
H. 641 Introduced.....	63
H. 645 Introduced.....	64
H. 666 Introduced.....	78
H. 667 Introduced.....	79
H. 676 Introduced.....	81
H. 677 Introduced.....	81
S. 148 Reported for committee.....	1417
Demanded Yeas and Nays.....	1431
Explained vote.....	1431
S. 201 Reported for committee.....	2017
J.R.H. 18 Offered.....	465
H.R. 21 Offered.....	613
H.R. 25 Offered.....	1024

Domestic Assault

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Domestic Relations

Access to adoption records. See table H. 629.....	2628
Preserving the rights of a parent with a disability. See table H. 506.....	2608
Raising the age of eligibility to marry. See table H. 631.....	2629

Donahue, Anne B.

Member from Northfield (District Washington-1)

Committee:

Health Care, Vice Chair

Rules

Green Mountain Care Board Nominating

Task Force on Affordable, Accessible Health Care

Motions, etc.

H. 74 Moved to amend.....	111
H. 96 Asked leave to withdraw amend.....	822
H. 484 Introduced.....	15
H. 489 Introduced.....	16
Reported for committee.....	168
Moved to concur with a further amend.....	1820
H. 497 Introduced.....	18
H. 505 Moved to amend committee report.....	721
H. 510 Explained vote.....	190
H. 528 Introduced.....	24
H. 540 Introduced.....	31
H. 558 Introduced.....	35

Donahue, Anne B., cont.

H. 560 Introduced.....	36
H. 562 Introduced.....	36
H. 584 Introduced.....	43
H. 606 Moved to amend.....	562
H. 618 Introduced.....	56
H. 637 Introduced.....	62
H. 654 Moved to amend.....	136
H. 661 Moved to amend committee report.....	850
H. 668 Introduced.....	79
H. 700 Introduced.....	154
S. 74 Moved to amend.....	1007
Demanded Yeas and Nays.....	1008
S. 226 Moved to amend proposal of amend.....	1788
Explained vote.....	1789
S. 234 Asked to divide question.....	1555
Explained vote.....	1556
S. 254 Explained vote.....	1016
J.R.H. 18 Offered.....	465
H.R. 19 Moved to amend.....	406
H.R. 25 Offered.....	1024
Devotional Exercise.....	959

Donnally, Katherine

Member from Hyde Park (District Lamoille-2)

Committee:

Judiciary

Motions, etc.

H. 293 Introduced.....	471
H. 399 Reported for committee.....	566
H. 552 Introduced.....	33
H. 562 Introduced.....	36
H. 616 Introduced.....	55
H. 628 Introduced.....	58
H. 630 Introduced.....	61
H. 635 Introduced.....	62
H. 644 Introduced.....	64
H. 659 Introduced.....	77
H. 672 Introduced.....	80
H. 678 Introduced.....	81
H. 706 Introduced.....	182
S. 224 Reported for committee.....	1727
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

DUI, DWI

Lowering the legal blood alcohol concentration limit to operate a motor vehicle to below 0.05. See table H. 733.....	2645
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Durfee, David K.

Member from Shaftsbury (District Bennington-3)

Committee:

Ways and Means, Clerk

Motions, etc.

H. 353 Recommended for committee.....	746
H. 480 Introduced.....	14
H. 511 Introduced.....	21
H. 552 Introduced.....	33
H. 559 Recommended for committee.....	192
H. 607 Introduced.....	53
H. 624 Introduced.....	57
H. 655 Recommended for committee.....	553
H. 657 Introduced.....	76
H. 673 Introduced.....	80
H. 676 Introduced.....	81
H. 677 Introduced.....	81
H. 738 Moved to concur with further amend.....	2401
S. 100 Recommended for committee.....	1188
S. 181 Recommended for committee.....	2016
S. 287 Moved to amend proposal of amend.....	1312
J.R.H. 18 Offered.....	465
H.R. 15 Offered.....	113
H.R. 25 Offered.....	1024

E.**Economic Development**

Community and economic development and workforce revitalization.

See table H. 159.....	2597
Project-based tax increment financing districts. See table S. 33.....	2650
Promoting racial and social equity in economic opportunity and cultural empowerment. See table H. 406.....	2600
Rural economic development. See table H. 581.....	2621
Supporting creative sector businesses and cultural organizations. See table H. 624..	2627
Supporting economic development. See table H. 569.....	2619
The establishment of the Vermont Forest Future Program. See table H. 566.....	2618
The Vermont Economic Development Authority. See table H. 627.....	2628

Education

Amending various public pension and other postemployment benefits.

See table S. 286.....	2661
Ensuring compliance with the U.S. and Vermont Constitutions in the use of public funds for tuition. See table S. 219.....	2656
Establishing a remote learning pilot program for CTE students. See table H. 468....	2603
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Exempting students from standardized assessments in public schools. See table H. 547.....	2614
Improving student equity by adjusting the school funding formula and providing education quality and funding oversight. See table S. 287.....	2661

Education, cont.

Making miscellaneous changes in education law. See table H. 716.....	2642
Miscellaneous changes to education laws. See table S. 283.....	2660
Nondiscriminatory school branding. See table S. 139.....	2652
Public schools' or public postsecondary schools' mascots, nicknames, logos, letterhead, and team names. See table H. 641.....	2630
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The creation of a public-private partnership with Advance Vermont to increase postsecondary attainment in Vermont. See table H. 377.....	2599
The creation of a scholarship program and pilot project for the preservation of the Abenaki language. See table H. 645.....	2631
The creation of an antiracist education certification. See table H. 584.....	2621
The creation of the Pipelines and Pathways Grant Program. See table H. 582.....	2621
The exploration, formation, and organization of union school districts and unified union school districts. See table H. 727.....	2644
The governance of the Vermont State Colleges and the University of Vermont. See table H. 643.....	2631
The retirement allowance for interim educators. See table H. 572.....	2619
The right to enroll a child in a public school where the property owned by the child's parent or guardian in the municipality is not their homestead. See table H. 721.....	2643
The simplification of the home study program. See table H. 608.....	2625
Universal school meals. See table S. 100.....	2651
Withdrawal from a unified union or union school district and to electoral functions of a union school district where a member district is also a union school district. See table H. 493.....	2606

Education Committee

H. 716 Introduced.....	408
H. 727 Introduced.....	507

Education Finance

Improving student equity by adjusting the school funding formula and providing education quality and funding oversight. See table S. 287.....	2661

Education; Nutrition

Universal school meals. See table S. 100.....	2651

Education Property Tax

Education property tax overpayments by a municipality or school district. See table S. 169.....	2653
Setting the homestead property tax yields and the nonhomestead property tax rate. See table H. 737.....	2646

Elder, Caleb R.

Member from Starksboro (District Addison-4)	
Committee:	
Ways and Means	
Motions, etc.	

Elder, Caleb R., cont.

H. 96 Explained vote.....	824
H. 484 Introduced.....	15
H. 515 Recommended for committee.....	384
H. 518 Recommended for committee.....	654
H. 537 Introduced.....	30
H. 552 Introduced.....	33
H. 579 Introduced.....	42
H. 600 Introduced.....	51
H. 628 Introduced.....	58
H. 641 Introduced.....	63
H. 642 Introduced.....	63
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 646 Introduced.....	65
H. 647 Introduced.....	65
H. 677 Introduced.....	81
H. 701 Spoke for committee.....	166
H. 727 Explained vote.....	632
H. 730 Recommended for committee.....	856
H. 738 Moved to concur with further amend.....	2401
S. 188 Recommended for committee.....	1455
S. 261 Recommended for committee.....	1437
S. 286 Recommended for committee.....	1248
S. 287 Moved to amend proposal of amend.....	1312
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024
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Elections

Authorizing alternative procedures for 2022 annual municipal meetings in response to COVID-19. See table S. 172.....	2653
Authorizing temporary elections procedures for annual meetings in the year 2022. See table S. 223.....	2657
Elections and holding elected office. See table H. 490.....	2606
Reapportioning the final representative districts of the House of Representatives and the senatorial districts of the Senate. See table H. 722....	2643
The required votes of presidential electors. See table S. 122.....	2651

Electric Vehicles

Adding electric vehicle supply equipment to Vermont's energy efficiency standards for appliances and equipment. See table H. 526.....	2611

Electronic Notification

The publication of State, county, and municipal notices on electronic news media. See table H. 656.....	2633

Emergency Management

Creating the Vermont Silver Alert Program. See table H. 530.....	2612

Emissions

- Reducing hydrofluorocarbon emissions. See table H. 523..... 2611
- Transportation initiatives to reduce carbon emissions. See table H. 552..... 2616

Emmons, Alice M.

Member from Springfield (District Windsor-3-2)

Committee:

- Corrections and Institutions, Chair
- Access Board, *ex officio*
- Art in State Buildings Advisory Committee, *ex officio*
- Capitol Complex Security Advisory Committee, Vice Chair
- Joint Legislative Justice Oversight, Chair
- Legislative Advisory Committee on the State House, Chair

Motions, etc.

- H. 447 Introduced..... 158
- H. 739 Spoke for committee..... 956
 - Moved to postpone action..... 1601
 - Moved to concur with further amend..... 1989
- J.R.H. 18 Offered..... 465
- H.R. 25 Offered..... 1024

Employment Practices

- Compensation history and transparency. See table H. 615..... 2625
- Employee expense reimbursement. See table H. 670..... 2635
- Employee scheduling. See table H. 669..... 2635
- Employment protections for volunteer firefighters. See table H. 623..... 2627
- Enacting the Uniform Restrictive Employment Agreements Act. See table H. 667... 2635
- Indemnification of employee legal expenses. See table H. 519..... 2611
- Medical leave for a serious injury. See table H. 713..... 2641
- Notice of employment laws. See table H. 617..... 2626
- Portable benefits for intermediary workers. See table H. 479..... 2604
- Prohibiting agreements that prevent an employee from working for the employer
 - following the settlement of a discrimination claim. See table H. 320..... 2598
- Prohibiting discrimination based on immunization status. See table H. 573..... 2620
- Time off for illness and for federal holidays. See table H. 614..... 2625

End of Life; DNR

- Modifications to Vermont's patient choice at end of life laws. See table S. 74..... 2650

Energy

- Adding electric vehicle supply equipment to Vermont's energy efficiency
 - standards for appliances and equipment. See table H. 526..... 2611
- Energy from large hydroelectric plants. See table H. 557..... 2617
- Extending the baseload renewable power portfolio requirement. See table S. 161.... 2652
- Extending the Energy Savings Account Partnership Pilot Program.
 - See table S. 269..... 2659
- Heating and cooling systems owned or controlled by the State. See table H. 600..... 2623
- Joining the Transportation and Climate Initiative. See table H. 646..... 2631
- Jurisdiction over building energy codes. See table H. 594..... 2622
- Municipal energy resilience initiatives. See table H. 518..... 2610

Energy, cont.

- Prorated Tier III renewable energy credits. See table H. 459..... 2602
- The energy efficiency charge for net metering customers. See table H. 550..... 2615

Energy and Technology Committee

- H. 715 Introduced..... 408

Environmental Justice

- Environmental justice in Vermont. See table H. 651..... 2632
- Environmental justice in Vermont. See table S. 148..... 2652

Ethics

- Adoption of a State code of ethics. See table S. 171..... 2653

Excise Tax

- Funding for the Vermont Internet Crimes Against Children (VT-ICAC) Task Force.
See table H. 648..... 2632

Executive Branch

- Boards and commissions. See table H. 465..... 2603
- Creating the Office of Native American Affairs. H. 520..... 2610
- Creating the State Youth Council. See table H. 293..... 2598
- Exceptions to Vermont's tied-house law. See table H. 685..... 2637
- Low-alcohol spirits beverages. See table H. 590..... 2622
- State-paid deputy sheriffs. See table S. 220..... 2656
- State-paid sheriff's deputies. See table H. 476..... 2604
- The administration of Executive Branch contracts. See table H. 599..... 2623
- The creation of the Agency of Public Safety. See table S. 155..... 2652
- The use and oversight of artificial intelligence in State government.
See table H. 410..... 2600

F.**Fagan, Peter J.**

Member from Rutland City (District Rutland-5-1)

Committee:

- Appropriations, Vice Chair
- Joint Fiscal, Clerk
- Joint Public Pension Oversight, Clerk
- Pension Benefits, Design, and Funding Task Force
- Conference on H. 679..... 295
- Conference on H. 740..... 1152

Motions, etc.

- H. 456 Introduced..... 10
- H. 457 Introduced..... 10
- H. 472 Introduced..... 13
- H. 517 Introduced..... 22
- H. 624 Moved to substitute amend..... 804
- H. 679 Moved to postpone action..... 210
- H. 711 Recommended for committee..... 693

Fagan, Peter J., cont.

H. 715 Moved to amend.....	602
H. 728 Recommended for committee.....	933
H. 740 Moved to amend.....	950
Demanded Yeas and Nays.....	953
S. 226 Moved to amend.....	1775
S. 286 Recommended for committee.....	1248
J.R.H. 18 Offered.....	465
H.R. 21 Offered.....	613
H.R. 25 Offered.....	1024

Family Law

False statements made in connection with petitions for relief from abuse. See table H. 663.....	2634

Farming

Farm-based manufacturers of alcoholic beverages. See table H. 613.....	2625
Regulating licensed small cannabis cultivation as farming. See table S. 188.....	2654

Fees

Cannabis license fees and the regulation of the medical cannabis registry. See table H. 701.....	2639
Certain civil process fees of sheriffs' departments. See table H. 507.....	2608

Feltus, Martha A.

Member from Lyndon (District Caledonia-4)

Committee:

 Appropriations
 House Sexual Harassment Prevention Panel
 Joint Information Technology Oversight Committee

Motions, etc.

H. 410 Recommended for committee.....	843
H. 482 Recommended for committee.....	601
H. 566 Introduced.....	37
H. 581 Introduced.....	42
H. 624 Moved to substitute amend.....	804
H. 739 Recommended for committee.....	956
H. 740 Moved to amend.....	950
S. 148 Recommended for committee.....	1430
S. 226 Moved to amend.....	1775
J.R.H. 18 Offered.....	465
H.R. 23 Offered.....	962
H.R. 25 Offered.....	1024

Feminine Hygiene Products

Changes to Vermont corporate income tax and conformity to federal tax laws. See table S. 53.....	2650

Fire Departments

- Deducting municipal fire and rescue services from the taxes collected in unorganized towns and gores. See table H. 683.....2637
- Employment protections for volunteer firefighters. See table H. 623.....2627

Fire Prevention

- The installation of fireblocking in single-family dwellings. See table H. 619.....2626

Firearms

- Procedures involving firearms. See table S. 4.....2649
- Prohibiting possession of firearms within hospital buildings. See table S. 30.....2649

Fireworks

- The sale and use of fireworks. See table H. 16.....2595

Fish and Wildlife

- Best management practices for trapping. See table S. 201.....2655
- Hunting coyotes with dogs. See table S. 281.....2660
- The retrieval and use of covered wild animals. See table H. 411.....2600

Flags

- Flag displays at public schools. See table H. 611.....2625

Food Safety

- Miscellaneous agricultural subjects. See table H. 709.....2641

Foreign Language

- Language access. See table H. 692.....2638

Forfeiture

- Forfeited property disposition and a study assessing civil and criminal seizure and forfeiture of property in drug-related offenses. See table H. 533.....2612

Foster Care

- Youth banking by minors in foster care. See table H. 539.....2613

Fraud

- Pregnancy center fraud. See table H. 634.....2629

G.

Gannon, John M.

- Member from Wilmington (District Windham-6)
- Committee:
 - Government Operations, Vice Chair
 - House Ethics Panel, Chair
 - Joint Pension Oversight, Chair
 - Pension Benefits, Design, and Funding Task Force
 - Sunset Advisory Commission, Co-Chair
 - Conference on H. 548.....1965
- Motions, etc.

Gannon, John M., cont.

H. 465 Introduced.....	12
Moved to amend.....	643
Moved to concur with further amend.....	1970
H. 505 Moved to amend committee report.....	720
H. 548 Reported for committee.....	595
Moved to postpone action.....	1357
Moved to postpone action.....	1609
Moved to concur with further amend.....	1725
H. 558 Introduced.....	35
H. 589 Reported for committee.....	72
Moved to amend.....	73
H. 683 Introduced.....	94
H. 746 Reported for committee.....	1558
S. 171 Reported for committee.....	1003
S. 188 Moved to amend proposal of amend.....	2086
S. 286 Reported for committee.....	1189
Moved to substitute amend.....	1202
Moved to amend.....	1248
J.R.H. 18 Offered.....	465
H.R. 19 Offered.....	397
H.R. 25 Offered.....	1024

Garofano, Golrang “Rey”

Member from Essex (District Chittenden-8-1)

Committee:

Human Services

Motions, etc.

H. 627 Moved to amend.....	111
H. 654 Moved to amend committee report.....	134
H. 700 Introduced.....	154
H. 711 Reported for committee.....	686
Moved to amend committee report.....	695
H. 720 Moved to amend.....	731
S. 139 Explained vote.....	1709
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024
Governor's appointment letter.....	74
Seated and appointed to committee.....	76

Gender Identity

Allowing minors to consent to nonsurgical, gender-affirming care.

See table H. 659.....2633

Amending a birth certificate to reflect gender identity. See table H. 628.....2628

General Assembly

Reapportioning the final representative districts of the House of

Representatives and the senatorial districts of the Senate. See table H. 722....2643

General, Housing, and Military Affairs Committee

H. 730 Introduced.....	508

Goldman, Leslie

Member from Rockingham (District Windham-3)

Committee:

Health Care

Motions, etc.

H. 266 Introduced.....	335
Reported for committee.....	557
Moved to amend committee report.....	561
H. 480 Introduced.....	14
H. 489 Moved to concur with a further amend.....	1820
H. 537 Introduced.....	30
H. 540 Introduced.....	31
H. 545 Introduced.....	32
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 560 Introduced.....	36
H. 561 Introduced.....	36
H. 571 Introduced.....	38
H. 581 Introduced.....	42
H. 584 Introduced.....	43
H. 596 Introduced.....	50
H. 598 Introduced.....	51
H. 601 Introduced.....	52
H. 602 Introduced.....	52
H. 615 Introduced.....	55
H. 616 Introduced.....	55
H. 628 Introduced.....	58
H. 636 Introduced.....	62
H. 637 Introduced.....	62
H. 654 Moved to amend.....	136
H. 661 Moved to amend committee report.....	850
H. 666 Introduced.....	78
H. 678 Introduced.....	81
J.R.H. 18 Offered.....	465
H.R. 15 Offered.....	113
H.R. 25 Offered.....	1024

Goslant, Kenneth W.

Member from Northfield (District Washington-1)

Committee:

Judiciary, Clerk

Judicial Nominating Board

Motions, etc.

H. 510 Explained vote.....	190
Explained vote.....	2390
H. 550 Introduced.....	33
H. 558 Introduced.....	35
H. 629 Moved to postpone action.....	503

Goslant, Kenneth W., cont.

Reported for committee.....	614
H. 740 Explained vote.....	953
S. 234 Explained vote.....	1556
J.R.H. 18 Offered.....	465
J.R.H. 22 Explained vote.....	2375
H.R. 25 Offered.....	1024

Government Operations

Approval of amendments to the charter of the City of Barre. See table H. 444.....	2600
Approval of amendments to the charter of the City of Burlington. See table H. 448.....	2601
Approval of amendments to the charter of the Town of Brattleboro.	
See table H. 361.....	2599
Approval of amendments to the charter of the Town of Springfield.	
See table H. 447.....	2600
Approval of an amendment to the charter of the City of Burlington.	
See table H. 454.....	2601
Creating municipal and regional civilian oversight of law enforcement.,	
See table H. 660.....	2633

Government Operations Committee

H. 589 Introduced.....	44
H. 693 Introduced.....	121
H. 708 Introduced.....	299
H. 722 Introduced.....	492
H. 731 Introduced.....	508
H. 744 Introduced.....	985

Grad, Maxine Jo

 Member from Moretown (District Washington-7)

 Committee:

 Judiciary, Chair

 Joint Legislative Justice Oversight

 Judicial Rules

 Vermont Sentencing Commission, *ex officio*

 Motions, etc.

H. 473 Introduced.....	13
H. 475 Introduced.....	14
H. 477 Introduced.....	14
H. 505 Introduced.....	20
H. 513 Introduced.....	21
H. 533 Introduced.....	29
H. 534 Introduced.....	29
H. 536 Introduced.....	30
H. 538 Introduced.....	30
H. 546 Introduced.....	32
H. 548 Introduced.....	32
H. 551 Introduced.....	33
Reported for committee.....	598
H. 553 Introduced.....	34

Grad, Maxine Jo, cont.

H. 575 Introduced.....	41
H. 584 Introduced.....	43
H. 628 Introduced.....	58
H. 629 Introduced.....	60
H. 635 Moved committee be relieved.....	205
H. 734 Introduced.....	509
S. 30 Moved to postpone action.....	696
S. 140 Moved to postpone action.....	1571
S. 184 Reported for committee.....	987
S. 250 Moved committee be relieved.....	992
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024
Devotional Exercise.....	60

Graham, Rodney P.

Member from Williamstown (District Orange-1)

Committee:

Agriculture and Forestry, Vice Chair

Motions, etc.

H. 680 Introduced.....	93
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Green Mountain Care Board

The Green Mountain Care Board's duties and reappointment processes.

See table H. 498.....	2607

Gregoire, James A.R.

Member from Fairfield (District Franklin-6)

Committee:

Human Services

Motions, etc.

H. 528 Introduced.....	24
H. 549 Introduced.....	33
H. 558 Introduced.....	35
H. 581 Introduced.....	42
H. 627 Moved to amend.....	111
H. 654 Moved to amend committee report.....	134
H. 720 Moved to amend.....	731
H. 740 Explained vote.....	953
S. 72 Reported for committee.....	998
Moved to amend.....	998
J.R.H. 18 Offered.....	465
H.R. 13 Explained vote.....	4
H.R. 25 Offered.....	1024

Guardianships

State court petitions for vulnerable noncitizen youth. See table S. 163.....	2653

H.**Hango, Lisa A.**

Member from Berkshire (District Franklin-5)

Committee:

General, Housing, and Military Affairs

Motions, etc.

H. 266 Introduced.....	335
H. 497 Introduced.....	18
H. 510 Moved to amend.....	197
Asked leave to withdraw amend.....	198
H. 517 Reported for committee.....	468
H. 549 Introduced.....	33
H. 550 Introduced.....	33
H. 558 Introduced.....	35
H. 563 Introduced.....	36
H. 564 Introduced.....	37
H. 565 Introduced.....	37
H. 576 Introduced.....	41
H. 583 Introduced.....	43
H. 597 Introduced.....	51
H. 598 Introduced.....	51
H. 601 Introduced.....	52
H. 610 Introduced.....	54
H. 612 Introduced.....	54
H. 624 Introduced.....	57
H. 636 Introduced.....	62
H. 638 Introduced.....	62
H. 657 Introduced.....	76
H. 673 Introduced.....	80
H. 691 Introduced.....	96
H. 714 Introduced.....	396
S. 280 Moved to amend.....	1182
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024
Moved to suspend rules.....	2202

Harrison, James

Member from Chittenden (District Rutland-Windsor-1)

Committee:

Appropriations

Motions, etc.

Prop 5 Explained vote.....	184
H. 293 Asked leave to withdraw amend.....	834
H. 465 Recommended for committee.....	642
H. 496 Introduced.....	18
H. 518 Recommended for committee.....	653
H. 528 Introduced.....	24
H. 547 Introduced.....	32
H. 549 Introduced.....	33
H. 558 Introduced.....	35

Harrison, James, cont.

H. 566 Introduced.....	37
H. 574 Introduced.....	41
H. 581 Introduced.....	42
H. 583 Introduced.....	43
H. 608 Introduced.....	53
H. 609 Introduced.....	53
H. 612 Introduced.....	54
H. 624 Moved to substitute amend.....	804
H. 636 Introduced.....	62
H. 638 Introduced.....	62
H. 715 Moved to amend.....	602
Explained vote.....	2074
H. 717 Recommended for committee.....	465
H. 732 Introduced.....	508
H. 740 Moved to amend.....	950
S. 226 Moved to amend.....	1775
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Hazardous Materials

Household products containing hazardous substances. See table H. 115.....	2596
The Agency of Natural Resources' testing of schools for the presence of PCBs. See table H. 726.....	2644

Health

A statewide mask mandate. See table H. 537.....	2613
Allowing dogs on the patios of food establishments. See table H. 671.....	2635
Allowing minors to consent to nonsurgical, gender-affirming care. See table H. 659.....	2633
Amending a birth certificate to reflect gender identity. See table H. 628.....	2628
Authorizing the natural organic reduction of human remains. See table H. 244.....	2597
Banning selective abortions based on sex, Down syndrome, or genetic abnormalities. See table H. 576.....	2620
Considering using reference-based pricing for the State employees' health plan. See table H. 735.....	2645
Extending COVID-19 health care regulatory flexibility. See table H. 654.....	2632
Health care reform initiatives, data collection, and access to home- and community-based services. See table S. 285.....	2660
Health insurance coverage for donated human breast milk. See table H. 579.....	2620
Health insurance coverage for hearing aids. See table H. 266.....	2597
Increasing income eligibility thresholds for the Medicare Savings Programs. See table H. 637.....	2630
Increasing Medicaid dental reimbursement rates. See table H. 571.....	2619
Informed consent for the administration of immunizations. See table H. 458.....	2602
Licensure of freestanding birth centers. See table S. 204.....	2655
Miscellaneous changes affecting the duties of the Department of Vermont Health Access. See table H. 279.....	2598
Modifications to Vermont's patient choice at end of life laws. See table S. 74.....	2650
Peer-operated respite centers. See table H. 561.....	2617
Pharmacy benefit management. See table H. 353.....	2599

Health, cont.

Prohibiting perfluoroalkyl and polyfluoroalkyl substances in Vermont. See table H. 694.....	2638
Proper disposal of unused prescription drugs. See table H. 596.....	2623
Providing Medicaid-equivalent coverage to all Vermonters. See table H. 658.....	2633
Regulating cosmetic products containing certain chemicals and chemical classes. See table H. 677.....	2636
Regulating facilities that provide abortion services. See table H. 563.....	2618
Requiring notification of a parent or guardian prior to performing an abortion on a minor. See table H. 564.....	2618
Requiring the performance of a fetal ultrasound prior to obtaining an abortion. See table H. 565.....	2618
Seizure action plans in public schools and approved independent schools. See table H. 567.....	2618
Situational surveillance at birth. See table H. 529.....	2612
Strengthening support for social determinants of health. See table H. 540.....	2613
The certification of mental health peer support specialists. See table S. 195.....	2655
The dissemination of masks and at-home rapid antigen tests. See table H. 568.....	2619
The establishment, ownership, and operation of a cemetery by a nonprofit college or university. See table H. 538.....	2613
The management of perpetual care funds by cemetery associations. See table H. 367.....	2599
The provision of mental health supports. See table S. 197.....	2655
The Rare Disease Advisory Council. See table H. 532.....	2612
The Working Group to Address the Presence of Toxigenic Mold in Buildings. See table H. 463.....	2602

Health Benefit Exchange

Miscellaneous changes affecting the duties of the Department of Vermont Health Access. See table H. 279.....	2598

Health Care

Considering using reference-based pricing for the State employees' health plan. See table H. 735.....	2645
Establishing an amyotrophic lateral sclerosis registry. See table S. 90.....	2651
Extending COVID-19 health care regulatory flexibility. See table H. 654.....	2632
Health care reform initiatives, data collection, and access to home- and community-based services. See table S. 285.....	2660
Health insurance coverage for children's hearing aids. See table H. 555.....	2616
Health insurance coverage for donated human breast milk. See table H. 579.....	2620
Increasing Medicaid dental reimbursement rates. See table H. 571.....	2619
Patient financial assistance policies and medical debt protection. See table H. 287.....	2598
Prohibiting discrimination based on genetic information. See table S. 247.....	2658
Regulating health care expense-sharing arrangements. See table H. 484.....	2605
Requiring notification of a parent or guardian prior to performing an abortion on a minor. See table H. 564.....	2618
Requiring the performance of a fetal ultrasound prior to obtaining an abortion. See table H. 565.....	2618
Telehealth licensure and registration and to provisional licensure for professions regulated by the Office of Professional Regulation.	

Health Care, cont.

See table H. 655.....	2633
The certification of mental health peer support specialists. See table H. 560.....	2617

Health Care Committee

H. 654 Introduced.....	66
H. 655 Introduced.....	67

Health Care Providers

Establishing the Vermont Nursing Scholarship Program. See table H. 472.....	2604
Inclusive data collection policies for insurers and health care providers. See table H. 706.....	2640
Licensure of freestanding birth centers. See table S. 204.....	2655
Licensure of mental health professionals. See table H. 661.....	2634
Medical debt collection. See table H. 607.....	2624
Patient financial assistance policies and medical debt protection. See table H. 287..	2598
Physician assistant licensure by endorsement. See table H. 652.....	2632
Protecting health care providers' rights of conscience. See table H. 497.....	2607
Regulating facilities that provide abortion services. See table H. 563.....	2618
Telehealth licensure and registration and to provisional licensure for professions regulated by the Office of Professional Regulation. See table H. 655.....	2633

Health Coverage

Health insurance coverage for hearing aids. See table H. 266.....	2597
Health insurance coverage for newborns. See table H. 486.....	2605

Health Insurance

Enrollment in Medicare supplemental insurance policies. See table S. 239.....	2658
Health insurance coverage for children's hearing aids. See table H. 555.....	2616
Health insurance coverage for donated human breast milk. See table H. 579.....	2620
Health insurance coverage for newborns. See table H. 486.....	2605
Inclusive data collection policies for insurers and health care providers. See table H. 706.....	2640
Legislator compensation and benefits. See table H. 678.....	2636
Miscellaneous provisions affecting health insurance regulation. See table H. 489....	2606
Pharmacy benefit management. See table H. 353.....	2599
Prohibiting discrimination based on genetic information. See table S. 247.....	2658

Helm, Robert G.

Member from Fair Haven (District Rutland-3)

Committee:

Appropriations Motions, etc.	
H. 528 Introduced.....	24
H. 544 Introduced.....	32
H. 624 Moved to substitute amend.....	804
H. 740 Moved to amend.....	950
S. 226 Moved to amend.....	1775
J.R.H. 18 Offered.....	465
H.R. 25 Offered	024

Highways

Leveling Vermont Route 22A. See table H. 544.....	2614
Requiring municipalities to adopt local enforcement plans. See table H. 689.....	2638
Roadside memorials. See table H. 525.....	2611

Higley, Mark A.

Member from Lowell (District Orleans-Lamoille)

Committee:

Government Operations

Legislative Committee on Administrative Rules

Motions, etc.

H. 157 Moved to amend proposal of amend.....	110
H. 293 Moved to amend.....	835
H. 458 Introduced.....	10
H. 465 Reported for committee.....	635
Moved to amend.....	643
Moved to concur with further amend.....	1970
H. 497 Introduced.....	18
H. 549 Introduced.....	33
H. 550 Introduced.....	33
H. 563 Introduced.....	36
H. 564 Introduced.....	37
H. 565 Introduced.....	37
H. 573 Introduced.....	41
H. 583 Introduced.....	43
H. 601 Introduced.....	52
H. 612 Introduced.....	54
H. 693 Spoke for committee.....	138
H. 697 Demanded Yeas and Nays.....	411
H. 710 Introduced.....	305
H. 727 Moved to amend.....	630
H. 742 Moved to postpone action.....	1416
Reported for committee.....	1432
S. 226 Moved to amend committee report.....	1775
S. 281 Moved to commit.....	2064
S. 286 Moved to substitute amend.....	1202
Explained vote.....	1253
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Home Study

The simplification of the home study program. See table H. 608.....	2625

Homestead

The right to enroll a child in a public school where the property owned by the child's parent or guardian in the municipality is not their homestead. See table H. 721.....	2643

Hooper, Mary S.

Member from Montpelier (District Washington-4)

Committee:

Appropriations, Chair

Health Reform Oversight, *ex officio*

Joint Fiscal, Chair

Joint Transportation Oversight, *ex officio*

Conference on H. 679..... 295

Conference on H. 740..... 1152

Motions, etc.

H. 546 Recommended for committee..... 731

H. 624 Moved to substitute amend..... 804

H. 679 Spoke for committee..... 116

Demanded Yeas and Nays..... 116

H. 740 Spoke for committee..... 940

Moved to amend..... 950

Requested committee of conference..... 1152

Demanded Yeas and Nays..... 2561

S. 226 Moved to amend..... 1775

J.R.H. 18 Offered..... 465

H.R. 25 Offered..... 1024

Presiding..... 1411, 1959

Hooper, Philip "Jay" J.

Member from Randolph (District Orange-Washington-Addison)

Committee:

Education

Motions, etc.

H. 456 Moved to amend committee report..... 389

H. 552 Introduced..... 33

H. 572 Introduced..... 40

H. 644 Introduced..... 64

H. 716 Moved to concur with further amend..... 2338

J.R.H. 18 Offered..... 465

J.R.H. 22 Offered..... 1030

H.R. 25 Offered..... 1024

Hooper, Robert J.

Member from Burlington (District Chittenden-6-1)

Committee:

Government Operations

Motions, etc.

H. 266 Introduced..... 335

H. 293 Introduced..... 471

Moved to amend..... 835

H. 448 Introduced..... 213

Reported for committee..... 390

H. 465 Moved to amend..... 643

Moved to concur with further amend..... 1970

H. 558 Introduced..... 35

H. 621 Introduced..... 56

Hooper, Robert J., cont.

H. 644 Introduced.....	64
H. 656 Introduced.....	76
H. 676 Introduced.....	81
H. 708 Reported for committee.....	306
H. 726 Introduced.....	507
H. 746 Introduced.....	1362
S. 286 Moved to substitute amend.....	1202
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Hospitality

Allowing dogs on the patios of food establishments. See table H. 671.....	2635

Hospitals

Prohibiting possession of firearms within hospital buildings. See table S. 30.....	2649

Houghton, Lori

Member from Essex (District Chittenden-8-2)

Committee:

Health Care, Ranking Member

Green Mountain Care Board Nominating

Task Force on Affordable, Accessible Health Care

Motions, etc.

H. 279 Introduced.....	318
H. 287 Introduced.....	352
H. 480 Introduced.....	14
H. 485 Introduced.....	16
H. 489 Moved to concur with further amend.....	1820
H. 491 Introduced.....	17
H. 498 Introduced.....	18
H. 511 Introduced.....	21
H. 537 Introduced.....	30
H. 540 Introduced.....	31
H. 547 Introduced.....	32
H. 552 Introduced.....	33
H. 560 Introduced.....	36
H. 561 Introduced.....	36
H. 584 Introduced.....	43
H. 598 Introduced.....	51
H. 601 Introduced.....	52
H. 602 Introduced.....	52
H. 612 Introduced.....	54
H. 636 Introduced.....	62
H. 638 Introduced.....	62
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 651 Introduced.....	66
H. 654 Reported for committee.....	123
Moved to amend.....	136

Houghton, Lori, cont.

H. 655 Reported for committee.....	546
H. 661 Moved to amend committee report.....	850
H. 666 Introduced.....	78
H. 677 Introduced.....	81
H. 700 Introduced.....	154
S. 285 Moved to postpone action.....	1314
Reported for committee.....	1328
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024

Housing

Creating tenant rights to purchase an apartment building. See table H. 640.....	2630
Expanding access to safe and affordable housing. See table S. 226.....	2657
Municipal authority to limit the increase of rental rates. See table H. 682.....	2637
Providing protections against eviction, foreclosure, and tax sales. See table H. 625.....	2627
Rental housing health and safety and affordable housing. See table S. 210.....	2655
Simplifying access to benefits and services. See table H. 574.....	2620
Supported housing options for individuals served through the developmental services waiver. See table H. 531.....	2612
Vermont Housing Regulation Modernization. See table H. 549.....	2615

Howard, Mary E.

Member from Rutland City (District Rutland-5-3)

Committee:

General, Housing, and Military Affairs, Clerk

Motions, etc.

H. 266 Introduced.....	335
H. 455 Introduced.....	10
H. 571 Introduced.....	38
H. 599 Introduced.....	51
H. 615 Introduced.....	55
H. 616 Introduced.....	55
H. 621 Introduced.....	56
H. 666 Introduced.....	78
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Human Services

Allowing essential caregivers to visit residents of long-term care facilities

 during a public health emergency. See table H. 595.....

Child care capacity development grants. See table H. 676.....

Increasing asset limits for Medicaid for the Aged, Blind, and Disabled.

 See table H. 516.....

Miscellaneous amendments to the Reach Up program. See table H. 672.....

Miscellaneous changes to the Reach Up Program. See table H. 464.....

Miscellaneous Department of Health programs. See table H. 462.....

Opioid overdose response services. See table H. 728.....

Payment reform for adult day service providers. See table H. 639.....

Planning and support for individuals and families impacted by Alzheimer's

Human Services, cont.

Disease and related disorders. See table S. 206.....	2655
Simplifying access to benefits and services. See table H. 574.....	2620
Supported housing options for individuals served through the developmental services waiver. See table H. 531.....	2612
The creation of the Opioid Settlement Advisory Committee and the Opioid Abatement Special Fund. See table H. 711.....	2641
The Interstate Compact on the Placement of Children. See table S. 72.....	2650
The Office of the Child, Youth, and Family Advocate. See table H. 265.....	2597
The Parent Child Center Network. See table S. 91.....	2651
The system of care for individuals with developmental disabilities. See table H. 720.....	2643

Human Services Committee

H. 711 Introduced.....	305
H. 720 Introduced.....	420
H. 728 Introduced.....	508

Hunting

Hunting coyotes with dogs. See table S. 281.....	2660

Hunting and Trapping

Best management practices for trapping. See table S. 201.....	2655
The retrieval and use of covered wild animals. See table H. 411.....	2600

I.**Immigration Status**

State court petitions for vulnerable noncitizen youth. See table S. 163.....	2653

Immunity from Liability

Maintaining records of judgments and settlements paid by law enforcement agencies and a legal analysis of qualified immunity. See table S. 254.....	2658

Immunizations

Informed consent for the administration of immunizations. See table H. 458.....	2602

Income Taxes

A Vermont Child Tax Credit and the Vermont Social Security income exclusion. See table H. 510.....	2608
Exempting all Social Security benefits for all Vermonters. See table H. 632.....	2629
Increasing the income tax exemption for Social Security benefits. See table H. 558.....	2617
Technical and administrative changes to Vermont's tax laws. See table H. 738.....	2646

Insurance

Automobile insurance and aftermarket parts. See table H. 522.....	2611

Interstate Compacts

The Interstate Compact on the Placement of Children. See table S. 72.....	2650
Vermont's adoption of the Audiology and Speech-Language Pathology Interstate Compact. See table H. 577.....	2620

J.**James, Kathleen C.**

Member from Manchester (District Bennington-4)

Committee:

Education, Clerk	
Conference on H. 456.....	1782
Motions, etc.	
H. 244 Introduced.....	318
H. 293 Introduced.....	471
H. 399 Introduced.....	336
H. 456 Introduced.....	213
Moved to postpone action.....	309
Reported for committee.....	387
Moved to amend committee report.....	389
H. 468 Introduced.....	12
H. 483 Introduced.....	15
H. 511 Introduced.....	21
H. 552 Introduced.....	33
H. 628 Introduced.....	58
H. 716 Moved to concur with further amend.....	2338
J.R.H. 18 Offered.....	465
H.R. 15 Offered.....	113
H.R. 25 Offered.....	1024
Devotional Exercise.....	2098

Jerome, Stephanie Z.

Member from Brandon (District Rutland-6)

Committee:

Commerce and Economic Development, Ranking Member	
Vermont Film and Media Industry Task Force.....	2579
Conference on S. 11.....	1700
Motions, etc.	
H. 515 Reported for committee.....	330
H. 517 Asked leave to withdraw amend.....	470
Moved to amend.....	476
H. 536 Introduced.....	30
H. 581 Introduced.....	42
H. 624 Introduced.....	57
Reported for committee.....	802
H. 641 Introduced.....	63
H. 666 Introduced.....	78
H. 667 Introduced.....	79
H. 673 Introduced.....	80
H. 676 Introduced.....	81

Jerome, Stephanie Z., cont.

H. 677 Introduced.....	81
H. 703 Moved to substitute amend.....	893
S. 11 Moved to amend.....	1512
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Jessup, Kimberly

Member from Middlesex (District Washington-5)

Committee:

Appropriations, Ranking Member

House Ethics Panel

Joint Legislative Child Protection Oversight Committee

Judicial Nominating Board

Conference on H. 679..... 295

Conference on H. 740..... 1152

Motions, etc.

H. 464 Recommended for committee..... 786

H. 616 Introduced..... 55

H. 624 Moved to substitute amend..... 804

H. 666 Introduced..... 78

H. 679 Requested Committee of Conference..... 255

H. 740 Moved to amend..... 950

S. 72 Recommended for committee..... 998

S. 91 Recommended for committee..... 2094

S. 210 Recommended for committee..... 1174

S. 226 Recommended for committee..... 1767

Moved to amend..... 1775

J.R.H. 18 Offered..... 465

H.R. 25 Offered..... 1024

Joint Fiscal Office

The Vermont basic needs budget. See table H. 521..... 2611

Judiciary

Binding interest arbitration for employees of the Vermont Judiciary.

See table S. 78..... 2650

Establishing a cause of action for medical monitoring expenses. See table S. 113..... 2651

Judicial nominations and appointments. See table H. 535..... 2613

Miscellaneous judiciary procedures. See table H. 729..... 2644

State court petitions for vulnerable noncitizen youth. See table S. 163..... 2653

Judiciary Committee

H. 729 Introduced..... 508

Jury Duty

Jurors' compensation. See table H. 664..... 2634

Justice Involved Youth

A secure facility for justice-involved youth. See table H. 487..... 2605

Juveniles

Confidential information concerning the initial arrest and charge of a child. See table S. 175.....	2654
Juvenile proceedings. See table S. 224.....	2657
Raising the age of eligibility to marry. See table H. 631.....	2629
State court petitions for vulnerable noncitizen youth. See table S. 163.....	2653

K.**Kascenska, John**

Member from Burke (District Caledonia-4)	
Committee:	
Commerce and Economic Development	
Motions, etc.	
H. 517 Asked leave to withdraw amend.....	470
Moved to amend.....	476
H. 703 Moved to substitute amend.....	893
S. 11 Moved to amend.....	1512
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024
Governor's appointment letter.....	419
Seated and appointed to committee.....	419

Killacky, John R.

Member from South Burlington (District Chittenden-7-3)	
Committee:	
General, Housing, and Military Affairs	
House Discrimination Prevention Panel.....	58
Conference on S. 210.....	1946
Motions, etc.	
H. 266 Introduced.....	335
H. 399 Introduced.....	336
H. 455 Introduced.....	10
H. 463 Introduced.....	11
H. 545 Introduced.....	32
H. 556 Introduced.....	35
H. 567 Introduced.....	38
H. 615 Introduced.....	55
H. 621 Introduced.....	56
H. 624 Introduced.....	57
H. 628 Introduced.....	58
H. 630 Introduced.....	61
H. 641 Introduced.....	63
H. 668 Introduced.....	79
H. 670 Introduced.....	79
H. 702 Introduced.....	161
H. 713 Introduced.....	396
J.R.H. 18 Offered.....	465
J.R.H. 20 Offered.....	807
H.R. 21 Offered.....	613
H.R. 22 Offered.....	807

Killacky, John R., cont.

H.R. 25 Offered.....	1024

Kimbell, Charles A.

Member from Woodstock (District Windsor-5)

Committee:

Commerce and Economic Development, Vice Chair

Conference on S. 11.....	1700
Motions, etc.	
H. 468 Introduced.....	12
H. 483 Introduced.....	15
H. 510 Explained vote.....	196
H. 511 Introduced.....	21
H. 512 Introduced.....	21
Reported for committee.....	787
H. 515 Introduced.....	169
H. 517 Asked leave to withdraw amend.....	470
Moved to amend.....	476
H. 536 Introduced.....	30
H. 559 Introduced.....	36
H. 566 Introduced.....	37
H. 569 Introduced.....	38
H. 570 Introduced.....	38
H. 581 Introduced.....	42
H. 617 Introduced.....	56
H. 627 Spoke for committee.....	92
H. 698 Introduced.....	153
H. 703 Moved to postpone action.....	856
Reported for committee.....	859
Moved to substitute amend.....	893
H. 704 Introduced.....	163
H. 740 Explained vote.....	953
S. 11 Reported for committee.....	1456
Moved to amend.....	1512
Requested committee of conference.....	1700
S. 33 Reported for committee.....	1947
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Kitzmiller, Warren F.

Member from Montpelier (District Washington-4)

Committee:

Commerce and Economic Development

Motions, etc.

H. 517 Asked leave to withdraw amend.....	470
Moved to amend.....	476
H. 552 Introduced.....	33
H. 616 Introduced.....	55
H. 624 Introduced.....	57
H. 644 Introduced.....	64

Kitzmiller, Warren F., cont.

H. 678 Introduced.....	81
H. 703 Moved to substitute amend.....	893
J.R.H. 18 Offered.....	465
H.R. 20 Demanded Yeas and Nays.....	413
H.R. 25 Offered.....	1024

Kornheiser, Emilie K.

Member from Brattleboro (District Windham-2-1)

Committee:

Ways and Means, Vice Chair

Joint Fiscal

Income-Based Education Tax Study..... 2578

Conference on H. 510.....1325

Conference on S. 53..... 972

Motions, etc.

H. 159 Moved to commit.....1153

H. 266 Introduced..... 335

H. 510 Introduced.....21

Recommended for committee..... 186

Explained vote..... 2390

H. 551 Introduced.....33

H. 562 Introduced.....36

H. 586 Introduced.....44

H. 599 Introduced.....51

H. 615 Introduced.....55

H. 616 Introduced.....55

H. 621 Introduced.....56

H. 628 Introduced.....58

H. 630 Introduced.....61

H. 644 Introduced.....64

H. 672 Introduced.....80

H. 727 Explained vote..... 632

H. 738 Moved to concur with further amend.....2401

H. 746 Explained vote.....1558

S. 33 Recommended for committee.....1949

S. 226 Recommended for committee.....1767

S. 250 Explained vote.....2118

S. 269 Recommended for committee.....1566

S. 287 Recommended for committee.....1277

Moved to amend proposal of amend.....1312

J.R.H. 18 Offered.....465

H.R. 25 Offered.....1024

Krowinski, Jill L.

Member from Burlington (District Chittenden-6-3)

Speaker of the House

Committee:

Rules, Chair *ex officio*

Joint Legislative Management, Vice Chair

Joint Rules, Chair

Krowinski, Jill L., cont.

Motions, etc.	
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024
Pledge of Allegiance.....	1, 28, 75, 119, 1963

L.**Labor**

Compensation history and transparency. See table H. 615.....	2625
Employee expense reimbursement. See table H. 670.....	2635
Employee scheduling. See table H. 669.....	2635
Enacting the Uniform Restrictive Employment Agreements Act. See table H. 667...	2635
Establishing the Office of the Unemployment Insurance Advocate.	
See table H. 616.....	2626
Indemnification of employee legal expenses. See table H. 519.....	2611
Leave for crime victims. See table H. 477.....	2604
Medical leave for a serious injury. See table H. 713.....	2641
Notice of employment laws. See table H. 617.....	2626
Portable benefits for intermediary workers. See table H. 479.....	2604
Prohibiting agreements that prevent an employee from working for the employer	
following the settlement of a discrimination claim. See table H. 320.....	2598
Prohibiting discrimination based on immunization status. See table H. 573.....	2620
The certification of collective bargaining representatives. See table H. 621.....	2626
Time off for illness and for federal holidays. See table H. 614.....	2625
Workers' compensation. See table H. 559.....	2617

Labor, Larry

Member from Morgan (District Orleans-1)

Committee:

 Corrections and Institutions

Motions, etc.

H. 558 Introduced.....	35
H. 598 Introduced.....	51
H. 601 Introduced.....	52
H. 612 Introduced.....	54
H. 636 Introduced.....	62
H. 638 Introduced.....	62
H. 714 Introduced.....	396
J.R.H. 18 Offered.....	465
J.R.S. 43 Reported for committee.....	987
H.R. 25 Offered.....	1024
Governor's appointment letter.....	1
Committee appointment announced.....	1

LaClair, Robert B.

Member from Barre Town (District Washington-2)

Committee:

 Government Operations, Ranking Member

 Rules

LaClair, Robert B., cont.

Joint Legislative Management

Sunset Advisory Commission

Motions, etc.

H. 96 Introduced.....	471
H. 293 Moved to amend.....	835
H. 458 Introduced.....	10
H. 465 Introduced.....	12
Moved to amend.....	643
H. 494 Introduced.....	17
H. 499 Introduced.....	18
H. 510 Moved to amend.....	194
H. 573 Introduced.....	41
H. 612 Introduced.....	54
H. 697 Demanded Yeas and Nays.....	422
H. 715 Demanded Yeas and Nays.....	1587
H. 727 Moved to amend.....	630
H. 731 Reported for committee.....	634
H. 744 Spoke for committee.....	992
H. 746 Demanded Yeas and Nays.....	1558
S. 4 Demanded Yeas and Nays.....	655
S. 11 Moved to suspend rules for immediate consideration.....	2123
S. 223 Reported for committee.....	59
S. 250 Demanded Yeas and Nays.....	2118
S. 254 Demanded Yeas and Nays.....	1016
S. 265 Demanded Yeas and Nays.....	1001
S. 283 Moved to suspend rules for immediate consideration.....	2122
S. 286 Moved to substitute amend.....	1202
Moved to message to Senate forthwith.....	1277
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

LaLonde, Martin J.

Member from South Burlington (District Chittenden-7-1)

Committee:

Judiciary

Judicial Rules, Chair..... 111

Motions, etc.

H. 96 Introduced.....	471
H. 473 Introduced.....	13
H. 475 Introduced.....	14
Reported for committee.....	567
H. 505 Introduced.....	395
Reported for committee.....	700
H. 536 Introduced.....	30
H. 546 Introduced.....	32
Reported for committee.....	724
H. 551 Introduced.....	336
H. 552 Introduced.....	33
S. 254 Moved to postpone action.....	1325
J.R.H. 18 Offered.....	465

LaLonde, Martin J., cont.

H.R. 25 Offered.....	1024

Land Repatriation

Abenaki land ownership and land repatriation. See table H. 620.....	2626

Land Use

Airport expansion and primary agricultural soils. See table H. 610.....	2625
Changes to Act 250. See table S. 234.....	2657
Community resilience and biodiversity protection. See table H. 606.....	2624
On-farm restaurants. See table H. 696.....	2639
Preventing sprawl through municipal zoning. See table H. 524.....	2611
Rural economic development. See table H. 581.....	2621
The regulation of accessory on-farm businesses. See table H. 704.....	2640
Vermont Housing Regulation Modernization. See table H. 549.....	2615

Landlord and Tenant

Landlord notice of utility disconnections. See table H. 612.....	2625

Language Access Services

Language access. See table H. 692.....	2638

Lanpher, Diane M.

Member from Vergennes (District Addison-3)

Committee:

Transportation, Chair

Joint Transportation Oversight, *ex officio*

Motions, etc.

H. 293 Introduced.....	471
H. 736 Spoke for committee.....	937
Moved to postpone action.....	1307
Moved to postpone action.....	1312
Moved to concur with further amend.....	1400
Moved to amend proposal of amend.....	1406
Moved to concur with further amend.....	1408
S. 280 Reported for committee.....	1153
Moved to postpone action.....	1746
Moved to concur with further amendment.....	2067
J.R.H. 18 Offered.....	465
H.R. 21 Offered.....	613
H.R. 25 Offered.....	1024

Laroche, Wayne A

Member from Franklin (District Franklin-5)

Committee:

Commerce and Economic Development

Motions, etc.

H. 517 Asked leave to withdraw amend.....	470
Moved to amend.....	476
H. 703 Moved to substitute amend.....	893

Laroche, Wayne A, cont.

H. 727 Moved to amend.....	630
S. 11 Moved to amend.....	1512
S. 234 Moved to amend.....	1611
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024
Governor's appointment letter.....	213
Committee appointment announced.....	213

Law Enforcement

Creating municipal and regional civilian oversight of law enforcement.	
See table H. 660.....	2633
Law enforcement data collection and interrogation. See table S. 250.....	2658
Maintaining records of judgments and settlements paid by law enforcement	
agencies and a legal analysis of qualified immunity. See table S. 254.....	2658
The creation of the Agency of Public Safety. See table S. 155.....	2652

Lefebvre, Paul D.

Member from Newark (District Essex-Caledonia-Orleans)

Committee:

 Natural Resources, Fish, and Wildlife

Motions, etc.

H. 550 Introduced.....	33
H. 581 Introduced.....	42
H. 598 Introduced.....	51
H. 601 Introduced.....	52
H. 653 Introduced.....	66
H. 710 Introduced.....	305
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Lefebvre, Samantha

Member from Orange (District Orange-1)

Committee:

 Government Operations

 Government Accountability

Motions, etc.

H. 293 Moved to amend.....	835
H. 367 Reported for committee.....	167
Moved to amend.....	167
H. 465 Moved to amend.....	643
H. 528 Introduced.....	24
H. 563 Introduced.....	36
H. 564 Introduced.....	37
H. 565 Introduced.....	37
H. 579 Introduced.....	42
H. 663 Introduced.....	78
H. 680 Reported for committee.....	423
H. 697 Moved to commit.....	411
H. 718 Reported for committee.....	857
H. 722 Explained vote.....	563

Lefebvre, Samantha, cont.

H. 727 Moved to amend.....	630
H. 743 Reported for committee.....	1183
H. 745 Reported for committee.....	1415
S. 286 Moved to substitute amend.....	1202
J.R.H. 11 Offered.....	67
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Leffler, Felisha R.

Member from Enosburgh (District Franklin-7)

Committee:

Judiciary

Motions, etc.

H. 528 Introduced.....	24
H. 533 Introduced.....	29
Reported for committee.....	657
H. 549 Introduced.....	33
H. 558 Introduced.....	35
H. 585 Introduced.....	43
H. 608 Introduced.....	53
H. 678 Introduced.....	81
H. 705 Introduced.....	163
H. 727 Moved to amend.....	630
H. 745 Introduced.....	989
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Legislature

Appropriations funds for the 2023 Farmers' Night Concert Series. See table H. 702	2639
Legislator compensation and benefits. See table H. 678.....	2636
Reapportioning the initial districts of the House of Representatives., See table H. 589.....	2622
The State House art collections. See table S. 173.....	2653

Libraries

Establishing the Vermont Imagination Library. See table H. 636.....	2629

Licensure

Licensure of mental health professionals. See table H. 661.....	2634
Music therapists and art therapists. See table H. 575.....	2620
Physician assistant licensure by endorsement. See table H. 652.....	2632
Service dog training. See table H. 622.....	2626
Vermont's adoption of the Audiology and Speech-Language Pathology Interstate Compact. See table H. 577.....	2620

Lippert, William J.

Member from Hinesburg (District Chittenden-4-2)

Committee:

Health Care, Chair

Lippert, William J., cont.Health Reform Oversight, *ex officio*

Task Force on Affordable, Accessible Health Care, Co-Chair

Motions, etc.

H. 96 Introduced.....	471
H. 244 Introduced.....	318
H. 287 Moved to postpone action.....	565
H. 353 Moved to postpone action.....	634
H. 489 Introduced.....	16
Moved to concur with further amend.....	1820
H. 560 Introduced.....	36
H. 584 Introduced.....	43
H. 628 Introduced.....	58
H. 635 Introduced.....	62
H. 654 Moved to recommit.....	71
Moved to amend.....	136
H. 655 Moved to recommit.....	72
H. 661 Moved to amend committee report.....	850
H. 668 Introduced.....	79
H. 706 Introduced.....	182
S. 90 Moved committee be relieved.....	964
S. 247 Moved to postpone action.....	1009
J.R.H. 18 Offered.....	465
H.R. 21 Offered.....	613
H.R. 25 Offered.....	1024

Livable Wage

The Vermont basic needs budget. See table H. 521.....2611

Local Option Taxes

Creating a uniform local share of sales and use tax revenue. See table H. 514.....2610

Long, Emily J.

Member from Newfane (District Windham-5)

Committee:

Health Care

Rules, Vice Chair

Joint Rules

Motions, etc.

Prop 5 Explained vote.....	184
H. 96 Introduced.....	471
H. 552 Introduced.....	33
H. 679 Explained vote.....	116
H. 715 Explained vote.....	604
H. 738 Moved to postpone action.....	2339
H. 740 Explained vote.....	953
Explained vote.....	2561
S. 286 Explained vote.....	1253
J.R.H. 12 Offered.....	96
J.R.H. 15 Offered.....	209
J.R.H. 18 Offered.....	465

Long, Emily J., cont.

J.R.S. 44 Moved to postpone action.....	555
Moved to postpone action.....	561
Moved to amend.....	627
H.R. 15 Offered.....	113
H.R. 25 Offered.....	1024
Presiding.....	563, 634, 685, 730, 956, 1015, 1160, 1302, 1310, 2007, 2191
Motion to adjourn <i>sine die</i>	2564

Long-term Care

Allowing essential caregivers to visit residents of long-term care facilities during a public health emergency. See table H. 595.....	2622

M.**Manufacturers**

A direct-to-consumer spirits shipping license. See table H. 591.....	2622
A direct-to-consumer spirits shipping license. See table H. 638.....	2630
Authorizing satellite tasting rooms for manufacturers of alcoholic beverages. See table H. 588.....	2622
Expressly authorizing the manufacture of alcoholic beverages pursuant to contract. See table H. 587.....	2621

Marcotte, Michael J.

Member from Coventry (District Orleans-2)	
Committee:	
Commerce and Economic Development, Chair	
Special Oversight Committee on Workforce Expansion and Development.....	2579
Conference on S. 11.....	1700
Motions, etc.	
H. 74 Introduced.....	50
Moved to postpone action.....	59
H. 482 Introduced.....	336
H. 512 Introduced.....	21
Moved committee be relieved.....	466
H. 515 Introduced.....	169
H. 517 Asked leave to withdraw amend.....	470
Moved to amend.....	476
H. 559 Introduced.....	36
H. 569 Introduced.....	38
H. 570 Introduced.....	38
H. 601 Introduced.....	52
H. 612 Introduced.....	54
H. 703 Moved to substitute amend.....	893
Demanded Yeas and Nays.....	948
S. 11 Moved to amend.....	1512
J.R.H. 16 Offered.....	397
J.R.H. 18 Offered.....	248
H.R. 25 Offered.....	1024

Marriage

- Obtaining a marriage license in any town in Vermont. See table H. 680..... 2637
 Raising the age of eligibility to marry. See table H. 631..... 2629

Martel, Marcia Robinson

Member from Waterford (District Caledonia-1)

Committee:

Corrections and Institutions

Motions, etc.

- H. 497 Introduced..... 18
 H. 528 Introduced..... 24
 H. 563 Introduced..... 36
 H. 564 Introduced..... 37
 H. 565 Introduced..... 37
 H. 597 Introduced..... 51
 J.R.H. 18 Offered..... 465
 H.R. 25 Offered..... 1024
 Devotional Exercise..... 859

Martin, Paul

Member from Franklin (District Franklin-5)

Committee:

Commerce and Economic Development

Motions, etc.

- H. 610 Introduced..... 54
 Resignation letter..... 203

Masland, James W.

Member from Thetford (District Windsor-Orange-2)

Committee:

Ways and Means

Motions, etc.

- H. 244 Introduced..... 318
 Recommended for committee..... 534
 H. 457 Introduced..... 10
 H. 480 Introduced..... 14
 H. 503 Introduced..... 19
 H. 507 Introduced..... 20
 H. 520 Introduced..... 23
 H. 552 Introduced..... 33
 H. 554 Introduced..... 34
 H. 557 Introduced..... 35
 H. 562 Introduced..... 36
 H. 566 Introduced..... 37
 H. 567 Introduced..... 38
 H. 571 Introduced..... 38
 H. 598 Introduced..... 51
 H. 601 Introduced..... 52
 H. 612 Introduced..... 54
 H. 621 Introduced..... 56
 H. 641 Introduced..... 63

Masland, James W., cont.

H. 645 Introduced.....	64
H. 664 Introduced.....	78
H. 676 Introduced.....	81
H. 677 Introduced.....	81
H. 697 Recommended for committee.....	409
H. 738 Moved to concur with further amend.....	2401
S. 161 Recommended for committee.....	1566
S. 210 Recommended for committee.....	1174
S. 287 Moved to amend proposal of amend.....	1312
J.R.H. 18 Offered.....	465
H.R. 21 Offered.....	613
H.R. 25 Offered.....	1024
Devotional Exercise.....	1262

Mattos, Christopher P.

Member from Milton (District Chittenden-10)

Committee:

Ways and Means

House Discrimination Prevention Panel

Motions, etc.

H. 491 Recommended for committee.....	329
H. 551 Recommended for committee.....	601
H. 738 Moved to concur with further amend.....	2401
H. 742 Introduced.....	961
S. 287 Moved to amend proposal of amend.....	1312
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

McCarthy, Michael D.

Member from St. Albans City (District Franklin-3-1)

Committee:

Government Operations

Rules

Joint Rules

Motions, etc.

H. 293 Moved to amend.....	835
H. 465 Moved to amend.....	643
Moved to concur with further amend.....	1970
H. 543 Introduced.....	31
H. 552 Introduced.....	33
H. 635 Moved to postpone action.....	601
H. 722 Explained vote.....	563
H. 741 Introduced.....	806
Reported for committee.....	1003
S. 226 Explained vote.....	1789
S. 286 Moved to substitute amend.....	1202
J.R.H. 18 Offered.....	465
J.R.H. 20 Reported for committee.....	1018
H.R. 22 Reported for committee.....	1018

McCarthy, Michael D., cont.

H.R. 25 Offered	1024

McCormack, Curtis A.

Member from Burlington (District Chittenden-6-3)

Committee:

Transportation

Motions, etc.

H. 448 Introduced.....	213
H. 495 Introduced.....	18
H. 510 Asked to divide question.....	195
H. 523 Introduced.....	23
H. 524 Introduced.....	23
H. 525 Introduced.....	23
H. 526 Introduced.....	24
H. 552 Introduced.....	33
H. 635 Introduced.....	62
H. 644 Introduced.....	64
H. 682 Introduced.....	94
H. 689 Introduced.....	95
H. 726 Introduced.....	507
J.R.H. 18 Offered.....	465
J.R.H. 21 Offered.....	962
J.R.H. 22 Offered.....	1030
H.R. 21 Offered	613
H.R. 25 Offered	1024

McCoy, Patricia A.

Member from Poultney (District Rutland-1)

Committee:

Transportation

Rules

House Sexual Harassment Prevention Panel

Joint Rules

Motions, etc.

H. 353 Moved for immediate consideration.....	2098
H. 444 Moved to message to Senate forthwith.....	1602
H. 446 Moved to message to Senate forthwith and deliver to Governor forthwith....	2377
H. 448 Demanded Yeas and Nays.....	391
Demanded Yeas and Nays.....	391
H. 456 Moved to message to Senate forthwith.....	1783
H. 465 Moved to message to Senate forthwith.....	2056
H. 489 Moved for immediate consideration.....	1820
Moved to message to Senate forthwith.....	1821
H. 492 Demanded Yeas and Nays.....	767
H. 510 Demanded Yeas and Nays.....	196
Moved to message to Senate forthwith.....	1325
Moved for immediate consideration.....	2381
Moved to message to Senate forthwith and deliver to Governor forthwith....	2403
H. 512 Moved for immediate consideration.....	2223
Moved to message to Senate forthwith.....	2225

McCoy, Patricia A., cont.

H. 518 Moved for immediate consideration.....	2202
Moved to message to Senate forthwith.....	2225
H. 522 Introduced.....	23
H. 533 Moved for immediate consideration.....	2215
Moved to message to Senate forthwith.....	2225
H. 548 Moved to message to Senate forthwith.....	1746
Moved to message to Senate forthwith.....	1966
H. 572 Moved for immediate consideration.....	2218
Moved to message to Senate forthwith.....	2225
Moved to deliver bill to Governor forthwith.....	2421
H. 626 Moved to message to Senate forthwith.....	2377
Moved to deliver to Governor forthwith.....	2421
H. 679 Moved to message to Senate forthwith.....	295
Moved to message to Senate forthwith and deliver to Governor forthwith.....	464
H. 697 Moved for immediate consideration.....	2095
H. 708 Demanded Yeas and Nays.....	307
H. 709 Moved to message to Senate forthwith and deliver to Governor forthwith....	2378
H. 716 Moved for immediate consideration.....	2334
Moved to message to Senate forthwith.....	2339
Moved to deliver bill to Governor forthwith.....	2421
H. 717 Moved for immediate consideration.....	464
Moved to place in all remaining stages of passage.....	465
Moved to message to Senate forthwith.....	465
H. 720 Moved to message to Senate forthwith.....	1602
Moved for immediate consideration.....	2214
Moved to message to Senate forthwith.....	2225
H. 722 Moved to message to Senate forthwith and deliver to Governor forthwith.....	977
H. 727 Moved for immediate consideration.....	1821
Moved to message to Senate forthwith.....	1924
Moved for immediate consideration.....	2228
H. 730 Moved for immediate consideration.....	2348
Moved to message to Senate forthwith and deliver to Governor forthwith....	2378
H. 736 Moved to message to Senate forthwith.....	1408
H. 737 Moved for immediate consideration.....	2379
Moved to message to Senate forthwith and deliver to Governor forthwith....	2403
H. 738 Moved to message to Senate forthwith.....	2402
Moved to deliver to Governor forthwith.....	2421
H. 739 Moved to message to Senate forthwith.....	2059
H. 740 Explained vote.....	953
Moved for immediate consideration.....	1034
Moved to message to Senate forthwith.....	1152
Moved to suspend rules for immediate consideration.....	2422
Moved to message to Senate forthwith and deliver to Governor forthwith....	2563
H. 742 Moved to message to Senate forthwith.....	1705
H. 745 Moved to message to Senate forthwith.....	1705
H. 746 Moved to message to Senate forthwith.....	1705
S. 11 Moved to place in all remaining stages of passage.....	1518
Moved to message to Senate forthwith.....	1518
Moved for immediate consideration.....	1614

McCoy, Patricia A., cont.

Moved to message to Senate forthwith.....	1700
Moved to message to Senate forthwith.....	2212
S. 33 Moved for immediate consideration.....	1947
Moved to place in all remaining stages of passage.....	1954
Moved to message to Senate forthwith.....	1954
S. 53 Moved to message to Senate forthwith.....	2056
S. 90 Moved to message to Senate forthwith.....	1705
S. 91 Moved for immediate consideration.....	2091
Moved to place in all remaining stages of passage.....	2094
Moved to message to Senate forthwith.....	2094
S. 122 Moved to message to Senate forthwith.....	1705
S. 148 Moved to message to Senate forthwith.....	1706
S. 161 Moved to message to Senate forthwith.....	1706
S. 172 Moved for immediate consideration.....	26
Moved to place in all remaining stages of passage.....	27
Moved to message to Senate forthwith and deliver to Governor forthwith.....	27
S. 173 Moved to message to Senate forthwith.....	2095
S. 181 Moved to message to Senate forthwith.....	2095
S. 188 Moved to message to Senate forthwith.....	1706
Moved to message to Senate forthwith.....	2095
S. 201 Moved to message to Senate forthwith.....	2095
S. 210 Asked to divide question.....	1175
Demanded Yeas and Nays.....	1175
Moved to message to Senate forthwith.....	1951
Moved for immediate consideration.....	2192
Moved to message to Senate forthwith.....	2212
S. 220 Moved to place in all remaining stages of passage.....	1342
Moved to message to Senate forthwith.....	1342
S. 222 Moved for immediate consideration.....	46
Moved to place in all remaining stages of passage.....	46
Moved to message to Senate forthwith.....	46
S. 223 Moved for immediate consideration.....	59
Moved to place in all remaining stages of passage.....	59
Moved to message to Senate forthwith.....	59
S. 226 Moved for immediate consideration.....	2406
Moved to message to Senate forthwith and deliver to Governor forthwith.....	2420
S. 234 Demanded Yeas and Nays.....	1611
S. 250 Moved to place in all remaining stages of passage.....	2120
Moved to message to Senate forthwith.....	2120
Moved for immediate consideration.....	2404
Moved to message to Senate forthwith and deliver to Governor forthwith.....	2420
S. 258 Moved to message to Senate forthwith.....	1706
S. 261 Moved to message to Senate forthwith.....	1706
S. 265 Explained vote.....	1001
S. 269 Moved to message to Senate forthwith.....	1706
S. 280 Moved to message to Senate forthwith.....	2095
S. 281 Demanded Yeas and Nays.....	1703
Moved to message to Senate forthwith.....	2095
S. 283 Moved to message to Senate forthwith.....	1706
Moved to message to Senate forthwith.....	1966

McCoy, Patricia A., cont.

Moved to message to Senate forthwith.....	2212
S. 285 Moved to message to Senate forthwith.....	1415
S. 286 Explained vote.....	1253
Explained vote.....	1786
J.R.H. 12 Offered.....	96
Moved to message to Senate forthwith.....	97
J.R.H. 13 Moved to message to Senate forthwith.....	156
J.R.H. 15 Offered.....	209
Moved to message to Senate forthwith.....	209
J.R.H. 17 Moved to message to Senate forthwith.....	415
J.R.H. 18 Offered.....	465
J.R.S. 44 Moved to amend.....	627
H.R. 21 Offered.....	613
H.R. 23 Offered.....	962
H.R. 25 Offered.....	1024
Devotional Exercise.....	994
Moved to suspend rules.....	10, 28, 40, 49, 60, 76
Moved to adjourn.....	8, 28, 39; 46, 59, 74, 92, 112, 118, 119, 122, 135, 152; 157, 175, 177,181, 192, 201, 210, 298, 301, 304, 385, 393, 407, 416, 465, 472, 493, 503, 555, 611,696, 732, 806, 858, 941, 958, 964, 977, 980, 982, 991, 994, 998, 1005, 100 9,1014, 1019, 1022, 1028, 1153, 1177, 1262, 1310, 1325, 1409, 1604, 1707, 1784, 1956, 2057, 2097, 2339

McCullough, James M.

Member from Williston (District Chittenden-2)

Committee:

Natural Resources, Fish, and Wildlife, Vice Chair

Motions, etc.

H. 500 Reported for committee.....	534
H. 501 Introduced.....	19
Reported for committee.....	404
H. 511 Introduced.....	21
H. 543 Introduced.....	31
H. 552 Introduced.....	33
H. 557 Introduced.....	35
H. 571 Introduced.....	38
H. 586 Introduced.....	44
H. 621 Introduced.....	56
H. 645 Introduced.....	64
H. 646 Introduced.....	65
H. 647 Introduced.....	65
H. 650 Introduced.....	65
H. 668 Introduced.....	79
H. 715 Explained vote.....	2074
S. 281 Reported for committee.....	1343
Moved to amend committee report.....	1359
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J.R.H. 22 Offered.....	1030
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Member from Barre Town (District Washington-2)

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Morris, Kristi C.

Member from Springfield (District Windsor-3-2)

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Morrissey, Mary A.

Member from Bennington (District Bennington-2-2)

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Member from Putney (District Windham-4)

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Mulvaney-Stanak, Emma

Member from Burlington (District Chittenden-6-2)

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Member from Fairfax (District Franklin-2)

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Member from Ludlow (District Rutland-Windsor-2)

Committee:

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Nigro, Michael

Member from Bennington (District Bennington-2-2)

Committee:

Commerce and Economic Development

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Norris, Robert

Member from Sheldon (District Franklin-4)

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Norris, Terry E.

Member from Shoreham (District Addison-Rutland)

Committee:

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Member from Rutland City (District Rutland-5-4)

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Member from Wolcott (District Lamoille-2)

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Ode, Carol

Member from Burlington (District Chittenden-6-1)

Committee:

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Legislative Committee on Administrative Rules

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Member from Londonderry (District Windham-Bennington-Windsor)

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Palasik, John E.

Member from Milton (District Chittenden-10)

Committee:

General, Housing, and Military Affairs

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Parsons, Joseph

Member from Newbury (District Orange-Caledonia)

Committee:

General, Housing, and Military Affairs

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Partridge, Carolyn W.

Member from Windham (District Windham-3)

Committee:

Agriculture and Forestry, Chair

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Patt, Avram I.

Member from Worcester (District Lamoille-Washington)

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Member from Danville (District Caledonia-Washington)

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Member from Clarendon (District Rutland-2)

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Pugh, Ann D.

Member from South Burlington (District Chittenden-7-2)

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R.**Rachelson, Barbara**

Member from Burlington (District Chittenden-6-6)

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Honoring Stephen A. Klein for his dedicated leadership as the General Assembly's Chief Fiscal Officer. See table H.C.R. 102.....	2673
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- Amending various public pension and other postemployment benefits.
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- Exempting military retirement and military survivor benefit income.
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Rogers, Lucy E.

Member from Waterville (District Lamoille-3)

Committee:

Energy and Technology, Clerk

Motions, etc.

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H. 460 Introduced.....	11
H. 467 Introduced.....	12
H. 530 Introduced.....	28
H. 545 Introduced.....	32
H. 566 Introduced.....	37
H. 581 Introduced.....	42
H. 586 Introduced.....	44
H. 604 Introduced.....	52
H. 628 Introduced.....	58
H. 673 Introduced.....	80
H. 678 Introduced.....	81
H. 715 Explained vote.....	604
S. 280 Moved to amend.....	1182
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H. 703	An act relating to promoting workforce development	
	Shall the bill pass?.....	948
H. 708	An act relating to the approval of an amendment to the charter of the City of Burlington	
	Shall the bill be read a third time?.....	307
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	Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?.....	2074
H. 722	An act relating to reapportioning the final representative districts of the House of Representatives and the senatorial districts of the Senate	
	Shall the bill be read a third time?.....	563
H. 727	An act relating to the exploration, formation, and organization of union school districts and unified union school districts	
	Shall the bill be read a third time?.....	632
H. 740	An act relating to making Appropriations for the support of government	
	Shall the bill pass?.....	953
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H. 746	An act relating to an amendment to the charter of the City of Burlington	
	Shall the bill be read a third time?.....	1558
S. 4	An act relating to procedures involving firearms	
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S. 210	An act relating to rental housing health and safety and affordable housing	
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	Shall the bill pass in concurrence with proposal of amendment?.....	1789
S. 234	An act relating to changes to Act 250	
	Shall the bill be read a third time?.....	1556
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S. 250	An act relating to law enforcement data collection and interrogation	
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S. 254	An act relating to maintaining records of judgments and settlements paid by law enforcement agencies and a legal analysis of qualified immunity	
	Shall the bill pass in concurrence with proposal of amendment?.....	1016
S. 265	An act relating to expanding criminal threatening to include threats to third persons	
	Shall the bill pass in concurrence with proposal of amendment?.....	1001
S. 281	An act relating to hunting coyotes with dogs	
	Shall the bill be committed to the Committee on Judiciary?.....	1704

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S. 286	An act relating to amending various public pension and other postemployment benefits	
	Shall the House propose to the Senate to amend the bill as recommended by the Committee on Government Operations, as substituted and amended?.....	1253
	Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?.....	1786
S. 287	An act relating to improving student equity by adjusting the school funding formula and providing education quality and funding oversight	
	Shall the bill pass in concurrence with proposal of amendment?.....	1313
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	Shall the resolution be amended as offered by Rep. McCullough of Williston?	70
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Rosenquist, Carl J.

Member from Georgia (District Franklin-1)

Committee:

Human Services

Motions, etc.

H. 497 Introduced.....	18
H. 528 Introduced.....	24
H. 558 Introduced.....	35
H. 563 Introduced.....	36
H. 564 Introduced.....	37
H. 565 Introduced.....	37
H. 576 Introduced.....	41
H. 581 Introduced.....	42
H. 583 Introduced.....	43
H. 598 Introduced.....	51
H. 601 Introduced.....	52
H. 602 Introduced.....	52
H. 612 Introduced.....	54
H. 627 Moved to amend.....	111
H. 636 Introduced.....	62

Rosenquist, Carl J., cont.

H. 638 Introduced.....	62
H. 654 Moved to amend committee report.....	134
H. 673 Introduced.....	80
H. 720 Moved to amend.....	731
J.R.H. 18 Offered.....	465
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H.R. 18.Introduced.....	305
H.R. 20.Introduced.....	402
H.R. 26.Introduced.....	1326
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S.**Sales and Use Tax**

Changes to Vermont corporate income tax and conformity to federal tax laws. See table S. 53.....	2650

Satcowitz, Lawrence

Member from Randolph (District Orange-Washington-Addison)

Committee:

Natural Resources, Fish, and Wildlife

Motions, etc.

H. 293 Introduced.....	471
H. 399 Introduced.....	336
H. 482 Reported for committee.....	601
H. 542 Introduced.....	31
H. 552 Introduced.....	33
H. 592 Introduced.....	49
H. 631 Introduced.....	61
H. 633 Introduced.....	61
H. 644 Introduced.....	64
H. 690 Introduced.....	95
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Savage, Brian K.

Member from Swanton (District Franklin-4)

Resignation letter.....2

Resignation letter read.....9

Scheu, Robin P.

Member from Middlebury (District Addison-1)

Committee:

Appropriations

Motions, etc.

H. 293 Recommended for committee..... 834

H. 505 Recommended for committee..... 720

H. 511 Introduced..... 21

H. 572 Recommended for committee..... 502

H. 580 Introduced..... 42

H. 600 Introduced..... 51

H. 616 Introduced..... 55

H. 624 Moved to substitute amend..... 804

H. 644 Introduced..... 64

H. 677 Introduced..... 81

H. 715 Recommended for committee..... 602

H. 716 Recommended for committee..... 696

H. 729 Recommended for committee..... 858

H. 740 Moved to amend..... 950

S. 100 Recommended for committee..... 1189

S. 197 Recommended for committee..... 1034

S. 226 Moved to amend..... 1775

S. 283 Recommended for committee..... 1448

S. 287 Recommended for committee..... 1302

J.R.H. 18 Offered..... 465

H.R. 25 Offered..... 1024

Scheuermann, Heidi E.

Member from Stowe (District Lamoille-1)

Committee:

Energy and Technology, Ranking Member

Motions, etc.

H. 558 Introduced..... 35

H. 589 Moved to amend..... 72

H. 604 Introduced..... 52

H. 624 Introduced..... 57

H. 671 Introduced..... 80

H. 681 Introduced..... 94

H. 708 Moved to commit..... 307

H. 740 Explained vote..... 953

S. 139 Explained vote..... 1709

J.R.H. 18 Offered..... 465

H.R. 25 Offered..... 1024

School Choice

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School Districts

- Education property tax overpayments by a municipality or school district.
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School Districts, cont.

- The exploration, formation, and organization of union school districts and unified union school districts. See table H. 727.....2644

Schools

- Universal school meals. See table S. 100.....2651

Sexual Assault

- Nonconsensual removal of or tampering with a sexual protective device.
See table H. 562.....2618

Seymour, Patrick S.

Member from Sutton (District Caledonia-4)

Committee:

Commerce and Economic Development

Motions, etc.

- H. 581 Introduced.....42
H. 598 Introduced.....51
H. 601 Introduced.....52
H. 602 Introduced.....52
H. 612 Introduced.....54
H. 632 Introduced.....61
H. 636 Introduced.....62
H. 638 Introduced.....62
H. 673 Introduced.....80
H. 678 Introduced.....81
Resignation letter.....400

Shaw, Charles "Butch" H.

Member from Pittsford (District Rutland-6)

Committee:

Transportation, Vice Chair

Joint Legislative Justice Oversight, Clerk

Judicial Retention

Legislative Advisory Committee on the State House

Motions, etc.

- H. 493 Introduced.....17
H. 504 Introduced.....19
H. 523 Moved to amend.....562
H. 635 Moved to amend.....827
S. 280 Moved to postpone action.....1034
J.R.H. 18 Offered.....465
H.R. 25 Offered.....1024

Sheldon, Amy D.

Member from Middlebury (District Addison-1)

Committee:

Natural Resources, Fish, and Wildlife, Chair

Motions, etc.

H. 293 Introduced.....	471
H. 411 Introduced.....	166
Reported for committee.....	302
H. 466 Introduced.....	76
H. 492 Introduced.....	17
Moved to postpone action.....	700
H. 500 Introduced.....	318
H. 509 Introduced.....	20
H. 543 Introduced.....	31
H. 552 Introduced.....	33
H. 605 Introduced.....	53
H. 606 Introduced.....	53
Reported for committee.....	540
H. 626 Introduced.....	396
H. 666 Introduced.....	78
H. 677 Introduced.....	81
H. 697 Explained vote.....	411
S. 234 Demanded Yeas and Nays.....	1556
S. 281 Moved to postpone action.....	1345
Moved to postpone action.....	1601
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Sibilia, Laura H.

Member from Dover (District Windham-Bennington)

Committee:

Energy and Technology, Vice Chair

House Ethics Panel

Joint Information Technology Oversight Committee

Motions, etc.

H. 410 Introduced.....	471
H. 467 Introduced.....	12
H. 510 Moved to amend.....	197
Asked leave to withdraw amend.....	198
H. 511 Introduced.....	21
H. 518 Introduced.....	22
Reported for committee.....	644
H. 552 Introduced.....	33
H. 566 Introduced.....	37
H. 581 Introduced.....	42
H. 582 Introduced.....	43
H. 584 Introduced.....	43
H. 585 Introduced.....	43
H. 628 Introduced.....	58
H. 673 Introduced.....	80
H. 674 Introduced.....	80

Sibilia, Laura H., cont.

H. 678 Introduced.....	81
H. 691 Introduced.....	96
H. 698 Introduced.....	153
S. 210 Moved to withdraw amendment.....	1182
S. 250 Explained vote.....	2118
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Sign; Sign Law

Prohibiting mobile billboards. See table H. 481.....	2605

Sims, Katherine

Member from Craftsbury (District Orleans-Caledonia)

Committee:

Energy and Technology

Motions, etc.

H. 467 Introduced.....	12
H. 480 Introduced.....	14
H. 511 Introduced.....	21
H. 520 Introduced.....	23
H. 537 Introduced.....	30
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 566 Introduced.....	37
H. 568 Introduced.....	38
H. 581 Introduced.....	42
H. 585 Introduced.....	43
H. 598 Introduced.....	51
H. 600 Introduced.....	51
H. 601 Introduced.....	52
H. 616 Introduced.....	55
H. 624 Introduced.....	57
H. 628 Introduced.....	158
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 668 Introduced.....	79
H. 673 Introduced.....	80
H. 676 Introduced.....	81
H. 678 Introduced.....	81
H. 698 Introduced.....	153
H. 710 Introduced.....	305
H. 715 Explained vote.....	2074
S. 234 Explained vote.....	1556
S. 280 Moved to amend.....	1182
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024
Motion to journalize remarks of Rep. Norris of Shoreham.....	944

Slavery; Involuntary Servitude

Declaration of rights; clarifying the prohibition on slavery and indentured servitude.

See table Prop 2..... 2583

Small, Taylor

Member from Winooski (District Chittenden-6-7)

Committee:

Human Services

House Discrimination Prevention Panel

Motions, etc.

H. 287 Introduced.....	352
H. 448 Introduced.....	213
H. 537 Introduced.....	30
H. 540 Introduced.....	31
H. 545 Introduced.....	32
H. 547 Introduced.....	32
H. 552 Introduced.....	33
H. 560 Introduced.....	36
H. 561 Introduced.....	36
H. 584 Introduced.....	43
H. 596 Introduced.....	50
H. 599 Introduced.....	51
H. 615 Introduced.....	55
H. 616 Introduced.....	55
H. 627 Moved to amend.....	111
H. 628 Introduced.....	58
Reported for committee.....	295
H. 630 Introduced.....	61
H. 641 Introduced.....	63
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 649 Introduced.....	65
H. 651 Introduced.....	66
H. 654 Moved to amend committee report.....	134
H. 659 Introduced.....	77
H. 660 Introduced.....	77
H. 672 Introduced.....	80
H. 677 Introduced.....	81
H. 678 Introduced.....	81
H. 694 Introduced.....	122
H. 706 Introduced.....	182
H. 715 Explained vote.....	2074
H. 720 Moved to amend.....	731
H. 726 Introduced.....	507
H. 727 Moved to amend.....	630
H. 736 Moved to amend proposal of amend.....	1406
Moved to withdraw amendment.....	1408
H. 746 Introduced.....	994
S. 72 Moved to amend.....	998
S. 90 Reported for committee.....	1568
J.R.H. 18 Offered.....	465

J.R.H. 22 Offered.....	1030
Demanded Yeas and Nays.....	2375
J.R.S. 53 Explained vote.....	2088
H.R. 25 Offered.....	1024

Smith, Brian D.

Member from Derby (District Orleans-1)

Committee:

Transportation

Motions, etc.

H. 96 Explained vote.....	824
H. 528 Introduced.....	24
H. 558 Introduced.....	35
H. 598 Introduced.....	51
H. 601 Introduced.....	52
H. 611 Introduced.....	54
H. 612 Introduced.....	54
H. 638 Introduced.....	62
H. 657 Introduced.....	76
H. 710 Introduced.....	305
H. 715 Explained vote.....	2074
Explained vote.....	2074
H. 722 Explained vote.....	563
S. 30 Moved to commit.....	148
S. 254 Explained vote.....	1016
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Smith, Harvey T.

Member from New Haven (District Addison-5)

Committee:

Natural Resources, Fish, and Wildlife, Ranking Member

Motions, etc.

H. 642 Introduced.....	63
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Social Security

Exempting all Social Security benefits for all Vermonters. See table H. 632..... 2629

Increasing the income tax exemption for Social Security benefits. See table H. 558.2617

Solar Panels

Establishing an extended producer responsibility program for out-of-service solar panels. See table H. 496.....2607

Solid Waste

Prohibiting perfluoroalkyl and polyfluoroalkyl substances in products to be sold in Vermont and the use and import of wastes containing microplastics.

See table H. 650..... 2632

The regulation of food depackaging facilities. See table H. 501..... 2607

Squirrel, Trevor J.

Member from Underhill (District Chittenden-3)

Committee:

Appropriations

Joint Legislative Justice Oversight

Legislative Committee on Administrative Rules, Vice Chair

Motions, etc.

H. 115 Introduced.....	276
H. 266 Introduced.....	335
H. 293 Introduced.....	471
H. 492 Recommended for committee.....	767
H. 533 Recommended for committee.....	668
H. 534 Recommended for committee.....	685
H. 543 Introduced.....	31
H. 552 Introduced.....	33
H. 554 Introduced.....	34
H. 557 Introduced.....	35
H. 616 Introduced.....	55
H. 624 Moved to substitute amend.....	804
H. 740 Moved to amend.....	950
S. 220 Recommended for committee.....	1342
S. 226 Moved to amend.....	1775
S. 234 Recommended for committee.....	1555
S. 250 Recommended for committee.....	2117
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

State Aid

Requiring municipalities to adopt local enforcement plans. See table H. 689..... 2638

State Buildings

Heating and cooling systems owned or controlled by the State. See table H. 600..... 2623

State Employees

Amending various public pension and other postemployment benefits.

See table S. 286.....2661

Binding interest arbitration for employees of the Vermont Judiciary.

See table S. 78.....2650

Considering using reference-based pricing for the State employees' health

plan. See table H. 735..... 2645

Creditable service for temporary State employment. See table H. 469.....2603

State-paid deputy sheriffs. See table S. 220.....2656

State-paid sheriff's deputies. See table H. 476.....2604

Studying an expansion of the Vermont State Employees' Retirement System.

See table H. 662.....2634

State Government

Adoption of a State code of ethics. See table S. 171.....2653

Language access. See table H. 692.....2638

State House

The State House art collections. See table S. 173..... 2653

State Land

Providing the Abenaki with access to State lands. See table H. 618..... 2626

State Teachers' Retirement System

Amending various public pension and other postemployment benefits.

See table S. 286.....2661

Studying an expansion of the Vermont State Employees' Retirement System.

See table H. 662..... 2634

Stebbins, Gabrielle

Member from Burlington (District Chittenden-6-5)

Committee:

Transportation

Motions, etc.

H. 115 Introduced..... 276

H. 244 Introduced..... 318

H. 399 Introduced..... 336

H. 448 Introduced..... 213

H. 480 Introduced..... 14

H. 552 Introduced..... 33

H. 556 Introduced..... 35

H. 562 Introduced..... 36

H. 578 Introduced..... 42

H. 579 Introduced..... 42

H. 581 Introduced..... 42

H. 615 Introduced..... 55

H. 616 Introduced..... 55

H. 624 Introduced..... 57

H. 625 Introduced..... 57

H. 628 Introduced..... 58

H. 635 Introduced..... 62

H. 643 Introduced..... 64

H. 644 Introduced..... 64

H. 646 Introduced..... 65

H. 647 Introduced..... 65

H. 650 Introduced..... 65

H. 666 Introduced..... 78

H. 673 Introduced..... 80

H. 674 Introduced..... 80

H. 715 Explained vote..... 604

H. 726 Introduced..... 507

H. 735 Introduced..... 509

H. 746 Introduced..... 994

J.R.H. 18 Offered..... 465

H.R. 25 Offered..... 1024

Devotional Exercise..... 1153; 2098

Stevens, Thomas S.

Member from Waterbury (District Washington-Chittenden)

Committee:

General, Housing, and Military Affairs, Chair

Conference on S. 210..... 1946

Motions, etc.

H. 96 Introduced..... 471

Moved to postpone action..... 771

Reported for committee..... 809

H. 157 Moved to postpone action..... 300

Moved to postpone action..... 1025

Moved to postpone action..... 1947

H. 293 Introduced..... 471

H. 320 Introduced..... 125

H. 406 Moved committee be relieved..... 27

H. 477 Introduced..... 146

Reported for committee..... 199

H. 517 Moved to postpone action..... 421

Moved to postpone action..... 1589

H. 521 Introduced..... 23

H. 556 Introduced..... 35

H. 620 Introduced..... 56

H. 668 Introduced..... 79

H. 713 Introduced..... 396

S. 210 Reported for committee..... 1161

Requested committee of conference..... 1947

S. 226 Reported for committee..... 1747

Moved to amend..... 1768

Moved to amend..... 1770

Demanded Yeas and Nays..... 1789

J.R.H. 18 Offered..... 465

H.R. 25 Offered..... 1024

Devotional Exercise..... 1028

Strong, Vicki M.

Member from Albany (District Orleans-Caledonia)

Committee:

Agriculture and Forestry

Motions, etc.

H. 458 Introduced..... 10

H. 528 Introduced..... 24

H. 563 Introduced..... 36

H. 564 Introduced..... 37

H. 565 Introduced..... 37

H. 573 Introduced..... 41

H. 576 Introduced..... 41

H. 583 Introduced..... 43

H. 601 Introduced..... 52

H. 727 Moved to amend..... 630

J.R.H. 18 Offered..... 465

H.R. 13 Explained vote..... 4

Strong, Vicki M., cont.

H.R. 25 Offered.....	1024

Substance Abuse Treatment

Court appearances by misdemeanor defendants receiving residential substance use disorder treatment. See table H. 665.....	2634

Suicide

Suicide prevention. See table H. 700.....	2639

Sullivan, Linda Joy

Member from Dorset (District Bennington-Rutland)

Committee:

Corrections and Institutions

Judicial Rules

Motions, etc.

H. 266 Introduced.....	335
H. 293 Introduced.....	471
H. 490 Introduced.....	17
H. 668 Introduced.....	79
H. 676 Introduced.....	81
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Surprenant, Heather

Member from Barnard (District Windsor-4-1)

Committee:

Agriculture and Forestry

Motions, etc.

H. 244 Introduced.....	318
H. 287 Introduced.....	352
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 566 Introduced.....	37
H. 579 Introduced.....	42
H. 581 Introduced.....	42
H. 584 Introduced.....	43
H. 596 Introduced.....	50
H. 599 Introduced.....	51
H. 615 Introduced.....	55
H. 616 Introduced.....	55
H. 626 Reported for committee.....	721
Moved to concur with further amend.....	2347
H. 628 Introduced.....	58
H. 630 Introduced.....	61
H. 641 Introduced.....	63
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 649 Introduced.....	65
H. 651 Introduced.....	66

Surprenant, Heather, cont.

H. 658 Introduced.....	76
H. 659 Introduced.....	77
H. 660 Introduced.....	77
H. 661 Introduced.....	77
H. 672 Introduced.....	80
H. 678 Introduced.....	81
H. 706 Introduced.....	182
H. 727 Moved to amend.....	630
S. 280 Moved to amend.....	1182
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024

T.**Tax Credit**

A Vermont Child Tax Credit and the Vermont Social Security income exclusion. See table H. 510.....	2608

Tax Increment Financing

Project-based tax increment financing districts. See table S. 33.....	2650
Refunding property tax overpayments by the City of Barre. See table H. 508.....	2608

Taxation

Amending the methods for notification of tax delinquency and tax sale proceedings. See table H. 690.....	2638
Certain civil process fees of sheriffs' departments. See table H. 507.....	2608
Education property tax overpayments by a municipality or school district. See table S. 169.....	2653
Eligibility of reserve forestland for enrollment in the Use Value Appraisal Program. See table H. 697.....	2639
Municipal retention of property tax collections and valuation for purposes of the education property tax. See table S. 261.....	2659
Technical and administrative changes to Vermont's tax laws. See table H. 738.....	2646
The taxation of trailer coaches as real property. See table H. 695.....	2638

Taxation and Finance**Income Tax**

Excluding the income of asylum seekers and refugees from household income. See table H. 461.....	2602
Exempting all Social Security benefits for all Vermonters. See table H. 632.....	2629
Exempting military retirement and military survivor benefit income. See table H. 597.....	2623
Increasing the income tax exemption for Social Security benefits. See table H. 558.....	2617
Tax benefits for home study programs. See table H. 528.....	2612
Tax relief for Vermonters. See table H. 527.....	2611

Miscellaneous

Jurors' compensation. See table H. 664.....	2634

Taxation and Finance - Miscellaneous, cont.

The cannabis wholesale gross receipts tax. See table H. 502.....	2607
The protection of Abenaki sacred sites. See table H. 668.....	2635
Property	
Setting the homestead property tax yields and the nonhomestead property tax rate. See table H. 737.....	2646
Valuation for purposes of the education property tax. See table S. 214.....	2656
Valuation of time-share projects. See table H. 604.....	2624
Purchase and Use Value	
Eligibility of reserve forestland for enrollment in the Use Value Appraisal Program. See table H. 697.....	2639
The creation of an ecological management qualification for the Use Value Appraisal program. See table H. 653.....	2632
Sales and Use Tax	
Creating a uniform local share of sales and use tax revenue. See table H. 514.....	2610
The sales and use tax exemption for charges for admission by or to certain nonprofit organizations. See table H. 455.....	2601
Vermont Housing Regulation Modernization. See table H. 549.....	2615

Taylor, Curt D.

Member from Colchester (District Chittenden-9-1)

Committee:

Corrections and Institutions

Motions, etc.

H. 488 Introduced.....	16
H. 718 Introduced.....	420
S. 173 Reported for committee.....	2003
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Technical Corrections

Technical corrections for the 2022 legislative session. See table H. 731.....	2645
Technical corrections to Title 16. See table H. 609.....	2625

Terenzini, Thomas P.

Member from Rutland Town (District Rutland-4)

Committee:

Natural Resources, Fish, and Wildlife

Motions, etc.

H. 550 Introduced.....	33
J.R.H. 18 Offered.....	465
H.R. 13 Demanded Yeas and Nays.....	4
H.R. 25 Offered.....	1024

Till, George W.

Member from Jericho (District Chittenden-3)

Committee:

Ways and Means

Till, George W., cont.

Motions, etc.

H. 480 Introduced.....	14
H. 529 Introduced.....	24
H. 532 Introduced.....	29
H. 537 Introduced.....	30
H. 552 Introduced.....	33
H. 568 Introduced.....	38
H. 579 Introduced.....	42
H. 634 Introduced.....	61
H. 644 Introduced.....	64
H. 703 Recommended for committee.....	888
H. 733 Introduced.....	509
H. 738 Moved to concur with further amend.....	2401
S. 281 Moved to amend.....	1700
Demanded Yeas and Nays.....	1703
S. 287 Moved to amend proposal of amend.....	1312
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Time Share

Valuation for purposes of the education property tax. See table S. 214.....	2656

Tobacco Products

Prohibiting the sale of tobacco products utilizing single-use filters.

See table H. 602.....	2624

Toleno, Tristan D.

Member from Brattleboro (District Windham-2-3)

Committee:

Appropriations

Motions, etc.

H. 96 Recommended for committee.....	820
H. 410 Introduced.....	471
H. 512 Recommended for committee.....	802
H. 616 Introduced.....	55
H. 624 Recommended for committee.....	804
Moved to substitute amend.....	804
H. 626 Recommended for committee.....	723
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 668 Introduced.....	79
H. 703 Introduced.....	492
Recommended for committee.....	890
H. 736 Recommended for committee.....	937
H. 740 Moved to amend.....	950
S. 11 Recommended for committee.....	1511
S. 226 Moved to amend.....	1775
S. 258 Recommended for committee.....	1436
J.R.H. 18 Offered.....	465
H.R. 15 Offered.....	113

Toleno, Tristan D., cont.

H.R. 25 Offered.....	1024

Toof, Casey J.

Member from St. Albans Town (District Franklin-3-1)

Committee:

Education

Conference on H. 727.....	1924

Motions, etc.

H. 456 Moved to amend committee report.....	389
H. 483 Introduced.....	15
H. 510 Moved to commit.....	190
H. 589 Moved to amend.....	72
H. 619 Introduced.....	56
H. 716 Moved to concur with further amend.....	2338
H. 740 Explained vote.....	953
H. 741 Introduced.....	806
S. 172 Moved proposal of amendment.....	26
S. 287 Demanded Yeas and Nays.....	1313
J.R.H. 18 Offered.....	465
H.R. 21 Offered.....	613
H.R. 25 Offered.....	1024

Tourism and Marketing

Hosting the Winter Olympics in Vermont. See table H. 732.....	2645

Town Clerk

Obtaining a marriage license in any town in Vermont. See table H. 680.....	2637

Town Meeting

Authorizing alternative procedures for 2022 annual municipal meetings in response to COVID-19. See table S. 172.....	2653

Townsend, Maida F.

Member from South Burlington (District Chittenden-7-4)

Committee:

Appropriations, Clerk

Government Accountability, Co-Chair

Motions, etc.

H. 115 Introduced.....	276
H. 293 Introduced.....	471
H. 506 Introduced.....	20
H. 553 Recommended for committee.....	844
H. 621 Introduced.....	56
H. 624 Moved to substitute amend.....	804
H. 629 Introduced.....	60
H. 655 Recommended for committee.....	555
H. 661 Recommended for committee.....	850
H. 740 Moved to amend.....	950
S. 173 Recommended for committee.....	2007

Townsend, Maida F., cont.

S. 226 Moved to amend.....	1775
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024

Traffic Offenses

Secondary enforcement of minor traffic offenses. See table H. 635.....	2629

Transportation

A rail feasibility study. See table H. 598.....	2623
Funds collected from cap-and-invest programs. See table H. 647.....	2631
Joining the Transportation and Climate Initiative. See table H. 646.....	2631
Miscellaneous changes to laws related to vehicles. See table S. 280.....	2659
Requiring the removal of snow and ice from vehicles operated on public highways. See table H. 674.....	2636
Rural economic development. See table H. 581.....	2621
The Transportation Program and miscellaneous changes to laws related to transportation. See table H. 736.....	2646
Transportation initiatives to reduce carbon emissions. See table H. 552.....	2616

Transportation Committee

H. 736 Introduced.....	556

Troiano, Joseph "Chip" J.

Member from Stannard (District Caledonia-2)

Committee:

General, Housing, and Military Affairs, Vice Chair

Judicial Retention, Chair..... 111

Motions, etc.

H. 157 Moved to postpone action.....	39
Moved to postpone action.....	72
Moved to postpone action.....	92
Moved to concur with further proposal of amendment.....	104
Moved to amend proposal of amend.....	110
Moved to concur with further amend.....	111
Moved to postpone action.....	297
H. 287 Introduced.....	352
H. 455 Introduced.....	10
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 558 Introduced.....	35
H. 567 Introduced.....	38
H. 579 Introduced.....	42
H. 616 Introduced.....	55
H. 621 Introduced.....	56
H. 625 Introduced.....	57
H. 626 Introduced.....	58
H. 635 Introduced.....	62
H. 640 Introduced.....	63
H. 641 Introduced.....	63

Troiano, Joseph "Chip" J., cont.

H. 644 Introduced.....	64
H. 661 Introduced.....	77
H. 668 Introduced.....	79
H. 672 Introduced.....	80
H. 710 Introduced.....	305
H. 713 Introduced.....	396
H. 743 Introduced.....	978
S. 250 Explained vote.....	2118
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
Reported for committee.....	2373
H.R. 25 Offered.....	1024

Tuition

Educational benefits for members of the military and their families and eligibility for election to serve as Adjutant and Inspector General. See table H. 517.....	2610

U.**Unemployment**

Establishing the Office of the Unemployment Insurance Advocate. See table H. 616.....	2626

University of Vermont

The governance of the Vermont State Colleges and the University of Vermont. See table H. 643.....	2631

Use Value Appraisal

Eligibility of reserve forestland for enrollment in the Use Value Appraisal Program. See table H. 697.....	2639
The creation of an ecological management qualification for the Use Value Appraisal program. See table H. 653.....	2632

V.**Vermont Health Benefit Exchange**

Miscellaneous changes affecting the duties of the Department of Vermont Health Access. See table H. 279.....	2598

Vermont National Guard

Educational benefits for members of the military and their families and eligibility for election to serve as Adjutant and Inspector General. See table H. 517.....	2610
Establishing qualifications for the Adjutant and Inspector General. See table H. 691.....	2638
Sexual harassment and assault in the Vermont National Guard. See table H. 666.....	2634

Vermont State Colleges

- Establishing strategic goals and reporting requirements for the Vermont State Colleges.
See table H. 456..... 2601
- The governance of the Vermont State Colleges and the University of Vermont.
See table H. 643..... 2631

Vermont Student Assistance Corporation

- The creation of a scholarship program and pilot project for the preservation
of the Abenaki language. See table H. 645..... 2631

Victims

- Juvenile proceedings. See table S. 224..... 2657

Vital Records

- Situational surveillance at birth. See table H. 529..... 2612

Volunteer

- Employment protections for volunteer firefighters. See table H. 623..... 2627

Vyhovsky, Tanya

Member from Essex (District Chittenden-8-1)

Committee:

Government Operations

Motions, etc.

H. 266 Introduced.....	335
H. 287 Introduced.....	352
H. 293 Introduced.....	471
Moved to amend.....	835
H. 447 Moved to concur with a further amend.....	1026
H. 465 Moved to amend.....	643
H. 511 Introduced.....	21
H. 537 Introduced.....	30
H. 541 Introduced.....	31
H. 545 Introduced.....	32
H. 552 Introduced.....	33
H. 562 Introduced.....	36
H. 567 Introduced.....	38
H. 568 Introduced.....	38
H. 571 Introduced.....	38
H. 579 Introduced.....	42
H. 584 Introduced.....	43
H. 585 Introduced.....	43
H. 594 Introduced.....	50
H. 596 Introduced.....	50
H. 599 Introduced.....	51
H. 600 Introduced.....	51
H. 615 Introduced.....	55
H. 616 Introduced.....	55
H. 621 Introduced.....	56
H. 628 Introduced.....	58
H. 630 Introduced.....	61

Vyhovsky, Tanya, cont.

H. 635 Introduced.....	62
H. 640 Introduced.....	63
H. 641 Introduced.....	63
H. 644 Introduced.....	64
H. 645 Introduced.....	64
H. 649 Introduced.....	65
H. 651 Introduced.....	66
H. 658 Introduced.....	76
H. 659 Introduced.....	77
H. 660 Introduced.....	77
H. 661 Introduced.....	77
Reported for committee.....	844
H. 662 Introduced.....	77
H. 672 Introduced.....	80
H. 678 Introduced.....	81
H. 706 Introduced.....	182
H. 708 Explained vote.....	307
H. 715 Explained vote.....	2074
H. 727 Moved to amend.....	630
H. 746 Introduced.....	994
Explained vote.....	1558
S. 122 Reported for committee.....	1560
S. 226 Explained vote.....	1789
S. 286 Moved to substitute amend.....	1202
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
J.R.S. 53 Explained vote.....	2088
H.R. 25 Offered.....	1024

W.**Wages**

Compensation history and transparency. See table H. 615.....	2625

Walker, Matthew E.

Member from Swanton (District Franklin-4)

Committee:

Transportation

Motions, etc.

S. 265 Explained vote.....	1001
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024
Governor's appointment letter.....	119
Seated and appointed to committee.....	162

Walz, Tommy J.

Member from Barre City (District Washington-3)

Committee:

General, Housing, and Military Affairs

Walz, Tommy J., cont.

Conference on S. 210.....	1946
Motions, etc.	
H. 115 Introduced.....	276
H. 244 Reported for committee.....	512
H. 476 Introduced.....	14
H. 508 Introduced.....	20
H. 552 Introduced.....	33
H. 567 Introduced.....	38
H. 615 Introduced.....	55
H. 616 Introduced.....	55
H. 621 Introduced.....	56
H. 625 Introduced.....	57
H. 713 Introduced.....	396
S. 78 Moved to postpone action.....	39
Reported for committee.....	115
Moved to amend.....	115
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Waste Management

Landfill operational standards. See table H. 710.....	2641
The annual budget vote of the Northeast Kingdom Waste Management District.	
See table H. 693.....	2638

Wastewater

Eco-sanitation systems. See table H. 586.....	2621
Prohibiting perfluoroalkyl and polyfluoroalkyl substances in Vermont.	
See table H. 694.....	2638

Water Pollution

Clean water funding. See table H. 605.....	2624
Declaring Lake Memphremagog to be a lake in crisis. See table H. 601.....	2624
The designation of a lake in crisis. See table H. 657.....	2633

Water Quality

Prohibiting perfluoroalkyl and polyfluoroalkyl substances in products to be sold in Vermont and the use and import of wastes containing microplastics.	
See table H. 650.....	2632

Water Resources

Erosion control certification for excavation contractors. See table H. 633.....	2629
Establishing riparian protection areas in the State. See table H. 542.....	2613
Surface water withdrawals and interbasin transfers. See table H. 466.....	2603
The designation of a lake in crisis. See table H. 657.....	2633

Ways and Means Committee

H. 701 Introduced.....	154
H. 701 Introduced.....	154
H. 737 Introduced.....	697
H. 738 Introduced.....	697

Webb, Kathryn L.

Member from Shelburne (District Chittenden-5-1)

Committee:

Education, Chair

Conference on H. 456.....1782

Conference on S. 283.....1966

Motions, etc.

H. 377 Moved committee be relieved.....302

H. 456 Moved to amend committee report.....389

Requested committee of conference.....1782

H. 510 Introduced.....21

H. 531 Introduced.....29

H. 555 Introduced.....34

H. 572 Introduced.....40

H. 577 Introduced.....41

H. 618 Introduced.....56

H. 629 Introduced.....60

H. 716 Spoke for committee.....695

Moved to concur with further amend.....2338

S. 139 Moved to postpone action.....1560

J.R.H. 18 Offered.....465

H.R. 24 Offered.....986

H.R. 25 Offered.....1024

Wetlands

Regulation of wetlands in the State. See table H. 543.....2614

Whistleblower Protections

Banking, insurance, and securities. See table H. 515.....2610

White, Kirk

Member from Bethel (District Windsor-Rutland)

Committee:

Commerce and Economic Development, Clerk

Motions, etc.

H. 244 Introduced.....318

H. 266 Introduced.....335

H. 469 Introduced.....12

H. 517 Asked leave to withdraw amend.....470

Moved to amend.....476

H. 552 Introduced.....33

H. 566 Introduced.....37

H. 581 Introduced.....42

H. 616 Introduced.....55

H. 624 Introduced.....57

H. 644 Introduced.....64

H. 668 Introduced.....79

H. 673 Introduced.....80

H. 676 Introduced.....81

H. 703 Moved to substitute amend.....893

White, Kirk, cont.

H. 725 Introduced.....	507
S. 11 Moved to amend.....	1512
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

White, Rebecca E.

Member from Hartford (District Windsor-4-2)

Committee:

Transportation, Clerk

Motions, etc.

H. 115 Introduced.....	276
H. 244 Introduced.....	318
H. 480 Introduced.....	14
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 571 Introduced.....	38
H. 579 Introduced.....	42
H. 584 Introduced.....	43
H. 594 Introduced.....	50
H. 600 Introduced.....	51
H. 618 Introduced.....	56
H. 628 Introduced.....	58
H. 630 Introduced.....	61
H. 641 Introduced.....	63
H. 644 Introduced.....	64
H. 668 Introduced.....	79
H. 674 Introduced.....	80
H. 677 Introduced.....	81
H. 678 Introduced.....	81
H. 725 Introduced.....	507
H. 740 Explained vote.....	953
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 25 Offered.....	1024
Devotional Exercise.....	393

Whitman, Dane

Member from Bennington (District Bennington-2-1)

Committee:

Human Services

Opioid Settlement Advisory..... 2578

Motions, etc.

H. 266 Introduced.....	335
H. 462 Reported for committee.....	138
H. 511 Introduced.....	21
H. 552 Introduced.....	33
H. 556 Introduced.....	35
H. 562 Introduced.....	36
H. 627 Moved to amend.....	111
H. 628 Introduced.....	58

Whitman, Dane, cont.

H. 654 Moved to amend committee report.....	134
H. 672 Introduced.....	80
H. 677 Introduced.....	81
H. 678 Introduced.....	81
H. 720 Moved to amend.....	731
H. 728 Moved to postpone action.....	805
Spoke for committee.....	933
Moved to amend.....	934
Moved to postpone action.....	1819
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
Explained vote.....	2375
H.R. 15 Offered.....	113
H.R. 25 Offered.....	1024

Williams, Terri Lynn

Member from Granby (District Essex-Caledonia)

Committee:

 Education

Motions, etc.

H. 456 Moved to amend committee report.....	389
H. 558 Introduced.....	35
H. 563 Introduced.....	36
H. 564 Introduced.....	37
H. 565 Introduced.....	37
H. 566 Introduced.....	37
H. 573 Introduced.....	41
H. 583 Introduced.....	43
H. 601 Introduced.....	52
H. 608 Introduced.....	53
H. 609 Introduced.....	53
H. 612 Introduced.....	54
H. 673 Introduced.....	80
H. 708 Explained vote.....	307
H. 710 Introduced.....	305
H. 716 Moved to concur with further amend.....	2338
J.R.H. 18 Offered.....	465
H.R. 13 Explained vote.....	4
H.R. 25 Offered.....	1024

Wood, Theresa A.

Member from Waterbury (District Washington-Chittenden)

Committee:

 Human Services, Vice Chair

 Joint Legislative Justice Oversight

 Conference on H. 720.....1596

Motions, etc.

H. 266 Introduced.....	335
H. 293 Introduced.....	471

Wood, Theresa A., cont.

H. 480 Introduced.....	14
H. 511 Introduced.....	21
H. 530 Introduced.....	28
H. 531 Introduced.....	29
H. 545 Introduced.....	32
H. 547 Introduced.....	32
H. 556 Introduced.....	35
H. 566 Introduced.....	37
H. 571 Introduced.....	38
H. 581 Introduced.....	42
H. 603 Introduced.....	52
H. 624 Introduced.....	57
H. 627 Moved to amend.....	111
H. 628 Introduced.....	58
H. 639 Introduced.....	63
H. 641 Introduced.....	63
H. 654 Moved to amend committee report.....	134
H. 668 Introduced.....	79
H. 672 Introduced.....	80
H. 673 Introduced.....	80
H. 676 Introduced.....	81
H. 677 Introduced.....	81
H. 681 Introduced.....	94
H. 720 Spoke for committee.....	731
Moved to amend.....	731
Requested committee of conference.....	1596
H. 740 Explained vote.....	953
J.R.H. 18 Offered.....	465
J.R.H. 22 Offered.....	1030
H.R. 21 Offered.....	613
H.R. 25 Offered.....	1024

Worker's Compensation

Workers' compensation. See table H. 559.....	2617

Workforce Development

Artificial intelligence and workforce development. See table H. 724.....	2643
Promoting workforce development. See table H. 703.....	2639
The creation of a public-private partnership with Advance Vermont to increase postsecondary attainment in Vermont. See table H. 377.....	2599
The creation of the Pipelines and Pathways Grant Program. See table H. 582.....	2621
Workforce development. See table H. 494.....	2607

Working Group

The Working Group to Address the Presence of Toxigenic Mold in Buildings. See table H. 463.....	2602

Y.

Yacovone, David W.

Member from Morristown (District Lamoille-Washington)

Committee:

Appropriations

Motions, etc.

H. 293 Introduced.....	471
H. 506 Introduced.....	20
H. 511 Introduced.....	21
H. 516 Introduced.....	22
H. 530 Introduced.....	28
H. 531 Introduced.....	29
H. 552 Introduced.....	33
H. 571 Introduced.....	38
H. 581 Introduced.....	42
H. 584 Introduced.....	43
H. 608 Introduced.....	53
H. 616 Introduced.....	55
H. 624 Moved to substitute amend.....	804
H. 644 Introduced.....	64
H. 677 Introduced.....	81
H. 720 Recommended for committee.....	731
H. 727 Moved to amend.....	630
H. 740 Moved to amend.....	950
S. 139 Explained vote.....	1709
S. 206 Recommended for committee.....	1033
S. 226 Moved to amend.....	1775
S. 285 Recommended for committee.....	1338
J.R.H. 18 Offered.....	465
H.R. 25 Offered.....	1024

Yantachka, Michael I.

Member from Charlotte (District Chittenden-4-1)

Committee:

Energy and Technology

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Zoning

Preventing sprawl through municipal zoning. See table H. 524..... 2611