

**Side-by Side Comparison of S.138 As Passed by House
and As Passed by Senate
5/12/15**

Sections highlighted in yellow address the same subject but with differences highlighted in yellow within the text

Sections highlighted in turquoise are identical

Subject	Sec. House/Senate	As Passed by House	As Passed by Senate
Business Rapid Response to Declared State Disasters	A.1	<p>Sec. A.1. 11 V.S.A. chapter 16 is added to read:</p> <p style="text-align: center;"><u>CHAPTER 16. BUSINESS RAPID RESPONSE TO DECLARED STATE DISASTERS</u></p> <p><u>§ 1701. DEFINITIONS</u></p> <p><u>In this chapter:</u></p> <p>(1) <u>“Critical infrastructure” means property and equipment owned or used by communications networks and electric generation, transmission, and distribution systems.</u></p> <p>(2)(A) <u>“Declared State disaster or emergency” means:</u></p> <p style="padding-left: 20px;"><u>(i) a disaster or emergency event for which a Governor’s state of emergency proclamation has been issued;</u></p> <p style="padding-left: 20px;"><u>(ii) a disaster or emergency event for which a Presidential declaration of a federal major disaster or emergency has been issued; or</u></p> <p style="padding-left: 20px;"><u>(iii) a disaster or emergency event within the State for which a good faith response effort is required, and for which the Commissioner of Public Service is given notification from the registered business and the Commissioner, in consultation with the Director of Emergency Management, Department of Public Safety, designates the event as a disaster or emergency, thereby invoking the provisions of this chapter.</u></p> <p>(B) <u>“Declared State disaster or emergency” does not include an emergency or situation arising solely from a labor dispute.</u></p> <p>(3) <u>“Disaster response period” means a period that begins ten days prior to the first day of the Governor’s proclamation, the President’s declaration, or designation by another authorized official of the State as set forth in this chapter, whichever occurs first, and that extends 60 calendar days after the declared State disaster or emergency.</u></p> <p>(4) <u>“Disaster- or emergency-related work” means repairing, renovating, installing, building, rendering services, or other nonretail business activities in areas of the State affected by the declared State disaster or emergency that relate to critical infrastructure that has been damaged, impaired, or destroyed by the declared State disaster or emergency.</u></p> <p>(5) <u>“Mutual Assistance Agreement” means an agreement to which one or more registered businesses and one or more out-of-state businesses are party and pursuant to which an electric or telephone utility may request and receive assistance from an out-of-state business for performance of disaster- or emergency-related work by the out-of-state business during the disaster response period.</u></p> <p>(6)(A) <u>“Out-of-state business” means a business entity that, except for disaster- or emergency-related work, has no presence in the State and conducts no business in the State whose</u></p>	

		<p><u>services are requested pursuant to a Mutual Assistance Agreement by a registered business or by a State or local government for purposes of performing disaster- or emergency-related work on critical infrastructure in the State.</u></p> <p><u>(B) “Out-of-state-business” also includes a business entity that is affiliated with a registered business in the State solely through common ownership.</u></p> <p><u>(C) An out-of-state business has no registrations or tax filings or nexus in the State other than disaster- or emergency-related work during the tax year immediately preceding the declared State disaster or emergency.</u></p> <p><u>(7) “Out-of-state employee” means an employee who does not work in the State, except for disaster- or emergency-related work during the disaster response period.</u></p> <p><u>(8) “Registered business in the State” or “registered business” means a business entity that is currently registered with the Secretary of State to do business in the State prior to the declared State disaster or emergency.</u></p> <p><u>§ 1702. OBLIGATIONS AFTER DISASTER RESPONSE PERIOD</u></p> <p><u>(a) Business and employee status during the disaster response period.</u></p> <p><u>(1)(A) An out-of-state business that conducts operations within the State for purposes of performing work or services related to a declared State disaster or emergency during the disaster response period shall not be considered to have established a level of presence that would require that business to register, file, or remit State or local taxes or that would require that business or its out-of-state employees to be subject to any State licensing or registration requirements.</u></p> <p><u>(B) This includes any State or local business licensing or registration requirements or State and local taxes or fees, including unemployment insurance, State or local occupational licensing fees, ad valorem tax on equipment brought into the State temporarily for use during the disaster response period and subsequently removed from the State, and Public Service Board or Secretary of State licensing and regulatory requirements.</u></p> <p><u>(C) For purposes of any State or local tax on or measured by, in whole or in part, net or gross income or receipts, all activity of the out-of-state business that is conducted in this State pursuant to this chapter shall be disregarded with respect to any filing requirements for such tax, including the filing required for a unitary or combined group of which the out-of-state business may be a part.</u></p> <p><u>(D) For the purpose of apportioning income, revenue, or receipts, the performance by an out-of-state business of any work in accordance with this section shall not be sourced to or shall not otherwise impact or increase the amount of income, revenue, or receipts apportioned to this State.</u></p> <p><u>(2)(A) An out-of-state employee shall not be considered to have established residency or a presence in the State that would require that person or that person’s employer to file and pay income taxes or to be subjected to tax withholdings or to file and pay any other State or local tax or fee during the disaster response period.</u></p> <p><u>(B) This includes any related State or local employer withholding and remittance obligations, but does not include any transaction taxes or fees as described in subsection (b) of this section.</u></p> <p><u>(b) Transaction taxes and fees. An out-of-state business and an out-of-state employee shall be required to pay transaction taxes and fees, including fuel tax and sales and use tax on materials or services consumed or used in the State subject to sales and use tax, rooms and meals tax, car rental taxes or fees that the out-of-state affiliated business or out-of-state employee purchases for use or consumption in the State during the disaster response period, unless such taxes are otherwise exempted during a disaster response period. An out-of-state business making retail sales of tangible personal property during the disaster response period shall be subject to all sales tax</u></p>	
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<p>Gun Suppressors – Manufacture, Import, Possession, Use, Sale</p>	<p>A.2.A</p>	<p>63</p> <p>Sec. A.2.A. 13 V.S.A. § 4010 is amended to read:</p> <p>§ 4010. GUN SILENCERS SUPPRESSORS</p> <p><u>A person who manufactures, sells, uses, or possesses with intent to sell or use an appliance known as or used for a gun silencer shall be fined \$25.00 for each offense. The provisions of this section shall not prevent the use or possession of gun silencers by:</u></p> <p><u>(1) a Level III certified law enforcement officer or Department of Fish and Wildlife employee in connection with his or her duties and responsibilities and in accordance with the policies and procedures of that officer's or employee's agency or department; or</u></p> <p><u>(2) the Vermont National Guard in connection with its duties and responsibilities.</u></p> <p><u>(a) 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.</u></p> <p><u>(b)(1) Except as provided in subsection (c) of this section, a person shall not manufacture, make, or import a gun suppressor.</u></p> <p><u>(2) A person who violates subdivision (1) of this subsection shall be fined not less than \$500.00.</u></p> <p><u>(c) Subsection (b) of this section shall not apply to:</u></p> <p><u>(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;</u></p> <p><u>(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</u></p> <p><u>(3) a person who makes a gun suppressor in compliance with the requirements of 26</u></p>	<p>Sec. 63. 13 V.S.A. § 4010 is amended to read:</p> <p>§ 4010. GUN SILENCERS</p> <p><u>(a) Except as otherwise provided in subsection (b) of this section, a person who manufactures, sells, uses, or possesses with intent to sell or use an appliance known as or used for a gun silencer shall be fined \$25.00 for each offense. The provisions of this section shall not prevent the use or possession of gun silencers by:</u></p> <p style="text-align: center;">* * *</p> <p><u>(b) Subsection (a) of this section shall not apply to a licensed manufacturer, as defined in 18 U.S.C. § 921, who is also registered as a manufacturer pursuant to 26 U.S.C. § 5802, for the purpose of manufacturing, joint production, calibration, integration, incorporation, testing, permanent and temporary export, permanent and temporary import, research and development, repair, or sale of silencers in accordance with federal, State, and local law.</u></p>

			<u>U.S.C. § 5822.</u>	
Gun Suppressors – Prohibition on hunting with suppressor	A.2.B.	-	<p>Sec. A.2.B. 10 V.S.A. § 4704 is amended to read: § 4704. <u>USE OF MACHINE GUNS AND, AUTOLOADING RIFLES, AND GUN SUPPRESSORS</u></p> <p>(a) A person engaged in hunting for wild animals shall not use, carry, or have in his or her possession:</p> <p>(1) a machine gun of any kind or description or;</p> <p>(2) an autoloading rifle with a magazine capacity of over six cartridges, except a .22 caliber rifle using rim fire cartridges; <u>or</u></p> <p>(3) a gun suppressor.</p> <p>(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.</p>	
Gun Suppressors – Penalty for hunting with suppressor	A.2.C	-	<p>Sec. A.2.C. 10 V.S.A. § 4502 is amended to read: § 4502. <u>UNIFORM POINT SYSTEM; REVOCATION OF LICENSE</u></p> <p>(a) A uniform point system which assigns points to those convicted of a violation of a provision of this part is established. The conviction report from the court <u>Court</u> shall be prima facie evidence of the points assessed. In addition to other penalties assessed for violation of fish and wildlife statutes, the Commissioner shall suspend licenses issued under this part which are held by a person who has accumulated ten or more points in accordance with the provisions of subsection (c) of this section.</p> <p>(b) A person violating provisions of this part shall receive points for convictions in accordance with the following schedule (all sections are in Title 10 of Vermont Statutes Annotated):</p> <p style="text-align: center;">* * *</p> <p>(2) Ten points shall be assessed for:</p> <p style="text-align: center;">* * *</p> <p>(G) § 4704. Use of machine guns and, autoloading rifles, <u>and gun suppressors</u></p> <p style="text-align: center;">* * *</p>	
Blockchain Technology	A.3	-	<p>Sec. A.3. <u>STUDY AND REPORT; BLOCKCHAIN TECHNOLOGY</u></p> <p><u>On or before January 15, 2016, the Secretary of State, the Commissioner of Financial Regulation, and the Attorney General shall consult with one or more Vermont delegates to the National Conference of Commissioners on Uniform State Laws and with the Center for Legal Innovation at Vermont Law School, and together shall submit a report to the General Assembly their finding and recommendations on the potential opportunities and risks of creating a presumption of validity for electronic facts and records that employ blockchain technology and addressing any unresolved regulatory issues.</u></p>	
Alcoholic Beverages; Definitions	<u>A.4</u>	<u>50</u>	<p>Sec. A.4. 7 V.S.A. § 2 is amended to read: § 2. <u>DEFINITIONS</u></p> <p>The following words as used in this title, unless a contrary meaning is required by the context, shall have the following meaning:</p> <p style="text-align: center;">* * *</p> <p>(15) “Manufacturer’s or rectifier’s license”: a license granted by the Liquor</p>	<p>Sec. 50. 7 V.S.A. § 2 is amended to read: § 2. <u>DEFINITIONS</u></p> <p>The following words as used in this title, unless a contrary meaning is required by the context, shall have the following meaning:</p> <p style="text-align: center;">* * *</p> <p>(15) “Manufacturer’s or rectifier’s license”: a license granted by the Liquor</p>

		<p>Control Board that permits the holder to manufacture or rectify spirituous liquors <u>spirits</u> or <u>fortified wines</u> for export and sale to the Liquor Control Board, or malt beverages and vinous beverages for export and sale to bottlers or wholesale dealers. This license permits a manufacturer of vinous beverages or <u>fortified wines</u> to receive from another manufacturer licensed in or outside this state <u>State</u> bulk shipments of vinous beverages to rectify with the licensee's own product, provided that the vinous beverages or <u>fortified wines</u> produced by a Vermont manufacturer may contain no more than 25 percent imported vinous beverage. The Liquor Control Board may grant to a licensed manufacturer or rectifier a first-class restaurant or cabaret license or first- and third-class restaurant or cabaret license permitting the licensee to sell alcoholic beverages to the public only at the manufacturer's premises, which, for the purposes of a manufacturer of malt beverages, includes up to two licensed establishments that are located on the contiguous real estate of the holder of the manufacturer's license, provided the manufacturer owns or has direct control over those establishments. A manufacturer of malt beverages who also holds a first-class restaurant or cabaret license may serve to a customer malt beverage by the glass, not to exceed eight glasses at one time and not to exceed four ounces in each glass. The Liquor Control Board may grant to a licensed manufacturer or a rectifier of malt beverages a second-class license permitting the licensee to sell alcoholic beverages to the public anywhere on the manufacturer's or rectifier's premises. A licensed manufacturer or rectifier of vinous beverages may serve, with or without charge, at an event held on premises of the licensee or the vineyard property, spirits and vinous <u>beverages</u> and malt beverages, provided the licensee gives the Department written notice of the event, including details required by the Department, at least five days before the event. Any beverages not manufactured by the licensee and served at the event shall be purchased on invoice from a licensed manufacturer or wholesale dealer or <u>the</u> Liquor Control Board.</p> <p style="text-align: center;">* * *</p> <p>(19) "Second-class license": a license granted by the control commissioners permitting the licensee to export malt or vinous beverages and to sell malt <u>beverages</u> or vinous beverages to the public for consumption off the premises for which the license is granted. <u>The Liquor Control Board may grant a second-class licensee a fortified wine permit that permits the licensee to export and to sell fortified wines to the public for consumption off the licensed premises.</u></p> <p>(20) "Spirits" or "spirituous liquors": beverages that contain more than one percent of alcohol obtained by distillation, by chemical synthesis, or through concentration by freezing; and vinous beverages containing more than 16 <u>23</u> percent of alcohol; and all vermouths of any alcohol content; malt beverages containing more than 16 percent of alcohol or more than six percent of alcohol if the terminal specific gravity thereof is less than 1.009; in each case measured by volume at 60 degrees Fahrenheit.</p> <p style="text-align: center;">* * *</p> <p>(22) "Third-class license": a license granted by the Liquor Control Board permitting the licensee to sell spirituous liquors <u>spirits</u> and <u>fortified wines</u> for consumption only on the premises for which the license is granted.</p> <p>(23) "Vinous beverages": all fermented beverages of any name or description</p>	<p>Control Board that permits the holder to manufacture or rectify spirituous liquors <u>spirits</u> or <u>fortified wines</u> for export and sale to the Liquor Control Board, or malt beverages and vinous beverages for export and sale to bottlers or wholesale dealers. This license permits a manufacturer of vinous beverages or <u>fortified wines</u> to receive from another manufacturer licensed in or outside this state <u>State</u> bulk shipments of vinous beverages to rectify with the licensee's own product, provided that the vinous beverages or <u>fortified wines</u> produced by a Vermont manufacturer may contain no more than 25 percent imported vinous beverage. The Liquor Control Board may grant to a licensed manufacturer or rectifier a first-class restaurant or cabaret license or first- and third-class restaurant or cabaret license permitting the licensee to sell alcoholic beverages to the public only at the manufacturer's premises, which, for the purposes of a manufacturer of malt beverages, includes up to two licensed establishments that are located on the contiguous real estate of the holder of the manufacturer's license, provided the manufacturer owns or has direct control over those establishments. A manufacturer of malt beverages who also holds a first-class restaurant or cabaret license may serve to a customer malt beverage by the glass, not to exceed eight glasses at one time and not to exceed four ounces in each glass. The Liquor Control Board may grant to a licensed manufacturer or a rectifier of malt beverages a second-class license permitting the licensee to sell alcoholic beverages to the public anywhere on the manufacturer's or rectifier's premises. A licensed manufacturer or rectifier of vinous beverages may serve, with or without charge, at an event held on premises of the licensee or the vineyard property, spirits and vinous and malt beverages, provided the licensee gives the Department written notice of the event, including details required by the Department, at least five days before the event. Any beverages not manufactured by the licensee and served at the event shall be purchased on invoice from a licensed manufacturer or wholesale dealer or <u>the</u> Liquor Control Board.</p> <p style="text-align: center;">* * *</p> <p>(19) "Second-class license": a license granted by the control commissioners permitting the licensee to export malt or vinous beverages and to sell malt or vinous beverages to the public for consumption off the premises for which the license is granted. <u>The Liquor Control Board may grant a second-class licensee a fortified wine permit that permits the licensee to export and to sell fortified wines to the public for consumption off the licensed premises.</u></p> <p>(20) "Spirits" or "spirituous liquors": beverages that contain more than one percent of alcohol obtained by distillation, by chemical synthesis, or through concentration by freezing; and vinous beverages containing more than 16 <u>23</u> percent of alcohol; and all vermouths of any alcohol content; malt beverages containing more than 16 percent of alcohol or more than six percent of alcohol if the terminal specific gravity thereof is less than 1.009; in each case measured by volume at 60 degrees Fahrenheit.</p> <p style="text-align: center;">* * *</p> <p>(22) "Third-class license": a license granted by the Liquor Control Board permitting the licensee to sell spirituous liquors <u>spirits</u> and <u>fortified wines</u> for consumption only on the premises for which the license is granted.</p> <p>(23) "Vinous beverages": all fermented beverages of any name or description</p>
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		<p>manufactured or obtained for sale from the natural sugar content of fruits, or other agricultural product, containing sugar, the alcoholic content of which is not less than one percent nor more than 16 percent by volume at 60 degrees Fahrenheit, except that all vermouths shall be purchased and retailed by and through the Liquor Control Board as authorized in chapters 5 and 7 of this title.</p> <p style="text-align: center;">* * *</p> <p>(27) "Special events permit": a permit granted by the Liquor Control Board permitting a person holding a manufacturer's or rectifier's license to sell by the glass or by unopened bottle spirits, <u>fortified wines</u>, malt <u>beverages</u>, or vinous beverages manufactured or rectified by the license holder at an event open to the public that has been approved by the local licensing authority. For the purposes of tasting only, the permit holder may distribute, with or without charge, beverages manufactured by the permit holder by the glass no more than two ounces per product and eight ounces total of malt <u>beverages</u> or vinous beverages and no more than one ounce in total of spirits <u>or fortified wines</u> to each individual. No more than 36 <u>104</u> special events permits may be issued to a holder of a manufacturer's or rectifier's license during a year. A special event permit shall be valid for the duration of each public event or four days, whichever is shorter. Requests for a special events permit, accompanied by the fee as required by subdivision 231(13) of this title, shall be submitted to the Department of Liquor Control at least five days prior to the date of the event. Each manufacturer or rectifier planning to attend a single special event under this permit may be listed on a single permit. However, each attendance at a special event shall count toward the manufacturer's or rectifier's 36 <u>104</u> special-event-permit limitation.</p> <p>(28) "Fourth-class license" or "farmers' market license": the license granted by the Liquor Control Board permitting a manufacturer or rectifier of malt or <u>beverages</u>, vinous beverages, <u>fortified wines</u>, or spirits to sell by the unopened container and distribute, by the glass, with or without charge, beverages manufactured by the licensee. No more than a combined total of ten fourth-class and farmers' market licenses may be granted to a licensed manufacturer or rectifier. At only one fourth-class license location, a manufacturer or rectifier of vinous beverages, malt beverages, <u>fortified wines</u>, or spirits may sell by the unopened container and distribute by the glass, with or without charge, vinous beverages, malt beverages, <u>fortified wines</u>, or spirits produced by no more than five additional manufacturers or rectifiers, provided these beverages are purchased on invoice from the manufacturer or rectifier. A manufacturer or rectifier of vinous beverages, malt beverages, <u>fortified wines</u>, or spirits may sell its product to no more than five additional manufacturers or rectifiers. A fourth-class licensee may distribute by the glass no more than two ounces of malt <u>beverages</u> or vinous beverage with a total of eight ounces to each retail customer and no more than one-quarter ounce of spirits <u>or fortified wine</u> with a total of one ounce to each retail customer for consumption on the manufacturer's premises or at a farmers' market. <u>A fourth class licensee may distribute by the glass up to four mixed drinks containing a combined total of no more than one ounce of spirits or fortified wine to each retail customer for consumption only on the manufacturer's premises.</u> A farmers' market license is valid for all dates of operation for a specific farmers' market location.</p>	<p>manufactured or obtained for sale from the natural sugar content of fruits, or other agricultural product, containing sugar, the alcoholic content of which is not less than one percent nor more than 16 percent by volume at 60 degrees Fahrenheit, except that all vermouths shall be purchased and retailed by and through the Liquor Control Board as authorized in chapters 5 and 7 of this title.</p> <p style="text-align: center;">* * *</p> <p>(27) "Special events permit": a permit granted by the Liquor Control Board permitting a person holding a manufacturer's or rectifier's license to sell by the glass or by unopened bottle spirits, <u>fortified wines</u>, malt <u>beverages</u>, or vinous beverages manufactured or rectified by the license holder at an event open to the public that has been approved by the local licensing authority. For the purposes of tasting only, the permit holder may distribute, with or without charge, beverages manufactured by the permit holder by the glass no more than two ounces per product and eight ounces total of malt <u>beverages</u> or vinous beverages and no more than one ounce in total of spirits <u>or fortified wines</u> to each individual. No more than 36 <u>104</u> special events permits may be issued to a holder of a manufacturer's or rectifier's license during a year. A special event permit shall be valid for the duration of each public event or four days, whichever is shorter. Requests for a special events permit, accompanied by the fee as required by subdivision 231(13) of this title, shall be submitted to the Department of Liquor Control at least five days prior to the date of the event. Each manufacturer or rectifier planning to attend a single special event under this permit may be listed on a single permit. However, each attendance at a special event shall count toward the manufacturer's or rectifier's 36 <u>104</u> special-event-permit limitation.</p> <p>(28) "Fourth-class license" or "farmers' market license": the license granted by the Liquor Control Board permitting a manufacturer or rectifier of malt or <u>beverages</u>, vinous beverages, <u>fortified wines</u>, or spirits to sell by the unopened container and distribute, by the glass, with or without charge, beverages manufactured by the licensee. No more than a combined total of ten fourth-class and farmers' market licenses may be granted to a licensed manufacturer or rectifier. At only one fourth-class license location, a manufacturer or rectifier of vinous beverages, malt beverages, <u>fortified wines</u>, or spirits may sell by the unopened container and distribute by the glass, with or without charge, vinous beverages, malt beverages, <u>fortified wines</u>, or spirits produced by no more than five additional manufacturers or rectifiers, provided these beverages are purchased on invoice from the manufacturer or rectifier. A manufacturer or rectifier of vinous beverages, malt beverages, <u>fortified wines</u>, or spirits may sell its product to no more than five additional manufacturers or rectifiers. A fourth-class licensee may distribute by the glass no more than two ounces of malt <u>beverages</u> or vinous beverage with a total of eight ounces to each retail customer and no more than one-quarter ounce of spirits <u>or fortified wine</u> with a total of one ounce to each retail customer for consumption on the manufacturer's premises or at a farmers' market. <u>A fourth class licensee may distribute by the glass up to four mixed drinks containing a combined total of no more than one ounce of spirits or fortified wine to each retail customer for consumption only on the manufacturer's premises.</u> A farmers' market license is valid for all dates of operation for a specific farmers' market location.</p>
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		<p style="text-align: center;">* * *</p> <p>(38) “Fortified wines”: vinous beverages, including those to which spirits have been added during manufacture, containing at least 16 percent alcohol but no more than 23 percent alcohol by volume at 60 degrees Fahrenheit, and all vermouths containing no more than 23 percent alcohol by volume at 60 degrees Fahrenheit.</p> <p>(39) “Public library or museum permit”: a permit granted by the Liquor Control Board permitting a public library or museum to serve malt beverages or vinous beverages, or both, by the glass to the public for a period of not more than six hours during an event held for a charitable or educational purpose, provided that the event is approved by the local licensing authority. A permit holder may purchase malt beverages or vinous beverages directly from a licensed retailer. A permit holder shall be subject to the provisions of this title and the rules of the Board regarding the service of alcoholic beverages. A request for a permit shall be submitted to the Department in a form required by the Department at least five days prior to the event and shall be accompanied by the permit fee required by subdivision 231(a)(24) of this title. As used in this section, “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.</p>	<p style="text-align: center;">* * *</p> <p>(38) “Fortified wines”: vinous beverages, including those to which spirits have been added during manufacture, containing at least 16 percent alcohol but no more than 23 percent alcohol by volume at 60 degrees Fahrenheit, and all vermouths containing no more than 23 percent alcohol by volume at 60 degrees Fahrenheit.</p>
<p>Alcoholic Beverages; Duties of Liquor Control Board</p>	<p>A.5</p>	<p>51</p> <p>Sec. A.5. 7 V.S.A. § 104 us amended to read: § 104. DUTIES; AUTHORITY TO RESOLVE ALLEGED VIOLATIONS The Board shall have supervision and management of the sale of spirituous liquors spirits and fortified wines within the State in accordance with the provisions of this title, and through the Commissioner of Liquor Control shall: * * *</p>	<p>Sec. 51. 7 V.S.A. § 104 us amended to read: § 104. DUTIES; AUTHORITY TO RESOLVE ALLEGED VIOLATIONS The Board shall have supervision and management of the sale of spirituous liquors spirits and fortified wines within the State in accordance with the provisions of this title, and through the Commissioner of Liquor Control shall: * * *</p>
<p>Alcoholic Beverages; Duties of Commissioner</p>	<p>A.6</p>	<p>52</p> <p>Sec. A.6. 7 V.S.A. § 107 is amended to read: § 107. DUTIES OF COMMISSIONER OF LIQUOR CONTROL The commissioner of liquor control Commissioner of Liquor Control shall: * * *</p> <p>(2) Make regulations subject to the approval of the board Board governing the hours during which such agencies shall be open for the sale of spirituous liquors, spirits and fortified wines and governing the qualifications and, department, and salaries of the agencies’ employees therein and the salaries thereof.</p> <p>(3) Make regulations subject to the approval of the board Board governing: (A) the prices at which spirituous liquors spirits shall be sold in such by local agencies, and the method of for their delivery thereof, and the quantities of spirituous liquors to spirits that may be sold to any one person at any one time; and (B) the minimum prices at which fortified wines shall be sold by local agencies and second-class licensees that hold fortified wine permits, the method for their delivery, and the quantities of fortified wines that may be sold to any one person at any one time.</p> <p>(4) Supervise the quantities and qualities of spirituous liquor spirits and fortified wines to be kept as stock in such local agency agencies and make regulations subject to the approval of the board Board regarding the filling of requisitions therefor on the commissioner of liquor control Commissioner of Liquor Control.</p>	<p>Sec. 52. 7 V.S.A. § 107 is amended to read: § 107. DUTIES OF COMMISSIONER OF LIQUOR CONTROL The commissioner of liquor control Commissioner of Liquor Control shall: * * *</p> <p>(2) Make regulations subject to the approval of the board Board governing the hours during which such agencies shall be open for the sale of spirituous liquors, spirits and fortified wines and governing the qualifications and, department, and salaries of the agencies’ employees therein and the salaries thereof.</p> <p>(3) Make regulations subject to the approval of the board Board governing: (A) the prices at which spirituous liquors spirits shall be sold in such by local agencies, and the method of for their delivery thereof, and the quantities of spirituous liquors to spirits that may be sold to any one person at any one time; and (B) the minimum prices at which fortified wines shall be sold by local agencies and second-class licensees that hold fortified wine permits, the method for their delivery, and the quantities of fortified wines that may be sold to any one person at any one time.</p> <p>(4) Supervise the quantities and qualities of spirituous liquor spirits and fortified wines to be kept as stock in such local agency agencies and make regulations subject to the approval of the board Board regarding the filling of requisitions therefor on the commissioner of liquor control Commissioner of Liquor Control.</p>

			<p>(5) Purchase through the commissioner of buildings and general services <u>Commissioner of Buildings and General Services</u> spirits and fortified wines <u>spirits and fortified wines</u> for and in behalf of the liquor control board <u>Liquor Control Board</u>, supervise the storage thereof and the distribution to local agencies, druggists and <u>licensees of the third class,</u> and holders of fortified wine permits, and make regulations subject to the approval of the board <u>Board</u> regarding the sale and delivery from such <u>the</u> central storage plant.</p> <p style="text-align: center;">* * *</p>	<p>(5) Purchase through the commissioner of buildings and general services <u>Commissioner of Buildings and General Services</u> spirits and fortified wines <u>spirits and fortified wines</u> for and in behalf of the liquor control board <u>Liquor Control Board</u>, supervise the storage thereof and the distribution to local agencies, druggists and <u>licensees of the third class,</u> and holders of fortified wine permits, and make regulations subject to the approval of the board <u>Board</u> regarding the sale and delivery from such <u>the</u> central storage plant.</p> <p style="text-align: center;">* * *</p>
Alcoholic Beverages; Special Purchases by Commissioner	A.7	53	<p>Sec. A.7. 7 V.S.A. § 110 is amended to read: § 110. SPECIAL BRANDS; PURCHASE BY COMMISSIONER OF LIQUOR CONTROL</p> <p>If any person shall desire to purchase any class, variety, or brand of spirited liquor <u>spirits or fortified wine</u> which any local agency or <u>fortified wine permit holder</u> does not have in stock, the commissioner of liquor control <u>Commissioner of Liquor Control</u> shall order the same through the commissioner of buildings and general services <u>Commissioner of Buildings and General Services</u> upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the liquor control board <u>Liquor Control Board</u>.</p>	<p>Sec. 53. 7 V.S.A. § 110 is amended to read: § 110. SPECIAL BRANDS; PURCHASE BY COMMISSIONER OF LIQUOR CONTROL</p> <p>If any person shall desire to purchase any class, variety, or brand of spirited liquor <u>spirits or fortified wine</u> which any local agency or <u>fortified wine permit holder</u> does not have in stock, the commissioner of liquor control <u>Commissioner of Liquor Control</u> shall order the same through the commissioner of buildings and general services <u>Commissioner of Buildings and General Services</u> upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the liquor control board <u>Liquor Control Board</u>.</p>
Alcoholic Beverages; Liquor Control Fund	A.8	54	<p>Sec. A.8. 7 V.S.A. § 112 is amended as follows: § 112. LIQUOR CONTROL FUND</p> <p>The liquor control fund <u>Liquor Control Fund</u> is hereby established. It shall consist of all receipts from the sale of spirits, <u>fortified wines,</u> and other items by the department of liquor control <u>Department of Liquor Control</u>; fees paid to the department of liquor control <u>Department of Liquor Control</u> for the benefit of the department <u>Department</u>; all other amounts received by the department of liquor control <u>Department of Liquor Control</u> for its benefit; and all amounts which that <u>which that</u> are from time to time appropriated to the department of liquor control <u>Department of Liquor Control</u>.</p>	<p>Sec. 54. 7 V.S.A. § 112 is amended to read: § 112. LIQUOR CONTROL FUND</p> <p>The liquor control fund <u>Liquor Control Fund</u> is hereby established. It shall consist of all receipts from the sale of spirits, <u>fortified wines,</u> and other items by the department of liquor control <u>Department of Liquor Control</u>; fees paid to the department of liquor control <u>Department of Liquor Control</u> for the benefit of the department <u>Department</u>; all other amounts received by the department of liquor control <u>Department of Liquor Control</u> for its benefit; and all amounts which that <u>which that</u> are from time to time appropriated to the department of liquor control <u>Department of Liquor Control</u>.</p>
Alcoholic Beverages; First- and Second-Class Licenses	A.9	55	<p>Sec. A.9. 7 V.S.A. § 222 is amended to read: § 222. FIRST- AND SECOND-CLASS LICENSES, GRANTING OF; SALE TO MINORS; CONTRACTING FOR FOOD SERVICE</p> <p>With the approval of the Liquor Control Board, the control commissioners may grant <u>the following licenses</u> to a retail dealer for the premises where the dealer carries on business the following:</p> <p style="text-align: center;">* * *</p> <p>(2) Upon making application and <u>and</u>, paying the license fee provided in section 231 of this title, <u>and upon satisfying the Board that such premises are leased, rented, or owned by the retail dealer and are a safe, sanitary, and proper place from which to sell malt and vinous beverages,</u> a second-class license for the premises where such dealer shall carry on the business, which shall authorize such dealer to export malt and vinous beverages, and to sell malt and vinous beverages to the public from such premises for consumption off the premises and upon satisfying the Board that such premises are leased, rented, or owned by such retail dealers and are safe, sanitary, and a proper place from which to sell</p>	<p>Sec. 55. 7 V.S.A. § 222 is amended to read: § 222. FIRST- AND SECOND-CLASS LICENSES, GRANTING OF; SALE TO MINORS; CONTRACTING FOR FOOD SERVICE</p> <p>With the approval of the Liquor Control Board, the control commissioners may grant <u>the following licenses</u> to a retail dealer for the premises where the dealer carries on business the following:</p> <p style="text-align: center;">* * *</p> <p>(2) Upon making application and <u>and</u>, paying the license fee provided in section 231 of this title, <u>and upon satisfying the Board that such premises are leased, rented, or owned by the retail dealer and are a safe, sanitary, and proper place from which to sell malt and vinous beverages,</u> a second-class license for the premises where such dealer shall carry on the business, which shall authorize such dealer to export malt and vinous beverages, and to sell malt and vinous beverages to the public from such premises for consumption off the premises and upon satisfying the Board that such premises are leased, rented, or owned by such retail dealers and are safe, sanitary, and a proper place from which to sell</p>

		<p>malt and vinous beverages. A retail dealer carrying on business in more than one place shall be required to acquire a second-class license for each place where he or she shall so sell the retail dealer sells malt and vinous beverages. No malt or vinous beverages shall be sold by a second-class licensee to a minor.</p> <p style="text-align: center;">* * *</p> <p>(5)(A) The holder of a first-class license may serve a sampler flight of up to 32 ounces in the aggregate of malt beverages to a single customer at one time.</p> <p>(B) The holder of a first-class license may serve a sampler flight of up to 12 ounces in the aggregate of vinous beverages to a single customer at one time.</p> <p>(C) The holder of a third-class license may serve a sampler flight of up to four ounces in the aggregate of spirituous liquors spirits or fortified wines to a single customer at one time.</p> <p>(6) <u>The Liquor Control Board may grant a fortified wine permit to a second-class licensee if the licensee files an application accompanied by the license fee as provided in section 231 of this title. The holder of a fortified wine permit may sell fortified wines to the public from the licensed premises for consumption off the premises. The Liquor Control Board shall issue no more than 150 fortified wine permits in any single year. The holder of a fortified wine permit shall purchase all fortified wines to be offered for sale to the public pursuant to the permit through the Liquor Control Board at a price equal to no more than 75 percent of the current retail price for the fortified wine established by the Commissioner pursuant to subdivision 107(3)(B) of this title.</u></p>	<p>malt and vinous beverages. A retail dealer carrying on business in more than one place shall be required to acquire a second-class license for each place where he or she shall so sell the retail dealer sells malt and vinous beverages. No malt or vinous beverages shall be sold by a second-class licensee to a minor.</p> <p style="text-align: center;">* * *</p> <p>(5)(A) The holder of a first-class license may serve a sampler flight of up to 32 ounces in the aggregate of malt beverages to a single customer at one time.</p> <p>(B) The holder of a first-class license may serve a sampler flight of up to 12 ounces in the aggregate of vinous beverages to a single customer at one time.</p> <p>(C) The holder of a third-class license may serve a sampler flight of up to four ounces in the aggregate of spirituous liquors spirits or fortified wines to a single customer at one time.</p> <p>(6) <u>The Liquor Control Board may grant a fortified wine permit to a second-class licensee if the licensee files an application accompanied by the license fee as provided in section 231 of this title. The holder of a fortified wine permit may sell fortified wines to the public from the licensed premises for consumption off the premises. The Liquor Control Board shall issue no more than 150 fortified wine permits in any single year. The holder of a fortified wine permit shall purchase all fortified wines to be offered for sale to the public pursuant to the permit through the Liquor Control Board at a price equal to no more than 75 percent of the current retail price for the fortified wine established by the Commissioner pursuant to subdivision 107(3)(B) of this title.</u></p>
<p>Alcoholic Beverages; Third-Class Licenses</p>	<p>A.10</p>	<p>56</p> <p>Sec. A.10. 7 V.S.A. § 224 is amended to read: § 224. THIRD-CLASS <u>THIRD-CLASS</u> LICENSES; OPEN CONTAINERS</p> <p>(a) The liquor control board <u>Liquor Control Board</u> may grant to a person who operates a hotel, restaurant, cabaret, or club a license of the third class if the person files an application accompanied by the license fee as provided in section 231 of this title for the premises in which the business of the hotel, restaurant, cabaret, or club is carried on. The holder of a third-class <u>third-class</u> license may sell spirituous liquors <u>spirits and fortified wines</u> for consumption only on the premises covered by the license. The applicant for a third-class <u>third-class</u> license shall satisfy the liquor control board <u>Liquor Control Board</u> that the applicant is the bona fide owner or lessee of the premises and that the premises are operated for the purpose covered by the license.</p> <p style="text-align: center;">* * *</p> <p>(c) A person who holds a third-class <u>third-class</u> license shall purchase from the liquor control board <u>Liquor Control Board</u> all spirituous liquors <u>spirits and fortified wines</u> dispensed in accordance with the provisions of the third-class <u>third-class</u> license and this title.</p>	<p>Sec. 56. 7 V.S.A. § 224 is amended to read: § 224. THIRD-CLASS <u>THIRD-CLASS</u> LICENSES; OPEN CONTAINERS</p> <p>(a) The liquor control board <u>Liquor Control Board</u> may grant to a person who operates a hotel, restaurant, cabaret, or club a license of the third class if the person files an application accompanied by the license fee as provided in section 231 of this title for the premises in which the business of the hotel, restaurant, cabaret, or club is carried on. The holder of a third-class <u>third-class</u> license may sell spirituous liquors <u>spirits and fortified wines</u> for consumption only on the premises covered by the license. The applicant for a third-class <u>third-class</u> license shall satisfy the liquor control board <u>Liquor Control Board</u> that the applicant is the bona fide owner or lessee of the premises and that the premises are operated for the purpose covered by the license.</p> <p style="text-align: center;">* * *</p> <p>(c) A person who holds a third-class <u>third-class</u> license shall purchase from the liquor control board <u>Liquor Control Board</u> all spirituous liquors <u>spirits and fortified wines</u> dispensed in accordance with the provisions of the third-class <u>third-class</u> license and this title.</p>
<p>Alcoholic Beverages; Educational Sampling Events</p>	<p>A.11</p>	<p>57</p> <p>Sec. A.11. 7 V.S.A. § 225 is amended to read: § 225. EDUCATIONAL SAMPLING EVENT PERMIT</p> <p>(a) The liquor control board <u>Liquor Control Board</u> may grant an educational sampling event permit to a person to conduct an event that is open to the public and at which malt beverages, vinous beverages, fortified wines, or spirituous liquors <u>spirits</u>, or all three <u>four</u></p>	<p>Sec. 57. 7 V.S.A. § 225 is amended to read: § 225. EDUCATIONAL SAMPLING EVENT PERMIT</p> <p>(a) The liquor control board <u>Liquor Control Board</u> may grant an educational sampling event permit to a person to conduct an event that is open to the public and at which malt beverages, vinous beverages, fortified wines, or spirituous liquors <u>spirits</u>, or all three <u>four</u></p>

		<p>are served only for the purposes of marketing and educational sampling, provided the event is also approved by the local licensing authority. At least 15 days prior to the event, an applicant shall submit an application to the department <u>Department</u> in a form required by the department <u>Department</u>. The application shall include a list of the alcoholic beverages to be acquired for sampling at the event, and the application shall be accompanied by a fee in the amount required pursuant to section 231 of this title. No more than four educational sampling event permits shall be issued annually to the same person. An educational sampling event permit shall be valid for no more than four consecutive days. The permit holder shall assure <u>ensure</u> all the following:</p> <p style="text-align: center;">* * *</p> <p>(b) An educational sampling event permit holder:</p> <p style="text-align: center;">* * *</p> <p>(2) May transport malt <u>beverages</u>, vinous <u>beverages</u>, <u>fortified wines</u>, and <u>spirituous liquors</u> <u>spirits</u> to the event site, and those beverages may be served at the event by the permit holder or the holder's employees, volunteers, or representatives of a manufacturer, bottler, or importer participating in the event, provided they meet the server age and training requirements under this chapter.</p> <p>(3) {Deleted.} <u>[Repealed.]</u></p> <p style="text-align: center;">* * *</p> <p>(d) Taxes for the alcoholic beverages served at the event shall be paid as follows:</p> <p style="text-align: center;">* * *</p> <p>(3) Spirituous liquors: \$19.80 per gallon served. (4) Fortified wines: \$19.80 per gallon served.</p>	<p>are served only for the purposes of marketing and educational sampling, provided the event is also approved by the local licensing authority. At least 15 days prior to the event, an applicant shall submit an application to the department <u>Department</u> in a form required by the department <u>Department</u>. The application shall include a list of the alcoholic beverages to be acquired for sampling at the event, and the application shall be accompanied by a fee in the amount required pursuant to section 231 of this title. No more than four educational sampling event permits shall be issued annually to the same person. An educational sampling event permit shall be valid for no more than four consecutive days. The permit holder shall assure <u>ensure</u> all the following:</p> <p style="text-align: center;">* * *</p> <p>(b) An educational sampling event permit holder:</p> <p style="text-align: center;">* * *</p> <p>(2) May transport malt <u>beverages</u>, vinous <u>beverages</u>, <u>fortified wines</u>, and <u>spirituous liquors</u> <u>spirits</u> to the event site, and those beverages may be served at the event by the permit holder or the holder's employees, volunteers, or representatives of a manufacturer, bottler, or importer participating in the event, provided they meet the server age and training requirements under this chapter.</p> <p>(3) {Deleted.} <u>[Repealed.]</u></p> <p style="text-align: center;">* * *</p> <p>(d) Taxes for the alcoholic beverages served at the event shall be paid as follows:</p> <p style="text-align: center;">* * *</p> <p>(3) Spirituous liquors: \$19.80 per gallon served. (4) Fortified wines: \$19.80 per gallon served.</p>
<p>Alcoholic Beverages; Licensing Fees</p>	<p>A.12</p>	<p>58</p> <p>Sec. A.12. 7 V.S.A. § 231 is amended to read: § 231. FEES FOR LICENSES AND PERMITS; DISPOSITION OF FEES (a) The following fees shall be paid:</p> <p style="text-align: center;">* * *</p> <p>(23) For a fortified wine permit, \$100.00. (24) For a public library or museum permit, \$20.00.</p> <p style="text-align: center;">* * *</p>	<p>Sec. 58. 7 V.S.A. § 231 is amended to read: § 231. FEES FOR LICENSES AND PERMITS; DISPOSITION OF FEES (a) The following fees shall be paid:</p> <p style="text-align: center;">* * *</p> <p>(23) For a fortified wine permit, \$100.00.</p> <p style="text-align: center;">* * *</p>
<p>Alcoholic Beverages; Excise Tax on Spirits and Fortified Wines</p>	<p>A.13</p>	<p>59</p> <p>Sec. A.13. 7 V.S.A. § 422 is amended to read: § 422. <u>TAX ON SPIRITUOUS LIQUOR SPIRITS AND FORTIFIED WINES</u> (a) A tax is assessed on the gross revenue on from the retail sale of spirituous liquor spirits and fortified wines <u>on from the retail sale of spirits and fortified wines</u> in the State of Vermont, including fortified wine, sold by the Liquor Control Board; or sold by the retail sale of spirits and fortified wines in Vermont <u>by a manufacturer or rectifier of spirituous liquor spirits or fortified wines</u>, in accordance with the provisions of this title. The tax shall be at the following rates based on the gross revenue of the retail sales by the seller in the current year:</p> <p>(1) if the gross revenue of the seller is \$500,000.00 or lower, the rate of tax is five percent; (2) if the gross revenue of the seller is between \$500,000.00 and \$750,000.00, the</p>	<p>Sec. 59. 7 V.S.A. § 422 is amended to read: <u>§ 422. TAX ON SPIRITUOUS LIQUOR</u> (a) A tax is assessed on the gross revenue on from the retail sale of spirituous liquor spirits and fortified wines <u>on from the retail sale of spirits and fortified wines</u> in the State of Vermont, including fortified wine, sold by the Liquor Control Board; or sold by the retail sale of spirits and fortified wines in Vermont <u>by a manufacturer or rectifier of spirituous liquor spirits or fortified wines</u>, in accordance with the provisions of this title. The tax shall be at the following rates based on the gross revenue of the retail sales by the seller in the current year:</p> <p>(1) if the gross revenue of the seller is \$500,000.00 or lower, the rate of tax is five percent; (2) if the gross revenue of the seller is between \$500,000.00 and \$750,000.00, the rate of tax is \$25,000.00 plus 10 percent of the gross revenues over \$500,000.00;</p>

			<p>rate of tax is \$25,000.00 plus 10 percent of the gross revenues over \$500,000.00; (3) if the gross revenue of the seller is over \$750,000.00 <u>or more</u>, the rate of tax is 25 percent.</p> <p style="text-align: center;">* * *</p>	<p>(3) if the gross revenue of the seller is over \$750,000.00 <u>or more</u>, the rate of tax is 25 percent.</p> <p style="text-align: center;">* * *</p>
Alcoholic Beverages; Statutory Revision	A.14	60	<p>Sec. A.14. STATUTORY REVISION <u>The Legislative Council, in its statutory revision capacity pursuant to 2 V.S.A. § 424, is authorized to correct instances of the words “spirituous liquors” and “spirits” appearing in Title 7 of the Vermont Statutes Annotated to “spirits and fortified wines” as necessary to implement the intent of the revisions to 7 V.S.A. § 2 in this act.</u></p>	<p>Sec. 60. STATUTORY REVISION <u>The Legislative Council, in its statutory revision capacity pursuant to 2 V.S.A. § 424, is authorized to correct instances of the words “spirituous liquors” and “spirits” appearing in Title 7 of the Vermont Statutes Annotated to “spirits and fortified wines” as necessary to implement the intent of the revisions to 7 V.S.A. § 2 in this act.</u></p>
Alcoholic Beverages; Fortified Wine Study	A.15	61	<p>Sec. A.15. STUDY; REPORT (a) <u>On or before January 15, 2018, the Commissioner of Liquor Control, in consultation with the holders of second-class licenses and fortified wine permits, shall evaluate whether the number of fortified wine permits issued pursuant to 7 V.S.A. § 222 is sufficient, and how the issuance of fortified wine permits has affected the sales of fortified wines in Vermont and the variety of fortified wines available to Vermont consumers.</u> (b) <u>The Commissioner of Liquor Control shall report to the House Committee on General, Housing and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs regarding his or her findings on or before January 15, 2018. The Commissioner’s report shall include a recommendation regarding the appropriate number of fortified wine permits to be issued pursuant to 7 V.S.A. § 222.</u></p>	<p>Sec. 61. STUDY; REPORT (a) <u>On or before January 15, 2018, the Commissioner of Liquor Control, in consultation with the holders of second-class licenses and fortified wine permits, shall evaluate whether the number of fortified wine permits issued pursuant to 7 V.S.A. § 222 is sufficient, and how the issuance of fortified wine permits has affected the sales of fortified wines in Vermont and the variety of fortified wines available to Vermont consumers.</u> (b) <u>The Commissioner of Liquor Control shall report to the House Committee on General, Housing and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs regarding his or her findings on or before January 15, 2018. The Commissioner’s report shall include a recommendation regarding the appropriate number of fortified wine permits to be issued pursuant to 7 V.S.A. § 222.</u></p>
Alcoholic Beverages; Liquor Control System Modernization Study	A.16		<p>Sec. A.16. VERMONT LIQUOR CONTROL SYSTEM MODERNIZATION STUDY COMMITTEE (a) <u>Creation. There is created a Vermont Liquor Control System Modernization Study Committee to evaluate Vermont’s liquor control system and the Department of Liquor Control and determine whether and how the system and the Department can be made more efficient, effective, and profitable for the Vermont economy while protecting the public health and safety.</u> (b) <u>Membership. The Commission shall be composed of the following seven members:</u> (1) <u>two current members of the House of Representatives, who shall be appointed by the Speaker of the House;</u> (2) <u>two current members of the Senate, who shall be appointed by the Committee on Committees;</u> (3) <u>the Chair of the Liquor Control Board or designee;</u> (4) <u>the State Auditor or designee; and</u> (5) <u>the Commissioner of Taxes or designee.</u> (c) <u>Powers and duties. The Committee shall study and evaluate Vermont’s liquor control system and the Department of Liquor Control and determine whether and how the system and the Department can be made more efficient, effective, and profitable for the Vermont economy while protecting the public health and safety. In particular, the</u></p>	

		<p><u>Committee shall:</u></p> <p><u>(1) examine and evaluate the governance and operation of the Department of Liquor Control in comparison with the governance and operation of liquor control agencies in other states, and identify various measures by which the governance and operation of the Department of Liquor Control could be made more efficient, effective, and profitable for the Vermont economy while protecting the public health and safety;</u></p> <p><u>(2) examine and evaluate any changes to licensing, enforcement, education, fees, and taxes related to the production, sale, and distribution of alcoholic beverages that would be necessary to implement the various measures identified pursuant to subdivision (1) of this subsection;</u></p> <p><u>(3) evaluate the impact of the various measures identified pursuant to subdivision (1) of this subsection with respect to:</u></p> <p><u>(A) public health and safety;</u></p> <p><u>(B) the tax revenue and income generated by the Department;</u></p> <p><u>(C) any savings in the cost of the services provided by the Department;</u></p> <p><u>(D) any economic impact on the businesses licensed by the Department; and</u></p> <p><u>(E) the price and availability of alcoholic beverages for consumers in Vermont.</u></p> <p><u>(4) examine and evaluate Vermont’s regulatory system for the production, sale, and distribution of spirits and fortified wines in comparison with the systems employed by other states, including systems in which spirits and fortified wines are distributed by private entities, public entities, or a combination of private and public entities;</u></p> <p><u>(5) identify various measures by which Vermont’s regulatory system for the production, sale, and distribution of spirits and fortified wines could be made more efficient, effective, and profitable for the Vermont economy while protecting the public health and safety;</u></p> <p><u>(6) examine and evaluate any changes to licensing, enforcement, education, fees, and taxes related to the production, sale, and distribution of alcoholic beverages that would be necessary to implement the various measures identified pursuant to subdivision (5) of this subsection; and</u></p> <p><u>(7) evaluate the impact of the various measures identified pursuant to subdivision (5) of this subsection with respect to:</u></p> <p><u>(A) public health and safety;</u></p> <p><u>(B) the tax revenue and income generated by the Department;</u></p> <p><u>(C) any savings in the cost of the services provided by the Department;</u></p> <p><u>(D) any economic impact on the businesses licensed by the Department; and</u></p> <p><u>(E) the price and availability of alcoholic beverages for consumers in Vermont.</u></p> <p><u>(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Council and the Joint Fiscal Office.</u></p> <p><u>(e) Report. On or before December 15, 2015, the Committee shall submit a report to the House Committees on Commerce and Economic Development; on General, Housing and Military Affairs; and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations with its findings and proposed changes to the Department of Liquor Control and Vermont’s liquor control system, as well as a recommendation for any legislative action</u></p>	
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			<p>necessary to implement the changes proposed by the Committee. The report of the Committee may take the form of draft legislation.</p> <p><u>(f) Meetings.</u></p> <p><u>(1) The Co-Chairs of the Committee shall call the first meeting of the Committee to occur on or before July 30, 2015.</u></p> <p><u>(2) A member from the House of Representatives designated by the Speaker of the House and a member from the Senate designated by the Senate Committee on Committees shall be the Co-Chairs of the Committee.</u></p> <p><u>(3) A majority of the membership of the Committee shall constitute a quorum.</u></p> <p><u>(4) The Committee shall cease to exist on January 15, 2016.</u></p> <p><u>(g) Reimbursement. For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for no more than six meetings.</u></p>	
Uniform Commercial Code – Article 4A	B.1	-	See As Passed House Proposal of Amendment, Page 31	
Uniform Commercial Code – Article 7	B.2	-	See As Passed House Proposal of Amendment, Pages 31-97	
Vermont Strong Scholars Program and Internship Initiative - Findings	C.1	10	<p>Sec. C.1. VERMONT STRONG SCHOLARS LOAN FORGIVENESS FINDINGS; INTENT</p> <p>The General Assembly finds that the fundamental fairness, integrity, and success of the Vermont Strong Scholars loan forgiveness program under Sec. C.2 of this act, whereby graduating high school students will be counseled and encouraged to apply to Vermont schools, take certain courses, graduate and then take certain Vermont jobs, in exchange for student loan forgiveness, is critically dependent on the State providing reliable, sustainable, and adequate funding for the loan forgiveness <u>that does not diminish resources for other State workforce education and training programs.</u></p>	<p>Sec. 10. VERMONT STRONG SCHOLARS LOAN FORGIVENESS FINDINGS; INTENT</p> <p>The General Assembly finds that the fundamental fairness, integrity, and success of the Vermont Strong Scholars loan forgiveness program under Sec. 11 of this act, whereby graduating high school students will be counseled and encouraged to apply to Vermont schools, take certain courses, graduate and then take certain Vermont jobs, in exchange for student loan forgiveness, is critically dependent on the State providing reliable, sustainable, and adequate funding for the loan forgiveness.</p>
Vermont Strong Scholars Program and Internship Initiative - Findings	C.2	11	<p>Sec. C.2. 16 V.S.A. § 2888 is amended to read:</p> <p>§ 2888. VERMONT STRONG SCHOLARS AND INTERNSHIP INITIATIVE</p> <p>(a) Creation.</p> <p>(1) There is created a postsecondary loan forgiveness and internship initiative designed to forgive a portion of Vermont Student Assistance Corporation loans of students employed in economic sectors <u>occupations</u> identified as important to Vermont’s economy and to build internship opportunities for students to gain work experience with Vermont employers.</p> <p>(2) The initiative shall be known as the Vermont Strong Scholars and Internship Initiative and is designed to:</p> <p>(A) encourage students to:</p> <p>(i) consider jobs in economic sectors <u>occupations</u> that are critical to the Vermont economy;</p> <p>(ii) enroll and remain enrolled in a Vermont postsecondary institution; and</p> <p>(iii) live <u>and work</u> in Vermont upon graduation;</p> <p>(B) reduce student loan debt for postsecondary education in targeted fields <u>degrees</u></p>	<p>Sec. 11. 16 V.S.A. § 2888 is amended to read:</p> <p>§ 2888. VERMONT STRONG SCHOLARS AND INTERNSHIP INITIATIVE</p> <p>(a) Creation.</p> <p>(1) There is created a postsecondary loan forgiveness and internship initiative designed to forgive a portion of Vermont Student Assistance Corporation loans of students employed in economic sectors <u>occupations</u> identified as important to Vermont’s economy and to build internship opportunities for students to gain work experience with Vermont employers.</p> <p>(2) The initiative shall be known as the Vermont Strong Scholars and Internship Initiative and is designed to:</p> <p>(A) encourage students to:</p> <p>(i) consider jobs in economic sectors <u>occupations</u> that are critical to the Vermont economy;</p> <p>(ii) enroll and remain enrolled in a Vermont postsecondary institution; and</p> <p>(iii) live <u>and work</u> in Vermont upon graduation;</p> <p>(B) reduce student loan debt for postsecondary education in targeted fields <u>degrees</u></p>

		<p><u>involving a course of study related to, and resulting in, employment in target occupations;</u></p> <p>(C) provide experiential learning through internship opportunities with Vermont employers; and</p> <p>(D) support a pipeline <u>steady stream</u> of qualified talent for employment with Vermont's employers.</p> <p>(b) Vermont Strong Loan Forgiveness Program.</p> <p>(1) Economic sectors <u>Occupations</u>; projections.</p> <p>(A) Annually, on or before November 15, the Secretary of Commerce and Community Development and the Commissioner of Labor, in consultation with the Vermont State Colleges, the University of Vermont, <u>the Association of Vermont Independent Colleges</u>, the Vermont Student Assistance Corporation, the Secretary of Human Services, and the Secretary of Education, shall identify economic sectors <u>occupations</u>, projecting at least four years into the future, that are or will be critical to the Vermont economy.</p> <p>(B) Based upon the identified economic sectors <u>occupations</u> and the number of students anticipated to qualify for loan forgiveness under this section, the Secretary of Commerce and Community Development shall annually provide the General Assembly with the estimated cost of the Vermont Student Assistance Corporation's loan forgiveness awards under the Loan Forgiveness Program during the then-current fiscal year and each of the four following fiscal years.</p> <p>(2) Eligibility. A graduate of a public or private Vermont postsecondary institution shall be eligible for forgiveness of a portion of his or her Vermont Student Assistance Corporation postsecondary education loans under this section if he or she:</p> <p>(A) was a Vermont resident, as defined in subdivision 2822(7) of this title, at the time he or she was graduated;</p> <p>(B) enrolled in <u>his or her first year of study</u> at a postsecondary institution on or after July 1, 2015 and completed an associate's degree within three years, or a bachelor's degree within six years <u>of his or her enrollment date</u>;</p> <p>(C) becomes employed <u>on a full-time basis</u> in Vermont within 12 months of graduation in an economic sector <u>occupation</u> identified by the Secretary and Commissioner under subdivision (1) of this subsection;</p> <p>(D) remains employed <u>on a full-time basis</u> in Vermont throughout the period of loan forgiveness in an economic sector <u>occupation</u> identified by the Secretary and Commissioner under subdivision (1) of this subsection; and</p> <p>(E) remains a Vermont resident throughout the period of loan forgiveness.</p> <p>(3) Loan forgiveness. An eligible individual shall have a portion of his or her Vermont Student Assistance Corporation loan forgiven as follows:</p> <p>(A) For <u>for</u> an individual awarded an associate's degree, in an amount equal to the comprehensive in-state tuition rate for 15 credits at the Vermont State Colleges during the individual's final semester of enrollment, to be prorated over the three years following graduation;</p> <p>(B) For <u>for</u> an individual awarded a bachelor's degree, in an amount equal to the comprehensive in-state tuition rate for 30 credits at the Vermont State Colleges during the individual's final year of enrollment, to be prorated over the five years following graduation;</p> <p>(C) Loan <u>loan</u> forgiveness may be awarded on a prorated basis to an otherwise eligible Vermont resident who transfers to and is graduated from a Vermont postsecondary institution <u>and graduates after July 1, 2017, with an associate's degree or after July 1, 2019, with a bachelor's degree.</u></p> <p>(4) Management.</p>	<p><u>involving a course of study related to, and resulting in, employment in target occupations;</u></p> <p>(C) provide experiential learning through internship opportunities with Vermont employers; and</p> <p>(D) support a pipeline <u>steady stream</u> of qualified talent for employment with Vermont's employers.</p> <p>(b) Vermont Strong Loan Forgiveness Program.</p> <p>(1) Economic sectors <u>Occupations</u>; projections.</p> <p>(A) Annually, on or before November 15, the Secretary of Commerce and Community Development and the Commissioner of Labor, in consultation with the Vermont State Colleges, the University of Vermont, <u>the Association of Vermont Independent Colleges</u>, the Vermont Student Assistance Corporation, the Secretary of Human Services, and the Secretary of Education, shall identify economic sectors <u>occupations</u>, projecting at least four years into the future, that are or will be critical to the Vermont economy.</p> <p>(B) Based upon the identified economic sectors <u>occupations</u> and the number of students anticipated to qualify for loan forgiveness under this section, the Secretary of Commerce and Community Development shall annually provide the General Assembly with the estimated cost of the Vermont Student Assistance Corporation's loan forgiveness awards under the Loan Forgiveness Program during the then-current fiscal year and each of the four following fiscal years.</p> <p>(2) Eligibility. A graduate of a public or private Vermont postsecondary institution shall be eligible for forgiveness of a portion of his or her Vermont Student Assistance Corporation postsecondary education loans under this section if he or she:</p> <p>(A) was a Vermont resident, as defined in subdivision 2822(7) of this title, at the time he or she was graduated;</p> <p>(B) enrolled in <u>his or her first year of study</u> at a postsecondary institution on or after July 1, 2015 and completed an associate's degree within three years, or a bachelor's degree within six years <u>of his or her enrollment date</u>;</p> <p>(C) becomes employed <u>on a full-time basis</u> in Vermont within 12 months of graduation in an economic sector <u>occupation</u> identified by the Secretary and Commissioner under subdivision (1) of this subsection;</p> <p>(D) remains employed <u>on a full-time basis</u> in Vermont throughout the period of loan forgiveness in an economic sector <u>occupation</u> identified by the Secretary and Commissioner under subdivision (1) of this subsection; and</p> <p>(E) remains a Vermont resident throughout the period of loan forgiveness.</p> <p>(3) Loan forgiveness. An eligible individual shall have a portion of his or her Vermont Student Assistance Corporation loan forgiven as follows:</p> <p>(A) For <u>for</u> an individual awarded an associate's degree, in an amount equal to the comprehensive in-state tuition rate for 15 credits at the Vermont State Colleges during the individual's final semester of enrollment, to be prorated over the three years following graduation;</p> <p>(B) For <u>for</u> an individual awarded a bachelor's degree, in an amount equal to the comprehensive in-state tuition rate for 30 credits at the Vermont State Colleges during the individual's final year of enrollment, to be prorated over the five years following graduation;</p> <p>(C) Loan <u>loan</u> forgiveness may be awarded on a prorated basis to an otherwise eligible Vermont resident who transfers to and is graduated from a Vermont postsecondary institution <u>and graduates after July 1, 2017, with an associate's degree or after July 1, 2019, with a bachelor's degree.</u></p> <p>(4) Management.</p>
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		<p>(A) The Secretary of Commerce and Community Development shall develop all organizational details of the Loan Forgiveness Program consistent with the purposes and requirements of this section.</p> <p>(B) The Secretary shall enter into a memorandum of understanding with the Vermont Student Assistance Corporation for management of the Loan Forgiveness Program.</p> <p>(C) The Secretary may adopt rules pursuant to 3 V.S.A. chapter 25 necessary to implement the Program.</p> <p>(c) Vermont Strong Internship Program.</p> <p>(1) Internship Program management.</p> <p>(A) The Commissioner of Labor and the Secretary of Commerce and Community Development shall jointly develop and implement the organizational details of the Internship Program consistent with the purposes and requirements of this section and may adopt rules pursuant to 3 V.S.A. chapter 25 necessary to. The Commissioner shall implement the Internship Program and shall have the authority to adopt rules pursuant to 3 V.S.A. chapter 25 necessary to implement the Program pursuant to this section.</p> <p>(B) The Commissioner, in consultation with the Secretary, shall issue a request for proposals for a person to serve as an Internship Program Intermediary, who shall perform the duties and responsibilities pursuant to the terms of a performance contract negotiated by the Commissioner and the Intermediary</p> <p>(2) The Commissioner and the Secretary shall design the Vermont Strong Internship Program to complement and coordinate with the Vermont Career Internship Program in 10 V.S.A. § 544.</p> <p>(C) The Department of Labor, the Agency of Commerce and Community Development, and the regional development corporations, and the Intermediary, shall have responsibility for building connections within the business community to ensure broad private sector participation in the Internship Program.</p> <p>(D) The Program Intermediary Commissioner of Labor shall:</p> <p>(i) identify and foster postsecondary internships that are rigorous, productive, well-managed, and mentored;</p> <p>(ii) cultivate coordinate relationships with between and among employers, employer-focused organizations, and State and regional government bodies;</p> <p>(iii) build relationships with Vermont postsecondary institutions and facilitate recruitment of students to apply for available internships;</p> <p>(iv) create and maintain a registry of participating employers and associated internship opportunities develop a clearinghouse of information and opportunities for internships; and</p> <p>(v) coordinate and provide support to the participating student, the employer, and the student's postsecondary institution;</p> <p>(vi) develop and oversee a participation contract between each student and employer, including terms governing the expectations for the internship, a work plan, mentoring and supervision of the student, reporting by the employer and student, and compensation terms; and</p> <p>(vii) carry out any additional activities and duties as directed by the Commissioner.</p> <p>(2) Qualifying internships.</p> <p>(A) Criteria. To qualify for participation in the Internship Program an internship shall at minimum:</p> <p>(i) be with a Vermont employer as approved by the Intermediary in consultation with the Commissioner and Secretary;</p>	<p>(A) The Secretary of Commerce and Community Development shall develop all organizational details of the Loan Forgiveness Program consistent with the purposes and requirements of this section.</p> <p>(B) The Secretary shall enter into a memorandum of understanding with the Vermont Student Assistance Corporation for management of the Loan Forgiveness Program.</p> <p>(C) The Secretary may adopt rules pursuant to 3 V.S.A. chapter 25 necessary to implement the Program.</p> <p>(c) Vermont Strong Internship Program.</p> <p>(1) Internship Program management.</p> <p>(A) The Commissioner of Labor and the Secretary of Commerce and Community Development shall jointly develop and implement the organizational details of the Internship Program consistent with the purposes and requirements of this section and may adopt rules pursuant to 3 V.S.A. chapter 25 necessary to implement the Internship Program.</p> <p>(B) The Commissioner, in consultation with the Secretary, shall issue a request for proposals for a person to serve as an Internship Program Intermediary, who shall perform the duties and responsibilities pursuant to the terms of a performance contract negotiated by the Commissioner and the Intermediary.</p> <p>(C) The Department of Labor, the Agency of Commerce and Community Development, the regional development corporations, and the Intermediary, shall have responsibility for building connections within the business community to ensure broad private sector participation in the Internship Program.</p> <p>(D) The Program Intermediary shall:</p> <p>(i) identify and foster postsecondary internships that are rigorous, productive, well-managed, and mentored;</p> <p>(ii) cultivate relationships with employers, employer-focused organizations, and State and regional government bodies;</p> <p>(iii) build relationships with Vermont postsecondary institutions and facilitate recruitment of students to apply for available internships;</p> <p>(iv) create and maintain a registry of participating employers and associated internship opportunities;</p> <p>(v) coordinate and provide support to the participating student, the employer, and the student's postsecondary institution;</p> <p>(vi) develop and oversee a participation contract between each student and employer, including terms governing the expectations for the internship, a work plan, mentoring and supervision of the student, reporting by the employer and student, and compensation terms; and</p> <p>(vii) carry out any additional activities and duties as directed by the Commissioner.</p> <p>(2) Qualifying internships.</p> <p>(A) Criteria. To qualify for participation in the Internship Program an internship shall at minimum:</p> <p>(i) be with a Vermont employer as approved by the Intermediary in consultation with the Commissioner and Secretary;</p>
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		<p>(ii) pay compensation to an intern of at least the prevailing minimum wage; and (iii) meet the quality standards and expectations as established by the Intermediary. (B) Employment of interns. Interns shall be employed by the sponsoring employer except, with the approval of the Commissioner on a case by case basis, interns may be employed by the Intermediary and assigned to work with a participating Vermont employer, in which case the sponsoring employer shall contribute funds as determined by the Commissioner. (3) Student eligibility. To participate in the Internship Program, an individual shall be: (A) a Vermont resident enrolled in a postsecondary institution in or outside Vermont; (B) a student who graduated from a postsecondary institution within 24 months of entering the program who was classified as a Vermont resident during that schooling or who is a student who attended a postsecondary institution in Vermont; or (C) a student enrolled in a Vermont postsecondary institution.</p> <p>(d) Funding. (1) Loan Forgiveness Program. (A) Loan forgiveness; State funding. (i) There is created a special fund to be known as the Vermont Strong Scholars Fund pursuant to 32 V.S.A. chapter 7, subchapter 5, which shall be used and administered by the Secretary of Commerce and Community Development solely for the purposes of loan forgiveness pursuant to this section. (ii) The Fund shall consist of sums to be identified by the Secretary from any source accepted for the benefit of the Fund and interest earned from the investment of Fund balances. (iii) Any interest earned and any remaining balance at the end of the fiscal year shall be carried forward in the Fund. (iv) The availability and payment of loan forgiveness awards under this subdivision <u>chapter</u> is subject to State funding available for the awards. (B) Loan forgiveness; Vermont Student Assistance Corporation. The Vermont Student Assistance Corporation shall have the authority to grant loan forgiveness pursuant to this section by using the private loan forgiveness capacity associated with bonds issued by the Corporation to raise funds for private loans that are eligible for forgiveness under this section, if available. (2) Internship Program. Notwithstanding any provision of law to the contrary, the Commissioner of Labor shall have the authority to use funds allocated to the Workforce Education and Training Fund established in 10 V.S.A. § 543 to implement the Internship Program created in this section.</p>	<p>(ii) pay compensation to an intern of at least the prevailing minimum wage; and (iii) meet the quality standards and expectations as established by the Intermediary. (B) Employment of interns. Interns shall be employed by the sponsoring employer except, with the approval of the Commissioner on a case-by-case basis, interns may be employed by the Intermediary and assigned to work with a participating Vermont employer, in which case the sponsoring employer shall contribute funds as determined by the Commissioner. (3) Student eligibility. To participate in the Internship Program, an individual shall be: (A) a Vermont resident enrolled in a postsecondary institution in or outside Vermont; (B) a student who graduated from a postsecondary institution within 24 months of entering the program who was classified as a Vermont resident during that schooling or who is a student who attended a postsecondary institution in Vermont; or (C) a student enrolled in a Vermont postsecondary institution.</p> <p>(d) Funding. (1) Loan Forgiveness Program. (A) Loan forgiveness; State funding. (i) There is created a special fund to be known as the Vermont Strong Scholars Fund pursuant to 32 V.S.A. chapter 7, subchapter 5, which shall be used and administered by the Secretary of Commerce and Community Development solely for the purposes of loan forgiveness pursuant to this section. (ii) The Fund shall consist of sums to be identified by the Secretary from any source accepted for the benefit of the Fund and interest earned from the investment of Fund balances. (iii) Any interest earned and any remaining balance at the end of the fiscal year shall be carried forward in the Fund. (iv) The availability and payment of loan forgiveness awards under this subdivision <u>chapter</u> is subject to State funding available for the awards. (B) Loan forgiveness; Vermont Student Assistance Corporation. The Vermont Student Assistance Corporation shall have the authority to grant loan forgiveness pursuant to this section by using the private loan forgiveness capacity associated with bonds issued by the Corporation to raise funds for private loans that are eligible for forgiveness under this section, if available. (2) Internship Program. Notwithstanding any provision of law to the contrary, the Commissioner of Labor shall have the authority to use funds allocated to the Workforce Education and Training Fund established in 10 V.S.A. § 543 to implement the Internship Program created in this section.</p>
<p>Workforce Education and Training Fund; Vermont Career Internship Program</p>	<p>C.3</p>	<p>Sec. C.3. 10 V.S.A. chapter 22A is amended to read: CHAPTER 22A. WORKFORCE EDUCATION AND TRAINING * * * § 543. WORKFORCE EDUCATION AND TRAINING FUND; GRANT PROGRAMS (a) Creation. There is created a Workforce Education and Training Fund in the Department of Labor to be managed in accordance with 32 V.S.A. chapter 7, subchapter 5. (b) Purposes. The Fund shall be used exclusively <u>Department shall use the Fund</u> for the following purposes: (1) training for Vermont workers, including those who are unemployed, underemployed, or in transition from one job or career to another; and (2) internships to provide students with work-based learning opportunities with Vermont</p>	

		<p>employers; and</p> <p>(3) apprenticeship-related instruction <u>apprenticeship, preapprenticeship, and industry-recognized credential training; and</u></p> <p>(4) <u>other workforce development initiatives related to current and future job opportunities in Vermont as determined by the Commissioner of Labor.</u></p> <p>(c) Administrative Support and other support. Administrative <u>The Department of Labor shall provide administrative support for the grant award process shall be provided by the Department of Labor. Technical support shall be provided whenever. When</u> appropriate and reasonable by the <u>State Workforce Investment Board and all other public entities involved in economic development and workforce education and training shall provide other support in the process.</u></p> <p>(d) Eligible Activities. Awards activities.</p> <p>(1) The Department shall grant awards from the Fund shall be made to employers and entities that offer programs that require collaboration between employees and businesses, including private, public, and nonprofit entities, institutions of higher education, high schools, technical centers, and workforce education and training programs. Funding shall be for training programs and student internship programs that:</p> <p>(A) <u>create jobs, offer education, training, apprenticeship, pre-apprenticeship and industry-recognized credentials, mentoring, or work-based learning activities, or any combination;</u></p> <p>(B) that employ innovative intensive student-oriented competency based or collaborative approaches to workforce education and training; and</p> <p>(C) <u>that link workforce education and economic development strategies. Training</u></p> <p>(2) The Department may fund programs or projects that demonstrate actual increased income and economic opportunity for employees and employers may be funded for more than one year.</p> <p>(3) Student <u>The Department may fund student internships and training programs that involve the same employer may be funded multiple times, provided that new students participate in multiple years with approval of the Commissioner.</u></p> <p>(e) [Repealed].</p> <p>(f) <u>Awards. The Commissioner of Labor, in consultation with the Chair of the State Workforce Investment Board, shall develop award criteria and may make grant awards to the following:</u></p> <p>(1) <u>Training Programs.</u></p> <p>(A) <u>Public, private, and nonprofit entities, including employers and education and training providers, for existing or new innovative training programs that enhance the skills of Vermont workers and:</u></p> <p>(i) <u>train workers for trades or occupations that are expected to lead to jobs paying at least 200 percent of the current minimum wage or at least 150 percent if benefits are included; this requirement may be waived when warranted based on regional or occupational wages or economic reality;</u></p> <p>(ii) <u>do not duplicate, supplant, or replace other available programs training funded with public money;</u></p> <p>(iii) articulate clear goals and demonstrate readily accountable, reportable, and measurable results <u>provide a project timeline, including performance goals, and identify how the effectiveness and outcomes of the program will be measured, including for the individual participants, the employers, and the program as a whole; and</u></p> <p>(iv) demonstrate an integrated connection between training and specific new or continuing employment opportunities <u>articulate the need for the training and the direct connection between the training and the job.</u></p>	
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		<p>(B) Awards <u>The Department shall grant awards under this subdivision shall be made</u> (1) to programs or projects that:</p> <p>(i) offer innovative programs of intensive, student-centric, competency-based education, training, apprenticeship, <u>preapprenticeship and industry-recognized credentials</u>, mentoring, or any combination of these;</p> <p>(ii) address the needs of workers who are unemployed, underemployed, or are at risk of becoming unemployed due to changing workplace demands by increasing productivity and developing new skills for incumbent workers, and workers who are in transition from one job or career to another; or</p> <p>(iii) <u>address the needs of employers to hire new employees, or retrain incumbent workers, when the employer has demonstrated a need not within the normal course of business, with priority to training that results in new or existing job openings for which the employer intends to hire; or</u></p> <p>(iv) <u>in the discretion of the Commissioner, otherwise serve the purposes of this chapter.</u></p> <p>(2) Vermont Career Internship Program. Funding for eligible internship programs and activities under the Vermont Career Internship Program established in section 544 of this title.</p> <p>(3) Apprenticeship Program. The Vermont Apprenticeship Program established under 21 V.S.A. chapter 13. Awards under this subdivision may be used to fund the cost of apprenticeship-related instruction provided by the Department of Labor.</p> <p>(g) [Repealed.]</p>	
<p>Vermont Career Internship Program</p>	<p>C.3</p>	<p>§ 544. VERMONT CAREER INTERNSHIP PROGRAM</p> <p>(a)(1) The Department of Labor, in consultation with the Agency of Education, shall develop, and the Department shall implement, a statewide Vermont Career Internship Program for Vermonters <u>students</u> who are in high school or in college and for those who are recent graduates of 24 months or less.</p> <p>(2) The Department of Labor shall coordinate and provide funding to public and private entities for internship programs that match Vermont employers with students from public and private secondary schools, regional technical centers, the Community High School of Vermont, colleges, and recent graduates of 24 months or less.</p> <p>(3) Funding awarded through the Vermont Career Internship Program may be used to <u>build and</u> administer an internship program and to provide participants with a stipend during the internship, based on need. Funds may be made only to programs or projects that do all the following:</p> <p>(A) do not replace or supplant existing positions;</p> <p>(B) <u>expose students to the workplace or</u> create real workplace expectations and consequences;</p> <p>(C) provide a process that measures progress toward mastery of skills, attitude, behavior, and sense of responsibility required for success in that workplace;</p> <p>(D) are designed to motivate and educate secondary and postsecondary students and recent graduates <u>participants</u> through work-based learning opportunities with Vermont employers that are likely to lead to real employment;</p> <p>(E) include mechanisms that promote employer involvement with secondary and postsecondary students and curriculum and the delivery of education at the participating schools; and or</p> <p>(F) offer participants a continuum of learning, experience, and relationships with employers that will make it financially possible and attractive for graduates to continue to work</p>	

		<p>and live in Vermont.</p> <p>(4) As used in this section, “internship” means a learning experience working with an employer where the intern may, but does not necessarily, receive academic credit, financial remuneration, a stipend, or any combination of these.</p> <p>(b) The Department of Labor, in collaboration with the Agencies of Agriculture, Food and Markets and of Education, State-funded postsecondary educational institutions, the <u>State Workforce Investment Board</u>, and other State agencies and departments that have workforce education and training and training monies, shall:</p> <p>(1) identify new and existing funding sources that may be allocated to the Vermont Career Internship Program;</p> <p>(2) collect data and establish program goals and <u>quantifiable</u> performance measures <u>that demonstrate program results</u> for internship programs funded through the Vermont Career Internship Program;</p> <p>(3) develop or enhance a website that will connect students and graduates with internship opportunities with Vermont employers;</p> <p>(4) engage appropriate agencies and departments of the State in the Internship Program to expand internship opportunities with State government and with entities awarded State contracts; and</p> <p>(5) work with other public and private entities to develop and enhance internship programs, opportunities, and activities throughout the State.</p>	
<p>Youth Employment Working Group</p>	<p>C.4</p>	<p>Sec. C.4. YOUTH EMPLOYMENT WORKING GROUP</p> <p><u>(a) There is created a youth employment working group to recommend measures to increase work-experience opportunities for 16 and 17 year olds in Vermont.</u></p> <p><u>(b) The group shall be composed of the following members:</u></p> <p><u>(1) the Commissioner of Labor or designee;</u></p> <p><u>(2) the Department of Labor Workforce Education and Training Coordinator;</u></p> <p><u>(3) the Secretary of Education or designee;</u></p> <p><u>(4) the Secretary of Commerce and Community Development or designee;</u></p> <p><u>(5) one member from a regional technical center to be appointed by the Secretary of Education;</u></p> <p><u>(6) one member from the House of Representatives to be appointed by the Speaker;</u></p> <p><u>(7) one member of the Senate to be appointed by the Committee on Committees;</u></p> <p><u>(8) one member of the Associated General Contractors of Vermont;</u></p> <p><u>(9) one member of the labor community to be appointed by the Governor; and</u></p> <p><u>(10) one member appointed by the Vermont Insurance Agents Association.</u></p> <p><u>(c) The group shall:</u></p> <p><u>(1) study how to increase work-experience opportunities for 16 and 17 year olds, including issues of financing, insurance requirements, workplace safety, and educational requirements;</u></p> <p><u>(2) make recommendations to increase work-experience opportunities; and</u></p> <p><u>(3) develop the metrics to assess the progress to increase work-experience opportunities.</u></p> <p><u>(d) The Commissioner of Labor shall convene the first meeting of the group, at which meeting the members of the group shall elect a chair.</u></p> <p><u>(e) Legislative members of the group shall be entitled to compensation and expenses as provided in 2 V.S.A. § 406 for not more than four meetings.</u></p> <p><u>(f) The Department of Labor shall provide administrative support to the group.</u></p> <p><u>(g) On or before January 15, 2016, the group shall report its findings and recommended draft legislation to the House Committee on Commerce and Economic Development and the Senate</u></p>	

		<p>Committee on Economic Development, Housing and General Affairs.</p>	
<p>Vermont Governor’s Committee on Employment of People with Disabilities</p>	<p>C.5</p>	<p>13</p> <p>Sec. C.5. 21 V.S.A. § 497a is amended to read: § 497a. COMMITTEE ESTABLISHED There is hereby established a permanent committee to be known as the Vermont governor’s committee on employment of people with disabilities Governor’s Committee on Employment of People with Disabilities, to consist of 24 23 members, including a one representative of each from the Vermont employment service division Department of Labor’s Workforce Development Division and the Jobs for Veterans State Grant, one representative of from the vocational rehabilitation division of the department of disabilities, aging, and independent living Department of Disabilities, Aging, and Independent Living, Vocational Rehabilitation Division and one from the Division for the Blind and Visually Impaired, one representative of the veterans’ administration, one representative of the veterans’ employment service U.S. Department of Veterans Affairs, one representative of the State of Vermont Office of Veterans Affairs, and 17 members to be appointed by the governor Governor. The appointive members shall hold office for the term specified or until their successors are named by the governor Governor. The members shall receive no salary for their services as such, but the necessary expenses of the committee Committee shall be paid by the state State. Those persons acting as said committee on June 29, 1963 shall continue as such until their successors are appointed as herein provided.</p>	<p>Sec. 13. 21 V.S.A. § 497a is amended to read: § 497a. COMMITTEE ESTABLISHED There is hereby established a permanent committee to be known as the Vermont governor’s committee on employment of people with disabilities Governor’s Committee on Employment of People with Disabilities, to consist of 24 22 members, including a one representative of each from the Vermont employment service division Department of Labor’s Workforce Development Career Services Division and the Jobs for Veterans State Grant Program, one representative of from the vocational rehabilitation division of the department of disabilities, aging, and independent living Department of Disabilities, Aging and Independent Living Vocational Rehabilitation Division and one from the Division for the Blind and Visually Impaired, one representative of the veterans’ administration, one representative of the veterans’ employment service Veterans’ Administration, and 17 members to be appointed by the governor Governor. The appointive members shall hold office for the term specified or until their successors are named by the governor Governor. The members shall receive no salary for their services as such, but the necessary expenses of the committee Committee shall be paid by the state State. Those persons acting as said committee on June 29, 1963 shall continue as such until their successors are appointed as herein provided.</p>
<p>Vermont ABLÉ Savings Program</p>	<p>C.6 – C.8</p>	<p>Sec. C.6. PURPOSE The purpose of this act is: (1) to encourage and assist individuals and families in saving private funds for the purpose of supporting individuals with disabilities in maintaining health, independence, and quality of life. (2) to provide secure funding for disability-related expenses on behalf of designated beneficiaries with disabilities that will supplement, but not supplant, benefits provided through private insurance, the Medicaid program under Title XIX of the Social Security Act, the supplemental security income program under Title XVI of such Act, the beneficiary’s employment, and other sources. Sec. C.7. 33 V.S.A. chapter 80 is added to read: <u>CHAPTER 80. VERMONT ACHIEVING A BETTER LIFE EXPERIENCE (ABLE) SAVINGS PROGRAM</u> <u>§ 8001. PROGRAM ESTABLISHED</u> (a) The State Treasurer or designee shall have the authority to establish the Vermont Achieving A Better Life Experience (ABLE) Savings Program consistent with the provisions of this chapter under which a person may make contributions for a taxable year, for the benefit of an individual who is an eligible individual for such taxable year, to an ABLE account which is established for the purpose of meeting the qualified disability expenses of the designated beneficiary of the account; and which: (1) limits a designated beneficiary to one ABLE account for purposes of this section; (2) allows for the establishment of an ABLE account only for a designated beneficiary who is a resident of Vermont or a resident of a contracting State; and (3) meets the other requirements of this chapter. (b)(1) The Treasurer or designee may solicit proposals from financial organizations to implement the Program as account depositories and managers. (2) A financial organization that submits a proposal shall describe the investment instruments which will be held in accounts. (3) The Treasurer shall select from among the applicants one or more financial</p>	

		<p><u>organizations that demonstrate the most advantageous combination, both to potential program participants and this State, of the following criteria:</u></p> <ul style="list-style-type: none"> <u>(A) the financial stability and integrity of the financial organization;</u> <u>(B) the safety of the investment instrument offered;</u> <u>(C) the ability of the financial organization to satisfy recordkeeping and reporting requirements;</u> <u>(D) the financial organization’s plan for promoting the program and the investment the organization is willing to make to promote the program;</u> <u>(E) the fees, if any, proposed to be charged to the account owners;</u> <u>(F) the minimum initial deposit and minimum contributions that the financial organization will require;</u> <u>(G) the ability of the financial organization to accept electronic withdrawals, including payroll deduction plans; and</u> <u>(H) other benefits to the State or its residents included in the proposal, including fees payable to the State to cover expenses of operation of the Program.</u> <p><u>(c) The Treasurer or designee shall have the authority to adopt rules, policies, and procedures necessary to implement the provisions of this chapter and comply with applicable federal law.</u></p> <p><u>§ 8002. DEFINITIONS</u></p> <p><u>In this chapter:</u></p> <ul style="list-style-type: none"> <u>(1) “ABLE account” means an account established by an eligible individual, owned by the eligible individual, and maintained under the Vermont ABLE Savings Program.</u> <u>(2) “Designated beneficiary” means the eligible individual who establishes an ABLE account under this chapter and is the owner of the account.</u> <u>(3) “Disability certification” means a certification to the satisfaction of the Secretary by the individual or the parent or guardian of the individual that:</u> <ul style="list-style-type: none"> <u>(A) certifies that:</u> <ul style="list-style-type: none"> <u>(i) the individual has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months, or the individual is blind within the meaning of Section 1614(a)(2) of the Social Security Act, and</u> <u>(ii) such blindness or disability occurred before the individual attained 26 years of age; and</u> <u>(B) includes a copy of the individual’s diagnosis relating to the individual’s relevant impairment or impairments, signed by a physician meeting the criteria of Section 1861(r)(1) of the Social Security Act.</u> <u>(4) “Eligible individual” means:</u> <ul style="list-style-type: none"> <u>(A) a person who during a taxable year is entitled to benefits based on blindness or disability under Title II or XVI of the Social Security Act, and such blindness or disability occurred before the date on which the individual attained 26 years of age; or</u> <u>(B) a person for whom a disability certification is filed with the Secretary for the taxable year.</u> <u>(5) “Financial organization” means an organization authorized to do business in this State and that is:</u> <ul style="list-style-type: none"> <u>(A) licensed or chartered by the Department of Financial Regulation;</u> <u>(B) chartered by an agency of the federal government; or</u> <u>(C) subject to the jurisdiction and regulation of the federal Securities and Exchange Commission.</u> 	
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<p>Medicaid for Working People with Disabilities</p>	<p>C.9</p>	<p>Sec. C.9. MEDICAID FOR WORKING PEOPLE WITH DISABILITIES; RULEMAKING</p> <p><u>(a) On or before October 1, 2015, the Agency of Human Services shall request permission from the Centers for Medicare and Medicaid Services (CMS) in order to increase to \$10,000.00 per individual and \$15,000.00 per couple the asset limit for eligibility for the Medicaid for Working People with Disabilities program. Within 30 days following CMS approval of the increased asset limit, the Agency of Human Services shall commence the rulemaking process pursuant to 3 V.S.A. chapter 25 to amend its rules accordingly.</u></p> <p><u>(b) On or before October 1, 2015, the Agency of Human Services shall request permission from CMS to disregard the income of a spouse who is a Medicaid for Working People with Disabilities beneficiary when calculating the eligibility of the other spouse to receive traditional Medicaid benefits. Within 30 days following CMS approval of the income disregard, the Agency of Human Services shall commence the rulemaking process pursuant to 3 V.S.A. chapter 25 to amend its rules accordingly.</u></p> <p><u>(c) On or before October 1, 2015, the Agency of Human Services shall request permission from CMS to disregard the income of an applicant's or beneficiary's spouse when determining the applicant's or beneficiary's eligibility for the Medicaid for Working People with Disabilities program, after a determination has been made that the applicant's or beneficiary's net family income is below 250 percent of the federal poverty level for a family of the applicable size. Within 30 days following CMS approval of the income disregard, the Agency of Human Services shall commence the rulemaking process pursuant to 3 V.S.A. chapter 25 to amend its rules accordingly.</u></p> <p><u>(d) On or before October 1, 2015, the Agency of Human Services shall request permission from CMS to disregard Social Security retirement income for the purpose of calculating eligibility for the Medicaid for Working People with Disabilities program for beneficiaries who have reached the Social Security retirement age and whose Social Security Disability Insurance benefits have automatically converted to Social Security retirement benefits. Within 30 days following CMS approval of the income disregard, the Agency of Human Services shall commence the rulemaking process pursuant to 3 V.S.A. chapter 25 to amend its rules accordingly.</u></p> <p><u>(e) The Agency of Human Services shall engage the assistance of benefits counselors at public and nonprofit organizations to increase public awareness of the Medicaid for Working People with Disabilities program and of other work incentives for individuals with disabilities.</u></p> <p><u>(f) On or before January 15, 2016, the Agency of Human Services shall provide a report on the implementation of this section to the House Committees on Commerce and Economic Development and on Human Services and to the Senate Committees on Economic Development,</u></p>	

		<p><u>Housing and General Affairs and on Health and Welfare.</u></p>	
<p>Vermont Career Technical Education; Study and Report</p>	<p>C.10</p>	<p>Sec. C.10. VERMONT CAREER TECHNICAL EDUCATION</p> <p><u>(a). Findings and intent.</u></p> <p><u>(1) The “on time” graduation rate for high school students in Vermont is 86.6 percent (2013).</u></p> <p><u>(2) The postsecondary continuation rate for 12th grade graduates is approximately 60 percent. Many states have set a target of 80 percent for students graduating from high school and transitioning to further education or training, or both.</u></p> <p><u>(3) According to the Vermont Department of Labor, in 2014 the total number of people considered as “underutilized” labor in Vermont was 31,700.</u></p> <p><u>(4) Vermont’s workforce is aging, with 27.7 percent of all workers over 55 years of age.</u></p> <p><u>(5) According to a report issued by the McClure Foundation, with assistance from the Vermont Department of Labor, Labor Market Information Division, there are currently, and will be, many high-wage, high-skill job openings in Vermont between now and 2020.</u></p> <p><u>(6) In order to support the creation and growth of high paid jobs in Vermont, we must provide our students with the needed education, skills, and competencies for these positions.</u></p> <p><u>(7) Vermont’s Career and Technical Education Centers (CTEs) are a key resource in preparing Vermonters for careers and meeting the workforce needs of Vermont employers.</u></p> <p><u>(8) CTE learning is designed to prepare students to be ready for their next step, including further training, college, jobs, and careers.</u></p> <p><u>(9) Vermont’s CTEs do not currently offer enough programs of study of the size, scope, and quality necessary to prepare high school students for these current and anticipated high-skill, high-wage, high-demand job openings.</u></p> <p><u>(10) Due to the demands and complexity of these jobs, CTE programming should provide new courses in a sequence from grades 9-12, including dual enrollment, with smooth transitions to postsecondary training or further education, or both.</u></p> <p><u>(11) There is an approved project within the Vermont Comprehensive Economic Development Strategies (CEDS) that identifies six high-priority cluster programs of study which the Agency of Education is currently implementing: Travel/Tourism and Business Systems (Culinary, Hospitality, Accounting, Management, Entrepreneurship); Manufacturing/Engineering (STEM); Construction/Green Building and Design; Agriculture, Local Food Systems, Natural Resources; Information Technology (Networking, Software Development, Website Design); Health/Medical.</u></p> <p><u>(12) The CEDS project for high-priority CTE programs of study will provide uniform high-quality programs at the centers throughout the State.</u></p> <p><u>(13) The Vermont Department of Labor, the Agency of Commerce and Community Development, the Agency of Education, and the Vermont State Colleges should collaborate more closely to develop high school CTE programs of study, including adult technical education programs, aligned with the needs of Vermont’s employers.</u></p> <p><u>(14) In some cases, the funding models for the CTEs act as a disincentive for school districts to send their students to regional technical centers.</u></p> <p><u>(15) The purpose of this section is to direct the Department of Labor, the Agency of Commerce and Community Development, the Agency of Education, and the Vermont State Colleges to collaborate on how to better utilize Vermont’s CTEs.</u></p> <p><u>(b) Study and report. The Agency of Education, the Department of Labor, the Agency of Commerce and Community Development, and the Vermont State Colleges shall convene, develop suggestions, and report on or before December 1, 2015 to the House Committees on Commerce</u></p>	

			<p><u>and Economic Development and on Education and the Senate Committees on Economic Development, Housing and General Affairs and on Education on how Vermont’s CTEs can be better utilized to provide training aligned with high-wage, high-skills, high-demand employment opportunities in Vermont, including:</u></p> <p><u>(1) how the Agency of Education will develop priority pathway programs of study with regional CTEs in collaboration with the Department of Labor, the Agency of Commerce and Community Development, and the Vermont State Colleges;</u></p> <p><u>(2) how these programs can include opportunities for post-secondary enrollment in apprenticeships, internships, approved training programs, sub-baccalaureate programs, and adult technical education programs;</u></p> <p><u>(3) how to ensure equitable and appropriate access to CTE programs of study developed and implemented in grades 9 through 12;</u></p> <p><u>(4) what barriers or challenges exist to the development and implementation of high-quality priority pathways as described in the CEDS approved project; and</u></p> <p><u>(5) one or more recommendations to address the financial disincentive for school districts to send students to the CTEs created by the CTE funding model.</u></p>	
<p>Advanced Manufacturing and Information Technology Programs; Analysis</p>	<p>-</p>	<p>12</p>		<p>Sec. 12. ADVANCED MANUFACTURING AND INFORMATION TECHNOLOGY PROGRAMS; ANALYSIS</p> <p><u>The Agency of Commerce and Community Development, Agency of Education, and the Department of Labor shall conduct an analysis of the workforce education and training programs in manufacturing, advanced manufacturing, and information technology that currently exist in Vermont for mechanical and technical skills, machinist training, web and graphic development, coding, health care technology services, and other high-demand positions in Vermont. The State agencies and department shall collaborate to support the advancement of programs and initiatives, including providing financial resources as appropriate from their program funds.</u></p>
<p>Tourism and Marketing; Economic Development Marketing – Findings and Purpose</p>	<p>D.1</p>	<p>-</p>	<p>D.1. FINDINGS AND PURPOSE</p> <p><u>(a) The General Assembly finds:</u></p> <p><u>(1) The State of Vermont is a worldwide leader in the global tourism market. Visitors from around the world come to Vermont to recreate and the Vermont brand is now recognized and admired throughout the world.</u></p> <p><u>(2) Vermont is rapidly developing a reputation as a place where entrepreneurs and innovators can succeed, and where they can come to start and grow great businesses.</u></p> <p><u>(3) The Department of Tourism and Marketing should continue its very successful tourism marketing efforts in order to maintain our standing in the global tourism market.</u></p> <p><u>(4) The Department should also develop an economic development marketing program, highlighting the many positive features that make Vermont a great place to live, work, and do business, including:</u></p> <p><u>(A) Vermont’s long history of innovation, including agricultural, business, and technical innovation; product design; and entrepreneurship;</u></p> <p><u>(B) the multitude and diversity of successful start-up businesses in environmental technology, health technology, advanced manufacturing, services technology, biotechnology, recreation technology, and social technology;</u></p> <p><u>(C) the benefits of Vermont’s size, scale, and accessibility to government officials and resources, which make Vermont a state where business can start, grow, and prosper; and</u></p> <p><u>(D) the benefits of Vermont’s educational and workforce development resources, and its highly skilled and highly educated population.</u></p>	

		<p><u>(b) The purpose of Secs. D.2 and D.3 of this act is to expand the mission of the Department of Tourism and Marketing to ensure a focus on economic development marketing.</u></p>	
<p>Tourism and Marketing; Economic Development Marketing – Department of Tourism and Marketing</p>	<p>D.2</p>	<p>Sec. D.2. 3 V.S.A. chapter 47 is amended to read: Chapter 47: Commerce and Community Development * * *</p> <p>§ 2472. DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS-DEVELOPMENT (a) The department of housing and community affairs is created within the agency of commerce and community development <u>Department of Housing and Community Development is created within the Agency of Commerce and Community Development.</u> The department <u>Department</u> shall: (1) Be the central state <u>State</u> agency to coordinate, consolidate, and operate, to the extent possible, all housing programs enacted hereafter by the general assembly <u>General Assembly</u> or created by executive order of the governor <u>Governor</u>. (2) Be the central state <u>State</u> agency for local and regional planning and coordination. (3) Administer the community development block grant program pursuant to 10 V.S.A. chapter 29. When awarding municipal planning grants prior to fiscal year 2012, the department <u>Department</u> shall give priority to grants for downtowns, new town centers, growth centers, and Vermont neighborhoods. (4) In partnership with the division for historic preservation <u>Division of Historic Preservation</u>, direct, supervise, and administer the Vermont downtown program, and any other program designed to preserve the continued economic vitality of the state's <u>State's</u> traditional commercial districts. (b) Neither the Vermont state housing authority <u>State Housing Authority</u> or the Vermont home mortgage guarantee board agency <u>Housing Finance Agency</u> shall be considered part of the department of housing and community affairs <u>Department</u>, but shall keep the department <u>Department</u> advised of programs and activities being conducted. * * *</p> <p>§ 2473. DIVISION FOR HISTORIC PRESERVATION The division for historic preservation <u>Division of Historic Preservation</u> is created within the department of housing and community affairs <u>Department of Housing and Community Development</u> as the successor to and the continuation of the board of historic sites <u>Board of Historic Sites</u> and the division of historic sites <u>Division of Historic Sites</u>. * * *</p> <p>§ 2476. DEPARTMENT OF TOURISM AND MARKETING (a) The department of tourism and marketing of the agency is created, as successor to the department of travel <u>The Department of Tourism and Marketing is created within the Agency of Commerce and Community Development.</u> The department <u>Department</u> shall be administered by a commissioner <u>Commissioner</u>. (b) <u>Tourism marketing.</u> The department of tourism and marketing <u>Department</u> shall be responsible for the promotion of Vermont goods and services as well as the promotion of Vermont's travel, recreation, and cultural attractions through advertising and other informational programs, and for provision of travel and recreation information and services to visitors to the state <u>State</u>, in coordination with other agencies of state <u>State</u> government, chambers of commerce and travel associations, and the private sector <u>in order to increase the benefits of tourism marketing, including:</u> (1) <u>enhancing Vermont's image as a tourist destination in the regional, national, and global marketplace;</u></p>	

			<p>(2) <u>increasing occupancy rates;</u> (3) <u>increasing visitor spending throughout the State; and</u> (4) <u>increasing State revenues generated through the rooms and meals tax.</u> (c) <u>Economic development marketing. The Department shall be responsible for the promotion of Vermont as great place to live, work, and do business in order to increase the benefits of economic development marketing, including:</u> (1) <u>attracting additional private investment in Vermont businesses;</u> (2) <u>recruiting new businesses;</u> (3) <u>attracting more innovators and entrepreneurs to locate in Vermont;</u> (4) <u>attracting, recruiting, and growing the workforce to fill existing vacancies in growing businesses; and</u> (5) <u>promoting and supporting Vermont businesses, goods, and services.</u> (d) <u>On and after July 1, 1997, all departments engaging in marketing activities shall submit to and coordinate marketing plans with the commissioner of the department of tourism and marketing Commissioner.</u> (d) [Repealed.] (e) <u>The department of tourism and marketing Department may conduct direct marketing activities pursuant to this chapter or chapter 27 of Title 10 V.S.A. chapter 27, but and shall make best reasonable efforts work to increase marketing activities conducted in partnership with one or more private sector partners to maximize State marketing resources and to enable Vermont businesses to align their own brand identities with the Vermont brand, enhancing the reputations of both the business and the State.</u> (f) <u>Building on established, successful collaboration with private partners in travel and tourism, agriculture, and other industry sectors, the department should Department shall have the authority undertake reasonable efforts to extend its marketing and promotional resources to include partners in the arts and humanities, as well as other partners that depend on tourism for a significant part of their annual revenue.</u> (g) <u>The Department shall expand its outreach and information-gathering procedures to allow Vermont businesses and other interested stakeholders to comment on the design and implementation of its tourism marketing and economic development marketing initiatives and also to provide ongoing feedback to the Department on the effectiveness of its initiatives.</u></p>	
<p>Tourism and Marketing; Economic Development Marketing – Economic Development Marketing Proposal</p>	<p>D.3</p>	<p>-</p>	<p>Sec. D.3. DEPARTMENT OF TOURISM AND MARKETING; ECONOMIC DEVELOPMENT MARKETING; LEGISLATIVE PROPOSAL AND REPORT TO DEFINE PROGRAM GOALS, TARGETS, PERFORMANCE MEASURES, AND RESULTS (a) <u>On or before January 15, 2016, the Department of Tourism and Marketing shall report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs to identify the goals, targets, performance measures, and results of its economic development marketing programs, including testimony or a written report addressing:</u> (1) <u>Department functions, including:</u> (A) <u>the mission and objectives of the Department and its programs;</u> (B) <u>measurable goals for success;</u> (C) <u>a profile of specific target audiences;</u> (D) <u>research necessary to engage those audiences;</u> (E) <u>strategies to identify and document Vermont’s unique offerings and benefits to those audiences; and</u></p>	

			<p>(F) tactics to accomplish each strategy.</p> <p>(2) <u>Desired goals, including:</u></p> <p>(A) <u>new people, employees, and businesses relocate and invest in Vermont; and</u></p> <p>(B) <u>current Vermonters and businesses stay and prosper here.</u></p> <p>(3) <u>Measurable targets, including an increase in:</u></p> <p>(A) <u>student applications to Vermont schools;</u></p> <p>(B) <u>workforce participants;</u></p> <p>(C) <u>employment opportunities and jobs;</u></p> <p>(D) <u>number of businesses;</u></p> <p>(E) <u>investment in Vermont businesses; and</u></p> <p>(F) <u>the number of homeowners.</u></p> <p>(4) <u>Methods for identifying and collecting data indicators, and analyzing results.</u></p>	
Tourism and Marketing; Economic Development Marketing – Appropriation	D.4	-	<p>D.4. APPROPRIATION</p> <p><u>In fiscal year 2016 there is appropriated from the General Fund to the Department of Tourism and Marketing the amount of \$500,000.00 for the purpose of preparing and implementing an economic development marketing proposal pursuant to Sec. D.3 of this act.</u></p>	
Domestic Export Program - Codification	D.5	41	<p>Sec. D.5. 6 V.S.A. chapter 207 is amended to read:</p> <p style="text-align: center;">CHAPTER 207. PROMOTION AND MARKETING OF VERMONT FOODS AND PRODUCTS</p> <p style="text-align: center;">* * *</p> <p style="text-align: center;">Subchapter 3. Agricultural Exports</p> <p><u>§ 4621. DOMESTIC EXPORT PROGRAM</u></p> <p><u>(a) The Secretary of Agriculture, Food and Markets, in collaboration with the Agency of Commerce and Community Development and the Chief Marketing Officer, shall have the authority to create a Domestic Export Program, the purpose of which may include:</u></p> <p><u>(1) connecting Vermont producers with brokers, buyers, and distributors in other U.S. state and regional markets;</u></p> <p><u>(2) providing technical and marketing assistance to Vermont producers to convert these connections into increased sales and sustainable commercial relationships; and</u></p> <p><u>(3) providing one-time matching grants to attend trade shows and similar events to expand producers’ market presence in other U.S. states, subject to available funding.</u></p> <p><u>(b) The Secretary shall collect data on the activities and outcomes of the program authorized under this section and submit his or her findings and recommendations in a report on or before January 15 of each year to the House Committees on Agriculture and Forest Products and on Commerce and Economic Development and to the Senate Committees on Agriculture and on Economic Development, Housing and General Affairs.</u></p>	<p>Sec. 41. 6 V.S.A. chapter 207 is amended to read:</p> <p style="text-align: center;">CHAPTER 207 PROMOTION AND MARKETING OF VERMONT FOODS AND PRODUCTS</p> <p style="text-align: center;">* * *</p> <p style="text-align: center;">Subchapter 3. Agricultural Exports</p> <p><u>§ 4621. DOMESTIC EXPORT PROGRAM</u></p> <p><u>(a) The Secretary of Agriculture, Food and Markets, in collaboration with the Agency of Commerce and Community Development and the Chief Marketing Officer, shall have the authority to create a Domestic Export Program, the purpose of which may include:</u></p> <p><u>(1) connecting Vermont producers with brokers, buyers, and distributors in other U.S. state and regional markets;</u></p> <p><u>(2) providing technical and marketing assistance to Vermont producers to convert these connections into increased sales and sustainable commercial relationships; and</u></p> <p><u>(3) providing one-time matching grants to attend trade shows and similar events to expand producers’ market presence in other U.S. states, subject to available funding.</u></p> <p><u>(b) The Secretary shall collect data on the activities and outcomes of the program authorized under this section and submit his or her findings and recommendations in a report on or before January 15 of each year to the House Committees on Agriculture and Forest Products and on Commerce and Economic Development and to the Senate Committees on Agriculture and on Economic Development, Housing and General Affairs.</u></p>
Domestic Export Program – Implementation	D.6	42	<p>Sec. D.6. IMPLEMENTATION; DOMESTIC EXPORT PROGRAM</p> <p><u>The Secretary of Agriculture, Food and Markets shall pursue grants, funding, and other resources, and shall continue to identify operational efficiencies within the Agency, in order to sustain adequately the creation and implementation of activities under the domestic export program authorized in 6 V.S.A. § 4621.</u></p>	<p>Sec. 42. IMPLEMENTATION; DOMESTIC EXPORT PROGRAM</p> <p><u>The Secretary of Agriculture, Food and Markets shall pursue grants and other funding, and shall seek to identify operational efficiencies within the Agency, in order to adequately sustain the creation and implementation of activities under the domestic export program authorized in 6 V.S.A. § 4621.</u></p>
Vermont Entrepreneurial Lending Program	E.1	43	<p>Sec. E.1. 10 V.S.A. § 280bb is amended to read:</p> <p>§ 280bb. VERMONT ENTREPRENEURIAL LENDING PROGRAM</p> <p>(a) There is created the Vermont Entrepreneurial Lending Program to be administered by the</p>	<p>Sec. 43. 10 V.S.A. § 280bb is amended to read:</p> <p>§ 280bb. VERMONT ENTREPRENEURIAL LENDING PROGRAM</p> <p>(a) There is created the Vermont Entrepreneurial Lending Program to be administered by the</p>

		<p>Vermont Economic Development Authority. The Program shall seek to meet the working capital and capital-asset financing needs of Vermont-based businesses in seed, start-up, and growth stages. The Program shall specifically seek to fulfill capital requirement needs that are unmet in Vermont, including:</p> <p>(1) loans up to \$100,000.00 to manufacturing businesses and software developers with innovative products that typically reflect long-term, organic growth;</p> <p>(2) loans up to \$1,000,000.00 in growth-stage companies that do not meet the underwriting criteria of other public and private entrepreneurial financing sources; and</p> <p>(3) loans to businesses that are unable to access adequate capital resources because the primary assets of these businesses are typically intellectual property or similar nontangible assets; <u>and</u></p> <p><u>(4) loans to advanced manufacturers and other Vermont businesses for product development and intellectual property design.</u></p> <p>(b) The Authority shall adopt regulations, policies, and procedures for the Program as are necessary to increase the amount of investment funds available to Vermont businesses whose capital requirements are not being met by conventional lending sources.</p> <p>(c) When considering entrepreneurial lending through the Program, the Authority shall give additional consideration and weight to an application of a business whose business model and practices will have a demonstrable effect in achieving other public policy goals of the State, including:</p> <p>(1) The business will create jobs in strategic sectors such as the knowledge-based economy, renewable energy, advanced manufacturing, wood products manufacturing, and value-added agricultural processing.</p> <p>(2) The business is located in a designated downtown, village center, growth center, industrial park, or other significant geographic location recognized by the State.</p> <p>(3) The business adopts energy and thermal efficiency practices in its operations or otherwise operates in a way that reflects a commitment to green energy principles.</p> <p>(4) The business will create jobs that pay a livable wage and significant benefits to Vermont employees.</p> <p><u>(5) The business will create environmental benefits or will manufacture environmentally responsible products.</u></p> <p>(d) The Authority shall include provisions in the terms of a loan made under the Program to ensure that a loan recipient shall maintain operations within the State for a minimum of five years from the date on which the recipient receives the loan funds from the Authority or shall otherwise be required to repay the outstanding funds in full.</p>	<p>Vermont Economic Development Authority. The Program shall seek to meet the working capital and capital-asset financing needs of Vermont-based businesses in seed, start-up, and growth stages. The Program shall specifically seek to fulfill capital requirement needs that are unmet in Vermont, including:</p> <p>(1) loans up to \$100,000.00 to manufacturing businesses and software developers with innovative products that typically reflect long-term, organic growth;</p> <p>(2) loans up to \$1,000,000.00 in growth-stage companies that do not meet the underwriting criteria of other public and private entrepreneurial financing sources; and</p> <p>(3) loans to businesses that are unable to access adequate capital resources because the primary assets of these businesses are typically intellectual property or similar nontangible assets.</p> <p style="text-align: center;">* * *</p>
<p>Vermont Economic Development Authority; Eligible Facility</p>	<p>E.2</p>	<p>Sec. E.2. 10 V.S.A. § 212 is amended to read: § 212. DEFINITIONS As used in this chapter:</p> <p style="text-align: center;">* * *</p> <p>(6) “Eligible facility” or “eligible project” means any industrial, commercial, or agricultural enterprise or endeavor approved by the authority that meets the criteria established in the Vermont Sustainable Jobs Strategy adopted by the Governor under section 280b of this title, including land and rights in land, air, or water, buildings, structures, machinery, and equipment of such eligible facilities or eligible projects, except that an eligible facility or project shall not include the portion of an enterprise or endeavor relating to the sale of goods at retail where such goods are manufactured primarily out of state, and except further that an eligible facility or project shall not include the portion of an enterprise or endeavor relating to housing. Such enterprises or</p>	

			endeavors may include: (A) quarrying, mining, manufacturing, processing, including the further processing of agricultural products, assembling, or warehousing of goods or materials for sale or distribution or the maintenance of safety standards in connection therewith, <u>and including Vermont-based manufacturers that are adversely impacted by the State's regulation or ban of products as they transition from the manufacture of the regulated or banned products to the design and manufacture of environmentally sound substitutes.</u> * * *	
Treasurer's Credit Facility for Local Investments; Extension of Sunset	E.3	46	Sec. E.3. Sec. 25 of Act 199 of 2014 (sunset of Treasurer's credit facility for local investments and Treasurer's local investment advisory committee) is amended to read: Sec. 25. SUNSET Secs. 23-24 of this act shall be repealed on July 1, 2015 <u>2016</u> .	Sec. 46. Sec. 25 of Act 199 of 2014 (sunset of Treasurer's credit facility for local investments and Treasurer's local investment advisory committee) is amended to read: Sec. 25. SUNSET Secs. 23-24 of this act shall be repealed on July 1, 2015 <u>2016</u> .
Peer-to-Peer Lending; Study; Report	-	44		Sec. 44. PEER-TO-PEER LENDING; STUDY; REPORT (a) <u>The Department of Financial Regulation, in collaboration with the Agency of Commerce and Community Development, shall conduct a study and analysis of models for peer-to-peer lending and investment that will enable established entrepreneurs to connect with emerging entrepreneurs and increased lending, equity investment, and business mentoring while preserving adequate regulatory oversight and business consumer protection.</u> (b) <u>The Department and the Agency shall report its findings and any recommendations for legislation on or before December 1, 2015, to the House Committee on Commerce and Community Development and to the Senate Committee on Economic Development, Housing and General Affairs.</u>
Media Production Database	-	45		Sec. 45. MEDIA PRODUCTION DATABASE (a) <u>The Agency of Commerce and Community Development shall create and maintain a current media production database, which it shall make available to the public through its website and other appropriate sources, of production resources that are in the State.</u> (b) <u>The database shall be a searchable directory of media production professionals, including location scouts, lighting resources, animation, studios, equipment rental, sites, editing equipment, independent contractors who work in production, acting, and photographers.</u> (c) <u>The Agency shall seek to partner with one or more Vermont colleges, universities, or other internship programs to support the creation and maintenance of the database pursuant to this section.</u>
Licensed Lender; Exemption	E.4	-	Sec. E.4. 8 V.S.A. § 2201 is amended to read: § 2201. LICENSES REQUIRED * * * (d) No lender license, mortgage broker license, or sales finance company license shall be required of: * * * (10) Persons who lend, other than residential mortgage loans, an aggregate of less than \$75,000.00 <u>\$250,000.00</u> in any one year at rates of interest of no more than 12 percent per annum. * * *	
Economic Development Strategy; Deference to	F.1	-	Sec. F.1. 24 V.S.A. § 2787 is added to read: <u>§ 2787. ECONOMIC DEVELOPMENT STRATEGY; DEFERENCE TO</u>	

<p>Regional Plans</p>		<p style="text-align: center;"><u>REGIONAL PLANS; CEDS</u></p> <p><u>In the event a major employer in an economic region announces a closure, relocation, or other significant action that will impact directly and indirectly jobs or wages in the region, and a regional planning commission has adopted a regional plan pursuant to section 4348 of this title or a Comprehensive Economic Development Strategy (CEDS) approved by the U.S. Economic Development Administration, or both, and the plan or CEDS, or both, includes mitigation strategies to address substantial local and regional economic and fiscal challenges related to that employer, including closure, relocation, or reduction in workforce, then:</u></p> <p><u>(1) the Executive Branch shall defer to the regional plan and CEDS when using or distributing funds or other resources meant to mitigate anticipated local and regional economic and fiscal challenges, or shall provide the regional planning commission for the region with its basis for not deferring to the plan and the CEDS; and</u></p> <p><u>(2) the Executive Branch shall involve the regional planning commission and regional development corporation for the region in decisions regarding the use or distribution of those funds or resources;</u></p>	
<p>Southern Vermont Economic Development Zone – Findings and Purpose</p>	<p>F.2</p>	<p>Sec. F.2. FINDINGS AND PURPOSE</p> <p><u>(a) The General Assembly finds:</u></p> <p><u>(1) the Agency of Commerce and Community Development projects that the forty-four Vermont towns served by the two most Southern regional development corporations and regional planning commissions in Vermont will lose 3.5 percent of their population by 2030 and that the total population of individuals over 65 years of age in this combined region will increase from 17 percent in 2010 to 30 percent in 2030;</u></p> <p><u>(2) the number of visitors to the Southern Vermont visitor center has decreased 25 percent since 2006;</u></p> <p><u>(3) since 2006, growth in the region’s rooms and meals tax is 10 percent, as compared to 25 percent in the Chittenden County region;</u></p> <p><u>(4) the rate of residential construction in the region is currently half of the prerecession level;</u></p> <p><u>(5) the two Southern Vermont regions have collaborated on business recovery programming after Tropical Storm Irene, including development of individualized downtown and village revitalization plans and development of the Southern Vermont Sustainable Marketing program; and</u></p> <p><u>(6) the two regions, having also worked together on some workforce development and internship initiatives, are seeking to establish a more formal structure for their workforce and recruitment efforts.</u></p> <p><u>(b) The purposes of Secs. F.3 and F.4 of this act are:</u></p> <p><u>(1) to establish officially a Southern Vermont Economic Development Zone comprising of the geographic areas served by the Brattleboro Development Credit Corporation and the Bennington County Industrial Corporation; and</u></p> <p><u>(2) to establish a study committee that will assist the General Assembly, the Governor, and partners within the Zone in establishing a replicable framework for regional cooperation by and between public sector and private sector partners concerning economic development initiatives; workforce training, retention, and recruitment; and sustainable business investment.</u></p> <p><u>(c) The General Assembly acknowledges the challenges in Southern Vermont and intends for this formal designation to accelerate economic development initiatives that are underway or are needed in the future.</u></p>	

<p>Southern Vermont Economic Development Zone – Zone Established</p>	<p>F.3</p>	<p>-</p>	<p>Sec. F.3. 10 V.S.A. chapter 1 is amended to read: CHAPTER 1: THE FUTURE OF ECONOMIC DEVELOPMENT * * * SUBCHAPTER 1: THE VERMONT BUSINESS RECRUITMENT PARTNERSHIP <u>§ 8. SOUTHERN VERMONT ECONOMIC DEVELOPMENT ZONE</u> <u>There is created the Southern Vermont Economic Development Zone, comprising of the geographic areas served by the Brattleboro Development Credit Corporation and the Bennington County Industrial Corporation.</u> * * *</p>	
<p>Southern Vermont Economic Development Zone – Study Committee and Report</p>	<p>F.4</p>	<p>-</p>	<p>Sec. F.4. SOUTHERN VERMONT ECONOMIC DEVELOPMENT ZONE; STUDY COMMITTEE; REPORT <u>(a) There is created the Southern Vermont Economic Development Zone Study Committee the purpose of which shall be to reverse the decline in the workforce from 2000–2014 and to revitalize economic growth within the Southern Vermont Economic Development Zone created in 10 V.S.A. § 8.</u> <u>(b) The Study Committee shall consist of the following members:</u> <u>(A) five members who represent the interests of the private sector and represent a balance of geographic interests within the Zone:</u> <u>(i) one member appointed by the Governor;</u> <u>(ii) two members appointed by the Speaker of the House of Representatives; and</u> <u>(iii) two members appointed by the Senate Committee on Committees;</u> <u>(B) one member each from the Brattleboro Development Credit Corporation and the Bennington County Industrial Corporation; and</u> <u>(C) one member each from the Windham Regional Commission and the Bennington County Regional Commission.</u> <u>(c) On or before December 1, 2015, the Committee shall submit a report to the Secretary of the Agency of Commerce and Community Development, the House Committee on Commerce and Community Development, and the Senate Committee on Economic Development, Housing and General Affairs that includes proposals:</u> <u>(1) to establish an integrated investment strategy for retaining businesses within and recruiting business to the Zone;</u> <u>(2) to establish an implementation plan for the Southern Vermont Sustainable Recruitment and Marketing Project created in 2014 and contained in the Windham Region’s federally recognized Comprehensive Economic Development Strategy;</u> <u>(3) to outline the benefits and obstacles within the Zone involved in integrating internship and career exposure programs, workforce development programs, and young professional activities;</u> <u>(4) to propose an organizational and operational structure of a public-private partnership with the mission of aggregating capital and coordinating investment in small- and medium-size businesses located within the Zone; and</u> <u>(5) to recommend whether and in what configuration the Study Committee or other group should continue and its mission.</u> <u>(d) Meetings.</u> <u>(1) The members of the Committee who represent the regional development corporations shall jointly call the first meeting, to occur on or before August 1, 2015.</u> <u>(2) The Committee shall select a chair from among the private sector members at the first meeting.</u></p>	

			<p>(3) <u>A majority of the membership shall constitute a quorum.</u></p> <p>(4) <u>The Committee shall cease to exist on July 1, 2016.</u></p> <p style="text-align: center;">* * *</p>	
<p>Act 250; Implementation of Criterion 9(L)</p>	<p>F.5</p>	<p>33</p>	<p>Sec. F.5. ACT 250; IMPLEMENTATION OF SETTLEMENT PATTERNS CRITERION</p> <p>(a) <u>The General Assembly finds that:</u></p> <p>(1) <u>2014 Acts and Resolves No. 147, Sec. 2 amended 10 V.S.A. § 6086(a)(9)(L) (Criterion 9L) to become a settlement patterns criterion. The purpose of the amendment was to guide and accomplish coordinated, efficient, and economic development in the State that is consistent with Vermont’s historic settlement pattern of compact centers separated by rural countryside.</u></p> <p>(2) <u>Effective on October 17, 2014, the Natural Resources Board (NRB) adopted a procedure to implement Criterion 9L (the Criterion 9L Procedure).</u></p> <p>(b) <u>The General Assembly determines that additional opportunity for public comment on the Criterion 9L Procedure, as well as additional education and improved guidance, would be beneficial in implementing the criterion.</u></p> <p>(1) <u>The NRB shall review the Criterion 9L Procedure in full collaboration with the Agency of Commerce and Community Development (ACCD) and the Agency of Natural Resources (ANR).</u></p> <p>(A) <u>As part of this review, the NRB shall solicit input from affected parties and the public, including planners, developers, municipalities, environmental advocacy organizations, regional planning commissions, regional development corporations, and business advocacy organizations such as State and regional chambers of commerce.</u></p> <p>(B) <u>Based on this review, the NRB shall adopt revisions in the form of a procedure under 3 V.S.A. chapter 25.</u></p> <p>(2) <u>ACCD shall work with the NRB and ANR to develop outreach material on Criterion 9L, including illustrative examples of appropriate development design, and implement a training plan on the criterion for local elected officials, municipal boards, State and regional organizations and associations, environmental groups, consultants, and developers.</u></p>	<p>Sec. 33. ACT 250; IMPLEMENTATION OF SETTLEMENT PATTERNS CRITERION</p> <p>(a) <u>The General Assembly finds that:</u></p> <p>(1) <u>2014 Acts and Resolves No. 147, Sec. 2 amended 10 V.S.A. § 6086(a)(9)(L) (Criterion 9L) to become a settlement patterns criterion. The purpose of the amendment was to guide and accomplish coordinated, efficient, and economic development in the State that is consistent with Vermont’s historic settlement pattern of compact centers separated by rural countryside.</u></p> <p>(2) <u>Effective on October 17, 2014, the Natural Resources Board (NRB) adopted a procedure to implement Criterion 9L (the Criterion 9L Procedure).</u></p> <p>(b) <u>The General Assembly determines that additional opportunity for public comment on the Criterion 9L Procedure, as well as additional education and improved guidance, would be beneficial in implementing the criterion.</u></p> <p>(1) <u>The NRB shall review the Criterion 9L Procedure in full collaboration with the Agency of Commerce and Community Development (ACCD) and the Agency of Natural Resources (ANR).</u></p> <p>(A) <u>As part of this review, the NRB shall solicit input from affected parties and the public, including planners, developers, municipalities, environmental advocacy organizations, regional planning commissions, regional development corporations, and business advocacy organizations such as State and regional chambers of commerce.</u></p> <p>(B) <u>Based on this review, the NRB shall adopt revisions in the form of a procedure under 3 V.S.A. chapter 25.</u></p> <p>(2) <u>ACCD shall work with the NRB and ANR to develop outreach material on Criterion 9L, including illustrative examples of appropriate development design, and implement a training plan on the criterion for local elected officials, municipal boards, State and regional organizations and associations, environmental groups, consultants, and developers.</u></p>
<p>Neighborhood Development Area</p>	<p>F.6</p>	<p>35</p>	<p>Sec. F.6. 24 V.S.A. § 4471(e) is amended to read:</p> <p>(e) Vermont neighborhood <u>Neighborhood development area.</u> Notwithstanding subsection (a) of this section, a determination by an appropriate municipal panel shall not be subject to appeal if the determination is that a proposed residential development within a designated downtown development district, designated growth center, or <u>designated Vermont neighborhood, or designated neighborhood development area</u> seeking conditional use approval will not result in an undue adverse effect on the character of the area affected, as provided in <u>under</u> subdivision 4414(3)(A)(ii) of this title.</p>	<p>Sec. 35. 24 V.S.A. § 4471(e) is amended to read:</p> <p>(e) Vermont neighborhood <u>Neighborhood development area.</u> Notwithstanding subsection (a) of this section, a determination by an appropriate municipal panel shall not be subject to appeal if the determination is that a proposed residential development within a designated downtown development district, designated growth center, or <u>designated Vermont neighborhood, or designated neighborhood development area</u> seeking conditional use approval will not result in an undue adverse effect on the character of the area affected, as provided in <u>under</u> subdivision 4414(3)(A)(ii) of this title.</p>
<p>Primary Agricultural Soils</p>	<p>F.7</p>	<p>36</p>	<p>Sec. F.7. 10 V.S.A. § 6086(a)(9)(B) is amended to read:</p> <p>(B) Primary agricultural soils. A permit will be granted for the development or subdivision of primary agricultural soils only when it is demonstrated by the applicant that, in addition to all other applicable criteria, either, the subdivision or development will not result in any reduction in the agricultural potential of the primary agricultural soils; or:</p> <p>(i) the development or subdivision will not significantly interfere with or jeopardize the continuation of agriculture or forestry on adjoining lands or reduce their agricultural or forestry potential; and</p> <p>(ii) except in the case of an application for a project located in a designated growth</p>	<p>Sec. 36. 10 V.S.A. § 6086(a)(9)(B) is amended to read:</p> <p>(B) Primary agricultural soils. A permit will be granted for the development or subdivision of primary agricultural soils only when it is demonstrated by the applicant that, in addition to all other applicable criteria, either, the subdivision or development will not result in any reduction in the agricultural potential of the primary agricultural soils; or:</p> <p>(i) the development or subdivision will not significantly interfere with or jeopardize the continuation of agriculture or forestry on adjoining lands or reduce their agricultural or forestry potential; and</p> <p>(ii) except in the case of an application for a project located in a designated growth</p>

			<p>center area listed in subdivision 6093(a)(1) of this title, there are no lands other than primary agricultural soils owned or controlled by the applicant which are reasonably suited to the purpose of the development or subdivision; and</p> <p>(iii) except in the case of an application for a project located in a designated growth center area listed in subdivision 6093(a)(1) of this title, the subdivision or development has been planned to minimize the reduction of agricultural potential of the primary agricultural soils through innovative land use design resulting in compact development patterns, so that the remaining primary agricultural soils on the project tract are capable of supporting or contributing to an economic or commercial agricultural operation; and</p> <p>(iv) suitable mitigation will be provided for any reduction in the agricultural potential of the primary agricultural soils caused by the development or subdivision, in accordance with section 6093 of this title and rules adopted by the Natural Resources Board.</p>	<p>center area listed in subdivision 6093(a)(1) of this title, there are no lands other than primary agricultural soils owned or controlled by the applicant which are reasonably suited to the purpose of the development or subdivision; and</p> <p>(iii) except in the case of an application for a project located in a designated growth center area listed in subdivision 6093(a)(1) of this title, the subdivision or development has been planned to minimize the reduction of agricultural potential of the primary agricultural soils through innovative land use design resulting in compact development patterns, so that the remaining primary agricultural soils on the project tract are capable of supporting or contributing to an economic or commercial agricultural operation; and</p> <p>(iv) suitable mitigation will be provided for any reduction in the agricultural potential of the primary agricultural soils caused by the development or subdivision, in accordance with section 6093 of this title and rules adopted by the Natural Resources Board.</p>
Conservation Easements	F.8	37	<p>Sec. F.8. 10 V.S.A. § 6310 is added to read: <u>§ 6310. CONSERVATION EASEMENT HOLDER; NONMERGER</u> <u>If a holder of a conservation easement is or becomes the owner in fee simple of property subject to the easement, the easement shall continue in effect and shall not be extinguished.</u></p>	<p>Sec. 37. 10 V.S.A. § 6310 is added to read: <u>§ 6310. CONSERVATION EASEMENT HOLDER; NONMERGER</u> <u>If a holder of a conservation easement is or becomes the owner in fee simple of property subject to the easement, the easement shall continue in effect and shall not be extinguished.</u></p>
Methane Digesters; Certificate of Public Good	F.9	-	<p>Sec. F.9. 30 V.S.A. § 248(q) is amended to read: (q)(1) A certificate under this section <u>shall be required</u> for a plant using methane derived from an agricultural operation shall be required as follows: (A) <u>With respect to a plant that constitutes farming pursuant to 10 V.S.A. § 6001(22)(F), only for the equipment used to generate electricity from biogas, the equipment used to refine biogas into natural gas, the structures housing such equipment used to generate electricity or refine biogas, and the interconnection to electric and natural gas distribution and transmission systems. The certificate shall not be required for the methane digester, the digester influents and non-gas effluents, the buildings and equipment used to handle such influents and non-gas effluents, or the on-farm use of heat and exhaust produced by the generation of electricity, and these components shall not be subject to jurisdiction under this section.</u> (B) <u>With respect to a plant that does not constitute farming pursuant to 10 V.S.A. § 6001(22)(F) but which receives feedstock from off-site farms, for all on-site components of the plant, for the transportation of feedstock to the plant from off-site contributing farms, and the transportation of effluent or digestate back to those farms. The certificate shall not regulate any farming activities conducted on the contributing farms that provide feedstock to a plant or use of effluent or digestate returned to the contributing farms from the plant.</u> * * *</p>	
Vermont Employment Growth Incentive (VEGI) – conforming change to 32 V.S.A. § 5930a	G.1	71	<p>Sec. G.1. 32 V.S.A. § 5930a(c)(2) is amended to read: (2) The new jobs should make a net positive contribution to employment in the area, and meet or exceed the prevailing compensation level including wages and benefits, for the particular employment sector consistent with the applicable wage threshold for the labor market area. The new jobs should offer <u>benefits and opportunities for advancement and professional growth consistent with the employment sector.</u></p>	<p>Sec. 71. 32 V.S.A. § 5930a(c)(2) is amended to read: (2) The new jobs should make a net positive contribution to employment in the area, and meet or exceed the prevailing compensation level including wages and benefits, for the particular employment sector consistent with the applicable wage threshold for the labor market area. The new jobs should offer <u>benefits and opportunities for advancement and professional growth consistent with the employment sector.</u></p>
Vermont Employment Growth Incentive (VEGI) – Qualifying Job	G.2	-	<p>§ 5930b. VERMONT EMPLOYMENT GROWTH INCENTIVE (a) Definitions. As used in this section: * * * (20) <u>“Qualifying job” means a new, full-time Vermont job held by a nonowner that meets</u></p>	

			<p>the wage threshold and for which the employer provides at least three of the following:</p> <ul style="list-style-type: none"> (A) health care benefits with 50 percent or more of the premium paid by the employer; (B) dental assistance; (C) paid vacation; (D) paid holidays; (E) child care; (F) other extraordinary employee benefits; (G) retirement benefits; (H) other paid time off, including paid sick days; <p style="text-align: center;">* * *</p>	
Vermont Employment Growth Incentive (VEGI) – Wage Threshold	G.2	72	<p>(24) “Wage threshold” means the minimum annualized Vermont gross wages and salaries paid, as determined by the Council, but not less than:</p> <ul style="list-style-type: none"> (A) 60 percent above the minimum wage at the time of application, in order for a new job to be a qualifying job under this section; or (B) for a business located in a labor market area in which the unemployment rate is at least 0.5 percentage points higher than the average unemployment rate for the State, the greater of: <ul style="list-style-type: none"> (i) 40 percent above the State minimum wage at the time of application; or (ii) \$13.00 per hour. <p>(25) “Labor market area” means a labor market area as designated by the Vermont Department of Labor.</p>	<p>(24) “Wage threshold” means the minimum annualized Vermont gross wages and salaries paid, as determined by the Council, but not less than:</p> <ul style="list-style-type: none"> (A) 60 percent above the minimum wage at the time of application, in order for a new job to be a qualifying job under this section; or (B) 40 percent above the State minimum wage at the time of application for a businesses located in a labor market area of this State in which the unemployment rate is greater than the average unemployment rate for the State. <p>(25) “Labor market area” means a labor market area as designated by the Vermont Department of Labor.</p>
Vermont Employment Growth Incentive (VEGI) – Cap on “net negative” awards	G.2	72	<p>(5)(A) Notwithstanding subdivision (3) of this subsection, the Council may authorize incentives in excess of net fiscal benefit multiplied by the incentive ratio not to exceed an annual authorization established by law for awards to businesses located in a labor market area in which the unemployment rate is greater than the average unemployment rate for the State or in which the average annual wage is below the average annual wage for the State.</p> <p>(B)(i) Except as provided in subdivision (B)(ii) of this subsection (5), the total amount of employment growth incentives the Vermont Economic Progress Council is authorized to approve under subdivision (A) of this subsection (5) shall not exceed \$1,000,000.00 from the General Fund.</p> <p>(ii) The Council shall have the authority to exceed the cap imposed in subdivision (B)(i) of this subsection (5) upon application to and approval by the Emergency Board.</p>	<p>(5)(A) Notwithstanding subdivision (3) of this subsection, the Council may authorize incentives in excess of net fiscal benefit multiplied by the incentive ratio not to exceed an annual authorization established by law for awards to businesses located in a labor market area in which the unemployment rate is greater than the average unemployment rate for the State or in which the average annual wage is below the average annual wage for the State.</p> <p>(B)(i) Except as provided in subdivision (5)(B)(ii) of this subsection, the total amount of employment growth incentives the Vermont Economic Progress Council is authorized to approve under subdivision (5)(A) of this subsection shall not exceed \$1,000,000.00 from the General Fund.</p> <p>(ii) The Council shall have the authority to exceed the cap imposed in subdivision (5)(B)(i) of this subsection upon application to and approval by the Emergency Board.</p>
Vermont Employment Growth Incentive (VEGI) – Extension of grace period	G.2	72	<p>(B)(i) Notwithstanding subdivision (6)(A) of this subsection, if a business determines that it may not reach its first or second year award period targets within the succeeding two calendar year reporting periods due to facts or circumstances beyond its control, the business may request that the Council extend the period to meet the targets for another two reporting periods, reviewed annually, for award year one, and one reporting period for award year two.</p> <p>(ii) The Council may grant an extension pursuant to this subdivision (B) if it determines that the business failed to meet its targets due to facts or circumstances beyond the control of the business and that there is a reasonable likelihood the business will meet the award period targets within the extension period.</p> <p>(iii) If the Council grants an extension pursuant to this subdivision (B), the Council shall recalculate the value of the incentive using the cost-benefit model <u>and the wage threshold applicable at the time the extension is granted</u> and shall adjust the amount of the award as is necessary to account for the extension of the award period <u>and the updated wage threshold.</u></p>	<p>(B)(i) Notwithstanding subdivision (6)(A) of this subsection, if a business determines that it may not reach its first or second year award period targets within the succeeding two calendar year reporting periods due to facts or circumstances beyond its control, the business may request that the Council extend the period to meet the targets for another two reporting periods, reviewed annually, for award year one, and one reporting period for award year two.</p> <p>(ii) The Council may grant an extension pursuant to this subdivision (B) if it determines that the business failed to meet its targets due to facts or circumstances beyond the control of the business and that there is a reasonable likelihood the business will meet the award period targets within the extension period.</p> <p>(iii) If the Council grants an extension pursuant to this subdivision (B), the Council shall re-calculate the value of the incentive using the cost-benefit model and adjust the amount of the award as is necessary to account for the extension of the award period.</p>

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<p>Vermont Employment Growth Incentive (VEGI) – Enhanced training incentive</p>	<p>G.2</p>	<p>72</p>	<p>(h) Enhanced training incentive. Notwithstanding any provision of law to the contrary, the Council may award an enhanced training incentive as follows:</p> <p>(1) A business whose incentive application is approved may elect to claim an enhanced training incentive at any time during the award period by:</p> <p>(A) notifying the Council of its intent to pursue an enhanced training incentive and dedicate its incentive funds to training through the Vermont Training Program or a Workforce Education and Training Fund program; and</p> <p>(B) applying for a grant from the Vermont Training Program or the Workforce Education and Training Fund to perform training for new employees who hold qualifying jobs.</p> <p>(2) If a business is awarded a grant for training pursuant to subdivision (1) of this subsection, the Agency of Commerce and Community Development, or the Department of Labor, as applicable, shall disburse grant funds for on-the-job training of not more than 75 percent of wages for each employee in training, or not more than 75 percent of trainer expense, and the business shall be responsible for the remaining 25 percent of the applicable training costs.</p> <p>(3) If the business successfully completes its training and meets or exceeds its payroll target and either its jobs target or capital investment target, the Council shall approve the enhanced training incentive and notify the Department of Taxes.</p> <p>(4) Upon notification by the Council, the Department of Taxes:</p> <p>(A) shall disburse to the business a payment in an amount equal to 25 percent of the cost for training expenses pursuant to subdivision (3) of this subsection (h);</p> <p>(B) shall disburse to the Agency of Commerce and Community Development, or the Department of Labor, as applicable, a payment in an amount equal to 25 percent of the cost for training expenses pursuant to subdivision (3) of this subsection (h); and</p> <p>(C) shall disburse the remaining value of the incentive award in annual installments pursuant to subdivision (c)(2) of this section.</p> <p>(5)(A) If, during the utilization period for the incentive paid pursuant to this subsection (h), the business fails to maintain the qualifying jobs or qualifying payroll established in the award year, or does not reestablish qualifying jobs or qualifying payroll to 100 percent of the award year level, the Department of Taxes shall recapture the enhanced incentive pursuant to subsection (d) of this section.</p> <p>(B) The amount of recapture shall equal the sum of the installments that the Department would have disbursed if it had paid the incentive in five-year installments pursuant to subdivision (c)(2) of this section for the years during the utilization period that the qualifying jobs or qualifying payroll were not maintained.</p>	<p>(h) Enhanced training incentive. Notwithstanding any provision of law to the contrary, the Council may award an enhanced training incentive as follows:</p> <p>(1) A business whose incentive application is approved may elect to claim an enhanced training incentive at any time during the award period by:</p> <p>(A) notifying the Council of its intent to pursue an enhanced training incentive and dedicate its incentive funds to training through the Vermont Training Program or a Workforce Education and Training Fund program; and</p> <p>(B) applying for a grant from the Vermont Training Program or the Workforce Education and Training Fund to perform training for new employees who hold qualifying jobs.</p> <p>(2) If the business successfully completes new employee training pursuant to the terms of its training grant and uses incentive funds to cover a 25 percent share of the training costs, the Agency of Commerce and Community Development, or the Department of Labor, as applicable, shall disburse grant funds for on-the-job training of not more than 75 percent of wages for each employee in training, or not more than 75 percent of trainer expense upon successful completion of training hours.</p> <p>(3) The Department of Taxes shall reimburse the Agency or the Department for 25 percent of the wages or trainer expense incurred by the Vermont Training Program or the Workforce Education and Training Fund pursuant to subdivision (2) of this subsection.</p> <p>(4) If the business successfully completes its training and meets or exceeds its payroll target and either its jobs target or capital investment target, the Council shall approve the enhanced training incentive and notify the Department of Taxes.</p> <p>(5) Upon notification by the Council, the Department of Taxes shall disburse to the business a payment in an amount equal to the business’s cost for training and the cost of the reimbursement to the Vermont Training Program or the Workforce Education and Training Fund for training expenses pursuant to subdivision (3) of this subsection. The Department shall disburse the remaining value of the incentive award in annual installments pursuant to subdivision (c)(2) of this section.</p> <p>(6)(A) If, during the utilization period for the incentive paid pursuant to this subsection (h), the business fails to maintain the qualifying jobs or qualifying payroll established in the award year, or does not reestablish qualifying jobs or qualifying payroll to 100 percent of the award year level, the Department of Taxes shall recapture the enhanced incentive pursuant to subsection (d) of this section.</p> <p>(B) The amount of recapture shall equal the sum of the installments that the Department would have disbursed if it had paid the incentive in five-year installments pursuant to subdivision (c)(2) of this section for the years during the utilization period that the qualifying jobs or qualifying payroll were not maintained.</p>
<p>Vermont Employment Growth Incentive (VEGI) – Enhanced incentive for value-added businesses</p>	<p>G.2</p>	<p>-</p>	<p>(i) Employment growth incentive for value-added business.</p> <p>(1) In this subsection:</p> <p>(A) “Advanced manufacturing” means:</p> <p>(i) an activity that depends on the use and coordination of information, automation, computation, software, sensing, and networking, or</p> <p>(ii) an activity that uses cutting edge materials and emerging capabilities enabled by the physical and biological sciences, including nanotechnology, chemistry, and biology, that includes both new ways to manufacture existing products and the manufacture of new products emerging from new advanced technologies.</p>	

			<p><u>(B) “Value-added business” means a person that is subject to income taxation in Vermont and whose current or prospective economic activity in Vermont for which incentives are sought under this section is certified by the Secretary of Commerce and Community Development to be primarily in one or more of the following sectors:</u></p> <p><u>(i) advanced manufacturing; or</u></p> <p><u>(ii) information processing or information management services, including:</u></p> <p><u>(I) computer hardware or software, and information and communication technologies, such as high-level software languages, graphics hardware and software, speech and optical character recognition, high-volume information storage and retrieval, and data compression;</u></p> <p><u>(II) technological applications that use biological systems, living organisms or derivatives thereof, to make or modify products or processes for specific use;</u></p> <p><u>(III) custom computer programming services, such as writing, modifying, testing, and supporting software to meet the needs of a particular customer;</u></p> <p><u>(IV) computer systems design services such as planning and designing computer systems that integrate computer hardware, software, and communication technologies; and</u></p> <p><u>(V) computer facilities management services, such as providing on-site management and operation of clients’ computer systems or data processing facilities, or both.</u></p> <p><u>(2) A value-added business located in a labor market area in which the unemployment rate is at least 0.5 percentage points higher than the average unemployment rate for the State may submit an application for an enhanced incentive pursuant to this subsection.</u></p> <p><u>(3) The Council shall consider and administer an application and award for an enhanced incentive under this subsection pursuant to the provisions of this section, except that:</u></p> <p><u>(A) the “incentive ratio” pursuant to subdivision (a)(11) of this section shall be set at 90 percent; and</u></p> <p><u>(B) the “payroll threshold” pursuant to subdivision (a)(17) of this section shall be deemed to be 20 percent of the expected average industry payroll growth as determined by the cost-benefit model.</u></p>	
<p>Vermont Employment Growth Incentive (VEGI) – codifying program caps currently in session law</p>	<p>G.2</p>	<p>72</p>	<p><u>(j) Overall gross cap on total employment growth incentive and education tax incentive authorizations.</u></p> <p><u>(1) For any calendar year, the total amount of employment growth incentives the Vermont Economic Progress Council is authorized to approve under this section and property tax stabilizations under 32 V.S.A. § 5404a(a) shall not exceed \$10,000,000.00 from the General Fund and Education Fund combined each year.</u></p> <p><u>(2) The Council shall have the authority to exceed the cap imposed in subdivision (1) of this subsection upon application to and approval by the Emergency Board.</u></p>	<p><u>(i) Overall gross cap on total employment growth incentive and education tax incentive authorizations.</u></p> <p><u>(1) For any calendar year, the total amount of employment growth incentives the Vermont Economic Progress Council is authorized to approve under this section and property tax stabilizations under 32 V.S.A. § 5404a(a) shall not exceed \$10,000,000.00 from the General Fund and Education Fund combined each year.</u></p> <p><u>(2) The Council shall have the authority to exceed the cap imposed in subdivision (1) of this subsection upon application to and approval by the Emergency Board.</u></p>
<p>Vermont Employment Growth Incentive (VEGI) – eliminating program caps currently in session law</p>	<p>G.3</p>	<p>73</p>	<p>Sec. G.3. 2006 Acts and Resolves No. 184, Sec. 11 is amended to read:</p> <p>Sec. 11. VEGI; ANNUAL CALENDAR YEAR CAPS</p> <p>(a) Net negative awards cap. Notwithstanding any other provision of law, in any calendar year, the annual authorization for the total net fiscal cost of Vermont employment growth incentives that the Vermont economic progress council or the economic incentive review board may approve under 32 V.S.A. § 5930b(b)(5) shall not exceed \$1,000,000.00 from the general fund.</p> <p>(b) Restrictions to labor market area. Employment growth incentives within the annual authorization amount in subsection (a) of this section shall be granted solely for awards to businesses located in a labor market area of this state in which the rate of unemployment is greater than the average for the state or in which the average annual wage is below the average annual</p>	<p>Sec. 11. VEGI; ANNUAL CALENDAR YEAR CAPS</p> <p>(a) Net negative awards cap. Notwithstanding any other provision of law, in any calendar year, the annual authorization for the total net fiscal cost of Vermont employment growth incentives that the Vermont economic progress council or the economic incentive review board may approve under 32 V.S.A. § 5930b(b)(5) shall not exceed \$1,000,000.00 from the general fund.</p> <p>(b) Restrictions to labor market area. Employment growth incentives within the annual authorization amount in subsection (a) of this section shall be granted solely for awards to businesses located in a labor market area of this state in which the rate of unemployment is greater than the average for the state or in which the average annual wage is below the average annual wage for the state. For the purposes of this section, a “labor market area” shall be as determined</p>

		<p>wage for the state. For the purposes of this section, a “labor market area” shall be as determined by the department of labor.</p> <p>(e) Overall gross cap on total employment growth incentive and education tax incentive authorizations. For any calendar year, the total amount of employment growth incentives the Vermont economic progress council or the economic incentive review board is authorized to approve under 32 V.S.A. § 5930b and property tax stabilizations and allocations under 32 V.S.A. § 5404a(a) and (e) shall not exceed \$10,000,000.00 from the general fund and education fund combined each year. This maximum annual amount may be exceeded by the Vermont economic progress council upon application to and approval by the Emergency Board. [Repealed.]</p>	<p>by the department of labor.</p> <p>(e) Overall gross cap on total employment growth incentive and education tax incentive authorizations. For any calendar year, the total amount of employment growth incentives the Vermont economic progress council or the economic incentive review board is authorized to approve under 32 V.S.A. § 5930b and property tax stabilizations and allocations under 32 V.S.A. § 5404a(a) and (e) shall not exceed \$10,000,000.00 from the general fund and education fund combined each year. This maximum annual amount may be exceeded by the Vermont economic progress council upon application to and approval by the Emergency Board. [Repealed.]</p>
<p>Vermont Employment Growth Incentive (VEGI) – conforming change to Vermont Training Program</p>	<p>G.4</p>	<p>74</p> <p>Sec. G.4. 10 V.S.A. § 531(d) is amended to read:</p> <p>(d) In order to avoid duplication of programs or services and to provide the greatest return on investment from training provided under this section, the Secretary of Commerce and Community Development shall:</p> <p>(1) consult with the Commissioner of Labor regarding whether the grantee has accessed, or is eligible to access, other workforce education and training resources;</p> <p>(2) disburse grant funds only for training hours that have been successfully completed by employees; provided <u>that, except for an award under an enhanced training incentive as provided in 32 V.S.A. § 5930b(h), a grant for on-the-job training shall either provide not more than 50 percent of wages for each employee in training, or not more than 50 percent of trainer expense, but not both, and further provided that training shall be performed in accordance with a training plan that defines the subject of the training, the number of training hours, and how the effectiveness of the training will be evaluated; and</u></p> <p>(3) use funds under this section only to supplement training efforts of employers and not to replace or supplant training efforts of employers.</p>	<p>Sec. 74. 10 V.S.A. § 531(d) is amended to read:</p> <p>(d) In order to avoid duplication of programs or services and to provide the greatest return on investment from training provided under this section, the Secretary of Commerce and Community Development shall:</p> <p>(1) consult with the Commissioner of Labor regarding whether the grantee has accessed, or is eligible to access, other workforce education and training resources;</p> <p>(2) disburse grant funds only for training hours that have been successfully completed by employees; provided <u>that, except for an award under an enhanced training incentive as provided in 32 V.S.A. § 5930b(h), a grant for on-the-job training shall either provide not more than 50 percent of wages for each employee in training, or not more than 50 percent of trainer expense, but not both, and further provided that training shall be performed in accordance with a training plan that defines the subject of the training, the number of training hours, and how the effectiveness of the training will be evaluated; and</u></p> <p>(3) use funds under this section only to supplement training efforts of employers and not to replace or supplant training efforts of employers.</p>
<p>Employee Relocation Tax Credit Study</p>	<p>G.5</p>	<p>-</p> <p>Sec. G.5. EMPLOYEE RELOCATION TAX CREDIT; STUDY COMMITTEE; REPORT</p> <p><u>(a) Creation. There is created an Employee Relocation Study Committee to research and develop one or more incentive programs to encourage employees who are qualified for high-demand, unfilled positions within Vermont businesses, to relocate to Vermont.</u></p> <p><u>(b) Membership. The Committee shall be composed of the following members:</u></p> <p><u>(1) one current member of the House of Representatives appointed by the Speaker of the House;</u></p> <p><u>(2) one current member of the Senate appointed by the Committee on Committees;</u></p> <p><u>(3) one member who represents the interests of the regional development corporations, appointed by the Governor;</u></p> <p><u>(4) one member who represents the interests of private business appointed by the Speaker of the House; and</u></p> <p><u>(5) one member who represents the interests of private business appointed by the Committee on Committees.</u></p> <p><u>(c) Powers and duties. The Committee shall study potential incentive programs, tax credits, or other mechanisms, to encourage employee relocation including the following issues:</u></p> <p><u>(1) eligibility criteria for employees, employers, and employment positions;</u></p> <p><u>(2) amount and conditions for incentives or credits;</u></p> <p><u>(3) distribution of incentives or credits by region, employer, and by State-level or regional-level grantors; and</u></p> <p><u>(4) data, and a mechanism for collecting data, to measure the effectiveness of any proposed program.</u></p>	

		<p><u>(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Agency of Commerce and Community Development.</u></p> <p><u>(e) Report. On or before January 15, 2016, the Committee shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action.</u></p> <p><u>(f) Meetings.</u></p> <p><u>(1) The Agency of Commerce and Community Development shall call the first meeting of the Committee, to occur on or before September 1, 2015.</u></p> <p><u>(2) The Committee shall select a chair from among its members at the first meeting.</u></p> <p><u>(3) A majority of the membership shall constitute a quorum.</u></p> <p><u>(4) The Committee shall cease to exist on January 16, 2016.</u></p> <p><u>(g) Reimbursement.</u></p> <p><u>(1) For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for no more than four meetings.</u></p> <p><u>(2) Other members of the Committee 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 no more than four meetings.</u></p>	
<p>Down Payment Assistance Program – Findings</p>	<p>G.6</p>	<p>Sec. G.6. DOWN PAYMENT ASSISTANCE PROGRAM; FINDINGS</p> <p><u>The General Assembly finds:</u></p> <p><u>(1) The Federal Bipartisan Policy Center’s Housing Commission notes that homeownership can produce powerful economic, social, and civic benefits that serve the individual homeowner, the larger community, and the nation.</u></p> <p><u>(2) Supporting more Vermonters to become homeowners allows them an opportunity to improve and invest in their neighborhoods and become a stable member of their community’s life and workforce.</u></p> <p><u>(3) Homeownership, even with the recent decline in housing values, has continued to be the most reliable source of individual wealth accumulation and equity for the future.</u></p> <p><u>(4) First-time homebuyers often delay purchasing a home due to the fees and down payment costs required at closing and need support to achieve their homeownership opportunity.</u></p>	
<p>Down Payment Assistance Program – Authorization</p>	<p>G.7</p>	<p>Sec. G.7. 32 V.S.A. § 5930u is amended to read:</p> <p>§ 5930u. TAX CREDIT FOR AFFORDABLE HOUSING</p> <p>(a) As used in this section:</p> <p>(1) “Affordable housing project” or “project” means:</p> <p>(A) a rental housing project identified in 26 U.S.C. § 42(g); or</p> <p>(B) owner-occupied housing identified in 26 U.S.C. § 143(c) and (f) and eligible (c)(1) or that qualifies under the Vermont Housing Finance Agency allocation plan <u>criteria governing owner-occupied housing.</u></p> <p>(2) “Affordable housing tax credits” means the tax credit provided by this subchapter.</p> <p>(3) “Allocating agency” means the Vermont Housing Finance Agency.</p> <p>(4) “Committee” means the Joint Committee on Tax Credits consisting of five members; a representative from the Department of Housing and Community Affairs, the Vermont Housing and Conservation Board, the Vermont Housing Finance Agency, the Vermont State Housing Authority, and the Office of the Governor.</p>	

		<p>(5) "Credit certificate" means a certificate issued by the allocating agency to a taxpayer that specifies the amount of affordable housing tax credits that can be applied against the taxpayer's individual or corporate income tax or franchise or insurance premium tax liability as provided in this subchapter.</p> <p>(6) "Eligible applicant" means any municipality, private sector developer, department of state government as defined in 10 V.S.A. § 6302(a), State agency as defined in 10 V.S.A. § 6301a, the Vermont Housing Finance Agency, or a nonprofit organization qualifying under 26 U.S.C. § 501(c)(3); or cooperative housing organization, the purpose of which is the creation and retention of to create and retain affordable housing for lower income Vermonters, with lower income and the which has in its bylaws that require a requirement that housing to the housing the organization creates be maintained as affordable housing for lower income Vermonters with lower income on a perpetual basis.</p> <p>(7) "Eligible cash contribution" means an amount of cash contributed to the owner, developer, or sponsor of an affordable housing project and determined by the allocating agency as eligible for affordable housing tax credits.</p> <p>(8) "Section 42 credits" means tax credit provided by 26 U.S.C. §§ 38 and 42.</p> <p>(9) "Allocation plan" means the plan recommended by the Committee and approved by the Vermont Housing Finance Agency, which sets forth the eligibility requirements and process for selection of eligible housing projects to receive affordable housing tax credits under this section. The allocation plan shall include:</p> <p style="padding-left: 20px;">(A) requirements for creation and retention of affordable housing for low income persons, with low income; and</p> <p style="padding-left: 20px;">(B) requirements to ensure that eligible housing is maintained as affordable by subsidy covenant, as defined in 27 V.S.A. § 610 on a perpetual basis, and meets all other requirements of the Vermont Housing Finance Agency related to affordable housing.</p> <p>(b) <u>Eligible tax credit allocations.</u></p> <p>(1) Affordable housing credit allocation.</p> <p style="padding-left: 20px;">(A) An eligible applicant may apply to the allocating agency for an allocation of affordable housing tax credits under this section related to an affordable housing project authorized by the allocating agency under the allocation plan. In the case of a specific affordable rental housing project, the eligible applicant must shall also be the owner or a person having the right to acquire ownership of the building and must shall apply prior to placement of the affordable housing project in service. In the case of owner-occupied housing units, the applicant must apply prior to purchase of the unit and must shall ensure that the allocated funds will be used to ensure that the housing qualifies or program funds remain as an affordable housing resource for all future owners of the housing. The allocating agency shall issue a letter of approval if it finds that the applicant meets the priorities, criteria, and other provisions of subdivision (2)(B) of this subsection subdivision (1). The burden of proof shall be on the applicant.</p> <p style="padding-left: 20px;">(2)(B) Upon receipt of a completed application, the allocating agency shall award an allocation of affordable housing tax credits with respect to a project under this section shall be granted to an applicant, provided the applicant demonstrates to the satisfaction of the committee allocating agency all of the following:</p> <p style="padding-left: 40px;">(A)(i) The owner of the project has received from the allocating agency a binding commitment for, a reservation or allocation of, or an out-of-cap determination letter for, Section 42 credits, or meets the requirements of the allocation plan for development or financing of units to be owner-occupied;</p> <p style="padding-left: 40px;">(B)(ii) The project has received community support.</p> <p>(2) <u>Down payment assistance program.</u></p>	
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			<p><u>(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:</u></p> <p><u>(i) the loan is made in connection with a mortgage through an Agency program;</u> <u>(ii) the borrower is a first-time homebuyer of an owner-occupied primary residence;</u> <u>and</u> <u>(iii) the borrower uses the loan for the borrower’s down payment, or closing costs, or both.</u></p> <p><u>(B) The Agency shall require the borrower to repay the loan upon the transfer or refinance of the residence.</u></p> <p><u>(C) The Agency shall use the proceeds of loans made under the program for future down payment assistance.</u></p> <p>(c) Amount of credit. A taxpayer who makes an eligible cash contribution shall be entitled to claim against the taxpayer’s individual income, corporate, franchise, or insurance premium tax liability a credit in an amount specified on the taxpayer’s credit certificate. The first-year allocation of a credit amount to a taxpayer shall also be deemed an allocation of the same amount in each of the following four years.</p> <p>(d) Availability of credit. The amount of affordable housing tax credit allocated with respect to a project shall be available to the taxpayer every year for five consecutive tax years, beginning with the tax year in which the eligible cash contribution is made. Total tax credits available to the taxpayer shall be the amount of the first-year allocation plus the succeeding four years’ deemed allocations.</p> <p>(e) Claim for credit. A taxpayer claiming affordable housing tax credits shall submit with each return on which such credit is claimed a copy of the allocating agency’s credit allocation to the affordable housing project and the taxpayer’s credit certificate. Any unused affordable housing tax credit may be carried forward to reduce the taxpayer’s tax liability for no more than 14 succeeding tax years, following the first year the affordable housing tax credit is allowed.</p> <p>(f) {Deleted.} [Repealed.]</p> <p>(g)(1) In any fiscal year, the allocating agency may award up to:</p> <p><u>(A) \$400,000.00 in total first-year credit allocations to all applicants for rental housing projects, for a total aggregate limit of \$2,000,000.00 over any given five-year period that credits are available under this subdivision; and may award up to</u></p> <p><u>(B) \$300,000.00 per year in total first-year credit allocations for owner-occupied unit applicants financing or down payment loans consistent with the allocation plan, including for new construction and manufactured housing, for a total aggregate limit of \$1,500,000.00 over any given five-year period that credits are available under this subdivision.</u></p> <p><u>(2) In fiscal years 2016 through 2020, the allocating agency may award up to \$125,000.00 in total first-year credit allocations for loans through the down payment assistance program created in subdivision (b)(2) of this section for a total aggregate limit of \$625,000.00 over the five-year period that credits are available under this subdivision.</u></p> <p><u>(h) In any fiscal year, total first year allocations plus succeeding year deemed allocations shall not exceed \$3,500,000.00. The aggregate limit for all credit allocations available under this section in any fiscal year is \$4,125,000.00.</u></p>	
<p>Pre-Written Software Accessed Remotely (Cloud Tax)</p>	<p>-</p>	<p>66</p>		<p>Sec. 66. PREWRITTEN SOFTWARE ACCESSED REMOTELY</p> <p><u>Charges for the right to access and use prewritten software run on underlying infrastructure that is not managed or controlled by the purchaser or any related company shall not be considered tangible personal property under 32 V.S.A. § 9701(7).</u></p>

<p>Wood Products Manufacturer Incentive</p>	<p>G.9</p>	<p>-</p>	<p>Sec. G.9. 2014 Acts and Resolves No. 179, Sec. G.100(b) is amended to read: (b) Sec. E.100.6 (wood products manufacture incentive) shall take effect retroactively on January 1, 2014 and apply to tax year years 2014 and 2015.</p>	
<p>Funds Transfer from Vermont Enterprise Fund to General Fund</p>	<p>G.13</p>	<p>-</p>	<p>Sec. G.13. FUNDS TRANSFER The amount of \$725,000.00 is transferred from the Vermont Enterprise Fund created in 2014 Acts and Resolves No. 179, Sec. E.100.5 to the General Fund for the purpose of providing funding for costs incurred in fiscal year 2016 pursuant to this act.</p>	
<p>Effective Dates</p>	<p>H.1</p>	<p>100</p>	<p>Sec. H.1. EFFECTIVE DATES (a) This section and the following sections shall take effect on passage: (1) Sec. A.3 (blockchain technology study); (2) Sec. B.1 (Uniform Commercial Code, Article 4A); (3) Secs. C.1–C.2 (Vermont Strong Scholars and Internship Initiative); (4) Sec. C.4 (youth employment working group); (5) Sec. C.5 (Vermont Governor’s Committee on Employment of People with Disabilities); (6) Secs. C.6–C.8 (Vermont ABLE Savings Program); (7) Sec. C.9 (Medicaid for working people with disabilities); (8) Sec. C.10 (Vermont career technical education report); (9) Secs. D.5–D.6 (Domestic Export Program); (10) Secs. E.1–E.2 (Vermont Economic Development Authority; green manufacture of microbeads); (11) Sec. E.3 (extending sunset of Treasurer’s credit facility for local investments and Treasurer’s local investment advisory committee); (12) Sec. F.1 (deference to regional planning); (13) Secs. F.2–F.4 (Southern Vermont Economic Development Zone); (14) Sec. F.5 (Act 250; implementation of settlement patterns criteria; criterion 9(L)); and (15) Sec. F.9 (certificate of public good; methane digesters). (b) The following sections shall take effect on July 1, 2015: (1) Sec. A.1 (business rapid response to declared State disasters); (2) [Reserved.] (3) Sec. C.3 (Workforce Education and Training Fund revisions); (4) Secs. D.1–D.4 (Tourism and marketing initiative; appropriation); (5) Sec. E.4 (increase in license exemption for commercial lending); (6) Sec. F.6 (municipal land use; neighborhood development area); (7) Sec. F.7 (Act 250; primary agricultural soils); (8) Sec. F.8 (conservation easements); (9) Sec. G.5 (employee relocation tax credit study); (10) Secs. G.6–G.7 (downpayment assistance program); and (11) Sec. G.9 (wood products manufacturer incentive). (c)(1) In Sec. A.4, in 7 V.S.A. § 2, subdivisions (27) (definition; “special events permit”), (28) (definition; “fourth-class license”), and (39) (definition; “public library or museum permit”) shall take effect on July 1, 2015. The remaining provisions of Sec. A.4 (alcoholic beverages; definitions) shall take effect on January 1, 2016. (2) Sec. A.16 shall take effect on July 1, 2015. (d) Secs. A.5–A.15 (fortified wines) shall take effect on January 1, 2016.</p>	<p>Sec. 100. EFFECTIVE DATES (a) Except as otherwise provided in subsection (b) of this section, this act shall take effect on July 1, 2015.</p>

		<p><u>(e) Secs. B.2–B.9 (Uniform Commercial Code; Article 7) shall take effect on passage and shall apply as follows:</u></p> <p><u>(1) This act shall apply to a document of title that is issued or a bailment that arises on or after the effective date of this act.</u></p> <p><u>(2) This act does not apply to a document of title that is issued or a bailment that arises before the effective date of this act even if the document of title or bailment would be subject to this act if the document of title had been issued or bailment had arisen on or after the effective date of this act.</u></p> <p><u>(3) This act does not apply to a right of action that has accrued before the effective date of this act.</u></p> <p><u>(4) A document of title issued or a bailment that arises before the effective date of this act and the rights, obligations, and interests flowing from that document or bailment are governed by any statute or other rule amended or repealed by this act as if amendment or repeal had not occurred and may be terminated, completed, consummated, or enforced under that statute or other rule.</u></p> <p><u>(f)(1) Notwithstanding 1 V.S.A. § 214, other than 32 V.S.A. § 5930b(c) (extension of time to meet first or second year award targets), Secs. G.1–G.4 (Vermont Employment Growth Incentive) shall take effect retroactively as of January 1, 2015;</u></p> <p><u>(2) In Sec. G.2, 32 V.S.A. § 5930b(c)(extension of time to meet first or second year award targets) shall take effect on July 1, 2015.</u></p> <p><u>(h) Sec. G.13 (appropriation from Enterprise Fund to General Fund) shall take effect on July 1, 2015.</u></p> <p><u>(i) Secs. A.2.A, A.2.B, and A.2.C (gun suppressors) shall take effect on July 2, 2015.</u></p>	<p><u>(b) Notwithstanding 1 V.S.A. § 214, other than 32 V.S.A. § 5930b(c) (extension of time to meet first or second year award targets), Secs. 71–74 (Vermont Employment Growth Incentive provisions) shall take effect retroactively as of January 1, 2015.</u></p>
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