

1 H.966

2 Representatives Bancroft of Westford, Carroll of Bennington, Dickinson of
3 St. Albans Town, Jerome of Brandon, Kimbell of Woodstock, Marcotte of
4 Coventry, Morris of Springfield, O’Sullivan of Burlington, Ralph of Hartland,
5 and Toleno of Brattleboro move that the bill be amended as follows:

6 First: By striking out Sec. 1 in its entirety and inserting in lieu thereof a
7 new Sec. 1 to read:

8 Sec. 1. PURPOSE

9 The purpose of this act is to appropriate \$202,830,100.00 from the State’s
10 Coronavirus Relief Fund for necessary expenses incurred as a result of the
11 COVID-19 public health emergency, allocated as follows: \$43,068,500.00 for
12 broadband connectivity and other initiatives; \$68,061,600.00 for housing
13 initiatives; and \$91,700,000 for economic relief to businesses and individuals.

14 Second: Following Sec. 10, by inserting reader assistance and new Secs.
15 10A-10D to read:

16 * * * COVID-19; Economic Relief for Businesses and Individuals * * *

17 Sec. 10A. ECONOMIC RELIEF FOR BUSINESSES AND INDIVIDUALS;

18 CORONAVIRUS RELIEF FUND; APPROPRIATIONS

19 (a) Determination of necessity due to COVID-19. The General Assembly
20 determines that the expenditure of monies from the Coronavirus Relief Fund
21 pursuant to this section is necessary to provide support to individuals and

1 businesses that have suffered economic harm due to the COVID-19 public
2 health emergency.

3 (b) Appropriations. The following amounts are appropriated from the
4 Coronavirus Relief Fund to the named recipients for the purpose specified:

5 (1) \$5,000,000 to the Working Lands Enterprise Fund, which the
6 Working Lands Enterprise Board shall use for grants to businesses within the
7 agricultural, food and forest, and wood products industries for:

8 (i) recovering from verifiable losses incurred due to the COVID-
9 19 public health emergency; and

10 (ii) developing new products or markets necessary for the
11 sustainable viability of the business because of changes in the supply chain and
12 relevant markets due to the COVID-19 public health emergency.

13 (2) \$5,000,000 to the Vermont Community Loan Fund, of which the
14 Fund shall allocate \$2,500,000 to issue grants of not less than \$1,500 and not
15 more than \$10,000 to woman-owned businesses, and \$2,500,000 to issue
16 grants of not less than \$1,500 and not more than \$10,000 to minority-owned
17 businesses, to address economic harm suffered due to the COVID-19 public
18 health emergency.

19 (A) A business is eligible for a grant if:

20 (i) The business was in operation in Vermont on or before
21 February 15, 2020.

1 (ii) The business has zero to five employees.

2 (iii) A woman or a minority, as defined by the Department of
3 Building and General Services, owns not less than 51% of the business.

4 (iv) The business certifies that it meets the eligibility
5 requirements; it will use funds for COVID-19 related business expenses before
6 December 20, 2020; it will document the expenses; that funds are subject to
7 audit for three years; and that false or fraudulent claims will be prosecuted.

8 (B) The Vermont Commission on Women shall design a grant
9 application and host an online application process.

10 (C) The Agency of Commerce and Community Development shall
11 provide notice to applicants concerning allowable expenditures under the
12 CARES Act and support outreach efforts through media outlets.

13 (D) The Vermont Commission on Women and a host nonprofit that
14 works with minority businesses shall conduct outreach within their respective
15 business communities and provide support for applicants as they research and
16 apply for the grants.

17 (E) If any funds remain unspent on September 1, 2020, the Agency
18 and the Fund shall assess the participation rates in the grant programs and
19 reallocate funds as is necessary.

20 (3) \$3,000,000 to the Agency for Commerce and Community
21 Development for emergency economic recovery grants under Sec. 3 of S.350

1 (2020), as enacted, to businesses that provide highway and bridge maintenance
2 services for the Agency of Transportation or municipal highway departments,
3 or both, and that have suffered economic harm due to the COVID-19 public
4 health emergency.

5 (4) \$3,000,000 to the Department of Tourism and Marketing to provide
6 marketing support to businesses that have suffered economic harm due to the
7 COVID-19 public health emergency.

8 (5) \$3,400,000 to the Agency of Commerce and Community
9 Development to establish a Restart Vermont Technical Support Network to
10 make available an appropriate level of professional assistance to businesses
11 that have suffered economic harm due to the COVID-19 public health
12 emergency.

13 (A) The Agency shall issue a request for proposals to service
14 providers to establish a group of Recovery Navigators qualified to provide
15 businesses with assistance in revising business models, business and financial
16 planning, and grant and loan writing support.

17 (B) The request for proposals issued by the Agency shall solicit
18 service providers adequately demonstrating their qualifications in areas
19 including:

20 (i) operational expertise and ability in helping businesses
21 modernize current operating practices;

1 (ii) knowledge and experience in developing digital strategies for
2 retailers needing to establish a more robust and competitive online presence;

3 (iii) architecture and physical space design for optimal flow in
4 restaurants adjusting their model and space to accommodate more takeout and
5 less seating, space for meal preparation, and food delivery logistics;

6 (iv) reconfiguration of manufacturing equipment and processes to
7 enable production of personal protective equipment, as well as accommodation
8 of safety measures resulting from the COVID-19 emergency;

9 (v) technology or software consulting to agricultural producers
10 and manufacturers on the utilization of technology to solve problems; and

11 (vi) legal and other professional services experienced in helping
12 businesses develop turnaround plans, including restructuring debt,
13 prioritization of payables, and orderly unwinding businesses.

14 (6) \$1,000,000 to the Department of Housing and Community
15 Development for grants to communities through the Better Places Program to
16 purchase or lease equipment, including masks, sanitizing stations, hands free
17 door pulls, outdoor tables and chairs, and other items used towards public
18 safety measures and the mitigation of the spread of COVID-19, while enabling
19 local businesses and organizations to reopen.

20 (7) \$59,600,000 to the Agency of Commerce and Community
21 Development, in consultation with the Department of Taxes, to allocate for

1 additional emergency economic recovery grants pursuant to Secs. 2–3 of S.350
2 (2020), as enacted, subject to the approval of the Joint Fiscal Committee and to
3 the following:

4 (A) The Agency and Department may issue grants to businesses that
5 have suffered a 50 percent or greater reduction in revenue in a monthly or
6 quarterly period from March 1, 2020 to September 1, 2020 as compared to the
7 same period in 2019.

8 (B) If on or before August 1, 2020 the Agency and the Department
9 have not expended all of the funds appropriated in S.350 (2020), as enacted,
10 the Agency and Department shall combine and distribute those funds with the
11 amounts appropriated in this subdivision (7).

12 (8) \$1,500,000 to the Agency of Natural Resources for grants through
13 the Outdoor Recreation Business Assistance Program.

14 (9) \$100,000 to Vermont Public Radio and \$100,000 to Vermont Public
15 Television to address economic harm and additional costs incurred due to the
16 COVID-19 public health emergency.

17 (10) \$5,000,000 to Southeastern Vermont Community Action to act as
18 fiscal agent for a program, Restaurants and Farmers Feeding the Hungry, the
19 purpose of which is to provide assistance to Vermonters who are food insecure
20 due to the COVID-19 public health emergency by engaging Vermont
21 restaurants that have suffered economic harm due to the COVID-19 public

1 health emergency to prepare meals using foodstuffs purchased from Vermont
2 farms and food producers.

3 (A) SEVCA shall collaborate with the Agency of Commerce and
4 Community Development; the Agency of Agriculture, Food and Markets; the
5 Agency of Human Services; the Department of Public Safety; the Community
6 Action Agencies; the Vermont Food Bank; Hunger Free Vermont; the
7 Vermont Hunger Council; the Sustainable Jobs Fund/Farm to Plate; the
8 Vermont Community Foundation; the Downtown Brattleboro Alliance;
9 Shiftmeals; Mama Sezz; and others.

10 (B) Under the Program SEVCA and partners shall:

11 (i) establish multiple community-scale hubs across Vermont to
12 coordinate restaurant engagement and distribution of 18,500 meals per week;

13 (ii) engage a broad range of restaurants of various sizes to produce
14 meals;

15 (iii) on average, purchase not less than 10 percent of ingredients
16 from local farms and producers; and

17 (iv) augment the existing food distribution network to meet the
18 increased food insecurity of residents.

19 (11) \$5,000,000 to the Vermont Arts Council for grants through the Arts
20 Partnership Program to nonprofit organizations that have suffered economic
21 harm due to the COVID-19 public health emergency.

1 (c) Administration of funds; reporting. A recipient of an appropriation to
2 administer grants and other assistance in this section:

3 (1) may use funds for administrative expenses, provided that the
4 expenses represent an increase over previously budgeted amounts and are
5 limited to what is necessary;

6 (2) shall require a recipient of a grant to attest to the intended use of a
7 grant award and to commit to expending grant funds before December 20,
8 2020;

9 (3) shall disclose to applicants that all expenditures of funding from the
10 Coronavirus Relief Fund are subject to audit by the State and may be recovered
11 by the State if the recipient uses the funding for an illegible purpose under the
12 CARES Act, except in the case of a grant recipient that accepted grant funds in
13 good faith reliance on the State concerning the business's eligibility for, or use
14 of, the grant award.

15 (4) shall transfer funds that remain unspent as of November 15, 2020 to
16 the Agency of Commerce and Community Development, which the Agency
17 shall use to make additional emergency economic recovery grants; and

18 (5) shall submit to the General Assembly an initial report on or before
19 August 15, 2020, and a final report on November 15, 2020, concerning the use
20 of appropriated funds.

21 (d) Prohibition on multiple sources of funding.

1 (1) A business may apply for a grant of Coronavirus Relief Fund monies
2 from multiple sources; provided, however, that:

3 (A) A business is eligible to receive only one grant of Coronavirus
4 Relief Fund monies from among the programs and sources authorized in this
5 section.

6 (B) A business that receives a grant of Coronavirus Relief Fund
7 monies from a program or source that is not authorized in this section is
8 ineligible for an additional grant from among the programs and sources
9 authorized in this section.

10 (2) The Agency of Commerce and Community Development, the
11 Department of Taxes, and economic development partners that receive
12 appropriations pursuant to this section shall provide businesses with guidance
13 and support to help identify the appropriate programs for which the business
14 may be eligible for assistance.

15 Sec. 10B. OUTDOOR RECREATION BUSINESS ASSISTANCE

16 PROGRAM; COVID-19 PUBLIC HEALTH PRECAUTIONS

17 (a) Purpose. The purpose of this section is to provide financial assistance
18 to outdoor recreation businesses in the State to assist with compliance with or
19 implementation of COVID-19 public health precautions.

20 (b) Definitions. As used in this section:

21 (1) “Outdoor recreation business” means any person conducting a

1 business or a service within the State that offers outdoor recreation as the
2 principle part of the business or service, including outdoor outfitters, fishing
3 guides, snowmobile tours, ski tours, and other eligible activities approved by
4 the Secretary. An “outdoor recreation business” includes for-profit businesses,
5 not-for-profit businesses, and charitable organizations organized under 26
6 U.S.C. § 501(c)(3).

7 (2) “Secretary” means the Secretary of Natural Resources.

8 (c) Program establishment.

9 (1) The Secretary shall establish an Outdoor Recreation Business
10 Assistance Program (Program) to provide grants to outdoor recreation
11 businesses for costs or expenses necessary to comply with or implement
12 COVID-19 public health precautions, including costs or expenses related to
13 one or more of the following:

14 (A) cleaning or disinfection services or equipment;

15 (B) personal protection equipment for staff, customers, or
16 participants;

17 (C) symptom monitoring or diagnosis to ensure safe participation by
18 customers or participants;

19 (D) signage or informational material to inform staff, customers, and
20 participants of necessary public health precautions;

1 (E) temporary staff housing necessary to maintain public health
2 precautions;

3 (F) maintenance or repair of trails where damage is caused by
4 increased usage during the declared COVID-19 public health emergency; and

5 (G) other improvements necessary to address public safety needs due
6 to the COVID-19 public health emergency.

7 (2) In order to qualify for assistance under the Program, an outdoor
8 recreation business shall:

9 (A) be currently operating or providing services; and

10 (B) accurately demonstrate to the Secretary or the Secretary's
11 designee eligible costs or expenses that the outdoor recreation business
12 incurred or will incur on or after March 1, 2020 and before December 20,
13 2020.

14 (e) Implementation and administration.

15 (1) The Secretary shall administer the Program and may implement the
16 Program by:

17 (A) contracting with an independent public or private entity;

18 (B) contracting for or hiring up to two temporary positions at the
19 Agency of Natural Resources; or

20 (C) reallocating existing Agency of Natural Resources staff positions
21 to work exclusively on the Program or other CARES Act, Pub. L. No. 116-136

1 eligible activities.

2 (2) Notwithstanding any provision of law to the contrary, the Secretary
3 may enter into a contract with an independent public or private entity as
4 authorized under this section without the need to competitively bid the
5 contract. For the purposes of the Program, the public health risk posed by
6 COVID-19 shall be deemed to be an emergency situation that justifies the
7 execution of a sole source contract pursuant to Bulletin 3.5, the State’s
8 Procurement and Contracting Procedures.

9 (e) Application; processing.

10 (1) The Secretary or the Secretary’s designee shall create an application
11 form that outdoor recreation businesses shall utilize when applying for an
12 award. Applicants shall certify that all information they provide is truthful and
13 accurate to the best of their knowledge, information, and belief.

14 (2) The Secretary or the Secretary’s designee shall, based on the amount
15 of cost or expense documented by the outdoor recreation business on the date
16 the application is received, provide up to the maximum award authorized under
17 this section. Applications shall be processed in the order received, but an
18 application shall not be ready for evaluation until the Secretary or the
19 Secretary’s designee determines that the application is administratively
20 complete and includes required proof of costs or expenses incurred in response
21 to the COVID-19 public health emergency.

1 (3) Once an outdoor recreation business submits a complete application
2 and demonstrates eligible costs or expenses, the Secretary or the Secretary's
3 designee shall promptly issue a payment, provided that the appropriated funds
4 have not been expended. The last payment may be a partial payment
5 consisting of the remaining available funds.

6 (4) Each award under this section shall be a direct payment from the
7 State of Vermont to an eligible outdoor recreation business. Outdoor
8 recreation businesses shall not submit more than one application.

9 (f) Payment; maximum. The maximum amount of an award that may be
10 awarded under this section shall be \$30,000.00.

11 (g) Program terms and limitations.

12 (1) The Secretary shall attempt to award grants equitably on a
13 geographic basis across the State. After equity of geographic distribution is
14 accounted for, grant payments under the Program shall be issued on a first-
15 come, first-served basis until all funds are awarded or December 20, 2020,
16 whichever occurs first, provided that the costs or expenses are incurred and the
17 funds fully expended on or before December 30, 2020.

18 (2) The name of an outdoor recreation business that receives an award
19 under the Program and the amount of the award are public records subject to
20 inspection and copying under the Public Records Act.

1 (3) Any application documents of an outdoor recreation business
2 containing federal identification numbers and sales amounts are subject to the
3 confidentiality provisions of 32 V.S.A. § 3102 and are return information
4 under that section.

5 (4) Data submitted by an outdoor recreation business under this section
6 to demonstrate costs or expenses shall be a trade secret exempt from public
7 inspection and copying under 1 V.S.A. § 317(c)(9), provided that the Secretary
8 may use and disclose submitted information in summary or aggregated form
9 that does not directly or indirectly identify an outdoor recreation business.

10 Sec. 10C. 24 V.S.A. § 2799 is added to read:

11 § 2799. BETTER PLACES PROGRAM; CROWD GRANTING

12 (a)(1) There is created a Better Places Fund under 32 V.S.A. chapter 7,
13 subchapter 5.

14 (2) The purpose of the Fund is to utilize crowdfunding to spark
15 community revitalization through collaborative grantmaking for projects that
16 create, activate, or revitalize public spaces.

17 (3) The Department of Housing and Community Development may
18 administer the Fund in coordination with and support from other State agencies
19 and nonprofit and philanthropic partners.

20 (b) The Fund is composed of the following:

21 (1) State or federal funds appropriated by the General Assembly;

1 (2) gifts, grants, or other contributions to the Fund;

2 (3) proceeds from the issuance of general obligation bonds; and

3 (4) any interest earned by the Fund.

4 (c) As used in this section, “public space” means an area or place that is
5 open and accessible to all people, generally with no charge for admission, and
6 includes village greens, squares, parks, community centers, town halls,
7 libraries, and other publicly-accessible buildings and connecting spaces such as
8 sidewalks, streets, alleys, and trails.

9 (d)(1) The Department of Housing and Community Development shall
10 establish an application process, eligibility criteria, and criteria for prioritizing
11 assistance for awarding grants from the Fund.

12 (2) The Department may award a grant to a municipality or nonprofit
13 organization for a project that is located in a designated downtown, village
14 center, new town center, or neighborhood development area that will create a
15 new public space or revitalize or activate an existing public space.

16 (3) The Department may develop matching grant eligibility
17 requirements, such as requiring that to be eligible for a grant, a project shall
18 use matching funds raised through a crowdfunding approach that includes
19 multiple donors and other appropriate requirements to ensure a broad base of
20 community and financial support for the project.

1 (e) The Department of Housing and Community Development, with the
2 assistance of a fiscal agent, shall distribute funds under this section in a manner
3 that provides funding for projects of various sizes in as many geographical
4 areas of the State as possible.

5 (f) The Department of Housing and Community Development may use up
6 to 15 percent of any appropriation to the Fund from the General Fund to assist
7 with crowdfunding, administration, and technological needs of the Better
8 Places Program.

9 (g) Beginning on January 15, 2021, and annually thereafter, the Department
10 of Housing and Community Development shall submit to the Senate
11 Committee on Economic Development, Housing and General Affairs and the
12 House Committee on Commerce and Economic Development an annual report
13 regarding the activities and progress of the Better Places program. The report
14 shall:

15 (1) summarize the program activities in the preceding year, and report on
16 the number of awarded grants and the total grant funds allocated;

17 (2) report on partner resources and contributions to the program; and

18 (3) report on any measurable economic activity that may include number of
19 jobs created, number of visitors, the approximate number of square feet to be
20 activated or redeveloped, and the number of volunteers engaged in the project.

21 Sec. 10D. WORKERS' COMPENSATION RATE OF CONTRIBUTION

1 For fiscal year 2021, after consideration of the formula in 21 V.S.A.
2 § 711(b) and historical rate trends, the General Assembly determines that the
3 rate of contribution for the direct calendar year premium for workers’
4 compensation insurance shall remain at the rate of 1.4 percent. The
5 contribution rate for self-insured workers’ compensation losses and workers’
6 compensation losses of corporations approved under 21 V.S.A. chapter 9 shall
7 remain at one percent.