

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was  
3 referred House Bill No. 641 entitled “An act relating to promoting technology-  
4 based economic development” respectfully reports that it has considered the  
5 same and recommends that the bill be amended by striking out all after the  
6 enacting clause and inserting in lieu thereof the following:

7 \* \* \* Project-based Tax Increment Financing Projects \* \* \*

8 Sec. 1. 24 V.S.A. 1892(d) is amended to read:

9 (d) The following municipalities have been authorized to use education tax  
10 increment financing for a tax increment financing district:

11 (1) the City of Burlington, Downtown;

12 (2) the City of Burlington, Waterfront;

13 (3) ~~the Town of Milton, North and South~~ Town of Bennington;

14 (4) ~~the City of Newport~~ City of Montpelier;

15 (5) the City of Winooski;

16 (6) ~~the Town of Colchester~~;

17 ~~(7) the~~ Town of Hartford;

18 ~~(8)~~(7) the City of St. Albans;

19 ~~(9)~~(8) the City of Barre;

20 ~~(10)~~(9) the Town of Milton, Town Core; and

21 ~~(11)~~(10) the City of South Burlington.

1 Sec. 2. TAX INCREMENT FINANCING PROJECT DEVELOPMENT;

2 PILOT PROGRAM

3 (a) Definitions. As used in this section:

4 (1) “Committed” means pledged and appropriated for the purpose of the  
5 current and future payment of tax increment financing and related costs as  
6 defined in this section.

7 (2) “Financing” means debt incurred, including principal, interest, and  
8 any fees or charges directly related to that debt, or other instruments or  
9 borrowing used by a municipality to pay for improvements for the approved  
10 project, only if authorized by the legal voters of the municipality in accordance  
11 with 24 V.S.A. § 1894. Payment for eligible related costs may also include  
12 direct payment by the municipality using the district increment. However,  
13 such anticipated payments shall be included in the vote by the legal voters of  
14 the municipality in accordance with subsection (e) of this section. If interfund  
15 loans within the municipality are used as the method of financing, no interest  
16 shall be charged. Bond anticipation notes may be used as a method of  
17 financing and may qualify as a municipality’s first incurrence of debt. A  
18 municipality that uses a bond anticipation note during the third or sixth year  
19 that a municipality may incur debt pursuant to subsection (e) of this section  
20 shall incur all permanent financing not more than one year after issuing the  
21 bond anticipation note.

1           (3) “Improvements” means the installation, new construction, or  
2           reconstruction of infrastructure that will serve a public purpose, including  
3           utilities, transportation, public facilities and amenities, land and property  
4           acquisition and demolition, and site preparation. “Improvements” also means  
5           the funding of debt service interest payments for a period of up to five years,  
6           beginning on the date on which the first debt is incurred.

7           (4) “Legislative body” means the mayor and alderboard, the city  
8           council, the selectboard, and the president and trustees of an incorporated  
9           village, as appropriate.

10           (5) “Municipality” means a city, town, or incorporated village.

11           (6) “Original taxable value” means the total valuation as determined in  
12           accordance with 32 V.S.A. chapter 129 of all taxable real property located  
13           within the project as of the creation date, provided that no parcel within the  
14           project shall be divided or bisected.

15           (7) “Project” means public improvements, as defined in subdivision (4)  
16           of this subsection (a), to an area comprising not more than 10 parcels in a  
17           municipality that meets the criteria set forth in subdivision (h)(2) of this  
18           section.

19           (8) “Related costs” means expenses incurred and paid by the  
20           municipality, exclusive of the actual cost of constructing and financing  
21           improvements, that are directly related to the creation and implementation of

1 the project, including reimbursement of sums previously advanced by the  
2 municipality for those purposes. Related costs may not include direct  
3 municipal expenses such as departmental or personnel costs.

4 (b) Pilot Program. Beginning January 1, 2021 and ending December 31,  
5 2026, the Vermont Economic Progress Council is authorized to approve not  
6 more than 20 tax increment financing projects.

7 (c) General authority. Under the pilot program established in subsection  
8 (b) of this section, a municipality, upon approval of its legislative body, may  
9 apply to the Vermont Economic Progress Council pursuant to the approval  
10 process set forth in subsection (h) of this section to use tax increment financing  
11 for an individual project located within or serving one or more active  
12 designations approved by the Vermont Downtown Board under 24 V.S.A.  
13 chapter 76A or located within an industrial park as defined in 10 V.S.A.  
14 § 212(7).

15 (d) Eligibility.

16 (1) A municipality is only authorized to apply for a project under this  
17 section if the project will serve one or more active designations approved by  
18 the Vermont Downtown Development Board under 24 V.S.A. chapter 76A.

19 (2) A municipality with an approved tax increment financing district as  
20 set forth in 24 V.S.A. 1892(d) is not authorized to apply for a project under this  
21 section.

1       (e) Incurring indebtedness.

2           (1) A municipality approved under the process set forth in subsection (h)  
3 of this section may incur indebtedness against revenues to provide funding to  
4 pay for improvements and related costs for tax increment financing project  
5 development.

6           (2) Notwithstanding any provision of any municipal charter, the  
7 municipality shall only have one authorizing vote to incur debt through one  
8 instance of borrowing to finance or otherwise pay for the tax increment  
9 financing project improvements and related costs. The municipality shall be  
10 authorized to incur indebtedness only after the legal voters of the municipality,  
11 by a majority vote of all voters present and voting on the question at a special  
12 or annual municipal meeting duly warned for the purpose, authorize the  
13 legislative body to pledge the credit of the municipality, borrow, or otherwise  
14 secure the debt for the specific purposes so warned.

15           (3) Any indebtedness shall be incurred within three years from the date  
16 of approval by the Vermont Economic Progress Council, unless the Vermont  
17 Economic Progress Council grants an extension of an additional three years  
18 provided, however, that an updated plan is submitted prior to the three-year  
19 termination date of the project.

20           (f) Original Taxable Value. As of the date the project is approved by the  
21 Vermont Economic Progress Council, the lister or assessor for the municipality

1 shall certify the original taxable value and shall certify to the legislative body  
2 in each year thereafter during the life of the project the amount by which the  
3 total valuation as determined in accordance with 32 V.S.A. chapter 129 of all  
4 taxable real property located within the project has increased or decreased  
5 relative to the original taxable value.

6 (g) Tax increments.

7 (1) In each year following the approval of the project, the listers or  
8 assessor shall include no more than the original taxable value of the real  
9 property in the assessed valuation upon which the treasurer computes the rates  
10 of all taxes levied by the municipality and every other taxing district in which  
11 the project is situated, but the treasurer shall extend all rates so determined  
12 against the entire assessed valuation of real property for that year. In each year  
13 for which the assessed valuation exceeds the original taxable value, the  
14 municipality shall hold apart, rather than remit to the taxing districts, that  
15 proportion of all taxes paid that year on the real property within the project  
16 which the excess valuation bears to the total assessed valuation. The amount  
17 held apart each year is the “tax increment” for that year. No more than the  
18 percentages established pursuant to subsection (i) of this section of the  
19 municipal and State education tax increments received with respect to the  
20 project and committed for the payment for financing for improvements and  
21 related costs shall be segregated by the municipality in a special tax increment

1 financing project account and in its official books and records until all capital  
2 indebtedness of the project has been fully paid. The final payment shall be  
3 reported to the treasurer, who shall thereafter include the entire assessed  
4 valuation of the project in the assessed valuations upon which municipal and  
5 other tax rates are computed and extended and thereafter no taxes from the  
6 project shall be deposited in the project's tax increment financing account.

7 (2) Notwithstanding any charter provision or other provision, all  
8 property taxes assessed within a project shall be subject to the provision of  
9 subdivision (1) of this section. Special assessments levied under 24 V.S.A.  
10 chapters 76A or 87 or under a municipal charter shall not be considered  
11 property taxes for the purpose of this section if the proceeds are used  
12 exclusively for operating expenses related to properties within the project and  
13 not for improvements within the district, as defined in subdivision (a)(4) of this  
14 section.

15 (3) Amounts held apart under subdivision (1) of this subsection (g) shall  
16 only be used for financing and related costs as defined in subsection (a) of this  
17 section.

18 (h) Approval process. The Vermont Economic Progress Council shall only  
19 approve a municipality's application for a tax increment financing project  
20 development if:

1           (1) the proposed infrastructure improvements and the projected  
2           development or redevelopment are compatible with confirmed municipal and  
3           regional development plans; the project has clear local and regional  
4           significance for employment, housing, or transportation improvements; and

5           (2) the application meets one of the following five criteria:

6           (A) The development clearly requires substantial public investment  
7           over and above the normal municipal operating or bonded debt expenditures.

8           (B) The development includes new or rehabilitated affordable  
9           housing, as defined in 24 V.S.A. § 4303.

10          (C) The project will affect the remediation and redevelopment of a  
11          brownfield located within the district. As used in this section, “brownfield”  
12          means an area in which a hazardous substance, pollutant, or contaminant is or  
13          may be present, and that situation is likely to complicate the expansion,  
14          development, redevelopment, or reuse of the property.

15          (D) The development will include at least one entirely new business  
16          or business operation or expansion of an existing business within the district,  
17          and this business will provide new, quality, full-time jobs that meet or exceed  
18          the prevailing wage for the region as reported by the Department of Labor.

19          (E) The development will enhance transportation by creating  
20          improved traffic patterns and flow or creating or improving public  
21          transportation systems.

1        (i) Use of tax increment.

2            (1) Education property tax increment. For only debt incurred within the  
3 period permitted under subdivision (e)(3) of this section after approval of the  
4 project, up to 70 percent of the education tax increment may be retained for up  
5 to 20 years, beginning with the education tax increment generated the year in  
6 which the first debt incurred for the project financed in whole or in part with  
7 incremental education property tax revenue. Upon incurring the first debt, a  
8 municipality shall notify the Department of Taxes and the Vermont Economic  
9 Progress Council of the beginning of the 20-year retention period of the  
10 education tax increment.

11           (2) Use of the municipal property tax increment. For only debt incurred  
12 within the period permitted under subdivision (e)(3) of this section after  
13 approval of the project, not less than 85 percent of the municipal tax increment  
14 shall be retained to service the debt, beginning the first year in which debt is  
15 incurred, pursuant to subdivision (1) of this subsection.

16           (3) The Vermont Economic Progress Council shall determine there is a  
17 nexus between the improvement and the expected development and  
18 redevelopment for the project and expected outcomes.

19           (j) Distribution. Of the municipal and education tax increments received in  
20 any tax year that exceed the amounts committed for the payment of the  
21 financing for improvements and related costs for the project, equal portions of

1 each increment may be retained for the following purposes: prepayment of  
2 principal and interest on the financing, placed in a special account required by  
3 subdivision (g)(1) of this section and used for future financing payments, or  
4 used for defeasance of the financing. Any remaining portion of the excess  
5 municipal tax increment shall be distributed to the city, town, or village  
6 budget, in the proportion that each budget bears to the combined total of the  
7 budgets, unless otherwise negotiated by the city, town, or village, and any  
8 remaining portion of the excess education tax increment shall be distributed to  
9 the Education Fund.

10 (k) Information Reporting. Every municipality with an approved project  
11 pursuant to this section shall:

12 (1) Develop a system, segregated for the project, to identify, collect, and  
13 maintain all data and information necessary to fulfill the reporting  
14 requirements of this section, including performance measures.

15 (2) Throughout the year, as required by events, provide notification to  
16 the Vermont Economic Progress Council and the Department of Taxes  
17 regarding any tax increment financing development project debt obligations,  
18 public votes, or votes by the municipal legislative body immediately following  
19 such obligation or vote on a form prescribed by the Council, including copies  
20 of public notices, agendas, minutes, vote tally, and a copy of the information  
21 provided to the public in accordance with 24 V.S.A. § 1894(i);

1           (3) Annually:

2           (A) Ensure that the tax increment financing project account required  
3 by subdivision (g)(1) is subject to the annual audit prescribed in subsection (l)  
4 of this section. Procedures must include verification of the original taxable  
5 value and annual and total municipal and education tax increments generated,  
6 expenditures for debt and related costs, and current balance.

7           (B) On or before February 15 of each year, on a form prescribed by  
8 the Council, submit an annual report to the Vermont Economic Progress  
9 Council and the Department of Taxes, including the information required by  
10 subdivision (2) of this section if not already submitted during the year, all  
11 information required by subdivision (A) of this subdivision (3), and the  
12 information required by 32 V.S.A. § 5404a(i), including performance measures  
13 and any other information required by the Council or the Department of Taxes.

14           (l) Annual report. The Vermont Economic Progress Council and the  
15 Department of Taxes shall submit an annual report to the Senate Committees  
16 on Economic Development, Housing and General Affairs and on Finance and  
17 the House Committees on Commerce and Economic Development and on  
18 Ways and Means on or before April 1 each year. The report shall include the  
19 date of approval, a description of the project, the original taxable value of the  
20 property subject to the project development, the scope and value of projected  
21 and actual improvements and developments, projected and actual incremental

1 revenue amounts, and division of the increment revenue between project debt,  
2 the Education Fund, the special account required by subdivision (g)(1) and the  
3 municipal General Fund, projected and actual financing, and a set of  
4 performance measures developed by the Vermont Economic Progress Council,  
5 which may include outcomes related to the criteria for which the municipality  
6 applied and the amount of infrastructure work performed by Vermont firms.

7 (m) Audit; financial reports. Annually, until the year following the end of  
8 the period for retention of education tax increment, a municipality with an  
9 approved project under this section shall:

10 (1) by January 1, submit an annual report to the Vermont Economic  
11 Progress Council, which shall provide sufficient information for the Vermont  
12 Economic Progress Council to prepare its report required by subsection (i) of  
13 this section; and

14 (2) by April 1, ensure that the project is subject to the annual audit  
15 prescribed in 24 V.S.A. §§ 1681 and 1690. Procedures must include  
16 verification of the original taxable value and annual and total municipal and  
17 education tax increments generated, expenditures for debt and related costs,  
18 and current balance.

19 (n) Authority to issue decisions.

20 (1) The Secretary of Commerce and Community Development, after  
21 reasonable notice to a municipality and an opportunity for a hearing, is

1 authorized to issue decisions to a municipality on questions and inquiries  
2 concerning the administration of projects, statutes, rules, noncompliance with  
3 this section, and any instances of noncompliance identified in audit reports  
4 conducted pursuant to subsection (1) of this section.

5 (2) The Vermont Economic Progress Council shall prepare  
6 recommendations for the Secretary prior to the issuance of a decision. As  
7 appropriate, the Council may prepare such recommendations in consultation  
8 with the Commissioner of Taxes, the Attorney General, and the State  
9 Treasurer. In preparing recommendations, the Council shall provide a  
10 municipality with a reasonable opportunity to submit written information in  
11 support of its position. The Secretary shall review the recommendations of the  
12 Council and issue a final written decision on each matter within 60 days of the  
13 receipt of the recommendations. The Secretary may permit an appeal to be  
14 taken by any party to a Superior Court for determination of questions of law in  
15 the same manner as the Supreme Court may by rule provide for appeals before  
16 final judgment from a Superior Court before issuing a final decision.

17 \* \* \* Workforce Development \* \* \*

18 Sec. 3. EXPANDING APPRENTICESHIPS

19 (a) On or before January 15, 2021, the Department of Labor, in  
20 collaboration with the Agency of Commerce and Community Development,

1 the Agency of Education, the Vermont State Colleges, and the regional CTE  
2 centers shall design and submit to the General Assembly a plan:

3 (1) to expand the number of formal apprenticeships offered in this State  
4 from 28 to 50 over three years; and

5 (2) to ensure that formal apprenticeships follow an “earn-to-learn” model  
6 under which apprentices receive on-the-job training at an apprenticeship rate  
7 for approximately 70 percent of their educational experience and perform  
8 coursework and receive related instruction at Vermont CTE centers or  
9 Vermont State Colleges for approximately 30percent of their educational  
10 experience;

11 (b) By 2021, the Department of Labor shall establish a system for  
12 registering and recognizing pre-apprenticeship programs delivered at career  
13 and technical education centers, high schools, the Vermont State Colleges, and  
14 other occupational training providers, in alignment with federal law and  
15 guidance;

16 (c) In consultation with the Agency of Education, the Department of Labor  
17 shall explore feasibility of establishing statewide matriculation agreements  
18 between secondary programs and registered apprenticeship programs. The  
19 Department of Labor shall make recommendations to Senate Committees on  
20 Education and Housing and Economic Development and House Committees of

1 Education and Commerce by November 1, 2022 if any statutory changes are  
2 required.

3 (d) The Agency of Education and the Department of Labor are directed to  
4 explore ways to repurpose and retarget federal and State grant funds, within  
5 relevant parameters, to revitalize and enhance connections between Vermont’s  
6 adult and post-secondary education systems to propose new partnerships that  
7 will incentivize new and more targeted training and workforce development  
8 systems.

9 (e) The Department of Labor shall explore how to fund new investments  
10 that are aligned with robust metrics and key indicator analyses and to assess  
11 Vermont’s progress in realignment.

12 Sec. 4. SPECIALTY APPRENTICESHIPS

13 (a) The Agency of Education and the Vermont Technical College shall  
14 provide postsecondary career technical education centers training programs for  
15 Firefighter I and Emergency Medical Responder certifications through the  
16 Dual Enrollment program.

17 (b) The Department of Labor shall work with the Vermont State Colleges:

18 (1) establish a “Rural On Line Initiative,” which is a credential program  
19 that trains remote workers; and

20 (2) develop and offer credentials for a Remote Work Manager certificate,  
21 which shall provide proof that you can manage people effectively and

1 productively on line, video etiquette, managing meetings and video  
2 conferencing.

3 (c)(1) The Agency of Commerce and Community Development, in  
4 collaboration with Public Service Department, shall create a study that will  
5 identify:

6 (A) what specialties in the workforce will Vermont need in to meet  
7 the workforce needs of our expanding broadband, weatherization, and grid  
8 modernization efforts; and

9 (B) what apprenticeship and certificate programs in these fields are  
10 being given.

11 (2) The Department of Labor shall develop additional apprenticeship and  
12 certification programs to fit the expected needs in this area.

13 Sec. 5. 32 V.S.A. § 5811(21)(B) is amended to read:

14 (B) Decreased by the following items of income (to the extent such  
15 income is included in federal adjusted gross income):

16 (i) income from U.S. government obligations;

17 (ii) with respect to adjusted net capital gain income as defined in  
18 26 U.S.C. § 1(h) reduced by the total amount of any qualified dividend  
19 income: either the first \$5,000.00 of such adjusted net capital gain income; or  
20 40 percent of adjusted net capital gain income from the sale of assets held by

1 the taxpayer for more than three years, except not adjusted net capital gain  
2 income from:

3 (I) the sale of any real estate or portion of real estate used by  
4 the taxpayer as a primary or nonprimary residence; or

5 (II) the sale of depreciable personal property other than farm  
6 property and standing timber; or stocks or bonds publicly traded or traded on  
7 an exchange, or any other financial instruments; regardless of whether sold by  
8 an individual or business; and provided that the total amount of decrease under  
9 this subdivision (21)(B)(ii) shall not exceed 40 percent of federal taxable  
10 income or \$350,000.00, whichever is less;

11 (iii) recapture of State and local income tax deductions not taken  
12 against Vermont income tax; ~~and~~

13 (iv) the portion of federally taxable benefits received under the  
14 federal Social Security Act that is required to be excluded under section 5830e  
15 of this chapter; and

16 (v) any federally taxable military retirement pay.

17 Sec. 6. 32 V.S.A. § 5813(y) is added to read:

18 (y) The statutory purpose of the exemption of federally taxable military  
19 retirement pay in subdivision 5811(21)(B)(v) of this title is to recognize the  
20 military service of Vermonters who derive part of their income from military  
21 retirement pay.

1       Sec. 7. 2019 Acts and Resolves No. 80, Sec. 12 is amended to read:

2           Sec. 12. NEW WORKER RELOCATION INCENTIVE PROGRAM

3           (a) The Agency of Commerce and Community Development shall design  
4       and implement a New Worker Relocation Incentive Program to award  
5       incentive grants to new workers as provided in this section and subject to the  
6       policies and procedures the Agency adopts to implement the Program.

7           (b) Incentives for new workers. A new worker may be eligible for a grant  
8       under the Program for qualifying expenses, subject to the following:

9           (1) A base grant for a new worker shall not exceed \$5,000.00.

10          (2) The Agency may award an enhanced grant, which shall not exceed  
11       \$7,500.00, for a new worker who relocates to a labor market area in this State  
12       in which:

13           (A) the average annual unemployment rate in the labor market area  
14       exceeds the average annual unemployment rate in the State; or

15           (B) the average annual wage in the State exceeds the annual average  
16       wage in the labor market area.

17          (c) The Agency shall:

18           (1) adopt procedures for implementing the Program, which shall include  
19       a simple certification process to certify new workers and qualifying expenses;

- 1           (2) promote awareness of the Program, including through coordination  
2           with relevant trade groups and by integration into the Agency’s economic  
3           development marketing campaigns;
- 4           (3) award grants on a first-come, first-served basis beginning on January  
5           1, 2020, subject to available funding; and
- 6           (4) adopt measurable goals, performance measures, and an audit strategy  
7           to assess the utilization and performance of the Program.
- 8           (d) On or before October 1, 2020, the Agency shall submit a report to the  
9           House Committee on Commerce and Economic Development and the Senate  
10          Committee on Economic Development, Housing and General Affairs  
11          concerning the implementation of this section, including:
- 12           (1) a description of the policies and procedures adopted to implement  
13          the Program; and
- 14           (2) the promotion and marketing of the Program.
- 15          (e) As used in this section:
- 16           (1) “New worker” means a qualified military veteran or an individual  
17          who on or after January 1, 2020:
- 18           (A) becomes a full-time resident of this State;
- 19           (B) becomes a full-time employee of a business domiciled or  
20          authorized to do business in this State;

1 (C)(i) is employed in an occupation identified by the Department of  
2 Labor in its 2016–2026 Long Term Occupational Projections as one of the top  
3 occupations at each level of educational attainment typical for entry; or

4 (ii) who the Agency determines should otherwise receive an  
5 incentive grant under the Program because the worker possesses exceptional  
6 education, skills, or training or due to other extraordinary circumstances; and

7 (D) whose gross wage for the position equals or exceeds:

8 (i) 160 percent of the State minimum wage; or

9 (ii) if the employer is located in a labor market area in which the  
10 average annual unemployment rate is higher than the average annual  
11 unemployment rate for the State, 140 percent of the State minimum wage.

12 (2) “Qualifying expenses” means the actual costs that a new worker  
13 incurs for one or more of the following:

14 (A) relocation expenses, which may include closing costs for a  
15 primary residence; rental security deposit; first month’s rent payment; and  
16 other expenses established in Agency guidelines; and

17 (B) expenses necessary for a new worker to perform his or her  
18 employment duties, including connectivity costs, specialized tools and  
19 equipment, and other expenses established in Agency guidelines.

20 (3) “Qualifying military veteran” means an individual who:

1           (A) is honorably discharged from active duty in the U.S. Armed  
2           Forces or a state national guard; and

3           (B) on or after January 1, 2021:

4                   (i) becomes a full-time resident of this State; and

5                   (ii)(I) becomes a full-time employee of a business domiciled or  
6           authorized to do business in this State; or

7                   (II) registers with the Secretary of State a new business in  
8           which the individual owns a controlling interest.

9           Sec. 8. HEALTH CARE WORKFORCE

10           (a) Vermont health care providers are currently faced with a workforce  
11           shortage. The Vermont Talent Pipeline Management’s (VTPM) 2018 survey  
12           predicts that there will be 3,900 nursing-related job vacancies between now  
13           and spring of 2020.

14           (b) The Vermont Area Health Education Centers (AHEC) Program,  
15           administers the Vermont educational loan repayment program for healthcare  
16           professionals. AHEC loan repayment has proven to be a successful tool in  
17           retaining staff. 94% of awardees still work in Vermont today.

18           (c) In fiscal year 2021 the amount of \$300,000.00 is appropriated from the  
19           General Fund to AHEC for loan repayment to be administered by AHEC,  
20           provided that loan repayments amounts shall be competitive with surrounding

1 New England states and the loan repayment funds shall focus on APRN, RN  
2 and LPN professionals.

3 Sec. 9. LEGISLATIVE INTENT

4 It is the intent of the General Assembly that:

5 (1) Vermont enhance the retention, growth, and professional  
6 development of the State’s early childhood educators, who are the driving  
7 force of the state’s early care and learning system;

8 (2) the State support Vermont employers and employees by making  
9 investments to enhance the capacity and quality of child care; and

10 (3) grow our economy by investing in workers: nearly 12.7 billion  
11 dollars are lost annually across the country due to challenges accessing  
12 childcare.

13 Sec. 10. 33 V.S.A. § chapter 35, subchapter 5 is added to read:

14 Subchapter 5. Support for Early Childhood Education Workforce

15 § 3533. EARLY CHILDHOOD EDUCATOR SCHOLARSHIP PROGRAM

16 (a) There is established a need-based scholarship program for individuals  
17 employed by a regulated, center-based child care program or family child care  
18 home while acquiring credits in early childhood education or early childhood  
19 special education.

20 (b) The Division shall contract for the administration of the program set  
21 forth in subsection (a) of this section and adopt policies, procedures, and

1 guidelines necessary for its implementation. Scholarships distributed pursuant  
2 to this section shall be available on a first-come, first-served basis until any  
3 appropriated funds are depleted.

4 (c) An individual shall not simultaneously participate in the scholarship  
5 program set forth in this section and the student loan repayment assistance  
6 program set forth in section 3533 of this title.

7 § 3534. EARLY CHILDHOOD EDUCATOR STUDENT LOAN  
8 REPAYMENT ASSISTANCE

9 (a)(1) There is established a student loan repayment assistance program to  
10 be administered by the Vermont Student Assistance Corporation for the  
11 purpose of providing student loan repayment assistance to any individual  
12 employed by a regulated center-based child care program or family child care  
13 home.

14 (2) An eligible individual shall:

15 (A) be a Vermont resident working in a center-based child care  
16 program or family child care home that is regulated by the Division for at least  
17 an average of 30 hours per week for at least 48 weeks of the year;

18 (B) receive an annual salary of not more than \$40,000.00;

19 (C) have graduated from a Vermont college or University with at  
20 least a bachelor's degree in early childhood education or early childhood  
21 special education or have been a Vermont resident at the time of completing at

1 least their bachelor’s degree in early childhood education or early childhood  
2 special education; and

3 (D) hold student debt from earning their degree that qualifies them  
4 for working as a lead teacher in an early care and learning program.

5 (3) To participate in the program set forth in this section, an eligible  
6 individual shall submit to VSAC documentation expressing the individual’s  
7 intent to work in a regulated center-based child care program or family child  
8 care home for at least the following 12 months. A participant may receive up to  
9 \$3,000 annually in student loan repayment assistance, which shall be  
10 distributed by VSAC in monthly allotments.

11 (b)(1) VSAC shall adopt policies, procedures, and guidelines necessary to  
12 implement the provisions of this section.

13 (2) Funds appropriated for this program shall be expended for repayment  
14 of student loans and shall include sufficient funding for VSAC to administer

1 the program. Student loan repayments shall be available pursuant to this  
2 section on a first-come, first-served basis until appropriated funds are depleted.

3 (c) The program shall initially be open to all eligible individuals who  
4 graduated between January 1, 2018 and June 30, 2020, and shall then be open  
5 to eligible graduates in the given calendar year.

6 (d) The program shall go into effect as of July 1, 2020 and sunset on  
7 December 31, 2025, unless otherwise renewed.

8 Sec. 11. APPROPRIATION; EARLY CHILDHOOD EDUCATOR  
9 SUPPORTS

10 (a)(1) In fiscal year 2021, \$653,000.00 is appropriated from the General  
11 Fund to the Department for Children and Families' Child Development  
12 Division for the early childhood educator scholarship program established  
13 pursuant to 33 V.S.A. § 3533.

14 (2) In fiscal year 2021, \$1,600,000.00 is appropriated from the General  
15 Fund to the Vermont Student Assistance Corporation for the early childhood  
16 educator student loan repayment assistance program established pursuant to 33  
17 V.S.A. § 3534.

18 (b)It is the intent of the General Assembly that appropriations that meet or  
19 exceed each of the amounts appropriated in fiscal year 2021 pursuant to

1 subdivisions (a) (1), (2), and (3) of this section be made in fiscal years 2021  
2 through 2026.

3 Sec.12. SUPPORTING VERMONT’S EMPLOYERS THROUGH CHILD  
4 CARE

5 (a) There is established an employer child care support pilot program to  
6 provide grants and technical assistance to employers who partner with regional  
7 planning commissions, early childhood education programs, and community  
8 stakeholders to strategically develop child care capacity to support regional  
9 economic stability and growth to establish a scholarship program for children  
10 of employees to attend an eligible child care or early learning program or  
11 newly forming child care or early learning program that will be regulated by  
12 the Child Development Division of the Department for Children and Families.

13 (b) A proposal for a program shall include documented collaboration with  
14 the local Building Bright Futures Regional Council and at least three of the

1 five following entities in addition to a qualified child care or early learning  
2 program or newly forming child care or early learning program:

3 (1) regional economic development corporation;

4 (2) early childhood educators;

5 (3) financial institutions;

6 (4) other employers in the region;

7 (5) other non-profit or civic organizations in the region.

8 (c) As used in this section an eligible child care or early learning program  
9 means a family child care home or center-based child care or preschool  
10 program that is currently licensed by the Department for Children and  
11 Families' Child Development Division.

12 (d) The Agency of Commerce and Community Development shall contract  
13 the administration of the pilot project to a qualified community agency.

14 (e) Maximum grant awards may not exceed \$25,000 per grant.

15 SEC.13. APPROPRIATION; EMPLOYER CHILD CARE SUPPORT PILOT

16 In fiscal year 2021, \$1,000,000.00 is appropriated from the General Fund to  
17 the Agency of Commerce and Community Development for the employer  
18 child care support pilot program established in Sec. 10 of this act.

19 \* \* \* Vermont Employment Growth Incentive Program;

20 Confidential Business Information \* \* \*

21 Sec. 14. 32 V.S.A. § 3102 is amended to read:

1 § 3102. CONFIDENTIALITY OF TAX RECORDS

2 (a)(1) No present or former officer, employee, or agent of the Department of  
3 Taxes shall disclose any return or return information to any person who is not  
4 an officer, employee, or agent of the Department of Taxes except in  
5 accordance with the provisions of this section.

6 (2) A person who violates this section shall be fined not more than  
7 \$1,000.00 or ~~imprisoned for~~ sentenced to not more than one year of  
8 community service, or both; and if the offender is an officer or employee of  
9 this State, he or she shall, in addition, be dismissed from office and be  
10 incapable of holding any public office for a period of five years thereafter.

11 (b) The following definitions shall apply for purposes of this chapter:

12 \* \* \*

13 (2) “Return” means any tax return, declaration of estimated tax, license  
14 application, report, or similar document, including attachments, schedules, and  
15 transmittals, filed with the Department of Taxes.

16 (3) “Return information” includes a person’s name, address, date of  
17 birth, Social Security or federal identification number or any other identifying  
18 number; information as to whether or not a return was filed or required to be  
19 filed; the nature, source or amount of a person’s income, payments, receipts,  
20 deductions, exemptions, credits, assets, liabilities, net worth, tax liabilities, tax  
21 payments, deficiencies or over-assessments; and any other data, from any

1 source, furnished to or prepared or collected by the Department of Taxes with  
2 respect to any person.

3 \* \* \*

4 (d) The Commissioner shall disclose a return or return information:

5 \* \* \*

6 (4) to any other person specifically authorized by law to receive such  
7 information;

8 \* \* \*

9 (6) to the Vermont Economic Progress Council, provided that the  
10 disclosure relates to a successful business applicant under chapter 105,  
11 subchapter 2 of this title and the incentive it has claimed is reasonably  
12 necessary for the Council to perform its duties under that subchapter;

13 \* \* \*

14 (e) The Commissioner may, in his or her discretion and subject to such  
15 conditions and requirements as he or she may provide, including any  
16 confidentiality requirements of the Internal Revenue Service, disclose a return  
17 or return information:

18 (1) To any person, provided that the information appears in records that  
19 are otherwise available to the general public; it shall not be an abuse of  
20 discretion to deny disclosure on the grounds that the information is of the type  
21 available at a town clerk's office.

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\* \* \*

(11) To the Joint Fiscal Office or its agent, provided that the disclosure relates to a successful business applicant under chapter 105, subchapter 2 of this title and the incentive it has claimed and is reasonably necessary for the Joint Fiscal Office or its agent to perform the duties authorized by the Joint Fiscal Committee or a standing committee of the General Assembly under that subchapter; to the Auditor of Accounts for the performance of duties under section 163 of this title; and to the Department of Economic Development for the purposes of subsection 5922(f) of this title.

\* \* \*

(g) Nothing in this section shall be construed to prohibit the publication of statistical information, rulings, determinations, reports, opinions, policies, or other information so long as the data is disclosed in a form that cannot identify or be associated with a particular person.

(h) If any provision of Vermont law authorizes or requires the Commissioner to divulge or make known in any manner any return or return information, the person or persons receiving such return or return information (other than information disclosed under subsection (i) of this section) shall be subject to the provisions of subsection (a) of this section as if such person were the agent of the Commissioner. Nothing in this subsection shall be construed to

1 restrict the disclosure of a return or return information by the person to whom  
2 it relates.

3 \* \* \*

4 (1)(1) The Commissioner of Taxes and the Chief Fiscal Officer of the Joint  
5 Fiscal Office shall enter into a memorandum of understanding in order to  
6 provide the Joint Fiscal Office with State returns and return information  
7 necessary for the Joint Fiscal Office or its agents to perform its duties,  
8 including conducting its own statistical studies, forecasts, and fiscal analysis.

9 (2) The memorandum of understanding shall provide for:

10 (A) mechanisms to prevent the identification of individual taxpayers,  
11 including the redaction of any information that identifies a particular taxpayer;

12 (B) protocols for handling and transmitting returns and return  
13 information;

14 (C) the designation of specific employees of the Joint Fiscal Office  
15 with access to the information provided by the Department of Taxes;

16 (D) the incorporation of penalties for unauthorized disclosures under  
17 subsections (a) and (h) of this section.

18 \* \* \*

19 Sec. 15. 32 V.S.A. § 3340 is amended to read:

20 § 3340. REPORTING

1           (a) On or before September 1 of each year, the Vermont Economic  
2 Progress Council and the Department of Taxes shall submit a joint report on  
3 the incentives authorized in this subchapter to the House Committees on Ways  
4 and Means, on Commerce and Economic Development, and on  
5 Appropriations, to the Senate Committees on Finance, on Economic  
6 Development, Housing and General Affairs, and on Appropriations, and to the  
7 Joint Fiscal Committee.

8           (b) The Council and the Department shall include in the joint report:

9               (1) the total amount of incentives authorized during the preceding year  
10 and the amount per business;

11               (2) with respect to each business with an approved application:

12                   (A) the date and amount of authorization;

13                   (B) the calendar year or years in which the authorization is expected  
14 to be exercised;

15                   (C) whether the authorization is active; and

16                   (D) the date the authorization will expire; and

17               (3) the following ~~aggregate~~ information specific to each business that  
18 earns an incentive:

19                   (A) the number of claims and incentive payments made in the current  
20 and prior claim years;

1           (B) the payroll performance requirement, the jobs performance  
2           requirement, and the capital investment performance requirement for each  
3           award year;

4           ~~(B)~~(C) the number, NAICS code, median wage, and average wage of  
5           qualifying jobs; and

6           (D) the number of jobs by wage range; and

7           ~~(C)~~(E) the amount of new payroll and capital investment.

8           (c) The Council and the Department shall present data and information in  
9           the joint report in a searchable format.

10          (d) Notwithstanding any provision of law to the contrary, an incentive  
11          awarded pursuant to this subchapter shall be treated as a tax expenditure for  
12          purposes of chapter 5 of this title.

13          Sec. 16. 32 V.S.A. § 3341 is amended to read:

14          § 3341. ~~CONFIDENTIALITY OF PROPRIETARY~~ CONFIDENTIAL  
15          BUSINESS INFORMATION

16          ~~(a) The Vermont Economic Progress Council and the Department of Taxes~~  
17          ~~shall use measures to protect proprietary financial information, including~~  
18          ~~reporting information in an aggregate form.~~

19          ~~(b) Information and materials submitted by a business concerning its~~  
20          ~~income taxes and other confidential financial information shall not be subject~~  
21          ~~to public disclosure under the State's public records law in 1 V.S.A. chapter 5,~~

1 ~~but shall be available to the Joint Fiscal Office or its agent upon authorization~~  
2 ~~of the Joint Fiscal Committee or a standing committee of the General~~  
3 ~~Assembly, and shall also be available to the Auditor of Accounts in connection~~  
4 ~~with the performance of duties under section 163 of this title; provided,~~  
5 ~~however, that the Joint Fiscal Office or its agent and the Auditor of Accounts~~  
6 ~~shall not disclose, directly or indirectly, to any person any proprietary business~~  
7 ~~information or any information that would identify a business except in~~  
8 ~~accordance with a judicial order or as otherwise specifically provided by law.~~

9 (c) ~~Nothing in this section shall be construed to prohibit the publication of~~  
10 ~~statistical information, rulings, determinations, reports, opinions, policies, or~~  
11 ~~other information so long as the data are disclosed in a form that cannot~~  
12 ~~identify or be associated with a particular business.~~

13 (a) As used in this section, “confidential business information” means the  
14 following information that is not otherwise publicly disclosed pursuant to  
15 section 3340 of this title or other provision of law:

16 (1) return information, as defined in section 3102 of this title, except  
17 that for purposes of this section the term “person” as used in the definition of  
18 “return information” means only a natural person;

19 (2) trade secrets, as defined in 1 V.S.A. § 317(c)(9); and

20 (3) records related to incentive claims under this chapter that are  
21 produced or acquired by the Department of Taxes.

1       (b)(1) Confidential business information is exempt from public inspection  
2       and copying under the Public Records Act.

3       (2) Any other information or data that is not confidential business  
4       information, including business-specific data generated by the Vermont  
5       Economic Progress Council as part of its consideration of an application under  
6       this subchapter, is not exempt from public inspection and copying.

7       (c) The Vermont Economic Progress Council and the Department of Taxes  
8       shall adopt measures to protect against the public disclosure of confidential  
9       business information and shall not disclose confidential business information  
10       except:

11       (1) to the Joint Fiscal Office or its agent upon request by:

12               (A) the Joint Fiscal Committee;

13               (B) the Speaker of the House;

14               (C) the President Pro Tempore of the Senate;

15               (D) the Chair of the House Committee on Appropriations, on

16       Commerce and Economic Development, or on Ways and Means; or

17               (E) the Chair of the Senate Committee on Appropriations, on

18       Economic Development, Housing and General Affairs, or on Finance;

19       (2) to the Auditor of Accounts in connection with the performance of

20       duties under section 163 of this title;

21       (3) pursuant to a judicial order; or

1           (4) as otherwise specifically provided by law.

2           (d) The Joint Fiscal Office, its agent, and the Auditor may disclose  
3           confidential business information only to the persons and committees specified  
4           in subdivision (c)(1) of this section, who shall review confidential business  
5           information in executive session and shall not further disclose the confidential  
6           business information.

7           \* \* \* Vermont Employment Growth Incentive Program; Pilot Programs \* \* \*

8           Sec. 17. 32 V.S.A. chapter 105, subchapter 2 is amended to read:

9                     Subchapter 2: Vermont Employment Growth Incentive Program

10   \* \* \*

11           § 3343. VERMONT INVESTMENT INCENTIVE PROGRAM

12           (a) Creation. Within the Vermont Employment Growth Incentive Program  
13           there is created a Vermont Investment Incentive Program, the purpose of  
14           which is to incentivize large, regionally significant employers to make  
15           additional capital investments in their Vermont facilities.

16           (b) Requirements. Notwithstanding any provision of this chapter to the  
17           contrary:

18                     (1) A business with 100 or more employees may apply for an incentive  
19                     pursuant to this section by filing an application with the Council that specifies  
20                     a capital investment performance requirement of \$20,000,000 over five years.

21                     (2) To calculate the value of an incentive, the Council shall:

1           (A) modify the cost-benefit model maintained pursuant to section  
2           3336 of this title as necessary to calculate new revenue growth; and

3           (B) multiply new revenue growth by 20 percent.

4           (3) A business with an approved application earns an incentive if during  
5           the award period the business:

6           (A) maintains or exceeds base employment and base payroll; and

7           (B) meets or exceeds the capital investment performance  
8           requirement.

9           § 3344. CAPITAL INVESTMENT CONVERTIBLE LOAN PROGRAM

10          (a) Creation. Within the Vermont Employment Growth Incentive Program  
11          there is created a Capital Investment Convertible Loan Program, the purpose of  
12          which is to offer an incentive to smaller businesses in the form of a convertible  
13          loan in order to upgrade facilities, machinery, and equipment and to increase  
14          total payroll.

15          (b) Requirements. Notwithstanding any provision of this chapter to the  
16          contrary:

17               (1) A business with 100 or fewer employees may apply for an incentive  
18               in the form of a convertible loan by submitting an application to the Council in  
19               the form and with the information the Council requires, which shall include a  
20               payroll performance requirement and a capital investment performance  
21               requirement.

1           (2) For purposes of this section:

2                   (A) An award period is three years.

3                   (B) A qualifying job may include an existing position at the business  
4           that otherwise meets the definition in subdivision 3331(9) of this title and has a  
5           median wage equal to or less than 2.5 times the median wage published for the  
6           year of application by the Department of Labor.

7                   (C) The payroll performance requirement shall equal or exceed an  
8           increase in base payroll of 1.5 times the most recent non-seasonally-adjusted  
9           Employment Cost Index.

10                  (D) A business may participate in either the incentive program or the  
11           convertible loan program and shall not participate in both simultaneously,  
12           provided that a business that otherwise qualifies for an enhanced incentive  
13           under sections 3334 or 3335 of this title may receive the benefits of the  
14           enhancement.

15                  (3) If the Council approves the application for an award, the Council  
16           shall recommend the application to the Vermont Economic Development  
17           Authority and the business must submit a loan application to the Authority for  
18           its review and approval pursuant to underwriting standards it adopts for that  
19           purpose.

1           (4)(A) If the Authority approves the loan application, notwithstanding  
2           any provision of 10 V.S.A. chapter 12 to the contrary, it shall issue a loan up to  
3           the total value of the incentives approved for the award period.

4           (B) The business is required to make monthly, interest-only payments  
5           during the award period.

6           (C) The interest rate shall not exceed one percent.

7           (5) If the Authority does not approve the loan application or approves a  
8           loan for less than the total value of the incentives, the business may withdraw  
9           its loan application and return to the Council to amend or withdraw its  
10           application.

11           (6) A loan shall convert to a grant at the end of the award period if the  
12           business remains in good standing on the loan and:

13           (A) the Authority verifies that the business meets or exceeds its  
14           capital investment requirement; and

15           (B) the Department of Taxes verifies to the Authority that the  
16           business meets or exceeds its payroll performance requirement.

17           (7) If the business satisfies the criteria in subdivision (5) of this  
18           subsection, the Department shall pay to the Authority the balance of the loan  
19           principal.

20           (8) If the business meets its payroll performance requirement, but does  
21           not meet its capital investment requirement:





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

6        (d) The Department of Housing and Community Development shall  
7        establish an application process, eligibility criteria, and criteria for prioritizing  
8        assistance for awarding grants from the Fund. Grants may be awarded to a  
9        municipality or nonprofit organization for a project using matching funds  
10       located in a designated downtown, village center, new town center, or  
11       neighborhood development area that will create a new public space or  
12       revitalize or activate an existing public space. Matching funds shall be raised  
13       through a crowdfunding approach that includes multiple donors and other  
14       appropriate requirements to ensure a broad base of community and financial  
15       support for the project.

16       (e) The Department of Housing and Community Development shall  
17       distribute funds under this section in a manner that provides funding for  
18       projects of various sizes in as many geographical areas of the State as possible.

19       (f) The Department of Housing and Community Development is authorized  
20       to use up to 15 percent of any appropriation to the Fund from the General Fund

1 to assist with crowdfunding, administration, and technological needs of the  
2 Better Places Program.

3 \* \* \* Technology-Based Economic Development \* \* \*

4 Sec. 21. TECHNOLOGY-BASED ECONOMIC DEVELOPMENT

5 (a) Purpose. The U.S. economy is undergoing a fundamental shift toward a  
6 technology and innovation-driven economy, with new technological  
7 applications changing how existing industries operate as well as spawning new  
8 industries of their own. Amid these rapid and transformative changes,  
9 Vermont increasingly competes nationally and globally for market share. To  
10 ensure Vermont remains relevant and competitive in the global economy over  
11 the next 20 years, the ThinkVermont Innovation Initiative is designed to  
12 strengthen our State's economic base by providing the essential tools and  
13 resources necessary to foster a climate where technology-based businesses can  
14 be created and thrive. The Initiative shall enable the State to contract with  
15 technical service providers and provide grants that can be accessed more  
16 quickly and with fewer restrictions than traditional federal initiatives.

17 (b) Technical Support. The Department of Economic Development shall  
18 contract with a technical service provider to assist Vermont-based technology  
19 companies in applying for federal small business innovation research and small  
20 business technology transfer grants.

1        (c) Matching Grants. Eligible Vermont companies who receive a federal  
2        SBIR/STTR Phase I or II grant will be eligible to apply for a matching grant  
3        from the Department of Economic Development. Grantees would be eligible  
4        for up to 50 percent of the federal award up to \$50,000.00.

5        (d) Industry Research Partnership Program. Eligible Vermont companies  
6        can apply for grants to purchase services from universities and research  
7        institutions to stimulate innovation. Eligible uses include research and  
8        development assistance, technology assessments, product prototyping, lab  
9        validation, and overcoming product development hurdles. Grantees must  
10       provide a dollar-for-dollar match to State funding.

11       (e) EPSCOR pass-through grant. The Department of Economic  
12       Development shall administer a pass-through grant to the Vermont Established  
13       Program to Stimulate Competitive Research (EPSCOR). Vermont EPSCOR  
14       shall administer grants to support the research and development of  
15       technologies with commercial potential and help them prepare to advance from  
16       the university toward eligibility for federal small business innovation research  
17       funding.

18       (f) Outcomes; measures. The Secretary shall adopt measures to evaluate  
19       the effectiveness of the funding, including federal dollars leveraged, amount of  
20       private capital raised by participating companies, and the number of new jobs  
21       created.



