

1 TO THE HONORABLE SENATE:

2 The Committee on Appropriations to which was referred House Bill No.
3 966 entitled “An act relating to COVID-19 funding and assistance for
4 broadband connectivity, housing, and economic relief “ respectfully reports
5 that it has considered the same and recommends that the Senate propose to the
6 House that the bill be amended by striking out all after the enacting clause and
7 inserting in lieu thereof the following:

8 * * * Purpose * * *

9 Sec. 1. PURPOSE

10 (a) The purpose of this act is to appropriate \$209,500,000.00 from the
11 Coronavirus Relief Fund to cover necessary broadband connectivity,
12 information technology, housing, and economic relief expenses incurred due
13 to, or as a result of, the COVID-19 public health emergency.

14 (b)(1) Costs are not compensable under this act if the same costs or
15 expenses have been or will be covered by insurance or by another State or
16 federal funding source; provided, however, that this restriction does not
17 include loans or advance payments for which repayment is expected.

18 (2) Costs that are eligible for coverage by other federal funding sources
19 are not compensable under this act unless authorized by the Secretary of
20 Administration.

1 * * * Coronavirus Relief Fund; Administrative Provisions * * *

2 Sec. 2. CONSISTENCY WITH CARES ACT AND GUIDANCE

3 (a) The General Assembly determines that the expenditure of monies from
4 the Coronavirus Relief Fund as set forth in this act complies with the
5 requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related
6 guidance because the costs to be covered:

7 (1) are necessary expenditures incurred due to the public health
8 emergency with respect to Coronavirus Disease 2019 (COVID-19);

9 (2) were not accounted for in Vermont’s fiscal year 2020 budget; and

10 (3) were, or will be, incurred during the period beginning on March 1,
11 2020 and ending on December 30, 2020.

12 (b) Additional details regarding the consistency of each appropriation with
13 the requirements of the CARES Act and related guidance are contained in a
14 supplemental memorandum that accompanies this act.

15 Sec. 3. GRANT RECIPIENT REQUIREMENTS; REVERSION AND

16 REALLOCATION SCHEDULE

17 All appropriations made from the State’s Coronavirus Relief Fund (CRF)
18 in this and other bills passed after March 1, 2020 as part of the 2020
19 legislative session are made with the knowledge that the statutory and
20 regulatory context is constantly changing. Additional federal legislation may

1 further change the potential for and appropriateness of CRF usage. As a
2 result:

3 (1) Appropriations from the CRF are subject to changes in source of
4 funds that may occur as the result of subsequent legislation or through
5 administrative actions, where permissible by law.

6 (2) Specific CRF uses may need to change based on changes to federal
7 laws or on revised or updated federal guidance.

8 (3) It is the responsibility of all entities receiving CRF monies to ensure
9 compliance with all federal guidelines as to CRF spending and use.

10 (4) Unless otherwise authorized by the Commissioner of Finance and
11 Management, any monies appropriated from the CRF shall revert to the CRF to
12 the extent that they have not been expended by December 20, 2020 to enable
13 reallocation.

14 Sec. 4. CORONAVIRUS RELIEF FUND GRANTS; CONDITIONS

15 (a) Any person receiving a grant comprising monies from the Coronavirus
16 Relief Fund shall use the monies only for purposes that comply with the
17 requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related
18 guidance.

19 (b) Any person who expends monies from the Coronavirus Relief Fund for
20 purposes not eligible under Sec. 5001 of the CARES Act, Pub. L. No. 116-136
21 and related guidance shall be liable for repayment of the funds to the State of

1 Vermont; provided, however, that a person shall not be liable for such
2 repayment if the person expended the monies in good faith reliance on
3 authorization of the proposed expenditure by or specific guidance from the
4 agency or department administering the grant program.

5 (c) The Attorney General or a State agency or department administering a
6 grant program established or authorized under this act may seek appropriate
7 criminal or civil penalties as authorized by law for a violation of the terms or
8 conditions of the applicable program, grant, or award.

9 Sec. 5. CORONAVIRUS RELIEF FUND; RECORD KEEPING;

10 COMPLIANCE; REPORTS

11 (a) In order to ensure compliance with the requirements of Sec. 5001 of the
12 CARES Act, Pub. L. No. 116-136, and related guidance, and to assist the State
13 in demonstrating such compliance:

14 (1) any agency or department, and any subrecipient of a grant, that is
15 authorized to disburse grant funds appropriated by this act shall include
16 standard audit provisions, as required by Agency of Administration Bulletins
17 3.5 and 5, in all contracts, loans, and grant agreements; and

18 (2) each grant recipient shall report on its use of the monies received
19 pursuant to this act to the agency or department administering the grant as
20 required by that agency or department and shall maintain records of its

1 expenditures of the monies for three years, or for a longer period if so required
2 by State or federal law, to enable verification as needed.

3 (b) On or before August 15, 2020 and October 1, 2020, each agency or
4 department administering a grant program pursuant to this act shall provide
5 information to the legislative committees of jurisdiction, including the House
6 and Senate Committees on Appropriations, regarding its distribution of grant
7 funds to date, the amount of grant funds that remains available for distribution,
8 and its plans for awarding the available funds by December 20, 2020.

9 * * * Financial Assistance * * *

10 Sec. 6. COVID-19; ECONOMIC SUPPORT FOR BUSINESSES AND
11 INDIVIDUALS

12 (a) Appropriations; grants. The following amounts are appropriated from
13 the Coronavirus Relief Fund to the named recipients to provide grants to
14 businesses that have suffered economic harm due to the COVID-19 public
15 health emergency and economic crisis.

16 (1) \$82,000,000.00 for additional emergency economic recovery grants
17 pursuant to 2020 Acts and Resolves No. 115 (S.350), Secs. 2–3, as follows:

18 (A) \$56,000,000.00 to the Agency of Commerce and Community
19 Development.

20 (B) \$26,000,000.00 to the Department of Taxes.

1 (2) \$2,000,000.00 to the Agency of Commerce and Community
2 Development to grant to the Working Lands Enterprise Fund for grants to
3 businesses within the agricultural, food and forest, and wood products
4 industries:

5 (A) for economic loss; or

6 (B) to assist a business in adapting its products to changes in
7 available markets or supply chains that are caused by the COVID-19 public
8 health emergency and economic crisis, provided that such assistance is clearly
9 necessary to ensure the continued viability of the business due to COVID-19.

10 (3)(A) \$5,000,000.00 to the Agency of Commerce and Community
11 Development to grant to the Vermont Community Loan Fund, working in
12 collaboration with the Vermont Commission on Women and other appropriate
13 partners, for grants to businesses that have from zero to five employees and are
14 at least 51 percent woman-owned or at least 51-percent minority-owned;

15 (B) The Fund shall reserve an allocation of \$2,500,000 for awards to
16 businesses in each of the two groups until September 1, 2020, after which the
17 Fund may re-allocate the funds if applications from either group are less than
18 half.

19 (4) \$1,500,000.00 to the Agency of Natural Resources for grants to
20 outdoor recreation businesses for costs or expenses necessary to comply with
21 or implement COVID-19 public health precautions, including:

1 (A) cleaning, disinfection, and personal protection services and
2 equipment;

3 (B) symptom monitoring or diagnosis for customers or participants;

4 (C) signage or informational material concerning public health
5 precautions;

6 (D) temporary staff housing necessary to maintain public health
7 precautions; and

8 (E) maintenance or repair of trails where damage is caused by
9 increased usage during the declared COVID-19 public health emergency.

10 (5) \$5,000,000.00 to the Agency of Commerce and Community
11 Development to grant to the Vermont Arts Council for grants to nonprofit arts
12 and cultural organizations. For purposes of calculating reduction in revenue
13 under this subdivision, “revenue” does not include tax-deductible charitable
14 contributions.

15 (b) Appropriations; other assistance. The following amounts are
16 appropriated from the Coronavirus Relief Fund to the named recipients to
17 provide assistance to businesses and individuals that have suffered economic
18 harm due to the COVID-19 public health emergency and economic crisis.

19 (1) \$2,500,000.00 to the Department of Tourism and Marketing to create
20 a Restart Vermont marketing program to encourage visitation and consumer

1 spending in Vermont to support businesses that have suffered economic harm
2 due to the COVID-19 public health emergency. Eligible uses include:

3 (A) marketing activities to promote travel to and within Vermont to
4 increase consumer spending at tourism, hospitality, retail, and related
5 businesses; and

6 (B) statewide or regional consumer stimulus programs or consumer
7 purchasing incentives that maximize the effect of local consumer spending,
8 including at restaurants, lodging establishments, retail stores, and tourism
9 attractions.

10 (2) \$2,500,000.00 to the Agency of Commerce and Community
11 Development to create a Restart Vermont business assistance program, through
12 which the Agency shall make available to businesses professional and
13 technical assistance through qualified Recovery Navigators, including:

14 (A) business operations, financial management, and grant writing;

15 (B) digital strategies;

16 (C) architecture and physical space design;

17 (D) reconfiguring manufacturing equipment and processes and
18 incorporating safety measures;

19 (E) technology and software consulting; and

20 (F) legal and other professional services.

1 (3) \$5,000,000.00 to the Agency of Commerce and Community
2 Development to grant to Southeastern Vermont Community Action to act as
3 fiscal agent for a statewide program, Restaurants and Farmers Feeding the
4 Hungry, the purpose of which is to provide assistance to Vermonters who are
5 food insecure due to the COVID-19 public health emergency by engaging
6 Vermont restaurants that have suffered economic harm due to the COVID-19
7 public health emergency to prepare meals using foodstuffs purchased from
8 Vermont farms and food producers.

9 (A) SEVCA shall collaborate with State and nonprofit partners
10 throughout Vermont, including the Agency of Commerce and Community
11 Development; the Agency of Agriculture, Food and Markets; the Agency of
12 Human Services; the Department of Public Safety; the Community Action
13 Agencies; the Vermont Food Bank; Hunger Free Vermont; the Vermont
14 Hunger Council; the Sustainable Jobs Fund/Farm to Plate; the Vermont
15 Community Foundation; the Downtown Brattleboro Alliance; Shiftmeals;
16 Mama Sezz; the Vermont Hospitality Coalition; and others.

17 (B) Under the Program, SEVCA and partners shall:

18 (i) establish multiple community-scale hubs across Vermont to
19 coordinate restaurant engagement and distribution of not fewer than 15,000
20 meals per week;

1 (ii) engage a broad range of restaurants of various sizes to produce
2 meals;

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

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

7 (c) Eligibility. To be eligible for a grant under subsection (a) or (b) of this
8 section, a business must meet the eligibility criteria and comply with the
9 guidelines adopted pursuant to 2020 Acts and Resolves No. 115 (S.350) unless
10 otherwise provided in this section, except that a business must demonstrate that
11 it suffered a 50 percent or greater reduction in revenue due to the COVID-19
12 public health emergency and economic crisis in a monthly or quarterly period
13 from March 1, 2020 to September 1, 2020 as compared to the same period in
14 2019.

15 (d) Administration of funds. A recipient or subrecipient authorized to
16 administer funds appropriated in this section to provide grants or assistance to
17 eligible businesses:

18 (1) shall coordinate directly with, and is subject to the guidelines and
19 procedures adopted by, the Agency of Commerce and Community
20 Development to ensure consistency and to avoid duplication of efforts and
21 awards among Coronavirus Relief Fund-related programs;

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

4 (3) shall transfer funds that are both unencumbered and unspent as of
5 September 15, 2020 to the Agency of Commerce and Community
6 Development, which the Agency shall use to make additional emergency
7 economic recovery grants pursuant to this section.

8 (e) Prohibition on multiple sources of funding.

9 (1) A business may not receive a grant of Coronavirus Relief Fund
10 monies from more than one source, except that a business in the dairy sector
11 may apply for a grant under subdivision (a)(2)(B) of this section, provided that
12 the award is not for the same purpose covered under other assistance from the
13 Fund.

14 (2) The Agency of Commerce and Community Development, the
15 Department of Taxes, and entities that administer funds appropriated pursuant
16 to this section shall provide businesses with guidance and support to help
17 identify the appropriate programs for which the business may be eligible for a
18 grant and other assistance.

19 (f) Public records; confidentiality.

1 (1) The name of a business that receives an award under this section and
2 the amount of the award are public records subject to inspection and copying
3 under the Public Records Act.

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

7 (3) Data submitted by a business under this section to demonstrate costs
8 or expenses shall be a trade secret exempt from public inspection and copying
9 under 1 V.S.A. § 317(c)(9), provided that submitted information may be used
10 and disclosed in summary or aggregated form that does not directly or
11 indirectly identify a business.

12 (g) Emergency economic recovery grant funds; transfer. If any funds
13 appropriated to Agency of Commerce and Community Development and the
14 Department of Taxes in 2020 Acts and Resolves No. 115 (S.350) remain both
15 unencumbered and unspent as of August 1, 2020, the Agency and Department
16 shall combine and administer those funds with the amounts made available to
17 them in this section, subject to the standards and criteria established in this
18 section.

1 * * * Local Government Expense Reimbursement * * *

2 Sec. 7. COVID-19 EXPENSE REIMBURSEMENT; LOCAL
3 GOVERNMENT

4 (a) The amount of \$13,000,000.00 is appropriated from the Coronavirus
5 Relief Fund to the Agency of Administration for the purpose of issuing grants
6 to units of local government to reimburse eligible COVID-19 expenses
7 incurred on or before December 30, 2020, including hazard pay, supplies and
8 equipment, sanitation, facility alterations, overtime compensation, redirection
9 of staff for first-response needs, and any other eligible COVID-19 expenses
10 not covered by other funding sources, including funding provided by the
11 Federal Emergency Management Agency.

12 (b) The Secretary of Administration or designee shall develop grant
13 guidelines for determining eligibility of COVID-19 expenses and requirements
14 for reimbursement for units of local government. In determining the allocation
15 of reimbursements under this section, the Secretary may prioritize need,
16 including the local unemployment rate and the percent of eligible COVID-19
17 expenses relative to the total budget.

18 (c) From the amount appropriated to the Agency of Administration under
19 this section, the Secretary or designee shall allocate:

20 (1) \$12,650,000.00 in grants for reimbursement of eligible COVID-19
21 expenses to the following:

1 (A) Vermont counties in amounts that shall not exceed \$1.00 per
2 person as determined from the 2019 town census data published by the U.S.
3 Census Bureau; and

4 (B) Vermont cities, towns, unorganized towns or gores, and any of
5 the unified towns and gores of Essex County, including those incurred by
6 incorporated villages, fire districts, consolidated water districts created under
7 24 V.S.A. chapter 91, and consolidated sewer districts created under 24 V.S.A.
8 chapter 105 therein. Grants allocated under this subdivision (c)(1)(B) shall not
9 exceed \$25.00 per person as determined from the 2019 town census data
10 published by the U.S. Census Bureau, provided that any recipient under this
11 subdivision with expenses that exceed \$25.00 per person and \$25,000.00 in
12 total shall receive a minimum payment of \$25,000.00.

13 (2) \$200,000.00 to solid waste management districts organized under
14 24 V.S.A. chapter 121 in grants for reimbursement of eligible COVID-19
15 expenses. The Secretary or designee may determine any limitations to the
16 amount of the grants allocated under this subdivision.

17 (3) An amount not to exceed \$150,000.00 may be used to contract with
18 one or more regional planning commissions for technical assistance to be
19 provided to units of local government in identifying and documenting eligible
20 COVID-19 expenses. Notwithstanding any other contrary provision of law,
21 the contract may be a sole source contract.

1 (4) In the event that applications for reimbursements exceed the amounts
2 allocated, grants may be prorated.

3 (d) On or before September 15, 2020, the Secretary of Administration shall
4 report to the Joint Fiscal Committee on program development and eligible
5 COVID-19 expenses reimbursed pursuant to this section. The Secretary shall
6 provide recommendations for any legislative action, including reallocation of
7 funds for reimbursement of eligible local government COVID-19 expenses.

8 Sec. 8. DIGITIZATION GRANT PROGRAM; DEFINITIONS

9 (1) “CARES Act” means the Coronavirus Aid, Relief, and Economic
10 Security Act, Pub. L. No.116–136, as amended, and any guidance and
11 regulations issued under that act.

12 (2) “Municipality” means a city, town, or incorporated village.

13 (3) “Eligible use” means a use of grant funds permitted under the
14 CARES Act to assist a municipality in digitizing land records for online public
15 access during municipal office closures due to the COVID-19 public health
16 emergency.

17 Sec. 9. CORONAVIRUS MUNICIPAL RECORDS DIGITIZATION

18 GRANTS; AGENCY OF ADMINISTRATION

19 (a) Authorization; appropriation. Of the funds available in the Coronavirus
20 Relief Fund, the amount of \$2,000,000.00 is appropriated to the Agency of

1 Administration to provide grants to eligible municipalities pursuant to this
2 section.

3 (b) Requirements for grant applicants. A municipality may apply for a
4 grant for an eligible use, provided that:

5 (1) The municipality was compelled to close its municipal offices or
6 limit access to land records due to the COVID-19 public health emergency
7 response.

8 (2) The municipality has established and maintained a Restoration and
9 Preservation Reserve Fund pursuant to 32 V.S.A. § 1671.

10 (c) Grant amount; terms.

11 (1) The Agency shall establish a formula for determining the amount of
12 grant awards, which shall include a maximum grant amount.

13 (2) The Agency shall consider whether and by how much grant awards
14 should be adjusted based on:

15 (A) whether a municipality has received financial assistance from
16 other sources;

17 (B) the funds available for digitization in a municipality's
18 Restoration and Preservation Reserve Fund;

19 (C) the number of property transactions within a municipality based
20 on property transfer tax data reported by the Department of Taxes; and

1 (D) whether a municipality closed or limited access to the municipal
2 clerk’s offices during the COVID-19 public health emergency.

3 Sec. 10. DIGITIZATION GRANT PROGRAM; GUIDELINES;
4 REPORTING

5 (a) Guidelines. Not later than 10 days after the effective date of this act,
6 the Agency of Administration shall publish guidelines governing the
7 implementation of the grant program, which at minimum shall establish:

8 (1) application and award procedures;

9 (2) standards for eligible uses of grant funds;

10 (3) standards governing the amount of grant awards to ensure:

11 (A) the equitable distribution of funds among regions of the State;

12 and

13 (B) that grants are based on need and will have a meaningful impact
14 on the ability of the public to access digitized land records online;

15 (4) procedures to ensure that grant awards comply with the requirements
16 of the CARES Act and that the State maintains adequate records to
17 demonstrate compliance with the Act; and

18 (5) procedures to prevent, detect, and mitigate fraud, waste, error, and
19 abuse.

20 (b) Consultation. Before publishing guidelines pursuant to subsection (a)
21 of this section, the Agency shall consult with representatives of the Vermont

1 League of Cities and Towns, the Vermont Municipal Clerks and Treasurers
2 Association, and the Vermont Bar Association.

3 (c) Reporting. The Agency shall:

4 (1) provide monthly updates and information concerning grant
5 guidelines, awards, and implementation to the committees of jurisdiction of the
6 General Assembly; and

7 (2) submit a report to the General Assembly on or before August 15,
8 2020 detailing the implementation of this section, including specific
9 information concerning the amount and identity of grant recipients, the amount
10 of grant funds expended for eligible uses, and the progress made to expend the
11 grant program funds by December 20, 2020, which shall be publicly available.

12 * * * Housing Assistance * * *

13 Sec. 11. COVID-19 RESPONSE; HOUSING

14 (a) Appropriations. The following amounts are appropriated from the
15 Coronavirus Relief Fund to the named recipients to provide grants and other
16 assistance to individuals and businesses that have suffered economic harm due
17 to the COVID-19 public health emergency and economic crisis.

18 (1) Legal and counseling services.

19 (A) \$550,000.00 to the Agency of Human Services for a grant to
20 Vermont Legal Aid to provide legal and counseling services to persons who

1 are, or are at risk of, experiencing homelessness, or who have suffered
2 economic harm due to the COVID-19 crisis.

3 (B) \$250,000.00 to the Department of Housing and Community
4 Development for grants to organizations that provide counseling and assistance
5 to landlords concerning tenancy, rental assistance, and related issues arising
6 due to the COVID-19 crisis.

7 (2) Housing and facilities. \$9,000,000.00 to the Vermont Housing and
8 Conservation Board, which the Board shall use, in part through grants to
9 nonprofit housing partners and service organizations, for housing and facilities
10 necessary to provide safe shelter and assistance for persons who are, or are at
11 risk of, experiencing homelessness, or who have suffered economic harm due
12 to the COVID-19 crisis, in order to mitigate COVID-19 effects and enable
13 compliance with COVID-19 public health precautions.

14 (3) Foreclosure protection. \$5,000,000.00 to the Department of Housing
15 and Community Development for a grant to the Vermont Housing Finance
16 Agency to provide financial and technical assistance to stabilize low- and
17 moderate-income homeowners and prevent home foreclosures for Vermont
18 families.

19 (A)(i) The Agency shall develop a standard application form for
20 homeowners that describes the application process and includes clear
21 instructions and examples to help homeowners apply.

1 (ii) The Agency shall implement a selection process that ensures
2 equitable approval of applications and a distribution system that ensures
3 accountability for homeowners receiving the funds.

4 (B) The Agency shall develop eligibility requirements to ensure the
5 funds are applied towards homeowners equitably, including:

6 (i) limitations for eligibility regarding the earned income of the
7 homeowners in comparison to the area median income;

8 (ii) forms and guidelines for homeowners to certify or otherwise
9 prove a demonstrable need for assistance;

10 (iii) limitations on actual cash benefits, which shall not exceed the
11 actual mortgage liability or six times the monthly mortgage liability, whichever
12 is less; and

13 (iv) a reapplication process that provides that if program funds
14 remain at the end of the six-month period, the homeowner may apply for
15 additional assistance.

16 (4) Rental assistance; eviction protection. \$25,000,000.00 to the
17 Department of Housing and Community Development for a grant to the
18 Vermont State Housing Authority, which shall administer the distribution of
19 funds to landlords on behalf of tenants in need of rental arrearage assistance.

20 (A) In developing the program, the Authority shall coordinate with
21 the Agency of Human Services and statewide and regional housing and

1 homelessness authorities to provide additional support services and better
2 promote upstream homelessness prevention and housing stability.

3 (B) The Authority shall develop a standard application form for
4 landlords and tenants, including mobile home lot tenants and homeless
5 households, that describes the application process and includes clear
6 instructions and examples to help tenants or landlords apply.

7 (C)(i) The Authority shall implement a selection process that ensures
8 equitable approval of applications, notice of grant decisions within 10 days,
9 and decisions on appeals within in 10 days, and a distribution system that
10 ensures accountability for the tenants and landlords that receive funds.

11 (ii) The Authority shall ensure decisions are made according to the
12 rules of the program and without regard to any previous information or
13 decisions known concerning tenants, and no tenant or landlord may benefit or
14 suffer harm due to previous knowledge or decisions.

15 (D)(i) Eligibility. The Authority shall develop eligibility
16 requirements to ensure that funds are applied equitably towards tenants,
17 currently homeless households, and landlords and to those in the most need,
18 including:

19 (I) certification of rent arrears;

20 (II) waiver of termination of tenancy or eviction for a period of
21 time;

1 (III) waiver of late fees and rent in excess of Authority

2 payment standards;

3 (IV) compliance with Rental Housing Health Code within 30

4 days; and

5 (V) agreement not to increase rent for a period of time.

6 (ii) Other requirements.

7 (I) The Authority shall ensure that assistance is provided

8 directly to the landlords on the tenants' behalf.

9 (II) The Authority shall ensure a streamlined application

10 process limited to a tenant certification of household members and a landlord

11 certification of past due rent to show that tenants have missed rental payments

12 and are at risk of eviction, or otherwise show proof of a demonstrable need for

13 rental assistance.

14 (III) The Authority shall require that landlords delay or cease

15 eviction proceedings, or both, for a period of time as a condition of receiving

16 assistance, provided that an exception may be made if a landlord applies and

17 the tenant has not paid rent nor certified need, in which case the landlord may

18 receive partial payment of arrears and retain right to evict.

19 (IV) The Authority shall adopt limitations on assistance granted

20 that shall not exceed the actual liability or those number of months due

21 calculated at Vermont State Housing Payment level, whichever is less. This

1 restriction shall include a reapplication process that provides that if there are
2 remaining program funds if the tenant is in arrears at a later date, the tenant
3 may reapply for assistance.

4 (V) For tenants in unsustainable tenancies and households that
5 received emergency housing benefits from Department for Children and
6 Families' General Assistance Program since March 1, 2020, funds may be used
7 for first and last months' rent and security deposit, and, where necessary, rent
8 payments through December 30, 2020. To obtain these benefits, a landlord
9 must certify that the individual or family will be accepted as a tenant; that the
10 landlord will not evict the tenant for nonpayment of rent before January 1,
11 2021; and, if the tenant leaves the unit prior to January 1, 2021, the landlord
12 will refund to the Authority the rental amount previously received for any
13 rental period after which the tenant left and for the security deposit if
14 reimbursement is appropriate.

15 (E) Not later than August 10, 2020 and thereafter upon request from
16 a legislative committee, the Authority shall issue a report to the General
17 Assembly detailing the number and amount of grants awarded in each category
18 by county.

19 (5) Rehousing investments.

20 (A) Creation of Program. The amount of \$6,200,000.00 is
21 appropriated to the Department of Housing and Community Development to

1 design and implement a Re-housing Recovery Program to provide funding to
2 statewide and regional housing partner organizations for grants to eligible
3 applicants.

4 (B) Administration. The Department shall require any statewide or
5 regional housing partner organization that receives funding under the Program
6 to develop:

7 (i) a standard application form that describes the application
8 process and includes clear instructions and examples to help property owners
9 apply;

10 (ii) a selection process that ensures equitable selection of property
11 owners; and

12 (iii) a grants management system that ensures accountability for
13 funds awarded to property owners.

14 (C) Grant requirements.

15 (i) The Department shall ensure each grant complies with the
16 following requirements:

17 (I) A property owner may apply for a grant of up to \$30,000.00
18 per unit.

19 (II) To be eligible, a unit must be blighted, vacant, or otherwise
20 not comply with applicable rental housing health and safety laws.

21 (ii) A property owner shall:

1 (I) match at least 10 percent of the value of the grant; and

2 (II) comply with applicable permit requirements and rental

3 housing health and safety laws.

4 (iii) The Department shall use one or more legally binding

5 mechanisms to ensure that:

6 (I) renovated units are made available to persons who require

7 economic assistance due to the COVID-19 crisis;

8 (II) the rent charged remains at or below annually published

9 HUD Fair Market Rent for the County or Metropolitan Statistical Area for at

10 least five years; and

11 (III) if a property owner sells or transfers a property improved

12 with grant funds within five years of receiving the funds, the property

13 continues to remain affordable for the remainder of the five-year period.

14 (D) The Department shall develop requirements regarding the

15 following:

16 (i) encouraging and incentivizing statewide and regional housing

17 partner organizations and property owners to work with local continua of care

18 organizations; and

19 (ii) limitations on the number of units for which an individual

20 owner may receive grant funds.

21 (E) Definitions. As used in this section:

1 (i) “Blighted” means that a rental unit is not fit for human
2 habitation and does not comply with the requirements of applicable building,
3 housing, and health regulations.

4 (ii) “Vacant” means that a rental unit has not been leased or
5 occupied for at least 90 days prior to the date on which a property owner
6 submits an application and the unit remains unoccupied at the time of the
7 award.

8 (b) On or after September 15, 2020, the Department of Housing and
9 Community Development, in consultation with the funding recipients named in
10 this section, shall assess the allocation and expenditure of funds made in this
11 section and may re-allocate funds as the Department determines is necessary to
12 most effectively provide necessary housing-related assistance to Vermonters
13 affected by the COVID-19 crisis.

14 Sec. 12. DEPARTMENT FOR CHILDREN AND FAMILIES; HOUSING
15 FOR HOUSEHOLDS EXPERIENCING HOMELESSNESS

16 (a) The sum of \$16,000,000.00 is appropriated from the Coronavirus Relief
17 Fund to the Department for Children and Families in fiscal year 2021 to fund
18 programs and services that support safe, stable housing opportunities for
19 Vermont households experiencing homelessness as a result of the COVID-19
20 public health emergency and related administrative costs. The programs and
21 services funded by this appropriation may include:

1 (1) expanding the Vermont Rental Subsidy program to provide homeless
2 households with temporary rental assistance through December 30, 2020 as a
3 bridge to public housing vouchers;

4 (2) providing or arranging for housing navigation and case management
5 services, such as identifying housing barriers, needs, and preferences;
6 developing and implementing plans to find and secure housing; conducting
7 outreach to potential landlords; assisting with relocation logistics; developing
8 permanent housing support crisis plans; and identifying other services
9 necessary for households to maintain permanent housing;

10 (3) providing financial assistance to Vermont households who are living
11 in motels to help them rapidly resolve their homelessness and enter into safe
12 housing arrangements;

13 (4) supplementing the General Assistance motel voucher program to
14 address the immediate housing needs of households who are currently living in
15 motels or hotels around the State and whose motel or hotel lodging is related to
16 a disruption to their previous housing situation as a result of the COVID-19
17 public health emergency; and

18 (5) capitalizing a housing risk pool for landlords to encourage rentals to
19 individuals experiencing homelessness or housing insecurity, which would
20 help landlords lessen their risk of exposure to financial loss through December
21 20, 2020, while renting to households that have poor or no rental housing

1 history as result of financial hardship due to the COVID-19 public health
2 emergency.

3 (b) The provision of housing programs and services is not compensable
4 under this section to the extent that the same costs or expenses have been or
5 will be covered by other federal funds.

6 * * * Broadband Connectivity Grants and Planning * * *

7 Sec. 13. COVID-RESPONSE ACCELERATED BRODBAND
8 CONNECTIVITY PROGRAM

9 (a) The sum of \$17,433,500.00 is appropriated to the COVID-Response
10 Accelerated Broadband Connectivity Program, a newly established program
11 administered by the Commissioner of Public Service, consistent with the
12 requirements of this section. The purpose of the Program is to rapidly and
13 significantly increase broadband connectivity consistent with the federal
14 parameters applicable to expenditures under the Coronavirus Relief Fund in a
15 manner that best serves the State’s goal of achieving universal 100 Mbps
16 symmetrical service by 2024 as specified in 30 V.S.A. § 202c. To achieve this
17 purpose, the Commissioner is given broad discretion to allocate funding, as he
18 or she deems appropriate, subject to legislative oversight as required under
19 subsection (m) of this section, to support the following programs and
20 initiatives:

1 (1) Up to \$2,000,000.00 for the COVID-Response Line Extension
2 Customer Assistance Program established in subsection (b) of this section.

3 (2) The Get Vermonters Connected Now Initiative established in
4 subsection (c) of this section.

5 (3) The COVID-Response Temporary Broadband Lifeline Program
6 established in subsection (d) of this section.

7 (4) The Connectivity Initiative established under 30 V.S.A. § 7515b for
8 projects that can be completed consistent with the parameters of Coronavirus
9 Relief Fund eligible expenditures, including fixed wireless projects.

10 (5) Wi-Fi deployment as specified in subsection (g) of this section.

11 (b) There is established the COVID-Response Line Extension Customer
12 Assistance Program, the purpose of which is to provide financial assistance for
13 the customer costs associated with line extensions to unserved locations. The
14 Commissioner shall develop guidelines and procedures to implement this
15 Program and may incorporate relevant provisions of PUC Cable Rule 8.313,
16 including the formula for assessing contributions in aid of construction.
17 Conditions of the Program shall include the following:

18 (1) An unserved location means an area without access to 25/3 Mbps.

19 (2) Per customer financial assistance may not exceed \$3,000.00.

20 (3) Locations eligible for financial assistance shall provide to the
21 Department data related to connectivity needs as they pertain to remote

1 learning, telehealth, and telework needs.

2 (4) A health care provider may apply for assistance on behalf of a
3 patient residing in Vermont for a line extension so that the patient can receive
4 telehealth or telemedicine services from the health care provider. Any K–12
5 educational institution, including a public or private school or school district,
6 may apply for a line extension on behalf of a student, provided the student’s
7 service location is in Vermont and the student needs the broadband service to
8 receive remote instruction from the educational institution.

9 (5) Funds under this Program shall be available for the most cost-
10 effective and site- appropriate line extension. Funds shall be disbursed on a
11 rolling basis until funds in the Program are expended or December 20, 2020,
12 whichever occurs first.

13 (c) There is established the Get Vermonters Connected Now Initiative.
14 Notwithstanding any provision of law to the contrary, funds shall be
15 distributed through the Connectivity Initiative established under 30 V.S.A.
16 § 7515b, and are available for projects in areas otherwise considered served
17 under the Connectivity Initiative. The purpose of the Program is to provide
18 financial assistance to Internet service providers to offset the customer costs of
19 fiber-to-the-premises installations, which include underground conduit
20 installations, where required, and service drops. The Commissioner shall
21 prioritize projects involving installation of underground conduit, where

1 required, that would result in broadband access to low-income households with
2 remote learning, telehealth, and telework needs.

3 (d) To the extent it is administratively feasible within the time constraints
4 of section 601(d) of the Social Security Act, the Department may establish a
5 COVID-Response Temporary Broadband Lifeline Program to provide
6 subsidies for customer broadband monthly subscriptions to increase broadband
7 adoption rates in response to the COVID-19 public health emergency.

8 (e) Up to \$50,000.00 of funds appropriated under this section may be used
9 to reimburse the Department of Public Service and the Agency of Digital
10 Services for any costs associated with the deployment of Wi-Fi hotspots not
11 covered by the Federal Emergency Management Agency.

12 (f) The Commissioner shall establish guidelines and procedures consistent
13 with Section 601(d) of the Social Security Act and shall incorporate provisions
14 for ensuring, to the greatest extent possible and based on the best available
15 data, that the Program will significantly increase broadband capacity for
16 distance learning, telehealth, and telework during the public health emergency.
17 To that end, projects funded under this Program shall reflect the Department’s
18 ongoing efforts with both the Agency of Education and the Vermont Program
19 for Quality in Health Care, Inc. to identify addresses and clusters of students or
20 vulnerable or high-risk Vermonters, or both, who do not have access to
21 broadband connectivity. In addition, the guidelines shall attempt to direct

1 funds under the Program to projects designed to serve economically-
2 challenged households or communities.

3 (g) Any new services funded in whole or in part by monies from this
4 Program shall be capable of speeds of at least 25 Mbps download and 3 Mbps
5 upload; however, when the technology is feasible, priority shall be given to
6 services that are capable of 100 Mbps symmetrical service.

7 (h) The location and capacity of infrastructure funded through this Program
8 shall be part of a permanent, public database maintained by the Department.

9 (i) If a proposed project under the Program is in the service territory of a
10 communications union district, immediately upon receipt of the application for
11 the proposed project, the Commissioner shall notify the affected
12 communications union district of the proposed project and provide seven
13 business days for the district to raise an objection to the proposed project. The
14 Commissioner may award funding to the proposed project over the objection
15 of a communications union district, provided he or she documents in writing
16 the reasons for overriding the objection.

17 (j) The Commissioner may disburse an award for advance payment of
18 capital costs provided the Commissioner determines such funding is necessary
19 for project commencement. The Commissioner may retain an award of
20 financial assistance, or a portion thereof, under this section until he or she
21 determines that eligible expenses have been incurred and properly documented

1 by the intended recipient in a form and manner prescribed by the
2 Commissioner.

3 (k) Funds under the Program shall not be used to support a provider’s costs
4 associated with line extensions otherwise required to be constructed pursuant
5 to a certificate of public good granted under 30 V.S.A. chapter 13.

6 (l) The Commissioner shall consider and coordinate with existing
7 stakeholders and initiatives, including VELCO and FirstNet, to leverage
8 private and public assets to the greatest extent possible in furtherance of the
9 objectives of this Program.

10 (m) On or before July 31, 2020 and every month thereafter until December
11 1, 2020, the Commissioner shall provide to the Joint Information Technology
12 Oversight Committee, the Senate Committee on Finance, and the House
13 Committee on Energy and Technology a status report on the Program that
14 identifies funding distributions to date, the amount of funds that remain
15 available for distribution, and plans for awarding available funds on or before
16 December 20, 2020.

17 (n) Any unexpended funds under the Program as of December 20, 2020
18 shall be returned to the State Coronavirus Relief Fund.

19 (o) Personal information submitted under the Program is confidential and
20 exempt from disclosure under the Public Records Act. Such information may
21 only be disclosed publicly in an anonymized and aggregated format.

1 (p) The Program shall sunset on January 1, 2021. The Department shall be
2 the successor in interest to any remaining rights, liabilities, and obligations.

3 (q) The Commissioner shall notify the Telecommunications and
4 Connectivity Advisory Board of pending grant awards.

5 Sec. 14. COVID-RESPONSE CONNECTED COMMUNITY RESILIENCE
6 PROGRAM

7 (a) The sum of \$800,000.00 is appropriated to the COVID-Response
8 Connected Community Resilience Program, a grant program to be
9 administered by the Commissioner of Public Service. The purpose of the
10 Program is to fund recovery planning efforts of communications union
11 districts, particularly with regard to accelerating their deployment schedules.
12 Accelerated deployment is necessary in direct response to the COVID-19
13 public health emergency, which has caused communications union districts to
14 rapidly reassess the connectivity needs in their respective service areas and to
15 reevaluate their deployment objectives going forward, either independently or
16 collaboratively. Conditions of the Program shall include the following:

17 (1) Costs eligible for funding under this Program include consultant
18 fees, administrative expenses, and any other recovery planning costs deemed
19 appropriate by the Commissioner.

20 (2) A grant award may not exceed \$100,000.00.

1 (b) The Commissioner shall develop policies and practices for Program
2 implementation consistent with the purposes of this section and also with
3 Section 601(d) of the Social Security Act, including standards for expense
4 verification and records retention.

5 Sec. 15. COVID-RESPONSE TELECOMMUNICATIONS RECOVERY
6 PLAN

7 The sum of \$500,000.00 is appropriated to the Commissioner of Public
8 Service to retain a consultant to assist with preparation of a COVID-Response
9 Telecommunications Recovery Plan. The purpose of the Recovery Plan is to
10 reassess the State’s critical connectivity needs in light of the COVID-19 public
11 health emergency and to reevaluate broadband deployment objectives going
12 forward. On or before December 20, 2020, the Recovery Plan shall be
13 submitted to the House Committee on Energy and Technology and the Senate
14 Committee on Finance.

15 Sec. 16. 2019 Acts and Resolves No. 79, Sec. 23, subsection (a) is amended to
16 read:

17 (a) It is the intent of the General Assembly that, regardless of when the
18 2017 Telecommunications Plan is adopted, a new Plan shall be adopted on or
19 before ~~December 1, 2020~~ June 30, 2021 in accordance with the procedures
20 established in 30 V.S.A. § 202d(e). The next Plan after that shall be adopted

1 on or before ~~December 1, 2023~~, and so on June 30, 2024 and every three years
2 thereafter.

3 Sec. 17. COVID-RESPONSE TELEHEALTH CONNECTIVITY PROGRAM

4 (a) The sum of \$800,000.00 is appropriated to the Department of Health for
5 the COVID-Response Telehealth Connectivity Program to be administered by
6 the Vermont Program for Quality in Health Care, Inc. (VPQHC) consistent
7 with its mission under 18 V.S.A. § 9416 and with its Connectivity Care
8 Packages pilot proposal. The purpose of the Program is to support equitable
9 access to telehealth services by providing outreach and educational
10 opportunities that improve digital literacy skills of patients and providers and
11 also by providing the equipment needed to support telehealth needs during the
12 COVID-19 public health emergency, particularly in areas that are digitally and
13 medically underserved and distributed geographically across the State.

14 Conditions of the Program shall include:

15 (1) To the extent feasible under the timing and funding constraints of
16 this Program, VPQHC shall make every effort to identify and prioritize
17 assistance to vulnerable and high-risk patients in all regions of the State.

18 (2) VPQHC shall ensure that all expenditures made pursuant to this
19 Program are properly documented and retained, consistent with the
20 requirements of Section 601(d) of the Social Security Act.

1 (b) Funds shall be disbursed on a rolling basis until all funds are fully
2 expended or on December 20, 2020, whichever occurs first. Any unexpended
3 funds shall be transferred to the State on or before December 20, 2020. This
4 Program shall sunset on December 31, 2020.

5 (c) On or before January 15, 2021, VPQHC shall report to the House
6 Committees on Health Care and on Energy and Technology and the Senate
7 Committees on Health and Welfare and on Finance an evaluation of the
8 Program’s effectiveness to date.

9 * * * PEG Access Funding and Study * * *

10 Sec. 18. PEG ACCESS FUNDING

11 The sum of \$466,500.00 is appropriated to the Department of Public
12 Service to be disbursed by the Commissioner, in consultation with the
13 Vermont Access Network, among the State’s access media organizations for
14 staffing and operational costs incurred due to unbudgeted and unplanned
15 coverage of public meetings and events in response to the COVID-19 public
16 health emergency, as well as for unplanned and unbudgeted expenditures
17 related to increased production and technical support for live-streaming
18 government and community-based organizations.

1 Sec. 19. STUDY; PUBLIC, EDUCATIONAL, AND GOVERNMENTAL
2 ACCESS TELEVISION

3 (a) The Agency of Commerce and Community Development shall retain a
4 consultant to review the current business model for Vermont Public,
5 Educational, and Governmental Access (PEG) television channels and provide
6 recommendations concerning how to ensure the future financial stability and
7 viability of PEG channels.

8 (b) The consultant shall prepare a written report that:

9 (1) provides a range of estimates of the projected decline in revenues
10 from cable franchise fees;

11 (2) reviews the budgets of entities that provide PEG services, including
12 salaries, operations, and equipment, and other substantial categories of outlays
13 and expenditures;

14 (3) sets forth and analyzes alternative sources of revenue, including fees
15 levied against voice and broadband providers;

16 (4) sets forth and analyzes ways to contain costs without losing
17 effectiveness, including encouraging or requiring entities that provide PEG
18 services to consolidate administrative functions or share resources and
19 exploring partnership opportunities with other public entities, such as schools;

20 (5) reviews PEG television channel business models from other states;

21 and

1 (6) provides recommendations concerning how to ensure the future
2 financial stability and viability of Vermont PEG television channels.

3 (c) On or before January 15, 2021, the consultant shall submit the written
4 report prepared pursuant to subsection (b) of this section to the House
5 Committees on Appropriations and on Energy and Technology and to the
6 Senate Committees on Appropriations and on Finance.

7 (d) The Agency is directed to identify available funding sources to support
8 the study required by this section, including Coronavirus Relief Fund monies
9 for distance learning, public health and safety communications, and online
10 State and local governmental activities during the COVID-19 public health
11 emergency.

12 * * * Utility Ratepayer Arrearages * * *

13 Sec. 20. DEPARTMENT OF PUBLIC SERVICE; UTILITY RATEPAYER
14 ARREARAGES

15 The sum of \$5,000,000.00 is appropriated to the Department of Public
16 Service for the purpose of simultaneously minimizing financial hardship
17 caused by the COVID-19 public health emergency and also mitigating utility
18 rate increases ultimately shared by all ratepayers, the Commissioner of Public
19 Service shall develop policies and practices for providing financial support to
20 utility ratepayers to cover account arrearages of ratepayers likely to face
21 disconnection when the moratorium ends. As used in this section, a “utility”

1 means a utility affected by the Public Utility Commission’s moratorium on
2 utility disconnections issued on March 18, 2020, as further amended and
3 revised by the Commission. Funds shall be disbursed on a rolling basis until
4 all funds are fully expended or December 20, 2020, whichever occurs first.
5 The Commissioner may contract with an independent third party to assist with
6 program administration. Customer information submitted pursuant to this
7 program shall be exempt from disclosure under the Vermont Public Records
8 Act; such data may only be disclosed on an anonymized and aggregated basis.

9 * * * Information Technology * * *

10 Sec. 21. AGENCY OF DIGITAL SERVICES; CYBERSECURITY

11 The sum of \$2,000,000.00 is appropriated to the Agency of Digital
12 Services to fund efforts to mitigate cybersecurity risks posed by State
13 employees working from home as a result of the COVID-19 pandemic.

14 Sec. 22. EFFECTIVE DATE

15 This act shall take effect on passage.

16
17
18
19
20
21

1 (Committee vote: _____)

2 _____

3 Senator _____

4 FOR THE COMMITTEE