

House Calendar

Tuesday, May 4, 2021

119th DAY OF THE BIENNIAL SESSION

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ACTION CALENDAR

Unfinished Business of Monday, May 3, 2021

Third Reading

S. 39

An act relating to the Judicial Branch fee report and electronic filing fees

Favorable with Amendment

H. 443

An act relating to approval of the merger of the Wilmington Water District with the Town of Wilmington

Rep. Gannon of Wilmington, for the Committee on Government Operations, recommends the bill be amended as follows:

In Sec. 2, plan of merger, in subsection (h), (finances), immediately following the words “general fund of the District shall be” by striking out the words “added to the general fund of the Town on the effective date of this act and shall be”

(Committee Vote: 11-0-0)

Rep. Durfee of Shaftsbury, for the Committee on Ways and Means, recommends the bill ought to pass when amended as recommended by the Committee on Government Operations.

(Committee Vote:10-0-1)

S. 16

An act relating to the creation of the Task Force on School Exclusionary Discipline Reform

Rep. Brady of Williston, for the Committee on Education, recommends that the House propose to the Senate that the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS

The General Assembly finds that:

(1) Nationally, millions of students are removed from the classroom each year for disciplinary reasons.

(2) U.S. Department of Education data reveals that in the 2013–2014 school year, of the 50 million students nationally enrolled in schools:

(A) 2.7 million received in-school suspensions;

(B) 1.6 million received one out-of-school suspension;

(C) 1.1 million received more than one out-of-school suspension; and

(D) 111,215 were expelled.

(3) Exclusionary discipline is used mostly in middle and high schools, and mostly for minor misconduct, according to the Council on State Governments' Justice Center.

(4) Students who are suspended are at significantly higher risk of academic failure, of dropping out of school, and of entering the juvenile justice system according to the Council on State Governments' Justice Center.

(5) Nationally, students of certain racial and ethnic groups and students with disabilities are disciplined at higher rates than their peers, beginning in preschool, as evidenced by 2013–2014 data from the U.S. Department of Education's Office for Civil Rights.

(A) Black students, representing approximately 15 percent of the U.S. student population, are suspended and expelled at a rate two times greater than White students, representing approximately 50 percent of the U.S. student population.

(B) Students with disabilities who have individualized education plans (IEPs) are more likely to be suspended than students without disabilities.

(6) According to the 2016 study "Educational Exclusion" published by the Gay, Lesbian, and Straight Education Network, which is a national education organization focused on ensuring safe and affirming schools for all students, students who are lesbian, gay, bisexual, transgender, or queer face disproportionately high rates of school discipline, including detention, suspension, and expulsion from school.

(7)(A) According to the Agency of Education's Report on Exclusionary Discipline Response, January 2017, for the 2015–2016 school year, 3,616 Vermont public school students were excluded, representing 4.7 percent of total enrollment.

(B) The Agency of Education found that students who are non-Caucasian, participate in the free and reduced lunch program, have Section 504 or IEP plans, male, or are English Learners are over-represented in terms

of the number who experience exclusion and the number of incidents resulting in exclusion.

(C) Use of school discipline strategies, such as exclusionary discipline, restraint, seclusion, referral to law enforcement, and school-related arrest, varies widely throughout the State.

(8) The Agency of Education publishes data on school discipline in Vermont annually, however:

(A) some data can be challenging to find or understand;

(B) consistent with federal student privacy laws and regulations, certain data may not be publicly reportable due to Vermont's extremely small size conditions, such as data with very few reported cases, data on specific incidents or actions, and data disaggregated by student demographics or grade level characteristics;

(C) even when available and reportable, care must be taken when using data to inform practice in order to ensure they are applied in a coherent and methodologically defensible manner; and

(D) while the Agency of Education and Vermont supervisory unions are currently working to improve data collection, stewardship, reporting processes, and infrastructure, this work is in the context of enhancing data quality, data literacy, and the technical infrastructure to support these enhancements.

(9) More data on school discipline practices in Vermont is necessary to understand what strategies are effective and to encourage the adoption of these strategies at the local level.

Sec. 2. TASK FORCE ON EQUITABLE AND INCLUSIVE SCHOOL ENVIRONMENTS; REPORT

(a) Creation. There is created the Task Force on Equitable and Inclusive School Environments. The Task Force shall make recommendations to end suspensions and expulsions for all but the most serious student behaviors and compile data regarding school discipline in Vermont public and approved independent schools in order to inform strategic planning, guide statewide and local decision making and resource allocation, and measure the effectiveness of statewide and local policies and practices.

(b) Membership.

(1) The Task Force shall be composed of the following 16 members:

(A) the Secretary of Education or designee;

(B) the Commissioner of Mental Health or designee;

(C) the Executive Director of the Vermont School Boards Association or designee;

(D) the Executive Director of the Vermont Council of Special Education Administrators or designee;

(E) the Executive Director of the Vermont Principals' Association or designee;

(F) the Executive Director of the Vermont-National Education Association or designee;

(G) the Executive Director of the Vermont Superintendents Association;

(H) one member, appointed by the Legal Aid Disability Law Project;

(I) one member, appointed by the Vermont Family Network;

(J) one member, appointed by the Building Effective Strategies for Teaching Students Project at the University of Vermont;

(K) one member, appointed by the Vermont Restorative Collaborative;

(L) one teacher, appointed by the Vermont-National Education Association;

(M) one member of a therapeutic school, appointed by the Vermont Independent Schools Association;

(N) one school counselor, appointed by the Vermont School Counselor Association; and

(O) two high school students, appointed by the Vermont Principals' Association in consultation with UP for Learning.

(2) The appointing authorities shall seek racial diversity in membership in making appointments to the Task Force.

(c) Powers and duties.

(1) The Task Force shall make recommendations to end suspensions and expulsions for all but the most serious student behaviors and, taking into account the Vermont Youth Risk Behavior Survey issued by the Department of Health and relevant data reported by the Agency of Education, shall perform the following tasks:

(A) review current behavioral supports and in-school services and availability of these services in various supervisory unions, approved independent schools, and regions of the State that are available to support students who would otherwise face exclusionary discipline;

(B) recommend additional or more uniform in-school services that should be available to:

(i) students who are under eight years of age where expulsion is not permitted under 16 V.S.A. § 1162 as amended by this act; and

(ii) other students who would otherwise face exclusionary discipline;

(C) define the most serious behaviors that, after considering all other alternatives and supports, should remain eligible for suspension or expulsion;

(D) review school professional development programs and make recommendations on how educator practices, such as positive behavioral interventions and support, trauma informed practices, and restorative practices, and related training for these practices can increase educators' awareness of students' needs in a manner to reduce behaviors that lead to possible out-of-school disciplinary measures;

(E) identify best practice procedures for students facing in-school or exclusionary discipline that:

(i) minimize law enforcement contacts;

(ii) are trauma-responsive; and

(iii) maximize relational and restorative actions that support the social, emotional, and mental health needs of these students;

(F) subject to federal and State privacy laws, review, on a school-district and approved independent schools basis, the readily available data and the data collection processes regarding suspensions and expulsions and review additional data necessary to inform the work of the Task Force, including:

(i) the total number of instances of expulsions and suspensions in each grade operated by the district or approved independent school;

(ii) the total number of students in each grade operated by the district or approved independent school who were expelled or suspended and the number of instances of expulsion or suspension, or both, for each student;

(iii) the duration of each instance of expulsion and suspension;

(iv) the infraction for which each expulsion and suspension was imposed;

(v) each instance of referral to local law enforcement authorities, the juvenile justice system, community justice center, State's Attorneys Offices, Department for Children and Families, or other juvenile justice-related authority;

(vi) each instance in which a civil, criminal, or juvenile citation was the consequence for a school-related infraction; and

(vii) each instance in which an excluded student received reeducational services, as well as the duration of reeducational services per day, per week, and per month;

(G) recommend how to ensure that school staff who collect, process, or communicate data understand the importance of data quality, the context of their role, and the rules that govern data collection, processing, communication, and public disclosure; and

(H) review how other states address exclusionary discipline.

(2) All data specified in subdivision (1)(F) of this subsection shall be in disaggregated format by, at a minimum, the following subgroups and categories to the extent permitted by federal and State privacy laws and to the extent information is available:

(A) White;

(B) Black;

(C) Hispanic;

(D) American Indian/Alaskan Native;

(E) Asian, Pacific Islander/Hawaiian Native;

(F) low-income/free or reduced lunch;

(G) Limited English Proficient or English Language Learner;

(H) migrant status;

(I) students receiving special education services;

(J) students on educational plans under Section 504 of the Rehabilitation Act of 1973;

(K) gender;

(L) sexual orientation;

- (M) foster care status;
- (N) homeless status; and
- (O) grade level.

(3) All data specified in subdivision (1)(F) of this subsection shall be cross-tabulated by, at a minimum, the following subgroups and categories to the extent permitted by federal and State privacy laws and to the extent information is available:

- (A) school;
- (B) school district;
- (C) race;
- (D) low-income/free or reduced lunch;
- (E) Limited English Proficient or English Language Learner;
- (F) migrant status;
- (G) students receiving special education services;
- (H) students on educational plans under Section 504 of the Rehabilitation Act of 1973;
- (I) gender;
- (J) sexual orientation;
- (K) foster care status;
- (L) homeless status;
- (M) grade level;
- (N) behavior infraction code;
- (O) intervention applied, including restraint and seclusion; and
- (P) educational services provided.

(d) Report. On or before January 15, 2022, the Task Force shall submit an initial written report, and on or before March 15, 2022, the Task Force shall submit a final written report, to the House and Senate Committees on Education with its findings, addressing each of its duties under subsection (c) of this section, and any recommendations for legislative action. The Agency of Education shall share the report and any related insights and best practices with Vermont educators, school administrators, policymakers, agencies, and education and advocacy organizations, and shall post the report on its website.

(e) Meetings.

(1) The Secretary of Education shall call the first meeting of the Task Force to occur on or before August 1, 2021.

(2) The Task Force shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Task Force shall meet not more than six times.

(5) The Task Force shall cease to exist on April 15, 2022.

(f) Assistance. The Task Force shall have the administrative, technical, and legal assistance of the Agency of Education.

(g) Compensation and reimbursement. Members of the Task Force shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than six meetings of the Task Force.

Sec. 3. APPROPRIATION

The sum of \$6,750.00 is appropriated from the General Fund in fiscal year 2022 to the Agency of Education for per diem and reimbursement of expenses for members of the Task Force on Equitable and Inclusive School Environments created under Sec. 2 of this act and for expenses incurred by the Task Force in carrying out its duties.

Sec. 4. DATA COLLECTION; TRAINING; SECRETARY OF
EDUCATION

(a) On or before the first meeting of the Task Force on Equitable and Inclusive School Environments established in Sec. 2 of this act, the Secretary of Education shall collect and distribute to the members of the Task Force all readily available data on suspensions and expulsions from each Vermont public school and approved independent school in academic years 2013–2014 through 2018–2019, including the data specified in subdivision (e)(1)(F) of Sec. 2.

(b) At the first meeting of the Task Force, the Secretary of Education or designee shall provide an overview and training to the Task Force on how to navigate the Agency website and the readily available data collections that provide data on out-of-school suspensions and expulsions from each Vermont public school.

Sec. 5. OUTCOME ANALYSIS

On or before January 15 of each year from 2025 to 2030, the Secretary of Education shall submit a written report to the House and Senate Committees on Education on suspensions and expulsions from each Vermont public school and approved independent school in the prior school year, including the data specified in subdivision (c)(1)(F) of Sec. 2.

Sec. 6. 16 V.S.A. § 1162 is amended to read:

§ 1162. SUSPENSION OR EXPULSION OF STUDENTS

* * *

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

Sec. 7. REFERRALS OF TRUANCY TO THE STATE'S ATTORNEYS

(a) On or before September 1, 2021, each school district shall report to the Agency of Education the number of cases referred by the district or its staff to a State's Attorney for truancy under 16 V.S.A. § 1127 or 33 V.S.A. § 5309, what mitigation techniques were used by the district to engage with families prior to each referral, and the result of each referral.

(b) On or before December 15, 2021, the Agency of Education shall collate the reports from school districts and report the results to the General Assembly.

Sec. 8. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of this bill be amended to read: "An act relating to the Task Force on Equitable and Inclusive School Environments"

(Committee vote: 11-0-0)

(For text see Senate Journal March 17, 2021)

Rep. Scheu of Middlebury, for the Committee on Appropriations, recommends the bill ought to pass in concurrence with proposal of amendment recommended by the Committee on Education.

(Committee Vote: 11-0-0)

S. 20

An act relating to restrictions on perfluoroalkyl and polyfluoroalkyl substances and other chemicals of concern in consumer products

Rep. Whitman of Bennington, for the Committee on Human Services, recommends that the House propose to the Senate that the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

* * * PFAS in Class B Firefighting Foam * * *

Sec. 1. 18 V.S.A. chapter 33 is added to read:

CHAPTER 33. PFAS IN FIREFIGHTING AGENTS AND EQUIPMENT § 1661. DEFINITIONS

As used in this chapter:

(1) “Class B firefighting foam” means chemical foams designed for flammable liquid fires.

(2) “Intentionally added” means the addition of a chemical in a product that serves an intended function in the product component.

(3) “Manufacturer” means any person, firm, association, partnership, corporation, organization, joint venture, importer, or domestic distributor of firefighting agents or equipment. As used in this subsection, “importer” means the owner of the product.

(4) “Municipality” means any city, town, incorporated village, town fire district, or other political subdivision that provides firefighting services pursuant to general law or municipal charter.

(5) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS” means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

(6) “Personal protective equipment” means clothing designed, intended, or marketed to be worn by firefighting personnel in the performance of their duties, designed with the intent for use in fire and rescue activities, and includes jackets, pants, shoes, gloves, helmets, and respiratory equipment.

(7) “Terminal” means an establishment primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas from bulk liquid storage facilities.

§ 1662. PROHIBITION OF CERTAIN CLASS B FIREFIGHTING FOAM

A person, municipality, or State agency shall not discharge or otherwise use for training or testing purposes class B firefighting foam that contains intentionally added PFAS.

§ 1663. RESTRICTION ON MANUFACTURE, SALE, AND DISTRIBUTION; EXCEPTIONS

(a)(1) Unless otherwise required under federal law, but not later than October 1, 2023, a manufacturer of class B firefighting foam shall not manufacture, sell, offer for sale, or distribute for sale or use in this State class B firefighting foam to which PFAS have been intentionally added.

(2) Notwithstanding subdivision (1) of this subsection, the restriction on the manufacture, sale, offer for sale, or distribution of class B firefighting foam containing intentionally added PFAS for use at a terminal shall not apply until January 1, 2024.

(b) A person operating a terminal after January 1, 2024, and who seeks to purchase class B firefighting foam containing intentionally added PFAS for the purpose of fighting emergency class B fires, may apply to the Department of Environmental Conservation for a temporary exemption from the restrictions on the manufacture, sale, offer for sale, or distribution of class B firefighting foam for use at a terminal. An exemption shall not exceed one year. The Department of Environmental Conservation, in consultation with the Department of Health, may grant an exemption under this subsection if the applicant provides:

(1) clear and convincing evidence that there is not a commercially available alternative that:

(A) does not contain intentionally added PFAS; and

(B) is capable of suppressing a large atmospheric tank fire or emergency class B fire at the terminal;

(2) information on the amount of class B firefighting foam containing intentionally added PFAS that is annually stored, used, or released at the terminal;

(3) a report on the progress being made by the applicant to transition at the terminal to class B firefighting foam that does not contain intentionally added PFAS; and

(4) an explanation of how:

(A) all releases of class B firefighting foam containing intentionally added PFAS shall be fully contained at the terminal; and

(B) existing containment measures prevent firewater, wastewater, runoff, and other wastes from being released into the environment, including into soil, groundwater, waterways, and stormwater.

(c) Nothing in this section shall prohibit a terminal from providing class B firefighting foam in the form of aid to another terminal in the event of a class B fire.

§ 1664. SALE OF PERSONAL PROTECTIVE EQUIPMENT

CONTAINING PFAS

(a) A manufacturer or other person that sells firefighting equipment to any person, municipality, or State agency shall provide written notice to the purchaser at the time of sale, citing to this chapter, if the personal protective equipment contains PFAS. The written notice shall include a statement that the personal protective equipment contains PFAS and the reason PFAS are added to the equipment.

(b) The manufacturer or person selling personal protective equipment and the purchaser of the personal protective equipment shall retain the notice for at least three years from the date of the transaction.

§ 1665. NOTIFICATION; RECALL OF PROHIBITED PRODUCTS

(a) A manufacturer of class B firefighting foam containing intentionally added PFAS shall provide written notice to persons that sell the manufacturer's products in this State about the restrictions imposed by this chapter not less than one year prior to the effective date of the restrictions.

(b) Unless a class B firefighting foam containing intentionally added PFAS is intended for use at a terminal, and if after January 1, 2024, the person operating a terminal holds a temporary exemption pursuant to subsection (b) of section 1663 of this title, a manufacturer that produces, sells, or distributes a class B firefighting foam containing intentionally added PFAS shall:

(1) recall the product and reimburse the retailer or any other purchaser for the product; and

(2) issue either a press release or notice on the manufacturer's website describing the product recall and reimbursement requirement established in this subsection.

§ 1666. CERTIFICATE OF COMPLIANCE

The Attorney General may request a certificate of compliance from a manufacturer of class B firefighting foam or firefighting personal protective equipment. Within 30 days after receipt of the Attorney General's request for a certificate of compliance, the manufacturer shall:

(1) provide the Attorney General with a certificate attesting that the manufacturer's product or products comply with the requirements of this chapter; or

(2) notify persons who are selling a product of the manufacturer's in this State that the sale is prohibited because the product does not comply with this chapter and submit to the Attorney General a list of the names and addresses of those persons notified.

§ 1667. PENALTIES

(a) A violation of this chapter shall be deemed a violation of the Consumer Protection Act, 9 V.S.A. chapter 63. The Attorney General has the same authority to make rules, conduct civil investigations, enter into assurances of discontinuance, and bring civil actions, and private parties have the same rights and remedies as provided under 9 V.S.A. chapter 63, subchapter 1.

(b) Nothing in this section shall be construed to preclude or supplant any other statutory or common law remedies.

* * * PFAS, Phthalates, and Bisphenols in Food Packaging * * *

Sec. 2. 18 V.S.A. chapter 33A is added to read:

CHAPTER 33A. CHEMICALS OF CONCERN IN FOOD PACKAGING

§ 1671. DEFINITIONS

As used in this chapter:

(1) "Bisphenols" means any member of a class of industrial chemicals that contain two hydroxyphenyl groups. Bisphenols are used primarily in the manufacture of polycarbonate plastic and epoxy resins.

(2) "Department" means the Department of Health.

(3) "Food package" or "food packaging" means a package or packaging component that is intended for direct food contact.

(4) "Intentionally added" means the addition of a chemical in a product that serves an intended function in the product component.

(5) "Ortho-phthalates" means any member of the class of organic chemicals that are esters of phthalic acid containing two carbon chains located in the ortho position.

(6) “Package” means a container providing a means of marketing, protecting, or handling a product and shall include a unit package, an intermediate package, and a shipping container. “Package” also means unsealed receptacles, such as carrying cases, crates, cups, pails, rigid foil and other trays, wrappers and wrapping films, bags, and tubs.

(7) “Packaging component” means an individual assembled part of a package, such as any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks, and labels, and disposable gloves used in commercial or institutional food service.

(8) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS” has the same meaning as in section 1661 of this title.

§ 1672. FOOD PACKAGING

(a) A manufacturer, supplier, or distributor shall not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this State a food package to which PFAS have been intentionally added and are present in any amount.

(b)(1) Pursuant to 3 V.S.A. chapter 25, the Department may adopt rules prohibiting a manufacturer, supplier, or distributor from selling or offering for sale or for promotional distribution a food package or the packaging component of a food package to which bisphenols have been intentionally added and are present in any amount. The Department may exempt specific chemicals within the bisphenol class when clear and convincing evidence suggests they are not endocrine-active or otherwise toxic.

(2) The Department may only prohibit a manufacturer, supplier, or distributor from selling or offering for sale or for promotional distribution a food package or the packaging component of a food package in accordance with this subsection if the Department or at least one other state has determined that a safer alternative is readily available in sufficient quantity and at a comparable cost and that the safer alternative performs as well as or better than bisphenols in a specific application of bisphenols to a food package or the packaging component of a food package.

(3) If the Department prohibits a manufacturer, supplier, or distributor from selling or offering for sale or for promotional distribution a food package or the packaging component of a food package in accordance with this subsection, the prohibition shall not take effect until two years after the Department adopts the rules.

(c) A manufacturer, supplier, or distributor shall not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this State a food

package that includes inks, dyes, pigments, adhesives, stabilizers, coatings, plasticizers, or any other additives to which ortho-phthalates have been intentionally added and are present in any amount.

(d) This section shall not apply to the sale or resale of used products.

§ 1673. CERTIFICATE OF COMPLIANCE

The Attorney General may request a certificate of compliance from a manufacturer of food packaging. Within 30 days after receipt of the Attorney General's request for a certificate of compliance, the manufacturer shall:

(1) provide the Attorney General with a certificate attesting that the manufacturer's product or products comply with the requirements of this chapter; or

(2) notify persons who are selling a product of the manufacturer's in this State that the sale is prohibited because the product does not comply with this chapter and submit to the Attorney General a list of the names and addresses of those persons notified.

§ 1674. RULEMAKING

Pursuant to 3 V.S.A. chapter 25, the Commissioner of Health shall adopt any rules necessary for the implementation, administration, and enforcement of this chapter.

§ 1675. PENALTIES

(a) A violation of this chapter shall be deemed a violation of the Consumer Protection Act, 9 V.S.A. chapter 63. The Attorney General has the same authority to make rules, conduct civil investigations, enter into assurances of discontinuance, and bring civil actions, and private parties have the same rights and remedies as provided under 9 V.S.A. chapter 63, subchapter 1.

(b) Nothing in this section shall be construed to preclude or supplant any other statutory or common law remedies.

* * * Rugs, Carpets, and Aftermarket Stain and Water Resistant
Treatments * * *

Sec. 3. 18 V.S.A. chapter 33B is added to read:

CHAPTER 33B. PFAS IN RUGS, CARPETS, AND AFTERMARKET STAIN AND WATER RESISTANT TREATMENTS

§ 1681. DEFINITIONS

As used in this chapter:

(1) “Aftermarket stain and water resistant treatments” means treatments for textile and leather consumer products used in residential settings that have been treated during the manufacturing process for stain, oil, and water resistance but excludes products marketed or sold exclusively for use at industrial facilities during the manufacture of a carpet, rug, clothing, or shoe.

(2) “Department” means the Department of Health.

(3) “Intentionally added” means the addition of a chemical in a product that serves an intended function in the product component.

(4) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS” has the same meaning as in section 1661 of this title.

(5) “Rug or carpet” means a thick fabric used to cover floors.

§ 1682. RUGS AND CARPETS

(a) A manufacturer, supplier, or distributor shall not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this State a residential rug or carpet to which PFAS have been intentionally added in any amount.

(b) This section shall not apply to the sale or resale of used products.

§ 1683. AFTERMARKET STAIN AND WATER RESISTANT

TREATMENTS

(a) A manufacturer, supplier, or distributor shall not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this State aftermarket stain and water resistant treatments for rugs or carpets to which PFAS have been intentionally added in any amount.

(b) This section shall not apply to the sale or resale of used products.

§ 1684. CERTIFICATE OF COMPLIANCE

The Attorney General may request a certificate of compliance from a manufacturer of rugs, carpets, or aftermarket stain and water resistant treatments. Within 30 days after receipt of the Attorney General’s request for a certificate of compliance, the manufacturer shall:

(1) provide the Attorney General with a certificate attesting that the manufacturer’s product or products comply with the requirements of this chapter; or

(2) notify persons who are selling a product of the manufacturer’s in this State that the sale is prohibited because the product does not comply with this chapter and submit to the Attorney General a list of the names and addresses of those persons notified.

§ 1685. RULEMAKING

Pursuant to 3 V.S.A. chapter 25, the Commissioner shall adopt any rules necessary for the implementation, administration, and enforcement of this chapter.

§ 1686. PENALTIES

(a) A violation of this chapter shall be deemed a violation of the Consumer Protection Act, 9 V.S.A. chapter 63. The Attorney General has the same authority to make rules, conduct civil investigations, enter into assurances of discontinuance, and bring civil actions, and private parties have the same rights and remedies as provided under 9 V.S.A. chapter 63, subchapter 1.

(b) Nothing in this section shall be construed to preclude or supplant any other statutory or common law remedies.

* * * Ski Wax * * *

Sec. 4. 18 V.S.A. chapter 33C is added to read:

CHAPTER 33C. PFAS IN SKI WAX

§ 1691. DEFINITIONS

As used in this chapter:

(1) “Department” means the Department of Health.

(2) “Intentionally added” means the addition of a chemical in a product that serves an intended function in the product component.

(3) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS” has the same meaning as in section 1661 of this title.

(4) “Ski wax” means a lubricant applied to the bottom of snow runners, including skis and snowboards, to improve their grip and glide properties.

§ 1692. SKI WAX

(a) A manufacturer, supplier, or distributor shall not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this State ski wax or related tuning products to which PFAS have been intentionally added in any amount.

(b) This section shall not apply to the sale or resale of used products.

§ 1693. CERTIFICATE OF COMPLIANCE

The Attorney General may request a certificate of compliance from a manufacturer of ski wax. Within 30 days after receipt of the Attorney General’s request for a certificate of compliance, the manufacturer shall:

(1) provide the Attorney General with a certificate attesting that the manufacturer's product or products comply with the requirements of this chapter; or

(2) notify persons who are selling a product of the manufacturer's in this State that the sale is prohibited because the product does not comply with this chapter and submit to the Attorney General a list of the names and addresses of those persons notified.

§ 1694. RULEMAKING

Pursuant to 3 V.S.A. chapter 25, the Commissioner shall adopt any rules necessary for the implementation, administration, and enforcement of this chapter.

§ 1695. PENALTIES

(a) A violation of this chapter shall be deemed a violation of the Consumer Protection Act, 9 V.S.A. chapter 63. The Attorney General has the same authority to make rules, conduct civil investigations, enter into assurances of discontinuance, and bring civil actions, and private parties have the same rights and remedies as provided under 9 V.S.A. chapter 63, subchapter 1.

(b) Nothing in this section shall be construed to preclude or supplant any other statutory or common law remedies.

* * * Chemicals of High Concern to Children * * *

Sec. 5. 18 V.S.A. § 1773 is amended to read:

§ 1773. CHEMICALS OF HIGH CONCERN TO CHILDREN

(a) List of chemicals of high concern to children. The following chemicals are designated as chemicals of high concern to children for the purposes of the requirements of this chapter:

* * *

(67) PFHxS (perfluorohexane sulfonic acid).

(68) PFHpA (perfluoroheptanoic acid).

(69) PFNA (perfluorononanoic acid).

(70) Any other chemical designated by the Commissioner as a chemical of high concern to children by rule under section 1776 of this title.

* * * Effective Dates * * *

Sec. 6. EFFECTIVE DATES

This act shall take effect on July 1, 2021, except that Secs. 1 (class B firefighting foam) and 5 (chemicals of high concern to children) shall take effect on July 1, 2022 and Secs. 2 (food packaging), 3 (rugs and carpets), and 4 (ski wax) shall take effect on July 1, 2023.

(Committee vote: 10-1-0)

(For text see Senate Journal March 17, 19, 2021)

S. 115

An act relating to making miscellaneous changes in education laws

Rep. Conlon of Cornwall, for the Committee on Education, recommends that the House propose to the Senate that the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Libraries in Vermont * * *

Sec. 1. WORKING GROUP ON THE STATUS OF LIBRARIES IN VERMONT; REPORT

(a) Creation. There is created the Working Group on the Status of Libraries in Vermont to study and report on the statewide status of Vermont's libraries. The Working Group is formed with the intent of strengthening and supporting libraries of all sizes and improving library services for the public.

(b) Membership. The Working Group shall be composed of the following members:

(1) the State Librarian;

(2) the President of the Vermont Library Association or designee;

(3) the Executive Director of the Vermont Humanities Council or designee;

(4) three representatives of public libraries, who shall be from libraries of different sizes and from different regions of the State, appointed by the State Librarian;

(5) two representatives of public school libraries, who shall be from schools of different sizes and from different regions of the State, appointed by the Vermont School Library Association;

(6) two representatives of college and university libraries, appointed by the President of the College and Special Libraries Section of the Vermont Library Association; and

(7) one public library trustee, appointed by the President of the Friends and Trustees Section of the Vermont Library Association.

(c) Powers and duties. The Working Group shall study:

(1) library services for specific segments of the Vermont population, including senior citizens, individuals with disabilities, youths and children, immigrant and migrant communities, and people living in poverty;

(2) the role that libraries play in emergency preparedness, cultural diversity and inclusion, public health and safety, community identity and resiliency, economic development, and access to public programs and services;

(3) the impact of the COVID-19 pandemic on library operations and services; and

(4) the current overall status of Vermont libraries, which may include information related to programming, collections, facilities, technology, and staffing.

(A) Programming. The Working Group may study the types and frequency of library programs, attendance at library programs, and whether library programs are meeting community needs. The study of programming may include an assessment of public engagement and outreach surrounding library programming as well as the opportunities for nonlibrary programs and groups to access Vermont libraries.

(B) Collections. The Working Group may study the size and diversity of library holdings and assess the strengths and gaps in materials available to Vermonters. The study of collections may include an assessment of how libraries may best share resources across differing libraries and communities, whether libraries offer community-specific resources, and whether libraries maintain special collections or historical artifacts.

(C) Facilities. The Working Group may study whether library facilities and buildings could be improved with regard to energy efficiency, accessibility, flexibility, human health and safety, historic preservation, and intergenerational needs.

(D) Technology. The Working Group may study whether Vermont libraries have sufficient access to basic technological resources, cyber-security resources, high-speed Internet, electronic catalogs, interlibrary loan and other interoperable systems, and appropriate hardware and software.

(E) Staff. The Working Group may study staffing levels at Vermont libraries, whether staffing levels are sufficient to meet community needs, whether library staff compensation and benefits are sufficient, how libraries

rely on volunteers, and what resources are available for workforce development and training of library staff.

(d) Public input. As part of the study and report, the Working Group shall solicit feedback from the general public and library users around the State. The Working Group may examine models for library management and organization in other states, including the formation of statewide service networks.

(e) Data to be used. The data used in the analysis of library services and operations may be from 2019, prior to the COVID-19 pandemic. Postpandemic data may also be used to assess the status of library services and operations.

(f) Consultation with the Board of Libraries. The Working Group may solicit feedback from the Board of Libraries.

(g) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Department of Libraries.

(h) Report. On or before November 1, 2023, the Working Group shall submit a report to the House and Senate Committees on Education. The report shall contain:

(1) specific and detailed findings and proposals concerning the issues set forth in subsection (c) of this section;

(2) recommendations for updating the statutes, rules, standards, and the governance structures of Vermont libraries to ensure equitable access for Vermont residents, efficient use of resources, and quality in the provision of services;

(3) recommendations related to the funding needs of Vermont libraries, including capital, ongoing, and special funding; and

(4) any other information or recommendations that the Working Group may deem necessary.

(i) Meetings.

(1) The State Librarian shall be the Chair of the Working Group.

(2) The Chair shall call the first meeting of the Working Group to occur within 45 days after the effective date of this act.

(3) A majority of the membership shall constitute a quorum.

(4) The Working Group shall cease to exist on December 1, 2023.

(j) Compensation and reimbursement. Members of the Working Group shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 12 meetings. These payments shall be made from monies appropriated to the Department of Libraries.

(k) Appropriation. The sum of \$4,000.00 is appropriated to the Department of Libraries from the General Fund in fiscal year 2022 for per diem compensation and reimbursement of expenses for members of the Working Group.

Sec. 2. 3 V.S.A. § 260 is amended to read:

§ 260. LOCATION OF OFFICES

* * *

~~(c) The principal office of each of the following boards and divisions shall be located in Montpelier: Division for Historic Preservation and Board of Libraries. [Repealed.]~~

* * *

Sec. 3. [Deleted.]

Sec. 4. 16 V.S.A. § 212 is amended to read:

§ 212. SECRETARY'S DUTIES GENERALLY

The Secretary shall execute those policies adopted by the State Board in the legal exercise of its powers and shall:

* * *

(7) Arrange conferences and summer schools for superintendents and teachers and employ suitable speakers, lecturers, and instructors for the same; fix the amount of tuition for the instruction; provide for educational gatherings, institutes, summer schools, and other supplementary educational activities; and provide for cooperation with the Board of Libraries established by 22 V.S.A. § 602 or the State Librarian.

* * *

Sec. 5. [Deleted.]

Sec. 6. 29 V.S.A. § 1108 is amended to read:

§ 1108. ACCEPTANCE OR REJECTION OF BIDS; CONDITIONS OF
CONTRACTS

~~The Commissioner of Buildings and General Services may require satisfactory bonds from bidders and contractors, and shall specify in each contract for printing that, in case the matter contracted for is not delivered to the State Librarian or in accordance with his or her written order to such other person as may be specified in the contract, on or before the date specified in the contract for such delivery, \$25.00 of the contract price shall be deducted for every day such delivery is delayed, and, in case the delay exceeds 10 days, there shall be deducted in addition to the above amount \$10.00 for each day's delay over 10 days; and he or she shall also specify in each contract that all public documents and printed matter shall be delivered to the State Librarian at the State Library unless otherwise directed in writing by him or her or the State Librarian. The provisions of this section and section 1107 of this title relating to advertising and bids shall not apply to a contract for printing where the amount of the contract does not exceed \$50.00.~~

Sec. 7. REPEALS

The following are repealed:

- (1) 4 V.S.A. § 16 (briefs and other papers kept in State Library);
- (2) 29 V.S.A. § 1156 (distribution of documents by State Librarian); and
- (3) 29 V.S.A. § 1161 (distribution of documents to schools).

* * * Cultural Liaisons * * *

Sec. 8. 16 V.S.A. § 4029 is amended to read:

§ 4029. USE OF FUNDS FOR EDUCATION

(a) Funds received by a school district may be used only for legitimate items of current education expense and shall not be used for municipal services.

(b) Funds received by a municipality other than a school district may not be used directly or indirectly for education expenses.

* * *

(g) Notwithstanding anything to the contrary in this section or otherwise in law, a school district and the town or city municipality or municipalities in which the school district operates may jointly fund the services of one or more cultural liaisons to support students and families who have limited English proficiency (LEP). A cultural liaison provides language translation and interpretation services to help facilitate educational and municipal services for LEP students and families; facilitates communication among school and

municipal staff, LEP students and families, and community organizations; and assists in reconciling differing cultural perspectives and understandings.

* * * Wellness Program * * *

Sec. 9. 16 V.S.A. § 136 is amended to read:

§ 136. WELLNESS PROGRAM; ADVISORY COUNCIL ON WELLNESS
AND COMPREHENSIVE HEALTH

(a) As used in this section:

* * *

(5) “Wellness program” means a program that includes physical fitness and nutrition comprehensive health education as defined in section 131 of this title.

(b) ~~The Secretary with the approval of the State Board shall establish an Advisory Council on Wellness and Comprehensive Health that shall include at least three members associated with the health services field with expertise in health services, health education, or health policy, at least one member who is a school counselor, and at least one member who is a school social worker. The members shall serve without compensation but shall receive their actual expenses incurred in connection with their duties relating to wellness and comprehensive health programs. The Council shall assist the Agency to plan, coordinate, and encourage wellness and comprehensive health programs in the public schools and shall meet not less than twice a year. The Council shall also examine and coordinate state health wellness polices and federal wellness policies to identify and, if possible, eliminate any redundancies.~~

(c) The Secretary shall collaborate with other agencies and councils working on childhood wellness to:

(1) ~~Supervise the preparation of appropriate nutrition and fitness wellness program curricula for use in the public schools, promote programs for the preparation of teachers to teach these curricula, and assist in the development of wellness programs.~~

* * *

~~(5) Create a process for schools to share with the Department of Health any data collected about the height and weight of students in kindergarten through grade six. The Commissioner of Health may report any data compiled under this subdivision on a countywide basis. Any reporting of data must protect the privacy of individual students and the identity of participating schools.~~

* * *

Sec. 10. SCHOOL WELLNESS POLICY

On or before January 15, 2022, the Agency of Education, in collaboration with the Advisory Council on Wellness and Comprehensive Health created under 16 V.S.A. § 136 and the Vermont School Boards Association, shall update and distribute to school districts a model wellness program policy, using the expanded definition of “wellness program” under 16 V.S.A. § 136, as amended by this act, that shall:

(1) be in compliance with all relevant State and federal laws; and

(2) reflect nationally accepted best practices for comprehensive health education and school wellness policies, such as guidance from the Centers for Disease Control and Prevention’s Whole School, Whole Community, Whole Child Model.

* * * Menstrual Products * * *

Sec. 11. 16 V.S.A. § 1432 is added to read:

§ 1432. MENSTRUAL PRODUCTS

(a) By enacting this statute, the General Assembly intends to ensure that all students attending a public school or an approved independent school have access to menstrual products at no cost and without having to request them.

(b)(1) A school district and an approved independent school shall make menstrual products available at no cost for each school within the district or under the jurisdiction of the board of the independent school in:

(A) a majority of gender-neutral bathrooms and bathrooms designated for female students that are generally used by students who are eight years old or older; and

(B) the school nurse’s office.

(2) The school district or independent school, in consultation with the school nurse who provides services to the school, shall determine which of the gender-neutral bathrooms and bathrooms designated for female students to stock with menstrual products and which brands to use.

(c) School districts and approved independent schools shall bear the cost of supplying menstrual products and may seek grants or partner with a nonprofit or community-based organization to fulfill this obligation.

* * * Vermont Ethnic and Social Equity Standards Advisory Working Group * * *

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

* * *

(c) Creation and composition. The Ethnic and Social Equity Standards Advisory Working Group is established. The Working Group shall comprise the following ~~20~~ 23 members:

(1) ~~10~~ 13 members who are members of, and represent the interests of, ethnic groups and social groups, ~~two~~ four of whom shall be high school students and two of whom shall be members of Vermont's Indigenous community;

* * *

(d) Appointment and operation.

(1) The Vermont Coalition for Ethnic and Social Equity in Schools (Coalition) shall appoint the ~~10~~ 13 members who represent ethnic groups and social groups and the member identified under subdivision (c)(2) of this section. Appointments of members to fill vacancies to these positions shall be made by the Coalition.

* * *

(3)(A) The Secretary of Education or designee shall call the first meeting of the Working Group to occur on or before September 1, 2019.

* * *

~~(E) The Working Group shall have the assistance of the Agency of Education for the purposes of scheduling meetings and processing compensation and reimbursement pursuant to subsection (e) of this section administrative, technical, and legal assistance of the Agency of Education. If the Agency is unable to provide the Working Group with adequate support to assist it with developing recommendations for updating educational standards to recognize fully the history, contributions, and perspectives of ethnic groups and social groups, then the Agency, in collaboration with the Working Group, is authorized to retain a contractor with expertise in this area to assist the Working Group.~~

* * *

(g) Duties of the Working Group.

(1) The Working Group shall review standards for student performance adopted by the State Board of Education under 16 V.S.A. § 164(9) and, on or before ~~June 30, 2021~~ December 31, 2021, recommend to the State Board updates and additional standards to recognize fully the history, contributions,

and perspectives of ethnic groups and social groups. These recommended additional standards shall be designed to:

* * *

(h) Reports.

(3) The Working Group shall, on or before ~~July 1, 2022~~ December 31, 2022, submit a report to the General Assembly that includes:

* * *

(i) Duties of the State Board of Education. The Board of Education shall, on or before ~~June 30, 2022~~ December 31, 2022, consider adopting ethnic and social equity studies standards into standards for student performance adopted by the State Board under 16 V.S.A. § 164(9) for students in prekindergarten through grade 12, taking into account the report submitted by the Working Group under subdivision (g)(1) of this section.

Sec. 13. APPROPRIATIONS; VERMONT ETHNIC AND SOCIAL EQUITY STANDARDS ADVISORY WORKING GROUP

(a) The sum of \$1,500.00 is appropriated from the General Fund to the Vermont Ethnic and Social Equity Standards Advisory Working Group (Working Group) in fiscal year 2022 to cover per diem and reimbursement for the three members of the Working Group added under Sec. 12 of this act.

(b) The sum of \$50,000.00 is appropriated from the General Fund to the Agency of Education in fiscal year 2022 for the cost of the contractor under Sec. 12 of this act.

(c) Any unused portion of these appropriation shall, as of July 1, 2022, revert to the General Fund.

* * * Shared School District Data Management System * * *

Sec. 14. FINDINGS AND PURPOSE

(a) Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended, requires that not later than July 1, 2022 all Vermont supervisory unions, supervisory districts, school districts, and independent technical center districts utilize the same shared school district data management system (eFinancePlus), which shall be selected by the Agency of Education per State procurement guidelines.

(b) The purpose of Secs. 15-17 of this act is to:

(1) extend the deadline to December 31, 2022 for state-wide adoption of eFinancePlus;

(2) pause until January 1, 2022 the further implementation of eFinancePlus to provide time for further evaluation of the system, provided that:

(A) the Agency of Education and its contractor for implementation of the system shall continue to support users of the system; and

(B) a supervisory union, supervisory district, school district, or independent technical center district that does not use the system may join an implementation round offered by the Agency of Education during the pause period upon approval by its governing body; and

(3) require the Agency of Education to issue status reports to the General Assembly.

Sec. 15. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.500.1, as amended by 2019 Acts and Resolves No. 72, Sec. E.500.5, is further amended to read:

Sec. E.500.1. SCHOOL FINANCE AND SHARED SCHOOL DISTRICT FINANCIAL DATA MANAGEMENT SYSTEM

(a) Not later than ~~July 1~~ December 31, 2022, all Vermont supervisory unions, supervisory districts, school districts, and independent ~~tee~~ technical center districts shall utilize the same school finance and financial data management system. The system shall be selected by the Agency of Education per State procurement guidelines.

* * *

Sec. 16. PAUSE OF IMPLEMENTATION OF SHARED SCHOOL

DISTRICT FINANCIAL DATA MANAGEMENT SYSTEM

Notwithstanding Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended, the implementation of the Shared School District Data Management System shall be paused until January 1, 2022, provided that:

(1) the Agency of Education and its contractor for implementation of the system shall continue to support users, as of the date of enactment of this act, of the system; and

(2) a supervisory union, supervisory district, school district, or independent technical center district that does not use the system may join an implementation round offered by the Agency of Education during the pause period upon approval by its governing body.

Sec. 17. AGENCY OF EDUCATION; REPORTS

(a) On or before June 30, 2021 and quarterly thereafter until March 31, 2023, the Agency of Education shall provide a written report to the General

Assembly and the Vermont Association of School Business Officials on the status of improving and implementing the Shared School District Data Management System, including the status of:

- (1) system outages;
- (2) bank reconciliations;
- (3) reporting enhancements;
- (4) systems enhancements; and
- (5) user training.

(b) In preparing the quarterly reports, the Agency shall collect input from the Vermont Association of School Business Officials and professional accounting firms engaged in the process of conducting school district audits in Vermont.

* * * State Board of Education; Agency of Education; Roles and Responsibilities * * *

Sec. 18. STATE BOARD OF EDUCATION; AGENCY OF EDUCATION;
ROLES AND RESPONSIBILITIES

(a) On or before December 15, 2021, the State Board of Education and the Agency of Education shall jointly report to the House and Senate Committees on Education on how the roles and responsibilities of the State Board and the Agency should be restructured to ensure that:

- (1) the prekindergarten through grade 12 educational system meets the needs of all students on a fair and equitable basis;
- (2) federal and State statutory mandates are carried out in a professional and timely manner, including the updating of rules;
- (3) the State Board and the Agency have the resources necessary to fulfill their roles and responsibilities, including an adequate number of qualified and properly trained staff; and
- (4) the State Board and the Agency maximize operational and administrative efficiencies.

(b) As part of this process, the State Board and the Agency shall identify and document all federal and State statutory mandates and rules for which they are responsible and assess whether they are being carried out in a professional and timely manner. The results of this analysis shall be included in the report required under subsection (a) of this section.

(c) If the State Board and the Agency cannot agree on how the roles and responsibilities of the State Board and the Agency should be restructured to meet the goals under subsection (a) of this section, then they shall each identify in the report the areas of agreement and disagreement and explain why its proposal best achieves these goals. The report shall not include legislative language, which shall be developed after the Committees have considered the report.

* * * Effective Dates * * *

Sec. 19. EFFECTIVE DATES

This act shall take effect on passage, except that school districts and approved independent schools shall comply with the requirements of Sec. 11 (menstrual products) for the 2022–2023 school year and thereafter.

(Committee vote: 11-0-0)

(For text see Senate Journal March 17, 2021)

Rep. Scheu of Middlebury, for the Committee on Appropriations, recommends the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Education.

(Committee Vote: 11-0-0)

S. 124

An act relating to miscellaneous utility subjects

Rep. Yantachka of Charlotte, for the Committee on Energy and Technology, recommends that the House propose to the Senate that the bill be amended as follows:

First: In Sec. 5, 30 V.S.A. § 218, in subsection (e), by striking out “, and the Commission shall only set or change the eligibility level for any program created pursuant to this section after investigation, evidence, and hearing from the distribution utility sponsor of the program and other interested stakeholders.” and inserting in lieu thereof “.”

Second: By striking out Sec. 9, effective date, in its entirety and inserting in lieu thereof a new Sec. 9 to read as follows:

Sec. 9. EFFECTIVE DATES

This act shall take effect on July 1, 2021, except that Sec. 5 (30 V.S.A. § 218) shall take effect upon passage, except for an existing program under 30 V.S.A. § 218(e), for which it shall take effect upon a Commission decision

following an investigation regarding tariff changes for the distribution utility sponsor of the program.

(Committee vote: 9-0-0)

(For text see Senate Journal March 24, 2021)

Rep. Feltus of Lyndon, for the Committee on Appropriations, recommends the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Energy and Technology.

(Committee Vote: 11-0-0)

Action Postponed Until May 4, 2021

Action Under Rule 33

J.R.S. 24

Joint resolution relating to amending temporary Joint Rule 22A

(For text see House Journal April 21, 2021)

NEW BUSINESS

Favorable with Amendment

S. 15

An act relating to correcting defective ballots

Rep. Copeland Hanzas of Bradford, for the Committee on Government Operations, recommends that the House propose to the Senate that the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Candidate Nicknames * * *

Sec. 1. 17 V.S.A. § 2361 is amended to read:

§ 2361. CONSENT OF CANDIDATE

(a) A candidate for whom petitions containing sufficient valid signatures have been filed shall file with the official with whom the petitions were filed a consent to the printing of the candidate's name on the ballot. The Secretary of State shall prepare and furnish forms for this purpose.

(b)(1) The consent shall set forth the name of the candidate, as the candidate wishes to have it printed on the ballot, the candidate's town of residence, and correct mailing address.

(2) If a candidate wishes to use a nickname, the format on the ballot shall be the candidate's first name, the nickname set off in quotations, and the candidate's last name.

(A) A nickname of one or two words by which the candidate has been commonly known for at least three years preceding the election may be used in combination with a candidate's name. A nickname that constitutes a slogan or otherwise indicates a political, economic, social, or religious view or affiliation may not be used.

(B) A nickname may not be used unless the candidate executes and files with the application for a place on the ballot an affidavit indicating that the nickname complies with this subsection.

(3) Professional titles such as "Dr.," "Esq.," or "CPA" shall not be used as part of a candidate's name on the ballot.

(c) The consent shall be filed on or before the day petitions are due. Unless a consent is filed, the candidate's name shall not be printed on the primary ballot.

* * * Outdoor and Drive-up Polling Places * * *

Sec. 2. 17 V.S.A. § 2502 is amended to read:

§ 2502. LOCATION OF POLLING PLACES; OUTDOOR POLLING PLACES

(a) Each polling place shall be located in a public place within the town.

(b) Outdoor polling places. A polling place may be located outdoors if it can be operated in a manner consistent with the provisions of this chapter.

(1) The board of civil authority shall designate the outdoor area that comprises the "polling place" for purposes of restrictions and requirements for polling places imposed pursuant to this chapter, including the restrictions on campaigning and other activities within the building containing the polling place described in subdivisions 2508(a)(1)(A) and (B) of this subchapter.

(2) An indoor polling place alternative shall be available at or near the same physical location as the outdoor polling place in case of inclement weather. If conditions require use of the indoor alternative, the Secretary of State's office shall be notified immediately of the change.

(3) Candidates and members of the public who would otherwise be allowed to campaign outside an indoor polling place shall be kept a reasonable distance from the outdoor polling place such that any campaigning does not disrupt or interfere in any way with the voting process.

(c) Drive-up voting. Voting may be conducted by a drive-through or drive-up voting method at a polling place if the voting process can be operated in a manner consistent with the provisions of this chapter.

(1) Drive-up voting procedures shall enable voters to complete the voting process without leaving their vehicle, allowing the voters to deposit their ballots directly into a tabulator or secure ballot box that may be brought to the window of the vehicle or located in such a manner that it can be accessed from the vehicle or providing voters an envelope or folder in which to place their voted ballots before handing it to an election official for processing.

(2) Polling places conducting drive-up voting shall also accommodate walk-in voters and those using other forms of transport.

(d) Ballot transfer. If a polling place is outside or if voting is conducted by a drive-up method, ballots may be periodically transferred from a secure outdoor or drive-up ballot box to another secure container for counting after the close of the polls or to election officials who are processing ballots through the tabulator. Any such transfer shall be done in the presence of two election officials, if possible officials of different parties.

(b)(e) The Access. The accessible voting system shall be available for those who request it. Additionally, the board of civil authority shall take such measures as are necessary to assure ensure that voters who are elders or have a disability may conveniently and secretly cast their votes. Measures that may be taken shall include: location of polling places on the ground floor of a building; providing ramps, elevators, or other facilities for access to the polling place; providing a stencil overlay for ballots; providing a separate polling place with direct communication to the main polling place; and permitting election officials to carry a ballot to an elder or to a person who has a disability in order to permit that person to mark the ballot while in a motor vehicle adjacent to the polling place. For purposes of this subsection, the board of civil authority shall have full jurisdiction on the day of an election over the premises at which a polling place is located.

(e)(f) Polling place designation.

(1) Thirty days prior to a local, primary, or general election, the town clerk shall submit to the Secretary of State a list of polling places within the municipality that will be used in that election. The list shall include the name of the polling location, its physical address, and the time the polling place will open.

(2)(A) A municipality may change the location of a polling place less than 30 days prior to an election only in cases of emergency. If a municipality changes the location of a polling place less than 30 days prior to the election, the town clerk shall notify the Secretary of State within 24 hours of the change and provide the new polling place information.

(B) The Secretary of State shall assist any municipality that needs to change the location of a polling place on the day of an election due to an emergency, including assisting in finding a new location and informing the public of that new location.

(C) The Secretary of State shall inform the State chairs of Vermont's major political parties of any changes made to polling places that he or she is aware of made less than 30 days prior to an election.

(3) The Secretary of State shall provide on his or her official website a list of polling places that will be used in any local, primary, or general election within the State, and shall specifically provide notice on that website of any change in the location of a municipality's polling place.

* * * Ballot Mailing for Local Elections * * *

Sec. 3. 17 V.S.A. § 2680 is amended to read:

§ 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

(a) Application. Unless specifically required by statute, the provisions of the Australian ballot system shall not apply to the annual or special meeting of a municipality unless that municipality, at its annual meeting or at a special meeting called for that purpose, votes to have them apply.

* * *

(f) Presiding officer. The presiding officer for any election or part of an election using the Australian ballot system shall be the town clerk or as otherwise provided in section 2452 of this title.

(g) Early and absentee voting. At the time the Australian ballots are available, which shall be not less than 20 days before the election, early and absentee voting shall be permitted in accordance with chapter 51, subchapter 6 of this title.

(1) The legislative body of a town, city, or village may vote to mail a ballot to all active registered voters in the town, city, or village.

(2) A school board may, after receiving the approval of the legislative body of each member town in the district, vote to mail its annual meeting ballot to all active registered voters in the district. In such case, the town clerk

and election officials in the member towns shall be responsible for the mailing of the ballots but all costs associated with the mailing of ballots shall be borne by the school district.

(3) Ballots shall be mailed not less than 20 days before the election, or as soon as they are available.

(4) The mailing of ballots shall be conducted to the extent practicable in accordance with chapter 51, subchapter 6 of this title.

~~(g)~~(h) Hearing.

(1) Whenever a municipality has voted to adopt the Australian ballot system of voting on any public question or budget, except the budget revote as provided in subsection (c) of this section, the legislative body shall hold a public informational hearing on the question by posting warnings at least 10 days in advance of the hearing in at least two public places within the municipality and in the town clerk's office.

* * *

* * * Ballot Mailing for Statewide Elections * * *

Sec. 4. 17 V.S.A. § 2532 is amended to read:

§ 2532. AUTHORIZED APPLICANTS; APPLICATION FORM;
DUPLICATES

* * *

(e) Duplicate early voter absentee ballots.

(1)(A) The town clerk may, upon application, issue a duplicate early voter absentee ballot if the original ballot is lost or not received by the voter within a reasonable period of time after ~~mailing~~ it is mailed to the voter by the town clerk or by the Secretary of State's office pursuant to section 2537a of this subchapter.

(B) The application may be made by a person entitled to apply for an early voter absentee ballot under subsection (a) of this section and shall be accompanied by a sworn statement affirming that the voter has not received the original ballot.

(2) If a duplicate early voter absentee ballot is issued and both the duplicate and original early voter absentee ballots are received before the close of the polls on election day, the ballot ~~with the earlier postmark~~ that is received first by the town clerk shall be counted and the Elections Division of the Secretary of State's office shall be notified.

* * *

Sec. 5. 17 V.S.A. § 2536 is amended to read:

§ 2536. FURNISHING EARLY VOTER ABSENTEE BALLOT
ENVELOPES

Upon request, for any statewide primary, presidential primary, or general election, the Secretary of State shall furnish the envelopes prescribed in sections 2535 and 2542 of this title to town clerks in such numbers as they request. The cost of absentee ballot envelopes for local elections shall be borne by the municipality.

Sec. 6. 17 V.S.A. § 2537 is amended to read:

§ 2537. EARLY OR ABSENTEE VOTING IN THE TOWN CLERK'S
OFFICE

(a)(1) A voter may, if he or she chooses, apply in person to the town clerk for the early voter absentee ballots and envelopes.

(2) In this case, the clerk shall furnish the early voter absentee ballots and envelopes when a valid application has been made, or at such time as the clerk receives the ballots, whichever comes first.

(3) The voter may:

(A) mark his or her ballots, place them in the envelope, sign the certificate, and return the ballots in the envelope containing the certificate to the town clerk or an assistant town clerk without leaving the office of the town clerk; ~~or~~

(B) take the ballots and return them to the town clerk in the same manner as if the ballots had been received by mail; or

(C) if the board of civil authority has voted to allow it pursuant to section 2546b of this subchapter, mark the ballots and deposit them directly into the vote tabulator or ballot box in accordance with section 2546b of this subchapter.

(b) Except for justices of the peace as provided in section 2538 of this subchapter, a person shall not take any ballot from the town clerk on behalf of any other person.

Sec. 7. 17 V.S.A. § 2537a is added to read:

§ 2537a. MAILING OF GENERAL ELECTION BALLOTS

(a) For every general election, the Secretary of State's office shall mail a general election ballot to all active voters on the statewide voter checklist described in section 2154 of this title.

(1) The mailing of the ballots shall commence not later than 43 days before the election and shall be completed not later than October 1.

(2) A postage-paid return envelope, pre-addressed to the town or city clerk of the town or city where the voter is registered to vote, shall be included with the ballot sent to every voter in which the ballot may be mailed back to the clerk. All postage cost shall be paid by the Secretary of State's office.

(3) The address file to be used for the mailing shall be generated from the statewide voter checklist as close as practicable to the date of the mailing and in no case earlier than September 1.

(4) The Secretary of State's office shall include in the mailing to each voter instructions for return of the voted ballot.

(b) General election ballots mailed by the Secretary of State's office under this section shall be returned by the voter to the town or city clerk in the town or city where that voter is registered in accordance with the procedures for return of ballots described in this subchapter.

Sec. 8. 17 V.S.A. § 2539 is amended to read:

§ 2539. DELIVERY OF EARLY VOTER ABSENTEE BALLOTS

(a) Default; town office or mail.

(1) Except as provided in subsections (b) and (c) of this section, unless the early or absentee voter votes in the town clerk's office as set forth in section 2537 of this ~~subchapter~~ title, the town clerk shall provide to the early or absentee voter who comes to the town clerk's office a complete set of early voter absentee ballots or mail a complete set of early voter absentee ballots to each early or absentee voter for whom a valid application has been filed.

(2) ~~The~~ Except as provided in subdivision (3) of this subsection, the early voter absentee ballots shall be mailed forthwith upon the filing of a valid application, or upon the town clerk's receipt of the necessary ballots, whichever is later.

(3)(A) For any general election, if a voter transfers his or her registration from another town or city in the state following the mailing of ballots to all active voters by the Secretary of State's office pursuant to section 2537a of this subchapter, before issuing an absentee ballot the clerk shall confirm the status of the ballot that was previously mailed to that voter by the Secretary of State and proceed as follows:

(i) If the voter has voted and returned the ballot issued to the voter by the Secretary of State to the town in which the voter was previously registered, the voter shall not be issued a ballot nor be allowed to cast another ballot in the same general election and shall be registered following the election.

(ii) If the voter did not receive or did not return the ballot that was previously sent to the voter by the Secretary of State, the voter may be issued another ballot for the general election if:

(aa) the voter returned the unvoted ballot that was previously issued to the voter; or

(bb) the voter signs an affidavit stating that the voter has not previously cast a ballot in that general election.

(B) If a voter registers to vote for the first time in Vermont following the time when the Secretary of State's office generated the address file to be used for the mailing of ballots to all active voters by the Secretary of State's office, the clerk shall either issue a ballot to the voter in person at the time of registration or mail a ballot to the voter within three business days, provided the voter's registration does not occur within five days of the election. If the clerk does not have ballots available at the time of registration, the clerk shall mail a ballot to the voter within three business days after obtaining ballots.

* * *

Sec. 9. 17 V.S.A. § 2540 is amended to read:

§ 2540. INSTRUCTIONS TO BE SENT WITH BALLOTS

(a) The town clerk shall send with all early voter absentee ballots and envelopes printed instructions, which may be included on the envelope, in ~~substantially the following form:~~ a form prescribed by the Secretary of State's office.

~~INSTRUCTIONS FOR EARLY OR ABSENTEE VOTERS~~

- ~~1. Mark the ballots.~~
- ~~2. Place them in this envelope.~~
- ~~3. Fill out and sign the certificate on the envelope.~~
- ~~4. Mail or deliver the envelope containing the ballots to the town clerk of the town where you are a registered voter in time to arrive not later than election day.~~

~~Note: If these ballots have been brought to you personally by two justices of the peace because of your illness, injury, or disability, just return them to the justices after you have signed the envelope. YOU HAVE THE RIGHT TO MARK YOUR BALLOTS IN PRIVATE—but if you ask for help in filling out the ballots, they will give it to you.~~

~~BE SURE TO FILL OUT AND SIGN THE CERTIFICATE ON THIS ENVELOPE OR YOUR VOTE WILL NOT COUNT!~~

~~(b) In the case of early absentee voting in a primary, the instructions shall also include appropriate instructions prepared by the Secretary of State for separating and depositing unvoted ballots in a separate envelope provided and clearly marked for that purpose.~~

* * * Ballot Curing; Secure Drop Boxes * * *

Sec. 10. 17 V.S.A. § 2543 is amended to read:

§ 2543. RETURN OF BALLOTS

(a) After marking the ballots and signing the certificate on the envelope, the early or absentee voter to whom the same are addressed shall return the ballots to the clerk of the town in which ~~he or she is a~~ the voter is registered, in the manner prescribed, except that in the case of a voter to whom ballots are delivered by justices, the ballots shall be returned to the justices calling upon ~~him or her~~ that voter, and they shall deliver them to the town clerk.

(b) Once an early voter absentee ballot has been returned to the clerk in the envelope with the signed certificate, it shall be stored in a secure place and shall not be returned to the voter for any reason unless the ballot is deemed defective under subdivision 2546(a)(2) of this subchapter and the voter chooses to cure the defect and cast the ballot pursuant to subsection 2547(d) of this subchapter.

(c) If a ballot includes more than one page, the early or absentee voter need only return the page upon which the voter has marked his or her vote.

(d)(1) All early voter absentee ballots returned as follows shall be counted:

(A) by any means, to the town clerk's office before the close of business on the day preceding the election;

(B) to any secure ballot drop box provided by the town or city in which the voter is registered pursuant to section 2543a of this subchapter before the close of business on the day before the election;

~~(B)(C)~~ by mail, to the town clerk's office before the close of the polls on the day of the election; and

~~(C)~~(D) by hand delivery to the presiding officer at the voter's polling place before the closing of the polls at 7:00 p.m.

(2) An early voter absentee ballot returned in a manner other than those set forth in subdivision (1) of this subsection shall not be counted.

(e) A candidate whose name appears on the ballot for that election, or a paid campaign staff member of any such candidate, may not return a ballot to the town clerk or to a secure ballot drop box, unless that candidate or paid campaign staff member:

(1) is returning the candidate's or paid campaign staff member's own ballot;

(2) is returning the ballot of an immediate family member, as defined in section 2532 of this title, including a person's spouse, children, brothers, sisters, parents, spouse's parents, grandparents, and spouse's grandparents, who has requested the candidate's or paid campaign staff member's assistance with the return of that ballot;

(3) is returning the ballot of a voter for whom the candidate or paid campaign staff member is a caretaker, and who has requested the candidate or paid campaign staff member's assistance with the return of that ballot; or

(4) is a justice of the peace performing his or her official duties pursuant to section 2538 of this title.

(f) No individual may return more than 25 ballots to the town clerk or to a secure ballot drop box unless the individual is a justice of the peace performing his or her official duties pursuant to section 2538 of this title.

(g) The clerk or other local election official accepting the return of ballots shall not be required to enforce the provisions of subsections (e) and (f) of this section but shall report any suspected violations to the Secretary of State's office, who shall refer them to the Attorney General's office for investigation. Individuals violating this section may be subject to penalties pursuant to section 2017 of this title.

Sec. 11. 17 V.S.A. § 2543a is added to read:

§ 2543a. PROVISION OF SECURE BALLOT DROP BOXES

(a) A board of civil authority may vote to install one or more secure outdoor ballot drop boxes (drop boxes) for the return of voted ballots.

(b) Drop boxes shall be located on municipal property. If a town has only one drop box, it shall be located on the property of the municipal clerk's office.

(c) Drop boxes shall allow for the return of ballots by voters at any time of day and must be available for the return of ballots not later than 43 days before the election.

(d) Drop boxes shall be installed and maintained in accordance with guidance issued by the Secretary of State's office. At a minimum, drop boxes shall:

(1) be affixed to a foundation or other immovable object such that they cannot be removed without being tampered with;

(2) be under 24-hour video surveillance or in the alternative be within sight of the municipal building;

(3) be constructed in such a manner that it is impossible to remove the ballots without the ballot box being tampered with; and

(4) be able to be closed such that ballots may not be deposited once the deadline for deposit has passed.

(e) Ballots may be deposited in the drop boxes until the close of business on the day before the election. At that time, the drop box shall be closed and instructions affixed to the drop box instructing the voter to return the voter's voted ballot to the polling place on the day of the election.

(f) The Secretary of State's office shall provide drop boxes to a town or city upon request following a vote of the board of civil authority. The maximum number of drop boxes that the Secretary of State's office shall provide in any town or city shall be as follows:

(1) up to 5,000 registered voters, one;

(2) between 5,000 and 10,000 registered voters, two;

(3) between 10,000 and 15,000 registered voters, three;

(4) between 15,000 and 20,000 registered voters, four; and

(5) over 20,000 registered voters, five.

(6) A town or city may have a number of secure drop boxes equal to the number of representative districts in that town or city, with one drop box located in each district, if that number is greater than the number allowed based on that town or city's number of registered voters in subdivisions (1)–(5) of this subsection. If there is not suitable municipal property for the location of a secure drop box in the area covered by a certain district in the town or city, an alternative location may be used with the approval of the Secretary of State's office.

Sec. 12. REPEALS

17 V.S.A. § 2545 (receipt of marked ballots by town clerk; delivery to election officers) is repealed.

* * * Ballot Processing and Defective Ballot Notification * * *

Sec. 13. 17 V.S.A. § 2546 is amended to read:

§ 2546. DEPOSIT OF EARLY VOTER ABSENTEE BALLOTS IN
BALLOT BOX OR VOTE TABULATOR RECEIPT OF BALLOTS
BY CLERK; VOTER STATUS; OPPORTUNITY TO CURE;
PROCESSING ABSENTEE BALLOTS

(a) Not earlier than Beginning 30 days before the opening of the polls on election day, upon receipt of a mailing envelope containing ballots returned by a voter, the town clerk may shall, within three business days or on the next day the office is open for business, whichever is later, direct two election officials working together to do all of the following:

(1) open the outside mailing envelope and sort early voter absentee ballots by ward and district, if necessary; and

(2) determine that the certificate has been properly completed and signed; the voted ballot was placed in the certificate envelope, and the ballot is not defective for any other reason pursuant to section 2547 of this subchapter.

(A) If the ballot is not deemed defective, the clerk shall check the name of the early voter off the entrance checklist and record the ballot as received and accepted in the online election management system, and:

(i) place the certificate envelopes into a secure container marked “checked in early voter absentee ballots” to be transported to the polling places on election day; or

(ii) open the certificate envelope and place the voted ballot in the ballot box or tabulator in accordance with the procedures contained in section 2546a of this subchapter.

(B) If the ballot is deemed defective, the clerk shall:

(i) Check the name of the early voter off the entrance checklist and record the ballot as received and defective in the online election management system.

(ii) Place the ballot in the defective ballot envelope in accordance with the procedures of subdivisions 2547(b)(1)–(3) of this subchapter.

(iii) Not later than the next business day transmit a notice, with information required by the Secretary of State's office, to the voter informing the voter that the voter's ballot was deemed defective and rejected, the reason it was deemed defective, and the voter's opportunity to correct the error pursuant to subsection 2547(d) of this subchapter. If the ballot was deemed defective because the voter failed to sign the return certificate, to place the voted ballot in the certificate envelope, or did not return their unvoted primary ballots in the unvoted ballot envelope, the clerk shall include a returnable affidavit, designed and provided by the Secretary of State's office, with the notice so the voter may cure the deficiency in accordance with subdivision 2547(d)(1)(C) of this subchapter.

(b) Beginning five business days preceding the election, the clerk is not required to send a notice to those voters whose ballots have been deemed defective. In these cases, the clerk shall make a reasonable effort to provide notice to the voter as soon as possible using any other contact information that the clerk has on file and shall record the ballot as defective in the online election management system not later than 24 hours after the ballot is deemed defective.

~~(3) check the name of the early voter off the entrance checklist; and~~

~~(4) place the certificate envelopes into a secure container marked "checked in early voter absentee ballots" to be transported to the polling places on election day.~~

(b)(c) The Processing absentee ballots on election day. If the certificate envelopes have not been opened and the voted ballots placed in the ballot box or tabulator, the town clerk or presiding officer shall deliver the unopened early voter absentee ballots to the election officials at the place where the entrance checklist is located. Upon the opening of the polls During the polling hours on election day:

(1) If the ballots are in a , at the direction of the presiding officer, at least two election officials shall open the container marked "checked in early voter absentee ballots," one election official shall open the certificate envelopes, turn the certificate side face down, and hand the envelope face down to a second election official, if possible from a different political party, who shall remove the ballots from the envelopes and deposit them in the ballot box or vote tabulator. If the early voter is a first-time voter who registered by mail or online, and if the proper identification has not been submitted before the closing of the polls, the ballot shall be treated as a provisional ballot, as provided in subchapter 6A of this chapter.

~~(2) If the ballots have not been previously checked off the entrance checklist and if two election officials, from different political parties, determine that the certificate on the envelope is properly completed and signed by the early voter, the name of the early voter appears on the checklist, and the early voter is not a first-time voter in the municipality who registered by mail and is marked on the checklist as requiring additional documentation, the election officials shall mark the checklist, open the certificate envelope, turn the certificate side face down, and hand the envelope face down to a third election official who shall remove the ballots from the envelopes and deposit the ballots in the ballot box or vote tabulator.~~

~~(3)(A) If the early voter is a first-time voter who registered by mail or online, two election officials from different political parties shall determine whether the identification required under subdivision 2563(1) of this title has been submitted by the voter. Upon ascertaining that the proper identification has been submitted by the voter, the election officials shall mark the checklist, open the certificate envelope, turn the certificate side face down, and hand the envelope face down to a third election official who shall remove the ballots from the envelopes and deposit the ballot in the ballot box or vote tabulator.~~

~~(B) If the proper identification has not been submitted, the ballot shall be treated as a provisional ballot, as provided in subchapter 6A of this chapter.~~

~~(e)(d) All early voter absentee ballots shall be commingled with the ballots of voters who have voted in person.~~

Sec. 14. 17 V.S.A. § 2546a is amended to read:

§ 2546a. DAY PRECEDING ELECTION; DEPOSIT OF EARLY VOTER

ABSENTEE BALLOTS IN VOTE TABULATOR

(a) Generally. Notwithstanding any provision of law to the contrary, ~~if a town will be using a vote tabulator for the registering and counting of votes in the upcoming election and will check in early voter absentee ballots in accordance with subsection 2546(a) of this chapter for that election, the board of civil authority may vote to permit elections officials to deposit these early voter absentee ballots that have been processed in accordance with subsection 2546(a) of this subchapter and have not been deemed defective into the vote tabulator or ballot box in accordance with the provisions of this section and any guidance issued by the Secretary of State. This~~ Any such depositing of these ballots shall take place at the town clerk's office ~~on the day during the 30 days preceding the election.~~

(b) Notice.

~~(1) If a board of civil authority votes to deposit ballots as described in subsection (a) of this section, the town clerk shall post notice that ballots will be so deposited in at least two public places in the municipality and in or near the town clerk's office not less than 30 nor more than 40 days before the election. If a municipality has more than one polling place and the polling places are not all in the same building, the notice shall be posted in at least two public places within each voting district and in or near the town clerk's office. the process shall be conducted during normal business hours if practicable or, if conducting the process at a time other than normal business hours, notice of the date(s), time(s), and location of the processing shall be posted at the clerk's office and two other public places at least three days in advance.~~

~~(2) In addition, at least five days before the day preceding the election, the notice shall be published in a newspaper of general circulation in the municipality and on the municipality's website, if the municipality actively updates its website on a regular basis.~~

~~(3) The notice shall include the date and time for the count, inspection, and depositing of the ballots and the location of the town clerk's office.~~

(c) Officials. The town clerk and at least two other election officials, from different political parties to the extent practicable, shall be present for the inspection of the sealed certificate envelopes and the processing of the ballots described in this section.

~~(d) Count and inspection.~~

~~(1) On the day preceding the election, at least one hour prior to depositing the ballots in the vote tabulator, the town clerk and the election officials shall:~~

~~(A) first open the secure container marked "checked in early voter absentee ballots," count the certificate envelopes containing those ballots, and record the number counted; and~~

~~(B) permit these certificate envelopes to be inspected by members of the public.~~

~~(2) Any early voter absentee ballot that is returned after the expiration of the period for the count and inspection shall be processed on the day of the election in accordance with section 2546 of this subchapter.~~

~~(e) Processing.~~

~~(1) Immediately after the expiration of the period for the count and inspection described in subsection (d) of this section, the town clerk and election officials shall open each certificate envelope containing an early voter~~

~~absentee ballot that was counted under subdivision (d)(1) of this section and deposit each ballot into a vote tabulator.~~

~~(2) The town clerk and the election officials shall ensure that all procedures for handling ballots are followed to the fullest extent practicable.~~

~~(3) At the end of the processing, the town clerk shall verify that the vote tabulator's memory card is locked in place and shall sign a statement verifying how many early voter absentee ballots were counted by the vote tabulator and that the memory card is so locked. The town clerk shall compare the vote tabulator's number of counted ballots to the original count of those ballots described in subdivision (d)(1) of this section.~~

~~(f) Security. The town clerk shall otherwise comply with all provisions of this title relating to the security of the vote tabulator.~~

~~(g) Election day. On the day of the election, when the vote tabulator is turned on at the polling place, the town clerk shall verify that the number of ballots that the vote tabulator displays as having been counted matches the number that the town clerk verified the tabulator counted on the preceding day.~~

(d) Processing. The Secretary of State's office shall issue detailed procedures for conducting the processing of early ballots into the vote tabulator or ballot box pursuant to this section. A town or city shall follow the procedures issued by the Secretary of State's office for this purpose.

~~(h)(e) Rules. The Secretary of State may adopt rules to implement the provisions of this section.~~

Sec. 15. 17 V.S.A. § 2546b is amended to read:

§ 2546b. EARLY VOTING IN TOWN CLERK'S OFFICE; DEPOSIT INTO
VOTE TABULATOR

(a)(1) A board of civil authority may vote to permit its town's registered early or absentee voters to vote in the town clerk's office in the same manner as those voting on election day by marking their early voter absentee ballots and depositing them into a vote tabulator or secure ballot box.

(2) If a board of civil authority votes to permit early voting as described in subdivision (1) of this subsection, the town's process for conducting this early voting shall conform to the provisions of this section and to procedures that the Secretary of State shall adopt for this purpose.

(b)(1) During business hours in the town clerk's office, the secure ballot box or vote tabulator and ballot bin shall be in a secured area accessible only to election officials and voters. The vote tabulator unit shall be secured with

an identifiable seal and the ballot box containing voted ballots shall remain locked at all times and secured with an identifiable seal. Neither seal shall be broken prior to the time of closing the polls on election day.

(2) Once early voting has commenced in the town clerk's office, the town clerk or designee shall certify each day in a record prepared for this purpose that the seals on the vote tabulator and secure ballot box are intact.

(3) When an election official is not present or at times other than business hours, the secure ballot box or sealed vote tabulator and ballot ~~box~~ bin shall be secured in the town clerk's office vault.

(4) The town clerk shall maintain a record of each early or absentee voter who voted in person in accordance with this section and shall mark these voters as having voted early in the clerk's office in the online election management system.

(c) On the day of the election:

(1) The secure ballot box or sealed vote tabulator and ~~sealed ballot boxes~~ ballot bin shall be transferred to the polling place on election day by two election officials and shall not be opened until the polls have closed on election day.

(2) When the vote tabulator is turned on at the polling place, the town clerk shall verify that the number of ballots that the vote tabulator displays as having been counted matches the number of voters who deposited their early voter absentee ballots in the vote tabulator in accordance with this section and any early voter absentee ballots that were processed and deposited in the vote tabulator under section 2546a of this subchapter.

(3) All early voter absentee ballots shall be commingled with those voted at the polls on election day prior to being examined for the purpose of identifying write-in votes.

Sec. 16. 17 V.S.A. § 2547 is amended to read:

§ 2547. DEFECTIVE BALLOTS

(a) If upon examination by the election officials it shall appear that any of the following defects is present, either the ballot or the unopened certificate envelope shall be marked "defective" and the ballot shall not be counted:

(1) the identity of the early or absentee voter cannot be determined;

(2) the early or absentee voter is not legally qualified to vote;

(3) the early or absentee voter has voted in person or previously returned a ballot in the same election;

- (4) the certificate is not signed;
- (5) the voted ballot is not in the certificate envelope; or
- (6) in the case of a primary vote, the early or absentee voter has failed to return the unvoted primary ballots.

(b) Each defective ballot or unopened certificate envelope shall be:

(1) affixed with a note from the presiding officer indicating the reason it was determined to be defective; and

(2) placed with other such defective ballots in an envelope marked “Defective Ballots - Voter Checked Off Checklist - Do Not Count”; ~~and~~

~~(3) returned in that envelope to the town clerk in the manner prescribed by section 2590 of this chapter.~~

(c) The provisions of this section shall be indicated prominently in the early or absentee voter material prepared by the Secretary of State.

(d)(1) If a ballot is deemed defective, the voter shall be notified of the defect in accordance with the provisions of subdivision 2546(a)(2)(B) of this subchapter. Upon notification, the voter may cure the defect until the closing of the polls on election day, by:

(A) correcting the defect or submitting a new absentee ballot in person at the clerk’s office or at the polling place on election day;

(B) requesting a new ballot be mailed to them by the clerk along with materials for submission of the new ballot, provided the new ballot is received by the presiding officer or other sworn election official prior to the closing of the polls; or

(C) for a voter who failed to sign the certificate envelope, failed to place the voted ballot in the certificate envelope, or did not return their unvoted primary ballots in the unvoted ballot envelope, returning the signed affidavit included in the notice under subdivision 2546(a)(2)(B)(iii) of this subchapter either by mail, in person, or electronically, provided the affidavit is received by the presiding officer or other sworn election official prior to the closing of the polls.

(2)(A) If a voter corrects the defect in accordance with subdivision (1)(A) or (1)(C) of this subsection (d), the clerk shall update the status of the ballot to “received – accepted” in the online election management system.

(B) If a voter corrects the defect by requesting a new ballot be mailed to them under subdivision (1)(B) of this subsection (d), the clerk shall enter a

second absentee ballot request and issue date for that voter in the online election management system.

(3) The same voter may cure a ballot deemed defective not more than twice for any single election.

* * * Voting Early at Clerk's Office * * *

Sec. 17. 17 V.S.A. § 2548 is amended to read:

§ 2548. VOTING IN PERSON

(a) Prior to the opening of the polls, the municipal clerk shall provide the election officials of each polling place with a list of the names of all persons who have voted early in the clerk's office or marked and returned early voter absentee ballots, and these persons shall not thereafter vote in person in the same election.

~~(b)(1) A person who in good faith has received early voter absentee ballots for his or her use but has not yet marked them, if he or she is able to vote in person, may cast the early voter absentee ballots as provided above, or may vote in person after returning the complete set of unmarked ballots, together with the envelope intended for their return, to the presiding officer at the time the voter appears to vote in person.~~

~~(2) If a person does not have his or her absentee ballots to return, the person shall be checked off the checklist and permitted to vote only after completing a sworn affidavit that he or she does not have his or her absentee ballots to return.~~

~~(3) The presiding officer shall return the unused early voter absentee ballots and envelope to the town clerk, who shall make a record of their return on the list of early or absentee voters and treat them as replaced ballots, pursuant to section 2568 of this title. A voter who has been issued an early ballot, either by the Secretary of State's office pursuant to section 2537a of this subchapter, or otherwise by the town clerk, but who has not returned the voter's voted ballot to the clerk, may vote in person at the polling place on election day.~~

(2) If the voter brings the voter's marked ballot enclosed in the signed certificate envelope, the voter may submit that certificate envelope containing the voted ballot to the entrance checklist official for processing along with any other early or absentee ballots. The voter shall be marked off the checklist and the clerk shall record the voter as having returned the absentee ballot on election day in the online election management system.

(3) If the voter brings the marked ballot, but it is not enclosed in the certificate envelope, the voter shall be marked off the checklist and be allowed to cast that ballot into the secure ballot box or tabulator in the same manner as other voters who are voting in the polling place. The clerk shall record any such voter as having voted in person on election day in the online election management system.

(4) If the voter brings the unmarked ballot, the voter shall be marked off the checklist and allowed to proceed to a voting booth to mark that ballot and cast it into the ballot box or tabulator in the same manner as other voters who are voting in the polling place. The presiding officer may choose to provide any such voter with a new ballot in exchange for the unvoted ballot that the voter brought to the polls. The clerk shall record any such voter as having voted in person on election day in the online election management system.

(5) If the voter does not bring a marked or an unmarked ballot with them to the polls, the voter shall be required to sign an affidavit that the voter has not previously cast a ballot in the election, and only then shall they be checked off the checklist and allowed to vote in the same manner as all other voters who are voting at the polling place. The clerk shall record any such voter as having voted in person on election day in the online election management system. Any affidavits signed by voters at the polling place pursuant to this section shall be retained for a period of 90 days following the election.

Sec. 18. 17 V.S.A. § 2565 is amended to read:

§ 2565. DELIVERY OF BALLOTS

As Except as otherwise provided in subsection 2548(b) of this title, as each voter passes through the entrance of the guardrail, an election official or officials shall hand him or her one of each kind of ballot. The election officials shall also answer any questions a voter may ask concerning the process of voting. The presiding officer shall keep the election officials in charge of furnishing ballots to voters supplied with a sufficient number of blank ballots, keeping the remainder of the blank ballots safely secured until needed.

Sec. 19. 17 V.S.A. § 2566 is amended to read:

§ 2566. MARKING BALLOTS

~~On~~ Except as provided in subdivision 2548(b)(2) of this title, on receiving his or her ballots, the voter shall forthwith, and without leaving the polling place or going outside the guardrail, proceed to one of the booths not occupied by any other person and vote by filling in the appropriate square or oval

opposite the name of the candidate of his or her choice for each office, or by writing in the name of the candidate of his or her choice in the blank space provided and filling in the square or oval to the right of that blank space.

* * * Reports * * *

Sec. 20. LANGUAGE ACCESS; REPORT

The Secretary of State's office shall consult with municipalities and interested stakeholders on best practices for increasing access to voting for non-English-speaking Vermonters and Vermonters with limited English proficiency and provide recommendations to the Senate and House Committees on Government Operations on or before January 15, 2022.

Sec. 21. [Deleted.]

Sec. 21a. VOTING ACCESS AND VERIFICATION; REPORT

On or before January 30, 2023, the Secretary of State's office shall submit a written report to the House and Senate Committees on Government Operations with its findings and any recommendations for legislative action on:

(1) issues related to implementing universal vote by mail for municipal and primary elections; and

(2) the impact expanding vote by mail would have on:

(A) access to voting among those who have historically been disenfranchised and populations that have historically had low voter turnout;

(B) public satisfaction with the voting process;

(C) the administration of elections; and

(3) implementing a voter verification system in Vermont that will not disenfranchise voters and that will verify that ballots have been voted by registered voters, including a report back on the time, training and cost involved in implementing the system or systems.

* * * Voter Checklist * * *

Sec. 22. 17 V.S.A. § 2154 is amended to read:

§ 2154. STATEWIDE VOTER CHECKLIST

(a) The Secretary of State shall maintain a uniform and nondiscriminatory statewide voter checklist. This checklist shall serve as the official voter registration list for all elections in the State. In maintaining the statewide voter checklist, the Secretary shall:

(1) limit a town clerk to adding, modifying, or deleting applicant and voter information on the portion of the checklist for that clerk's municipality;

(2) limit access to the statewide voter checklist for a local elections official to verifying whether the applicant is registered in another municipality in the State by a search for the individual voter;

(3) notify a local elections official when a voter registered in that official's district registers in another voting district so that the voter may be removed from that official's district checklist;

(4) provide adequate security to prevent unauthorized access to the checklist; ~~and~~

(5) ensure the compatibility and comparability of information on the checklist with information contained in the Department of Motor Vehicles' computer systems; and

(6) make reasonable efforts on an ongoing basis to compare the information on the checklist with data or information contained in any State agency's database, a database administered by the federal government, or any database of another state or consortium of states, where possible, in an effort to maintain the accuracy and currency of the checklist.

* * *

* * * Effective Date * * *

Sec. 23. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: "An act relating to mailing out ballots, correcting defective ballots, and miscellaneous changes to State election laws"

(Committee vote: 11-0-0)

(For text see Senate Journal March 16, 18, 2021)

Senate Proposal of Amendment

H. 46

An act relating to miscellaneous provisions of mental health law

The Senate proposes to the House to amend the bill by striking out Sec. 1, 18 V.S.A. § 7503, in its entirety and inserting a new Sec. 1 in lieu thereof to read as follows:

Sec. 1. 18 V.S.A. § 7503 is amended to read:

§ 7503. APPLICATION FOR VOLUNTARY ADMISSION

* * *

(b) Before the person may be admitted as a voluntary patient, ~~he or she~~ the person shall give ~~his or her~~ consent in writing on a form adopted by the Department. The consent shall include a representation that:

(1) the person understands that ~~his or her~~ treatment will involve inpatient status;

(2) ~~that he or she~~ the person desires to be admitted to the hospital, ~~and;~~

(3) ~~that he or she~~ the person consents to admission voluntarily, without any coercion or duress; ~~and~~

(4) the person understands that inpatient treatment may be on a locked unit and a requested discharge may be deferred if the treating physician determines that the person is a person in need of treatment pursuant to section 7101 of this title.

* * *

(For text see House Journal March 16, 2021)

H. 104

An act relating to considerations in facilitating the interstate practice of health care professionals using telehealth

The Senate proposes to the House to amend the bill in Sec. 1, Facilitation of Interstate Practice Using Telehealth Working Group; report, in subsection (b), by inserting a new subdivision to be subdivision (5) to read as follows:

(5) the Commissioner of Mental Health or designee;

And by renumbering the remaining subdivisions to be numerically correct.

(For text see House Journal March 9, 2021)

H. 108

An act relating to Vermont standards for issuing a Clean Water Act section 401 certification

The Senate proposes to the House to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 10 V.S.A. § 1253(h) is added to read:

(h)(1) The Secretary shall administer a Clean Water Act Section 401

certification program to review activities that require a federal license or permit to ensure that a proposed activity complies with the Vermont Water Quality Standards, as well as with any other appropriate requirement of State law, including:

(A) 10 V.S.A. chapter 37 (wetlands protection and water resources management);

(B) 10 V.S.A. chapter 41 (regulation of stream flow);

(C) 10 V.S.A. § 1264 (stormwater management);

(D) 29 V.S.A. chapter 11 (management of lakes and ponds); and

(E) the Agency of Natural Resources Rules for Water Withdrawals for Snowmaking.

(2) The Secretary of Natural Resources shall not grant an application for certification under Section 401 of the Clean Water Act unless the applicant demonstrates all of the following:

(A) there is no practicable alternative to the proposed activity that would have a less adverse impact on waters and wetlands of the State and provided that any proposed alternative shall not have other significant adverse human health, safety, or environmental consequences;

(B) the proposed activity will not result in the violation of any applicable water quality criteria established in the Vermont Water Quality Standards; and

(C) the proposed activity will not result in a violation of the State's antidegradation policy.

(3)(A) An alternative is considered practicable under subdivision (2)(A) of this subsection (h) if it is available and capable of being completed after taking into consideration cost, existing technology, and logistics in light of overall purposes of the proposed activity.

(B) Failure to comply with the requirements of subdivision (2)(A) of this subsection (h) shall not be the basis for denial of an application for a certification under Section 401 of the Clean Water Act if the proposed activity is exempt from those requirements under a rule adopted by the Secretary.

(4) The Secretary may issue a certification required by this subsection to any general permit or authorization issued by a federal agency. An applicant's compliance with that federal permit or authorization shall be presumed to be in compliance with the certification unless the Secretary determines that an individual review of the applicant's activity is necessary to assure compliance

with the Vermont Water Quality Standards and other appropriate State laws.

Sec. 2. AGENCY OF NATURAL RESOURCES; VERMONT WATER QUALITY STANDARDS; RULEMAKING

The Secretary of Natural Resources shall amend the Vermont Water Quality Standards (VWQS) to include the following:

(1) An amendment to the Classification of State Waters to clarify that with regard to all Class I and II wetlands, as defined in 10 V.S.A. § 902, the uses to be protected include the functions and values of the wetland as described in Section 5 of the Vermont Wetland Rules.

(2) An amendment to the antidegradation policy to clarify that wetlands and their functions and values shall be protected as described by the Vermont Wetland Rules.

(3) Any additional provisions that the Secretary of Natural Resources determines are necessary to implement the requirements of 10 V.S.A. § 1253(h), including any exemptions to the requirements of 10 V.S.A. § 1253(h)(2)(A) for projects that are not likely to have significant impacts on water quality or wetland functions or values. Railroad projects or State or municipal road or highway projects shall be exempt from the requirements of 10 V.S.A. § 1253(h)(2)(A).

Sec. 3. RULEMAKING IMPLEMENTATION; TIMING

(a) The Secretary of Natural Resources shall file with the Secretary of State under 3 V.S.A. § 838 a copy of the proposed rules required by Sec. 2 of this act within 90 days following the effective date of this act.

(b) On or before January 15, 2022, the Secretary of Natural Resources shall submit to the House Committee on Natural Resources, Fish, and Wildlife and the Senate Committee on Natural Resources and Energy a report regarding the status of the rulemaking required by Sec. 2 of this act. The report shall include a draft of the rules.

(c) On or before March 1, 2022, the Secretary of Natural Resources shall file with the Secretary of State under 3 V.S.A. § 841 a final proposal of the rules required by Sec. 2 of this act.

Sec. 4. EFFECTIVE DATES

(a) This section and Secs. 2 and 3, VWQS rulemaking, shall take effect on passage.

(b) Sec. 1, certification program, shall take effect on the effective date of the rules required to be adopted under Sec. 2.

(For text see House Journal March 9, 2021)

H. 171

An act relating to the governance and financing of Vermont's child care system

The Senate proposes to the House to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Legislative Intent * * *

Sec. 1. LEGISLATIVE INTENT

It is the intent of the General Assembly:

(1) that immediate investments are necessary to support Vermont's economy, ensure that all families with young children have affordable access to high-quality child care and early education, and that Vermont's early childhood educators are fairly compensated and well supported; and

(2) to continue and build upon the five-year redesign of the Child Care Financial Assistance Program that began in fiscal year 2020.

* * * Child Care Financial Assistance Program * * *

Sec. 2. 33 V.S.A. § 3512 is amended to read:

§ 3512. CHILD CARE FINANCIAL ASSISTANCE PROGRAM; ELIGIBILITY

(a)(1) The Child Care Financial Assistance Program is established to subsidize, to the extent that funds permit, the costs of child care for families that need child care services in order to obtain employment, to retain employment, or to obtain training leading to employment. Families seeking employment shall be entitled to participate in the Program for up to three months and the Commissioner may further extend that period.

(2) ~~The subsidy authorized by this subsection shall be on a sliding scale basis. The scale shall be established by the Commissioner, by rule, and shall bear a reasonable relationship to income and family size. The lower limit of the fee scale shall include families whose gross income is up to and including 100 percent of the current federal poverty guidelines. The upper income limit of the fee scale shall be neither less than 200 percent of the current federal poverty guidelines nor more than 100 percent of the State median income, adjusted for the size of the family. Families shall be found eligible using an income eligibility scale based on the current federal poverty level and adjusted for the size of the family. Co-payments shall be assigned to the whole family and shall not increase if more than one eligible child is enrolled in child care. Families with an annual gross income of less than or equal to 150 percent of~~

the current federal poverty guidelines shall not have a family co-payment. Families with an annual gross income up to and including 350 percent of current federal poverty guidelines, adjusted for family size, shall be eligible for a subsidy authorized by the subsection. The scale shall be structured so that it encourages employment. If the federal poverty guidelines decrease in a given year, the Division shall maintain the previous year's federal poverty guidelines for the purpose of determining eligibility and benefit amount under this subsection.

* * *

Sec. 3. 33 V.S.A. § 3514 is amended to read:

§ 3514. PAYMENT TO PROVIDERS

* * *

(c)(1) The payment schedule established by the Commissioner may reimburse providers in accordance with the results of the most recent Vermont Child Care Market Rate Survey.

(2) The payment schedule shall include reimbursement rate caps tiered in relation to provider ratings in the Vermont STARS program. The lower limit of the reimbursement rate caps shall be not less than the 50th percentile of all reported rates for the same provider setting in each rate category.

Sec. 4. LEGISLATIVE INTENT; CHILD CARE FINANCIAL ASSISTANCE PROGRAM

It is the intent of the General Assembly that:

(1) consideration be made in fiscal years 2023 through 2026 to progressively adjust the upper income limit of the Child Care Financial Assistance Program fee scale each year; and

(2) the co-payment at the upper limit of the income eligibility scale for a family participating in the Child Care Financial Assistance Program shall not exceed 10 percent of a family's annual gross income.

* * * Bright Futures Information System * * *

Sec. 5. BRIGHT FUTURES INFORMATION SYSTEM;
MODERNIZATION PLAN

(a) To the extent funds exist in fiscal year 2022, the Department for Children and Families shall modernize the Bright Futures Information System.

(b)(1) On or before October 1, 2021, the Department for Children and Families' Child Development Division shall make every reasonable effort to

achieve full functionality of the first module of the modernized Bright Futures Information System.

(2) On or before August 1, 2021, the Department for Children and Families' Child Development Division shall convene and consult with a Bright Futures Information System end-user group, composed of child care providers, eligibility specialists from community child care support agencies, families participating in the Child Care Financial Assistance Program, and any other relevant stakeholders. The Division shall provide periodic updates to the end-user group regarding the Division's progress in completing the modernization project and any successes or challenges identified once the modernized Bright Futures Information System is operational. The Division shall actively seek advice and feedback from the end-user group regarding the modernized Bright Futures Information System. The end-user group shall be dissolved following full functionality of all components of the modernized Bright Futures Information System.

* * * Workforce Supports * * *

Sec. 6. 33 V.S.A. chapter 35, subchapter 5 is added to read:

Subchapter 5. Workforce

§ 3541. SCHOLARSHIPS FOR CURRENT EARLY CHILDHOOD PROVIDERS

(a) There is established a need-based scholarship program for individuals employed by a regulated, privately operated center-based child care program or family child care home while acquiring credits in early childhood development or that are related directly to working with children from birth through eight years of age.

(b) The Department of Children and Families may contract for the administration of the program set forth in subsection (a) of this section and adopt policies, procedures, and guidelines necessary for its implementation.

(c) Scholarships distributed pursuant to this section shall be available on a first-come, first-served basis until any appropriated funds are depleted.

(d) An individual shall not simultaneously participate in the scholarship program set forth in this section and the student loan repayment assistance program set forth in section 3543 of this title.

§ 3542. SCHOLARSHIPS FOR PROSPECTIVE EARLY CHILDHOOD PROVIDERS

(a)(1) There is established a need-based scholarship program for individuals pursuing a college degree in early childhood education or early

childhood special education. The scholarship program shall provide financial assistance up to the full cost of tuition for an eligible individual.

(2) An eligible individual shall:

(A) attend a Vermont college or university at least part-time;

(B) be pursuing an associates or bachelor's degree in early childhood education or early childhood special education; and

(C) commit to working in a regulated, privately operated center-based child care program or family child care home in Vermont for years equal to those in which scholarship monies are sought under this section.

(b)(1) The Department for Children and Families shall adopt policies, procedures, and guidelines necessary for implementation of the program described in subsection (a) of this section.

(2) The Department may contract for the administration of the program. Administration costs shall not be more than 10 percent of the total appropriation received to implement this section.

(c)(1) Scholarships distributed pursuant to this section shall be available on a first-come, first-served basis until any appropriated funds are depleted.

(2) An eligible individual who does not work the required number of years in a regulated, privately operated center-based child care program or family child care home in Vermont after completion of the individual's degree program shall repay scholarship monies received under this section commensurate with the balance of the eligible individual's time commitment.

(d) An individual shall not simultaneously participate in the scholarship program set forth in this section and the student loan repayment assistance program set forth in section 3543 of this title.

§ 3543. STUDENT LOAN REPAYMENT ASSISTANCE

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

(2) An eligible individual shall:

(A) work in a privately operated center-based child care program or in a family child care home that is regulated by the Division for at least an average of 30 hours per week for 48 weeks of the year;

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

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

(3) To participate in the program set forth in this section, an eligible individual shall submit to the Department for Children and Families documentation expressing the individual's intent to work in a regulated, privately operated center-based child care program or family child care home for at least the 12 months following the annual loan repayment award notification. A participant may receive up to \$4,000.00 annually in student loan repayment assistance, which shall be distributed by the Department in four allotments. The Department shall distribute at least one-quarter of the individual's total annual benefit after the individual has completed three months of employment in accordance with the program. The remainder of an individual's total annual benefit shall be distributed by the Department every three months after the initial payment.

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

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

(3) The Department may contract for the administration of the program. Administration costs shall not be more than 10 percent of the total appropriation received to implement this section.

(c) An individual shall not simultaneously participate in the student loan repayment assistance program set forth in this section and either of the scholarship programs set forth in section 3541 or 3542 of this title.

Sec. 7. EVALUATION; EARLY CHILDHOOD WORKFORCE PROGRAMS

On or before October 1, 2025, the Department for Children and Families' Child Development Division, in consultation with stakeholders, shall submit a report to the House Committees on Commerce and Economic Development and on Human Services and to the Senate Committees on Economic Development, Housing and General Affairs and on Health and Welfare:

(1) evaluating the effectiveness of the scholarship and student loan repayment programs established in 33 V.S.A. chapter 35, subchapter 5 at recruiting and retaining providers in Vermont's child care and early learning system; and

(2) recommending whether the scholarship and student loan repayment programs established in 33 V.S.A. chapter 35, subchapter 5 shall be repealed in accordance with Sec. 8 of this act, retained and funded in their current states, or retained with amendment.

Sec. 8. REPEALS

(a) 33 V.S.A. § 3541(d) (reference to student loan repayment assistance program) is repealed on July 1, 2026.

(b) 33 V.S.A. § 3542 (scholarships for prospective early childhood providers) is repealed on July 1, 2026.

(c) 33 V.S.A. § 3543 (student loan repayment assistance program) is repealed on July 1, 2026.

* * * Building Bright Futures' Powers and Duties * * *

Sec. 9. 33 V.S.A. § 4603 is amended to read:

§ 4603. POWERS AND DUTIES

The Council established by section 4602 of this title shall have the following powers and duties necessary and appropriate to effectuating the purposes of this chapter:

(1) Advise the Administration and General Assembly on:

(A) the status and needs of the early care, health, and education system by conducting a review of the status of young children in Vermont and the care, health, and education services and systems that support them; and

(B) planning related to and the administration and operation of Vermont's child care system.

* * *

(3) Develop an early care, health, and education system plan for Vermont to serve as the basis for policy and funding recommendations, which shall reflect the growing diversity of Vermont's children and families.

* * *

(12) Convene members of the child care community, medical community, education community, business community, and other organizations, as well as State agencies serving young children, to ensure that families receive quality services in the most efficient and cost-effective manner.

* * *

* * * Recommendations on the American Rescue Plan Act of 2021 * * *

Sec. 10. RECOMMENDATIONS; AMERICAN RESCUE PLAN OF 2021;
CHILD CARE DEVELOPMENT BLOCK GRANT

On or before January 15, 2022, the Department for Children and Families shall submit a report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare summarizing its use of the Child Care Development Block Grant funding received by the State pursuant to the American Rescue Plan Act of 2021, Pub. L. No. 117-2.

Sec. 11. [Deleted.]

* * * Studies and Reports * * *

Sec. 12. REPORT; CHILD CARE FINANCIAL ASSISTANCE PROGRAM;
ENROLLMENT MODEL

On or before July 1, 2022, the Department for Children and Families' Child Development Division shall submit to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare analyses addressing the costs and policy implications associated with moving from an attendance-based model to an enrollment-based model in the Child Care Financial Assistance Program.

Sec. 13. CHILD CARE AND EARLY CHILDHOOD EDUCATION
SYSTEMS ANALYSIS STUDY

(a)(1) On or before September 1, 2021, Building Bright Futures shall develop and issue a request for proposals to select an independent consulting entity with expertise in the field of child care and early childhood education to provide an analysis and recommendations on Vermont's child care and early education systems for children from birth through five years of age. The development of the request for proposals and selection of an independent consulting entity shall be done in consultation with the Chairs of the House Committee on Human Services and the Senate Committee on Health and Welfare or their designees.

(2) On or before July 1, 2022, the independent consulting entity shall submit the analysis and recommendations to the House Committee on Human Services and to the Senate Committee on Health and Welfare regarding the following:

(A) existing child care and early childhood education systems and administrative stakeholders and structures, including functions that are currently not staffed or understaffed;

(B) emerging system needs;

(C) stakeholder engagement in decision-making processes and State plan development;

(D) mechanisms to strengthen system oversight and leverage current system strengths;

(E) identification of existing needs and challenges;

(F) ensuring data driven accountability for improvement of the current well-being and future outcomes of children and families; and

(G) ensuring that an antiracist approach is utilized in modifying existing policies and procedures and creating new policies and procedures.

(b) All findings and recommendations provided pursuant to this section shall:

(1) be divided by birth through five years of age and six years of age through 12 years of age; and

(2) rely on the work and advice provided pursuant to Sec. 10 of this act.

(c) As used in this section, “child care and early childhood education” means programming provided at a center-based child care program or family child care home regulated by the Department for Children and Families’ Child Development Division that serves children from birth through 12 years of age.

Sec. 14. CHILD CARE AND EARLY CHILDHOOD EDUCATION FINANCING STUDY

(a) On or before July 1, 2022, the Joint Fiscal Office shall contract with an economist or independent consulting entity with expertise in the field of child care and early childhood education to evaluate the economic impacts of and potential funding mechanisms to adjusting Vermont’s existing child care system regulated pursuant to 33 V.S.A. chapter 35 for children from birth through five years of age with consideration given to the intersection of and impacts on child care for children from six years of age through 12 years of age in alignment with the recommendations of the Universal Afterschool Task Force established pursuant to 2020 Acts and Resolves No. 154, Sec. B.1120.1. The work of the economist or independent consulting entity shall be governed by the following goals:

(1) that a family does not spend more than 10 percent of its gross annual income on child care;

(2) that child care providers receive compensation that is commensurate with peers in other fields; and

(3) the utilization of a cost of care model versus a market rate model in the Child Care Financial Assistance Program.

(b)(1) On or before December 1, 2022, the consultant shall submit preliminary results to the Joint Fiscal Office and to the Chairs of the House Committees on Appropriations, on Human Services, and on Ways and Means and to the Senate Committees on Appropriations, on Finance, and on Health and Welfare.

(2) On or before January 15, 2023, the consultant shall submit to the House Committees on Appropriations, on Human Services, and on Ways and Means and to the Senate Committees on Appropriations, on Finance, and on Health and Welfare multiple financing options for public and private funding sources, including a final report that:

(A) projects the costs of expanding the State's child care benefit to more families in accordance with this section, requiring commensurate pay for providers, and utilizing cost of care in the Child Care Financial Assistance Program and the feasibility of implementing each policy in Vermont, both separately and jointly; and

(B) identifies and determines the feasibility of implementing stable, long-term funding sources to finance an affordable, high-quality early child care system for children from birth through five years of age.

Sec. 15. [Deleted.]

* * * Effective Dates * * *

Sec. 16. EFFECTIVE DATES

(a) This section and Secs. 10 (recommendations; American Rescue Plan Act of 2021; Child Care Development Block Grant) and 11 (recommendations; American Rescue Plan Act of 2021; Child Care Stabilization Grants) shall take effect on passage.

(b) All other sections shall take effect on July 1, 2021, except that Secs. 2 (Child Care Financial Assistance Program; eligibility) and 3 (payment to providers) shall take effect on October 1, 2021.

And that after passage the title of the bill be amended to read:

An act relating to child care systems and financing.

(For text see House Journal March 24, 2021)

H. 439

An act relating to making appropriations for the support of government

The Senate proposes to the House to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. A.100 SHORT TITLE

(a) This bill may be referred to as the BIG BILL – Fiscal Year 2022 Appropriations Act.

Sec. A.101 PURPOSE

(a) The purpose of this act is to provide appropriations for the operations of State government during fiscal year 2022. It is the express intent of the General Assembly that activities of the various agencies, departments, divisions, boards, and commissions be limited to those that can be supported by funds appropriated in this act or other acts passed prior to June 30, 2021. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2022 so as to meet this condition unless otherwise directed by specific language in this act or other acts of the General Assembly.

Sec. A.102 APPROPRIATIONS

(a) It is the intent of the General Assembly that this act serves as the primary source and reference for appropriations for fiscal year 2022.

(b) The sums herein stated are appropriated for the purposes specified in the following sections of this act. When no time is expressly stated during which any of the appropriations are to continue, the appropriations are single year appropriations and only for the purpose indicated and shall be paid from funds shown as the source of funds. If in this act there is an error in either addition or subtraction, the totals shall be adjusted accordingly. Apparent errors in referring to section numbers of statutory titles within this act may be disregarded by the Commissioner of Finance and Management.

(c) Unless codified or otherwise specified, all narrative portions of this act apply only to the fiscal year ending on June 30, 2022.

Sec. A.103 DEFINITIONS

(a) As used in this act:

(1) “Encumbrances” means a portion of an appropriation reserved for the subsequent payment of existing purchase orders or contracts. The Commissioner of Finance and Management shall make final decisions on the appropriateness of encumbrances.

(2) “Grants” means subsidies, aid, or payments to local governments, to community and quasi-public agencies for providing local services, and to

persons who are not wards of the State for services or supplies and means cash or other direct assistance, including pension contributions.

(3) “Operating expenses” means property management; repair and maintenance; rental expenses; insurance; postage; travel; energy and utilities; office and other supplies; equipment, including motor vehicles, highway materials, and construction; expenditures for the purchase of land and construction of new buildings and permanent improvements; and similar items.

(4) “Personal services” means wages and salaries, fringe benefits, per diems, contracted third-party services, and similar items.

Sec. A.104 RELATIONSHIP TO EXISTING LAWS

(a) Except as specifically provided, this act shall not be construed in any way to negate or impair the full force and effect of existing laws.

Sec. A.105 OFFSETTING APPROPRIATIONS

(a) In the absence of specific provisions to the contrary in this act, when total appropriations are offset by estimated receipts, the State appropriations shall control, notwithstanding receipts being greater or less than anticipated.

Sec. A.106 FEDERAL FUNDS

(a) In fiscal year 2022, the Governor, with the approval of the General Assembly or the Joint Fiscal Committee if the General Assembly is not in session, may accept federal funds available to the State of Vermont, including block grants in lieu of or in addition to funds herein designated as federal. The Governor, with the approval of the General Assembly or the Joint Fiscal Committee if the General Assembly is not in session, may allocate all or any portion of such federal funds for any purpose consistent with the purposes for which the basic appropriations in this act have been made.

(b) If, during fiscal year 2022, federal funds available to the State of Vermont and designated as federal in this and other acts of the 2021 session of the Vermont General Assembly are converted into block grants or are abolished under their current title in federal law and reestablished under a new title in federal law, the Governor may continue to accept such federal funds for any purpose consistent with the purposes for which the federal funds were appropriated. The Governor may spend such funds for such purposes for not more than 45 days prior to Legislative or Joint Fiscal Committee approval. Notice shall be given to the Joint Fiscal Committee without delay if the Governor intends to use the authority granted by this section, and the Joint Fiscal Committee shall meet in an expedited manner to review the Governor’s request for approval.

Sec. A.107 NEW POSITIONS

(a) Notwithstanding any other provision of law, the total number of authorized State positions, both classified and exempt, excluding temporary positions as defined in 3 V.S.A. § 311(11), shall not be increased during fiscal year 2022 except for new positions authorized by the 2021 session. Limited service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to this restriction.

Sec. A.108 LEGEND

(a) The bill is organized by functions of government. The sections between B.100 and B.9999 contain appropriations of funds for the upcoming budget year. The sections between E.100 and E.9999 contain language that relates to specific appropriations or government functions, or both. The function areas by section numbers are as follows:

<u>B.100–B.199 and E.100–E.199</u>	<u>General Government</u>
<u>B.200–B.299 and E.200–E.299</u>	<u>Protection to Persons and Property</u>
<u>B.300–B.399 and E.300–E.399</u>	<u>Human Services</u>
<u>B.400–B.499 and E.400–E.499</u>	<u>Labor</u>
<u>B.500–B.599 and E.500–E.599</u>	<u>General Education</u>
<u>B.600–B.699 and E.600–E.699</u>	<u>Higher Education</u>
<u>B.700–B.799 and E.700–E.799</u>	<u>Natural Resources</u>
<u>B.800–B.899 and E.800–E.899</u>	<u>Commerce and Community Development</u>
<u>B.900–B.999 and E.900–E.999</u>	<u>Transportation</u>
<u>B.1000–B.1099 and E.1000–E.1099</u>	<u>Debt Service</u>
<u>B.1100–B.1199 and E.1100–E.1199</u>	<u>One-time and other appropriation actions</u>

(b) The C sections contain any amendments to the current fiscal year, the D sections contain fund transfers and reserve allocations for the upcoming budget year, the F sections contain Pay Act provisions and the G sections contain provisions to the American Rescue Plan Act – Coronavirus Relief Fund expenditures and other related funding.

Sec. B.100 Secretary of administration - secretary's office

Personal services	1,400,682
Operating expenses	104,476

Grants	<u>125,000</u>
Total	1,630,158
Source of funds	
General fund	1,121,847
Special funds	156,000
Internal service funds	173,452
Interdepartmental transfers	<u>178,859</u>
Total	1,630,158
Sec. B.101 Secretary of administration - finance	
Personal services	1,201,006
Operating expenses	<u>111,676</u>
Total	1,312,682
Source of funds	
Interdepartmental transfers	<u>1,312,682</u>
Total	1,312,682
Sec. B.102 Secretary of administration - workers' compensation insurance	
Personal services	857,369
Operating expenses	<u>118,051</u>
Total	975,420
Source of funds	
Internal service funds	<u>975,420</u>
Total	975,420
Sec. B.103 Secretary of administration - general liability insurance	
Personal services	595,683
Operating expenses	<u>43,858</u>
Total	639,541
Source of funds	
Internal service funds	<u>639,541</u>
Total	639,541
Sec. B.104 Secretary of administration - all other insurance	
Personal services	100,000
Operating expenses	<u>17,643</u>
Total	117,643
Source of funds	
Internal service funds	<u>117,643</u>
Total	117,643
Sec. B.105 Agency of digital services - communications and information technology	

Personal services	56,068,290
Operating expenses	<u>27,848,442</u>
Total	83,916,732
Source of funds	
General fund	174,342
Special funds	387,710
Internal service funds	<u>83,354,680</u>
Total	83,916,732
Sec. B.106 Finance and management - budget and management	
Personal services	1,546,300
Operating expenses	<u>326,217</u>
Total	1,872,517
Source of funds	
General fund	1,277,150
Internal service funds	<u>595,367</u>
Total	1,872,517
Sec. B.107 Finance and management - financial operations	
Personal services	2,148,578
Operating expenses	<u>701,465</u>
Total	2,850,043
Source of funds	
Internal service funds	<u>2,850,043</u>
Total	2,850,043
Sec. B.108 Human resources - operations	
Personal services	8,799,075
Operating expenses	<u>1,287,313</u>
Total	10,086,388
Source of funds	
General fund	2,044,399
Special funds	263,589
Internal service funds	7,334,516
Interdepartmental transfers	<u>443,884</u>
Total	10,086,388
Sec. B.108.1 Human resources - VTHR operations	
Personal services	1,666,791
Operating expenses	<u>705,383</u>
Total	2,372,174
Source of funds	

Internal service funds	<u>2,372,174</u>
Total	2,372,174
Sec. B.109 Human resources - employee benefits & wellness	
Personal services	984,701
Operating expenses	<u>571,628</u>
Total	1,556,329
Source of funds	
Internal service funds	<u>1,556,329</u>
Total	1,556,329
Sec. B.110 Libraries	
Personal services	2,148,542
Operating expenses	902,085
Grants	<u>207,795</u>
Total	3,258,422
Source of funds	
General fund	1,965,363
Special funds	34,327
Federal funds	1,150,041
Interdepartmental transfers	<u>108,691</u>
Total	3,258,422
Sec. B.111 Tax - administration/collection	
Personal services	16,359,596
Operating expenses	<u>6,063,586</u>
Total	22,423,182
Source of funds	
General fund	20,382,265
Special funds	2,006,808
Interdepartmental transfers	<u>34,109</u>
Total	22,423,182
Sec. B.112 Buildings and general services - administration	
Personal services	715,251
Operating expenses	<u>104,757</u>
Total	820,008
Source of funds	
Interdepartmental transfers	<u>820,008</u>
Total	820,008
Sec. B.113 Buildings and general services - engineering	

Personal services	2,627,067
Operating expenses	<u>1,497,407</u>
Total	4,124,474
Source of funds	
Interdepartmental transfers	<u>4,124,474</u>
Total	4,124,474
Sec. B.114 Buildings and general services - information centers	
Personal services	2,830,882
Operating expenses	<u>2,211,147</u>
Total	5,042,029
Source of funds	
General fund	630,652
Transportation fund	3,911,594
Special funds	<u>499,783</u>
Total	5,042,029
Sec. B.115 Buildings and general services - purchasing	
Personal services	1,029,319
Operating expenses	<u>211,360</u>
Total	1,240,679
Source of funds	
General fund	<u>1,240,679</u>
Total	1,240,679
Sec. B.116 Buildings and general services - postal services	
Personal services	677,141
Operating expenses	<u>247,846</u>
Total	924,987
Source of funds	
General fund	82,511
Internal service funds	<u>842,476</u>
Total	924,987
Sec. B.117 Buildings and general services - copy center	
Personal services	763,585
Operating expenses	<u>173,362</u>
Total	936,947
Source of funds	
Internal service funds	<u>936,947</u>
Total	936,947
Sec. B.118 Buildings and general services - fleet management services	

Personal services	693,313
Operating expenses	<u>242,645</u>
Total	935,958
Source of funds	
Internal service funds	<u>935,958</u>
Total	935,958
Sec. B.119 Buildings and general services - federal surplus property	
Operating expenses	<u>6,840</u>
Total	6,840
Source of funds	
Enterprise funds	<u>6,840</u>
Total	6,840
Sec. B.120 Buildings and general services - state surplus property	
Personal services	303,458
Operating expenses	<u>124,052</u>
Total	427,510
Source of funds	
Internal service funds	<u>427,510</u>
Total	427,510
Sec. B.121 Buildings and general services - property management	
Personal services	1,310,767
Operating expenses	<u>486,368</u>
Total	1,797,135
Source of funds	
Internal service funds	<u>1,797,135</u>
Total	1,797,135
Sec. B.122 Buildings and general services - fee for space	
Personal services	15,866,280
Operating expenses	<u>13,699,234</u>
Total	29,565,514
Source of funds	
Internal service funds	<u>29,565,514</u>
Total	29,565,514
Sec. B.124 Executive office - governor's office	
Personal services	1,394,981
Operating expenses	<u>475,012</u>
Total	1,869,993

Source of funds	
General fund	1,672,493
Interdepartmental transfers	<u>197,500</u>
Total	1,869,993
Sec. B.125 Legislative counsel	
Personal services	3,149,408
Operating expenses	<u>250,828</u>
Total	3,400,236
Source of funds	
General fund	<u>3,400,236</u>
Total	3,400,236
Sec. B.126 Legislature	
Personal services	5,033,474
Operating expenses	<u>3,768,163</u>
Total	8,801,637
Source of funds	
General fund	<u>8,801,637</u>
Total	8,801,637
Sec. B.126.1 Legislative information technology	
Personal services	1,028,974
Operating expenses	<u>562,941</u>
Total	1,591,915
Source of funds	
General fund	<u>1,591,915</u>
Total	1,591,915
Sec. B.127 Joint fiscal committee	
Personal services	2,288,387
Operating expenses	<u>158,873</u>
Total	2,447,260
Source of funds	
General fund	2,322,260
Interdepartmental transfers	<u>125,000</u>
Total	2,447,260
Sec. B.128 Sergeant at arms	
Personal services	954,232
Operating expenses	<u>113,792</u>
Total	1,068,024

Source of funds	
General fund	<u>1,068,024</u>
Total	1,068,024
Sec. B.129 Lieutenant governor	
Personal services	200,056
Operating expenses	<u>39,473</u>
Total	239,529
Source of funds	
General fund	<u>239,529</u>
Total	239,529
Sec. B.130 Auditor of accounts	
Personal services	3,965,350
Operating expenses	<u>155,226</u>
Total	4,120,576
Source of funds	
General fund	344,615
Special funds	53,145
Internal service funds	<u>3,722,816</u>
Total	4,120,576
Sec. B.131 State treasurer	
Personal services	4,066,430
Operating expenses	<u>222,134</u>
Total	4,288,564
Source of funds	
General fund	1,066,424
Special funds	3,064,451
Interdepartmental transfers	<u>157,689</u>
Total	4,288,564
Sec. B.132 State treasurer - unclaimed property	
Personal services	801,509
Operating expenses	<u>333,777</u>
Total	1,135,286
Source of funds	
Private purpose trust funds	<u>1,135,286</u>
Total	1,135,286
Sec. B.133 Vermont state retirement system	
Personal services	3,338,784

Operating expenses	<u>1,517,283</u>
Total	4,856,067
Source of funds	
Pension trust funds	<u>4,856,067</u>
Total	4,856,067
Sec. B.134 Municipal employees' retirement system	
Personal services	1,372,679
Operating expenses	<u>940,333</u>
Total	2,313,012
Source of funds	
Pension trust funds	<u>2,313,012</u>
Total	2,313,012
Sec. B.135 State labor relations board	
Personal services	227,764
Operating expenses	<u>54,876</u>
Total	282,640
Source of funds	
General fund	273,064
Special funds	6,788
Interdepartmental transfers	<u>2,788</u>
Total	282,640
Sec. B.136 VOSHA review board	
Personal services	77,471
Operating expenses	<u>14,444</u>
Total	91,915
Source of funds	
General fund	45,958
Interdepartmental transfers	<u>45,957</u>
Total	91,915
Sec. B.136.1 Ethics Commission	
Personal services	83,826
Operating expenses	<u>29,491</u>
Total	113,317
Source of funds	
Internal service funds	<u>113,317</u>
Total	113,317
Sec. B.137 Homeowner rebate	

Grants	<u>18,600,000</u>
Total	18,600,000
Source of funds	
General fund	<u>18,600,000</u>
Total	18,600,000
Sec. B.138 Renter rebate	
Grants	<u>9,500,000</u>
Total	9,500,000
Source of funds	
General fund	<u>9,500,000</u>
Total	9,500,000
Sec. B.139 Tax department - reappraisal and listing payments	
Grants	<u>3,313,356</u>
Total	3,313,356
Source of funds	
General fund	<u>3,313,356</u>
Total	3,313,356
Sec. B.140 Municipal current use	
Grants	<u>17,824,193</u>
Total	17,824,193
Source of funds	
General fund	<u>17,824,193</u>
Total	17,824,193
Sec. B.142 Payments in lieu of taxes	
Grants	<u>9,750,000</u>
Total	9,750,000
Source of funds	
Special funds	<u>9,750,000</u>
Total	9,750,000
Sec. B.143 Payments in lieu of taxes - Montpelier	
Grants	<u>184,000</u>
Total	184,000
Source of funds	
Special funds	<u>184,000</u>
Total	184,000
Sec. B.144 Payments in lieu of taxes - correctional facilities	

Grants	<u>40,000</u>
Total	40,000
Source of funds	
Special funds	<u>40,000</u>
Total	40,000
Sec. B.145 Total general government	
Source of funds	
General fund	98,982,912
Transportation fund	3,911,594
Special funds	16,446,601
Federal funds	1,150,041
Internal service funds	138,310,838
Interdepartmental transfers	7,551,641
Enterprise funds	6,840
Pension trust funds	7,169,079
Private purpose trust funds	<u>1,135,286</u>
Total	274,664,832
Sec. B.200 Attorney general	
Personal services	11,337,832
Operating expenses	1,555,031
Grants	<u>26,500</u>
Total	12,919,363
Source of funds	
General fund	6,246,043
Special funds	1,886,016
Tobacco fund	348,000
Federal funds	1,382,278
Interdepartmental transfers	<u>3,057,026</u>
Total	12,919,363
Sec. B.201 Vermont court diversion	
Personal services	244,715
Grants	<u>2,682,925</u>
Total	2,927,640
Source of funds	
General fund	2,669,643
Special funds	<u>257,997</u>
Total	2,927,640
Sec. B.202 Defender general - public defense	

Personal services	12,655,062
Operating expenses	<u>1,140,326</u>
Total	13,795,388
Source of funds	
General fund	13,205,735
Special funds	<u>589,653</u>
Total	13,795,388
Sec. B.203 Defender general - assigned counsel	
Personal services	6,071,919
Operating expenses	<u>49,500</u>
Total	6,121,419
Source of funds	
General fund	<u>6,121,419</u>
Total	6,121,419
Sec. B.204 Judiciary	
Personal services	43,787,084
Operating expenses	10,626,239
Grants	<u>121,030</u>
Total	54,534,353
Source of funds	
General fund	48,337,826
Special funds	3,200,659
Federal funds	900,469
Interdepartmental transfers	<u>2,095,399</u>
Total	54,534,353
Sec. B.205 State's attorneys	
Personal services	14,772,449
Operating expenses	<u>1,941,311</u>
Total	16,713,760
Source of funds	
General fund	13,745,777
Special funds	85,324
Federal funds	212,828
Interdepartmental transfers	<u>2,669,831</u>
Total	16,713,760
Sec. B.206 Special investigative unit	
Personal services	86,200
Grants	<u>2,014,230</u>

Total	2,100,430
Source of funds	
General fund	<u>2,100,430</u>
Total	2,100,430
Sec. B.207 Sheriffs	
Personal services	4,251,923
Operating expenses	<u>398,724</u>
Total	4,650,647
Source of funds	
General fund	<u>4,650,647</u>
Total	4,650,647
Sec. B.208 Public safety - administration	
Personal services	4,005,613
Operating expenses	<u>4,835,894</u>
Total	8,841,507
Source of funds	
General fund	5,070,962
Special funds	4,105
Federal funds	556,962
Interdepartmental transfers	<u>3,209,478</u>
Total	8,841,507
Sec. B.209 Public safety - state police	
Personal services	59,873,563
Operating expenses	12,188,735
Grants	<u>867,153</u>
Total	72,929,451
Source of funds	
General fund	43,273,740
Transportation fund	20,250,000
Special funds	3,103,294
Federal funds	4,417,066
Interdepartmental transfers	<u>1,885,351</u>
Total	72,929,451
Sec. B.210 Public safety - criminal justice services	
Personal services	4,854,150
Operating expenses	<u>1,748,074</u>
Total	6,602,224
Source of funds	

General fund	1,813,747
Special funds	4,169,503
Federal funds	<u>618,974</u>
Total	6,602,224
Sec. B.211 Public safety - emergency management	
Personal services	3,622,802
Operating expenses	1,208,465
Grants	<u>12,749,486</u>
Total	17,580,753
Source of funds	
General fund	589,847
Special funds	710,000
Federal funds	16,273,680
Interdepartmental transfers	<u>7,226</u>
Total	17,580,753
Sec. B.212 Public safety - fire safety	
Personal services	6,900,872
Operating expenses	2,621,228
Grants	<u>107,000</u>
Total	9,629,100
Source of funds	
General fund	461,669
Special funds	8,639,610
Federal funds	482,821
Interdepartmental transfers	<u>45,000</u>
Total	9,629,100
Sec. B.213 Public safety - Forensic Laboratory	
Personal services	3,051,799
Operating expenses	<u>1,111,583</u>
Total	4,163,382
Source of funds	
General fund	3,217,665
Special funds	61,852
Federal funds	531,072
Interdepartmental transfers	<u>352,793</u>
Total	4,163,382
Sec. B.215 Military - administration	
Personal services	705,613

Operating expenses	649,055
Grants	<u>1,319,834</u>
Total	2,674,502
Source of funds	
General fund	<u>2,674,502</u>
Total	2,674,502
Sec. B.216 Military - air service contract	
Personal services	6,926,201
Operating expenses	<u>1,126,174</u>
Total	8,052,375
Source of funds	
General fund	613,964
Federal funds	<u>7,438,411</u>
Total	8,052,375
Sec. B.217 Military - army service contract	
Personal services	13,662,589
Operating expenses	<u>8,036,445</u>
Total	21,699,034
Source of funds	
Federal funds	<u>21,699,034</u>
Total	21,699,034
Sec. B.218 Military - building maintenance	
Personal services	877,574
Operating expenses	<u>719,418</u>
Total	1,596,992
Source of funds	
General fund	1,534,492
Special funds	<u>62,500</u>
Total	1,596,992
Sec. B.219 Military - veterans' affairs	
Personal services	868,747
Operating expenses	169,267
Grants	<u>49,300</u>
Total	1,087,314
Source of funds	
General fund	823,965
Special funds	163,349
Federal funds	<u>100,000</u>

Total	1,087,314
Sec. B.220 Center for crime victim services	
Personal services	1,848,483
Operating expenses	386,510
Grants	<u>10,388,535</u>
Total	12,623,528
Source of funds	
General fund	1,382,712
Special funds	4,628,381
Federal funds	<u>6,612,435</u>
Total	12,623,528
Sec. B.221 Criminal justice council	
Personal services	1,789,698
Operating expenses	<u>1,382,557</u>
Total	3,172,255
Source of funds	
General fund	2,931,638
Interdepartmental transfers	<u>240,617</u>
Total	3,172,255
Sec. B.222 Agriculture, food and markets - administration	
Personal services	1,708,448
Operating expenses	458,028
Grants	<u>227,972</u>
Total	2,394,448
Source of funds	
General fund	1,037,364
Special funds	901,167
Federal funds	<u>455,917</u>
Total	2,394,448
Sec. B.223 Agriculture, food and markets - food safety and consumer protection	
Personal services	4,295,567
Operating expenses	731,597
Grants	<u>2,780,000</u>
Total	7,807,164
Source of funds	
General fund	2,998,665
Special funds	3,647,045

Federal funds	1,154,454
Interdepartmental transfers	<u>7,000</u>
Total	7,807,164
Sec. B.224 Agriculture, food and markets - agricultural development	
Personal services	3,259,502
Operating expenses	601,797
Grants	<u>3,212,425</u>
Total	7,073,724
Source of funds	
General fund	2,230,367
Special funds	686,753
Federal funds	<u>4,156,604</u>
Total	7,073,724
Sec. B.225 Agriculture, food and markets - agricultural resource management and environmental stewardship	
Personal services	2,689,658
Operating expenses	623,905
Grants	<u>295,334</u>
Total	3,608,897
Source of funds	
General fund	778,555
Special funds	2,084,017
Federal funds	466,470
Interdepartmental transfers	<u>279,855</u>
Total	3,608,897
Sec. B.225.1 Agriculture, food and markets - Vermont Agriculture and Environmental Lab	
Personal services	1,658,109
Operating expenses	<u>1,072,026</u>
Total	2,730,135
Source of funds	
General fund	972,444
Special funds	1,690,632
Interdepartmental transfers	<u>67,059</u>
Total	2,730,135
Sec. B.225.2 Agriculture, Food and Markets - Clean Water	
Personal services	3,249,011
Operating expenses	486,344

Grants	<u>4,060,891</u>
Total	7,796,246
Source of funds	
General fund	1,087,080
Special funds	6,089,920
Federal funds	133,534
Interdepartmental transfers	<u>485,712</u>
Total	7,796,246
Sec. B.226 Financial regulation - administration	
Personal services	2,192,277
Operating expenses	<u>287,859</u>
Total	2,480,136
Source of funds	
Special funds	<u>2,480,136</u>
Total	2,480,136
Sec. B.227 Financial regulation - banking	
Personal services	1,952,985
Operating expenses	<u>443,717</u>
Total	2,396,702
Source of funds	
Special funds	<u>2,396,702</u>
Total	2,396,702
Sec. B.228 Financial regulation - insurance	
Personal services	4,231,076
Operating expenses	<u>612,474</u>
Total	4,843,550
Source of funds	
Special funds	<u>4,843,550</u>
Total	4,843,550
Sec. B.229 Financial regulation - captive insurance	
Personal services	4,462,433
Operating expenses	<u>635,148</u>
Total	5,097,581
Source of funds	
Special funds	<u>5,097,581</u>
Total	5,097,581
Sec. B.230 Financial regulation - securities	

Personal services	1,090,028
Operating expenses	<u>267,752</u>
Total	1,357,780
Source of funds	
Special funds	<u>1,357,780</u>
Total	1,357,780
Sec. B.232 Secretary of state	
Personal services	10,735,193
Operating expenses	<u>3,366,058</u>
Total	14,101,251
Source of funds	
Special funds	12,643,807
Federal funds	<u>1,457,444</u>
Total	14,101,251
Sec. B.233 Public service - regulation and energy	
Personal services	10,455,905
Operating expenses	1,129,688
Grants	<u>858,000</u>
Total	12,443,593
Source of funds	
Special funds	10,812,770
Federal funds	1,001,919
ARRA funds	520,000
Interdepartmental transfers	55,000
Enterprise funds	<u>53,904</u>
Total	12,443,593
Sec. B.234 Public utility commission	
Personal services	3,412,556
Operating expenses	<u>495,007</u>
Total	3,907,563
Source of funds	
Special funds	<u>3,907,563</u>
Total	3,907,563
Sec. B.235 Enhanced 9-1-1 Board	
Personal services	4,012,033
Operating expenses	<u>456,180</u>
Total	4,468,213
Source of funds	

Special funds	<u>4,468,213</u>
Total	4,468,213
Sec. B.236 Human rights commission	
Personal services	636,832
Operating expenses	<u>81,350</u>
Total	718,182
Source of funds	
General fund	639,626
Federal funds	<u>78,556</u>
Total	718,182
Sec. B.236.1 Liquor & Lottery Comm. Office	
Personal services	419,403
Operating expenses	<u>21,299</u>
Total	440,702
Source of funds	
Enterprise funds	<u>440,702</u>
Total	440,702
Sec. B.236.2 Lottery Operations	
Personal services	2,068,967
Operating expenses	1,469,560
Grants	<u>250,000</u>
Total	3,788,527
Source of funds	
Enterprise funds	<u>3,788,527</u>
Total	3,788,527
Sec. B.237 Liquor control - administration	
Personal services	3,754,315
Operating expenses	<u>1,178,748</u>
Total	4,933,063
Source of funds	
Tobacco fund	213,843
Enterprise funds	<u>4,719,220</u>
Total	4,933,063
Sec. B.238 Liquor control - enforcement and licensing	
Personal services	1,960,344
Operating expenses	<u>414,536</u>
Total	2,374,880

Source of funds	
Federal funds	184,484
Enterprise funds	<u>2,190,396</u>
Total	2,374,880
Sec. B.239 Liquor control - warehousing and distribution	
Personal services	1,062,133
Operating expenses	<u>530,736</u>
Total	1,592,869
Source of funds	
Enterprise funds	<u>1,592,869</u>
Total	1,592,869
Sec. B.240 Cannabis Control Board	
Personal services	<u>650,000</u>
Total	650,000
Source of funds	
Special funds	<u>650,000</u>
Total	650,000
Sec. B.241 Total protection to persons and property	
Source of funds	
General fund	170,798,024
Transportation fund	20,250,000
Special funds	91,319,879
Tobacco fund	561,843
Federal funds	70,315,412
ARRA funds	520,000
Interdepartmental transfers	14,457,347
Enterprise funds	<u>12,785,618</u>
Total	381,008,123
Sec. B.300 Human services - agency of human services - secretary's office	
Personal services	11,427,819
Operating expenses	5,214,621
Grants	<u>2,895,202</u>
Total	19,537,642
Source of funds	
General fund	8,430,401
Special funds	135,517
Federal funds	9,959,398
Global Commitment fund	453,000

Interdepartmental transfers	<u>559,326</u>
Total	19,537,642
Sec. B.301 Secretary's office - global commitment	
Grants	<u>1,680,637,999</u>
Total	1,680,637,999
Source of funds	
General fund	559,592,034
Special funds	33,370,086
Tobacco fund	21,049,373
State health care resources fund	17,078,501
Federal funds	1,044,929,568
Interdepartmental transfers	<u>4,618,437</u>
Total	1,680,637,999
Sec. B.303 Developmental disabilities council	
Personal services	389,631
Operating expenses	94,884
Grants	<u>191,595</u>
Total	676,110
Source of funds	
Special funds	12,000
Federal funds	<u>664,110</u>
Total	676,110
Sec. B.304 Human services board	
Personal services	739,966
Operating expenses	<u>88,723</u>
Total	828,689
Source of funds	
General fund	474,851
Federal funds	<u>353,838</u>
Total	828,689
Sec. B.305 AHS - administrative fund	
Personal services	330,000
Operating expenses	<u>10,170,000</u>
Total	10,500,000
Source of funds	
Interdepartmental transfers	<u>10,500,000</u>
Total	10,500,000
Sec. B.306 Department of Vermont health access - administration	

Personal services	130,163,425
Operating expenses	26,394,423
Grants	<u>3,192,301</u>
Total	159,750,149
Source of funds	
General fund	32,776,219
Special funds	3,363,758
Federal funds	114,469,002
Global Commitment fund	4,314,039
Interdepartmental transfers	<u>4,827,131</u>
Total	159,750,149

Sec. B.307 Department of Vermont health access - Medicaid program - global commitment

Personal services	547,983
Grants	<u>757,772,233</u>
Total	758,320,216
Source of funds	
Global Commitment fund	<u>758,320,216</u>
Total	758,320,216

Sec. B.309 Department of Vermont health access - Medicaid program - state only

Grants	<u>42,367,754</u>
Total	42,367,754
Source of funds	
General fund	42,315,703
Global Commitment fund	<u>52,051</u>
Total	42,367,754

Sec. B.310 Department of Vermont health access - Medicaid non-waiver matched

Grants	<u>32,842,006</u>
Total	32,842,006
Source of funds	
General fund	12,664,602
Federal funds	<u>20,177,404</u>
Total	32,842,006

Sec. B.311 Health - administration and support

Personal services	5,753,602
Operating expenses	6,567,686

Grants	<u>6,313,608</u>
Total	18,634,896
Source of funds	
General fund	2,982,217
Special funds	2,061,857
Federal funds	7,777,658
Global Commitment fund	5,748,858
Interdepartmental transfers	<u>64,306</u>
Total	18,634,896
Sec. B.312 Health - public health	
Personal services	48,721,754
Operating expenses	10,018,085
Grants	<u>38,742,061</u>
Total	97,481,900
Source of funds	
General fund	11,154,334
Special funds	18,897,491
Tobacco fund	1,088,918
Federal funds	49,379,385
Global Commitment fund	15,938,349
Interdepartmental transfers	998,423
Permanent trust funds	<u>25,000</u>
Total	97,481,900
Sec. B.313 Health - alcohol and drug abuse programs	
Personal services	5,167,831
Operating expenses	511,500
Grants	<u>48,713,374</u>
Total	54,392,705
Source of funds	
General fund	1,238,534
Special funds	1,354,762
Tobacco fund	949,917
Federal funds	18,651,302
Global Commitment fund	<u>32,198,190</u>
Total	54,392,705
Sec. B.314 Mental health - mental health	
Personal services	32,985,332
Operating expenses	4,700,264
Grants	<u>246,498,959</u>

Total	284,184,555
Source of funds	
General fund	10,281,092
Special funds	1,685,284
Federal funds	9,398,134
Global Commitment fund	262,745,408
Interdepartmental transfers	<u>74,637</u>
Total	284,184,555

Sec. B.316 Department for children and families - administration & support services

Personal services	38,362,798
Operating expenses	17,035,520
Grants	<u>3,819,106</u>
Total	59,217,424
Source of funds	
General fund	33,091,620
Special funds	2,711,682
Federal funds	21,062,298
Global Commitment fund	2,000,936
Interdepartmental transfers	<u>350,888</u>
Total	59,217,424

Sec. B.317 Department for children and families - family services

Personal services	39,332,995
Operating expenses	4,997,338
Grants	<u>81,171,012</u>
Total	125,501,345
Source of funds	
General fund	49,047,462
Special funds	729,587
Federal funds	31,365,138
Global Commitment fund	44,344,158
Interdepartmental transfers	<u>15,000</u>
Total	125,501,345

Sec. B.318 Department for children and families - child development

Personal services	5,020,429
Operating expenses	848,079
Grants	<u>97,511,841</u>
Total	103,380,349
Source of funds	

General fund	27,348,614
Special funds	16,820,000
Federal funds	48,274,814
Global Commitment fund	10,914,421
Interdepartmental transfers	<u>22,500</u>
Total	103,380,349
Sec. B.319 Department for children and families - office of child support	
Personal services	11,099,902
Operating expenses	<u>3,630,055</u>
Total	14,729,957
Source of funds	
General fund	4,368,322
Special funds	455,719
Federal funds	9,518,316
Interdepartmental transfers	<u>387,600</u>
Total	14,729,957
Sec. B.320 Department for children and families - aid to aged, blind and disabled	
Personal services	2,252,206
Grants	<u>10,298,023</u>
Total	12,550,229
Source of funds	
General fund	8,649,899
Global Commitment fund	<u>3,900,330</u>
Total	12,550,229
Sec. B.321 Department for children and families - general assistance	
Personal services	15,000
Grants	<u>9,041,574</u>
Total	9,056,574
Source of funds	
General fund	8,659,239
Federal funds	111,320
Global Commitment fund	<u>286,015</u>
Total	9,056,574
Sec. B.322 Department for children and families - 3SquaresVT	
Grants	<u>29,827,906</u>
Total	29,827,906
Source of funds	

Federal funds	<u>29,827,906</u>
Total	29,827,906
Sec. B.323 Department for children and families - reach up	
Operating expenses	29,119
Grants	<u>31,875,664</u>
Total	31,904,783
Source of funds	
General fund	19,937,515
Special funds	5,854,320
Federal funds	3,431,330
Global Commitment fund	<u>2,681,618</u>
Total	31,904,783
Sec. B.324 Department for children and families - home heating fuel assistance/LIHEAP	
Grants	<u>16,019,953</u>
Total	16,019,953
Source of funds	
Special funds	1,480,395
Federal funds	<u>14,539,558</u>
Total	16,019,953
Sec. B.325 Department for children and families - office of economic opportunity	
Personal services	636,177
Operating expenses	43,488
Grants	<u>13,165,262</u>
Total	13,844,927
Source of funds	
General fund	8,007,798
Special funds	57,990
Federal funds	4,423,154
Global Commitment fund	<u>1,355,985</u>
Total	13,844,927
Sec. B.326 Department for children and families - OEO - weatherization assistance	
Personal services	352,504
Operating expenses	44,297
Grants	<u>12,038,018</u>
Total	12,434,819

Source of funds	
Special funds	7,617,551
Federal funds	<u>4,817,268</u>
Total	12,434,819
Sec. B.327 Department for Children and Families - Secure Residential Treatment	
Personal services	258,100
Operating expenses	650,463
Grants	<u>3,476,862</u>
Total	4,385,425
Source of funds	
General fund	4,355,425
Global Commitment fund	<u>30,000</u>
Total	4,385,425
Sec. B.328 Department for children and families - disability determination services	
Personal services	7,139,139
Operating expenses	<u>460,858</u>
Total	7,599,997
Source of funds	
General fund	111,120
Federal funds	<u>7,488,877</u>
Total	7,599,997
Sec. B.329 Disabilities, aging, and independent living - administration & support	
Personal services	33,906,585
Operating expenses	<u>5,953,426</u>
Total	39,860,011
Source of funds	
General fund	17,731,954
Special funds	1,390,457
Federal funds	19,671,316
Interdepartmental transfers	<u>1,066,284</u>
Total	39,860,011
Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants	
Grants	<u>19,295,893</u>
Total	19,295,893

Source of funds	
General fund	7,644,654
Federal funds	7,148,466
Global Commitment fund	<u>4,502,773</u>
Total	19,295,893
Sec. B.331 Disabilities, aging, and independent living - blind and visually impaired	
Grants	<u>1,661,457</u>
Total	1,661,457
Source of funds	
General fund	389,154
Special funds	223,450
Federal funds	743,853
Global Commitment fund	<u>305,000</u>
Total	1,661,457
Sec. B.332 Disabilities, aging, and independent living - vocational rehabilitation	
Grants	<u>7,024,368</u>
Total	7,024,368
Source of funds	
General fund	1,371,845
Federal funds	4,402,523
Interdepartmental transfers	<u>1,250,000</u>
Total	7,024,368
Sec. B.333 Disabilities, aging, and independent living - developmental services	
Grants	<u>253,145,757</u>
Total	253,145,757
Source of funds	
General fund	155,125
Special funds	15,463
Federal funds	359,857
Global Commitment fund	252,565,312
Interdepartmental transfers	<u>50,000</u>
Total	253,145,757
Sec. B.334 Disabilities, aging, and independent living - Brain injury home and community based waiver	
Grants	<u>5,615,050</u>

Total	5,615,050
Source of funds	
Global Commitment fund	<u>5,615,050</u>
Total	5,615,050
Sec. B.334.1 Disabilities, aging and independent living - Long Term Care	
Grants	<u>230,505,916</u>
Total	230,505,916
Source of funds	
General fund	498,579
Federal funds	2,083,333
Global Commitment fund	<u>227,924,004</u>
Total	230,505,916
Sec. B.335 Corrections - administration	
Personal services	3,075,938
Operating expenses	<u>238,644</u>
Total	3,314,582
Source of funds	
General fund	<u>3,314,582</u>
Total	3,314,582
Sec. B.336 Corrections - parole board	
Personal services	361,649
Operating expenses	<u>59,216</u>
Total	420,865
Source of funds	
General fund	<u>420,865</u>
Total	420,865
Sec. B.337 Corrections - correctional education	
Personal services	3,240,204
Operating expenses	<u>244,932</u>
Total	3,485,136
Source of funds	
Interdepartmental transfers	<u>3,485,136</u>
Total	3,485,136
Sec. B.338 Corrections - correctional services	
Personal services	119,627,239
Operating expenses	23,264,616
Grants	<u>9,308,427</u>

Total	152,200,282
Source of funds	
General fund	145,083,685
Special funds	935,963
Federal funds	473,523
Global Commitment fund	5,310,796
Interdepartmental transfers	<u>396,315</u>
Total	152,200,282
Sec. B.339 Corrections - Correctional services-out of state beds	
Personal services	<u>5,640,604</u>
Total	5,640,604
Source of funds	
General fund	<u>5,640,604</u>
Total	5,640,604
Sec. B.340 Corrections - correctional facilities - recreation	
Personal services	514,774
Operating expenses	<u>455,845</u>
Total	970,619
Source of funds	
Special funds	<u>970,619</u>
Total	970,619
Sec. B.341 Corrections - Vermont offender work program	
Personal services	1,426,198
Operating expenses	<u>525,784</u>
Total	1,951,982
Source of funds	
Internal service funds	<u>1,951,982</u>
Total	1,951,982
Sec. B.342 Vermont veterans' home - care and support services	
Personal services	19,020,560
Operating expenses	<u>5,426,960</u>
Total	24,447,520
Source of funds	
General fund	2,843,321
Special funds	11,868,942
Federal funds	<u>9,735,257</u>
Total	24,447,520
Sec. B.343 Commission on women	

Personal services	334,422
Operating expenses	<u>71,369</u>
Total	405,791
Source of funds	
General fund	402,018
Special funds	<u>3,773</u>
Total	405,791
Sec. B.344 Retired senior volunteer program	
Grants	<u>146,564</u>
Total	146,564
Source of funds	
General fund	<u>146,564</u>
Total	146,564
Sec. B.345 Green Mountain Care Board	
Personal services	7,351,808
Operating expenses	<u>385,835</u>
Total	7,737,643
Source of funds	
General fund	3,094,435
Special funds	<u>4,643,208</u>
Total	7,737,643
Sec. B.346 Total human services	
Source of funds	
General fund	1,034,224,386
Special funds	116,659,874
Tobacco fund	23,088,208
State health care resources fund	17,078,501
Federal funds	1,495,237,906
Global Commitment fund	1,641,506,509
Internal service funds	1,951,982
Interdepartmental transfers	28,665,983
Permanent trust funds	<u>25,000</u>
Total	4,358,438,349
Sec. B.400 Labor - programs	
Personal services	31,359,103
Operating expenses	7,701,210
Grants	<u>1,822,409</u>
Total	40,882,722

Source of funds	
General fund	5,394,154
Special funds	6,422,539
Federal funds	28,658,417
Interdepartmental transfers	<u>407,612</u>
Total	40,882,722
Sec. B.401 Total labor	
Source of funds	
General fund	5,394,154
Special funds	6,422,539
Federal funds	28,658,417
Interdepartmental transfers	<u>407,612</u>
Total	40,882,722
Sec. B.500 Education - finance and administration	
Personal services	13,479,879
Operating expenses	3,987,842
Grants	<u>16,770,700</u>
Total	34,238,421
Source of funds	
General fund	5,446,749
Special funds	18,343,202
Education fund	3,389,605
Federal funds	6,201,700
Global Commitment fund	260,000
Interdepartmental transfers	<u>597,165</u>
Total	34,238,421
Sec. B.501 Education - education services	
Personal services	14,739,327
Operating expenses	1,073,385
Grants	<u>178,769,897</u>
Total	194,582,609
Source of funds	
General fund	4,580,935
Special funds	2,863,170
Tobacco fund	750,388
Federal funds	<u>186,388,116</u>
Total	194,582,609
Sec. B.502 Education - special education: formula grants	

Grants	<u>229,000,000</u>
Total	229,000,000
Source of funds	
Education fund	<u>229,000,000</u>
Total	229,000,000
Sec. B.503 Education - state-placed students	
Grants	<u>17,000,000</u>
Total	17,000,000
Source of funds	
Education fund	<u>17,000,000</u>
Total	17,000,000
Sec. B.504 Education - adult education and literacy	
Grants	<u>4,262,900</u>
Total	4,262,900
Source of funds	
General fund	3,496,850
Federal funds	<u>766,050</u>
Total	4,262,900
Sec. B.504.1 Education - Flexible Pathways	
Grants	<u>9,143,000</u>
Total	9,143,000
Source of funds	
General fund	921,500
Education fund	<u>8,221,500</u>
Total	9,143,000
Sec. B.505 Education - adjusted education payment	
Grants	<u>1,502,051,000</u>
Total	1,502,051,000
Source of funds	
Education fund	<u>1,502,051,000</u>
Total	1,502,051,000
Sec. B.506 Education - transportation	
Grants	<u>20,476,000</u>
Total	20,476,000
Source of funds	
Education fund	<u>20,476,000</u>
Total	20,476,000

Sec. B.507 Education - small school grants	
Grants	<u>8,100,000</u>
Total	8,100,000
Source of funds	
Education fund	<u>8,100,000</u>
Total	8,100,000
Sec. B.510 Education - essential early education grant	
Grants	<u>7,050,104</u>
Total	7,050,104
Source of funds	
Education fund	<u>7,050,104</u>
Total	7,050,104
Sec. B.511 Education - technical education	
Grants	<u>15,514,300</u>
Total	15,514,300
Source of funds	
Education fund	<u>15,514,300</u>
Total	15,514,300
Sec. B.511.1 State Board of Education	
Personal services	38,905
Operating expenses	<u>31,803</u>
Total	70,708
Source of funds	
General fund	<u>70,708</u>
Total	70,708
Sec. B.514 State teachers' retirement system	
Grants	<u>189,646,629</u>
Total	189,646,629
Source of funds	
General fund	152,045,711
Education fund	<u>37,600,918</u>
Total	189,646,629
Sec. B.514.1 State teachers' retirement system administration	
Personal services	3,421,938
Operating expenses	<u>1,687,769</u>
Total	5,109,707
Source of funds	

Pension trust funds	<u>5,109,707</u>
Total	5,109,707
Sec. B.515 Retired teachers' health care and medical benefits	
Grants	<u>48,929,622</u>
Total	48,929,622
Source of funds	
General fund	35,093,844
Education fund	<u>13,835,778</u>
Total	48,929,622
Sec. B.516 Total general education	
Source of funds	
General fund	201,656,297
Special funds	21,206,372
Tobacco fund	750,388
Education fund	1,862,203,427
Federal funds	193,355,866
Global Commitment fund	260,000
Interdepartmental transfers	597,165
Pension trust funds	<u>5,109,707</u>
Total	2,285,139,222
Sec. B.600 University of Vermont	
Grants	<u>42,509,093</u>
Total	42,509,093
Source of funds	
General fund	<u>42,509,093</u>
Total	42,509,093
Sec. B.602 Vermont state colleges	
Grants	<u>30,500,464</u>
Total	30,500,464
Source of funds	
General fund	<u>30,500,464</u>
Total	30,500,464
Sec. B.602.2 Vermont state colleges - Transformation funding	
Grants	<u>5,000,000</u>
Total	5,000,000
Source of funds	
General fund	<u>5,000,000</u>

Total	5,000,000
Sec. B.603 Vermont state colleges - allied health	
Grants	<u>1,157,775</u>
Total	1,157,775
Source of funds	
General fund	748,314
Global Commitment fund	<u>409,461</u>
Total	1,157,775
Sec. B.605 Vermont student assistance corporation	
Grants	<u>22,251,315</u>
Total	22,251,315
Source of funds	
General fund	19,978,588
Interdepartmental transfers	<u>2,272,727</u>
Total	22,251,315
Sec. B.605.1 VSAC - Flexible Pathways Stipend	
Grants	<u>82,450</u>
Total	82,450
Source of funds	
General fund	41,225
Education fund	<u>41,225</u>
Total	82,450
Sec. B.606 New England higher education compact	
Grants	<u>84,000</u>
Total	84,000
Source of funds	
General fund	<u>84,000</u>
Total	84,000
Sec. B.607 University of Vermont - Morgan Horse Farm	
Grants	<u>1</u>
Total	1
Source of funds	
General fund	<u>1</u>
Total	1
Sec. B.608 Total higher education	
Source of funds	

General fund	98,861,685
Education fund	41,225
Global Commitment fund	409,461
Interdepartmental transfers	<u>2,272,727</u>
Total	101,585,098
Sec. B.700 Natural resources - agency of natural resources - administration	
Personal services	4,035,622
Operating expenses	<u>1,220,341</u>
Total	5,255,963
Source of funds	
General fund	3,389,302
Special funds	590,134
Interdepartmental transfers	<u>1,276,527</u>
Total	5,255,963
Sec. B.701 Natural resources - state land local property tax assessment	
Operating expenses	<u>2,623,193</u>
Total	2,623,193
Source of funds	
General fund	2,196,040
Interdepartmental transfers	<u>427,153</u>
Total	2,623,193
Sec. B.702 Fish and wildlife - support and field services	
Personal services	18,654,752
Operating expenses	6,717,480
Grants	<u>670,446</u>
Total	26,042,678
Source of funds	
General fund	6,403,816
Special funds	239,657
Fish and wildlife fund	9,561,364
Federal funds	8,504,410
Interdepartmental transfers	1,322,431
Permanent trust funds	<u>11,000</u>
Total	26,042,678
Sec. B.703 Forests, parks and recreation - administration	
Personal services	827,425
Operating expenses	<u>1,309,059</u>
Total	2,136,484

Source of funds	
General fund	<u>2,136,484</u>
Total	2,136,484
Sec. B.704 Forests, parks and recreation - forestry	
Personal services	6,525,761
Operating expenses	785,127
Grants	<u>1,417,718</u>
Total	8,728,606
Source of funds	
General fund	4,976,669
Special funds	1,038,423
Federal funds	2,456,651
Interdepartmental transfers	<u>256,863</u>
Total	8,728,606
Sec. B.705 Forests, parks and recreation - state parks	
Personal services	10,025,540
Operating expenses	2,741,662
Grants	<u>70,000</u>
Total	12,837,202
Source of funds	
General fund	1,063,266
Special funds	<u>11,773,936</u>
Total	12,837,202
Sec. B.706 Forests, parks and recreation - lands administration and recreation	
Personal services	2,145,871
Operating expenses	1,355,338
Grants	<u>2,827,587</u>
Total	6,328,796
Source of funds	
General fund	916,929
Special funds	2,206,789
Federal funds	3,082,578
Interdepartmental transfers	<u>122,500</u>
Total	6,328,796
Sec. B.708 Forests, parks and recreation - forest and parks access roads	
Personal services	110,000
Operating expenses	<u>69,925</u>
Total	179,925

Source of funds	
General fund	<u>179,925</u>
Total	179,925
Sec. B.709 Environmental conservation - management and support services	
Personal services	6,421,694
Operating expenses	3,951,865
Grants	<u>145,000</u>
Total	10,518,559
Source of funds	
General fund	1,749,088
Special funds	350,323
Federal funds	1,112,314
Interdepartmental transfers	<u>7,306,834</u>
Total	10,518,559
Sec. B.710 Environmental conservation - air and waste management	
Personal services	25,302,612
Operating expenses	10,449,327
Grants	<u>5,223,462</u>
Total	40,975,401
Source of funds	
General fund	154,530
Special funds	36,839,568
Federal funds	3,822,700
Interdepartmental transfers	<u>158,603</u>
Total	40,975,401
Sec. B.711 Environmental conservation - office of water programs	
Personal services	28,652,311
Operating expenses	6,722,953
Grants	<u>31,788,617</u>
Total	67,163,881
Source of funds	
General fund	7,895,437
Special funds	22,601,929
Federal funds	36,003,082
Interdepartmental transfers	<u>663,433</u>
Total	67,163,881
Sec. B.713 Natural resources board	
Personal services	2,597,208

Operating expenses	<u>545,630</u>
Total	3,142,838
Source of funds	
General fund	631,629
Special funds	<u>2,511,209</u>
Total	3,142,838
Sec. B.714 Total natural resources	
Source of funds	
General fund	31,693,115
Special funds	78,151,968
Fish and wildlife fund	9,561,364
Federal funds	54,981,735
Interdepartmental transfers	11,534,344
Permanent trust funds	<u>11,000</u>
Total	185,933,526
Sec. B.800 Commerce and community development - agency of commerce and community development - administration	
Personal services	1,970,330
Operating expenses	991,006
Grants	<u>579,820</u>
Total	3,541,156
Source of funds	
General fund	3,150,156
Federal funds	<u>391,000</u>
Total	3,541,156
Sec. B.801 Economic development	
Personal services	3,680,070
Operating expenses	1,042,941
Grants	<u>7,458,839</u>
Total	12,181,850
Source of funds	
General fund	4,898,915
Special funds	1,685,350
Federal funds	3,907,085
Interdepartmental transfers	<u>1,690,500</u>
Total	12,181,850
Sec. B.802 Housing and community development	
Personal services	4,067,492

Operating expenses	631,346
Grants	<u>24,757,290</u>
Total	29,456,128
Source of funds	
General fund	3,884,934
Special funds	4,890,245
Federal funds	18,277,129
Interdepartmental transfers	<u>2,403,820</u>
Total	29,456,128
Sec. B.806 Tourism and marketing	
Personal services	1,875,235
Operating expenses	1,553,194
Grants	<u>76,880</u>
Total	3,505,309
Source of funds	
General fund	3,485,309
Interdepartmental transfers	<u>20,000</u>
Total	3,505,309
Sec. B.808 Vermont council on the arts	
Grants	<u>722,859</u>
Total	722,859
Source of funds	
General fund	<u>722,859</u>
Total	722,859
Sec. B.809 Vermont symphony orchestra	
Grants	<u>136,978</u>
Total	136,978
Source of funds	
General fund	<u>136,978</u>
Total	136,978
Sec. B.810 Vermont historical society	
Grants	<u>982,317</u>
Total	982,317
Source of funds	
General fund	<u>982,317</u>
Total	982,317
Sec. B.811 Vermont housing and conservation board	

Grants	<u>30,806,887</u>
Total	30,806,887
Source of funds	
Special funds	11,370,550
Federal funds	<u>19,436,337</u>
Total	30,806,887
Sec. B.812 Vermont humanities council	
Grants	<u>227,989</u>
Total	227,989
Source of funds	
General fund	<u>227,989</u>
Total	227,989
Sec. B.813 Total commerce and community development	
Source of funds	
General fund	17,489,457
Special funds	17,946,145
Federal funds	42,011,551
Interdepartmental transfers	<u>4,114,320</u>
Total	81,561,473
Sec. B.900 Transportation - finance and administration	
Personal services	13,654,880
Operating expenses	2,507,103
Grants	<u>50,000</u>
Total	16,211,983
Source of funds	
Transportation fund	15,815,083
Federal funds	<u>396,900</u>
Total	16,211,983
Sec. B.901 Transportation - aviation	
Personal services	3,734,269
Operating expenses	6,007,377
Grants	<u>710,000</u>
Total	10,451,646
Source of funds	
Transportation fund	5,556,388
Federal funds	<u>4,895,258</u>
Total	10,451,646
Sec. B.902 Transportation - buildings	

Operating expenses	<u>850,000</u>
Total	850,000
Source of funds	
Transportation fund	<u>850,000</u>
Total	850,000
Sec. B.903 Transportation - program development	
Personal services	58,611,534
Operating expenses	227,109,245
Grants	<u>28,813,660</u>
Total	314,534,439
Source of funds	
Transportation fund	48,717,849
TIB fund	10,597,637
Federal funds	254,737,875
Local match	<u>481,078</u>
Total	314,534,439
Sec. B.904 Transportation - rest areas construction	
Personal services	195,000
Operating expenses	<u>1,265,000</u>
Total	1,460,000
Source of funds	
Transportation fund	146,000
Federal funds	<u>1,314,000</u>
Total	1,460,000
Sec. B.905 Transportation - maintenance state system	
Personal services	45,339,790
Operating expenses	57,902,709
Grants	<u>277,000</u>
Total	103,519,499
Source of funds	
Transportation fund	87,191,712
Federal funds	16,227,787
Interdepartmental transfers	<u>100,000</u>
Total	103,519,499
Sec. B.906 Transportation - policy and planning	
Personal services	4,772,462
Operating expenses	951,911
Grants	<u>5,734,525</u>

Total	11,458,898
Source of funds	
Transportation fund	3,153,630
Federal funds	8,285,268
Interdepartmental transfers	<u>20,000</u>
Total	11,458,898
Sec. B.907 Transportation - rail	
Personal services	5,366,807
Operating expenses	30,983,212
Grants	<u>30,000</u>
Total	36,380,019
Source of funds	
Transportation fund	13,897,283
Federal funds	19,232,299
Interdepartmental transfers	2,429,636
Local match	<u>820,801</u>
Total	36,380,019
Sec. B.908 Transportation - public transit	
Personal services	2,264,103
Operating expenses	112,991
Grants	<u>40,444,428</u>
Total	42,821,522
Source of funds	
Transportation fund	3,303,839
Federal funds	39,496,667
Interdepartmental transfers	<u>21,016</u>
Total	42,821,522
Sec. B.909 Transportation - central garage	
Personal services	4,728,892
Operating expenses	<u>17,473,828</u>
Total	22,202,720
Source of funds	
Internal service funds	<u>22,202,720</u>
Total	22,202,720
Sec. B.910 Department of motor vehicles	
Personal services	25,010,265
Operating expenses	<u>10,963,723</u>
Total	35,973,988

Source of funds	
Transportation fund	34,190,338
Federal funds	1,666,250
Interdepartmental transfers	<u>117,400</u>
Total	35,973,988
Sec. B.911 Transportation - town highway structures	
Grants	<u>12,667,000</u>
Total	12,667,000
Source of funds	
Transportation fund	<u>12,667,000</u>
Total	12,667,000
Sec. B.912 Transportation - town highway local technical assistance program	
Personal services	368,939
Operating expenses	<u>42,750</u>
Total	411,689
Source of funds	
Transportation fund	111,689
Federal funds	<u>300,000</u>
Total	411,689
Sec. B.913 Transportation - town highway class 2 roadway	
Grants	<u>15,297,500</u>
Total	15,297,500
Source of funds	
Transportation fund	<u>15,297,500</u>
Total	15,297,500
Sec. B.914 Transportation - town highway bridges	
Personal services	4,475,077
Operating expenses	10,533,896
Grants	<u>399,421</u>
Total	15,408,394
Source of funds	
Transportation fund	1,671,227
TIB fund	800,000
Federal funds	12,405,730
Local match	<u>531,437</u>
Total	15,408,394
Sec. B.915 Transportation - town highway aid program	

Grants	<u>27,105,769</u>
Total	27,105,769
Source of funds	
Transportation fund	<u>27,105,769</u>
Total	27,105,769
Sec. B.916 Transportation - town highway class 1 supplemental grants	
Grants	<u>128,750</u>
Total	128,750
Source of funds	
Transportation fund	<u>128,750</u>
Total	128,750
Sec. B.917 Transportation - town highway: state aid for nonfederal disasters	
Grants	<u>1,150,000</u>
Total	1,150,000
Source of funds	
Transportation fund	<u>1,150,000</u>
Total	1,150,000
Sec. B.918 Transportation - town highway: state aid for federal disasters	
Grants	<u>180,000</u>
Total	180,000
Source of funds	
Transportation fund	20,000
Federal funds	<u>160,000</u>
Total	180,000
Sec. B.919 Transportation - municipal mitigation assistance program	
Operating expenses	265,000
Grants	<u>5,845,000</u>
Total	6,110,000
Source of funds	
Transportation fund	705,000
Special funds	3,977,000
Federal funds	<u>1,428,000</u>
Total	6,110,000
Sec. B.920 Transportation - public assistance grant program	
Operating expenses	200,000
Grants	<u>1,050,000</u>
Total	1,250,000

Source of funds	
Special funds	50,000
Federal funds	1,000,000
Interdepartmental transfers	<u>200,000</u>
Total	1,250,000
Sec. B.921 Transportation board	
Personal services	157,878
Operating expenses	<u>28,733</u>
Total	186,611
Source of funds	
Transportation fund	<u>186,611</u>
Total	186,611
Sec. B.922 Total transportation	
Source of funds	
Transportation fund	271,865,668
TIB fund	11,397,637
Special funds	4,027,000
Federal funds	361,546,034
Internal service funds	22,202,720
Interdepartmental transfers	2,888,052
Local match	<u>1,833,316</u>
Total	675,760,427
Sec. B.1000 Debt service	
Operating expenses	<u>84,541,007</u>
Total	84,541,007
Source of funds	
General fund	81,032,078
Transportation fund	521,606
ARRA funds	481,460
TIB debt service fund	<u>2,505,863</u>
Total	84,541,007
Sec. B.1001 Total debt service	
Source of funds	
General fund	81,032,078
Transportation fund	521,606
ARRA funds	481,460
TIB debt service fund	<u>2,505,863</u>
Total	84,541,007

Sec. B.1100 [DELETED]

Sec. B.1101 [DELETED]

Sec. B.1102 [DELETED]

Sec. B.1103 FISCAL YEAR 2022 ONE-TIME DOWNTOWN
TRANSPORTATION AND RELATED CAPITAL
IMPROVEMENT FUND APPROPRIATIONS

(a) In fiscal year 2022, funds are appropriated from the downtown transportation and capital improvement fund established by 24 V.S.A. § 2796 as follows:

(1) \$5,000,000 to the Department of Housing and Community Development to design, engineer, and construct eligible projects.

(2) Notwithstanding any other provisions of law, and for the purposes of implementing this one-time funding, the Department of Housing and Community Development is authorized to extend eligibility for the funding allocated in this section to municipalities as follows:

(A) Village centers designated by the Downtown Development Board pursuant to 24 V.S.A. chapter 76a, subchapter 2793a that have participated in the Better Connections Program administered by the Vermont Agency of Transportation and the Department of Housing and Community Development.

(B) Village centers designated by the Downtown Development Board pursuant to 24 V.S.A. chapter 76a, subchapter 2793a within Chittenden County that have completed a comprehensive urban/community area planning process with public input, analogous to the Better Connections Program, in accordance with the program guidelines to be established by the Department.

(3) Municipalities in this section may include engineering and design costs in their budget proposals.

(4) This provision shall remain in effect until such time as the funds are fully expended.

Sec. B.1104 FISCAL YEAR 2022 ONE-TIME TRANSPORTATION
FUND APPROPRIATIONS

(a) Funds are appropriated from the Transportation Fund as follows:

(1) To the Agency of Transportation:

(A) \$6,925,000 for vehicle incentive and emission repair programs and electric vehicle supply equipment grants in fiscal years 2021 and 2022 combined;

(B) \$3,000,000 to be distributed to municipalities through the town highway structures and town highway class 2 roadway grant programs in fiscal year 2022; and

(C) \$400,000 to assist with the relocation of the New Haven Train Depot, as need is determined by the Agency of Transportation, in fiscal year 2022.

(2) If prior appropriations for the Incentive Program for New PEVs and MileageSmart are fully depleted prior to July 1, 2021, then the Agency may use a portion of the \$6,925,000 appropriated in subdivision (a)(1)(A) of this section in fiscal year 2021 to ensure that the programs are not halted due to lack of available funding in fiscal year 2021.

Sec. B.1105 [DELETED]

Sec. B.1106 FISCAL YEAR 2022 ONE-TIME GENERAL FUND
APPROPRIATIONS

(a) In fiscal year 2022, funds are appropriated from the General Fund for new and ongoing initiatives as follows:

(1) \$38,430,000 to the Agency of Administration for the following:

(A) \$11,580,000 for distribution to departments to fund the fiscal year 2022 53rd week of Medicaid.

(B) \$12,450,000 for distribution to departments to fund the fiscal year 2022 27th payroll pay period.

(C) \$14,400,000 for distribution to departments to fund the annual increase in the Vermont State Employee Retirement System (VSERS) Actuarially Determined Employer Contribution (ADEC).

(2) \$1,000,000 for the purchase of body cameras in the Department of Corrections.

(3) \$500,000 to the Vermont Department of Health to support polychlorinated biphenyls (PCB) testing in schools.

(4) \$32,500 to the Green Mountain Care Board for its share of cost associated with rate analysis unmerging the individual and small group market.

(5) \$63,121 to the Council on the Arts for matching federal funds available in the American Rescue Plan Act.

(6) \$200,000 to the Legislature to fund independent benefits experts, legal consulting, and actuarial assistance as necessary for the Task Force on pension reform.

(7) \$200,000 to the Department for Children and Families from the General Fund for the purpose of enabling Building Bright Futures to contract with an independent consulting entity for a childcare and early childhood education systems analysis study required by legislation enacted during the 2021 session.

(8) \$175,000 to the Legislature for the Office of Legislative Operations to contract for the analytical work needed for the Task Force on Affordable, Accessible Health Care established in Sec. E.126.2 of this act.

(9) \$25,000 to the Vermont Symphony Orchestra to offset revenues lost during the pandemic.

(10) \$180,000 to the Agency of Administration Office of Racial Equity for activities related to health disparities and health equity.

(11) \$200,000 to the Department of Human Resources for racial equity training support.

(12) \$126,000 to the Agency of Human Services Secretary's Office to maintain the 211-call center during fiscal year 2022.

(13) \$120,000 to the Department of Health for grants of \$40,000 to be made to each of the three AIDS service organizations to replace grant revenue diverted during the pandemic.

(14) \$25,000 to the Department for Children and Families for a grant to the Vermont Donor Milk Center for statewide activities.

(15) \$40,000 to the Vermont Center for Crime Victim Services to provide a grant for the Vermont Forensic Nursing Program. The funds shall be used to recruit, train, and credential nurses to provide forensic medical care for sexual assault patients within primary care, reproductive health, or campus health care settings in order to expand medical care for sexual assault patients beyond hospital emergency departments.

* * * Fiscal Year 2021 adjustments, appropriations and amendments * * *

Sec. C.100 FISCAL YEAR 2021 ONE-TIME GENERAL FUND
APPROPRIATIONS

(a) In fiscal year 2021, funds are appropriated from the General Fund as follows:

(1) To the Agency of Human Services, Global Commitment Program: \$2,000,000 for the State match for the 2020 Acts and Resolves No. 155 Nurse Scholarship Program and University of Vermont College of Medicine, Medical Student Incentive Scholarship Program, as amended in Sec. E. 311.3 of this act. Of these general funds, \$1,000,000 is for expenditure in fiscal year 2022, and \$1,000,000 is for expenditure in fiscal year 2023.

(2) To the Commission on Women: \$8,500 for information technology support.

(3) To the Agency of Commerce and Community Development: \$25,000 for the administration of Vermont 250th anniversary celebration.

(4) To the Vermont Housing Conservation Board: \$50,000 for the Farm Viability Program to provide technical assistance to farmers applying for economic recovery grants from the State.

Sec. C.101 PENSION AND OTHER POST EMPLOYMENT BENEFIT
OBLIGATIONS; LONG-TERM PLAN

(a) In fiscal year 2021, the amount of \$150,000,000 in General Fund monies is hereby reserved to be part of pension funding initiatives and prefunding of other postemployment benefits (OPEB).

(b) On or before June 30, 2022, the General Assembly and the Administration, in collaboration with the Treasurer and interested parties, shall develop a long-term plan to address pension and OPEB liabilities. The funds reserved in subsection (a) of this section shall be made available for appropriation to accompany the reforms that are part of this long-term legislative initiative to make Vermont pension and OPEB plans more sustainable.

Sec. C.102 FISCAL YEAR 2021: GLOBAL COMMITMENT PROGRAM
GENERAL FUND REVERSION

(a) In fiscal year 2021, the amount of \$42,516,329 shall be reverted to the General Fund from the general funds appropriated in Sec. B.301 of 2020 Acts and Resolves No. 154, as amended by 2021 Acts and Resolves No. 3.

(b) The Secretary of Human Services shall report to the Joint Fiscal Committee in July or September 2021 on the status and impact of the reversion required by subsection (a) of this section and any carryforward balance of unobligated General Fund appropriations from fiscal year 2021 to fiscal year 2022. To the extent possible, this report shall also provide updates

related to the reversion specified in Sec. D.104 of this act for fiscal year 2022 and any carryforward related to home and community-based services as specified in Sec. E.301.3 of this act.

Sec. C.103 REVERSION FROM THE NATIONAL GUARD TUITION
BENEFIT PROGRAM

(a) In fiscal year 2021, the amount of \$400,000 shall revert to the General Fund from the Military Administration appropriation for the National Guard Tuition Benefit Program.

Sec. C.104 2020 Acts and Resolves No. 154, Sec. E.215 is amended to read:

Sec. E.215 Military – Administration

(a) The amount of \$553,906 shall be disbursed to the Vermont Student Assistance Corporation for the National Guard educational assistance program established in 16 V.S.A. § 2856 and the National Guard Tuition Benefit Program established in 16 V.S.A. § 2857.

(b) Subsection (a) of this section supersedes the disbursement referenced in 2020 Acts and Resolves No. 120, Sec. A.23.

Sec. C.105 2020 Acts and Resolves No. 154, Sec. B.505 is amended to read:

Sec. B.505 Education - adjusted education payment

	<u>FY 2021</u>	
	<u>As Passed</u>	<u>Change</u>
Grants	1,489,500,000	1,480,800,000
Total	1,489,500,000	1,480,800,000
Source of funds		
Education fund	1,489,500,000	1,480,800,000
Total	1,489,500,000	1,480,800,000

Sec. C.106 [DELETED]

Sec. C.107 UTILITY RATEPAYER ARREARAGES; DEPARTMENT OF
PUBLIC SERVICE

(a) The sum of \$15,000,000 from the Coronavirus Relief Fund is appropriated to the Department of Public Service for the purpose of establishing a program to simultaneously minimize financial hardship caused by the COVID-19 public health emergency and mitigate utility rate increases ultimately shared by all utility customers. As used in this section, “utility” means a utility affected by the Public Utility Commission’s moratorium on utility disconnections related to COVID-19.

(b) The Commissioner of Public Service shall set the process, limitations, and means to distribute funds for debt relief for the accounts of utility customers not otherwise eligible or able to access utility assistance or those who, though eligible, are not made whole for such debt through the American Rescue Plan of 2021 or the Consolidated Appropriations Act, 2021, and shall coordinate funding under this section as needed with State agencies charged with distributing such funding. In designing the program, the Commissioner shall establish standards and procedures to prioritize the neediest utility customers for financial assistance under the program.

(c) In administering the program, the Commissioner may coordinate with the Public Utilities Commission, enter into cooperative agreements with utilities to apply funding directly to customer accounts, and contract with any third-party administrator as needed. The Department's administrative costs associated with the program shall be paid from the amount appropriated under subsection (a) of this section.

(d) Customer information submitted pursuant to this program shall be exempt from disclosure under the Vermont Public Records Act; such data may be disclosed only on an anonymized and aggregated basis.

(e) To the extent consistent with guidance and law, any excess funding under the program not obligated for the purposes set forth in this section by November 1, 2021 shall be reallocated to energy and fuel assistance programs administered by the Department for Children and Families.

Sec. C.108 LEGISLATIVE PREPARATION FOR 2022 SESSION

(a) The sum of \$2,500,000 from the Coronavirus Relief Fund is appropriated to the Legislature for costs incurred due to the response to the Coronavirus pandemic and to fund preparations for the 2022 legislative session consistent with Joint Legislative Management Committee recommendations. Funds may be transferred to appropriate units within the General Assembly as necessary to reimburse eligible expenditures. Any transfers shall be reviewed and approved through traditional transfer approval processes by the Secretary of Administration and shall be reported by the Joint Fiscal Office to the Joint Legislative Management Committee and the Commissioner of Finance and Management.

Sec. C.109 2020 Acts and Resolves No. 136, Sec. 7, as amended by 2020 Acts and Resolves No. 154, Sec. B.1121 and 2021 Acts and Resolves No. 3, Sec. 50, is further amended to read:

Sec. 7. AGENCY OF HUMAN SERVICES; HEALTH CARE PROVIDER STABILIZATION GRANT PROGRAM

* * *

(d) Specific allocations. Notwithstanding any provisions of this section to the contrary, of the funds appropriated in subsection (a) of this section, the Agency of Human Services shall make the following allocations for the following purposes:

* * *

(3) Up to \$3,000,000.00 for COVID-19-related expenses or revenue losses incurred by designated and specialized service agencies through ~~December 30, 2020~~ June 30, 2021.

* * *

Sec. C.110 REPEAL (FISCAL YEAR 2021 YEAR-END CLOSEOUT TRANSFERS)

(a) 2020 Acts and Resolves No. 154, Sec. B.1123.1 as amended in 2021 Acts and Resolves No. 9, Sec. 30 is repealed.

Sec. C.111 FISCAL YEAR 2021 YEAR-END CLOSEOUT;
APPROPRIATION AND RESERVE

(a) Notwithstanding 32 V.S.A. § 308c(a), after satisfying the requirements of 32 V.S.A. § 308, and after other reserve requirements have been met:

(1) First, up to \$10,000,000 of any remaining unreserved and undesignated fiscal year 2021 General Fund surplus shall be appropriated to the Vermont Housing Conservation Board and may be used for conservation projects and Farm and Forest Viability Program activities that support the rural economy. Up to \$100,000 shall be used to expand the Rural Economic Development Initiative (REDI).

(2) Second, up to \$75,000,000 shall be reserved in the General Fund for appropriation in the 2022 legislative session;

(3) Any remaining amounts shall be allocated in accordance with 32 V.S.A. § 308c.

Sec. C.112 2021 Acts and Resolves No. 9, Sec. 16 is amended to read as follows:

Sec. 16 EDUCATION SERVICES; FEDERAL FUNDS APPROPRIATIONS

(a) Afterschool and Summer Programs: In fiscal year 2021 and to be carried forward, the sum of \$4,000,000.00 is appropriated from federal funds for Elementary and Secondary Emergency School Relief (~~ESSR~~) (ESSER)

provided in the American Rescue Plan Act of 2021 Section 2001(f) to the Agency of Education to be used for grants to afterschool and summer programs.

* * *

* * * Fiscal Year 2022 Fund Transfers and Reserve Allocations * * *

Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

(a) This act contains the following amounts appropriated from special funds that receive revenue from the property transfer tax. Expenditures from these appropriations shall not exceed available revenues.

(1) The sum of \$518,000 is appropriated from the Current Use Administration Special Fund to the Department of Taxes for administration of the Use Tax Reimbursement Program. Notwithstanding 32 V.S.A. § 9610(c), amounts above \$518,000 from the property transfer tax that are deposited into the Current Use Administration Special Fund shall be transferred into the General Fund.

(2) The sum of \$10,804,840 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board (VHCB). Notwithstanding 10 V.S.A. § 312, amounts above \$10,804,840 from the property transfer tax and surcharge established by 32 V.S.A. § 9602a that are deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.

(A) The dedication of \$2,500,000 in revenue from the property transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the affordable housing bond 10 V.S.A. § 314) is to be offset by the reduction of \$1,500,000 in the appropriation to the VHCB and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a. The fiscal year 2022 appropriation of \$10,804,840 to VHCB reflects the \$1,500,000 reduction. The affordable housing bond and related property transfer tax and surcharge provisions are repealed after the life of the bond on July 1, 2039. Once the bond is retired, the \$1,500,000 reduction in the appropriation to VHCB is intended to be restored.

(3) The sum of \$3,760,599 is appropriated from the Municipal and Regional Planning Fund. Notwithstanding 24 V.S.A. § 4306(a), amounts above \$3,760,599 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$3,760,599 shall be allocated as follows:

(A) \$2,924,417 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

(B) \$457,482 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b); and

(C) \$378,700 to the Agency of Digital Services for the Vermont Center for Geographic Information.

Sec. D.101 FUND TRANSFERS, REVERSIONS, AND RESERVES

(a) Notwithstanding any other provision of law, the following amounts are transferred from the funds indicated:

(1) From the General Fund to the Environmental Contingency Fund established by 10 V.S.A. § 1283: \$9,500,000.

(2) From the General Fund to the Human Rights Commission Fund (21692): \$300,000.

(3) From the General Fund to the Forest Parks Revolving Fund (21270): \$2,050,000.

(4) From the General Fund to the Act 250 Permit Fund (21260): \$1,000,000.

(5) From the General Fund to the Fire Prevention Special Fund (21901): \$500,000.

(6) From the Clean Water Fund (21932) established by 10 V.S.A. § 1388 to the Agricultural Water Quality Special Fund (21933) created under 6 V.S.A. § 4803: \$4,521,393

(7) From the Clean Water Fund established by 10 V.S.A. § 1388 to the Lake in Crisis Response Program Special Fund (21938) created under 10 V.S.A. § 1315: \$50,000.

(8) From the Transportation Fund to the Downtown Transportation and Related Capital Improvement Fund (21575) established by 24 V.S.A. § 2796 to be used by the Vermont Downtown Development Board for the purposes of the Fund: \$4,023,966.

(9) From the Transportation Infrastructure Bond Fund established by 19 V.S.A. § 11f to the Transportation Infrastructure Bonds Debt Service Fund established by 32 V.S.A. § 951a for funding fiscal year 2023 transportation infrastructure bonds debt service: \$2,502,363.

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2022:

(1) The following amounts shall be transferred to the General Fund from the funds indicated:

<u>22005</u>	<u>AHS Central Office earned federal receipts</u>	<u>\$4,641,961.14</u>
<u>50300</u>	<u>Liquor Control Fund</u>	<u>\$22,750,000.00</u>
	<u>Caledonia Fair</u>	<u>\$5,000.00</u>
	<u>North Country Hospital Loan</u>	<u>\$24,047.00</u>

(2) The following estimated amounts, which may be all or a portion of unencumbered fund balances, shall be transferred from the following funds to the General Fund. The Commissioner of Finance and Management shall report to the Joint Fiscal Committee at its July meeting the final amounts transferred from each fund and certify that such transfers will not impair the agency, office, or department reliant upon each fund from meeting its statutory requirements.

<u>21638</u>	<u>AG-Fees & reimbursement – Court order</u>	<u>\$2,000,000.00</u>
<u>21928</u>	<u>Secretary of State Services Funds</u>	<u>\$2,467,898.00</u>
<u>62100</u>	<u>Unclaimed Property Fund</u>	<u>\$1,797,750.00</u>

(3) Notwithstanding 2016 Acts and Resolves No. 172, Sec. E. 228, \$37,078,618 of the unencumbered balances in the Insurance Regulatory and Supervision Fund (21075), the Captive Insurance Regulatory and Supervision Fund (21085), and the Securities Regulatory and Supervision Fund (21080) shall be transferred to the General Fund.

(c) Notwithstanding any provisions of law to the contrary, in fiscal year 2022 the following estimated General Fund reserves shall be made:

(1) Pursuant to 32 V.S.A. § 308, an estimated amount of \$6,259,724 shall be reserved in the General Fund Budget Stabilization Reserve.

(d) Notwithstanding any provisions of law to the contrary, in fiscal year 2022:

(1) The following amounts shall revert to the General Fund from the Accounts indicated:

<u>2150010000</u>	<u>Military – administration</u>	<u>\$200,000.00</u>
<u>1210002000</u>	<u>Legislature</u>	<u>\$140,000.00</u>
<u>1215001000</u>	<u>Legislative Counsel</u>	<u>\$50,000.00</u>
<u>1220000000</u>	<u>Joint Fiscal Office</u>	<u>\$50,000.00</u>
<u>1225001000</u>	<u>Legislative IT</u>	<u>\$120,000.00</u>
<u>1230001000</u>	<u>Sergeant at Arms</u>	<u>\$60,000.00</u>

Sec. D.102 27/53 RESERVE; TRANSFER AND USE

(a) \$3,740,000 from the General Fund shall be reserved in the 27/53 reserve in fiscal year 2022. This action is the fiscal year 2022 contribution to the reserve for the 53rd week of Medicaid as required by 32 V.S.A. § 308e and the 27th payroll reserve as required by 32 V.S.A. § 308e(b).

(b) \$24,030,000 shall be unreserved from the 27/53 Reserve in in fiscal year 2022 to provide for the appropriations described in Secs. B.1106(a)(1)(A) and B.1106(a)(1)(B) of this act.

Sec. D.103 [DELETED]

Sec. D.104 FISCAL YEAR 2022; GLOBAL COMMITMENT PROGRAM
GENERAL FUND REVERSION

(a) In fiscal year 2022, the amount of \$66,000,000 shall be reverted to the General Fund from the general funds appropriated in Sec. B. 301 of this act for the Global Commitment Program.

Sec. D.105 FISCAL YEAR 2022; GENERAL FUND TEMPORARY
RESERVE

(a) In fiscal year 2022, \$28,000,000 of General Fund is reserved for legislative allocation to existing General Fund reserves or appropriation for budget adjustment, including offsets that may be required due to federal relief fund guidance.

* * * General Government * * *

Sec. E.100 EXECUTIVE BRANCH POSITIONS

(a) The establishment of the following new positions is authorized in fiscal year 2022 and shall be transferred and converted from existing vacant positions in the Executive Branch and shall not increase the total number of authorized State positions, as defined in Sec. A.107 of this act that pertains to subdivisions (1) and (2) of this subsection:

(1) Permanent classified positions:

(A) Department of Public Safety – one (1) Paralegal to assist with public records requests.

(B) Agency of Administration – one (1) policy and research analyst and one (1) outreach and education coordinator.

(C) Secretary of State – one (1) State Elections Assistant Director.

(D) Criminal Justice Council – one (1) Professional Regulatory Investigator.

(2) Permanent exempt position:

(A) Criminal Justice Council – one (1) Staff Attorney.

(3) The conversion of one limited service position to classified permanent status is authorized in fiscal year 2022 as follows:

(A) The Secretary of State – one (1) Administrative Services Director.

(4) Five-year limited service classified positions are authorized in fiscal year 2022:

(A) Department of Environmental Conservation – one (1) environmental analyst.

(B) Department of Health – one (1) senior Environmental Health Risk Assessor.

Sec. E.100.1 2014 Acts and Resolves No. 179, Sec. E100(d); as amended by 2015 Acts and Resolves No. 4, Sec. 74; 2016 Acts and Resolves No. 172, Sec. E.100.2; 2017 Acts and Resolves No. 85, Sec. E.100.1; 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.100.1; 2020 Acts and Resolves No. 120; and by 2020 Act and Resolves No. 154, Sec. A.7; is further amended to read:

(d) Position Pilot Program. A Position Pilot is hereby created to assist participating departments in more effectively managing costs of overtime, compensatory time, temporary employees, and contractual work by removing the position cap with the goal of maximizing resources to the greatest benefit of Vermont taxpayers.

* * *

(7) This Pilot shall sunset on ~~July 1, 2021~~ July 1, 2023, unless extended or modified by the General Assembly.

Sec. E.103 12 V.S.A. 5601(f) is amended to read:

(f) The limitations in subsection (e) of this section do not apply to claims against the State of Vermont to the extent that there exists coverage under a policy of liability insurance purchased by the ~~Commissioner of Buildings and General Services~~ Secretary of Administration.

Sec. E.103.1 12 V.S.A. 5603 is amended to read:

§ 5603 SETTLEMENT OF CLAIMS

(a) The Attorney General may consider, adjust, determine, and settle any claim for damages against the State of Vermont resulting from the acts or omissions of an employee as provided under 3 V.S.A. § 159. If the State

elects to self-insure the liability as defined in 12 V.S.A. § 5601, the Attorney General shall consult with the ~~Commissioner of Buildings and General Services~~ Secretary of Administration prior to exercising his or her authority under this subsection.

* * *

(d) The duties described at 29 V.S.A. 152(a)(5) as the Department of Buildings and General Services shall become the duties of the Secretary of Administration.

Sec. E.103.2 REPEAL

29 V.S.A. § 152(a)(5) is repealed.

Sec. E.103.3 3 V.S.A. § 2222 is amended to read:

§ 2222. POWERS AND DUTIES; BUDGET AND REPORT

(a) In addition to the duties expressly set forth elsewhere by law, the Secretary shall:

* * *

(11) Inspect, appraise, and maintain a current appraisal schedule of all State-owned buildings, appendages, and appurtenances thereto based upon replacement value in the first instance and upon depreciated value in the second instance. Appraisals shall be furnished upon request to the Commissioner of Buildings and General Services, departments and agencies concerned, and appropriate committees of the General Assembly.

* * *

Sec. E.105 3 V.S.A. § 3303 is amended to read:

§ 3303 REPORTING, RECORDS, AND REVIEW REQUIREMENTS

* * *

(c) Strategic plan. The Secretary shall prepare and submit a strategic plan for information technology and cybersecurity, concurrent with the Governor's annual budget request required under 32 V.S.A. § 306. The strategic plan shall include:

* * *

Sec. E.111 Tax – administration/collection

(a) Of the appropriation in Sec. B.111 of this act, \$15,000 is from the Current Use Administration Special Fund established by 32 V.S.A. § 9610(c) and shall be appropriated for programming changes to the CAPTAP software

used by municipalities for establishing property values and administering their grand lists.

Sec. E.112 STATE ENERGY MANAGEMENT PROGRAM

(a) The Buildings and General Services State Energy Management Program may charge for technical assistance it provides to municipalities at an amount equal to time and cost.

Sec. E.125 LEGISLATIVE COUNSEL POSITIONS

(a) One permanent exempt position, Paralegal, is authorized for establishment in fiscal year 2022.

(b) One exempt limited service position, Legislative Counsel, is authorized for establishment in fiscal year 2022.

Sec. E.126 TRANSFER OF FUNDS WITHIN LEGISLATIVE BRANCH

(a) Notwithstanding 32 V.S.A. § 706, in fiscal year 2022, appropriations within the Legislative Branch may be transferred between respective offices to ensure a balanced close-out in the fiscal year.

Sec. E.126.1 LEGISLATIVE INFORMATION TECHNOLOGY POSITION

(a) One permanent exempt position, Web Developer, is authorized for establishment in fiscal year 2022.

Sec. E.126.2 TASK FORCE ON AFFORDABLE, ACCESSIBLE HEALTH CARE; REPORT

(a) Creation. There is created the Task Force on Affordable, Accessible Health Care to explore opportunities to make health care more affordable for Vermont residents and employers.

(b) Membership. The Task Force shall be composed of the following six members:

(1) three current members of the House of Representatives, not all from the same political party, who shall be appointed by the Speaker of the House; and

(2) three current members of the Senate, not all from the same political party, who shall be appointed by the Committee on Committees.

(c) Powers and duties. The Task Force shall explore opportunities to make health care, including prescription drugs, more affordable for Vermont residents and employers, including identifying potential opportunities to leverage federal flexibility and financing and to expand existing public health care programs. The Task Force shall consider the following, keeping in mind

the principles for health care reform enacted in 2020 Acts and Resolves No. 48 and codified at 18 V.S.A. § 9371:

(1) the long-term trends in out-of-pocket costs in Vermont in individual and small group health insurance plans and in large group health insurance plans;

(2) how Vermont's current health care system is impacting Vermont residents and businesses and their access to affordable health care;

(3) the extent to which Vermont's uninsured rate may have increased during the COVID-19 pandemic and the specific causes of any such increase;

(4) opportunities to decrease health care disparities, especially those highlighted by the COVID-19 pandemic and those attributable to a lack of access to affordable health care services;

(5) the findings and recommendations from previous studies and analyses relating to the affordability of health care coverage in Vermont; and

(6) opportunities made available by the Biden Administration to expand access to affordable health care through existing public health care programs or through the creation of new or expanded public option programs, including the potential for expanding Medicare to cover individuals between 50 and 64 years of age and for expanding Vermont's Dr. Dynasaur program to cover individuals up to 26 years of age to align with the young adult coverage under the Affordable Care Act.

(d) Public engagement. In order to gain a fuller understanding of the impact of health care affordability issues on Vermont residents, the Task Force shall:

(1) Solicit input from a wide range of stakeholders, including health care providers; health care administrators; Vermonters who lack health insurance or who have inadequate health coverage; employers; labor unions; members of the New American and Black, Indigenous, and Persons of Color communities; Vermonters with low income; and older Vermonters.

(2) Beginning on or before September 15, 2021, hold public hearings to hear from Vermont residents from around the State. Public hearings may be held in person or by remote means. A summary of the findings from these field hearings shall be included as an appendix to the Task Force report.

(e) Assistance. To the extent that applicable funds are appropriated in Sec. B.1106 of this act, the Task Force, through the Office of Legislative Operations, shall hire a consultant to provide technical and research assistance, deliver actuarial analyses as needed, and support the work of the Task Force.

In addition, the Task Force shall have the administrative, technical, and legal assistance of the Office of Legislative Operations, the Office of Legislative Counsel, and the Joint Fiscal Office.

(f) Report. On or before January 15, 2022, the Task Force shall present to the General Assembly its findings and recommendations regarding the most cost-effective ways to expand access to affordable health care for Vermonters without health insurance and those facing high health care costs and the various options available to implement these recommendations.

(g) Meetings.

(1) The first meeting of the Task Force shall occur on or before August 15, 2021.

(2) The Task Force shall select House and Senate co-chairs from among its members at its first meeting. The Co-Chairs shall alternate acting as Chair at Task Force meetings.

(3) A majority of the Task Force membership shall constitute a quorum.

(4) The Task Force shall cease to exist on January 15, 2022.

(h) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, the members of the Task Force shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than eight meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. E.127 JOINT FISCAL OFFICE POSITION

(a) One permanent exempt position, Fiscal Analyst, is authorized for establishment in fiscal year 2022.

Sec. E.127.1 INFORMATION TECHNOLOGY REVIEW

(a) The Executive Branch shall transfer, upon request, one vacant position for use in the Legislative Joint Fiscal Office (JFO) for a staff position, or the JFO may hire a consultant, to provide support to the General Assembly to conduct independent reviews of State information technology projects and operations.

(b) The Secretary of Administration and the Chief Information Officer shall:

(1) provide to the JFO access to the reviews conducted by Independent Verification and Validation (IVV) firms hired to evaluate the State's current and planned information technology project, as requested;

(2) ensure that IVV firms' contracts allow the JFO to make requests for information related to the projects that it is reviewing and that such requests are provided to the JFO in a confidential manner; and

(3) provide to the JFO access to all other documentation related to current and planned information technology projects and operations, as requested.

(c) The JFO shall maintain a memorandum of understanding with the Executive Branch relating to any documentation provided under subsection (b) of this section that shall protect security and confidentiality.

(d) To fund this work for fiscal year 2022 and fiscal year 2023, notwithstanding 32 V.S.A. § 706, at the close of fiscal year 2021, \$250,000.00 in carryforward from the legislative budget shall be transferred to the JFO.

Sec. E.128 SERGEANT AT ARMS – CAPITOL POLICE OFFICER
POSITION

(a) One permanent exempt position, Capitol Police Officer, is authorized for establishment in fiscal year 2022.

Sec. E.130 32 V.S.A. § 168 is amended to read:

§ 168. SINGLE AUDIT REVOLVING FUND

(a)(1) The Single Audit Revolving Fund is established within the State Treasury, to be administered by the Auditor of Accounts, from which payments may be made for the costs of audits performed pursuant to subdivisions 163(1) and, 163(2), and 5404a(1) of this subchapter title and 24 V.S.A. § 290b.

(2) All monies received from charges made for audit services under the provisions of subsection (b) of this section and sums that may be appropriated to the Fund shall be deposited in the Fund.

(3) Any balance remaining in the Fund at the end of any fiscal year shall be carried forward and remain a part of the Fund.

(b)(1) The Auditor of Accounts shall charge the State department, agency, commission, instrumentality, political subdivision, or State-created authority audited for the direct and indirect costs of an audit performed pursuant to subdivisions 163(1) and, 163(2), and 5404a(1) of this subchapter title and 24 V.S.A. § 290b.

(2) Costs shall be determined by the Auditor of Accounts and costs associated with subdivisions 163(1) and (2) of this subchapter title shall be approved by the Secretary of Administration.

Sec. E.130.1 32 V.S.A. § 5404a is amended to read:

§ 5404a. TAX STABILIZATION AGREEMENTS; TAX INCREMENT
FINANCING DISTRICTS

* * *

(l) ~~The State Auditor of Accounts shall conduct performance audits of all tax increment financing districts according to a schedule, which will be arrived at in consultation with the Vermont Economic Progress Council.~~ The cost of conducting each audit shall be considered a “related cost” as defined in 24 V.S.A. § 1891(6) and shall be billed back to the municipality pursuant to subsection 168(b) of this title. Audits conducted pursuant to this subsection shall include a review of a municipality’s adherence to relevant statutes and rules adopted by the Vermont Economic Progress Council pursuant to subsection (j) of this section, an assessment of record keeping related to revenues and expenditures, and a validation of the portion of the tax increment retained by the municipality and used for debt repayment and the portion directed to the Education Fund.

* * *

Sec. E.133 VERMONT STATE RETIREMENT SYSTEM

(a) Notwithstanding 3 V.S.A. § 473(d), in fiscal year 2022, investment fees shall be paid from the corpus of the Fund.

Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

(a) Of the appropriation in Sec. B.139 of this act, \$9,000 shall be transferred to the Attorney General and \$70,000 shall be transferred to the Department of Taxes, Division of Property Valuation and Review and reserved and used with any remaining funds from the amount previously transferred for final payment of expenses incurred by the Department or towns in defense of grand list appeals regarding the reappraisals of the hydroelectric plants and other property owned by TransCanada Hydro Northeast, Inc. and its successor Great River Hydro, LLC in the State of Vermont. Expenditures for this purpose shall be considered qualified expenditures under 16 V.S.A. § 4025(c).

Sec. E.142 PAYMENTS IN LIEU OF TAXES

(a) This appropriation is for State payments in lieu of property taxes under 32 V.S.A. chapter 123, subchapter 4, and the payments shall be calculated in addition to and without regard to the appropriations for PILOT for Montpelier and for correctional facilities elsewhere in this act. Payments in lieu of taxes

under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

Sec. E.143 PAYMENTS IN LIEU OF TAXES – MONTPELIER

(a) Payments in lieu of taxes under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

Sec. E.144 PAYMENTS IN LIEU OF TAXES – CORRECTIONAL FACILITIES

(a) Payments in lieu of taxes under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

* * * Protection to Persons and Property * * *

Sec. E.200 ATTORNEY GENERAL

(a) Notwithstanding any other provisions of law, the Office of the Attorney General, Medicaid Fraud and Residential Abuse Unit, is authorized to retain, subject to appropriation, one-half of the State share of any recoveries from Medicaid fraud settlements, excluding interest, that exceed the State share of restitution to the Medicaid Program. All such designated additional recoveries retained shall be used to finance Medicaid Fraud and Residential Abuse Unit activities.

(b) Of the revenue available to the Attorney General under 9 V.S.A. § 2458(b)(4), \$1,390,500 is appropriated in Sec. B.200 of this act.

Sec. E.207.3 JOINT LEGISLATIVE JUSTICE OVERSIGHT COMMITTEE; TRANSPORTS; STUDY; REPORT

(a) The Joint Legislative Justice Oversight Committee shall examine the current system for transporting prisoners and persons with a mental condition or psychiatric disability who are in the custody of the State, including transports provided by deputy sheriffs who are paid by the State pursuant to 24 V.S.A. § 290(b) and transports provided pursuant to contracts that certain State agencies have entered into with county sheriff's departments. The Committee may recommend changes to the existing system and shall identify any benefits and adverse consequences related to those recommended changes.

(b) On or before November 15, 2021, the Committee shall submit a report to the House and Senate Committees on Appropriations, on Government Operations, and on Judiciary regarding its findings and any recommendations for legislative action.

(c) In conducting its review pursuant to this section, the Committee shall review audits prepared by the Auditor of Accounts regarding the use of

deputies who are paid by the State pursuant to 24 V.S.A. § 290(b) during the state of emergency declared pursuant to Executive Order 01-20, as amended, and the Inmate Transportation Study Report prepared pursuant to 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.207.

Sec. E.208 PUBLIC SAFETY – ADMINISTRATION

(a) The Commissioner of Public Safety is authorized to enter into a performance-based contract with the Essex County Sheriff's Department to provide law enforcement service activities agreed upon by both the Commissioner of Public Safety and the Sheriff.

Sec. E.209 PUBLIC SAFETY – STATE POLICE

(a) Of the appropriation in Sec. B.209 of this act, \$35,000 in special funds shall be available for snowmobile law enforcement activities and \$35,000 in general funds shall be available to the Southern Vermont Wilderness Search and Rescue Team, which comprises State Police, the Department of Fish and Wildlife, county sheriffs, and local law enforcement personnel in Bennington, Windham, and Windsor Counties, for snowmobile enforcement.

(b) Of the appropriation in Sec. B.209 of this act, \$405,000 is allocated for grants in support of the Drug Task Force. Of this amount, \$190,000 shall be used by the Vermont Drug Task Force to fund three town task force officers. These town task force officers shall be dedicated to enforcement efforts with respect to both regulated drugs as defined in 18 V.S.A. § 4201(29) and the diversion of legal prescription drugs. Any unobligated funds may be allocated by the Commissioner to fund the work of the Drug Task Force or carried forward.

Sec. E.212 PUBLIC SAFETY – FIRE SAFETY

(a) Of this General Fund appropriation in Sec. B.212 of this act, \$55,000 shall be granted to the Vermont Rural Fire Protection Task Force for the purpose of designing dry hydrants.

Sec. E.215 MILITARY – ADMINISTRATION

(a) The amount of \$1,119,834 shall be disbursed to the Vermont Student Assistance Corporation for the National Guard Tuition Benefit Program established in 16 V.S.A. § 2857.

Sec. E.219 MILITARY – VETERANS' AFFAIRS

(a) Of this appropriation in Sec. B.219 of this act, \$1,000 shall be used for continuation of the Vermont Medal Program; \$4,800 shall be used for the expenses of the Governor's Veterans' Advisory Council; \$7,500 shall be used for the Veterans' Day parade; \$5,000 shall be used for the Military, Family,

and Community Network; and \$10,000 shall be granted to the American Legion for the Boys' State and Girls' State programs.

Sec. E.220 CENTER FOR CRIME VICTIMS SERVICES

(a) Notwithstanding 20 V.S.A. § 2365(c), the Vermont Center for Crime Victims Services shall transfer \$52,624 from the Domestic and Sexual Violence Special Fund established in 13 V.S.A. § 5360 to the Criminal Justice Training Council for the purpose of funding one-half the costs of the Domestic Violence Trainer position. The other half of the position will be funded with an appropriation to the Criminal Justice Training Council.

Sec. E.220.1 STUDY COMMITTEE ON PROGRAM FUNDING
RELATED TO CRIMINAL JUSTICE FINES, FEES,
PENALTIES AND SURCHARGES

(a) There is created a Study Committee on the funding of State programs that are reliant on criminal justice fines, fees, penalties and surcharges to provide services and accomplish their respective statutory missions. The purpose of the Committee is to address an anticipated decrease in available revenue for these various programs and to develop a financial plan of action that will ensure that these programs will be able to provide these services.

(b) The Committee shall be composed of:

(1) one Representative from each of the House Committees on Appropriations, on Judiciary, and on Ways and Means appointed by the Speaker of the House.

(2) one Senator from each of the Senate Committees on Appropriations, on Judiciary, and on Finance appointed by the Committee on Committees.

(3) the Chief Justice of the Supreme Court or his designee.

(4) one representative from the Agency of Administration, appointed by the Secretary of Administration.

(5) the Executive Director of the Vermont Center for Crime Victims Services (CCVS).

(6) the Executive Director of the Vermont Network Against Domestic and Sexual Violence;

(7) the Attorney General or designee;

(8) the Commissioner of Public Safety or designee;

(9) the Commissioner for Children and Families or designee; and

(10) the Executive Director of the Department of State's Attorneys and Sheriffs or designee.

(c) the Chief Justice of the Supreme Court or designee shall call the first meeting of the Committee on or before July 15, 2021. The members of the Committee shall elect a Chair, who shall convene meetings and set meeting agendas.

(d) Powers and Duties of the Committee. The Committee shall:

(1) review and inventory the programs funded by criminal justice fines, fees, penalties and surcharges as well any other funding source that are consistently or on an ad hoc basis provided to these programs;

(2) analyze the factors that affect the revenue generated the various criminal justice fines, fees, penalties and surcharges including past and current trends;

(3) identify strategies that the State can engage in that will provide a sustainable funding source for these programs into the future; and

(4) specifically in regard to the programs of the CCVS, the committee shall analyze victim service programs mandated by State statute and funded with state special funds, including what services are provided, who provides the services, where services are provided, and when services are provided and consider the viability of phasing out the use of special funds for victim services over a five-year period and replacing special funds with other funding sources, including the General Fund.

(e) For purposes of its study of these issues, the Committee shall have the assistance of the Department of Finance and Management, the CCVS, and the Joint Fiscal Office.

(f) On or before November 15, 2021, the Committee shall report to the House Committees on Appropriations, on Judiciary, and on Ways and Means and Senate Committees on Appropriations, on Judiciary, and on Finance on its findings and any legislative or administrative recommendations.

(g) The Committee shall meet not more than six times and shall cease to exist upon filing its report. For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee shall be entitled to compensation and reimbursement for expenses under 2 V.S.A. § 23.

Sec. E.222 2019 Acts and Resolves No. 83, Sec. 3, as amended by 2020 Acts and Resolves No. 129, Sec. 24 is further amended to read:

Sec. 3. PAYMENT FOR ECOSYSTEM SERVICES AND SOIL HEALTH WORKING GROUP

* * *

(4) The Working Group shall cease to exist on February 1, 2022 2023.

(d) On or before January 15, 2022 2023, the Secretary of Agriculture, Food and Markets shall submit to the Senate Committee on Agriculture and the House Committee on Agriculture and Forestry a report that shall include:

* * *

Sec. E.224 AGRICULTURE, FOOD AND MARKETS – AGRICULTURAL DEVELOPMENT

(a) Of the funds appropriated in Sec. B.224 of this act, the amount of \$594,000 in general funds is appropriated for expenditure by the Working Lands Enterprise Board established in 6 V.S.A. § 4606 for investments in food and forest system businesses and services providers pursuant to 6 V.S.A. § 4607 and consistent with the funding priorities in 2012 Acts and Resolves No. 142, Sec. 5, as amended by 2014 Acts and Resolves No. 179, Sec. E.224.1. Sec. E.234 10 V.S.A. § 581 is amended to read:

§ 581. BUILDING EFFICIENCY GOALS

It shall be goals of the State:

(1) To improve substantially the energy fitness of at least 20 percent of the State's housing stock by 2017 (more than 60,000 housing units), and 25 percent of the State's housing stock by 2020 (approximately 80,000 housing units) 120,000 housing units and reduce greenhouse gas emissions by 0.15 MMTCO₂e by 2031.

* * *

(4) To save Vermont families and businesses a total of \$1.5 billion on their fuel bills over the lifetimes of the improvements and measures installed between 2008 and 2017.

(5) To increase weatherization services to low-income Vermonters by expanding the number of units weatherized or the scope of services provided, or both, as revenue becomes available in the Home Weatherization Assistance Fund.

Sec. 234.1 33 V.S.A. § 2502 is amended to read:

§ 2502. HOME WEATHERIZATION ASSISTANCE PROGRAM

(a) The Director of the State Office of Economic Opportunity shall administer the Home Weatherization Assistance Program under such rules,

regulations, funding, and funding requirements as may be imposed by federal law.

(b) In addition, the Director shall supplement, or supplant, any federal program with the State Home Weatherization Assistance Program.

* * *

(3) The Director, in collaboration with the weatherization service providers and other stakeholders, shall develop the State program so that it will include:

* * *

(D) Eliminating the lien requirements on weatherized rental properties, so long as the landlord executes a rent stabilization agreement which has a term of at least one year.

(E) Generally, allowing flexibility to accommodate special circumstances in which greater energy savings can be realized or health and safety problems may be alleviated.

(F) Increasing the number of low-income homes weatherized each year, or the scope of services provided, or both, to reflect increased revenues in the Home Weatherization Assistance Fund.

(G) With respect to multi-family buildings housing recipients of home heating fuel assistance under chapter 26 of this title, targeted outreach efforts to ensure the highest weatherization participation rates by owners of such buildings.

(H) Working to achieve the State's energy savings and carbon emissions reduction goals, including those in 10 V.S.A. § 581.

* * *

Sec.E.227 DEPARTMENT OF FINANCIAL REGULATION; ESSENTIAL HEALTH BENEFITS; BENCHMARK PLAN REVIEW

(a) The Department of Financial Regulation, in consultation with the Department of Vermont Health Access; the Director of Health Care Reform in the Agency of Human Services; the Green Mountain Care Board; representatives of health care consumers, health care providers, and health insurers; and other interested stakeholders, shall review Vermont's benchmark plan establishing the State's essential health benefits to determine whether to recommend requesting approval from the Centers for Medicare and Medicaid Services to modify the benchmark plan. As part of its review, the Department shall determine the potential impacts of modifying the benchmark plan to include coverage of each of the following:

- (1) hearing aids;
- (2) dentures;
- (3) vision care;
- (4) durable medical equipment;
- (5) fertility services; and
- (6) at least two primary care visits per year with no cost-sharing requirement.

(b) On or before January 15, 2022, the Department of Financial Regulation shall provide the results of its benchmark plan review, including the impacts of adding coverage for each of the items listed in subdivisions (a)(1)–(5) of this section, and any recommendations for modifications to Vermont’s benchmark plan, to the House Committees on Health Care and on Human Services and the Senate Committees on Health and Welfare and on Finance.

Sec. E.227.1 18 V.S.A. § 9473 is amended to read:

§ 9473. PHARMACY BENEFIT MANAGERS; REQUIRED PRACTICES
WITH RESPECT TO PHARMACIES

* * *

(d) A pharmacy benefit manager shall not:

(1) require a claim for a drug to include a modifier to indicate that the drug is a 340B drug unless the claim is for payment, directly or indirectly, by Medicaid; or

(2) restrict access to a pharmacy network or adjust reimbursement rates based on a pharmacy’s participation in a 340B contract pharmacy arrangement.

Sec. E.227.2 REPEAL

18 V.S.A. § 9473(d) (pharmacy benefit managers; 340B entities) is repealed on January 1, 2023.

Sec. E.227.3. DEPARTMENT OF FINANCIAL REGULATION; 340B
DRUG PRICING PROGRAM; REPORT

On or before January 15, 2022, the Department of Financial Regulation, in consultation with the Office of the Attorney General, shall report to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance regarding national activity affecting participation in the 340B Drug Pricing Program, including:

(1) recent changes to the manner in which prescription drug manufacturers pay rebates to pharmacy benefit managers for prescriptions filled through 340B pharmacies;

(2) the potential impacts of these changes on Vermont stakeholders, including individual Vermonters; and

(3) possible State responses to prescription drug manufacturer and pharmacy benefit manager actions related to participation in the 340B Drug Pricing Program.

Sec. E.234.2 PUBLIC UTILITY COMMISSION PROCEEDING

(a) On or before December 17, 2021, the Public Utility Commission shall report to the General Assembly on its recommendations concerning the implementation of a volumetric thermal energy efficiency charge to provide supplemental funding for thermal energy efficiency programs including those implemented pursuant to 30 V.S.A. § 209(e) and (g). The report shall include the following:

(1) criteria for establishing the amount of the thermal energy efficiency charge, including the size of annual thermal energy efficiency program budgets and accounting for existing or new sources of funding for those programs over time;

(2) whether the supplemental funding provided by the thermal energy efficiency charge should be directed to an entity other than an entity appointed by the Commission pursuant to 30 V.S.A. § 209(d)(2)(B) to provide efficiency programs and services to thermal energy customers;

(3) how to incentivize the installation of clean energy heating systems and phase out the use of heating systems with high amounts of emissions; and

(4) any statutory amendments necessary to implement its recommendations.

Sec. E.234.3 DEVELOPMENT OF WEATHERIZATION WORKFORCE AND COUNSELING SERVICES; REPORTS

(a) Weatherization Workforce Report.

(1) On or before June 15, 2021, the Chairs of the Senate Committee on Natural Resources and Energy and the House Committee on Energy and Technology, or their designees, shall meet with the Department of Labor, the Agency of Education, Efficiency Vermont, representatives of the Community Action Agencies, NeighborWorks of Western Vermont, the Vermont Fuel Dealers Association, and other parties currently delivering programming to

train workers to perform services related to thermal energy savings and weatherization.

(2) Thereafter, Efficiency Vermont shall lead the Weatherization Workforce Group that shall develop plans for the coordinated delivery of a standardized statewide Building Sciences curriculum that includes weatherization. The curriculum shall be designed to establish a career pathway in energy efficiency construction and shall include a certification that is broadly recognized, transparent, and portable.

(3) On or before October 1, 2021, Efficiency Vermont shall report to the Senate Committee on Natural Resources and Energy and the House Committee on Energy and Technology a plan for enhancing the coordinated delivery of the standardized Building Sciences training program in order to support the goals of 10 V.S.A. § 581.

(b) Energy Savings Counseling Report.

(1) On or before June 30, 2021, the Chairs of the Senate Committee on Natural Resources and Energy and the House Committee on Energy and Technology, or their designees shall meet with the Office of Economic Opportunity, the directors of the Community Action Agencies, Efficiency Vermont, NeighborWorks of Western Vermont, and other parties currently providing outreach and counseling services to Vermonters with low and moderate income for the State's energy savings programs, including thermal and transportation energy efficiency programs.

(2) Thereafter, the Office of Economic Opportunity shall lead the Energy Savings Counseling Group that shall develop a plan for the coordinated and effective delivery of counseling services designed to enroll and deliver energy savings programs to their target service populations.

(3) On or before October 15, 2021, the Office of Economic Opportunity shall report to the Senate Committee on Natural Resources and Energy and the House Committee on Energy and Technology a plan for coordinating and enhancing their counseling services to Vermonters with low and moderate-income who could benefit from the State's energy savings programs, including thermal and transportation energy efficiency programs.

Sec. E.234.4 30 V.S.A. § 35 is added to read:

§ 35. ENERGY SAVINGS FUND

(a) There is established the Energy Savings Fund, which shall be managed in accordance with 32 V.S.A. chapter 7, subchapter 5. This Fund shall be administered by the Department of Public Service to fund a variety of programs that will increase energy savings. Monies in the Fund shall be used

solely for energy savings programs and for necessary costs incurred in administering the Fund. The Department may create programs to be funded, including weatherization and transportation programs.

(b) The Fund shall be made up of any funds appropriated to or deposited into the Fund.

(c) The funds shall only be used to fund projects for which federal funds are not currently available.

Sec. E.235 STUDY; E-911 SPECIAL FUND

(a) The Agency of Administration shall review the existing statutory funding streams for the Enhanced 911 Special Fund and shall propose changes or additions as necessary to ensure the long-term sustainability of the E-911 Board's operations. On or before January 15, 2022, the Secretary of Administration shall report his or her findings and recommendations to the House Committees on Energy and Technology, on Government Operations, on Ways and Means, and on Appropriations and the Senate Committees on Finance and on Appropriations. As a part of this review and report, the Administration shall specifically provide comment or recommendation on the proposals related to capacity of the Universal Service Fund contained in the report issued pursuant to 2020 Acts and Resolves No. 137, Sec. 19 (PEG study), and recommendations regarding the structure or governance of the E-911 program.

* * * Human Services * * *

Sec. E.300 FUNDING FOR THE OFFICE OF THE HEALTH CARE ADVOCATE

(a) Of the funds appropriated in Sec. B.300 of this act, \$1,457,406 shall be used for the contract with the Office of the Health Care Advocate.

Sec. E.300.1 2020 Acts and Resolves No. 155, Sec. 2 is amended to read:

Sec. 2. HEALTH CARE WORKFORCE STRATEGIC PLAN; REPORT

(a) The Director of Health Care Reform, in connection with the advisory group established pursuant to 18 V.S.A. § 9491(b) in Sec. 1 of this act, shall update the health care workforce strategic plan as set forth in 18 V.S.A. § 9491 and shall submit a draft of the plan to the Green Mountain Care Board for its review and approval on or before ~~July 1~~ October 15, 2021. The Board shall review and approve the plan within 30 days following receipt.

(b) On or before ~~August 15~~ December 1, 2021, the Director shall provide the updated health care workforce strategic plan to the House Committees on Appropriations, on Health Care, and on Commerce and Economic

Development and the Senate Committees on Appropriations, on Health and Welfare, and on Economic Development, Housing and General Affairs.

E.300.2 AGENCY OF HUMAN SERVICES; ALL PAYER
ACCOUNTABLE CARE ORGANIZATION MODEL;
DELIVERY SYSTEM REFORM; HEALTH INFORMATION
TECHNOLOGY

(a) The Agency of Human Services is authorized to carry forward the sum of \$3,900,000 in Global Commitment funds to fiscal year 2022 for the following purposes related to implementation of the All-Payer Accountable Care Organization (ACO) Model:

(1) health information technology projects, including:

(A) a hypertension and diabetes identification and management tool to support clinical decision making; and

(B) just-in-time clinical data reporting for quality improvement to support clinical decision making; and

(2) delivery system reform projects focused on implementation of the care model, including expanding trainings and performance improvement activities, and continuation of the Longitudinal Care Home Health Program and the Developmental Understanding and Legal Collaboration for Everyone (DULCE) Program.

Sec. E.301 SECRETARY'S OFFICE – GLOBAL COMMITMENT:

(a) The Agency of Human Services shall use the funds appropriated in Sec. B.301 of this act for payment of the actuarially certified premium required under the intergovernmental agreement between the Agency of Human Services and the managed care entity, the Department of Vermont Health Access, as provided for in the Global Commitment for Health Waiver (Global Commitment) approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

(b) In addition to the State funds appropriated in this section, a total estimated sum of \$24,993,731 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) \$22,220,000 certified State match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount, combined with \$28,280,000 of federal funds appropriated in Sec. B.301 of this act, equals a total estimated expenditure of \$50,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment

Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) \$2,773,731 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

(c) Up to \$4,618,437 is transferred from the AHS Federal Receipts Holding Account to the Interdepartmental Transfer Fund consistent with the amount appropriated in Sec. B.301 – Secretary’s Office – Global Commitment of this act.

Sec. E.301.1 GLOBAL COMMITMENT WAIVER AMENDMENT

(a) The Secretary of the Agency of Human Services is authorized to seek to extend or renew Vermont’s Global Commitment to Health Section 1115 Demonstration Waiver, which is currently set to expire on December 31, 2021. The Agency of Human Services shall strive to maintain or increase the State’s flexibility to use Global Commitment investment dollars to increase access to care and coverage, improve health outcomes, strengthen health care delivery , and promote transformation to value-based and integrated models of care.

Sec. E.301.2 GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER; REPORT

(a) In order to facilitate the end-of-year closeout for fiscal year 2022, the Secretary of Human Services, with approval from the Secretary of Administration, may make transfers among the appropriations authorized for Medicaid and Medicaid-waiver program expenses, including Global Commitment appropriations outside the Agency of Human Services. At least three business days prior to any transfer, the Agency shall submit to the Joint Fiscal Office a proposal of transfers to be made pursuant to this section. A final report on all transfers made under this section shall be made to the Joint Fiscal Committee for review at the September 2022 meeting. The purpose of this section is to provide the Agency with limited authority to modify the appropriations to comply with the terms and conditions of the Global Commitment for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

Sec. E.301.3 GLOBAL COMMITMENT: CARRYFORWARD RESERVE TO SUSTAIN HOME AND COMMUNITY-BASED PROGRAM FUNDING INCREASES

(a) To the extent that federal guidance related to Section 9817 of ARPA (one-year 10 percent FMAP increase for home and community-based

programs) allow, State general funds appropriated in Sec. B.301 of this act that are unexpended in fiscal year 2022 as a result of this FMAP increase shall carryforward. This carry forward shall be available in future years to provide the State match in order to sustain the fiscal year 2022 increases in funding to statewide home- and community-based programs.

Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

(a) The Agency of Human Services may adopt rules pursuant to 3 V.S.A. chapter 25 to conform Vermont's rules regarding health care eligibility and enrollment and the operation of the Vermont Health Benefit Exchange to state and federal law and guidance. The Agency may use the emergency rules process pursuant to 3 V.S.A. § 844 prior to June 30, 2022, but only in the event that new state or federal law or guidance requires Vermont to amend or adopt its rules in a time frame that cannot be accomplished under the traditional rulemaking process. An emergency rule adopted under these exigent circumstances shall be deemed to meet the standard for the adoption of emergency rules required pursuant to 3 V.S.A. § 844(a).

Sec. E.306.1 33 V.S.A. § 1805 is amended to read:

§ 1805 DUTIES AND RESPONSIBILITIES

The Vermont Health Benefit Exchange shall have the following duties and responsibilities consistent with the Affordable Care Act:

* * *

~~(C) collecting premium payments made for qualified health benefit plans from employers and individuals on a pretax basis, including collecting premium payments from multiple employers of one individual for a single plan covering that individual; and~~

~~(D)~~(C) creating a simplified and uniform system for the administration of health benefits.

* * *

(6) Determining enrollee ~~premiums and~~ subsidies as required by the Secretary of the U.S. Department of the Treasury or of the U.S. Department of Health and Human Services and informing consumers of eligibility for ~~premiums and~~ subsidies, including by providing an electronic calculator to determine the actual cost of coverage after application of any premium tax credit under Section 36B of the Internal Revenue Code of 1986 and any cost-sharing reduction under Section 1402 of the Affordable Care Act.

* * *

Sec. E.311 AGENCY OF HUMAN SERVICES; DESIGNATED AND
SPECIALIZED SERVICE AGENCIES; WORKFORCE
DEVELOPMENT

(a) The Agency of Human Services shall distribute the funds remaining from the \$5,000,000 appropriated to the Agency to make strategic investments in order to expand the supply of high-quality mental health and substance use disorder treatment professionals in 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. 106.1 to the designated and specialized service agencies equitably based on each agency's proportion of full-time equivalent (FTE) mental health and substance use disorder treatment staff to the total number of FTE mental health and substance use disorder treatment staff across all designated and specialized service agencies statewide. The designated and specialized service agencies shall use these funds for loan repayment and tuition assistance to promote the recruitment and retention of high-quality mental health and substance use disorder treatment professionals available to Vermont residents in need of their services, as set forth in subsection (b) of this section.

(b)(1) Each designated and specialized service agency shall make the funds received pursuant to subsection (a) of this section available to its current and prospective employees as set forth in subdivisions (A) and (B) of this subdivision (1) on a rolling basis in exchange for a one-year service obligation to provide mental health services or substance use disorder treatment services, or both, at a designated or specialized service agency in this State. The funds may be used for the following purposes:

(A) loan repayment for master's-level clinicians, bachelor's-level direct service staff, and nurses; and

(B) tuition assistance for individuals pursuing degrees to become master's-level clinicians, bachelor's-level direct service staff, and nurses.

(2) Loan repayment and tuition assistance funds shall be available to the current and prospective employees of designated and specialized service agencies in the form of forgivable loans, with the debt forgiven upon an employee's completion of the required service obligation.

(c) Until the funds have been fully expended, the Agency of Human Services shall provide quarterly reports to the House Committees on Appropriations, on Health Care, and on Human Services; the Senate Committees on Appropriations and on Health and Welfare; and the Health Reform Oversight Committee with information on the following:

(1) the specific designated and specialized service agencies that have received funds to date and the programs within each of those agencies in which the financial assistance recipients will deliver services;

(2) the amount of financial assistance funding provided to each recipient;

(3) the specific degrees or certificates toward which the tuition assistance recipients are working and those earned by loan repayment recipients; and

(4) the number of new employees attracted to the designated and specialized service agencies as a result of the financial assistance, their fields of study, and the programs in which they deliver services.

Sec. E.311.1. 18 V.S.A. § 33 is amended to read:

§ 33. UNIVERSITY OF VERMONT COLLEGE OF MEDICINE;
MEDICAL STUDENT INCENTIVE SCHOLARSHIP PROGRAM

(a) The Department of Health, in collaboration with the Office of Primary Care and Area Health Education Centers Program (AHEC) at the University of Vermont College of Medicine (AHEC) and the Vermont Student Assistance Corporation (VSAC), shall establish a ~~primary care physician scholarship program~~ Medical Student Incentive Scholarship Program at the University of Vermont College of Medicine. The purpose of the Program is to strengthen the workforce pipeline and increase the number of new physicians practicing in Vermont to meet the health care needs of Vermonters, with a focus on rural areas and undersupplied medical specialties. The scholarships shall cover the medical school tuition for up to five third-year and up to five fourth-year medical students annually who commit to practicing primary care in a rural area of this State or in a Vermont federally qualified health center's service area, in a setting or practice not owned by an academic medical center. For each academic year of tuition covered by the scholarship, the recipient shall incur an obligation of two years of full-time service or four years of half-time service. Students receiving a scholarship for their third year of medical school shall be eligible to receive another scholarship for their fourth year of medical school. The amount of each scholarship shall be set at the in-state tuition rate less any other State or federal educational grant assistance the student receives for the same academic year.

(b)(1) Scholarships shall be awarded to up to 10 students annually who commit to practicing in a medical specialty priority area, as set forth in subdivision (c)(2) of this section, in a region of Vermont other than Chittenden County, in a practice site that is not owned by an academic

medical center and that accepts patients who are covered by Medicaid, Medicare, or other publicly funded health benefit program.

(2) Students shall be eligible to participate in the Medical Student Incentive Scholarship Program in their third and fourth year of medical school. A student who receives an incentive scholarship for the third year of medical school shall be eligible to receive another incentive scholarship for the fourth year of medical school.

(3) Each incentive scholarship award shall be for an amount not less than the in-state tuition rate for the University of Vermont College of Medicine.

(c)(1) For each academic year of incentive scholarship received, the recipient shall incur a full-time service obligation of not less than one year in a medical specialty priority area and in a setting that meets the requirements of subdivision (b)(1) of this section.

(2) The medical specialty priority area shall be primary care; Approved specialties shall be all of the specialties recognized by the National Health Service Corps at the time of the scholarship award, which may include family medicine, internal medicine, adult primary care, pediatrics primary care, obstetrics-gynecology, and psychiatry.

(e)(3) An incentive scholarship recipient who does not fulfill the service obligation commitment to practice primary care in Vermont in accordance with the terms of the award shall be liable for repayment of the full amount of the scholarship, plus interest calculated in accordance with the formula determined by the National Health Service Corps for failure to complete a service obligation under that program and penalty.

(d)(1) The Medical Student Incentive Scholarship Program shall be administered in compliance with federal financial aid regulations and the Internal Revenue Code.

(2) Payments shall be made directly to the recipient's University of Vermont student financial services account.

(3) The full terms and conditions of the award shall be described in the award contract or promissory note and shall be binding once the contract or note is fully executed.

(4) AHEC and VSAC shall enter into a memorandum of understanding establishing their respective responsibilities for administering the Medical Student Incentive Scholarship Program. The memorandum of understanding shall be subject to the approval of the Department of Health.

(e)(1) The Commissioner of Health, in consultation with AHEC and VSAC, may establish additional medical specialties, recipient eligibility criteria, selection criteria, award terms and conditions, and evidence-based best practices to meet the purposes of the Medical Student Incentive Scholarship Program on an annual basis to best respond to Vermont's needs for physician workforce and access to health care.

(2) The Commissioner of Health may adopt rules in accordance with 3 V.S.A. chapter 25 in order to plan, implement, maintain, and evaluate the Medical Student Incentive Scholarship Program established in this section.

Sec. E.311.2 2020 Acts and Resolves No. 155, Sec. 7a is amended to read:

Sec. 7a. SUNSET

18 V.S.A. § 33 (medical students; primary care) is repealed on July 1, 2022 2027.

Sec. E.311.3 NURSE SCHOLARSHIP AND UNIVERSITY OF VERMONT COLLEGE OF MEDICINE; MEDICAL STUDENT INCENTIVE SCHOLARSHIP PROGRAM; APPROPRIATION

(a) Of the Global Commitment funds appropriated in Sec. B.311 of this act to the Department of Health, the sum of \$2,272,727 shall be transferred to Vermont Student Assistance Corporation in fiscal year 2022 for scholarships for nurse students who commit to practice in Vermont and for medical students who commit to practicing primary care in this State in accordance with 18 V.S.A. § 33. The Medical Student Incentive funds shall be available for distribution following approval of the initial memorandum of understanding between the Office of Primary Care and Area Health Education Centers Program at the University of Vermont College of Medicine (AHEC) and the Vermont Student Assistance Corporation (VSAC).

Sec. E.312 HEALTH – PUBLIC HEALTH

(a) AIDS/HIV funding.

(1) In fiscal year 2022, and as provided in this section, the Department of Health shall provide grants in the amount of \$475,000 in AIDS Medication Rebates special funds to the Vermont AIDS service and peer-support organizations for client-based support services. The Department of Health AIDS Program shall meet at least quarterly with the Community Advisory Group (CAG) with current information and data relating to service initiatives. The funds shall be allocated according to an RFP process.

(2) Ryan White Title II funds for AIDS services and the Vermont Medication Assistance Program (VMAP) shall be distributed in accordance with federal guidelines. The federal guidelines shall not apply to programs or services funded solely by State general funds.

(3)(A) The Secretary of Human Services shall immediately notify the Joint Fiscal Committee if at any time there are insufficient funds in VMAP to assist all eligible individuals. The Secretary shall work in collaboration with persons living with HIV/AIDS to develop a plan to continue access to VMAP medications until such time as the General Assembly can take action.

(B) As provided in this section, the Secretary of Human Services shall work in collaboration with the VMAP Advisory Committee, which shall be composed of not less than 50 percent of members who are living with HIV/AIDS. If a modification to the program's eligibility requirements or benefit coverage is considered, the Committee shall make recommendations regarding the program's formulary of approved medication, related laboratory testing, nutritional supplements, and eligibility for the program.

(4) In fiscal year 2022, the Department of Health shall provide grants in the amount of \$100,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for community-based HIV prevention programs and services. These funds shall be used for HIV/AIDS prevention purposes, including syringe exchange programs; improving the availability of confidential and anonymous HIV testing; prevention work with at-risk groups such as women, intravenous drug users, and people of color; and anti-stigma campaigns. Not more than 15 percent of the funds may be used for the administration of such services by the recipients of these funds. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health and the Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers.

(5) In fiscal year 2022, the Department of Health shall provide grants in the amount of \$150,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for syringe exchange programs. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health, the Vermont AIDS service organizations, and other Vermont HIV/AIDS prevention providers. The performance period for these grants will be State fiscal year 2022. Grant reporting shall include outcomes and results.

(6) In fiscal year 2022, the Department of Health shall not reduce any grants to the Vermont AIDS service and peer-support organizations from funds appropriated for AIDS/HIV services to levels below those in fiscal year 2020 without receiving prior approval from the Joint Fiscal Committee.

Sec. E.318 EDUCATIONAL AND EXPERIENTIAL VARIANCE

(a) For individuals operating or employed in a registered family child care home or as a director or teacher associate in a center-based program for 10 or more years prior to September 1, 2016, the Commissioner for Children and Families or designee may issue a variance to the Child Development Division's rule regarding educational and experiential requirements to allow an individual to maintain employment in that same role regardless of whether the family child care provider, family child care assistant, director, or teacher associate intends to attain the otherwise necessary educational requirements. To be eligible for a variance, the family child care provider, family child care assistant, director, or teacher associate shall:

(1) work continuously in a regulated program with a full license in good standing; and

(2) meet the Division's educational and experiential requirements in place prior to the adoption of the new rule, which was effective beginning on September 1, 2016.

(b) The Commissioner or designee shall review any violation occurring in a regulated program where a family childcare provider, family child care assistant, director, or teacher associate is under variance and may revoke the variance granted by this section depending upon the seriousness and circumstances of the violation.

(c) Any variance granted under this section shall be terminated on July 1, 2024, and extensions shall not be granted beyond that date.

Sec. E.318.1 DEPARTMENT FOR CHILDREN AND FAMILIES; SPECIALIZED CHILD CARE TRANSPORTATION

(a) It is the intent of the General Assembly that there be no reduction in specialized childcare transportation services provided by the Department for Children and Families resulting from a statewide transportation contract. Should a more cost-effective, coordinated system of specialized child care transportation not be attainable by the move to a statewide contract in fiscal year 2022, the program shall revert to a commensurate base funding level and program parameters that were in place during fiscal year 2021. Any changes to transportation services shall not decrease the expeditious authorization of services to families.

(b) On or before November 1, 2021, the Department for Children and Families shall submit a written report to the House Committees on Appropriations and on Human Services; and the Senate Committees on Appropriations and on Health and Welfare outlining the outcome of the statewide transportation Request for Proposal regarding transportation services. The report shall identify the average number of children served under the Specialized Transportation Services program by region in fiscal year 2021 and the average number of number of children served under the Specialized Transportation Services program by region in July, August, and September 2021.

Sec. E.318.2 CHILD CARE PROVIDER STABILIZATION GRANTS

(a) Of the funds provided in fiscal year 2022 in Sec. B.318 of this act, \$800,000 is allocated for the purpose of expanding infant and toddler child care capacity.

(b) The Division shall award grants to eligible applicants. An eligible applicant shall:

(1) be a new or existing regulated, privately owned center-based childcare program or family child care home in good regulatory standings;

(2) participate in the Childcare Financial Assistance Program (CCFAP);

(3) provide year-round, full day childcare and early learning services;

(4) provide childcare and early learning services for infants and toddlers; and

(5) participate in the Step Ahead Recognition System (STARS).

(c) Center-based childcare program or family child care homes receiving a grant pursuant to this section shall remain in compliance with the Division's rules, continue participation in STARS, and maintain enrollment of children supported by CCFAP.

Sec. E.318.3 AMERICAN RESCUE PLAN ACT OF 2021; CHILD CARE STABILIZATION GRANTS: APPROPRIATION AND PLAN REQUIREMENT

(a) In fiscal year 2022, the amount of \$14,700,000 is appropriated to the Department for Children and Families Division of Child Development from the Federal Funds available under the Child Care Stabilization Grants funding received by the State pursuant to the American Rescue Plan Act of 2021, Pub. L. No. 117-2. Of this appropriation, \$700,000 shall be allocated for current and prospective early childhood provider scholarships programs; \$1,800,000 shall be allocated for early childhood student loan repayment; and \$100,000

shall be transferred to Vermont Department of Labor for the pre-apprenticeship program in Early Childhood Education provided by Vermont Career and Technical Education centers.

(b) On or before September 1, 2021, the Department for Children and Families, in consultation with stakeholders, including individuals who are Black, Indigenous, and Persons of Color, shall submit a plan on the proposed use of the Child Care Stabilization Grants funding received by the State pursuant to the American Rescue Plan Act of 2021, Pub. L. No. 117-2, in excess of funds appropriated or authorized under subsection (a) of this section for review and acceptance by the Joint Fiscal Committee at their September 2021 meeting. The plan shall concurrently be provided to the Chairs of the House Committee on Human Services and of the Senate Committee on Health and Welfare for input prior to action by the Joint Fiscal Committee. To the extent permissible, the plan shall specifically address the fiscal impact of the pandemic on Head Start programs statewide.

(c) Notwithstanding 32 V.S.A. § 5, funds from the American Rescue Plan Act of 2021 Child Care Stabilization Grants Fund shall be deposited into the State Treasury and are hereby accepted and shall be spent subject to appropriation. Excess receipts authority may be granted only in the event that the appropriation in subsection (a) of this section are not sufficient to support childcare providers prior to the fiscal year 2022 budget adjustment process and the funds are used consistent with the plan accepted pursuant to subsection (b) of this section.

Sec. E.321 GENERAL/EMERGENCY ASSISTANCE HOUSING

(a) Funds appropriated to the Department for Children and Families in the General/Emergency Assistance program in fiscal year 2022 shall be used to provide emergency housing in accordance with program rules waived or varied under 2021 Acts and Resolves No, 6, Sec. 1. The purpose of emergency housing is to ensure short-term housing for vulnerable segments of the population experiencing homelessness and housing insecurity to the extent that such housing does not exceed hotel room and motel room capacity within the State and expenditures for such housing do not exceed available State and federal funds. The assistance provided under this section is not an entitlement and may be discontinued upon the expenditure of the appropriated funds.

(b) During the COVID-19 pandemic, the Department for Children and Families temporarily expanded eligibility for emergency housing through the General/Emergency Assistance program in response to the public health emergency. The General Assembly and the Administration acknowledge that this approach is neither financially nor programmatically sustainable. The Commissioner for Children and Families, in consultation with the emergency

housing working group established by the House Appropriations Committee, has identified and shall implement new emergency housing eligibility criteria. The new eligibility criteria shall remain in effect for the duration of fiscal year 2022 unless there is a need to expand eligibility in response to a public health emergency or other emergency.

(c) The Department for Children and Families is authorized to create 17 limited service positions to process applications for emergency housing and comply with federal funding requirements for State fiscal year 2022.

(d) The Commissioner for Children and Families may, by policy, provide emergency housing for a limited duration in adverse weather conditions when appropriate shelter space is not available.

Sec. E.321.1 HOUSING ASSISTANCE BENEFITS
FLEXIBILITY PROGRAM; COMMUNITY
BASED ALTERNATIVES TO GENERAL
ASSISTANCE EMERGENCY HOUSING

(a) For fiscal year 2022, the Department for Children and Families may continue to fund housing assistance programs within the General Assistance program to create flexibility to provide General Assistance benefits, as well as grants to support the establishment of community-based alternatives for temporary housing as part of the effort to reduce the number of individuals temporarily housed by the General Assistance program. The purpose of these housing assistance programs and community-based alternatives is to mitigate poverty and serve applicants more effectively than they are currently being served with General Assistance funds. Eligible activities shall include, among other things, the provision of shelter, overflow shelter, case management, transitional housing, deposits, down payments, rental assistance, upstream prevention, and related services that ensure that all Vermonters have access to shelter, housing, and the services they need to become safely housed. The Department may award grants to homeless and housing service providers for eligible activities. Where such housing assistance programs and grants are provided and community-based programs are established, the General Assistance rules shall not apply. The assistance provided under this section is not an entitlement and may be discontinued should there not be sufficient funds.

Sec. E.321.2 EMERGENCY HOUSING WORKGROUP

(a) The Department for Children and Families shall continue to use the General Assistance Emergency Housing Workgroup, convened in March 2021, to make recommendations to the Commissioner for Children and Families on the design and implementation of a sustainable, long-term plan for providing emergency housing for fiscal year 2023 that reduces or ends

reliance, or both, on the General/Emergency Assistance Motel Voucher Program. This workgroup shall consider investments needed to build local capacity to support emergency housing needs, which may include funding, training, technical assistance, and planning support. The Department for Children and Families and Workgroup shall also consider the Governor's proposed permanent housing initiative when developing its recommendations.

(b) On or before November 1, 2021, the Department for Children and Families shall submit a written report to the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare with recommendations on the development of a sustainable, long-term plan for emergency housing.

(c) The Department shall continue to engage interested local and statewide parties, including the Continua of Care, service providers, people with lived experience, and representatives of Vermont's health care system, in the design, implementation, and evaluation of housing assistance programs and community-based alternatives to General/Emergency Assistance emergency housing.

Sec. E.321.3 IMPLEMENTATION OF THE REPORT

(a) The Department for Children and Families shall implement the identified sustainable housing plan on July 1, 2022 in line with recommendations made in the November 1, 2021 written report. The Department for Children and Families shall take into consideration steps necessary to ensure an effective and efficient transition that reduces or ends reliance, or both on the General/Emergency Assistance Motel Voucher Program effective June 30, 2022.

Sec. E. 323 REACH UP – FISCAL YEAR 2022 ONE-TIME USE OF UNDERUTILIZED FUNDS

(a) To the extent that funds appropriated to the Reach Up program in fiscal year 2022 are not utilized as a result of caseload estimates being less than anticipated, funds shall carryforward and be used for a one-time payment to participating families in fiscal year 2023. The Department for Children and Families shall report to the Joint Fiscal Committee at their September 2022 meeting on the status of funds available and timing of one-time payments to participating families.

Sec. E.324 EXPEDITED CRISIS FUEL ASSISTANCE

(a) The Commissioner for Children and Families or designee may authorize crisis fuel assistance to those income-eligible households that have applied for an expedited seasonal fuel benefit but have not yet received it if

the benefit cannot be executed in time to prevent them from running out of fuel. The crisis fuel grants authorized pursuant to this section count toward the one crisis fuel grant allowed per household for the winter heating season pursuant to 33 V.S.A. § 2609(b).

Sec. E.325 DEPARTMENT FOR CHILDREN AND FAMILIES – OFFICE
OF ECONOMIC OPPORTUNITY

(a) Of the General Fund appropriation in Sec. B.325 of this act, \$6,699,440 shall be granted to community agencies for homeless assistance by preserving existing services, increasing services, or increasing resources available statewide. These funds may be granted alone or in conjunction with federal Emergency Solutions Grants funds. Funds shall be administered in consultation with the Vermont Coalition to end homelessness.

Sec. E.326 DEPARTMENT FOR CHILDREN AND FAMILIES – OEO –
WEATHERIZATION ASSISTANCE

(a) Of the Special Fund appropriation in Sec. B.326 of this act, \$750,000 is for the replacement and repair of home heating equipment.

Sec. E.327 REPEAL

33 V.S.A. chapter 58 (Woodside Juvenile Rehabilitation Center) is repealed.

Sec. E.335 CORRECTIONS APPROPRIATIONS; UNEXPENDED FUNDS
TRANSFER; JUSTICE REINVESTMENT; REPORT

(a) In fiscal year 2022, the Secretary of Administration may, upon recommendation of the Secretary of Human Services, transfer unexpended funds between the respective appropriations for correctional services; provided, however, that no transfer shall be made from correctional services out-of-state beds. At least three days prior to any such transfer being made, the Secretary of Administration shall report the intended transfer to the Joint Fiscal Office and shall report any completed transfers to the Joint Fiscal Committee at its next scheduled meeting.

(b) In fiscal year 2022, any unexpended funds for correctional services out-of-state beds shall be carried forward to fiscal year 2023, and the amount reported to the Joint Legislative Justice Oversight Committee in September 2022, to support community-based service programs. Funds may only be expended on community-based service programs upon approval of the House Committees on Appropriations and on Corrections and Institutions and the Senate Committees on Appropriations and on Judiciary following a recommendation from the Joint Legislative Justice Oversight Committee.

Sec. E.335.1 CORRECTIONAL OFFICERS; BODY-WORN CAMERA
POLICY AND DEPLOYMENT

(a) Deployment. The Department of Corrections shall not deploy body-worn cameras until it adopts a policy on their use, including the storage and retention of records, and trains its staff in accordance with the policy.

(b) Policy development. In developing the policy as required by this section, the Department shall:

(1) consider the implications of:

(A) the offender programming it provides; and

(B) the collective bargaining agreement it operates under; and

(2) consult with the Vermont Criminal Justice Council, the America Civil Liberties Union, the Prisoner's Rights Office, the Human Rights Commission, the Vermont State Employees' Association, statewide groups representing individuals with lived experience of incarceration, and any other stakeholder group as determined by the Department.

(c) Reports.

(1) The Department shall provide a progress report to the Joint Legislative Justice Oversight Committee on or before September 15, 2021 on the status of the policy development.

(2) On or before January 15, 2022, the Department shall present to the House Committee on Corrections and Institutions, the Senate Committee on Judiciary, and the House and Senate Committees on Government Operations its policy regarding the use of body-worn cameras for correctional officers.

(d) Funding. The Department shall identify the ongoing cost and funding source for the use of body-worn cameras, including training, data storage, and redaction, and report these findings to the Joint Fiscal and the Joint Justice Oversight Committees on or before September 15, 2021. The Department shall provide a report to the House and Senate Committees on Appropriations on or before February 15, 2022 on the status of its deployment of body-worn cameras for correctional officers.

Sec. E.337 COMMUNITY HIGH SCHOOL OF VERMONT; FISCAL
YEAR 2022

(a) It is the intent of the General Assembly that \$3,350,000 of funds from the Elementary and Secondary School Emergency Relief Fund, pursuant to Section 313(e) of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, and statewide education agency funds, appropriated to the Agency

of Education in Sec. B. 501 of this act, shall fund the Community High School of Vermont for fiscal year 2022.

Sec. E.338 CORRECTIONS - CORRECTIONAL SERVICES

(a) Notwithstanding 32 V.S.A. § 3709(a), the special funds appropriation of \$152,000 for the supplemental facility payments to Newport and Springfield shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

* * * K-12 Education * * *

Sec. E.500 Education – finance and administration

(a) The Global Commitment funds appropriated in Sec. B.500 of this act shall be used for physician claims for determining medical necessity of Individualized Education Programs (IEPs). These services are intended to increase access to quality health care for uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.502 Education – special education; formula grants

(a) Of the appropriation authorized in B.502 of this act and notwithstanding any other provision of law, an amount not to exceed \$3,966,265 shall be used by the Agency of Education in fiscal year 2022 as funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the Secretary shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d).

Sec. E.503 Education – state-placed students

(a) The Independence Place Program of the Lund Family Center shall be considered a 24-hour residential program for the purposes of reimbursement of education costs.

Sec. E.504.1 Education – flexible pathways

(a) Of the appropriation in Sec. B.504 of this act, \$2,100,000 from the Education Fund shall be distributed to school districts for reimbursement of high school completion services pursuant to 16 V.S.A. § 943(c).

(b) Notwithstanding 16 V.S.A. § 4025(b), of this Education Fund appropriation, the amount of:

(1) \$921,500 is available for dual enrollment programs, notwithstanding 16 V.S.A. § 944(f)(2);

(2) \$1,800,000 is available to support the Vermont Virtual High School;

(3) \$400,000 is available for secondary school reform grants;

(4) \$500,000 is available for the Vermont Academy of Science and Technology; and

(5) \$2,500,000 for Early College pursuant to 16 V.S.A. § 4011(e).

(c) Of this appropriation, \$921,500 from the General Fund is available for dual enrollment programs.

Sec. E.514 State teachers' retirement system

(a) In accordance with 16 V.S.A. § 1944(g)(2), the annual contribution to the State Teachers' Retirement System (STRS) shall be \$196,206,504 of which \$189,646,629 shall be the State's contribution and \$6,559,875 shall be contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944c.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$38,901,533 is the "normal contribution," and \$157,304,971 is the "accrued liability contribution."

Sec. E.515 RETIRED TEACHERS' HEALTH CARE AND MEDICAL BENEFITS

(a) In accordance with 16 V.S.A. § 1944b(b)(2), \$35,093,844 shall be contributed to the Retired Teachers' Health and Medical Benefits plan.

(b) \$13,835,778 is appropriated from the education fund for the normal cost of the Retired Teachers' Health and Medical Benefits plan.

Sec. E. 515.1 16 V.S.A § 1944b is amended to read:

§ 1944b. RETIRED TEACHERS' HEALTH AND MEDICAL BENEFITS FUND

* * *

(b) The Benefits Fund shall consist of:

* * *

(3) any monies pursuant to subsection ~~(e)~~(h) of this section; and

* * *

(h) Beginning on July 1, 2021, and annually thereafter, the annual contribution to be made to the Benefits Fund by the State shall be the sum of the following, each of which shall be made by separate appropriation:

(1) The amount determined by the State Treasurer to be necessary to pay all retiree health and medical benefits, including prescription drug

benefits, due in accordance with subsection 1942(p) and section 1944e of this title on a pay-go basis for the fiscal year; plus

(2) The amount determined in the most recent actuarial valuation to be the “normal cost” for the same fiscal year as set forth in subsection (1) of this section, which shall be appropriated from the Education Fund. For purposes of this subsection, the “normal cost” shall be the amount that, if contributed over each member’s prospective period of service, will be sufficient to provide for the payment of all future health and medical benefits after subtracting the unfunded actuarial liability and the total assets of the Benefits Fund. The “normal cost” shall be identified using the actuarial cost method known as “projected unit credit” and applying a rate of return equal to the most recently adopted actuarial rate of return pursuant to 3 V.S.A. § 523.

Sec. E.515.2 16 V.S.A § 4025(b)(4) is amended to read:

(4) To make payments to the Vermont Teachers’ Retirement Fund and the Retired Teachers’ Health and Medical Benefits Fund for the normal contribution in accordance with subsections 1944(c) and 1944b(h) of this title.

Sec. E.515.3 REPORT ON NORMAL COSTS AND OTHER
CHARGES TO BE PART OF SCHOOL BUDGETS.

(a) The Treasurer shall report on the following:

(1) The feasibility of moving the normal costs expenses from the Education Fund to local education agencies.

(2) Assessing federal grants for the normal costs of these benefits in a manner currently charged for teacher pensions whose funding is provided from federal grants or through federal reimbursement pursuant to § 1944c.

(3) Reimbursement for employer health care benefits through the Elementary and Secondary School Emergency Relief Fund. The report shall be submitted to the General Assembly on or before January 15, 2022.

* * * Higher Education * * *

Sec. E.600 University of Vermont

(a) The Commissioner of Finance and Management shall issue warrants to pay 1/12 of this appropriation in Sec. B.600 of this act to the University of Vermont on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$380,326 shall be transferred to EPSCoR (Experimental Program to Stimulate Competitive Research) for the purpose of complying with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. E.602 Vermont State Colleges

(a) The Commissioner of Finance and Management shall issue warrants to pay 1/12 of the appropriation in Sec. B.602 of this act to the Vermont State Colleges on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$427,898 shall be transferred to the Vermont Manufacturing Extension Center for the purpose of complying with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. E.602.1. 16 V.S.A. § 2187 is added to read:

§ 2187 PROPERTY TRANSACTIONS

Any sale, lease, demolition, or disposal of property by the Vermont State Colleges Corporation shall comply with the requirements of 32 V.S.A. § 962.

Sec. E.602.2 VERMONT STATE COLLEGES

(a) The Vermont State College (VSC) system shall transform itself into a fully integrated system that achieves financial stability in a responsible and sustainable way in order to meet each of these strategic priorities:

(1) Affordability. Ensure that student costs and debt obligations are not barriers to student access.

(2) Accessibility. Ensure that each VSC student, regardless of where the student's home campus is located, has increased access to academic opportunities, majors and courses across the statewide system.

(3) Relevance.

(A) Ensure that each VSC student is prepared for a lifelong career and personal success in the globally-competitive 21st century.

(B) Ensure that it offers educational programs that are:

(i) aligned with State workforce needs;

(ii) offered in a fiscally responsible manner; and

(iii) delivered in a manner that is relevant to current student and employer needs.

(b) VSC shall meet the following requirements during the transformation of its system required under subsection (a) of this section and shall accommodate the oversight of the General Assembly in so doing.

(1) VSC shall reduce its structural deficit by \$5,000,000.00 per year for five years through a combination of annual operating expense reductions and

increased enrollment revenues, for a total of \$25,000,000.00 by the end of fiscal year 2026. These reductions shall be structural in nature and shall not be met by use of one-time funds. The VSC Board of Trustees, through the Chancellor or designee, shall report the results of these structural reductions to the House and Senate Committees on Education and the House and Senate Committees on Appropriations annually during the Chancellor's budget presentation.

(2) The VSC Board of Trustees shall develop and implement a 10-year strategic plan for managing its physical assets that is fiscally sustainable, maintains reasonable net asset value, and meets the needs of Vermont learners. On or before March 1, 2022, the Chancellor shall present this Board approved plan to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

(3) VSC shall maintain its present campus locations as educational and student-support centers, recognizing that overall campus size, governance and operational structures as well as program and service offerings may change as circumstances require.

(4) Beginning in fiscal year 2022 and through 2031, the VSC Board of Trustees, acting through the Chancellor or designee, shall brief, as part of the Chancellor's annual budget proposal, the House and Senate Committees on Appropriations and the House and Senate Committees on Education on:

(A) enrollment levels in courses offered by VSC, reported on the basis of courses with fewer than five students, courses with five to nine students, courses with 10 to 14 students, and courses with 15 or more students, along with relevant information about these enrollment data;

(B) in order to demonstrate accessibility, the percentage of courses and programs offered by VSC on a statewide basis and on the formats in which they are offered;

(C) an assessment of affordability and accessibility within VSC and recommendations on how to improve them;

(D) retention statistics with corresponding trend lines and benchmarks;

(E) enrollment statistics that pertain to the student enrollment efforts authorized by the fiscal year 2022 Vermont budget bill with the net student revenue generated and discount rate applied in order to enroll the students, aggregated by cohort; and

(F) demographics of student enrollments aggregated by full-time and part-time students.

(5) To help optimize student opportunities, VSC shall complete implementation of seamless general education credit transfer between all of its constituent institutions by the end of fiscal year 2023.

(6) To ensure that VSC is meeting its responsibilities to Vermont businesses and communities, beginning in fiscal year 2022, the VSC Board of Trustees, through the Chancellor or designee, shall report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs, as part of the Chancellor's annual budget presentation, on advances in workforce readiness and meeting employer needs, including:

(A) employer and institutional partnerships with VSC;

(B) progress in meeting critical employer needs; and

(C) the number of degrees and credentials of value awarded.

(7) The VSC Board of Trustees, through the Chancellor or designee, shall provide, in a summary form, to the House and Senate Committees on Education and the House and Senate Committees on Appropriations, as part of the Chancellor's annual budget presentation, VSC's profit and loss statement based upon its annual October financial statement.

(8) The Chancellor shall ensure all VSC Board of Trustees policies are adhered to unless a process for an exception to a Board policy is used to situationally and temporarily amend a specific Board policy. The Chancellor shall establish policies and procedures to implement the Board approved transformation plan as developed by the Select Committee on Higher Education. The Chancellor shall report the status or progress of these Board policies, as part of the Chancellor's annual budget presentation, to the House and Senate Committees on Education.

(9) The Chancellor shall report by institution the overall net student revenue and institutional discounting of tuition metrics with relevant trends.

(10) Regarding the deficit reduction plan, the Chancellor shall report the activities that have generated expense cuts as well as activities that will result in enhanced revenues as well as future plans that will continue both efforts.

Sec. E.603 Vermont State Colleges – Allied Health

(a) If Global Commitment fund monies are unavailable, the total grant funding for the Vermont State Colleges shall be maintained through the General Fund or other State funding sources.

(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in this section to support the dental hygiene, respiratory therapy, and nursing programs that graduate approximately 315 health care providers annually. These graduates deliver direct, high-quality health care services to Medicaid beneficiaries or uninsured or underinsured persons, or both.

Sec. E.605 Vermont student assistance corporation

(a) Of the appropriation in B.605 of this act, \$25,000 is appropriated from the General Fund to the Vermont Student Assistance Corporation (VSAC) to be deposited into the Trust Fund established in 16 V.S.A. § 2845.

(b) Of the appropriated amount remaining after accounting for subsection (a) of this section, not less than 93 percent of this appropriation shall be used for direct student aid.

(c) Of the total one-time funds appropriated in this act to VSAC, an amount up to six percent, but not to exceed \$100,000 in a fiscal year, may be used for staff expenses associated with administering the funds. Funds shall not be used for indirect costs.

Sec. E.605.1 NEED-BASED STIPEND FOR DUAL ENROLLMENT AND EARLY COLLEGE STUDENTS

(a) The sum of \$82,500 is appropriated to the Vermont Student Assistance Corporation (VSAC) for dual enrollment and need-based stipend purposes) to fund a flat-rate, need-based stipend or voucher program for financially needy students enrolled in a dual enrollment course pursuant to 16 V.S.A. § 944 or in early college pursuant to 16 V.S.A. § 946 to be used for the purchase of books, cost of transportation, and payment of fees. VSAC shall establish the criteria for program eligibility. Funds shall be granted to eligible students on a first-come, first-served basis until funds are depleted.

(b) VSAC shall report on the program to the House Committees on Appropriations and on Commerce and Economic Development and to the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs on or before January 15, 2022.

Sec. E.709 10 V.S.A. § 1283 is amended to read:

§ 1283. CONTINGENCY FUND

* * *

(b) Disbursements under this subsection may be made for emergency purposes or to respond to other than emergency situations; provided, however, that disbursements in response to an individual situation that is not an emergency situation shall not exceed \$100,000.00 for costs attributable to

~~each of the subdivisions of this subsection~~ \$350,000.00 for a response to a release of a hazardous material, unless the Secretary has received the approval of the General Assembly, or the Joint Fiscal Committee, in case the General Assembly is not in session. Furthermore, the balance in the Fund shall not be drawn below the amount of \$100,000.00, except in emergency situations. If the balance of the Fund becomes insufficient to allow a proper response to one or more emergencies that have occurred, the Secretary shall appear before the Emergency Board, as soon as possible, and shall request that necessary funds be provided. Within these limitations, disbursements from the Fund may be made:

* * *

Sec. E.709.1 ENVIRONMENTAL CONTINGENCY FUND; PCB
TESTING IN SCHOOLS

(a) Notwithstanding 10 V.S.A. § 1283, of the funds transferred in Sec. D.101(a) of this act to the Environmental Contingency Fund, the Department of Environmental Conservation, in consultation with the Department of Health and the Agency of Education, shall use up to \$4,500,000 to complete air indoor quality testing for Polychlorinated Biphenyls (PCBs) in public schools and approved and recognized independent schools.

* * * Vermont Housing Finance Agency; Weatherization * * *

Sec. E.802 10 V.S.A. § 621 is amended to read:

§ 621. GENERAL POWERS AND DUTIES

The Agency shall have all of the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter, including those general powers provided a business corporation by 11A V.S.A. § 3.02 and those general powers provided a nonprofit corporation by 11B V.S.A. § 3.02 and including, without limiting the generality of the foregoing, the power to:

* * *

(22) issue bonds, notes, and other obligations secured by the property transfer tax revenues transferred to the Agency pursuant to 32 V.S.A. §9610(d); and

(23) develop a program to finance and promote housing weatherization using funds appropriated by the State, funds generated through issuing bonds, notes and other obligations of the Agency, and funds from other sources obtained through grants or other arrangements, giving priority to programs benefiting persons and families at or below 120 percent of median income

with high energy burdens and to programs to expand the pool of qualified weatherization contractors in the State.

* * * Transportation * * *

Sec. E.900 NOTIFICATION OF USE OF AMERICAN RESCUE PLAN
ACT FUNDS BY THE VERMONT AGENCY OF
TRANSPORTATION

(a) The Secretary of the Agency of Transportation shall provide a written report to the Joint Fiscal Committee prior to utilizing Federal American Rescue Plan Act (ARPA) funds in place of funds appropriated in the fiscal year 2022 budget. The written report is for informational purposes and will not require Joint Fiscal Committee approval. If the substitutions are included in the Administration's recommended fiscal year 2022 Budget Adjustment bill, a separate written report of these substitutions shall be submitted to the House and Senate Committees on Appropriations as part of the testimony on the budget adjustment.

* * * Collective Bargaining Agreements; Fiscal Year 2022 * * *

Sec. F.100 COLLECTIVE BARGAINING AGREEMENTS; FISCAL YEAR
2022

(a) This act fully funds the collective bargaining agreements between the State and the Vermont State Employees' Association and the State and the Vermont Troopers' Association for the period of July 1, 2021 through June 30, 2022. These collective bargaining agreements provide in fiscal year 2022 an average 1.9 percent step increase and 2.25 percent across-the-board increase for a total of 4.15 percent increase.

* * * Executive Branch; Exempt Employees; Fiscal Year 2022 * * *

Sec. F.101 EXECUTIVE BRANCH; EXEMPT EMPLOYEES;
PERMITTED SALARY INCREASES; FISCAL YEAR 2022

(a) Exempt employees in the Executive Branch may receive salary increases not to exceed the average rate of adjustment available to classified employees, which is 4.15 percent, in fiscal year 2022 beginning on July 4, 2021.

(b) The permitted increases set forth in subsection (a) of this section are consistent with the collective bargaining agreement between the State and the Vermont State Employees' Association for classified employees in the Executive Branch for fiscal year 2022.

Sec. F.102 EXECUTIVE BRANCH; EXEMPT AGENCY AND
DEPARTMENT HEADS, DEPUTIES, AND EXECUTIVE

ASSISTANTS; ANNUAL SALARY ADJUSTMENT AND
SPECIAL SALARY INCREASE OR BONUS

(a) For purposes of determining annual salary adjustments, special salary increases, and bonuses under 32 V.S.A. §§ 1003(b) and 1020(b), “the average rate of adjustment available to classified employees under the collective bargaining agreement” shall be, in fiscal year 2022, 4.15 percent.

Sec. F.103 32 V.S.A. § 1020 is amended to read:

§ 1020. SALARY ADJUSTMENT; APPROVAL OF GOVERNOR

(a) Compensation to be paid any officer or employee within the Executive Branch of State government shall be determined at the time the officer or employee is hired by the Governor or such person as the Governor shall designate, subject to any applicable statutory limits, other than:

(1) an employee in the classified service;

(2) a member of the uniformed State Police within the Department of Public Safety; or

(3) an officer or employee whose compensation is specifically fixed by statute, ~~shall be determined at the time the officer or employee is hired by the Governor or such person as the Governor shall designate subject to any applicable statutory limits.~~

(b)(1) Annually, subject to any applicable statutory salary limits, the Governor may grant annual salary adjustments to exempt employees who are deputies or executive assistants to department heads or are deputies or executive assistants to agency secretaries. The annual salary adjustment granted to any officer under this subsection shall not exceed the average of the total rate of adjustment available to classified employees under the collective bargaining agreement then in effect.

(2) In addition to the annual salary adjustment specified in this subsection, the Governor may grant a special salary increase or a bonus to any such officer whose job duties have significantly increased, or whose contributions to the State in the preceding year are deemed especially significant. Special salary increases or bonuses granted to any individual shall not exceed the average of the total rate of adjustment available to classified employees under the collective bargaining agreement then in effect.

(c)(1) The Governor may establish one or more compensation plans for other exempt employees which ~~that~~ provide for adjustments in salary based on changes in the duties performed, seniority, or other objective factors ~~which that the governor~~ Governor finds to be appropriate.

(2) The Governor may extend to such employees any adjustments to compensation not to exceed those available to classified employees provided under the collective bargaining agreement then in effect.

* * * Executive Branch; Miscellaneous Statutory Salaries;
Fiscal Year 2022 * * *

Sec. F.104 32 V.S.A. § 1003 is amended to read:

§ 1003. STATE OFFICERS

(a) Each elective officer of the Executive Department is entitled to an annual salary as follows:

	<u>Annual Salary as of July 7, 2019</u>	Annual Salary as of January 5, 2020	<u>Annual Salary as of July 4, 2021</u>
Governor	\$181,661	\$184,113	<u>\$191,754</u>
Lieutenant Governor	77,112	78,153	<u>81,396</u>
Secretary of State	115,190	116,745	<u>121,590</u>
State Treasurer	115,190	116,745	<u>121,590</u>
Auditor of Accounts	115,190	116,745	<u>121,590</u>
Attorney General	137,898	139,790	<u>145,591</u>

(b) The Governor may appoint each officer of the Executive Branch listed in this subsection at a starting salary ranging from the base salary stated for that position to a salary that does not exceed the maximum salary unless otherwise authorized by this subsection. The maximum salary for each appointive officer shall be 50 percent above the base salary. Annually, the Governor may grant to each of those officers an annual salary adjustment subject to the maximum salary. The annual salary adjustment granted to officers under this subsection shall not exceed the average of the total rate of adjustment available to classified employees under the collective bargaining agreement then in effect. In addition to the annual salary adjustment specified in this subsection, the Governor may grant a special salary increase subject to the maximum salary, or a bonus, to any officer listed in this subsection whose job duties have significantly increased, or whose contributions to the State in the preceding year are deemed especially significant. Special salary increases or bonuses granted to any individual shall not exceed the average of the total

rate of adjustment available to classified employees under the collective bargaining agreement then in effect.

(1) Heads of the following Departments and Agencies:

	<u>Base Salary as of July 7, 2019</u>	<u>Base Salary as of January 5, 2020</u>	<u>Base Salary as of July 4, 2021</u>
(A) Administration	\$109,849	\$111,332	<u>\$115,952</u>
(B) Agriculture, Food and Markets	109,849	111,332	<u>115,952</u>
(C) Financial Regulation	102,693	104,079	<u>108,398</u>
(D) Buildings and General Services	102,693	104,079	<u>108,398</u>
(E) Children and Families	102,693	104,079	<u>108,398</u>
(F) Commerce and Community Development	109,849	111,332	<u>115,952</u>
(G) Corrections	102,693	104,079	<u>108,398</u>
(H) Defender General	102,693	104,079	<u>108,398</u>
(I) Disabilities, Aging, and Independent Living	102,693	104,079	<u>108,398</u>
(J) Economic Development	93,155	94,413	<u>98,331</u>
(K) Education	109,849	111,332	<u>115,952</u>
(L) Environmental Conservation	102,693	104,079	<u>108,398</u>
(M) Finance and Management	102,693	104,079	<u>108,398</u>
(N) Fish and Wildlife	93,155	94,413	<u>98,331</u>
(O) Forests, Parks and Recreation	93,155	94,413	<u>98,331</u>
(P) Health	102,693	104,079	<u>108,398</u>
(Q) Housing and Community Development	93,155	94,413	<u>98,331</u>
(R) Human Resources	102,693	104,079	<u>108,398</u>
(S) Human Services	109,849	111,332	<u>115,952</u>
(T) Digital Services	109,849	111,332	<u>115,952</u>
(U) Labor	102,693	104,079	<u>108,398</u>

(V) Libraries	93,155	94,413	<u>98,331</u>
(W) Liquor and Lottery	93,155	94,413	<u>98,331</u>
(X) [Repealed.]			
(Y) Mental Health	102,693	104,079	<u>108,398</u>
(Z) Military	102,693	104,079	<u>108,398</u>
(AA) Motor Vehicles	93,155	94,413	<u>98,331</u>
(BB) Natural Resources	109,849	111,332	<u>115,952</u>
(CC) Natural Resources Board Chair	93,155	94,413	<u>98,331</u>
(DD) Public Safety	102,693	104,079	<u>108,398</u>
(EE) Public Service	102,693	104,079	<u>108,398</u>
(FF) Taxes	102,693	104,079	<u>108,398</u>
(GG) Tourism and Marketing	93,155	94,413	<u>98,331</u>
(HH) Transportation	109,849	111,332	<u>115,952</u>
(II) Vermont Health Access	102,693	104,079	<u>108,398</u>
(JJ) Veterans' Home	102,693	104,079	<u>108,398</u>

(2) The Secretary of Administration may include the Director of the Office of Professional Regulation in any pay plans that may be established under the authority of subsection 1020(c) of this title, provided the minimum hiring rate does not fall below a base salary, as of July 7, 2019 of ~~\$78,975.00~~ and as of January 5, 2020 of \$80,041.00 and as of July 4, 2021 of \$83,363.00.

(3) If the Chair of the Natural Resources Board is employed on less than a full-time basis, the hiring and salary maximums for that position shall be reduced proportionately.

(4) When a permanent employee is appointed to an exempt position, the Governor may authorize such employee to retain the present salary even though it is in excess of any salary maximum provided in statute.

* * *

(d) Notwithstanding the maximum salary established in subsection (b) of this section, the Defender General shall not receive compensation in excess of the compensation established for the Attorney General in this section.

(e) Notwithstanding the maximum salary established in subsection (b) of this section, the maximum salary for the Commissioner of Health ~~may~~ shall not exceed \$150,000.00.

* * * Judicial Branch; Statutory Salaries; Fiscal Year 2022 * * *

Sec. F.105 32 V.S.A. § 1003(c) is amended to read:

(c) The officers of the Judicial Branch named below shall be entitled to annual salaries as follows:

	Annual Salary as of July 7, 2019	Annual Salary as of January 5, 2020	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 4,</u> <u>2021</u>
(1) Chief Justice of Supreme Court	\$174,843	\$177,203	<u>\$184,557</u>
(2) Each Associate Justice	66,868	169,121	<u>176,140</u>
(3) Administrative judge <u>Judge</u>	166,868	169,121	<u>176,140</u>
(4) Each Superior judge	158,635	160,777	<u>167,449</u>
(5) [Repealed.]			
(6) Each magistrate	119,609	121,224	<u>126,255</u>
(7) Each Judicial Bureau hearing Officer	119,609	121,224	<u>126,255</u>

Sec. F.106 32 V.S.A. § 1141 is amended to read:

§ 1141. ASSISTANT JUDGES

(a)(1) Each assistant judge of the Superior Court shall be entitled to receive compensation in the amount of ~~\$183.38 a day as of July 7, 2019~~ and \$185.86 a day as of January 5, 2020 and \$193.57 a day as of July 4, 2021 for time spent in the performance of official duties and necessary expenses as allowed to classified State employees. Compensation under this section shall be based on a two-hour minimum and hourly thereafter.

(2)(A) The compensation paid to an assistant judge pursuant to this section shall be paid by the State except as provided in subdivision (B) of this subdivision (2).

(B) The compensation paid to an assistant judge pursuant to this section shall be paid by the county at the State rate established in subdivision

(a)(1) of this section when an assistant judge is sitting with a presiding Superior judge in the Civil or Family Division of the Superior Court.

(b) Assistant judges of the Superior Court shall be entitled to receive pay for such days as they attend court when it is in actual session, or during a court recess when engaged in the special performance of official duties.

Sec. F.107 32 V.S.A. § 1142 is amended to read:

§ 1142. PROBATE JUDGES

(a) The Probate judges in the several Probate Districts shall be entitled to receive the following annual salaries, which shall be paid by the State in lieu of all fees or other compensation:

	Annual Salary as of <u>July 7, 2019</u>	Annual Salary as of January 5, 2020	<u>Annual Salary</u> as of <u>July 4, 2021</u>
(1) Addison	\$62,540	\$63,384	<u>\$66,014</u>
(2) Bennington	79,060	80,127	<u>83,452</u>
(3) Caledonia	55,461	56,210	<u>58,543</u>
(4) Chittenden	131,939	133,720	<u>139,269</u>
(5) Essex	15,494	15,703	<u>16,355</u>
(6) Franklin	62,540	63,384	<u>66,014</u>
(7) Grand Isle	15,494	15,703	<u>16,355</u>
(8) Lamoille	43,660	44,249	<u>46,085</u>
(9) Orange	51,919	52,620	<u>54,804</u>
(10) Orleans	50,740	51,425	<u>53,559</u>
(11) Rutland	112,100	113,613	<u>118,328</u>
(12) Washington	86,138	87,301	<u>90,924</u>
(13) Windham	69,620	70,560	<u>73,488</u>
(14) Windsor	94,400	95,674	<u>99,644</u>

(b) Probate judges shall be entitled to be paid by the State for their actual and necessary expenses under the rules and regulations pertaining to classified State employees. The compensation for the Probate judge of the Chittenden District shall be for full-time service.

(c) All Probate judges, regardless of the number of hours worked annually, shall be eligible to participate in all employee benefits that are available to exempt employees of the Judicial Department.

* * * Sheriffs; Statutory Salaries; Fiscal Year 2022 * * *

Sec. F.108 32 V.S.A. § 1182 is amended to read:

§ 1182. SHERIFFS

(a) The sheriffs of all counties except Chittenden shall be entitled to receive salaries in the amount of ~~\$84,969.00 as of July 7, 2019~~ and ~~\$86,116.00 as of January 5, 2020~~ and \$89,690.00 as of July 4, 2021. The Sheriff of Chittenden County shall be entitled to an annual salary in the amount of ~~\$89,919.00 as of July 7, 2019~~ and ~~\$91,133.00 as of January 5, 2020~~ and \$94,915.00 as of July 4, 2021.

(b) Compensation under subsection (a) of this section shall be reduced by 10 percent for any sheriff who has not obtained Level III law enforcement officer certification under 20 V.S.A. § 2358.

* * * State’s Attorneys; Statutory Salaries; Fiscal Year 2022 * * *

Sec. F.109 32 V.S.A. § 1183 is amended to read:

§ 1183. STATE’S ATTORNEYS

(a) The State’s Attorneys shall be entitled to receive annual salaries as follows:

	<u>Annual Salary as of July 7, 2019</u>	<u>Annual Salary as of January 5, 2020</u>	<u>Annual Salary as of July 4, 2021</u>
(1) Addison County	\$114,934	\$116,486	<u>\$121,320</u>
(2) Bennington County	\$114,934	\$116,486	<u>\$121,320</u>
(3) Caledonia County	\$114,934	\$116,486	<u>\$121,320</u>
(4) Chittenden County	\$120,160	\$121,782	<u>\$126,836</u>
(5) Essex County	\$86,202	\$87,366	<u>\$90,992</u>
(6) Franklin County	\$114,934	\$116,486	<u>\$121,320</u>
(7) Grand Isle County	\$86,202	\$87,366	<u>\$90,992</u>
(8) Lamoille County	\$114,934	\$116,486	<u>\$121,320</u>

(9) Orange County	\$114,934	\$116,486	<u>\$121,320</u>
(10) Orleans County	\$114,934	\$116,486	<u>\$121,320</u>
(11) Rutland County	\$114,934	\$116,486	<u>\$121,320</u>
(12) Washington County	\$114,934	\$116,486	<u>\$121,320</u>
(13) Windham County	\$114,934	\$116,486	<u>\$121,320</u>
(14) Windsor County	\$114,934	\$116,486	<u>\$121,320</u>

* * *

* * * Appropriations * * *

Sec. F.111 PAY ACT APPROPRIATIONS; FISCAL YEAR 2022

(a) Executive Branch. The second year of the two-year agreements between the State of Vermont and the Vermont State Employees' Association for the Defender General, Non-Management, Supervisory, and Corrections bargaining units, and, for the purpose of appropriation, the State's Attorneys' offices bargaining unit, for the period of July 1, 2021 through June 30, 2022; the collective bargaining agreement with the Vermont Troopers' Association for the period of July 1, 2021 through June 30, 2022; and salary increases for employees in the Executive Branch not covered by the bargaining agreements shall be funded as follows:

(1) Fiscal year 2022.

(A) General Fund. The amount of \$10,033,806 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2022 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$4,250,000 is appropriated from the Transportation Fund to the Secretary of Administration for distribution to the Agency of Transportation and the Department of Public Safety to fund the fiscal year 2022 collective bargaining agreements and the requirements of this act.

(C) Other funds. The Administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the fiscal year 2022 collective bargaining agreements and the requirements of this act. The estimated amounts are \$15,775,278 from a special fund, federal funds, and other sources.

(D) Transfers. With due regard to the possible availability of other funds, for fiscal year 2022, the Secretary of Administration may transfer from

the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(2) This section shall include sufficient funding to ensure administration of exempt pay plans authorized by 32 V.S.A. § 1020(c).

(b) Judicial Branch.

(1) The Chief Justice of the Vermont Supreme Court may extend the provisions of the Judiciary's collective bargaining agreement to Judiciary employees who are not covered by the bargaining agreement.

(2) The second year of the two-year agreements between the State of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period of July 1, 2021 through June 30, 2022 and salary increases for employees in the Judicial Branch not covered by the bargaining agreements shall be funded as follows: the amount of \$978,648 is appropriated from the General Fund to the Judiciary to fund the fiscal year 2022 collective bargaining agreement and the requirements of this act.

(c) Legislative Branch. For the period of July 1, 2021 through June 30, 2022, the General Assembly shall be funded as follows: the amount of \$399,630 is appropriated from the General Fund to the Legislative Branch.

* * * Fiscal Year 2021; One-Time Payments * * *

Sec. F.112 FISCAL YEAR 2021; ONE-TIME PAYMENTS AUTHORIZED

(a) The Executive Branch is authorized to provide elected State officials whose salaries are set pursuant to 32 V.S.A. § 1003 (State officers), who did not otherwise receive a salary increase in fiscal year 2021, a one-time cash payment equivalent to the value of a 1.9 percent increase on their fiscal year 2020 salary.

(b) The Judicial Branch is authorized to provide judicial officers whose salaries are set pursuant to 32 V.S.A. §§ 1003 and 1141–1142, who did not otherwise receive a salary increase in fiscal year 2021, a one-time cash payment equivalent to the value of a 1.9 percent increase on their fiscal year 2020 salary.

* * * American Rescue Plan Act Appropriations * * *

* * * Intent and Other Funding * * *

Sec. G. 100 INVESTING THE AMERICAN RESCUE PLAN ACT
APPROPRIATIONS FOR ALL VERMONTERS

(a) The American Rescue Plan Act (ARPA) was enacted on March 11, 2021 and includes a \$1.05 billion grant of flexible aid for Vermont to be spent over the next four years. With these funds, and other federal or State funds, the General Assembly recognizes an unprecedented opportunity to strengthen Vermont’s economy and communities and make long-term investments that support all Vermonters.

(b) Appropriations of ARPA - Coronavirus State Fiscal Relief Funds available in fiscal year 2022 are made in the following sections by categorical areas. In some cases, one-time State general funds or other APRA funding sources are included for specific programs or projects providing comprehensive funding by category. All appropriations of ARPA funding in this act are made to the extent permitted by federal law and guidance. The appropriations below are summarized as follows:

(1) ARPA Coronavirus State Fiscal Relief Funds	\$478,500,000
(2) General funds	\$ 55,200,000
(3) Other ARPA funds	\$ 51,000,000
TOTAL	\$584,700,000

(c) Federal legislation providing additional funding for infrastructure investments is anticipated to be enacted in the fall of 2021. It is the intent of the General Assembly that the remaining appropriation of over \$500,000,000 ARPA - Coronavirus State Fiscal Relief Funds be made during the 2022 legislative session in the context of potential additional federal infrastructure funding and other federal funding, as well the updated forecast of available State funds at that time. To the extent that additional federal funding is available to the state prior to the 2022 legislative session that can offset unexpended fiscal year 2022 ARPA - Coronavirus State Fiscal Relief Funds appropriations, the Commissioner of Finance and Management shall provide a report to Joint Fiscal Committee by November 15, 2021 on such offsets under consideration for inclusion in the fiscal year 2022 Budget Adjustment Act. The intent of the appropriations below is to enable foundational investments that will transform and strengthen Vermont’s economy and communities and support all Vermonters.

* * * Health, Well-being, and Justice Investments * * *

Sec. G.200 INVESTMENTS FOR THE HEALTH AND WELL-BEING OF VERMONTERS

(a) \$11,100,000 in fiscal year 2022 is appropriated from ARPA - Coronavirus State Fiscal Relief Funds as follows:

(1) \$5,000,000 to the Department of Disabilities, Aging, and Independent Living (DAIL) to be used for grants to currently existing adult day service providers to support operating costs, program infrastructure, and COVID-19 related costs. On or before each quarter of fiscal year 2022 (July 1, 2021, October 1, 2021, January 1, 2022, and April 1, 2022), the Vermont Association of Adult Day Services shall provide a spreadsheet to the Department detailing the amount of grants needed by each program for each quarter. This appropriation may be adjusted to the extent that the Department, in coordination with the Agency of Human Services, determines that funding from the Global Commitment can be substituted as a result of the increased federal match of 10 percent in ARPA for home- and community-based services. The Department and the Agency of Human Services shall report to the Joint Fiscal Committee at the July or September meetings on the status of any such substitution. Any amount of this appropriation remaining at the end of fiscal year 2022 shall be carried forward and shall be used to support operating costs, program infrastructure, and COVID-19 related expenses. DAIL shall work with community partners to seek organizations interested in opening an Adult Day Center in the underserved regions where Adult Day Centers closed during the COVID-19 pandemic and shall request funding in the fiscal year 2022 budget adjustment process to provide restart grants.

(2) \$600,000 to the Department of Mental Health to fund a pilot mobile crisis intervention program in Rutland. It is the intent of the General Assembly that any continuation of this pilot program or expansion of the program to other areas of the State be designed and implemented in a manner that meets the requirements to draw federal Medicaid funding for these services as specified in ARPA.

(3) \$300,000 to the Department of Health to make grants of \$25,000 to cover the financial impacts of the ongoing COVID-19 pandemic at each of the recovery centers statewide.

(4) \$3,700,000 to the Department for Children and Families for one-time grants to Parent Child Centers for capital and program improvements.

(5) \$1,000,000 to the Department for Children and Families for a grant to the Vermont Foodbank to purchase food.

(6) \$500,000 to the Agency of Education to make grants to local education agencies for the purchase of locally produced foods.

Sec. G.201 JUSTICE SYSTEM INVESTMENTS

(a) \$16,400,000 in fiscal year 2022 is appropriated from ARPA - Coronavirus State Fiscal Relief Funds as follows:

(1) \$9,000,000 to the Judiciary for pandemic recovery response and justice system reopening in fiscal years 2022 and 2023. It is the intent of the General Assembly that portions of the appropriation made to the Judiciary under this section be spent for:

(A) the use of six-person juries in civil cases as authorized by the Court in the exercise of its emergency powers during a state of emergency; and

(B) a reduction of the backlog in child support cases, particularly in Bennington, Chittenden, and Rutland and counties.

(C) to address evictions backlog resulting from the pandemic related moratorium

(2) \$3,300,000 to the Department of State's Attorneys for pandemic recovery response and justice system reopening in fiscal years 2022 and 2023.

(A) Department of the State's Attorneys: A two-year limited service classified position, a victims advocate coordinator position is authorized in the in fiscal year 2022.

(3) \$2,700,000 to the Office of the Defender General for pandemic recovery response and justice system reopening in fiscal years 2022 and 2023.

(4) \$1,400,000 in fiscal year 2022 to the Vermont Center for Crime Victims Services:

(A) \$200,000 shall be used for grants to the Vermont Network Against Domestic and Sexual Violence for pandemic recovery response, and

(B) \$1,200,000 shall be used in manner consistent with the Victims Compensation Fund (21145).

* * * Workforce Development, Stabilization of Higher Education and Economic Development Investments * * *

Sec. G.300 WORKFORCE INVESTMENTS

(a) \$23,000,000 is appropriated from ARPA - Coronavirus State Fiscal Relief Funds as follows:

(1) \$2,000,000 in fiscal year 2022 to the Department of Labor for apprenticeship programs.

(2) \$1,850,000 in fiscal year 2021 to the Department of Forests, Parks and Recreation to be granted to the Vermont Youth Conservation Corps to establish the Vermont Serve, Learn, and Earn Program with other community partners to create meaningful paid service and learning opportunities for

young adults beginning in the Summer and Fall of 2021. These funds shall carryforward into fiscal year 2022.

(3) \$1,000,000 in fiscal year 2022 to the University of Vermont for matching funds for research grant opportunities related to COVID-19.

(4) \$5,750,000 in fiscal year 2022 to the Vermont Student Assistance Corporation for the following programs:

(A) \$1,000,000 for advancement grants in fiscal years 2022 and 2023;

(B) \$600,000 for aspiration grants in fiscal years 2022 and 2023;

(C) \$3,800,000 for 802Opportunity grants in fiscal years 2022 and 2023; and

(D) \$350,000 for a one-time investment in the Advance Vermont program to assist Vermonters seeking credentialing information and opportunities.

(5) \$12,400,000 in fiscal year 2022 to the Vermont State Colleges for the following programs:

(A) \$2,000,000 to provide funding for up to six credits or two courses in the 2022 – 2023 academic year, including wraparound services for Vermonters whose employment was impacted by the COVID-19 public health emergency since March 13, 2020.

(B) \$3,000,000 to provide degree completion scholarships for up to 30 credits towards a credential of value for adult learners who have earned at least 40 credits towards an undergraduate degree and have a gap in attendance of at least two years.

(C) \$2,000,000 to provide welcome home scholarships of \$5,000 per year or \$2,500 per semester for full-time students enrolled for 12 or more credits, or \$3,000 per year or \$1,500 per semester for part-time students, to Vermonters transferring from out-of-state institutions or returning to school after exiting in 2020–2021. This program’s mission is to incentivize students to come home to Vermont by transferring to Vermont State College System institutions and to complete their degree if they left school without finishing in 2020–2021.

(D) \$5,000,000 to provide free last dollar tuition for one year of undergraduate studies for critical occupation careers, including bookkeeping certificate, IT service desk specialist certificate, certified production technician, graphic design certificate, software and web development program, electrical and plumbing apprenticeships, dental hygiene, certificate

in accounting, small business management, radiologic science, and respiratory therapy. \$1,000,000 of these funds shall be allocated for paramedic/EMS programs. Funds may be used for practical nursing, childcare, nursing, and mental health counseling programs only after available federal and State financial aid is applied to ensure no cost to the student.

(E) \$400,000 for start-up cost for the Dental Therapy program.

Sec. G.301 STABILIZATION OF HIGHER EDUCATION INVESTMENTS

(a) \$53,200,000 in fiscal year 2022 is appropriated from ARPA - Coronavirus State Fiscal Relief Funds as follows:

(1) \$41,000,000 to the Vermont State Colleges, for the following:

(A) \$21,000,000 for pandemic related deficits from revenue loss and increased operating expenses.

(B) \$20,000,000 for system transformation over the next four years, \$8,000,000 of which will be utilized in fiscal year 2022.

(2) \$2,200,000 to the University of Vermont to offset the impact from level room and board fees.

(3) \$10,000,000 to the Secretary of Administration for equitable distribution, to be determined in consultation with the Association of Vermont Independent Colleges, among the 11 independent colleges. Distribution factors to be considered shall include ARPA funding guidelines and creating a floor to protect smaller schools. In order to qualify for funding from this appropriation, institutions must be accredited and chartered in Vermont.

(A) Prior to any expenditure under this appropriation, the Secretary shall develop a plan through meaningful consultation with stakeholders, including, the higher education community, the business community, and the workforce training community; the Regional Planning Commissions, other entities concerned with higher education. This plan shall consider the various needs of the institutions, the availability of alternative resources, and the economic contribution that they make to Vermont.

(B) The Agency shall also provide the public the opportunity to provide input and take such input into account when allocating the funding.

(C) A status report on the funding allocation shall be provided to the Chairs of the House and Senate Committees on Education, and to the Joint Fiscal Committee at the Joint Fiscal Committee's July meeting.

Sec. G.302 ECONOMIC DEVELOPMENT INVESTMENTS

(a) \$56,500,000 in fiscal year 2022 is appropriated from ARPA Coronavirus State Fiscal Relief Funds as follows:

(1) \$1,500,000 to the Agency of Commerce and Community Development to be used in the same manner as the Downtown Transportation and Related Capital Improvement fund established by 24 V.S.A. § 2796.

(2) \$11,000,000 to the Agency of Commerce and Community Development to be used in the same manner as the Brownfields Revitalization Fund established by 10 V.S.A. § 6654, except notwithstanding the grant limitations in 10 V.S.A. § 6654, projects supported by this appropriation will not be limited to \$200,000 grants per parcel. The Agency of Commerce and Community Development shall award the amount of \$1,000,000.00 in fiscal year 2022 to regional planning commissions for the purposes of brownfields assessment. In awarding funds under this section, the Secretary, in consultation with VAPDA, shall select one regional planning commission to administer these funds. To ensure statewide availability, the selected regional planning commission shall subgrant to regional planning commissions with brownfield programs, with not more than 10 percent of the funds being used for administrative purposes.

(3) \$2,000,000 to the Agency of Agriculture, Food and Markets for grants through the Working Lands Program.

(4) \$500,000 to the Agency of Agriculture, Food and Markets for grants to State fairs and field days organizations.

(5) \$1,150,000 to the Vermont Council on the Arts for technical assistance for cultural and arts organizations to enhance digital presence.

(6) \$11,000,000 to the Department of Economic Development to fund priority capital projects across the State as identified by the Regional Development Corporations or Regional Planning Commissions, or both.

(7) \$20,000,000 to Agency of Commerce and Community Development for Economic Recovery grants.

(8) \$1,500,000 to the Department for Children and Families, Office of Economic Opportunity, to be granted to the Community Action Agencies for the Statewide Community Action Network's Economic Micro Business Recovery Assistance for the COVID-19 Epidemic (EMBRACE) to assist the Vermont microbusiness owners impacted by COVID-19 and for new businesses started by individuals who have been impacted by the COVID-19 pandemic through layoffs, furloughs, reduced hours, or due to being employed in an industry that has been severely affected.

(9) \$1,000,000 to the University of Vermont to complete the startup of the Office of Engagement.

(10) \$800,000 to the Agency of Commerce and Community Development for technology-related grants.

(11) \$1,000,000 to the Agency of Commerce and Community Development for a Better Places grant program.

(12) \$1,900,000 to Agency of Commerce and Community Development for Working Community Challenge grants.

(13) \$150,000 to the Agency of Commerce and Community Development to provide outreach and technical for BIPOC owned businesses.

(14) 1,000,000 to the Agency of Commerce and Community Development to award grants for the new, remote, and relocated worker program.

(15) \$2,000,000 to the Department of Tourism and Marketing to promote Vermont's travel, recreation, culinary, arts, culture, agritourism, and heritage experiences to attract visitors and stimulate visitor spending with local attractions and small businesses in rural communities and throughout the State.

(b) \$1,200,000 in fiscal year 2022 is appropriated from the General Fund as follows:

(1) \$300,000 to the Agency of Commerce and Community Development to a two-year contract with a foreign trade representative.

(2) \$900,000 to the Agency of Commerce and Community Development to fund the Entrepreneurs' Seed Capital Fund to provide risk stage seed capital to Vermont businesses that have experienced economic disruption either through reduced business, new business formation, or through an unmanageable increase in new business due to the COVID-19 crisis.

* * * Addressing Homelessness, Housing Insecurity and

Increasing the Stock of Low- and Moderate-Income Housing * * *

Sec. G. 400 HOUSING AND HOMELESSNESS INVESTMENTS

(a) \$18,500,000 in fiscal year 2022 is appropriated from ARPA Coronavirus State Fiscal Relief Funds as follows:

(1) \$12,000,000 to Vermont Housing Conservation Board to provide housing and increase shelter capacity for Vermonters experiencing

homelessness. This allocation is designed for those populations who may be displaced from the hotel/motel voucher program or are currently without housing. Vermont Housing and Conservation Board shall distribute these funds in consultation with the Secretary of Human Services.

(2) \$5,000,000 to the Agency of Commerce and Community Development for the Vermont Housing Incentive Program (VHIP).

(3) \$1,500,000 to the Agency of Commerce and Community Development.

(A) \$650,000 shall be used by the Agency to provide technical assistance to municipalities on accessory dwelling and small lot development as well as bylaw modernization consistent with specifications enacted in the 2021 legislative session. This allocation may include grants to Regional Planning Commissions

(B) \$850,000 shall be used provide grants of \$75,000 to each Regional Planning Commission for increased workload from the pandemic.

(b) \$91,000,000 is appropriated from other funds as follows:

(1) \$40,000,000 in fiscal year 2021 is appropriated from the General Fund to the Vermont Housing and Conservation Board (VHCB) for affordable housing initiatives. These funds shall carryforward into fiscal year 2022 and are in addition to funding provided to VHCB in 2021 Acts and Resolves No. 9.

(2) \$36,000,000 of funds reserved by motion passed on February 11, 2021 by the Joint Fiscal Committee accepting the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-260) Emergency Rental Assistance Program grant is appropriated in fiscal year 2022 to the Department for Children and Families to implement the Emergency Housing Assistance Program in fiscal year 2022.

(3) \$15,000,000 in fiscal year 2022 is appropriated from funds received from the American Rescue Plan Act, 2021 (Pub. L. No. 117-2) Emergency Rental Assistance Program to the Department for Children and Families to supplement, continue, or extend, or any combination of the three, the Rental Assistance Program for Reach Up families as permissible by the Emergency Rental Assistance Program.

* * * Broadband Connectivity and
Technology Modernization Investments * * *

Sec. G. 500 BROADBAND CONNECTIVITY INVESTMENTS

(a) \$101,800,000 from ARPA - Coronavirus State Fiscal Relief Funds as follows:

(1) \$100,000,000 is appropriated in fiscal year 2022, from the ARPA State Fiscal Relief Fund consistent with H.360 in order to support and accelerate the State's goal of achieving universal access to reliable, high-quality, affordable broadband. It is the intent of the General Assembly that an additional \$50,000,000 be provided for statewide connectivity in fiscal year 2023 through fiscal year 2025 from this source or other State or federal funds that may become available.

(2) \$1,800,000 is appropriated in fiscal year 2021 to the E-911 Board for replace revenues anticipated to be available in the E-911 special fund. Half of this appropriation is intended to carryforward to fiscal year 2022.

Sec. G. 501 STATE TECHNOLOGY MODERNIZATION INVESTMENTS

(a) \$52,000,000 in fiscal year 2022 from ARPA - Coronavirus State Fiscal Relief Funds as follows:

(1) \$24,500,000 to the Department of Motor Vehicles to complete the first phase of the DMV IT system replacement of the 40-year-old mainframe applications.

(2) \$1,100,000 to the Department of Environmental Conservation for the second phase of the permit navigator - citizen facing permit portal.

(3) \$500,000 to Natural Resources Board for Act 250 scanning project – digitize land use records.

(4) \$12,800,000 to Agency of Administration for a Human Capital Management ERP upgrade - replacement of the HR system that tracks employee information, timesheets, and contracts, including a VANTAGE budget system upgrade and interface with the new HR system.

(5) \$1,500,000 to Agency of Digital Services cybersecurity – core infrastructure replacement and router replacements for public safety connections to the municipalities.

(6) \$1,000,000 to Agency of Commerce and Community Development (ACCD) for Salesforce grant management system – transitioning ACCD from an unwieldy grants program to a centralized grants system.

(7) \$1,700,000 to States' Attorneys and Sheriffs (SAS) for case management system - needed upgrade to SAS case management software;

(8) \$140,000 to the Defender General to complete a case management system upgrade.

(9) \$250,000 to the Secretary of State for completion of the Vermont Business Portal to provide digital access for Vermont-based businesses to at least four State agencies.

(10) \$4,500,000 to the Vermont Department of Labor (VDOL), of which \$3,500,000 is allocated for phase one of the UI modernization to begins replacement of mainframe applications for unemployment insurance and \$1,000,000 is allocated for the Joblink replacement to coordinate activities between ACCD and VDOL to better serve Vermonters. These funds shall be released only after approval of the Joint Information Technology Oversight Committee (JITOC). The JITOC is requested to review the breadth of scope, appropriateness of the proposed technology, experience record of the proposed vendor, reliability of the cost estimate, availability of dedicated department personnel for implementation and operation, and the proposed schedule and scope of future phases, where appropriate. The JITOC evaluation shall consider information provided by the Agency of Digital Services and any outside technical review or resource.

(11) \$4,010,000 to the Agency of Education for data systems related to licensing management, dual enrollment vouchers, and adult education and literacy programs.

(b) \$14,000,000 is appropriated from the General Fund in fiscal year 2022 as follows:

(1) \$4,500,000 to the Department for Children and Families for Bright Futures Information System replacement, and

(2) \$9,500,000 to Agency of Human Services IE project - Integrated Eligibility replaces Access.

* * * Weatherization and Other Climate Change Mitigation Investments * * *

Sec. G.600 CLIMATE ACTION INVESTMENTS

(a) \$31,000,000 in fiscal year 2022 is appropriated from ARPA - Coronavirus State Fiscal Relief Funds to be appropriated consistent with the Energy Savings Fund criteria established in 30 V.S.A. § 35, as follows:

(1) \$4,000,000 to the Department for Children and Families, Office of Economic Opportunity, Home Weatherization Assistance Program to be used in fiscal year 2022 and fiscal year 2023. Up to \$150,000 of these funds may be used for vermiculite remediation and home repair as part of home weatherization.

(2) \$9,000,000 to the Agency of Administration to grant to the Vermont Housing Finance Agency for financial support of housing weatherization

statewide. On or before January 31, 2022 and thereafter upon request from a legislative committee, the Vermont Housing Finance Agency shall issue a report to the General Assembly detailing the programs to which funds appropriated under this subdivision were provided. The report shall include the results of its investigations into on-bill to-the-meter billing and other methods to provide weatherization financing.

(3) \$5,000,000 to the Department of Public Service to grant to the Efficiency Vermont for the purpose of weatherization incentives. These funds shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be available for use by Efficiency Vermont through December 31, 2023.

(4) \$2,000,000 to the Department of Public Service to grant to Efficiency Vermont for the purpose of workforce development initiatives and to support the expansion of Neighborworks of Western Vermont's Heat Squad program. These funds shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be available for use by Efficiency Vermont through December 31, 2023.

(5) \$9,000,000 to the Department of Public Service to be used on the Affordable Community-Scale Renewable Energy Program, consistent with parameters of the Clean Energy Development Fund, to support the creation of renewable energy projects for Vermonters with low-income.

(6) \$1,500,000 to the Department for Children and Families to grant to the Community Action Agencies, to be used through December 31, 2024, to support at least five Financial and Clean Energy Coaches to assist Vermonters with low and moderate income in comprehensive financial coaching, including budgeting, debt reduction, credit building, and asset development, with an emphasis on reducing their reliance on carbon fuel-based technologies, and to support one statewide coordinator based at a Community Action Agency.

(7) \$500,000 to the Agency of Transportation to grant to the Community Action Agencies to support the MileageSmart Program, established in 2019 Acts and Resolves No. 59, Sec. 34, as amended.

(b) It is the intent of the General Assembly that \$100,000,000 in funding be provided to support the implementation of the Vermont Climate Action Plan between fiscal year 2023 and fiscal year 2025 from this source or other State or federal funds that may become available.

* * * Clean Water Investments * * *

Sec. G.700 WATER AND SEWER INVESTMENTS

(a) \$115,000,000 in fiscal year 2022 is appropriated from ARPA - Coronavirus State Fiscal Relief Funds as follows:

(1) \$10,000,000 for Stormwater Retrofit Projects as follows:

(A) \$5,500,000 to the Department of Environmental Conservation to provide three-acre stormwater permitting design and construction support for entities subject to the Vermont 3- 9050 Stormwater General Permit and to provide design and construction for practices necessary to restore impaired waters subject to flow restoration plans.

(B) \$1,000,000 to the Department of Forests, Parks and Recreation to support compliance with the 3-acre stormwater rule.

(C) \$3,500,000 to the Agency of Transportation for the implementation of three-acre and flow restoration protection and clean water compliance expenditures for transportation infrastructure and to fund the municipal grants in aid program to address stormwater runoff from municipal roads.

(2) \$10,000,000 to the Department of Environmental Conservation to support wastewater projects and pretreatment activities as follows:

(A) \$8,000,000 to support the design and construction of up to 10 community-scale water or decentralized wastewater projects, or both, to support underserved designated centers.

(B) \$2,000,000 to provide financial assistance to municipalities, Vermont businesses, and nonprofit entities to install or enhance pretreatment processes to address high strength or toxic wastes that otherwise require treatment at municipal expense by publicly owned treatment facilities.

(3) \$10,000,000 to the Department of Environmental Conservation to assist municipalities to design and construct projects to reduce or eliminate wet weather sewer overflows.

(4) \$5,000,000 to the Department of Environmental Conservation to reduce risk to public safety and the environment associated with State-owned dams.

(5) \$5,000,000 to make repairs or improvements to water and wastewater systems in Vermont homes to be allocated as follows:

(A) \$750,000 to the Department of Housing and Community Development to provide financial assistance or incentives for water system and water efficiency improvements as part of housing rehabilitation projects.

(B) \$4,250,000 to the Department of Environmental Conservation as follows:

(i) \$1,000,000 to increase the funds available for loan forgiveness to replace failed residential on-site wastewater and water supply systems.

(ii) \$3,250,000 to provide financial assistance or loan forgiveness to mobile home parks to improve drinking water, wastewater, stormwater, and drainage systems.

(6) \$10,000,000 to the Department of Environmental Conservation for allocation by the Clean Water Board established under 10 V.S.A § 1389, as part of their budget process in fiscal year 2022.

(7) \$50,000,000 shall carry forward to be used as follows:

(A) \$20,000,000 for allocation by the Clean Water Board established under 10 V.S.A § 1389 as part of their budget process in fiscal year 2023 and 2024;

(B) \$30,000,000 for allocation in fiscal year 2023 and 2024 by the Department of Environmental Conservation for drinking water, sewer, and stormwater infrastructure projects, including dam safety improvements and CSO abatement. The Department shall provide the General Assembly a list of the projects allocated for funding during the annual budget development process for fiscal years 2023 and 2024.

(8) \$15,000,000 to be used to the extent capital funds have been appropriated to projects supporting water and sewer infrastructure in fiscal year 2022 and capital appropriations can be offset for reuse for future capital construction projects in the fiscal years 2022 – 2023 capital budget adjustment process. On or before December 15, 2021, the Commissioner of Finance and Management shall review and recommend water and sewer infrastructure projects funded in fiscal year 2022 that could be funded with ARPA funds to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and to the Governor for the fiscal years 2022–2023 capital budget adjustment report.

Sec. G.701 CLEAN WATER THREE YEAR REVENUE ALLOCATION CHANGE

(a) In fiscal years 2022 through 2023, revenues from the meals and rooms taxes imposed under 32 V.S.A. chapter 225 shall be allocated by fiscal year notwithstanding 10 V.S.A. § 1388 (a)(4) and notwithstanding 32 V.S.A. § 435(b)(7) as follows:

(1) To the Clean Water Fund:

(A) Zero percent in fiscal year 2022.

(B) Two percent in fiscal year 2023.

(C) Four percent in fiscal year 2024.

(2) To the General Fund:

(A) Seventy-five percent in fiscal year 2022.

(B) Seventy-three percent in fiscal year 2023.

(C) Seventy-one percent in fiscal year 2024.

(b) It is the intent of the General Assembly that in fiscal year 2025 the allocation of meals and room taxes be allocated to the Clean Water Fund at six percent as specified in 10 V.S.A. § 1388(a)(4).

* * * Effective Dates * * *

Sec. H.100 EFFECTIVE DATES

(a) This section and Secs. B.1104 (fiscal year 2022 one-time transportation fund appropriations), C.100 through C.109 (fiscal year 2021 one-time appropriations, adjustment and amendments), E.234 (building efficiency goals), E.234.1 (Home Weatherization Assistance Program), E.234.2 (Public Utility Commission proceeding), E.234.3 (development of weatherization workforce and counseling services; reports), E.234.4 (Energy Saving Fund), F.112 (onetime salary payments authorized), G.300(a)(2) (workforce investments), G.400 (b)(1) (housing and homelessness related investments), and G.500 (a)(2)(E 911 funds) shall take effect upon passage.

(b) Sec. E.306.1 (Vermont Health Benefit Exchange) shall take effect on October 1, 2021.

(c) All remaining sections shall take effect on July 1, 2021.

(For text see House Journal March 35, 26, 2021)

NOTICE CALENDAR

Favorable with Amendment

S. 3

An act relating to competency to stand trial and insanity as a defense

Rep. LaLonde of South Burlington, for the Committee on Judiciary, recommends that the House propose to the Senate that the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

*** Competency to Stand Trial and Sanity at the Time of the Offense ***

Sec. 1. 13 V.S.A. § 4816 is amended to read:

§ 4816. SCOPE OF EXAMINATION; REPORT; EVIDENCE

(a) Examinations provided for in section 4815 of this title shall have reference to one or both of the following:

(1) ~~mental~~ Mental competency of the person examined to stand trial for the alleged offense; ~~and,~~

(2) ~~sanity~~ Sanity of the person examined at the time of the alleged offense.

(b) A competency evaluation for an individual thought to have a developmental disability shall include a current evaluation by a psychologist skilled in assessing individuals with developmental disabilities.

(c)(1) As soon as practicable after the examination has been completed, the examining psychiatrist or, if applicable under subsection 4816(b) of this title, the psychiatrist and the psychologist, if applicable, shall prepare a report containing findings in regard to each of the matters listed in applicable provisions of subsection (a) of this section. The report shall be transmitted to the court issuing the order for examination, and copies of the report sent to the State's Attorney, and, to the respondent, to the respondent's attorney if the respondent is represented by counsel, to the Commissioner of Mental Health, and, if applicable, to the Department of Disabilities, Aging, and Independent Living.

(2) If the court orders examination of both the person's competency to stand trial and the person's sanity at the time of the alleged offense, those opinions shall be presented in separate reports and addressed separately by the court. In such cases, the examination of the person's sanity shall only be undertaken if the psychiatrist or, if applicable under subsection 4816(b) of this title, the psychiatrist and the psychologist are able to form the opinion that the person is competent to stand trial, unless the defendant requests that the examinations occur concurrently. If the evaluation of the defendant's sanity at the time of the alleged offense does not occur until the defendant is deemed competent to stand trial, the psychiatrist or, if applicable under subsection 4816(b) of this title, the psychiatrist and the psychologist shall make a reasonable effort to collect and preserve any evidence necessary to form an opinion as to sanity if the person regains competence.

* * *

Sec. 2. 13 V.S.A. § 4820 is amended to read:

§ 4820. HEARING REGARDING COMMITMENT

(a) When a person charged on information, complaint, or indictment with a criminal offense:

(1) Is reported by the examining psychiatrist following examination pursuant to sections 4814–4816 of this title to have been insane at the time of the alleged offense.

(2) Is found upon hearing pursuant to section 4817 of this title to be incompetent to stand trial due to a mental disease or mental defect.

(3) Is not indicted upon hearing by grand jury by reason of insanity at the time of the alleged offense, duly certified to the court.

(4) Upon trial by court or jury is acquitted by reason of insanity at the time of the alleged offense; the court before which such person is tried or is to be tried for such offense, shall hold a hearing for the purpose of determining whether such person should be committed to the custody of the Commissioner of Mental Health. Such person may be confined in jail or some other suitable place by order of the court pending hearing for a period not exceeding 15 days.

(b) When a person is found to be incompetent to stand trial, has not been indicted by reason of insanity for the alleged offense, or has been acquitted by reason of insanity at the time of the alleged offense, the person shall be entitled to have counsel appointed from Vermont Legal Aid to represent the person. The Department of Mental Health and, if applicable, the Department of Disabilities, Aging, and Independent Living shall be entitled to appear and call witnesses at the proceeding.

Sec. 3. 13 V.S.A. § 4822 is amended to read:

§ 4822. FINDINGS AND ORDER; PERSONS WITH A MENTAL ILLNESS

(a) If the court finds that the person is a person in need of treatment or a patient in need of further treatment as defined in 18 V.S.A. § 7101, the court shall issue an order of commitment directed to the Commissioner of Mental Health that shall admit the person to the care and custody of the Department of Mental Health for an indeterminate period. In any case involving personal injury or threat of personal injury, the committing court may issue an order requiring a court hearing before a person committed under this section may be discharged from custody.

(b) An order of commitment issued pursuant to this section shall have the same force and effect as an order issued under 18 V.S.A. §§ 7611–7622, and a person committed under this order shall have the same status and the same

rights, including the right to receive care and treatment, to be examined and discharged, and to apply for and obtain judicial review of his or her case, as a person ordered committed under 18 V.S.A. §§ 7611–7622.

(c)(1) Notwithstanding the provisions of subsection (b) of this section, at least 10 days prior to the proposed discharge of any person committed under this section, the Commissioner of Mental Health shall give notice of the discharge to the committing court and State’s Attorney of the county where the prosecution originated. In all cases requiring a hearing prior to discharge of a person found incompetent to stand trial under section 4817 of this title, the hearing shall be conducted by the committing court issuing the order under that section. In all other cases, when the committing court orders a hearing under subsection (a) of this section or when, in the discretion of the Commissioner of Mental Health, a hearing should be held prior to the discharge, the hearing shall be held in the Family Division of the Superior Court to determine if the committed person is no longer a person in need of treatment or a patient in need of further treatment as set forth in subsection (a) of this section. Notice of the hearing shall be given to the Commissioner, the State’s Attorney of the county where the prosecution originated, the committed person, and the person’s attorney. Prior to the hearing, the State’s Attorney may enter an appearance in the proceedings and may request examination of the patient by an independent psychiatrist, who may testify at the hearing.

(2)(A) This subdivision (2) shall apply when a person is committed to the care and custody of the Commissioner of Mental Health under this section after having been found:

(i) not guilty by reason of insanity; or

(ii) incompetent to stand trial, provided that the person’s criminal case has not been dismissed.

(B)(i) When a person has been committed under this section, the Commissioner shall provide notice to the State’s Attorney of the county where the prosecution originated or to the Office of the Attorney General if that office prosecuted the case:

(I) at least 10 days prior to discharging the person from:

(aa) the care and custody of the Commissioner; or

(bb) a hospital or a secure residential recovery facility to the community on an order of nonhospitalization pursuant to 18 V.S.A. § 7618;

(II) at least 10 days prior to the expiration of a commitment order issued under this section if the Commissioner does not seek continued treatment; or

(III) any time that the person elopes from the custody of the Commissioner.

(ii) When the State's Attorney or Attorney General receives notice under subdivision (i) of this subdivision (B), the Office shall provide notice of the action to any victim of the offense for which the person has been charged who has not opted out of receiving notice.

(iii) As used in this subdivision (B), "victim" has the same meaning as in section 5301 of this title.

* * *

Sec. 4. Vermont Rule of Criminal Procedure 16.1 is amended to read:

RULE 16.1. DISCLOSURE TO THE PROSECUTION

(a) The Person of the Defendant.

(1) Notwithstanding the initiation of judicial proceedings, and subject to constitutional limitations, upon motion and notice a judicial officer may require the defendant to:

* * *

(H) provide specimens of ~~his~~ the defendant's handwriting; ~~and~~

(I) submit to a reasonable physical or medical inspection of ~~his~~ the defendant's body or, if notice is given by the defendant that sanity is in issue or that expert testimony will be offered as provided in Rule 12.1, to a reasonable mental examination by a psychiatrist or other expert; and

(J) submit to a reasonable mental examination by a psychiatrist or other expert when a court ordered examiner pursuant to 13 V.S.A. § 4814(a)(2) or (4) reports that a defendant is not competent to stand trial.

* * *

*** Reports and Studies ***

Sec. 5. CORRECTIONS; ASSESSMENT OF MENTAL HEALTH

SERVICES

(a) On or before January 1, 2022, the Departments of Corrections and of Mental Health shall jointly submit an inventory and evaluation of the mental health services provided by the entity with whom the Department of Corrections contracts for health care services to the House Committees on Corrections and Institutions, on Health Care, and on Judiciary and to the Senate Committees on Health and Welfare and on Judiciary.

(b) The evaluation shall include:

(1) a comparison as to how the type, frequency, and timeliness of mental health services provided in a correctional setting differ from those services available in the community, recognizing that comparison to currently available community services does not necessarily establish the standard of care for best practices;

(2) a comparison as to how the type, frequency, and timeliness of mental health services differ among Vermont correctional settings, including between men's and women's facilities, and from those mental health services provided to individuals under the care and custody of the Department of Corrections incarcerated in an out-of-state correctional facility;

(3) an assessment as to how the use of a for-profit entity with whom the Department of Corrections contracts for health care services affects costs or quality of care in correctional settings;

(4) an assessment as to whether the Department of Mental Health should provide oversight authority for mental health services provided by the entity with whom the Department of Corrections contracts for health care services; and

(5) information as to how the memorandum of understanding executed by the Departments of Corrections and of Mental Health impacts the mental health services provided by the entity with whom the Department of Corrections contracts for health care services and whether it is adequately addressing needs of those individuals with severe illness or in need of inpatient care.

(c) In conducting the work required by this section, the Departments of Corrections and of Mental Health shall ensure that social and racial equity issues are considered, including issues related to transgender and gender nonconforming persons.

Sec. 6. FORENSIC CARE WORKING GROUP

(a) On or before August 1, 2021, the Department of Mental Health shall convene a working group of interested stakeholders to provide recommendations necessary to carry out the provisions in subsections (b) and (c) of this section, including as appropriate:

(1) a representative from the Department of Corrections;

(2) a representative from the Department of Disabilities, Aging, and Independent Living;

(3) the Chief Superior Judge;

(4) a representative from the Department of State's Attorneys and Sheriffs;

(5) a representative from the Office of the Attorney General;

(6) a representative from the Office of the Defender General;

(7) the Director of Health Care Reform or designee;

(8) a representative appointed by Vermont Care Partners;

(9) a representative appointed by Vermont Legal Aid's Mental Health Project;

(10) a representative appointed by the Vermont Medical Society;

(11) three crime victims representatives, appointed by the Vermont Center for Crime Victim Services;

(12) the Mental Health Care Ombudsman established pursuant to 18 V.S.A. § 7259 or designee;

(13) a representative of the designated hospitals, appointed by the Vermont Association of Hospitals and Health Care Systems;

(14) three individuals with lived experience of mental illness, at least one of whom has lived experience of the criminal justice system or the civil commitment system, or both, appointed by Vermont Psychiatric Survivors;

(15) a representative appointed by the Vermont Developmental Disabilities Council; and

(16) any other interested party permitted by the Commissioner of Mental Health.

(b)(1) On or before February 1, 2022, the Department of Mental Health shall submit a preliminary report to the House Committees on Corrections and Institutions, on Health Care, and on Judiciary and to the Senate Committees on Health and Welfare and on Judiciary addressing:

(A) any gaps in the current mental health and criminal justice system structure;

(B) opportunities to:

(i) improve public safety and address the treatment needs for individuals incompetent to stand trial or who are adjudicated not guilty by reason of insanity; and

(ii) consider the importance of victims' rights in the forensic care process;

(C) competency restoration models used in other states, including both:

(i) models that do not rely on involuntary medication to restore competency; and

(ii) how cases where competency is not restored are addressed;

(D) models used in other states to determine public safety risks and the means used to address such risks, including guilty but mentally ill verdicts in criminal cases;

(E) due process requirements for defendants held without adjudication of a crime and presumed innocent;

(F) processes regarding other mental conditions affecting competence or sanity, including intellectual disabilities, traumatic brain injury, and dementia;

(G) models for forensic treatment, including inpatient treatment, community-based treatment, or other treatment models; and

(H) any additional recommendations to address the gaps in the current mental health and criminal justice system structures and opportunities to improve public safety and address the treatment needs for individuals incompetent to stand trial or who are adjudicated not guilty by reason of insanity.

(2) Based on the recommendations in the preliminary report submitted to the General Assembly pursuant to subdivision (1) of this subsection, the Department shall submit a second preliminary report to the Joint Legislative Justice Oversight Committee on or before July 1, 2022 as to whether or not a forensic treatment facility is needed in Vermont.

(3) On or before January 1, 2023, the Department shall submit a final report to the House Committees on Corrections and Institutions, on Health Care, and on Judiciary and to the Senate Committees on Health and Welfare and on Judiciary that refines and finalizes the recommendations made pursuant to subdivisions (1) and (2) of this subsection, including addressing the size, scope, and fiscal impact of any forensic treatment facility if one is recommended in subdivision (2).

(c) On or before February 1, 2022, the Department of Mental Health shall submit a report to the House Committees on Corrections and Institutions, on Health Care, and on Judiciary and to the Senate Committees on Health and Welfare and on Judiciary that assesses the necessity of notification to the prosecutor upon becoming aware that individuals on orders of

nonhospitalization pursuant to 18 V.S.A. § 7618 are not complying with the order or that the alternative treatment is not adequate to meet the individual's treatment needs, including any recommendations:

(1) necessary to clarify the process;

(2) addressing what facts and circumstances should trigger the Commissioner's duty to notify the prosecutor; and

(3) addressing steps that the prosecutor should take after receiving the notification.

(d)(1) In conducting the work required by this section, including evaluations for forensic treatment facility models pursuant to subdivision (b)(2) of this section, the working group shall ensure:

(A) that social and racial equity issues are considered, including issues related to transgender and gender nonconforming persons; and

(B) consistency with the General Assembly's policy in 18 V.S.A. § 7629(c) of working "toward a mental health system that does not require coercion or the use of involuntary medication."

(2) These considerations shall be reflected in the final report submitted pursuant to subdivision (b)(3) of this section and the report submitted pursuant to subsection (c) of this section.

(e) The Department shall access regional or national expertise to present models to the working group for review, including any model recommended by members of the working group.

(f) The final report submitted pursuant to subdivision (b)(3) of this section and the report submitted pursuant to subsection (c) of this section shall include proposed draft legislation addressing any identified needed changes to statute.

(g) Members of the working group who are neither State employees nor otherwise paid to participate in the working group in their professional capacity shall be entitled to per diem compensation and reimbursement of expenses for attending meetings as permitted under 32 V.S.A. § 1010.

(h) In fiscal year 2022, \$25,000.00 is appropriated to the Department from the General Fund to complete the work described in this section.

* * * Amendment of the Joint Legislative Justice Oversight Committee * * *

Sec. 7. 2 V.S.A. § 801 is amended to read:

§ 801. CREATION OF COMMITTEE

* * *

(b) The Committee shall be composed of ~~10~~ 12 members: ~~five~~ six members of the House of Representatives, who shall not all be from the same party, appointed by the Speaker of the House; and ~~five~~ six members of the Senate, who shall not all be from the same party, appointed by the Committee on Committees. In addition to one ~~member-at-large~~ member at large appointed ~~from each chamber, by the House~~ and two members at large appointed by the Senate, one appointment shall be made from each of the House and Senate Committees on Appropriations and on Judiciary, the Senate Committees on Health and Welfare and on Institutions, and the House Committees on Corrections and Institutions, on Health Care, and on Human Services.

* * *

* * * Effective Date * * *

Sec. 8. EFFECTIVE DATE

This act shall take effect on July 1, 2021.

(Committee vote: 11-0-0)

(For text see Senate Journal March 23, 2021)

Public Hearings

Joint public hearing to hear Vermont's unemployment insurance issues for employees and employers during the COVID pandemic

On Tuesday, May 4, 2021 from 5:00 p.m. to 7:00 p.m. the House Committee on Commerce and Economic Development and the House Committee on Government Operations will hold a joint public hearing to listen to employees and employers in Vermont about the issues faced with unemployment insurance during the COVID pandemic. The public is invited to register to speak at the hearing or submit written testimony.

To register as a speaker at the hearing, please sign up here:

<https://legislature.vermont.gov/links/public-hearing-unemployment>

Registrations will be accepted on a first-come, first-served basis, and testimony time will be limited to two minutes per person.

Registrations will be accepted on a first-come, first-served basis, and testimony time will be limited to two minutes per person.

To submit written testimony, please email an MS Word or PDF file to testimony@leg.state.vt.us

The hearing will be live streamed on the Legislature's Joint Committees YouTube channel here:

<https://legislature.vermont.gov/committee/streaming/shared-joint-committees>

Information Notice

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3)

JFO #3043 - \$4,284,369 from the US Dept of Education to the VT Agency of Education for assistance to VT's approved and recognized non-profit independent schools to address educational disruptions caused by COVID-19. Funds will be managed by the VT Agency of Education. *[NOTE: Funds will be used with the GEER EANS program: Governor's Emergency Education Relief (GEER) Emergency Assistance to Non-public Schools (EANS). This program is replacing Equitable Services in ESSER II and III. Please see this [overview](#) of how the funds will be used by the AOE to support independent schools.]* [JFO received 4/5/2021]

JFO #3044 – One (1) limited service position to the VT Dept. of Disabilities, Aging and Independent Living to develop a Northeast Network of mental health counselors familiar with farmer related stressors. Total first year amount of \$146,766 from the U.S. Department of Agriculture. Position has been approved for 1 year and is expected to be approved for 2 additional years. [JFO received 4/05/2021]

JFO #3045 - 48 (forty-eight) limited-service positions to carry out the ongoing work for an effective public health response to COVID-19. *[NOTE: Positions to be funded through ongoing CDC grants #2254 (Immunization) and #2478 (Epidemiology and Laboratory Capacity) previously approved in 2006 and 2010, respectively.]* [JFO received 4/13/2021]

JFO #3046 – One (1) limited service position, Grants Program Manager, to the VT Dept. of Economic Development to provide management, oversight and technical assistance to grantees. This position is funded through the Norther Border Regional Commission Capacity Grants through previously approved JFO Grant #2971. Position is for one year with expected approval for a second year. [JFO received 4/21/2021]

JFO #3047 – \$1,000,000 to the VT Department of Public Service from the Norther Border Regional Commission. Funds will be used to build out infrastructure and expand broadband throughout Vermont. This grant includes

a \$1.75M match as follows: \$1.5M from Act 154 (2020), \$60,000K from Act 79 (2019) and the rest from an existing position – Rural Broadband Technical Assistant. *[JFO received 4/21/2021]*