

House Calendar

Wednesday, March 23, 2022

79th DAY OF THE ADJOURNED SESSION

House Convenes at 1:00 PM

TABLE OF CONTENTS

Page No.

ACTION CALENDAR

Action Postponed Until March 23, 2022

Favorable with Amendment

H. 96 Creating the Truth and Reconciliation Commission Development Task Force	
Rep. Stevens for General, Housing, and Military Affairs	1890
Rep. Toleno for Appropriations	1901
Rep. Donahue Amendment	1903

NEW BUSINESS

Third Reading

H. 353 Pharmacy benefit management.....	1905
H. 464 The medical review process in the Reach Up program and Postsecondary Education Program eligibility.....	1905
H. 492 The structure of the Natural Resources Board.....	1905
H. 512 Modernizing land records and notarial acts law.....	1905
H. 624 Supporting creative sector businesses and cultural organizations...	1905
H. 635 Secondary enforcement of minor traffic offenses.....	1905
Rep. Shaw Amendment	1905

Committee Bill for Second Reading

H. 737 Setting the homestead property tax yields and the nonhomestead property tax rate.....	1907
Rep. Beck for Ways and Means	
H. 738 Technical and administrative changes to Vermont's tax laws.....	1907
Rep. Ode for Ways and Means	
Rep. Mulvaney Stanak Amendment	1907

Favorable with Amendment

H. 293 Creating the State Youth Council	
Rep. Mrowicki for Government Operations	1908
Rep. Scheu for Appropriations	1912
Rep. Harrison Amendment	1912
H. 410 The creation of the Artificial Intelligence Commission	
Rep. Rogers for Energy and Technology	1913
Rep. Feltus for Appropriations	1921
H. 553 Eligibility of domestic partners for reimbursement from the Victims Compensation Program	
Rep. Rachelson for Judiciary	1921
Rep. Townsend for Appropriations.....	1921
H. 661 Licensure of mental health professionals	
Rep. Vyhovsky for Government Operations	1922
Rep. Townsend for Appropriations.....	1927
Rep. Lippert et al Amendment	1927
H. 703 Promoting workforce development	
Rep. Kimbell for Commerce and Economic Development	1933
Rep. Till for Ways and Means	1963
Rep. Toleno for Appropriations	1965
H. 730 Alcoholic beverages and the Department of Liquor and Lottery....	1969
Rep. Birong for General, Housing and Military Affairs	
Rep. Elder for Ways and Means	1969

Favorable

H. 718 Approval of the dissolution of Colchester Fire District No. 1.....	1970
Rep. Lefebvre for Government Operations	
Rep. Brennan for Ways and Means.....	1970
H. 729 Miscellaneous judiciary procedures.....	1970
Rep. Norris for Judiciary	
Rep. Canfield for Ways and Means.....	1970
Rep. Squirrell for Appropriations.....	1970

Senate Proposal of Amendment to House Proposal of Amendment

S. 53 An act relating to exempting feminine hygiene products from the Vermont Sales and Use Tax.....	1970
---	------

NOTICE CALENDAR

Committee Bill for Second Reading

H. 740 Making appropriations for the support of government.....1976
Rep. Hooper for Appropriations

Favorable with Amendment

H. 736 The Transportation Program and miscellaneous changes to laws related to transportation.....1976
Rep. Lanpher for Transportation
Rep. Toleno for Appropriations 1976

Action Postponed Until March 24, 2022

Favorable with Amendment

H. 728 Opioid overdose response services..... 1978
Rep. Whitman for Human Services
Rep. Fagan for Appropriations1978

Action Postponed Until April 20, 2022

Governors Veto

H. 157 Registration of construction contractors..... 1978

Action Postponed Until May 17, 2022

Governors Veto

S. 30 An act relating to prohibiting possession of firearms within hospital buildings.....1979

ORDERS OF THE DAY

ACTION CALENDAR

Action Postponed Until March 23, 2022

Favorable with Amendment

H. 96

An act relating to creating the Truth and Reconciliation Commission
Development Task Force

Rep. Stevens of Waterbury, for the Committee on General, Housing, and Military Affairs, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. INTENT

It is the intent of the General Assembly to establish the Vermont Truth and Reconciliation Commission to:

(1) examine and begin the process of dismantling institutional, structural, and systemic discrimination in Vermont, both past and present, that has been caused or permitted by State laws and policies;

(2) establish a public record of institutional, structural, and systemic discrimination in Vermont that has been caused or permitted by State laws and policies; and

(3) identify potential actions that can be taken by the State to repair the damage caused by institutional, structural, and systemic discrimination in Vermont that has been caused or permitted by State laws and policies and prevent the recurrence of such discrimination in the future.

Sec. 2. 1 V.S.A. chapter 25 is added to read:

CHAPTER 25. TRUTH AND RECONCILIATION COMMISSION

§ 901. DEFINITIONS

As used in this chapter:

(1) “Commission” means the Vermont Truth and Reconciliation Commission, including its commissioners, committees, and staff.

(2) “Consultation” means a meaningful and timely process of seeking, discussing, and considering carefully the views of others in a manner that is cognizant of all parties’ cultural values.

(3) “Panel” means the Selection Panel established pursuant to section 904 of this chapter.

(4) “Record” means any written or recorded information, regardless of physical form or characteristics.

§ 902. VERMONT TRUTH AND RECONCILIATION COMMISSION;
ESTABLISHMENT; ORGANIZATION

(a) There is created and established a body corporate and politic to be known as the Vermont Truth and Reconciliation Commission to carry out the provisions of this chapter. The Truth and Reconciliation Commission is constituted a public instrumentality exercising public and essential government functions and the exercise by the Commission of the power conferred by this chapter shall be deemed and held to be the performance of an essential governmental function.

(b)(1) The Commission shall consist of three commissioners appointed pursuant to section 905 of this chapter and shall include one or more committees established by the commissioners to examine institutional, structural, and systemic discrimination caused or permitted by State laws and policies experienced by each of the following populations and communities in Vermont:

(A) individuals who identify as Native American or Indigenous;

(B) individuals with a physical or mental disability and the families of individuals with a physical or mental disability;

(C) individuals of color;

(D) individuals with French Canadian, French-Indian, or other mixed ethnic or racial heritage; and

(E) in the commissioners’ discretion, other populations and communities that have experienced institutional, structural, and systemic discrimination caused or permitted by State laws and policies.

(2)(A) Each committee shall consist of the commissioners and members appointed by the commissioners in consultation with the populations and communities identified pursuant to subdivision (1) of this subsection (b).

(B) The commissioners shall ensure that the members of each committee shall be broadly representative of the populations and communities who are the subject of that committees’ work.

(C) The commissioners may appoint not more than 30 committee members in the aggregate across all of the committees established pursuant to subdivision 906(a)(1) of this chapter.

(D) The commissioners shall determine the amount of an annual stipend to be paid to committee members, provided that not more than \$1,000.00 from monies appropriated by the State may be used for each committee member's annual stipend. Stipend payments shall be made from the Truth and Reconciliation Commission Special Fund.

(3) Nothing in this subsection shall be construed to require the Commission to examine institutional, structural, and systemic discrimination experienced by the populations and communities identified in subdivision (1) of this subsection in isolation or separately from each other.

§ 903. COMMISSIONERS

(a) Commissioners shall be full-time State employees and shall be exempt from the State classified system.

(b) The commissioners shall receive compensation equal to one-half that of a Superior Court Judge.

(c) The term of each commissioner shall begin on the date of appointment and end on July 1, 2026.

§ 904. SELECTION PANEL; MEMBERSHIP; DUTIES

(a)(1) The Selection Panel shall be composed of seven members selected on or before September 1, 2022 by a majority vote of the following:

(A) the Executive Director of Racial Equity or designee;

(B) the Executive Director of the Human Rights Commission or designee;

(C) one member, who shall not be a current member of the General Assembly, appointed by the Speaker of the House;

(D) one member, who shall not be a current member of the General Assembly, appointed by the Committee on Committees; and

(E) an individual appointed by the Chief Justice of the Vermont Supreme Court.

(2) The individuals identified in subdivision (1) of this subsection shall hold their first meeting on or before August 1, 2022 at the call of the Executive Director of the Human Rights Commission.

(3) Individuals selected pursuant to subdivision (1) of this subsection who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than two meetings. These payments shall be made from the Truth and Reconciliation Commission Special Fund.

(b)(1) The Selection Panel shall select and appoint the commissioners of the Truth and Reconciliation Commission as provided pursuant to section 905 of this chapter.

(2) To enable it to carry out its duty to select and appoint the commissioners of the Truth and Reconciliation Commission as provided pursuant to section 905 of this chapter, the Panel may:

(A) adopt procedures as necessary to carry out the duties set forth in section 905 of this chapter;

(B) establish and maintain a principal office;

(C) meet and hold hearings at any place in this State; and

(D) hire temporary staff to provide administrative assistance during the period from September 1, 2022 through January 15, 2023, provided that if the Panel extends the time to select commissioners pursuant to subdivision 905(c)(1) of this chapter, it may retain staff to provide administrative assistance through March 31, 2023.

(c) The term of each member of the Panel shall begin on the date of appointment and end on January 15, 2023, except if the Panel extends the time to select commissioners pursuant to subdivision 905(c)(1) of this chapter, the term of the Panel members shall end on March 31, 2023.

(d) The Panel shall select a chair and a vice chair from among its members.

(e)(1) Meetings shall be held at the call of the Chair or at the request of four or more members of the Panel.

(2) A majority of the current membership of the Panel shall constitute a quorum, and actions of the Panel may be authorized by a majority of the members present and voting at a meeting of the Panel.

(f) Members of the Panel shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than 20 meetings during fiscal year 2023. These payments shall be made from the Truth and Reconciliation Commission Special Fund.

§ 905. SELECTION OF COMMISSIONERS

(a)(1) Except as otherwise provided pursuant to subdivision (c)(1) of this section, the Selection Panel shall, on or before December 31, 2022, select three individuals to serve as the commissioners of the Vermont Truth and Reconciliation Commission.

(2) In carrying out its duty to select the commissioners, the Panel shall:

(A) Establish a public, transparent, and simple process for candidates to apply to serve as a commissioner.

(B) Publicize the application process, deadlines, and requirements to serve as a commissioner through media outlets, civil society organizations, and any other forms of public outreach that the Panel determines to be appropriate.

(C) Solicit nominations for individuals to serve as commissioners from civil society organizations in Vermont whose work relates to the mission of the Commission.

(D) Invite Vermont residents to submit applications to serve as commissioners.

(E) Publish the names of all applicants who have applied to serve as commissioners and provide not less than 30 days for members of the public to submit comments on the suitability of any applicant to serve as a commissioner. Public comments regarding an applicant shall only be considered by the Panel if the comment includes the name and contact information of the commenter. Comments received by the Panel shall be exempt from public inspection and copying pursuant to the Public Records Act and shall be kept confidential, except that comments that may be detrimental to an applicant's application shall be shared with the applicant and the applicant shall be provided with an opportunity to provide the Panel with a response to the comment.

(F) Hold one or more public hearings to provide an opportunity for members of the public to comment on the suitability of any finalist to serve as a commissioner.

(G) Hold public interviews for each individual selected by the Panel as a finalist for selection as a commissioner.

(H) Conduct criminal history record checks for finalists, provided that the Panel shall only consider felony convictions or convictions for crimes involving untruthfulness or falsification. A finalist who has been convicted of a felony or a crime involving untruthfulness or falsification shall be afforded

an opportunity to explain the information and the circumstances regarding the conviction, including postconviction rehabilitation.

(I) Take any other actions that the Panel deems appropriate or necessary to carry out its duties in relation to the selection of commissioners.

(3) The three commissioners selected by the Panel shall:

(A) be residents of Vermont;

(B) not be members of the Selection Panel;

(C) have knowledge of the problems and challenges facing the populations and communities identified pursuant to subdivision 902(b)(1)(A)–(D) of this chapter;

(D) have experience advocating in relation to the issues of the populations and communities identified pursuant to subdivision 902(b)(1)(A)–(D) of this chapter in Vermont;

(E) have demonstrated leadership in programs or activities to improve opportunities for the populations and communities identified pursuant to subdivision 902(b)(1)(A)–(D) of this chapter; and

(F) satisfy any additional criteria established by the Panel.

(b) Not later than five days after selecting the commissioners pursuant to subsection (a) of this section, the Panel shall submit a brief report to the Governor and the General Assembly identifying the commissioners. The names of the commissioners shall be made available to the public on the same day that the report is submitted.

(c)(1) If the Panel is unable to identify three suitable applicants on or before December 31, 2022, the Panel may by a majority vote extend the time to select commissioners to March 31, 2023.

(2) If the Panel extends the time to select commissioners pursuant to this subsection, the Panel shall, on or before January 5, 2023, submit a brief written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs providing notice of its decision to extend the time to select commissioners and its reasons for doing so and identifying any changes to the provisions of this chapter that may be necessary to enable the Panel to successfully identify and select commissioners.

§ 906. POWERS AND DUTIES OF THE COMMISSIONERS

(a) Duties. The commissioners shall:

(1) establish, in consultation with the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter and other interested parties in the commissioners' discretion, committees to examine institutional, structural, and systemic discrimination caused or permitted by State laws and policies that have been experienced by the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter;

(2) determine, in consultation with the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter, historians, social scientists, experts in restorative justice, and other interested parties in the commissioners' discretion, the scope and objectives of the work to be carried out by each committee established pursuant to subdivision (1) of this subsection;

(3) develop and implement a process for each committee established pursuant to subdivision (1) of this subsection to fulfill the objectives established pursuant to subdivision (2) of this subsection;

(4) work with the committees and Commission staff to carry out research, public engagement, and other work necessary to:

(A) identify and examine historic and ongoing institutional, structural, and systemic discrimination against members of the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter that has been caused or permitted by State laws and policies;

(B) determine the current status of members of the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter; and

(C) satisfy the scope of work and the objectives established pursuant to subdivision (1) of this subsection (a);

(5) work with the committees and Commission staff to identify potential programs and activities to create and improve opportunities for or to eliminate disparities experienced by the populations and communities that are the subject of the committees' work;

(6) work with the committees and Commission staff to identify potential educational programs related to historic and ongoing institutional, structural, and systemic discrimination against members of the populations and communities that are the subject of the committees' work;

(7) work in consultation with the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter, experts in

restorative justice, and, in the commissioners' discretion, other interested parties to ensure that the work of the Commission is open, transparent, inclusive, and meaningful;

(8) seek gifts, donations, and grants from public and private sources to support the Commission and its work; and

(9) supervise the work of the Executive Director of the Commission.

(b) Powers. To carry out its duties pursuant to this chapter, the commissioners may:

(1) Adopt rules in accordance with 3 V.S.A. chapter 25 as necessary to implement the provisions of this chapter.

(2) Adopt procedures as necessary to carry out the duties set forth in subsection (a) of this section.

(3) Establish and maintain a principal office.

(4) Meet and hold hearings at any place in this State.

(5) Consult with local, national, and international experts on issues related to discrimination, truth and reconciliation, and restorative justice.

(6) Interview and take statements from members of the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter; members of the public; and persons with knowledge of the institutional, structural, and systemic discrimination experienced by such populations and communities.

(7) Study, research, investigate, and report on the impact of State laws and policies on populations and communities identified pursuant to subdivision 902(b)(1) of this chapter. If the Commission determines that particular laws or policies caused or permitted institutional, structural, and systemic discrimination against a population or community, regardless of whether the discrimination was intentional or adversely impacted the population or community, the Commission may propose legislative or administrative action to the General Assembly or Governor, as appropriate, to remedy the impacts on the population or community.

(8) Enter into cooperative agreements with private organizations or individuals or with any agency or instrumentality of the United States or of this State to carry out the provisions of this chapter.

(9) Make and execute legal documents necessary or convenient for the exercise of its powers and duties under this chapter.

(10) Hire consultants and independent contractors to assist the Commission in carrying out the provisions of this chapter.

(11) Take any other actions necessary to carry out the provisions of this chapter.

§ 907. EXECUTIVE DIRECTOR; DUTIES

(a) The Commissioners shall appoint an Executive Director, who shall be an individual with experience in relation to racial justice or advocating on behalf of historically disadvantaged groups. The Executive Director shall be a full-time State employee, shall be exempt from the State classified system, and shall serve at the pleasure of the commissioners.

(b) The Executive Director shall be responsible for the following:

(1) supervising and administering the implementation of the provisions of this chapter on behalf of the commissioners;

(2) assisting the commissioners in carrying out their duties;

(3) ensuring that the Commission has the resources and staff assistance necessary to collect historical materials, take statements from individuals, hold public hearings and events, and prepare and publish reports and other documents;

(4) facilitating communications between the Commission and members of the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter, interested parties, and members of the public;

(5) hiring staff, including researchers and administrative and legal professionals, as necessary to carry out the duties of the Commission; and

(6) preparing an annual budget for submission to the commissioners.

§ 908. REPORTS

(a) On or before January 15, 2024, the Commission shall submit to the Governor and General Assembly an interim report on the Commission's progress to date, the committees established pursuant to subdivision 906(a)(1) of this chapter and the scope and objectives of their work, emerging themes and issues that the Commission has identified, and, if available, any preliminary findings and recommendations for legislative or other action that the Commission believes should be prioritized to address instances of institutional, structural, and systemic discrimination identified by the Commission.

(b)(1) On or before June 15, 2026, the Commission shall submit a final report incorporating the findings and recommendations of each committee.

Each report shall detail the findings and recommendations of the relevant committee and shall include recommendations for actions that can be taken to eliminate ongoing instances of institutional, structural, and systemic discrimination and to address the harm caused by historic instances institutional, structural, and systemic discrimination.

(2) The Commission shall, on or before January 15, 2026, make a draft of the final report publicly available and provide copies of the draft to interested parties from the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter and other interested parties. The Commission shall provide the interested parties and members of the public with not less than 60 days to review the draft and provide comments on it. The Commission shall consider fully all comments submitted in relation to the draft and shall include with the final version of the report a summary of all comments received and a concise statement of the reasons why the Commission decided to incorporate or reject any proposed changes. Comments submitted in relation to the final report shall be made available to the public in a manner that complies with the requirements of section 910 of this chapter.

(c) The Commission may, in its discretion, issue additional reports to the Governor, General Assembly, and public.

§ 909. TRUTH AND RECONCILIATION COMMISSION SPECIAL FUND

(a) There is established the Truth and Reconciliation Commission Special Fund, which shall be managed in accordance with 32 V.S.A. chapter 7, subchapter 5. The Fund shall consist of amounts appropriated by the State and any gifts, donations, or grants received by the Vermont Truth and Reconciliation Commission. The Fund shall be available to the commissioners to carry out the work of the Commission pursuant to this chapter and to the Selection Panel to carry out its duties pursuant to this chapter.

(b) The commissioners may seek and accept gifts, donations, and grants from any source, public or private, to be dedicated for deposit into the Fund.

§ 910. ACCESS TO INFORMATION; CONFIDENTIALITY

(a) Access to State records and information.

(1) The Commission shall have access to and the right to copy any record or other information held by all executive, administrative, and judicial agencies and departments and all instrumentalities of the State. All executive, administrative, and judicial agencies and departments and all instrumentalities of the State shall cooperate with the Commission with respect to any request

for access to any record or other information and shall provide all records or other information requested by the Commission to the extent permitted by law.

(2) The Commission shall keep confidential any information received from an executive, administrative, or judicial agency or department or an instrumentality of the State that is confidential or is exempt from the Public Records Act.

(b) Confidentiality requirements.

(1) Except as otherwise provided pursuant to subsection (c) of this section, information and records acquired by or provided to the Commission that would in any manner reveal an individual's identity shall be kept confidential and shall be exempt from public inspection and copying under the Public Records Act.

(2) The Commission shall not include the personally identifying information of any individual in any report that it produces without the express, written consent of the individual.

(c) Exceptions.

(1) Except as provided in subdivision (2) of this subsection, information and records acquired by or provided to the Commission shall only be available to the public in an anonymized form that does not reveal the identity of any individual.

(2) Information or records acquired by or provided to the Commission may be disclosed in a manner that would reveal the identity of an individual if that individual has provided their express, written consent to the disclosure of the information or record in a manner that would reveal their identity.

(d) Private proceedings.

(1) The Commission shall permit any individual who is interviewed by the Commission to elect to have their interview conducted in a manner that protects the individual's privacy and to have any recording of the interview kept confidential by the Commission. Any other record or document produced in relation to an interview conducted pursuant to this subdivision (d)(1) shall only be available to the public in an anonymized form that does not reveal the identity of any individual.

(2) The Commission shall adopt procedures and safeguards to ensure to the greatest extent possible that it does not conduct any interview in a manner that is open to the public if the interview will reveal the identities of individuals other than the interviewee without the express, written consent of those individuals.

Sec. 3. APPROPRIATION

The sum of \$550,000.00 is appropriated to the Truth and Reconciliation Commission Special Fund in fiscal year 2023.

Sec. 4. REPEAL

1 V.S.A. chapter 25 (Truth and Reconciliation Commission) is repealed on July 1, 2026.

Sec. 5. 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 creating the Vermont Truth and Reconciliation Commission”

(Committee Vote: 8-2-1)

Rep. Toleno of Brattleboro, for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on General, Housing, and Military Affairs and when further amended as follows:

First: In Sec. 2, 1 V.S.A. chapter 25, in section 902, by striking out subdivision (b)(2)(D) in its entirety and inserting in lieu thereof a new subdivision (b)(2)(D) to read as follows:

(D)(i) Except as otherwise provided pursuant to subdivision (ii) of this subdivision (2)(D), committee members shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than eight meetings per calendar year. These payments shall be made from monies appropriated to the Commission.

(ii) The commissioners may authorize committee members to receive per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for additional meetings in each calendar year. Payments for additional meetings shall be made from grants or additional funding received by the Commissioners pursuant to subdivision 906(b)(11) of this chapter. In no event shall the per diem compensation and reimbursement of expenses for any additional meetings exceed the amounts permitted pursuant to 32 V.S.A. § 1010.

Second: In Sec. 2, 1 V.S.A. chapter 25, in section 906, in subsection (a), by striking out subdivisions (7)–(9) in their entireties and inserting in lieu thereof new subdivisions (7) and (8) to read as follows:

(7) work in consultation with the populations and communities identified pursuant to subdivision 902(b)(1) of this chapter, experts in

restorative justice, and, in the commissioners' discretion, other interested parties to ensure that the work of the Commission is open, transparent, inclusive, and meaningful; and

(8) supervise the work of the Executive Director of the Commission.

Third: In Sec. 2, 1 V.S.A. chapter 25, in section 906, in subsection (b), by striking out subdivision (11) in its entirety and inserting in lieu thereof subdivisions (11) and (12) to read as follows:

(11) Seek grants or funding other than annual State appropriations to further the work of the Commission.

(12) Take any other actions necessary to carry out the provisions of this chapter.

Fourth: In Sec. 2, 1 V.S.A. chapter 25, by striking out sections 909 and 910 in their entireties and inserting in lieu thereof a new section 909 to read as follows:

§ 909. ACCESS TO INFORMATION; CONFIDENTIALITY

(a) Access to State records and information.

(1) The Commission shall have access to and the right to copy any record or other information held by all executive, administrative, and judicial agencies and departments and all instrumentalities of the State. All executive, administrative, and judicial agencies and departments and all instrumentalities of the State shall cooperate with the Commission with respect to any request for access to any record or other information and shall provide all records or other information requested by the Commission to the extent permitted by law.

(2) The Commission shall keep confidential any information received from an executive, administrative, or judicial agency or department or an instrumentality of the State that is confidential or is exempt from the Public Records Act.

(b) Confidentiality requirements.

(1) Except as otherwise provided pursuant to subsection (c) of this section, information and records acquired by or provided to the Commission that would in any manner reveal an individual's identity shall be kept confidential and shall be exempt from public inspection and copying under the Public Records Act.

(2) The Commission shall not include the personally identifying information of any individual in any report that it produces without the express, written consent of the individual.

(c) Exceptions.

(1) Except as provided in subdivision (2) of this subsection, information and records acquired by or provided to the Commission shall only be available to the public in an anonymized form that does not reveal the identity of any individual.

(2) Information or records acquired by or provided to the Commission may be disclosed in a manner that would reveal the identity of an individual if that individual has provided their express, written consent to the disclosure of the information or record in a manner that would reveal their identity.

(d) Private proceedings.

(1) The Commission shall permit any individual who is interviewed by the Commission to elect to have their interview conducted in a manner that protects the individual's privacy and to have any recording of the interview kept confidential by the Commission. Any other record or document produced in relation to an interview conducted pursuant to this subdivision (d)(1) shall only be available to the public in an anonymized form that does not reveal the identity of any individual.

(2) The Commission shall adopt procedures and safeguards to ensure to the greatest extent possible that it does not conduct any interview in a manner that is open to the public if the interview will reveal the identities of individuals other than the interviewee without the express, written consent of those individuals.

Fifth: By striking out Sec. 3, appropriation, in its entirety and inserting in lieu thereof a new Sec. 3 to read as follows:

Sec. 3. APPROPRIATION

The sum of \$748,000.00 is appropriated from the General Fund to the Truth and Reconciliation Commission in fiscal year 2023.

(Committee Vote:7-3-1)

Amendment to be offered by Rep. Donahue of Northfield to the recommendation of amendment of the Committee on General, Housing, and Military Affairs to H. 96

Representative Donahue of Northfield moves that the report of General, Housing, and Military Affairs be amended as follows:

First: In Sec. 2, 1 V.S.A. chapter 25, by striking out section 903 in its entirety and inserting in lieu thereof a new section 903 to read as follows:

§ 903. COMMISSIONERS

(a) Commissioners shall be half-time State employees and shall be exempt from the State classified system.

(b) The commissioners shall receive compensation equal to one-quarter that of a Superior Court Judge.

(c) The term of each commissioner shall begin on the date of appointment and end on July 1, 2026.

Second: By striking out Sec. 3, appropriation, in its entirety and inserting in lieu thereof a new Sec. 3 to read as follows:

Sec. 3. APPROPRIATION

The sum of \$374,000.00 is appropriated from the General Fund to the Truth and Reconciliation Commission in fiscal year 2023.

Third: By adding a new Sec. 5 and a Sec. 6 to read as follows:

Sec. 5. 18 V.S.A. § 254 is added to read:

§ 254. CULTURAL LIAISON GRANTS

(a)(1) The Health Equity Advisory Commission shall establish the Cultural Liaison Grant Program to award grants to create or support cultural liaisons within community-based organizations to provide culturally responsive community health care, education, and outreach, in both clinical and nonclinical settings, aimed at reducing health disparities for Vermont's Black, Indigenous, and Persons of Color; immigrant; refugee; and new American communities.

(2) The Program shall be designed to provide timely and streamlined funding allocations to eligible community-based organizations.

(b) The Advisory Commission may award grants pursuant to the provisions of this section to a Native American Indian tribe recognized by the State pursuant to 1 V.S.A. chapter 23 or to private community organizations and nonprofit organizations that provide health care, health-related education and outreach services, or both, to Vermont's Black, Indigenous, and Persons of Color; immigrant; refugee; and new American communities.

(c) Grants awarded pursuant to the provisions of this section may be used by a recipient to increase access for members of Vermont's Black, Indigenous, and Persons of Color; immigrant; refugee; and new American communities to:

(1) primary care services;

(2) vaccinations;

(3) health-related testing;

- (4) treatment clinics;
- (5) mental health crisis response; and
- (6) health-related education and outreach.

(d) The Advisory Commission may adopt rules pursuant to 3 V.S.A. chapter 25 as necessary to implement the provisions of this section.

Sec. 6. CULTURAL LIASON GRANT PROGRAM; APPROPRIATION

The sum of \$374,000.00 is appropriated from the General Fund to the Agency of Administration in fiscal year 2023 to support the Cultural Liaison Grant Program established pursuant to 18 V.S.A. § 254.

and by renumbering the remaining section to be numerically correct.

NEW BUSINESS

Third Reading

H. 353

An act relating to pharmacy benefit management

H. 464

An act relating to the medical review process in the Reach Up program and Postsecondary Education Program eligibility

H. 492

An act relating to the structure of the Natural Resources Board

H. 512

An act relating to modernizing land records and notarial acts law

H. 624

An act relating to supporting creative sector businesses and cultural organizations

H. 635

An act relating to secondary enforcement of minor traffic offenses

Amendment to be offered by Rep. Shaw of Pittsford to H. 635

Representative Shaw of Pittsford moves that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. REPEAL OF CERTAIN MOTOR VEHICLE OFFENSES; ANNUAL

REPORT

(a) The Executive Director of Racial Equity, the Commissioner of Motor Vehicles, and the Commissioner of Public Safety jointly shall examine the motor vehicle violations for the purpose of making annual recommendations whether or not statutes should be repealed, modified, or limited to secondary enforcement. The following statutes shall be addressed in the first report:

- (1) 23 V.S.A. § 307 (failure to carry a registration certificate);
- (2) 23 V.S.A. § 511(c) (failure to display registration sticker or failure to display unobstructed license numbers);
- (3) 23 V.S.A. § 512 (failure to display number plate on trailer or semi-trailer);
- (4) 23 V.S.A. § 615 (operation by an individual with a learner's permit);
- (5) 23 V.S.A. § 1023 (pedestrian-control signals);
- (6) 23 V.S.A. §§ 1052 (crossing except at crosswalks), 1054 (pedestrians to use right half of crosswalks), 1055 (pedestrians on roadways), 1056 (highway solicitations), and 1058 (duties of pedestrians);
- (7) 23 V.S.A. § 1125 (obstructing windshield or windows);
- (8) 23 V.S.A. §§ 1134 (possession or consumption of alcohol or cannabis by operator), 1134a (possession or consumption of alcohol or cannabis by passenger) and 1134b(a) (using tobacco in a motor vehicle with child present);
- (9) 23 V.S.A. § 1221 (condition of vehicle);
- (10) 23 V.S.A. §§ 1243 (headlights), 1244 (illumination required), 1245 (illumination required on motorcycles), 1248 (taillights), and 1249 (directional signal lights); and
- (11) 23 V.S.A. § 1259 (safety belts; persons 18 years of age or older).

(b) The Executive Director and Commissioners jointly shall report the recommendations to the House and Senate Committees on Government Operations, on Judiciary, and on Transportation not later than October 1, 2022, and annually thereafter.

Sec. 2. SUNSET OF REPEAL OF CERTAIN MOTOR VEHICLE OFFENSES; ANNUAL REPORT

Sec. 1 of this act shall be repealed on July 1, 2027.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Committee Bill for Second Reading

H. 737

An act relating to setting the homestead property tax yields and the nonhomestead property tax rate.

(Rep. Beck of St. Johnsbury will speak for the Committee on Ways and Means.)

H. 738

An act relating to technical and administrative changes to Vermont's tax laws.

(Rep. Ode of Burlington will speak for the Committee on Ways and Means.)

Amendment to be offered by Rep. Mulvaney-Stanak of Burlington to H. 738

First: By inserting a new section to be Sec. 7a and its reader assistance heading to read as follows:

* * * Unemployment Compensation Exclusion from Gross Income * * *

Sec. 7a. EXCLUSION OF UNEMPLOYMENT COMPENSATION FROM GROSS INCOME; TAXABLE YEAR 2021

(a) Notwithstanding 32 V.S.A. § 5824, for taxable year 2021 only, the first \$10,200.00 of unemployment compensation received by a taxpayer whose taxable year 2021 adjusted gross income is less than \$150,000.00 shall be excluded from the taxpayer's taxable income under 32 V.S.A. § 5811(21) as though 26 U.S.C. § 85(c) applied to taxable year 2021.

(b) Notwithstanding subsection (a) of this section, for taxable year 2021, the definition of household income pursuant to 32 V.S.A. § 6061(4)(A) and (5) shall include all unemployment compensation received by a taxpayer in taxable year 2021.

Second: In Sec. 17, effective dates, by inserting a new subsection (d) to read as follows:

(d) Notwithstanding 1 V.S.A. § 214, Sec. 7a (exclusion of unemployment compensation from gross income; taxable year 2021) shall take effect retroactively on January 1, 2021 and shall apply to taxable year 2021 only.

and by relettering the remaining subsections of Sec. 17, effective dates, to be alphabetically correct.

Favorable with Amendment

H. 293

An act relating to creating the State Youth Council

Rep. Mrowicki of Putney, for the Committee on Government Operations, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS, PURPOSE, AND INTENT

(a) Findings. The General Assembly finds the following:

(1) Young Vermonters are one of our State's most important resources. Youths under 21 years of age represent approximately 24 percent of the Vermont population and reflect Vermont's diversity. They are a group of dynamic, vibrant, and innovative individuals who are finding new ways to have their voices heard and effect the change they wish to see in the world.

(2) Multiple perspectives strengthen decision making and policy development by encouraging innovation, creativity, and change. Including the unique perspectives of young persons improves State policies and programs, including youth-specific services.

(3) Vermont's economy depends on the participation of young persons, and empowering them to provide policy advice will help keep young Vermonters in the State. It will also diversify our economy, making it more competitive and sustainable.

(4) Young persons have the right to be heard and respected. Almost all government policies and decisions have an impact on young persons' lives and youths have the right to influence those decisions, both individually and collectively. Furthermore, involving young persons in political processes helps build trust in democratic institutions, which in turn protects Vermont's democracy.

(b) Purpose. The purpose of this act is to create the State Youth Council, composed of young Vermonters who will have an official means of providing advice on policies that impact young persons in Vermont.

(c) Intent.

(1) The intent of creating the State Youth Council set forth in this act is to enhance the State's progress in reaching the population-level outcomes set forth in 3 V.S.A. § 2311(b)(6) (Vermont's children and young people achieve their potential) and (9) (Vermont has open, effective, and inclusive government).

(2) The General Assembly further intends to consider the recommendations of the initial State Youth Council created in this act and to subsequently amend the Council's appointing authority, powers, and duties accordingly.

Sec. 2. 3 V.S.A. chapter 53, subchapter 4 is amended to read:

Subchapter 4. Departments, Divisions, Councils and Boards

* * *

§ 3097. STATE YOUTH COUNCIL

(a) Creation. There is created within the Department of Health the State Youth Council (Council) to advise the Governor and the General Assembly on issues affecting young persons in Vermont.

(b) Membership. The Council shall be composed of not more than 28 Vermont resident youths between 11 and 18 years of age at the time of appointment. The interagency workgroup Youth Services Advisory Council shall appoint members from an applicant pool with a focus on prioritizing diversity and inclusion, including characteristics such as county of residence, gender identity, racial identity, disabilities, age, and other characteristics identified by the applicants. The Youth Services Advisory Council shall appoint a minimum of one resident youth from each State county.

(1) The Department of Health shall assist the Youth Services Advisory Council in notifying the public regarding the opportunity for youths to serve on the Council, and the Youth Services Advisory Council shall accept applications for service on the Council. The application process should emphasize the need for diverse, qualified candidates. A successful candidate must demonstrate:

(A) a commitment to inclusion and the youths of the State; and

(B) the ability to work with others and listen to others.

(2) The Youth Services Advisory Council shall appoint members to the Council for three-year staggered terms and shall strive to appoint Council members who represent a variety of youths in the State. The Youth Services Advisory Council shall consult with members of youth advocacy groups concerning initial appointments to establish the Council and then shall consult with the Council regarding appointments for all subsequent terms.

(3) The Council shall elect a chair from among its members.

(4) The Council shall establish an Executive Committee, ad hoc committees as needed, and the following standing committees:

(A) the Youth Voice Committee;

(B) the Education Committee;

(C) the Equity and Anti-Racism Committee;

(D) the Climate Change Committee; and

(E) the Youth Mental Health Committee.

(c) Powers and duties.

(1) The Council may:

(A) meet at least one time per month;

(B) hold up to four public hearings annually in order to take testimony on issues affecting Vermont youths;

(C) gather input from Vermont youths through surveys or polls; and

(D) evaluate the State's progress in reaching the population-level outcomes set forth in section 2311 of this title and recommend to the Joint Committee on Government Accountability any revisions to the population-level indicators for those outcomes the Council finds necessary to better reflect data that impacts Vermont youths.

(2) The Council shall provide advice to the Governor and the General Assembly on policy changes necessary to improve the lives of Vermont youths.

(A) The Governor shall meet annually with the Council to hear and receive the Council's advice and recommendations on policies that impact the youths of Vermont.

(B) The Council shall annually report its advice and recommendations to the House and Senate Committees on Government Operations and to any other standing committees it deems appropriate. The report may be in verbal form.

(C) The Council shall annually report its advice and recommendations to the House and Senate Committees on Government Operations and to any other standing committees it deems appropriate on the preservation of Vermont's traditions and the future of Vermont's rural character, activities, and professions.

(d) Assistance. The Council shall have the administrative, technical, and legal assistance of the Department of Health to assist with Council-directed activities, including:

(1) assisting with meeting scheduling and logistical support;

(2) providing information technology support; and

(3) providing any technology or technological devices necessary for the Council to perform its duties.

(e) Support. The Council shall also have support from the Youth Services Advisory Council.

(f) Attending meetings.

(1) Members of the Council may attend Council meetings by electronic or other means without being physically present at a designated meeting location as permitted under 1 V.S.A. § 312(a)(2).

(2) The General Assembly finds that such virtual meeting attendance is particularly expedient for Council members from remote areas of the State to participate in meetings, but also encourages Council members to be physically present at meeting locations when possible due to the importance of in-person interaction.

(g) Compensation and reimbursement. Members of the Council shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 16 meetings per calendar year. For purposes of this subsection, "meetings" includes public hearings. These payments shall be made from monies appropriated to the Department of Health.

Sec. 3. STATE YOUTH COUNCIL; INITIAL PROVISIONS

(a) Appointments. The Youth Services Advisory Council shall appoint the initial State Youth Council created by Sec. 2 of this act on or before November 1, 2021. The initial appointments shall be for two- and three-year terms in order to provide staggered Council member terms.

(b) Training. From funds appropriated to the Department of Health, to assist with State Youth Council-directed activities and in consultation with the Youth Services Advisory Council, the Department shall provide to the State Youth Council training on general State policies, how to formulate policy proposals, government operations, public speaking, meeting etiquette, and leadership.

(c) Duties. In addition to the State Youth Council's duties set forth in Sec. 2 of this act, on or before January 15, 2023 the Council shall recommend to the House and Senate Committees on Government Operations the manner in which its members should be appointed or elected and any other amendments to its enabling law.

Sec. 4. SUNSET OF STATE YOUTH COUNCIL

3 V.S.A. § 3097 (State Youth Council) is repealed on February 1, 2025.

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 11-0-0)

Rep. Scheu of Middlebury, for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on Government Operations and when further amended as follows:

First: In Sec. 3, State Youth Council; initial provisions, in subsection (a), following "November 1," by striking out "2021" and inserting in lieu thereof "2022"

Second: In Sec. 3, State Youth Council; initial provisions, in subsection (c), following "January 15," by striking out "2023" and inserting in lieu thereof "2024"

Third: In Sec. 4, sunset of State Youth Council, following "February 1," by striking out "2025" and inserting in lieu thereof "2026"

(Committee Vote:11-0-0)

Amendment to be offered by Rep. Harrison of Chittenden to the recommendation of amendment of the Committee on Government Operations to H. 293

Representative Harrison of Chittenden moves that the report of the Committee on Government Operations be amended in Sec. 2, 3 V.S.A. chapter 53, subchapter 4, in section 3097, in subsection (b), by striking out subdivision (4) in its entirety and inserting in lieu thereof a new subdivision (4) to read as follows:

(4) The Council shall establish the Executive Committee, ad hoc committees as needed, and the following standing committees:

- (A) the Youth Voice Committee;
- (B) the Education Committee;
- (C) the Equity and Antiracism Committee;
- (D) the Climate Change Committee;
- (E) the Youth Mental Health Committee; and
- (F) the Economic Opportunity Committee.

H. 410

An act relating to the creation of the Artificial Intelligence Commission

Rep. Rogers of Waterville, for the Committee on Energy and Technology, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS; INTENT

(a) The General Assembly finds that:

(1) The Vermont Artificial Intelligence Task Force (Task Force), established by 2018 Acts and Resolves No. 137, Sec. 1, as amended by 2019 Acts and Resolves No. 61, Sec. 20, met from September 2018 through January 2020 to investigate the field of artificial intelligence (AI) and make recommendations for State action and policies with respect to this new technology.

(2) The Task Force found that this technology presents tremendous opportunities for economic growth and improved quality of life but also presents substantial risks of loss of some jobs and invasions of privacy and other impacts to civil liberties.

(3) Large-scale technological change makes states rivals for the economic rewards, where inaction leaves states behind. States can become leaders in crafting appropriate responses to technological change that eventually produces policy and action around the country.

(4) The Task Force determined that there are steps that the State can take to maximize the opportunities and reduce the risk, but action must be taken now. The Task Force concluded that there is a role for local and State action, especially where national and international action is not occurring.

(5) The final report of the Task Force presents a series of recommendations for policies and actions consistent with the limited role of Vermont to direct the path of AI development and use in the State. The final report also concludes that Vermont can make a difference, maximize the benefits of AI, and minimize, or adapt to, the adverse consequences.

(b) It is the intent of the General Assembly to carry out the work of the Task Force by creating the Artificial Intelligence Commission to implement some of the specific recommendations of the Task Force and conduct an inventory of all automated decision systems that are being developed, used, or procured by the State.

Sec. 2. 3 V.S.A. § 3303 is amended to read:

§ 3303. REPORTING, RECORDS, AND REVIEW REQUIREMENTS

(a) Annual report and budget. The Secretary shall submit to the General Assembly, concurrent with the Governor's annual budget request required under 32 V.S.A. § 306, an annual report for information technology and cybersecurity. The report shall reflect the priorities of the Agency and shall include:

(1) performance metrics and trends, including baseline and annual measurements, for each division of the Agency;

(2) a financial report of revenues and expenditures to date for the current fiscal year;

(3) costs avoided or saved as a result of technology optimization for the previous fiscal year;

(4) an outline summary of information, including scope, schedule, budget, and status for information technology projects with total costs of \$500,000.00 or greater;

(5) an annual update to the strategic plan prepared pursuant to subsection (c) of this section;

(6) a summary of independent reviews as required by subsection (d) of this section; ~~and~~

(7) the Agency budget submission; and

(8) an annual update to the inventory required by section 3305 of this title.

* * *

Sec. 3. 3 V.S.A. § 3305 is added to read:

§ 3305. AUTOMATED DECISION SYSTEM; STATE PROCUREMENT;
INVENTORY

(a) Definitions. As used in this section:

(1) “Algorithm” means a computerized procedure consisting of a set of steps used to accomplish a determined task.

(2) “Automated decision system” means any algorithm, including one incorporating machine learning or other artificial intelligence techniques, that uses data-based analytics to make or support government decisions, judgments, or conclusions.

(3) “Automated final decision system” means an automated decision system that makes final decisions, judgments, or conclusions without human intervention.

(4) “Automated support decision system” means an automated decision system that provides information to inform the final decision, judgment, or conclusion of a human decision maker.

(5) “State government” has the same meaning as in section 3301 of this chapter.

(b) Inventory. The Agency of Digital Services shall conduct a review and make an inventory of all automated decision systems that are being developed, employed, or procured by State government. The inventory shall include the following for each automated decision system:

(1) the automated decision system’s name and vendor;

(2) a description of the automated decision system’s general capabilities, including:

(A) reasonably foreseeable capabilities outside the scope of the agency’s proposed use; and

(B) whether the automated decision system is used or may be used for independent decision-making powers and the impact of those decisions on Vermont residents;

(3) the type or types of data inputs that the technology uses; how that data is generated, collected, and processed; and the type or types of data the automated decision system is reasonably likely to generate;

(4) whether the automated decision system has been tested by an independent third party, has a known bias, or is untested for bias;

(5) a description of the purpose and proposed use of the automated decision system, including:

(A) what decision or decisions it will be used to make or support;

(B) whether it is an automated final decision system or automated support decision system; and

(C) its intended benefits, including any data or research relevant to the outcome of those results;

(6) how automated decision system data is securely stored and processed and whether an agency intends to share access to the automated decision system or the data from that automated decision system with any other entity, and why; and

(7) a description of the IT fiscal impacts of the automated decision system, including:

(A) initial acquisition costs and ongoing operating costs, such as maintenance, licensing, personnel, legal compliance, use auditing, data retention, and security costs;

(B) any cost savings that would be achieved through the use of the technology; and

(C) any current or potential sources of funding, including any subsidies or free products being offered by vendors or governmental entities.

Sec. 4. AUTOMATED DECISION SYSTEM; STATE PROCUREMENT;

INVENTORY; REPORT

On or before December 1, 2022, the Agency of Digital Services shall submit to the House Committee on Energy and Technology and the Senate Committee on Finance a report on the inventory described in 3 V.S.A. § 3305. The report shall include recommendations for any changes to the inventory, including how it should be maintained and the frequency of updates.

Sec. 5. 3 V.S.A. chapter 69 is added to read:

CHAPTER 69. ARTIFICIAL INTELLIGENCE COMMISSION

§ 5011. ARTIFICIAL INTELLIGENCE COMMISSION

(a) Definition. As used in this section, “artificial intelligence systems” means systems capable of perceiving an environment through data acquisition and then processing and interpreting the derived information to take an action or actions or to imitate intelligent behavior given a specific goal. An artificial

intelligence system can also learn and adapt its behavior by analyzing how the environment is affected by prior actions.

(b) Creation. There is established the Artificial Intelligence Commission within the Agency of Digital Services to study and monitor all aspects of artificial intelligence systems developed, employed, or procured in State government.

(c) Membership. The Commission shall be composed of the following seven members:

(1) the Secretary of Digital Services or designee, who shall serve as chair;

(2) the Secretary of Commerce and Community Development or designee;

(3) the Commissioner of Public Safety or designee;

(4) the Executive Director of the American Civil Liberties Union of Vermont or designee;

(5) one member who is an expert in constitutional and legal rights, appointed by the Chief Justice of the Supreme Court;

(6) one member who is a social worker with experience in the field of ethics and human rights, appointed by the Governor; and

(7) one member who is an academic at a postsecondary institute, appointed by the Vermont Academy of Science and Engineering.

(d) Powers and duties. The Commission shall study and monitor artificial intelligence systems developed, employed, or procured in State government, including the following:

(1) propose for adoption by the Agency of Digital Services a State code of ethics for artificial intelligence in State government, which shall be updated annually;

(2) make recommendations to the General Assembly on policies, laws, and regulations for artificial intelligence systems in State government;

(3) review the automated decision systems inventory created by the Agency of Digital Services, including:

(A) whether any systems affect the constitutional or legal rights, duties, or privileges of any Vermont resident; and

(B) whether there are any potential liabilities or risks that the State of Vermont could incur from its implementation; and

(4) annually, on or before January 15 each year, report to the House Committee on Energy and Technology and the Senate Committees on Finance and on Government Operations on the following:

(A) the extent of the use of artificial intelligence systems by State government and any short-or long-term actions needed to optimize that usage or mitigate their risks;

(B) the impact of using artificial intelligence systems in State government on the liberty, finances, livelihood, and privacy interests of Vermont residents;

(C) any necessary policies to:

(i) protect the privacy and interests of Vermonters from any diminution caused by employment of artificial intelligence systems by State government; and

(ii) ensure that Vermonters are free from unfair discrimination caused or compounded by the employment of artificial intelligence in State government;

(D) a summary of the recommendations of any relevant national bodies on artificial intelligence, including the National Artificial Intelligence Advisory Committee established by the Department of Commerce, and its applicability to Vermont; and

(E) any other information the Commission deems appropriate based on its work.

(e) Meetings. The Commission shall meet at least 12 times each year or at the call of the Chair.

(f) Quorum. A majority of members shall constitute a quorum of the Commission. Once a quorum has been established, the vote of a majority of the members present at the time of the vote shall be an act of the Commission.

(g) Assistance. The Commission shall have the administrative, legal, and technical support of the Agency of Digital Services.

(h) Reimbursement. Members of the Commission who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to compensation and expenses as provided in 32 V.S.A. § 1010. Payment to the members shall be from an appropriation to the Agency of Digital Services from the Information Technology Internal Service Fund, established in section 3304 of this chapter.

Sec. 6. ARTIFICIAL INTELLIGENCE COMMISSION; REPORTS AND
RECOMMENDATIONS

(a) On or before January 15, 2023, the Commission shall include the State code of ethics as described in 3 V.S.A. § 5011(d)(1) in its report required under 3 V.S.A. § 5011(d)(4).

(b) On or before January 15, 2024, the Commission shall develop recommendations for a clear use and data management policy for State government in its report required under 3 V.S.A. § 5011(d)(4), including protocols for the following:

(1) how and when an automated decision system will be deployed or used and by whom, including:

(A) the factors that will be used to determine where, when, and how the technology is deployed;

(B) whether the technology will be operated continuously or used only under specific circumstances; and

(C) when the automated decision system may be accessed, operated, or used by another entity on the agency's behalf and any applicable protocols;

(2) whether the automated decision system gives notice to an individual impacted by the automated decision system of the fact that the automated decision system is in use and what information should be provided with consideration to the following:

(A) the automated decision system's name and vendor;

(B) what decision or decisions it will be used to make or support;

(C) whether it is an automated final decision system or automated support decision system;

(D) what policies and guidelines apply to its deployment;

(E) whether a human verifies or confirms decisions made by the automated decision system; and

(F) how an individual can contest any decision made involving the automated decision system;

(3) whether the automated decision system ensures that the agency can explain the basis for its decision to any impacted individual in terms understandable to a layperson, including:

(A) by requiring the vendor to create such an explanation;

(B) whether the automated decision system is subject to appeal or immediate suspension if a legal right, duty, or privilege is impacted by the decision; and

(C) potential reversal by a human decision maker through a timely process clearly described and accessible to an individual impacted by the decision; and

(4) what policies the State should have for a third-party entity to disclose potential conflicts of interest prior to purchasing or using their technology and how the State should evaluate those conflicts with respect to how the State intends to implement the technology.

(c) On or before January 15, 2025, the Commission shall recommend for inclusion in its report required under 3 V.S.A. § 5011(d)(4):

(1) whether the scope of the Commission should be expanded to include artificial intelligence outside of State government;

(2) whether there should be any changes to the structural oversight, membership, or powers and duties of the Commission;

(3) whether the Commission should cease to exist on a certain date; and

(4) whether there are any other additional tasks the Commission should complete.

(d) As used in this section:

(1) “Automated decision system” means any algorithm, including one incorporating machine learning or other artificial intelligence techniques, that uses data-based analytics to make or support government decisions, judgments, or conclusions.

(2) “Automated final decision system” means an automated decision system that makes final decisions, judgments, or conclusions without human intervention.

(3) “Automated support decision system” means an automated decision system that provides information to inform the final decision, judgment, or conclusion of a human decision maker.

Sec. 7. ARTIFICIAL INTELLIGENCE COMMISSION; POSITION;

APPROPRIATION

(a) The establishment of the permanent classified position is authorized in fiscal year 2023 in the Agency of Digital Services to manage and implement the work of the Artificial Intelligence Commission, established in 3 V.S.A.

§ 5011, and to serve as the State expert on artificial intelligence use and oversight within State government. This position shall be transferred and converted from existing vacant positions in the Executive Branch and shall not increase the total number of authorized State positions.

(b) The sum of \$150,000.00 is appropriated to the Agency of Digital Services from the Information Technology Internal Service Fund, established in 3 V.S.A. § 3304, in fiscal year 2021 for the position described in subsection (a) of this section.

Sec. 8. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

and that after passage the title of the bill be amended to read: “An act relating to the use and oversight of artificial intelligence in State government”

(Committee Vote: 9-0-0)

Rep. Feltus of Lyndon, for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on Energy and Technology and when further amended as follows:

In Sec. 5, 3 V.S.A. chapter 69, in section 5011, in subsection (e), by striking out “at least 12 times” and inserting in lieu thereof “not more than 12 times”

(Committee Vote:11-0-0)

H. 553

An act relating to eligibility of domestic partners for reimbursement from the Victims Compensation Program

Rep. Rachelson of Burlington, for the Committee on Judiciary, recommends the bill be amended as follows:

That the bill be amended in Sec. 1, 13 V.S.A. § 5351, in subdivision (2), after the period, by adding “To qualify as a domestic partner, a couple shall share a residence for at least six months prior to applying; be 18 years of age or older; not be married to anyone; and not be related by blood and, therefore, prohibited from legally marrying one another by 15 V.S.A. § 1a.”

(Committee Vote: 10-0-1)

Rep. Townsend of South Burlington, for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on Judiciary.

(Committee Vote:11-0-0)

H. 661

An act relating to licensure of mental health professionals

Rep. Vyhovsky of Essex, for the Committee on Government Operations, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Continuing Education Units; Psychologists * * *

Sec. 1. 26 V.S.A. § 3015 is amended to read:

§ 3015. RENEWALS

(a) Licenses shall be renewed every two years upon payment of the required fee.

* * *

(d) Continuing education units.

(1) As a condition of renewal, the Board may shall require that licensees establish that they have satisfied continuing education requirements established by Board rule and this subsection.

(2) At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice.

(3) Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training.

(4) Upon application, the Board may exempt from continuing education requirements a licensee on active duty in the U.S. Armed Forces, if obtaining continuing education credits would be impossible in practice or a significant hardship for the licensee.

(5) If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * * Continuing Education Units; Social Workers * * *

Sec. 2. 26 V.S.A. § 3208 is amended to read:

§ 3208. RENEWALS

* * *

(d) As a condition of renewal, a licensee shall complete continuing education, approved by the Director by rule, during the preceding two-year

period. For purposes of this subsection, the Director may require, by rule, not more than 20 hours of approved continuing social work education as a condition of renewal. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Continuing Education Units; Alcohol and Drug Abuse
Counselors * * *

Sec. 3. 26 V.S.A. § 3238 is amended to read:

§ 3238. BIENNIAL RENEWALS

(a) Licenses and certifications shall be renewed every two years on a schedule set by the Office upon:

(1) ~~payment~~ Payment of the required fee; ~~and,~~

(2) ~~documentation~~ Documentation that the applicant has completed at least 40 hours of continuing education, approved by the Director. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Continuing Education Units; Clinical Mental Health
Counselors * * *

Sec. 4. 26 V.S.A. § 3269 is amended to read:

§ 3269. RENEWALS

Licenses shall be renewed every two years upon payment of required fees and proof of such continuing education as the Board may require by rule and

as required by this section. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * * Continuing Education Units; Marriage and Family
Therapists * * *

Sec. 5. 26 V.S.A. § 4040 is amended to read:

§ 4040. RENEWALS

(a) Licenses shall be renewed every two years upon payment of the required fee, provided the person applying for renewal has completed at least 20 hours of continuing education, approved by the Board, during the preceding two-year period.

(1) The Board shall establish, by rule, guidelines and criteria for continuing education credit. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice.

(2) The continuing education requirement shall not apply for the first renewal period. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Continuing Education Units; Psychoanalysts * * *

Sec. 6. 26 V.S.A. § 4060 is amended to read:

§ 4060. RENEWALS

(a) Certification shall be renewed every two years upon payment of the required fee, provided the person applying for renewal completes at least 20 hours of continuing education, approved by the Director, during the preceding two-year period.

(1) The Director, with the advice of the advisor appointees, shall establish, by rule, guidelines and criteria for continuing education credit. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice.

(2) The education requirement shall not apply for the first renewal period. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Continuing Education Units; Applied Behavior Analysts * * *

Sec. 7. 26 V.S.A. § 4925 is amended to read:

§ 4925. RENEWALS

* * *

(c) As a condition of renewal, the Director may by rule require that a licensee establish that ~~he or she~~ the licensee has completed continuing education.

(1) The Director may accept proof of current certification from the Behavior Analyst Certification Board as evidence of continuing competency if the Director finds that the maintenance of such certification implies appropriate continuing education consistent with this subsection and Board rule.

(2) Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. At least three continuing education units shall be in the area of systematic oppression and anti-oppressive practice.

(3) If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Mental Health Professional Licensure; Study * * *

Sec. 8. MENTAL HEALTH PROFESSIONAL LICENSURE; STUDY

(a) Study. The Office of Professional Regulation shall conduct a study on:

(1) the possibility of streamlining the licensure of mental health professionals practicing in the State, including a review of the feasibility of creating one mental health professional license with endorsements for specific mental health professions;

(2) whether additional regulation of supervisors for mental health professionals in training is necessary, including a review of potential limits on areas of mental health work a supervisor may supervise based on the supervisor's own work experience and education, the rate or fee a supervisor may charge for providing supervision, and the number of supervisees assigned to one supervisor; and

(3) the barriers for individuals who are Black, Indigenous, or Persons of Color (BIPOC), refugees and new Americans, individuals with low income, those individuals with disabilities, and those individuals with lived mental health and substance use experience entering mental health professions regulated by the Office of Professional Regulation.

(b) Stakeholder input. The Director of the Office of Professional Regulation shall seek the input and recommendations of the following stakeholders in completing the study:

(1) representatives of each mental health care profession associated with the Office of Professional Regulation, selected by their respective licensing board or by the Director;

(2) the Commissioner of Mental Health or designee;

(3) the Commissioner of Health Equity or designee;

(4) representatives of mental health care professional organizations;

(5) representatives of health insurers;

(6) individuals in mental health care professions or seeking to enter mental health care professions, selected by AALV, Inc., the Vermont Commission on Native American Affairs, the Vermont Center for Independent Living, and Outright Vermont; and

(7) other interested stakeholders, including individuals from diverse backgrounds to represent the interests of communities of color and other historically underrepresented populations in mental health care professions.

(c) Findings and recommendations. On or before December 15, 2024, the Director of the Office of Professional Regulation shall provide the Office's findings and recommendations to the House Committees on Health Care and

on Government Operations and the Senate Committees on Health and Welfare and on Government Operations.

* * * Mental Health Professional Supervisors Registry * * *

Sec. 9. MENTAL HEALTH PROFESSIONAL SUPERVISORS; REGISTRY

The Office of Professional Regulation shall maintain a registry of mental health professionals who are available to serve as supervisors for mental health professionals in training. The registry shall begin upon passage and shall contain a complete list by 2025.

* * * Effective Date * * *

Sec. 10. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

(Committee Vote: 9-2-0)

Rep. Townsend of South Burlington, for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on Government Operations.

(Committee Vote:11-0-0)

Amendment to be offered by Reps. Lippert of Hinesburg, Black of Essex, Cina of Burlington, Cordes of Lincoln, Donahue of Northfield, Goldman of Rockingham and Houghton of Essex to the recommendation of amendment of the Committee on Government Operations to H. 661

That the report of Committee on Government Operations be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Continuing Education Units; Psychologists * * *

Sec. 1. 26 V.S.A. § 3015 is amended to read:

§ 3015. RENEWALS

(a) Licenses shall be renewed every two years upon payment of the required fee.

* * *

(d) Continuing education units.

(1) As a condition of renewal, the Board ~~may~~ shall require that licensees establish that they have satisfied continuing education requirements established by Board rule and this subsection.

(2) Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont’s health care system.

(3) Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training.

(4) Upon application, the Board may exempt from continuing education requirements a licensee on active duty in the U.S. Armed Forces, if obtaining continuing education credits would be impossible in practice or a significant hardship for the licensee.

(5) If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * * Continuing Education Units; Social Workers * * *

Sec. 2. 26 V.S.A. § 3208 is amended to read:

§ 3208. RENEWALS

* * *

(d) As a condition of renewal, a licensee shall complete continuing education, approved by the Director by rule, during the preceding two-year period. For purposes of this subsection, the Director may require, by rule, not more than 20 hours of approved continuing social work education as a condition of renewal. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont’s health care system. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Continuing Education Units; Alcohol and Drug Abuse

Counselors * * *

Sec. 3. 26 V.S.A. § 3238 is amended to read:

§ 3238. BIENNIAL RENEWALS

(a) Licenses and certifications shall be renewed every two years on a schedule set by the Office upon:

(1) ~~payment~~ Payment of the required fee; ~~and,~~

(2) ~~documentation~~ Documentation that the applicant has completed at least 40 hours of continuing education, approved by the Director. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Continuing Education Units; Clinical Mental Health

Counselors * * *

Sec. 4. 26 V.S.A. § 3269 is amended to read:

§ 3269. RENEWALS

Licenses shall be renewed every two years upon payment of required fees and proof of such continuing education as the Board may require by rule and as required by this section. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system. If the licensee is

licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * * Continuing Education Units; Marriage and Family
Therapists * * *

Sec. 5. 26 V.S.A. § 4040 is amended to read:

§ 4040. RENEWALS

(a) Licenses shall be renewed every two years upon payment of the required fee, provided the person applying for renewal has completed at least 20 hours of continuing education, approved by the Board, during the preceding two-year period.

(1) The Board shall establish, by rule, guidelines and criteria for continuing education credit. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system.

(2) The continuing education requirement shall not apply for the first renewal period. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Continuing Education Units; Psychoanalysts * * *

Sec. 6. 26 V.S.A. § 4060 is amended to read:

§ 4060. RENEWALS

(a) Certification shall be renewed every two years upon payment of the required fee, provided the person applying for renewal completes at least 20 hours of continuing education, approved by the Director, during the preceding two-year period.

(1) The Director, with the advice of the advisor appointees, shall establish, by rule, guidelines and criteria for continuing education credit. Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system.

(2) The education requirement shall not apply for the first renewal period. If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Continuing Education Units; Applied Behavior Analysts * * *

Sec. 7. 26 V.S.A. § 4925 is amended to read:

§ 4925. RENEWALS

* * *

(c) As a condition of renewal, the Director may by rule require that a licensee establish that ~~he or she~~ the licensee has completed continuing education.

(1) The Director may accept proof of current certification from the Behavior Analyst Certification Board as evidence of continuing competency if the Director finds that the maintenance of such certification implies appropriate continuing education consistent with this subsection and Board rule.

(2) Synchronous virtual continuing education credits shall be approvable and accepted as live in-person training. Continuing education requirements shall include requiring one or more continuing education units in the area of systematic oppression and anti-oppressive practice, or in related topic areas, consistent with the report recommendations from the Health Equity Advisory Commission required pursuant to 2021 Acts and Resolves No. 33, Sec. 5 for improving cultural competency, cultural humility, and antiracism in Vermont's health care system.

(3) If the licensee is licensed in one or more other mental health professions under this title, continuing education units completed for one mental health profession shall count toward the required continuing education units for the other mental health profession or professions for which the licensee is licensed under this title.

* * *

* * * Mental Health Professional Licensure; Study * * *

Sec. 8. MENTAL HEALTH PROFESSIONAL LICENSURE; STUDY

(a) Study. The Office of Professional Regulation shall conduct a study on:

(1) the possibility of streamlining the licensure of mental health professionals practicing in the State, including a review of the feasibility of creating one mental health professional license with endorsements for specific mental health professions;

(2) whether additional regulation of supervisors for mental health professionals in training is necessary, including a review of potential limits on areas of mental health work a supervisor may supervise based on the supervisor's own work experience and education, the rate or fee a supervisor may charge for providing supervision, and the number of supervisees assigned to one supervisor; and

(3) the barriers for individuals who are Black, Indigenous, or Persons of Color (BIPOC), refugees and new Americans, LGBTQ individuals, individuals with low income, individuals with disabilities, and those individuals with lived mental health and substance use experience entering mental health professions regulated by the Office of Professional Regulation.

(b) Stakeholder input. The Director of the Office of Professional Regulation shall seek the input and recommendations of the following stakeholders in completing the study:

(1) representatives of each mental health care profession associated with the Office of Professional Regulation, selected by their respective licensing board or by the Director;

(2) the Commissioner of Mental Health or designee;

(3) the Chair of the Health Equity Advisory Commission established pursuant to 18 V.S.A. § 252 or designee;

(4) representatives of mental health care professional organizations;

(5) representatives of health insurers;

(6) individuals in mental health care professions or seeking to enter mental health care professions, selected by AALV, Inc., the Vermont Commission on Native American Affairs, the Vermont Center for Independent Living, and Outright Vermont; and

(7) other interested stakeholders, including individuals from diverse backgrounds to represent the interests of communities of color and other historically underrepresented populations in mental health care professions.

(c) Findings and recommendations. On or before December 15, 2024, the Director of the Office of Professional Regulation shall provide the Office's findings and recommendations to the House Committees on Health Care and on Government Operations and the Senate Committees on Health and Welfare and on Government Operations.

* * * Mental Health Professional Supervisors Registry * * *

Sec. 9. MENTAL HEALTH PROFESSIONAL SUPERVISORS; REGISTRY

The Office of Professional Regulation shall maintain a registry of mental health professionals who are available to serve as supervisors for mental health professionals in training. The registry shall begin upon passage and shall contain a complete list by 2025.

* * * Effective Date * * *

Sec. 10. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

H. 703

An act relating to promoting workforce development

Rep. Kimbell of Woodstock, for the Committee on Commerce and Economic Development, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. IMMEDIATE STRATEGIES AND FUNDING FOR EXPANDING THE LABOR FORCE; INCREASING THE NUMBER OF PARTICIPANTS AND PARTICIPATION RATES; APPROPRIATIONS

In fiscal year 2023, the following amounts are appropriated from the General Fund to the following recipients for the purposes specified:

(1) \$5,000,000.00 to the University of Vermont Office of Engagement, in consultation with the Vermont Student Assistance Corporation, to administer a statewide forgivable loan program of \$5,000.00 per graduate for recent college graduates across all Vermont higher education institutions who commit to work in Vermont for two years after graduation.

(2) \$1,000,000.00 to the State Refugee Office to administer as grants to refugee- or New American-focused programs working in Vermont to support increased in-migration or retention of recent arrivals.

(3) \$387,000.00 to Vermont Technical College to develop a skilled meat cutter training and apprenticeship facility.

Sec. 2. CTE FUNDING AND GOVERNANCE; FINDINGS

(a) Vermont's career and technical education (CTE) system is critical to ensuring that all Vermonters have access to the high-quality resources they need to explore a wide variety of career pathways, earn a postsecondary credential of value, and establish a productive career.

(b) CTE is a vital component of our educational system, supporting and delivering on the goals established by the General Assembly in 2013 Acts and Resolves No. 77 (flexible pathways), 2018 Acts and Resolves No. 189 (workforce development), and in achieving our attainment goal, which is that 70 percent of working-age Vermonters have a credential of value by 2025 (10 V.S.A. § 546).

(c) CTE is also an equity lever, providing every student access to critical workforce training, postsecondary coursework, and the real-world skills and networks that prepare our youth to continue to earn and learn during and after high school.

(d) As of the fall semester of the 2021–2022 school year, students were enrolling in CTE programs at a higher rate than at the beginning of the pandemic, increasing from 4,160 to 4,565. In the 2020–2021 school year, Vermont's CTE system awarded Tier II credentials of value to 459 students.

(e) Since 2015, through legislative initiatives such as 2015 Acts and Resolves No. 51, 2017 Acts and Resolves No. 69, 2018 Acts and Resolves No. 189, 2019 Acts and Resolves No. 80, and most recently 2021 Acts and Resolves No. 74, the General Assembly and other stakeholders in education and in State government have been working to identify, understand, and resolve long-standing concerns related to the functioning of the CTE system.

(f) In 2018, the Agency of Education embarked on a collaborative process that included students, legislators, and communities across the State to develop

a strategic vision and aspirational goals to help guide the transformation of the CTE system.

(g) The State Board of Education adopted the Agency of Education’s vision and goals for CTE that “all Vermont learners attain their postsecondary goals by having access to career and technical education systems that are equitable, efficient, integrated and collaborative.”

(h) 2018 Acts and Resolves No. 189 committed Vermont to a redesign of its workforce development and training system, including the approval of up to four pilot sites or projects to examine the way our CTE system is funded and governed.

(i) In a report dated June 14, 2021, the Agency of Education reported on its progress, which was interrupted by the COVID-19 pandemic. The report presented possible alternatives to our current funding structure, which is widely seen as a barrier to enrollment. However, these alternatives were based on an examination of only the CTE school district funding model and did not include the study of governance models. The report recommended completing this study of CTE funding and governance models to propose actionable implementation steps for the State.

(j) The Agency of Education’s State plan for federal Perkins funds is aligned to the vision and goals created through collaborative processes that included a public comment period. Processes required in the federal legislation like the biennial Comprehensive Local Needs Assessment will strengthen the role of CTE in each region and help to focus the use of limited federal funds to improve the system.

Sec. 3. FUNDING AND GOVERNANCE STRUCTURES OF CAREER TECHNICAL EDUCATION IN VERMONT

(a) There is appropriated to the Agency of Education for fiscal year 2023 the amount of \$180,000.00 from the General Fund to contract for services to:

(1) complete a systematic examination of the existing funding structures of career technical education (CTE) in Vermont and how these structures impede or promote the State’s educational and workforce development goals;

(2) examine CTE governance structures in relationship to those funding structures;

(3) examine the implications of the existing funding and governance structures for kindergarten through grade 12 schools and adult education;

(4) consider the CTE funding and governance structures in other states;

and

(5) identify and prioritize potential new models of CTE funding and governance structures to reduce barriers to enrollment and to improve the quality, duration, impact, and access to CTE statewide.

(b) In performing its work, the contractor shall consult with the consultant and any other stakeholders involved in completing the report on the design, implementation, and costs of an integrated and coherent adult basic education, adult secondary education, and postsecondary career and technical education system pursuant to 2021 Acts and Resolves No. 74, Sec. H.3.

(c)(1) On or before March 1, 2023, the Agency of Education shall issue a written report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, and the Senate Committee on Economic Development, Housing and General Affairs on the status of its work under subsection (a) of this section.

(2) On or before July 1, 2023, the Agency of Education shall develop an implementation plan, including recommended steps to design and implement new funding and governance models, and issue a written report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, and the Senate Committee on Economic Development, Housing and General Affairs describing the results of its work under subsection (a) of this section and making recommendations for legislative action.

Sec. 4. INVESTMENT IN THE UP-SKILLING OF PRIVATE SECTOR
EMPLOYERS TO SUPPORT THE EVOLUTION OF BUSINESS
AND ORGANIZATIONAL MODELS; APPROPRIATIONS

In fiscal year 2023, the amount of \$500,000.00 is appropriated from the General Fund to the Agency of Commerce and Community Development to regrant a performance-based contract to the Vermont Professionals of Color Network for statewide delivery of business coaching and other forms of training to BIPOC business owners, networking and special convenings, and career fairs, workshops and paid internships, career guidance, and other support for BIPOC workers across the State.

Sec. 5. REGIONAL WORKFORCE EXPANSION SYSTEM

(a) Regional Workforce Expansion System. The amount of \$3,000,000.00 is appropriated from the General Fund to the Department of Labor to launch and lead a coordinated regional system to support the State's workforce expansion efforts that is designed to:

(1) support employers in tailoring their work requirements, conditions, and expectations to better access local workers;

(2) collaborate with local education and training providers and regional workforce partners, to create and regularly distribute data related to local labor force supply and demand; and

(3) create and share work-based learning and training opportunities with secondary and postsecondary students, local workforce expansion partners, and others interested in starting or advancing in their career.

(b) System infrastructure.

(1) The Vermont Department of Labor shall make investments that improve and expand regional capacity to connect supply (workers) and demand (employment) in real-time.

(2) The Department shall place in the Barre, Bennington, Brattleboro, Rutland, St. Albans and St. Johnsbury areas, six state-funded Workforce Expansion Specialists who are limited-service, full-time-employees and who shall report to the Workforce Development Division.

(c) Coordination.

(1) The Department shall co-convene regular, regional meetings of education, training, business, and service provider partners; coordinate local workforce information collection and distribution, assist with pilot projects, provide targeted sector support, and develop localized career resources such as information for career counseling, local job fairs, career expos, available to a wide range of stakeholders.

(2) The Department shall develop labor market information reports by CTE district to support discussion and decision making that will address local labor market challenges and opportunities and support a regional approach to solving local or unique labor supply challenges.

(d) Report. On or before December 15, 2024, the Department shall provide a narrative update on the progress made in hiring staff, establishing interagency agreements, developing regional information exchange systems, and serving jobseekers and employers to the House and Senate Committees of Jurisdiction. The report shall also recommend ongoing metrics that can be easily recorded and reported at the local and State levels on a regular basis to meet multiple information needs.

(e) Implementation. The Department of Labor shall begin implementing the Regional Workforce Expansion System on or before August 1, 2022.

Sec. 6. JUSTICE-INVOLVED INDIVIDUALS; WORKFORCE

DEVELOPMENT; PILOT PROGRAM

(a) Findings.

(1) Justice-involved individuals are persons who hold a conviction record and may or may not have served time in a corrections facility.

(2) 95 percent of incarcerated individuals will be released to their communities and between 78–83 percent of those released are between 25 and 54 years of age, which is prime working age.

(3) 63 percent of incarcerated individuals in the Vermont Southern State Correctional Facility reported job training as the most helpful program to meet their needs.

(b) Policy; appropriations.

(1)(A) In fiscal year 2023, the amount of \$417,000.00 is appropriated from the General Fund to the Department of Corrections to address vocational enhancement needs.

(B) The Department shall use funds to transition vocational training space within existing correctional facilities to support continued education and vocational training and placement in the community.

(C) The Department may allocate funds over three years, consistent with the following:

(i) \$267,000 for transition development, to include equipment, renovation of vocational space, and/or mobile lab in one or more sites.

(ii) \$100,000 for training partner support.

(iii) \$50,000 for development of curriculum.

(2) In fiscal year 2023, the amount of \$300,000.00 is appropriated from the General Fund to the Department of Corrections to subgrant to the Vermont Works for Women, which may be allocated over not more than three years, to establish a community-based pilot reentry program at the Chittenden Correctional Facility that will provide continuity of services for justice-involved women and:

(A) expand VWW's current employment readiness program within the Chittenden facility by building pathways for coordinated transition to employment;

(B) focus on the first six months after individuals are released from the facility;

(C) coordinate with local community resources, parole and probation offices, and supports to ensure successful transition into the community;

(D) assist individuals in successfully transitioning into new jobs; and

(E) work with employers to support successful hiring and best practices to support justice involved employees.

(c) Report. On or before January 15, 2023, the Department of Corrections shall create and submit a report on Workforce and Education Training Programs in Correctional Facilities to the Joint Legislative Justice Oversight Committee; the House Committees on Corrections and Institutions and on Commerce and Economic Development; and the Senate Committees on Economic Development, Housing and General Affairs and on Judiciary. The report shall:

(1) identify program design, logistical needs, and policy changes to current Department of Corrections facility-based training and educational programs necessary to successfully support justice involved individuals' reentry into their communities, including changes to programs that better support individuals' skill development, knowledge, and support needed to qualify and secure a position in a critical occupation in Vermont;

(2) identify disparities of outcomes for justice-involved BIPOC individuals in facility-based training and educational programming and successful reentry into the community and solutions for addressing the disparities;

(3) provide an update on the Department of Corrections Vocational Enhancement work funding in FY23; and

(4) provide an update on what aspects of the Reentry Pilot Program could and should be replicated in other correctional facilities in Vermont.

Sec. 7. REPEALS

10 V.S.A. §§ 544 and 545 are repealed.

Sec. 8. WORK-BASED LEARNING AND TRAINING PROGRAM

(a) Vermont Work-Based Learning and Training Program. The Department of Labor shall develop the statewide Work-Based Learning and Training Program that serves transitioning secondary and postsecondary students and Vermonters seeking work-based experience as part of a career change and is designed to:

(1) support Vermonters who are graduating from postsecondary education or a secondary CTE program or who are pursuing a career change with a paid on-the-job work experience lasting 12 weeks or less;

(2) establish a statewide platform available to all employers to list their internships, returnships, pre-apprenticeships, and registered apprenticeship opportunities and for jobseekers to view and access information about specific opportunities; and

(3) support employers by providing them with assistance in developing and implementing meaningful work-based learning and training opportunities.

(b) Definitions. As used in this section:

(1) “Internship” means a work-based learning experience with an employer where the participant may, but does not necessarily, receive academic credit.

(2) “Pre-apprenticeship” is a program of combined learning and work-based experiences that lead to an informal apprenticeship or formal registered apprenticeship program.

(3) “Registered Apprenticeship” is a program approved by the Vermont Department of Labor as a federally recognized apprenticeship program.

(4) “Returnship” means an on-the-job learning experience for an individual who is returning to the workforce after an extended absence or is seeking a limited-duration on-the-job work experience in a different occupation or occupational setting as part of a career change.

(c) Activities. The Department may use funds appropriated to it for the Program to:

(1) build and administer the Program;

(2) develop an online platform that will connect students and jobseekers with work-based learning and training opportunities within Vermont;

(3) support work-based learning and training opportunities with public and private employers available to prospective workers located in or relocating to Vermont;

(4) promote work-based learning and training as a valuable component of a talent pipeline; and

(5) assist employers in developing meaningful work-based learning and training opportunities.

(d) Data; goals. The Department shall collect data and establish goals and performance measures that demonstrate Program results for activities funded through the Program.

(e) State participation. The Department shall engage appropriate State agencies and departments to expand Program opportunities with State government and with entities awarded State contracts.

(f) Reporting. On or before February 15, 2023, the Department shall report on recommended metrics for measuring Program performance to the relevant committees of jurisdiction.

Sec. 8a. INTERNSHIP COST OFFSET INITIATIVE

(a) In fiscal year 2023 the amount of \$3,000,000 is appropriated from the General Fund to the Department of Labor for an Internship Cost Offset Initiative.

(b) The Department shall design and implement the Initiative to expand the number of postsecondary students participating in an internship with a Vermont employer, consistent with the following:

(1) Students enrolled in an approved postsecondary institution are eligible for not more than \$3,000.00 for tuition and fees directly related to participating in an internship with a Vermont employer for which they are also receiving postsecondary credit toward a degree.

(2) The Department shall enter into an agreement with the Vermont Student Assistance Corporation to develop and administer the Initiative, which shall include an amount not to exceed 7 percent for costs associated with the administration of the program.

(c) Reporting. On or before February 15, 2023, the Department shall report on recommended metrics for measuring Initiative performance to the relevant committees of jurisdiction.

Sec. 9. THE VERMONT TRADES SCHOLARSHIP PROGRAM

(a) The Vermont Trades Scholarship Program is created and shall be administered by the Vermont Student Assistance Corporation. The Vermont Student Assistance Corporation shall disburse initial licensing fees, exam fees, and tuition payments under the Program on behalf of eligible individuals, subject to the appropriation of funds by the General Assembly for this purpose.

(b) To be eligible for a scholarship under the Program, an individual, whether a resident or nonresident, shall:

(1) be enrolled in an industry recognized training and certification program that leads to initial employment or career advancement in a building, mechanical, industrial, or medical trade, or in clean energy, energy efficiency, weatherization, or clean transportation;

(2) demonstrate financial need;

(3) register with the Vermont Department of Labor for the purpose of receiving relevant job referrals, if unemployed; and

(4) agree to work in their profession in Vermont for a minimum of one year following licensure or certification completion for each year of scholarship awarded.

(c)(1) The Corporation shall give preference to students attending a Vermont-based training program or, if one isn't available for their certification, an offer of employment or promotion from a Vermont employer upon completion.

(2) The Corporation shall give priority to applicants who have not received other assistance.

(d) There shall be no deadline to apply for a scholarship under this section. Scholarships shall be awarded on a rolling basis if funds are available, and any funds remaining at the end of a fiscal year shall roll over and shall be available to the Vermont Student Assistance Corporation in the following fiscal year to award additional scholarships as set forth in this section.

(e) The sum of \$3,000,000.00 in base General Funds is appropriated to the Vermont Student Assistance Corporation for scholarships for trades students under the Vermont Trades Scholarship Program.

Sec. 10. THE VERMONT TRADES LOAN REIMBURSEMENT PROGRAM

(a) The Vermont Trades Loan Repayment Reimbursement Program is created and shall be administered by the Vermont Student Assistance Corporation. The Vermont Student Assistance Corporation shall disburse funds under the Program to eligible individuals, subject to the appropriation of funds by the General Assembly for this purpose.

(b) To be eligible for loan repayment under the Program, an individual, shall:

(1) be a Vermont resident; and

(2) be employed in an occupation in the building, mechanical, industrial, or medical trades, or in the clean energy, energy efficiency,

weatherization, or clean transportation sectors, for an average of at least 30 hours per week for least one full calendar year before applying.

(c) For every year of work in a qualifying occupation, an individual shall be eligible for up to \$5,000.00 in loan repayment reimbursement. Reimbursements shall not exceed the total amount of educational debt owed.

(d) There shall be no deadline to apply for loan repayment reimbursement under this section. Loan repayment shall be awarded on a rolling basis if funds are available, and any funds remaining at the end of a fiscal year shall roll over and shall be available to the Vermont Student Assistance Corporation in the following fiscal year to award additional loan repayment as set forth in this section.

(e) The sum of \$500,000.00 is appropriated from the General Fund to the Vermont Student Assistance Corporation for loan repayment for trades professionals under the Program.

Sec. 11. CTE CONSTRUCTION AND REHABILITATION

EXPERIENTIAL LEARNING PROGRAM; REVOLVING LOAN FUND

(a) Purpose. This section authorizes and provides funding for the CTE Construction and Rehabilitation Experiential Learning Program and Revolving Loan Fund, the purposes of which are to:

(1) expand the experiential and educational opportunities for high school and adult CTE students to work directly on construction projects;

(2) build community partnerships among CTE centers, housing organizations, government, and private businesses;

(3) beautify communities and rehabilitate buildings that are underperforming assets;

(4) expand housing access to Vermonters in communities throughout the State; and

(5) improve property values while teaching high school and adult students trade skills.

(b) Appropriation; creation of fund; administration.

(1) In fiscal year 2023, the amount of \$15,000,000.00 is appropriated from the Education Fund to the Vermont Housing and Conservation Board to create and administer the CTE Construction and Rehabilitation Experiential Learning Program and Revolving Loan Fund pursuant to this section.

(2) The Board may use not more than five percent of the Fund for its costs of administration.

(c) Proposals; applications; funding.

(1) A regional CTE center, working in collaboration with one or more housing and community partners, private businesses, nonprofit organizations, or municipalities, shall identify construction projects that would be relevant and appropriate for CTE students enrolled in construction, electrical, plumbing, design, business management, or other CTE programs, including:

(A) rehabilitation of residential properties that are blighted or not code-compliant;

(B) new residential construction projects or improvements to land in cases of critical community need; and

(C) commercial construction projects that have substantial community benefit.

(2) Prior to or during the application process, a CTE center and its partners may consult with the Board to identify and consider potential funding partners to leverage amounts available through the Fund.

(3) A CTE center and its partners shall apply to the Board for funding by submitting a project application that includes the information required by the Board and addresses the following:

(A) the educational benefits for students and fit with the CTE curriculum;

(B) the community benefits for the neighborhood, municipality, or region in which the project is located; and

(C) the partners with whom the CTE center is collaborating and the respective responsibility for the aspects of a project, including:

(i) educational instruction and academic credit;

(ii) project management;

(iii) insurance coverage for students and the property;

(iv) compensation and benefits, including compliance with labor laws, standards, and practices; and

(v) property acquisition, ownership, and transfer.

(4) A CTE center may use funding for, and shall specify in its application the allocation of costs associated with:

(A) acquisition, design, permitting, construction, marketing, and other building-related expenses; and

(B) costs for labor, including for student wages and for instructor compensation during the academic year as well as for summer or other work that is not otherwise budgeted during the academic year.

(d) Eligibility; review; approval. The Board may approve an application that includes the information required by subsection (c) of this section and provide funding for a project that meets the following eligibility criteria:

(1) The project involves the rehabilitation of blighted or otherwise noncode compliant property, or new residential construction projects or improvements to land in cases of critical need, and results in a building with not more than four residential dwelling units.

(2) The project includes a weatherization component.

(3) Students working on the project receive academic credit, a competitive wage, or both.

(e) Affordability; flexibility. If appropriate in the circumstances, the Board may condition funding for a project on the inclusion of one or mechanisms addressing the affordability of the property upon rent or sale.

(f) Funding; proceeds; revolving loans.

(1) The Board shall provide funding for projects from the amounts available in the Fund in the form of zero-interest loans, in an amount, for a period, and upon terms specified by the Board.

(2) The Board shall return to the Fund any proceeds realized to provide funding for future projects.

(g) Report. The Board shall address the implementation of this section in its annual report to the General Assembly.

Sec. 12. EARLY CHILDHOOD EDUCATOR RECRUITMENT

In fiscal year 2023, the amount of \$125,000.00 is appropriated from the General Fund to the Department for Children and Families' Child Development Division to subgrant to the Vermont Association for the Education of Young Children to develop and implement a comprehensive early childhood educator recruitment campaign.

Sec. 13. HEALTH CARE WORKFORCE; LEGISLATIVE INTENT

(a) The General Assembly values all health care workers, at every level and in each component of the health care system. The General Assembly also

acknowledges the many struggles faced by health care workers and that the pandemic has placed further strain on an already taxed system. Many health care workers have not had their pay adjusted over time to address increases in the cost of living, essentially amounting to pay cuts from year to year. Health care workers have experienced burnout, trauma, and moral injuries due to a history of underfunding and the present stress of the pandemic.

(b) In order to retain and recruit health care workers in Vermont, it is the intent of the General Assembly to invest in multiple solutions aimed at reinforcing our health care workforce in the present and sustaining our health care workers into the future.

Sec. 14. EMERGENCY GRANTS TO SUPPORT NURSE EDUCATORS

(a) The sum of \$3,000,000.00 is appropriated to the Department of Health from General Fund in fiscal year 2023 and shall carry forward for the purpose of providing emergency interim grants to Vermont's nursing schools over three years to increase the compensation for their nurse faculty and staff, with \$1,000,000.00 to be distributed in each of fiscal years 2023, 2024, and 2025 to increase the compensation for each full-time-equivalent (FTE) member of the clinical and didactic nurse faculty and staff. The Department shall distribute the funds among the nursing schools in Vermont equitably based on each school's proportion of nursing faculty and staff to the total number of FTE nursing faculty and staff across all nursing schools statewide.

(b) If the nurse faculty or staff, or both, of a nursing school receiving a grant under this section are subject to a collective bargaining agreement, the use of the grant funds provided to the nursing school for those faculty or staff, or both, shall be subject to impact bargaining between the nursing school and the collective bargaining representative of the nurse faculty or staff, or both, to the extent required by the applicable collective bargaining agreement.

Sec. 15. NURSE PRECEPTOR INCENTIVE GRANTS; HOSPITALS;

WORKING GROUP; REPORT

(a)(1) The sum of \$2,400,000.00 is appropriated to the Agency of Human Services from the General Fund in fiscal year 2023 to provide incentive grants to hospital-employed nurses in Vermont to serve as preceptors for nursing students enrolled in Vermont nursing school programs. The Agency shall distribute the funds to hospitals employing nurses who provide student preceptor supervision based on the number of preceptor hours to be provided, at a rate of \$5.00 per preceptor hour, or a lesser hourly rate if the need exceeds the available funds.

(2) If nurse preceptors receiving compensation pursuant to a grant awarded to a hospital under this section are subject to a collective bargaining agreement, the use of the grant funds provided to the hospital for the nurse preceptors shall be subject to impact bargaining between the hospital and the collective bargaining representative of the nurses to the extent required by the collective bargaining agreement.

(b)(1) The Director of Health Care Reform or designee in the Agency of Human Services shall convene a working group of stakeholders representing nursing schools, long-term care facilities, designated and specialized service agencies, federally qualified health centers, home health agencies, primary care practices, and other health care facilities to:

(A) identify ways to increase clinical placement opportunities across a variety of health care settings for nursing students enrolled in Vermont nursing school programs;

(B) establish sustainable funding models for compensating nurses serving as preceptors or for supporting the hiring of additional nurses to alleviate the pressures on nurse preceptors, or both; and

(C) develop an action plan for implementing the clinical placement expansion and sustainable funding models identified and established pursuant to subdivisions (A) and (B) of this subdivision (1), including addressing the need for student housing opportunities.

(2) On or before January 15, 2023, the Director of Health Care Reform shall provide the working group's action plan and any recommendations for legislative action to the House Committees on Health Care, on Commerce and Economic Development, and on Appropriations and the Senate Committees on Health and Welfare, on Economic Development, Housing and General Affairs, and on Appropriations.

Sec. 16. HEALTH CARE EMPLOYER NURSING PIPELINE AND
APPRENTICESHIP PROGRAM

(a) The sum of \$3,000,000.00 is appropriated to the Vermont Student Assistance Corporation (VSAC) from the General Fund in fiscal year 2023 and shall carry forward for the purpose of providing grants to health care employers, including hospitals, long-term care facilities, designated and specialized service agencies, federally qualified health centers, and other health care providers, to establish or expand partnerships with Vermont nursing schools to create nursing pipeline or apprenticeship programs, or both, that will train members of the health care employers' existing staff, including personal care attendants, licensed nursing assistants, and licensed practical nurses, to become higher-level nursing professionals. Through a combination of scholarship awards, grants awarded to health care employers pursuant to this section, and the health care employer's contributions, the trainees' tuition and fees shall be covered in full, and trainees shall be provided with assistance in meeting their living costs, such as housing and child care, while attending the program.

(b) In awarding grants pursuant to this section, VSAC shall give priority to health care employer proposals based on the following criteria:

(1) the extent to which the health care employer proposes to participate financially in the program;

(2) the extent of the health care employer's commitment to sustaining the program financially, including providing financial support for nurse preceptors, to create ongoing opportunities for educational advancement in nursing;

(3) the ability of the health care employer's staff to leverage nursing scholarship opportunities to maximize the reach of the grant funds;

(4) the employer's demonstrated ability to retain nursing students in the Vermont nursing workforce;

(5) the employer's geographic location, in order to ensure access to pipeline and apprenticeship programs for nursing staff across Vermont; and

(6) the employer's commitment to advancing the professional development of individuals from marginalized communities, especially those that have been historically disadvantaged in accessing educational opportunities and career advancement in the health care professions.

(c)(1) VSAC shall begin awarding grants under this section expeditiously in order to enable health care employer staff to begin enrolling in nursing school programs that commence in the fall of 2022.

(2) On or before September 15, 2022, VSAC shall provide an update to the Health Reform Oversight Committee on the status of program implementation.

Sec. 17. 18 V.S.A. § 34 is added to read:

§ 34. VERMONT NURSING FORGIVABLE LOAN INCENTIVE

PROGRAM

(a) The Vermont Nursing Forgivable Loan Incentive Program is created and shall be administered by the Department of Health in collaboration with the Vermont Student Assistance Corporation. The Vermont Student Assistance Corporation shall disburse scholarship funds under the Program on behalf of eligible individuals, subject to the appropriation of funds by the General Assembly for this purpose.

(b) To be eligible for a scholarship under the Program, an individual, whether a resident or nonresident, shall:

(1) be enrolled at an approved postsecondary education institution as defined in 16 V.S.A. § 2822;

(2) demonstrate financial need;

(3) demonstrate academic capacity by carrying the minimum grade point average in the individual's course of study prior to receiving the fund award; and

(4) agree to work as a nurse in Vermont for a minimum of one year following licensure for each year of scholarship awarded.

(c)(1) First priority for scholarship funds shall be given to students pursuing a practical nursing certificate who will be eligible to sit for the NCLEX-PN examination upon completion of the certificate.

(2) Second priority for scholarship funds shall be given to students pursuing an associate's degree in nursing who will be eligible to sit for the NCLEX-RN examination upon graduation.

(3) Third priority for scholarship funds shall be given to students pursuing a bachelor of science degree in nursing.

(4) Fourth priority shall be given to students pursuing graduate nursing education.

(d) Students attending an approved postsecondary educational institution in Vermont shall receive first preference for scholarships.

(e) There shall be no deadline to apply for a scholarship under this section. Scholarships shall be awarded on a rolling basis as long as funds are available, and any funds remaining at the end of a fiscal year shall roll over and shall be available to the Department of Health and the Vermont Student Assistance Corporation in the following fiscal year to award additional scholarships as set forth in this section.

Sec. 18. REPEAL

18 V.S.A. § 31 (educational assistance; incentives; nurses) is repealed.

Sec. 19. VERMONT NURSING FORGIVABLE LOAN INCENTIVE
PROGRAM; APPROPRIATION

The sum of \$3,000,000.00 in Global Commitment investment funds is appropriated to the Department of Health in fiscal year 2023 for scholarships for nursing students under the Vermont Nursing Forgivable Loan Program established in Sec. 17 of this act.

Sec. 20. 18 V.S.A. § 35 is added to read:

§ 35. VERMONT NURSING LOAN REPAYMENT PROGRAM

(a) As used in this section:

(1) “Corporation” means the Vermont Student Assistance Corporation established in 16 V.S.A. § 2821.

(2) “Eligible individual” means an individual who satisfies the eligibility requirements for loan repayment under this section.

(3) “Eligible school” means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(4) “Loan repayment” means the cancellation and repayment of loans under this section.

(5) “Loans” means education loans guaranteed, made, financed, serviced, or otherwise administered by the Corporation under this subchapter for attendance at an eligible school.

(6) “Program” means the Vermont Nursing Loan Repayment Program created under this section.

(b) The Vermont Nursing Loan Repayment Program is created and shall be administered by the Department of Health in collaboration with the Corporation. The Program provides loan repayment on behalf of individuals

who live and work as a nurse in this State and who meet the eligibility requirements in subsection (e) of this section.

(c) The loan repayment benefits provided under the Program shall be paid on behalf of the eligible individual by the Corporation, subject to the appropriation of funds by the General Assembly specifically for this purpose.

(d) To be eligible for loan repayment under the Program, an individual shall satisfy all of the following requirements:

(1) have graduated from an eligible school where the individual has, within the past five years, been awarded a nursing degree;

(2) had the minimum grade point average or better or the equivalent as determined by the Corporation if the eligible school does not use grade point averages from the eligible school;

(3) work as a nurse in this State; and

(4) be a resident of Vermont.

(f)(1) An eligible individual shall be entitled to an amount of loan cancellation and repayment under this section equal to one year of loans for every for one year of service as a nurse in this State.

(2) The Corporation shall award loan repayments in amounts that are sufficient to attract high-quality candidates while also making a meaningful increase in Vermont's health care professional workforce.

(i) The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section.

Sec. 21. VERMONT NURSING LOAN REPAYMENT PROGRAM;

APPROPRIATION

The sum of \$2,000,000.00 is appropriated from the General Fund to the Department of Health in fiscal year 2023 for loan repayment for nurses under the Vermont Nursing Loan Repayment Program established in Sec. 20 of this act.

Sec. 22. 18 V.S.A. § 36 is added to read:

§ 36. NURSE EDUCATOR SCHOLARSHIP AND LOAN REPAYMENT PROGRAM

(a) Definitions. As used in this section:

(1) "Eligible individual" means an individual who satisfies the eligibility requirements under this section for a scholarship or loan repayment.

(2) “Eligible school” means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(3) “Gift aid” means grant or scholarship financial aid received from the federal government or from the State.

(4) “Loan repayment” means the cancellation and repayment of loans under this section.

(5) “Loans” means education loans guaranteed, made, financed, serviced, or otherwise administered by the Corporation under this subchapter for attendance at an eligible school.

(6) “Program” means the Nurse Educator Scholarship and Loan Repayment Program created under this section.

(7) “Scholarship” means a scholarship awarded under this section covering tuition, room, board, and the cost of required books and supplies for up to full-time attendance at an eligible school.

(b) Program creation. The Nurse Educator Scholarship and Loan Repayment Program is created and shall be administered by the Department of Health in collaboration with the Corporation. The Program provides scholarships to students enrolled in an eligible school who commit to working as a nurse educator at a nursing school in this State and who meet the eligibility requirements in subsection (d) of this section. The Program also provides loan repayment on behalf of individuals who work as nurse educators at a nursing school in this State and who meet the eligibility requirements in subsection (e) of this section.

(c) The scholarship and loan repayment benefits provided under the Program shall be paid on behalf of the eligible individual by the Corporation, subject to the appropriation of funds by the General Assembly specifically for this purpose.

(d) Eligibility for scholarships. To be eligible for a scholarship under the Program, an individual, whether a resident or nonresident, shall satisfy all of the following requirements:

(1) be enrolled at an eligible school in a program that leads to a graduate degree in nursing;

(2) continually demonstrate satisfactory academic progress by maintaining the minimum grade point average or better or the equivalent as determined by the Corporation if the eligible school does not use grade point averages;

(3) have used any available gift aid;

(4) have executed a contract with the Corporation committing the individual to work as a nurse educator at a nursing school in this State;

(5) have executed a promissory note obligating the individual to repay the individual's scholarship benefit, in whole or in part, if the individual fails to complete the period of service required in subsection (f) of this section; and

(6) have completed the Program's application form, the free application for federal student aid (FAFSA), and the Vermont grant application each academic year of enrollment in accordance with a schedule determined by the Corporation.

(e) Eligibility for loan repayment. To be eligible for loan repayment under the Program, an individual shall satisfy all of the following requirements:

(1) graduated from an eligible school where the individual has, within the past five years, been awarded a graduate degree in nursing;

(2) had the minimum grade point average or better or the equivalent as determined by the Corporation if the eligible school does not use grade point averages from the eligible school;

(3) work as a nurse educator at a nursing school in this State; and

(4) be a resident of Vermont.

(f) Service commitment.

(1) Scholarships. For each year of service as a nurse educator at a nursing school in this State, an eligible individual shall be entitled to a full academic year of full scholarship benefit under the Program. If an eligible individual fails to serve as a nurse educator at a nursing school in this State for a period that would entitle the individual to the full scholarship benefit received by the individual, other than for good cause as determined by the Corporation, then the individual shall reimburse the Corporation a pro rata portion of the scholarship paid under the Program pursuant to the terms of the interest-free reimbursement promissory note signed by the individual at the time of entering the Program.

(2) Loan repayment. An eligible individual shall be entitled to an amount of loan cancellation and repayment under this section equal to one year of loans for every for one year of service as a nurse educator at a nursing school in this State.

(g) Adoption of policies, procedures, and guidelines. The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section.

Sec. 23. NURSE EDUCATOR SCHOLARSHIP AND LOAN REPAYMENT PROGRAM; APPROPRIATION

The sum of \$500,000.00 is appropriated from the General Fund to the Department of Health in fiscal year 2023 for scholarships and loan repayment for nurse educators under the Nurse Educator Scholarship and Loan Repayment Program established in Sec. 22 of this act.

Sec. 24. NURSING SCHOOLS; SIMULATION LAB UPDATE AND EXPANSION; APPROPRIATION

The sum of \$4,000,000.00 is appropriated from the General Fund to the Agency of Human Services in fiscal year 2023 for purposes of providing capital grants to nursing school programs to enable them to renovate or expand their simulation laboratories, or both, in order to enable them to increase student enrollment. The amount of the grant funds shall be divided among the nursing schools in Vermont based on each school's projected nursing student enrollment following completion of the renovation or expansion.

Sec. 25. 18 V.S.A. § 9456 is amended to read:

§ 9456. BUDGET REVIEW

(a) The Board shall conduct reviews of each hospital's proposed budget based on the information provided pursuant to this subchapter and in accordance with a schedule established by the Board.

(b) In conjunction with budget reviews, the Board shall:

* * *

(10) require each hospital to provide information on administrative costs, as defined by the Board, including specific information on the amounts spent on marketing and advertising costs; ~~and~~

(11) require each hospital to create or maintain connectivity to the State's Health Information Exchange Network in accordance with the criteria established by the Vermont Information Technology Leaders, Inc., pursuant to subsection 9352(i) of this title, provided that the Board shall not require a hospital to create a level of connectivity that the State's Exchange is unable to support;

(12) review the hospital's investments in workforce development initiatives, including nursing workforce pipeline collaborations with nursing schools and compensation and other support for nurse preceptors; and

(13) consider the salaries for the hospital's executive and clinical leadership and the hospital's salary spread, including a comparison of median salaries to the medians of northern New England states.

* * *

Sec. 26. GREEN MOUNTAIN CARE BOARD; FISCAL YEAR 2023
HOSPITAL BUDGET REVIEW; NURSING WORKFORCE
DEVELOPMENT INITIATIVES

For hospital fiscal year 2023, the Green Mountain Care Board may exclude all or a portion of a hospital's investments in nursing workforce development initiatives from any otherwise applicable financial limitations on the hospital's budget or budget growth. Notwithstanding any provision of GMCB Rule 3.202, the Board may modify its hospital budget guidance for hospital fiscal year 2023 as needed to comply with this section.

Sec. 27. DESIGNATED AND SPECIALIZED SERVICE AGENCIES;
MEDICAID RATE INCREASE; REPORT

(a) Since the 1960s, the State and federal governments have directed the community mental health system to provide care in the community using the least restrictive means for those who would previously have been institutionalized, but never redistributed the money to the community mental health system or fully funded that mandate. The General Assembly is taking the steps set forth in subsections (b) and (c) of this section to address the shortfall.

(b) In order to increase by 10 percent the Medicaid rates for the mental health and developmental disability services provided by designated and specialized service agencies, the sum of \$41,854,493.00 in Global Commitment dollars is appropriated to the Agency of Human Services in fiscal year 2023.

(c) The Departments of Mental Health and of Disabilities, Aging, and Independent Living, in consultation with representatives of the designated and specialized services agencies, shall report to the House Committees on Health Care, on Human Services, and on Appropriations and the Senate Committees on Health and Welfare and on Appropriations on or before January 15, 2023 with the total amount of funds that would be necessary on an annual basis to increase the salaries for all staff in the community mental health system to the level of equivalent positions in the State workforce, Vermont hospitals, and school settings.

Sec. 28. AGENCY OF HUMAN SERVICES; DESIGNATED AND
SPECIALIZED SERVICE AGENCIES; WORKFORCE
DEVELOPMENT

(a) The sum of \$6,000,000.00 is appropriated to the Agency of Human Services from the General Fund in fiscal year 2023 to expand the supply of high-quality mental health, substance use disorder treatment, and developmental disability services professionals by distributing funds to the designated and specialized service agencies equitably based on each agency's proportion of full-time- equivalent (FTE) mental health, substance use disorder treatment, and developmental disability services staff to the total number of FTE mental health, substance use disorder treatment, and developmental disability services 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, substance use disorder treatment, and developmental disability services 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, substance use disorder treatment, or developmental disability services, or a combination of these, 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 the employee's completion of the required service obligation.

(c) Until the funds have been fully expended, the Agency of Human Services shall report on or before January 15 annually to the House Committees on Appropriations, on Health Care, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare 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. 29. OFFICE OF PROFESSIONAL REGULATION; BARRIERS TO
MENTAL HEALTH LICENSURE; REPORT

The Office of Professional Regulation shall undertake a systematic review of the licensing processes for mental health and substance use disorder treatment professionals to identify barriers to licensure. On or before January 15, 2023, the Office shall provide its findings and recommendations to address any identified barriers to licensure to the House Committees on Health Care, on Human Services, on Commerce and Economic Development, and on Government Operations and the Senate Committees on Health and Welfare, on Economic Development, Housing and General Affairs, and on Government Operations.

Sec. 30. AGENCY OF HUMAN SERVICES; POSITION;
APPROPRIATION

(a) One classified, three-year limited-service Health Care Workforce Coordinator position is created in the Agency of Human Services, Office of Health Care Reform in fiscal year 2023 to support the health care workforce initiatives set forth in this act and in the Health Care Workforce Development Strategic Plan. The Coordinator shall focus on building educational, clinical, and housing partnerships and support structures to increase and improve health care workforce training, recruitment, and retention.

(b) The sum of \$170,000.00 is appropriated from the General Fund to the Agency of Human Services, Office of Health Care Reform in fiscal year 2023 for the Health Care Workforce Coordinator position, of which \$120,000.00 is for personal services and \$50,000.00 is for operating expenses.

Sec. 31. DEPARTMENT OF LABOR; HEALTH CARE WORKFORCE

DATA HUB; HEALTH RESOURCE ALLOCATION PLAN

The sum of \$2,500,000.00 is appropriated to the Department of Labor from the General Fund in fiscal year 2023 to enable the Department to serve as the State's health care workforce data hub. The Department shall collect health care workforce data and identify and propose solutions to address data gaps, and shall share the data with the Green Mountain Care Board to inform the Board's work in identifying the State's health resources available to meet Vermonters' health care needs and additional resources that may be necessary, as part of the Board's Health Resource Allocation Plan responsibilities pursuant to 18 V.S.A. § 9405. The Department shall use existing statewide information to the extent practicable to avoid imposing administrative burdens on health care providers and to avoid duplication of efforts underway elsewhere in Vermont. The Department shall expand its data collection practices over two years to include all levels of the health care workforce, beginning with the highest-level licensed health care professionals.

Sec. 32. DEPARTMENT OF LABOR; GREEN MOUNTAIN CARE

BOARD; SUPPLY AND DEMAND MODELING

On or before January 15, 2023, the Department of Labor, in collaboration with the Green Mountain Care Board, shall explore and recommend to the House Committees on Health Care, on Human Services, and on Commerce and Economic Development and the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs a process, methodology, and necessary funding amounts to establish and maintain the capacity to perform health care supply and demand modeling based on information in the health care workforce data hub, for use by health care employers, health care educators, and policymakers.

Sec. 33. DEPARTMENT OF FINANCIAL REGULATION; GREEN

MOUNTAIN CARE BOARD; PRIOR AUTHORIZATIONS;

ADMINISTRATIVE COST REDUCTION; REPORT

(a) The Department of Financial Regulation shall explore the feasibility of requiring health insurers and their prior authorization vendors to access clinical data from the Vermont Health Information Exchange whenever possible to support prior authorization requests in situations in which a request cannot be automatically approved.

(b) The Department of Financial Regulation shall direct health insurers to provide prior authorization information to the Department in a format required

by the Department in order to enable the Department to analyze opportunities to align and streamline prior authorization request processes. The Department shall share its findings and recommendations with the Green Mountain Care Board, and the Department and the Board shall collaborate to provide recommendations to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance on or before January 15, 2023 regarding the statutory changes necessary to align and streamline prior authorization processes and requirements across health insurers.

Sec. 34. 33 V.S.A. § 3543 is amended to read:

§ 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, except that this minimum time requirement does not apply to an employee of Vermont Head Start to the extent it conflicts with any law or contract provision governing the terms of employment.

(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.

* * *

Sec. 35. PILOT PROGRAM; POSITIONS EMBEDDED WITHIN

RECOVERY CENTERS

(a)(1) In fiscal year 2023, \$1,290,000.00 is appropriated to the Department for Disabilities, Aging, and Independent Living's Division of Vocation Rehabilitation and the Vermont Association of Business Industry and Rehabilitation from the State and Local Fiscal Recovery Fund for the purpose of developing and implementing a two-year pilot program that embeds 15 FTE new positions within 12 recovery centers across the State.

(2) The 15 FTE limited-service positions shall be allocated as follows:

(A) Of the total appropriation, \$540,000.00 total shall be allocated in equal amounts to fund the following 2.5 FTE at each of two geographically diverse recovery centers:

(i) one FTE to serve as an employment counselor within the Division of Vocation Rehabilitation;

(ii) one FTE to serve as an employment consultant within the Vermont Association of Business Industry and Rehabilitation; and

(iii) 0.5 FTE to serve as Employment Assistance Program staff within the Division of Vocation Rehabilitation.

(B) Of the total appropriation, \$75,000.00 shall be allocated in equal amounts to fund one FTE who shall serve as an employment support counselor at each of the 10 remaining recovery centers in the State.

(b) On or before January 1, 2024, the Division of Vocational Rehabilitation, in collaboration with the Vermont Association of Business Industry and Rehabilitation, 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 summarizing the effectiveness of the pilot program, including:

- (1) educational attainment and achievement of program recipients;
- (2) acquisition of a credential of value pursuant to 10 V.S.A. § 546;
- (3) number of job placements; and
- (4) job retention rates.

Sec. 36. ADVANCE VERMONT PUBLIC-PRIVATE PARTNERSHIP

(a) Duties. Advance Vermont shall perform the following duties, in coordination and alignment with State partners, in support of the State's goal articulated in 10 V.S.A. § 546 that 70 percent of working-age Vermonters hold a credential of value by 2025 (Goal):

(1) increase public awareness of the value of postsecondary education and training to help persons of any age make informed decisions about the value of education and training that would further their advancement in educational pathways and pursuit of career goals, through targeted outreach as outlined in subsection (b) of this section;

(2) promote a broad understanding of the public good and value in achieving the State's Goal and of actions stakeholders can take to increase attainment;

(3) assist or coordinate with stakeholders, such as educational, business, governmental, nonprofit, and philanthropic organizations, in activities that seek to align the delivery of high-quality education and training opportunities with career advancement and support the policy priorities outlined in 10 V.S.A. § 546;

(4) collect and display publicly available, nonconfidential information about postsecondary credentials available to Vermonters;

(5) facilitate conversations or provide information about the national best practices in aligning, recognizing, measuring, tracking, and promoting postsecondary credentials of value to the Vermont Department of Labor and Agency of Education when requested;

(6) maintain its web-based resources that provide information about opportunities to obtain a postsecondary credential of value, in coordination with State partners;

(7) support the Vermont Department of Labor and Agency of Education transition or integration of Advance Vermont's web-based resources and collected information referenced in subdivisions (4) and (6) of this subsection into a State-supported system in a coordinated way; and

(8) meet on a quarterly basis with the Vermont Department of Labor and Agency of Education about activities described in this subsection.

(b) Outreach. Advance Vermont may use funds awarded by the State to:

(1) create and distribute public-facing communications and resources related to the duties described in this section; and

(2) offer support to career and education counselors, employment and training counselors, jobseekers and their families, and other stakeholders, consistent with best practice and State policy and programs, to help them better understand the postsecondary education and training landscape.

(c) Reports. Advance Vermont shall provide written reports to:

(1) the Vermont Department of Labor and Agency of Education about anticipated work and activities using a simplified reporting template jointly developed by Advance Vermont and the State entities on a quarterly basis; and

(2) on or before December 15, 2022, the House and Senate committees of jurisdiction regarding the use of funds, activities performed, and outcomes achieved by Advance Vermont.

(d) Appropriation. The sum of \$350,000.00 is appropriated from the General Fund in fiscal year 2023 to the Vermont Student Assistance

Corporation for the purposes of funding the work outlined in this section by Advance Vermont.

Sec. 37. VERMONT SERVE, LEARN, AND EARN PROGRAM;

APPROPRIATION

In fiscal year 2023, the amount of \$3,200,000.00 is appropriated from the General Fund to the Department of Forests, Parks and Recreation to be granted to the Vermont Youth Conservation Corps to continue the Vermont Serve, Learn, and Earn Program with other community partners, providing the Corps and its partners with the capital and operating funds necessary to support workforce development goals through creating meaningful paid service and learning opportunities for young adults.

Sec. 38. ADULT EDUCATION AND LITERACY; FINDINGS

The General Assembly finds:

(1) Adult education and literacy services are a key piece of the workforce development system and serve as the entryway into career readiness and workforce development for tens of thousands of our most vulnerable Vermonters, those with low literacy, under-education, or those simply in need of increased skills so that they can succeed.

(2) 36,000 adults in Vermont do not have a high school credential, and tens of thousands more lack the skills to matriculate into and be successful in college, in career training programs, or both. Adult education and literacy providers are the first stop on the path to the transformative opportunities that Vermont is offering for these individuals.

(3) Adult education and literacy services help people build the assets they need to move out of poverty successfully, as well as the confidence to continue to move toward success throughout their lives. Students are supported to identify concrete goals and then break those goals down into steps. Students set goals in the domains of:

(A) family and life;

(B) academics; and

(C) career and college readiness.

Sec. 39. EFFECTIVE DATES

This act shall take effect on July 1, 2022, except that:

(1) Sec. 8a(b)–(c) (Internship Cost Offset Initiative) shall take effect on passage.

(2) Sec. 25 (18 V.S.A. § 9456) shall take effect on January 1, 2023 and shall apply to hospital fiscal years 2024 and after.

(Committee Vote: 9-0-2)

Rep. Till of Jericho, for the Committee on Ways and Means, recommends the bill ought to pass when amended as recommended by the Committee on Corrections and Institutions and when further amended as follows:

First: By striking out Sec. 3, funding and governance structures of career technical education in Vermont, in its entirety and inserting in lieu thereof a new Sec. 3 to read as follows:

Sec. 3. FUNDING AND GOVERNANCE STRUCTURES OF
CAREER TECHNICAL EDUCATION IN VERMONT

(a) There is appropriated to the Joint Fiscal Office for fiscal year 2023 the amount of \$180,000.00 from the General Fund to contract for services to:

(1) complete a systematic examination of the existing funding structures of career technical education (CTE) in Vermont and how these structures impede or promote the State's educational and workforce development goals;

(2) examine CTE governance structures in relationship to those funding structures;

(3) examine the implications of the existing funding and governance structures for kindergarten through grade 12 schools and adult education;

(4) examine the funding and alignment of early college and dual enrollment;

(5) consider the CTE funding and governance structures in other states in relation to Vermont's unique system of funding education; and

(6) identify and prioritize potential new models of CTE funding and governance structures to reduce barriers to enrollment and to improve the quality, duration, impact, and access to CTE statewide.

(b) In performing its work, the contractor shall consult with the consultant and any other stakeholders involved in completing the report on the design, implementation, and costs of an integrated and coherent adult basic education, adult secondary education, and postsecondary career and technical education system pursuant to 2021 Acts and Resolves No. 74, Sec. H.3.

(c)(1) On or before March 1, 2023, the Joint Fiscal Office shall issue a written report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, the Senate Committee

on Economic Development, Housing and General Affairs, the House Committee on Ways and Means, and the Senate Committee on Finance the work performed pursuant to subsection (a) of this section.

(2) On or before July 1, 2023, the Agency of Education shall develop an implementation plan, including recommended steps to design and implement new funding and governance models, and issue a written report to the House and Senate Committees on Education, the House Committee on Commerce and Economic Development, the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on Ways and Means, and the Senate Committee on Finance describing the results of its work under subsection (a) of this section and making recommendations for legislative action.

Second: By striking out Sec. 20, 18 V.S.A. § 35, in its entirety and inserting in lieu thereof a new Sec. 20 to read as follows:

Sec. 20. 18 V.S.A. § 35 is added to read:

§ 35. VERMONT NURSING LOAN REPAYMENT PROGRAM

(a) As used in this section:

(1) “Corporation” means the Vermont Student Assistance Corporation established in 16 V.S.A. § 2821.

(2) “Eligible individual” means an individual who satisfies the eligibility requirements for loan repayment under this section.

(3) “Eligible school” means an approved postsecondary education institution, as defined under 16 V.S.A. § 2822.

(4) “Loan repayment” means the cancellation and repayment of loans under this section.

(5) “Loans” means education loans guaranteed, made, financed, serviced, or otherwise administered by the Corporation under this subchapter for attendance at an eligible school.

(6) “Program” means the Vermont Nursing and Physician Assistant Loan Repayment Program created under this section.

(b) The Vermont Nursing and Physician Assistant Loan Repayment Program is created and shall be administered by the Department of Health in collaboration with the Corporation. The Program provides loan repayment on behalf of individuals who live and work as a nurse or physician assistant in this State and who meet the eligibility requirements in subsection (e) of this section.

(c) The loan repayment benefits provided under the Program shall be paid on behalf of the eligible individual by the Corporation, subject to the appropriation of funds by the General Assembly specifically for this purpose.

(d) To be eligible for loan repayment under the Program, an individual shall satisfy all of the following requirements:

(1) have graduated from an eligible school where the individual has, within the past five years, been awarded a nursing degree or a degree in physician assistant studies;

(2) had the minimum grade point average or better or the equivalent as determined by the Corporation if the eligible school does not use grade point averages from the eligible school;

(3) work as a nurse or physician assistant in this State; and

(4) be a resident of Vermont.

(f)(1) An eligible individual shall be entitled to an amount of loan cancellation and repayment under this section equal to one year of loans for every for one year of service as a nurse or physician assistant in this State.

(2) The Corporation shall award loan repayments in amounts that are sufficient to attract high-quality candidates while also making a meaningful increase in Vermont's health care professional workforce.

(i) The Corporation shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section.

Third: By striking out Sec. 21, Vermont Nursing Loan Repayment Program; appropriation, in its entirety and inserting in lieu thereof a new Sec. 21 to read as follows:

Sec. 21. VERMONT NURSING LOAN REPAYMENT PROGRAM;

APPROPRIATION

The sum of \$2,000,000.00 is appropriated from the General Fund to the Department of Health in fiscal year 2023 for loan repayment for nurses and physician assistants under the Vermont Nursing and Physician Assistant Loan Repayment Program established in Sec. 20 of this act.

(Committee Vote:11-0-0)

Rep. Toleno of Brattleboro, for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on Commerce and Economic Development and Ways and Means and when further amended as follows:

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

Sec. 1. IMMEDIATE STRATEGIES AND FUNDING FOR EXPANDING
THE LABOR FORCE; INCREASING THE NUMBER OF
PARTICIPANTS AND PARTICIPATION RATES;
APPROPRIATIONS

(a) In fiscal year 2023, the following amounts are appropriated from the General Fund to the following recipients for the purposes specified:

(1) \$2,500,000.00 to the University of Vermont Office of Engagement, in consultation with the Vermont Student Assistance Corporation, to administer a statewide forgivable loan program of \$5,000.00 per graduate for recent college graduates across all Vermont higher education institutions who commit to work in Vermont for two years after graduation.

(2) \$387,000.00 to Vermont Technical College to develop a skilled meat cutter training and apprenticeship facility.

(b) In fiscal year 2023, the amount of \$500,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Human Services to provide grants, which may be administered through a performance-based contract, to refugee- or New American-focused programs working in Vermont to support increased immigration or retention of recent arrivals.

Second: In Sec. 4 (Investment in the Up-skilling of Private Sector Employers) by striking out “\$500,000.00” and inserting in lieu thereof “\$250,000.00”

Third: By striking out Sec. 5 (Regional Workforce Expansion System) in its entirety and inserting in lieu thereof “[Reserved.]”

Fourth: By inserting a new Sec. 7a to read:

Sec. 7a. WORK-BASED LEARNING AND TRAINING PROGRAM;
APPROPRIATION

In fiscal year 2023 the amount of \$1,500,000.00 is appropriated from the General Fund to the Department of Labor to implement the Vermont Work-Based Learning and Training Program created in Sec. 8 of this act.

Fifth: In Sec. 8a (Internship Cost Offset Initiative) by striking out “\$3,000,000” and inserting in lieu thereof “\$1,500,000.00”

Sixth: By striking out Sec. 12 (Early Childhood Educator Recruitment) in its entirety and inserting in lieu thereof “[Reserved.]”

Seventh: In Sec. 19 (Vermont Nursing Forgivable Loan Incentive Program) by striking out “\$3,000,000” and inserting in lieu thereof “\$100,000.00”

Eighth: By striking out Sec. 24 (Nursing Schools; Simulation Lab Update) in its entirety and inserting in lieu thereof “[Reserved.]”

Ninth: By striking out Secs. 27 (Designated and Specialized Service Agencies) and 28 (AHS Designated and Specialized Service Agencies) in their entireties and inserting in lieu thereof “[Reserved.]”

Tenth: By striking out Sec. 31 in its entirety and inserting in lieu thereof a new Sec. 31 to read:

Sec. 31. AGENCY OF HUMAN SERVICES; HEALTH CARE
WORKFORCE DATA CENTER

(a) In fiscal year 2023, the amount of \$1,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Office of Health Care Reform in the Agency of Human Services to enable the Agency to establish and operate the statewide Health Care Workforce Data Center. In order to enhance the State’s public health data systems, respond to the COVID-19 public health emergency, and improve the State’s COVID-19 mitigation and prevention efforts, the Center shall collect health care workforce data, shall collaborate with the Director of Health Care Reform to identify and propose solutions to address data gaps, and shall share the data with the Green Mountain Care Board as appropriate to inform the Board’s Health Resource Allocation Plan responsibilities pursuant to 18 V.S.A. § 9405.

(b) The Center shall use existing statewide information to the extent practicable to avoid imposing administrative burdens on health care providers and to avoid duplication of efforts underway elsewhere in Vermont. The Center shall expand its data collection practices over two years to include all levels of the health care workforce, beginning with the highest-level licensed health care professionals.

(c) In order to ensure the Center has access to accurate and timely health care workforce data, the Center:

(1) shall have the cooperation of other State agencies and departments in responding to the Center’s requests for information;

(2) may enter into data use agreements with institutions of higher education and other public and private entities, to the extent permitted under State and federal law; and

(3) may collect vacancy and turnover information from health care employers.

(d) One classified, full-time Health Care Workforce Data Center Manager position is created in the Agency of Human Services, Office of Health Care Reform in fiscal year 2023 to manage the Health Care Workforce Data Center created pursuant to this section.

(e) The Agency of Human Services may include proposals for additional funding or data access, or both, for the Center as part of the Agency’s fiscal year 2024 budget request.

Eleventh: In Sec. 36 (Advance Vermont Public-Private Partnership), in subsection (d), by striking out “\$350,000.00” and inserting in lieu thereof “150,000.00”

Twelfth: In Sec. 37 (Vermont Serve, Learn, and Earn Program) by striking out “\$3,200,000.00” and inserting in lieu thereof “2,000,000.00”

Thirteenth: By redesignating Sec. 39 (Effective Dates) as Sec. 41 and inserting new Secs. 39 and 40 to read:

Sec. 39. VERMONT FOREST FUTURE STRATEGIC ROADMAP;

APPROPRIATIONS

In addition to any other funds appropriated to the Department of Forests, Parks and Recreation, in fiscal year 2023 the amount of \$250,000.00 is appropriated from the General Fund to the Department to enter a two-year contract in fiscal year 2023 for the purpose of contracting for the development of the Vermont Forest Future Strategic Roadmap required by 10 V.S.A. § 2531.

Sec. 40. ECONOMIC RECOVERY GRANT PROGRAM; REVERSION

Any amounts remaining in the Economic Recovery Grant Program within the Agency of Commerce and Community Development shall revert to the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds.

Fourteenth: In Secs. 4, 8a, 9, 14, 15, 16, 21, 23, and 35 by striking out “General Fund” and inserting in lieu thereof “American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds”

(Committee Vote:10-0-1)

H. 730

An act relating to alcoholic beverages and the Department of Liquor and Lottery.

(Rep. Birong of Vergennes will speak for the Committee on General, Housing, and Military Affairs.)

Rep. Elder of Starksboro, for the Committee on Ways and Means, recommends the bill ought to pass when amended as follows:

First: In Sec. 2, 7 V.S.A. § 2 (definitions), in subdivision (25), immediately following the period after the words “and other ingredients” by striking out the last sentence and subdivisions (A) and (B) in their entirety.

Second: In Sec. 2, 7 V.S.A. § 2 (definitions), in subdivision (36) (second-class license), immediately following the comma after the words “vinous beverages” by inserting “ready-to-drink spirits beverages,” before the words “and fortified wines”

Third: In Sec. 2, 7 V.S.A. § 2 (definitions), in subdivision (40) (spirits), immediately following the period at the end of the subdivision, by inserting the following: “Spirits” also means a ready-to-drink spirits beverage that contains more than 12 percent alcohol by volume at 60 degrees Fahrenheit or is packaged in containers greater than 24 fluid ounces in volume.”

Fourth: In Sec. 14, 7 V.S.A. § 222 (second-class licenses), in subdivision (a)(1)(B), immediately following the comma after the words “vinous beverages” by inserting “ready-to-drink spirits beverages,” before the words “and fortified wines”

Fifth: By adding a Sec. 44a to read as follows:

Sec. 44a. TRANSFER TO GENERAL FUND

(a) In fiscal year 2023, a minimum of \$20,400,000.00 shall be transferred from the Liquor Control Enterprise Fund to the General Fund. The amount transferred pursuant to this subsection shall include any amounts transferred pursuant to the fiscal year 2023 annual budget bill.

(b) In fiscal year 2024, a minimum of \$21,200,000.00 shall be transferred from the Liquor Control Enterprise Fund to the General Fund.

(c) It is the intent of the General Assembly that for each year after fiscal year 2024 the amounts transferred from the Liquor Control Enterprise Fund to the General Fund shall annually increase according to the growth rate of liquor tax revenues in the most recent January Consensus Revenue Forecast.

(Committee Vote 11-0-0)

Favorable

H. 718

An act relating to approval of the dissolution of Colchester Fire District No. 1

Rep. Lefebvre of Orange, for the Committee on Government Operations, recommends the bill ought to pass.

(Committee Vote: 10-0-1)

Rep. Brennan of Colchester, for the Committee on Ways and Means, recommends the bill ought to pass.

(Committee Vote:10-0-1)

H. 729

An act relating to miscellaneous judiciary procedures.

(Rep. Norris of Sheldon will speak for the Committee on Judiciary.)

Rep. Canfield of Fair Haven, for the Committee on Ways and Means, recommends the bill ought to pass.

(Committee Vote: 10-0-1)

Rep. Squirrell of Underhill, for the Committee on Appropriations, recommends the bill ought to pass.

(Committee Vote: 11-0-0)

Senate Proposal of Amendment to House Proposal of Amendment

S. 53

An act relating to exempting feminine hygiene products from the Vermont Sales and Use Tax

The Senate concurs in the House proposal of amendment with the following proposal of amendment thereto:

By striking out all after the enacting clause and inserting in lieu thereof the following:

*** * * Corporate Income Tax * * ***

Sec. 1. 32 V.S.A. § 5811 is amended to read:

§ 5811. DEFINITIONS

~~The following definitions shall apply throughout~~ As used in this chapter

- 1970 -

unless the context requires otherwise:

* * *

(22) “Affiliated group” means a group of two or more corporations in which more than 50 percent of the voting stock of each member corporation is directly or indirectly owned by a common owner or owners, either corporate or noncorporate, or by one or more of the member corporations, but shall exclude ~~overseas business organizations or~~ foreign corporations and corporations taxable under 8 V.S.A. § 6014.

(23) “Unitary business” means one or more related business organizations engaged in business activity both within and outside the State among which there exists a unity of ownership, operation, and use; or an interdependence in their functions.

(24) ~~“Overseas business organization” means a business organization that ordinarily has 80 percent or more of its payroll and property outside the 50 states and the District of Columbia. [Repealed.]~~

* * *

Sec. 2. 32 V.S.A. § 5833(a)(3)(A) is amended to read:

(A) Sales of tangible personal property are made in this State if:

(i) the property is delivered or shipped to a purchaser, other than the U.S. government, who takes possession within this State, regardless of f.o.b. point or other conditions of sale; ~~or~~

(ii) ~~the property is shipped from an office, store, warehouse, factory, or other place of storage in this State; and~~

~~(I) the purchaser is the U.S. government; or~~

~~(II) the corporation is not taxable in the State in which the purchaser takes possession.~~

Sec. 3. 32 V.S.A. § 5862(d) is amended to read:

(d) A taxable corporation that is part of an affiliated group engaged in a unitary business shall be treated as a single taxpayer and shall file a group return containing the combined net income of the affiliated group and such other informational returns as the Commissioner shall require by rule. A unitary combined return shall include the income and apportionment factors of any taxable corporation incorporated in the United States or formed under the laws of any state, the District of Columbia, or any territory or possession of the United States and in a unitary relationship with the taxpayer. The income, gain, or losses from members of a combined group shall be combined to the

extent allowed under the Internal Revenue Code for consolidated filing as if the combined group was a consolidated filing group, provided that a state tax credit shall not be combined and shall be limited to the member to which the credit is attributed.

Sec. 4. TRANSITION FROM JOYCE TO FINNIGAN METHOD

For taxable years beginning on and after January 1, 2023, for purposes of determining whether sales are in Vermont and are included in the numerator of the sales apportionment factor, if the activities of any member of a unitary group create nexus with this State, then sales of tangible personal property into Vermont from outside the State by all members of the unitary group shall be included in the Vermont sales factor numerator.

Sec. 5. RULEMAKING; REPORT

The Department of Taxes shall adopt rules relating to the unitary combined reporting requirements imposed under this act. The rules required under this section shall include a change from the Joyce to the Finnigan approach to applying Vermont jurisdiction to corporations within a unitary group. The Department shall report to the House Committee on Ways and Means and the Senate Committee on Finance on or before January 15, 2024 on the Department's proposed rules and any recommendations for legislation with respect to unitary combined reporting.

* * * Personal Income Tax; Retirement Income Exemptions * * *

Sec. 6. 32 V.S.A. § 5811(21) is amended to read:

(21) "Taxable income" means, in the case of an individual, federal adjusted gross income determined without regard to 26 U.S.C. § 168(k) and:

* * *

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

* * *

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

* * *

(vi) U.S. military survivor benefit income received by the surviving spouse of a deceased service member; and

* * *

Sec. 7. 32 V.S.A. § 5813 is amended to read:

§ 5813. STATUTORY PURPOSES

* * *

(w) The statutory purpose of the partial exemption of certain retirement income and federally taxable benefits under the Social Security Act in section 5830e of this title is to lessen the tax burden on Vermonters with low to moderate income who derive part of their income from certain retirement income and Social Security benefits.

* * *

(y) The statutory purpose of the exemption for U.S. military survivor benefit income in subdivision 5811(21)(B)(vi) of this title is to recognize the military service of Vermonters.

Sec. 8. 32 V.S.A. § 5830e is amended to read:

§ 5830e. RETIREMENT INCOME; SOCIAL SECURITY INCOME

(a) Social Security income. The portion of federally taxable Social Security benefits excluded from taxable income under subdivision 5811(21)(B)(iv) of this chapter shall be as follows:

* * *

(b) Civil Service Retirement System income. The portion of income received from the Civil Service Retirement System excluded from taxable income under subdivision 5811(21)(B)(iv) shall be subject to the limitations under subsection (e) of this section and shall be determined as follows:

(1) For taxpayers whose filing status is single, married filing separately, head of household, or surviving spouse:

(A) If the federal adjusted gross income of the taxpayer is less than or equal to \$45,000.00, the first \$10,000.00 of income received from the Civil Service Retirement System shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than \$45,000.00 but less than \$55,000.00, the percentage of the first \$10,000.00 of income received from the Civil Service Retirement System to be excluded shall be proportional to the amount of the taxpayer's federal adjusted gross income over \$45,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from \$55,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B)

by \$10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the income received from the Civil Service Retirement System.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than \$55,000.00, no amount of the income received from the Civil Service Retirement System shall be excluded under this section.

(2) For taxpayers whose filing status is married filing jointly:

(A) If the federal adjusted gross income of the taxpayer is less than or equal to \$60,000.00, the first \$10,000.00 of income received from the Civil Service Retirement System shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than \$60,000.00 but less than \$70,000.00, the percentage of the first \$10,000.00 of income received from the Civil Service Retirement System to be excluded shall be proportional to the amount of the taxpayer's federal adjusted gross income over \$60,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from \$70,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B) by \$10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the income received from the Civil Service Retirement System.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than \$70,000.00, no amount of the income received from the Civil Service Retirement System shall be excluded under this section.

(c) Other contributory retirement systems; earnings not covered by Social Security. Other retirement income, except U.S. military retirement income pursuant to subsection (d) of this section, received by a taxpayer of this State shall be excluded pursuant to subsection (b) of this section as though the income were received from the Civil Service Retirement System and shall be subject to the limitations under subsection (e) of this section, provided that:

(1) the income is received from a contributory annuity, pension, endowment, or retirement system of:

(A) the U.S. government or a political subdivision or instrumentality of the U.S. government;

(B) this State or a political subdivision or instrumentality of this State; or

(C) another state or a political subdivision or instrumentality of another state; and

(2) the contributory system from which the income is received was based on earnings that were not covered by the Social Security Act.

(d) U.S. military retirement income. U.S. military retirement income received by a taxpayer of this State shall be excluded pursuant to subsection (b) of this section as though the income were received from the Civil Service Retirement System and shall be subject to the limitations under subsection (e) of this section.

(e) A taxpayer of this State who is eligible during the taxable year for the Social Security income exclusion under subsection (a) of this section and any of the exclusions under subsections (b)–(d) of this section shall elect either one of the exclusions for which the taxpayer is eligible under subsections (b)–(d) of this section or the Social Security income exclusion under subsection (a) of this section, but not both, for the taxable year.

* * * Sales and Use Tax; Exemption; Menstrual Products * * *

Sec. 9. 32 V.S.A. § 9706(oo) is amended to read:

(oo) The statutory purpose of the exemption for ~~feminine hygiene~~ menstrual products in subdivision 9741(56) of this title is to limit the cost of goods that are necessary for the health and welfare of Vermonters.

Sec. 10. 32 V.S.A. § 9741(56) is amended to read:

(56) ~~Feminine hygiene~~ Menstrual products. As used in this subdivision, “~~feminine hygiene~~ menstrual products” means tampons, panty liners, menstrual cups, sanitary menstrual napkins, and other similar tangible personal property designed for ~~feminine hygiene~~ use in connection with the human menstrual cycle but does not include “grooming and hygiene products” as defined in this chapter.

* * * Effective Dates * * *

Sec. 11. EFFECTIVE DATES

This act shall take effect on passage, except that:

(1) Secs. 1–5 (corporate income tax) shall take effect on January 1, 2023 and shall apply to taxable years beginning on and after January 1, 2023.

(2) Notwithstanding 1 V.S.A. § 214, Secs. 6–8 (retirement income

exemptions) shall take effect retroactively on January 1, 2022 and shall apply to taxable years beginning on and after January 1, 2022.

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

An act relating to changes to Vermont's corporate income tax, personal income tax, and sales and use tax.

NOTICE CALENDAR

Committee Bill for Second Reading

H. 740

An act relating to making appropriations for the support of government.

(Rep. Hooper of Montpelier will speak for the Committee on Appropriations.)

Favorable with Amendment

H. 736

An act relating to the Transportation Program and miscellaneous changes to laws related to transportation.

(Rep. Lanpher of Vergennes will speak for the Committee on Transportation.)

Rep. Toleno of Brattleboro, for the Committee on Appropriations, recommends the bill ought to pass when amended as follows:

First: By striking out Sec. 2, investments in electric vehicle supply equipment infrastructure, in its entirety and inserting in lieu thereof a new Sec. 2 to read as follows:

Sec. 2. INVESTMENTS IN ELECTRIC VEHICLE SUPPLY EQUIPMENT INFRASTRUCTURE

(a) State highway network. The Agency of Transportation is authorized to spend up to \$6,250,000.00 as appropriated in the fiscal year 2023 budget to install level 3 EVSE along the State highway network consistent with the goals established in 2021 Acts and Resolves No. 55, Sec. 30, as amended by Sec. 3 of this act. This authorization shall be used by the Agency to purchase and install level 3 EVSE or to provide grants for persons to purchase and install level 3 EVSE, or both.

(b) Purpose. The purpose of the expenditures authorized in subsection (a) of this section is to respond to negative economic impacts to the tourism,

travel, and hospitality industries caused by the COVID-19 public health emergency.

(c) Administration expenses. Unless prohibited by federal or State law, the Agency of Transportation may use up to 15 percent of the total amount that is distributed in grant awards, if any, under subsection (a) of this section for costs associated with administering and promoting any State-run electric vehicle supply equipment grant programs, including translation and interpretation service, community outreach, and education.

(d) Carryforward; deployment in fiscal year 2023.

(1) Notwithstanding any other provision of law and subject to the approval of the Secretary of Administration, appropriations to support the authorizations under this section remaining unexpended on June 30, 2023 shall be carried forward and designated for the same expenditures in the subsequent fiscal year.

(2) Every reasonable effort shall be made to obligate and deploy the monies authorized for expenditure under this section in fiscal year 2023 in order to achieve a pace of EVSE deployment necessary to meet the emissions reduction requirements of 10 V.S.A. § 578(a) and the recommendations of the Climate Action Plan (CAP) issued under 10 V.S.A. § 592.

(e) Outreach and marketing. The Agency of Transportation shall ensure that there is sufficient outreach and marketing, including the use of translation and interpretation services, of any EVSE grant program implemented pursuant to subsection (a) of this section so that Vermonters who can secure financial assistance under one of the EVSE grant programs can easily learn about and how to apply for an EVSE grant.

Second: In Sec. 4, vehicle incentive programs, by striking out subsections (f), purpose, and (g), eligibility criteria, in their entireties and by relettering the remaining subsections to be alphabetically correct.

Third: By striking out Sec. 6, Vermont Association of Snow Travelers (VAST) authorizations, and its corresponding reader assistance heading in their entireties and inserting in lieu thereof a new Sec. 6 to read as follows:

Sec. 6. [Deleted.]

Fourth: By adding a new section to be Sec. 14a before the reader assistance heading to Sec. 15 to read as follows:

Sec. 14a. ONE-TIME APPROPRIATION; DMV IT PROJECT

Within the Agency of Transportation's Proposed Fiscal Year 2023 Transportation Program, in one-time appropriations, the number "20,250,000"

is struck out for “All Exp.,” “Total,” “Transportation Fund,” and “Total” and replaced with the number “0” so as to indicate that there is no appropriation to the Department of Motor Vehicles for the DMV Core System Modernization Phase II project, and a note is added to read as follows: “The fiscal year 2023 budget bill appropriates \$20,250,000 from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Digital Services for the DMV Core System Modernization Phase II project.”

(Committee Vote 11-0-0)

Action Postponed Until March 24, 2022

Favorable with Amendment

H. 728

An act relating to opioid overdose response services.

(Rep. Whitman of Bennington will speak for the Committee on Human Services.)

Rep. Fagan of Rutland City, for the Committee on Appropriations, recommends the bill ought to pass when amended as follows:

First: By deleting Secs. 3–6, and their reader assistance headings in their entireties and inserting in lieu thereof the following:

Sec. 3. [Deleted.]

Sec. 4. [Deleted.]

Sec. 5. [Deleted.]

Sec. 6. [Deleted.]

Second: By striking out Sec. 12, effective dates, and its reader assistance heading in their entireties and inserting in lieu thereof a reader assistance heading and a new Sec. 12 to read as follows:

* * * Effective Date * * *

Sec. 12. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

(Committee Vote 11-0-0)

Action Postponed Until April 20, 2022

Governors Veto

H. 157

An act relating to registration of construction contractors.

For Text of Veto Message, please see House Journal of February 10, 2022

Action Postponed Until May 17, 2022

Governors Veto

S. 30

An act relating to prohibiting possession of firearms within hospital buildings.

For Text of Veto Message, please see Senate Journal March 11, 2022

For Informational Purposes

Crossover Deadline

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and on Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 11, 2022**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by **Friday, March 11, 2022**.

(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and on Finance/Ways and Means must be reported out by the last of those committees on or before **Friday, March 18, 2022**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill (“The Big Bill”), the Transportation capital bill, the Capital Construction bill, and the Fee/Revenue bills).