

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was
3 referred Senate Bill No. 11 entitled “An act relating to prohibiting robocalls”
4 respectfully reports that it has considered the same and recommends that the
5 House propose to the Senate that the bill be amended by striking out all after
6 the enacting clause and inserting in lieu thereof the following:

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

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

13 (1) \$2,500,000.00 to the University of Vermont Office of Engagement,
14 in consultation with the Vermont Student Assistance Corporation, to
15 administer a statewide forgivable loan program of \$5,000.00 per graduate for
16 recent college graduates across all Vermont higher education institutions who
17 commit to work in Vermont for two years after graduation.

18 (2) \$387,000.00 to Vermont Technical College to develop a skilled meat
19 cutter training and apprenticeship facility.

20 (b) In fiscal year 2023, the amount of \$500,000.00 is appropriated from the
21 American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery

1 Funds to the Agency of Human Services to provide grants, which may be
2 administered through a performance-based contract, to refugee- or New
3 American-focused programs working in Vermont to support increased in-
4 migration or retention of recent arrivals.

5 Sec. 2. CTE FUNDING AND GOVERNANCE; FINDINGS

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

10 (b) CTE is a vital component of our educational system, supporting and
11 delivering on the goals established by the General Assembly in 2013 Acts and
12 Resolves No. 77 (flexible pathways), 2018 Acts and Resolves No. 189
13 (workforce development), and in achieving our attainment goal, which is that
14 70 percent of working-age Vermonters have a credential of value by 2025
15 (10 V.S.A. § 546).

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

20 (d) As of the fall semester of the 2021–2022 school year, students were
21 enrolling in CTE programs at a higher rate than at the beginning of the

1 pandemic, increasing from 4,160 to 4,565. In the 2020–2021 school year,
2 Vermont’s CTE system awarded Tier II credentials of value to 459 students.

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

9 (f) In 2018, the Agency of Education embarked on a collaborative process
10 that included students, legislators, and communities across the State to develop
11 a strategic vision and aspirational goals to help guide the transformation of the
12 CTE system.

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

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

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

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

15 Sec. 3. FUNDING AND GOVERNANCE STRUCTURES OF

16 CAREER TECHNICAL EDUCATION IN VERMONT

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

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

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

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

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

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

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

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

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

1 Committee on Ways and Means, and the Senate Committee on Finance on the
2 work performed pursuant to subsection (a) of this section.

3 (d)(1) The Agency of Education shall consider the work performed and
4 report issued pursuant to subsection (c) of this section and shall develop an
5 implementation plan, including recommended steps to design and implement
6 new funding and governance models.

7 (2) On or before July 1, 2023, the Agency shall issue a written report to
8 the House and Senate Committees on Education, the House Committee on
9 Commerce and Economic Development, the Senate Committee on Economic
10 Development, Housing and General Affairs, the House Committee on Ways
11 and Means, and the Senate Committee on Finance that describes the results of
12 its work under this subsection and the implementation plan and makes
13 recommendations for legislative action.

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

17 In fiscal year 2023, the amount of \$250,000.00 is appropriated from the
18 General Fund to the Agency of Commerce and Community Development for a
19 performance-based contract to provide statewide delivery of business coaching
20 and other forms of training to BIPOC business owners, networking and special

1 convenings, and career fairs, workshops and paid internships, career guidance,
2 and other support for BIPOC workers across the State.

3 Sec. 5. REGIONAL WORKFORCE EXPANSION SYSTEM

4 (a) Findings. The General Assembly finds:

5 (1) Vermont is experiencing an acute labor shortage in 2022.

6 (2) According to the Employment and Labor Marketing Information
7 Division of the Vermont Department of Labor:

8 (A) There are approximately 28,000 job openings in Vermont as of
9 December 2021.

10 (B) 9,945 individuals meet the federal statistical definition of
11 unemployed as of January 2022.

12 (C) 4,500 individuals are receiving unemployment insurance
13 assistance as of March 2022.

14 (D) The workforce has shrunk by 26,000 individuals from 2019 to
15 2022, yet the unemployment rate is just three percent as of January 2022.

16 (E) The workforce participation rate has fallen from 66 percent to
17 60.6 percent.

18 (3) The Department receives approximately 80 percent of its funding
19 from federal sources, which constrains the Department and its employees from
20 adjusting its work to meet immediate needs.

1 (4) The federal funding for field staff in the Workforce Development
2 Division has declined significantly over the past 20 years, supporting 75
3 persons in 2022 as compared to 135 in 2003.

4 (5) Though Vermont has a small population, the unique characteristics
5 of its region’s employers, educational institutions, demographics, and
6 socioeconomic conditions make it best to address efforts to connect individuals
7 with training and job placement on a regional basis.

8 (b) Regional Workforce Expansion System. The amount of \$1,500,000.00
9 is appropriated from the General Fund to the Department of Labor for a two-
10 year pilot program to launch and lead a coordinated regional system, beginning
11 in three regions of the State, to work toward accomplishing the following
12 goals:

13 (1) increase local labor participation rate;

14 (2) decrease the number of open positions reported by local employers;

15 (3) increase the wages of workers as they transition to new jobs; and

16 (4) collect, organize, develop, and share information related to local
17 career pathways with workforce development partners.

18 (c) Duties. In order to meet the goals specified in subsection (b) of this
19 section, the Department shall:

20 (1) create new capacity to address and support State activities related to
21 workforce development, expansion, and alignment;

1 (2) focus on the overarching goal of helping workers find jobs and
2 employers find workers;

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

5 (4) collaborate with local education and training providers and regional
6 workforce partners to create and regularly distribute data related to local labor
7 force supply and demand.

8 (d) System infrastructure. The Department shall make investments that
9 improve and expand regional capacity to strengthen networks who assist
10 jobseekers, workers, and employers in connecting.

11 (1) The Department is authorized to create four classified, two-year
12 limited-service positions, with funding allocated to perform the work described
13 in this section, who shall report to the Workforce Development Division and of
14 whom:

15 (A) three shall be Workforce Expansion Specialists assigned, one
16 each, to three different regions of the State; and

17 (B) one shall provide oversight and State-level coordination of
18 activities.

19 (2)(A) The Department shall use funds allocated to develop systems for
20 coordination, information sharing, and enhanced support to regional partners,
21 host regional meetings, develop regional plans, and provide localized resources

1 including labor market information, training and development opportunities,
2 and support services.

3 (B) The Department shall develop labor market information reports
4 to support discussion and decision making that will address local labor market
5 challenges and opportunities and support a regional approach to solving local
6 or unique labor supply challenges.

7 (e) Coordination.

8 (1) The Department shall convene regional meetings of education,
9 training, business, and service provider partners; coordinate local workforce
10 information collection and distribution; and assist in developing localized
11 career resources, such as information for career counseling, local job fairs, and
12 career expos, that will be available to a wide range of stakeholders.

13 (2) Service provider partners shall include community partners who
14 directly serve mature workers, youth, individuals with disabilities, individuals
15 who have been involved with the correction system, BIPOC Vermonters, New
16 Americans, and other historically marginalized populations in efforts to align
17 service delivery, share information, and achieve greater employment outcomes
18 for Vermonters.

19 (f) Interim report. On or before January 15, 2023, the Department shall
20 provide a narrative update on the progress made in hiring staff, establishing
21 interagency agreements, developing regional information exchange systems,

1 and supporting State-level work to expand the labor force to the House and
2 Senate committees of jurisdiction.

3 (g) Implementation. The Department of Labor shall begin implementing
4 the Regional Workforce Expansion System on or before July 1, 2022.

5 Sec. 6. INCARCERATED INDIVIDUALS; WORKFORCE

6 DEVELOPMENT; PILOT PROGRAM

7 (a) Purpose. The purpose of this section is to facilitate the education and
8 vocational training of incarcerated individuals so that they have a greater
9 likelihood of obtaining gainful employment and positively contributing to
10 society upon reintegration into the community.

11 (b) Policy; appropriations.

12 (1)(A) In fiscal year 2023, the amount of \$420,000.00 is appropriated
13 from the General Fund to the Department of Corrections, in consultation with
14 the Vermont Department of Labor, to address education and vocational
15 enhancement needs. These funds shall not be allocated from any amounts
16 budgeted for Justice Reinvestment II initiatives.

17 (B) The Department shall use the funds allocated for the development
18 of education and vocational training for incarcerated individuals residing in a
19 Vermont correctional facility prior to community reintegration. The
20 Department may allocate the funds over three years, consistent with the
21 following:

1 (i) \$270,000.00 for transition development, including equipment
2 and mobile labs in one or more sites;

3 (ii) \$100,000.00 for training partner support; and

4 (iii) \$50,000.00 for curriculum development.

5 (2) In fiscal year 2023, the amount of \$300,000.00 is appropriated from
6 the General Fund to the Department of Corrections, which may be allocated
7 over not more than three years, to establish a community-based pilot reentry
8 program at the Chittenden Regional Correctional Facility in consultation with
9 the Vermont Department of Labor. The Department of Corrections shall
10 designate a service provider to administer the pilot program's goals to:

11 (A) provide continuity of services for incarcerated individuals;

12 (B) expand current employment readiness programs within the
13 facility by building pathways for coordinated transition to employment;

14 (C) focus on the first six months after individuals are released from
15 the facility;

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

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

19 (F) work with employers to support successful hiring and best
20 practices to support incarcerated individuals.

1 (c) Report. On or before January 15, 2023, the Department of Corrections
2 shall create and submit a report on workforce and education training programs
3 in correctional facilities to the Joint Legislative Justice Oversight Committee;
4 the House Committees on Corrections and Institutions and on Commerce and
5 Economic Development; and the Senate Committees on Economic
6 Development, Housing and General Affairs and on Judiciary. The report shall:

7 (1) identify program design, logistical needs, and policy changes to
8 current Department of Corrections facility-based training and educational
9 programs necessary to successfully enable incarcerated individuals’
10 reintegration into their communities, including changes to programs that
11 enhance individuals’ skill development, knowledge, and other support needed
12 to qualify for and secure a position in a critical occupation in Vermont;

13 (2) identify disparities of outcomes and recommend solutions for
14 incarcerated Black, Indigenous, and Persons of Color concerning facility-based
15 training, educational programming, and successful community reintegration;

16 (3) provide an update on the Department of Corrections’ use of
17 education and vocational enhancement funding in fiscal year 2023;

18 (4) provide recommendations on what aspects of the pilot program
19 should be replicated in other correctional facilities in Vermont; and

20 (5) provide recommended legislation for the continuation of the pilot
21 program or any changes.

1 Sec. 7. INTENT

2 It is the intent of the General Assembly to improve the recruitment and
3 retention of correctional officers to ensure adequate staffing and safe working
4 conditions in facilities operated by the Department of Corrections.

5 Sec. 8. IMPROVEMENT OF CORRECTIONAL OFFICER

6 RECRUITMENT AND RETENTION; REPORT

7 (a) On or before January 15, 2023, the Secretary of Human Services, in
8 consultation with the Commissioners of Corrections and of Human Resources,
9 shall submit a written report to the House Committees on Appropriations, on
10 Commerce and Economic Development, on Corrections and Institutions, and
11 on Government Operations and the Senate Committees on Appropriations, on
12 Government Operations, and on Judiciary identifying conditions that pose an
13 obstacle to the successful recruitment and retention of correctional officers and
14 setting forth a plan to improve the recruitment and retention of correctional
15 officers.

16 (b)(1) The report shall specifically analyze the impact of the following on
17 the recruitment and retention of correctional officers:

18 (A) wages and benefits;

19 (B) terms and conditions of employment;

1 (C) working conditions in Department of Corrections facilities,
2 including health and safety issues and the physical condition of the facilities;
3 and

4 (D) staffing levels and overtime.

5 (2) The report shall, for each of the issues examined pursuant to
6 subdivision (1) of this subsection, analyze how the following states compare to
7 Vermont and shall identify any best practices in those states that could improve
8 recruitment and retention of correctional officers in Vermont:

9 (A) Maine;

10 (B) New Hampshire;

11 (C) New York;

12 (D) Massachusetts;

13 (E) Rhode Island; and

14 (F) Connecticut.

15 (c) The report shall, as part of the plan to improve the recruitment and
16 retention of correctional officers, identify specific administrative and
17 legislative actions that are necessary to successfully improve the recruitment
18 and retention of correctional officers.

1 Sec. 9. ASSESSMENT OF RECRUITMENT AND RETENTION
2 INITIATIVES; REPORT

3 (a) On or before January 15, 2023, the Secretary of Human Services, in
4 consultation with the Commissioner of Human Resources, shall submit to the
5 House and Senate Committees on Appropriations a report regarding the use of
6 funds appropriated pursuant to 2022 Acts and Resolves, No. 83:

7 (1) Sec. 14 for employee recruitment and retention at:

8 (A) the secure residential recovery facility; and

9 (B) the Vermont Psychiatric Care Hospital;

10 (2) Sec. 68 for employee retention with respect to:

11 (A) the Department of Corrections; and

12 (B) the Vermont Veteran’s Home; and

13 (3) Sec. 72 for workforce recruitment and retention incentives with
14 respect to designated and specialized service agencies, including shared living
15 providers.

16 (b) The report shall assess how effective the appropriations identified
17 pursuant to subsection (a) of this section were in addressing issues related to
18 employee recruitment and retention; identify any ongoing or remaining
19 employee recruitment and retention challenges that the recipients have; and
20 identify any potential legislative, administrative, or programmatic changes that
21 can address those ongoing or remaining employee retention issues.

1 (c) The report shall also include a recommendation as to whether and how
2 to appropriate additional funds in the 2023 Budget Adjustment Act to address
3 ongoing recruitment and retention challenges at:

4 (1) the Vermont Veteran’s Home;

5 (2) the Vermont Psychiatric Care Hospital;

6 (3) the secure residential recovery facility;

7 (4) designated and specialized service agencies; and

8 (5) the Department of Corrections’ facilities with respect to individuals
9 employed as a Correctional Officer I or a Correctional Officer II.

10 Sec. 10. REPEALS

11 10 V.S.A. §§ 544 and 545 are repealed.

12 Sec. 11. 10 V.S.A. § 547 is added to read:

13 § 547. WORK-BASED LEARNING AND TRAINING PROGRAM

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

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

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

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

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

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

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

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

17 (1) build and administer the Program;

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

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

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

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

8 (d) Data. The Department shall collect the following data:

9 (1) the total number of participants served;

10 (2) the number of participants who received wage assistance or other
11 financial assistance as part of this Program and their employment status one
12 year after completion;

13 (3) the average wage of participants in subdivision (2) of this subsection
14 at the start of the Program and the average wage of participants one year after
15 completion;

16 (4) the number of work-based learning or training opportunities listed on
17 the platform; and

18 (5) the number of employers who offered a work-based learning or
19 training opportunity.

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

4 (f) Reporting. On or before February 15, 2023, the Department shall report
5 Program data to the relevant committees of jurisdiction.

6 Sec. 12. WORK-BASED LEARNING AND TRAINING PROGRAM;

7 APPROPRIATION

8 In fiscal year 2023, the amount of \$1,500,000.00 is appropriated from the
9 General Fund to the Department of Labor to implement the Vermont Work-
10 Based Learning and Training Program created in Sec. 11 of this act.

11 Sec. 13. SECONDARY STUDENT INDUSTRY-RECOGNIZED

12 CREDENTIAL PILOT PROJECT

13 (a) Pilot Project creation. The Department of Labor, in consultation with
14 the Agency of Education, shall design and implement the Secondary Student
15 Industry-Recognized Credential Pilot Project to provide funding for an eligible
16 secondary student to take an eligible adult career and technical education
17 course.

18 (b) Eligible courses. A course is eligible for the Pilot Project if it is:

19 (1) offered at a regional CTE center, as defined in 16 V.S.A. § 1522(4),
20 and qualifies as adult career technical education or postsecondary career
21 technical education, as defined in 16 V.S.A. § 1522(11) and (12);

1 (2) offered during the summer, evening or weekend while secondary
2 school is in session or during the summer; and

3 (3) included as an element of the student’s personalized learning plan
4 and reasonably related to the student’s career goals.

5 (c) Eligible student. A student is eligible for the Pilot Project if:

6 (1) the student is a Vermont resident attending a Vermont public school
7 or an independent secondary school that is eligible for public funding;

8 (2) the student has completed grade 11 and has not received a high
9 school diploma; and

10 (3) the student’s secondary school and the regional CTE center
11 determine that the student:

12 (A) is prepared to succeed in the course;

13 (B) meets the prerequisites for the course; and

14 (C) has exhausted other sources of available funding prior to
15 submitting an application.

16 (d) Administration.

17 (1) Not later than 30 days after the effective date of this section, the
18 Department of Labor, in consultation with the Agency of Education, shall
19 develop and make available an application for funding that includes:

20 (A) student’s enrollment status;

21 (B) course information;

1 (C) a copy of the student’s personalized learning plan;

2 (D) attestation that the secondary and adult career technical education
3 programs find the program of study appropriate for the student;

4 (E) description of federal and local funding sources that were
5 explored but insufficient or unavailable for use by the student; and

6 (F) other information the Department requires to determine
7 eligibility.

8 (2) A student’s secondary school shall timely complete and submit an
9 application to the Department of Labor on behalf of the student.

10 (3) The Department of Labor shall:

11 (A) review the application and, if appropriate, meet with the student
12 to determine eligibility for existing federal and State programs, including
13 WIOA Title I Youth (in-school) and the Vermont Youth Employment
14 Program; and

15 (B) provide a copy of the application to the Agency of Education,
16 which shall determine whether Agency funding is available and notify the
17 Department of its determination within 10 business days.

18 (4) The Department shall provide funding for the tuition cost for one
19 course to eligible students on a first-come, first-served basis:

20 (A) from State or federal sources that are available through the
21 Department or Agency; or

1 (B) if funding is unavailable from those sources, from the amounts
2 available in the Department’s fiscal year 2023 budget, not to exceed
3 \$100,000.00.

4 (5) For students who meet annual low-income qualifications under the
5 Workforce Innovation and Opportunity Act, the Department may provide
6 funds to purchase books, supplies, exam fees, and equipment.

7 (6) A regional CTE center shall not receive more than \$20,000.00
8 through the program in each fiscal year.

9 (e) Regional CTE center report. The Department of Labor shall require a
10 report from each regional CTE center providing information to support the
11 Department’s reporting requirements in subsections (f) and (g) of this section.

12 (f) Interim Report. The Department of Labor and Agency of Education
13 shall report to the House and Senate Committees on Education, the House
14 Committee on Commerce and Economic Development, and the Senate
15 Committee on Economic Development, Housing and General Affairs on or
16 before the January 15, 2023 regarding the use of funds, including data relating
17 to student circumstances, levels of participation, and how local school districts
18 are able or unable to meet the career preparation and training needs of
19 secondary students using the program.

20 (g) Final Report. The Department of Labor and Agency of Education shall
21 report to the House and Senate Committees on Education, the House

1 Committee on Commerce and Economic Development, the Senate Committee
2 on Economic Development, Housing and General Affairs, the House
3 Committee on Ways and Means, and the Senate Committee on Finance within
4 45 days following the end of the fiscal year or exhaustion of funds, whichever
5 comes first, regarding the use of funds, including data relating to the number of
6 participants, student circumstances, levels of participation, what certifications
7 were issued, how local school districts are able or unable to meet the career
8 preparation and training needs of secondary students using the program, and
9 recommendations on how to address gaps in access and funding for secondary
10 students seeking professional certifications not offered through the secondary
11 education system.

12 Sec. 14. THE VERMONT TRADES SCHOLARSHIP PROGRAM

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

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

20 (1) be enrolled in an industry recognized training and certification
21 program that leads to initial employment or career advancement in a building,

1 mechanical, industrial, or medical trade, or in clean energy, energy efficiency,
2 weatherization, or clean transportation;

3 (2) demonstrate financial need;

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

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

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

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

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

20 (e) In fiscal year 2023 the amount of \$3,000,000.00 is appropriated from
21 the General Fund to the Vermont Student Assistance Corporation for

1 scholarships for trades students under the Vermont Trades Scholarship
2 Program.

3 Sec. 15. THE VERMONT TRADES LOAN REIMBURSEMENT
4 PROGRAM

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

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

12 (1) be a Vermont resident; and

13 (2) be employed in an occupation in the building, mechanical, industrial,
14 or medical trades, or in the clean energy, energy efficiency, weatherization, or
15 clean transportation sectors, for an average of at least 30 hours per week for
16 least one full calendar year before applying.

17 (c) For every year of work in a qualifying occupation, an individual shall
18 be eligible for up to \$5,000.00 in loan repayment reimbursement.

19 Reimbursements shall not exceed the total amount of educational debt owed.

20 (d) There shall be no deadline to apply for loan repayment reimbursement
21 under this section. Loan repayment shall be awarded on a rolling basis if funds

1 are available, and any funds remaining at the end of a fiscal year shall roll over
2 and shall be available to the Vermont Student Assistance Corporation in the
3 following fiscal year to award additional loan repayment as set forth in this
4 section.

5 (e) In fiscal year 2023 the amount of \$500,000.00 is appropriated from the
6 General Fund to the Vermont Student Assistance Corporation for loan
7 repayment for trades professionals under the Program.

8 Sec. 16. CTE CONSTRUCTION AND REHABILITATION

9 EXPERIENTIAL LEARNING PROGRAM; REVOLVING LOAN

10 FUND

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

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

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

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

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

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

3 (b) Appropriation; creation of fund; administration.

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

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

10 (c) Proposals; applications; funding.

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

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

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

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

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

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

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

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

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

13 (i) educational instruction and academic credit;

14 (ii) project management;

15 (iii) insurance coverage for students and the property;

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

18 (v) property acquisition, ownership, and transfer.

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

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

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

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

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

13 (2) The project includes a weatherization component.

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

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

19 (f) Funding; proceeds; revolving loans.

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

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

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

8 Sec. 17. EARLY CHILDHOOD EDUCATION; FINDINGS

9 The General Assembly finds that:

10 (1) while child care is an essential component of Vermont’s economy,
11 research has shown that three out of five of Vermont’s youngest children do
12 not have access to the child care needed by their families;

13 (2) according to the Federal Reserve Bank of New York, early
14 childhood educators are the lowest-paid college graduates of any degree
15 program in the country;

16 (3) the Council for a Strong America found in a national economic
17 impact study that the U.S. economy loses \$57 billion annually due to child care
18 challenges;

19 (4) the U.S. Chamber of Commerce Foundation found that high-quality
20 child care is a powerful two-generation workforce development strategy that

1 strengthens today’s workforce and puts children on the path to develop well
2 and enter kindergarten ready to thrive in school, work, and life;

3 (5) the Vermont Early Care and Learning Dividend Study found that
4 increased investment in early care and education, as described in the
5 recommendations of Vermont’s Blue Ribbon Commission on Financing High-
6 Quality Affordable Child Care, would yield \$3.08 for every additional dollar
7 invested into the system;

8 (6) 2021 Acts and Resolves No. 45 established goals that no Vermont
9 family spend more than 10 percent of its income on child care and that early
10 childhood educators receive compensation commensurate with their peers in
11 similar fields as informed by a systems analysis and financing study;

12 (7) while the State works toward achieving these goals, the COVID-19
13 pandemic has exacerbated already pressing challenges, making it even harder
14 for families to find affordable high-quality child care and more difficult for
15 early childhood education programs to find and retain qualified educators; and

16 (8) according to a recent study by the National Association for the
17 Education of Young Children, 71 percent of center-based child care programs
18 in Vermont reported experiencing a staffing shortage.

19 Sec. 18. EARLY CHILDHOOD EDUCATION; LEGISLATIVE INTENT

20 It is the intent of the General Assembly that immediate action is necessary
21 to support Vermont’s economy; ensure that all families with young children

1 have access to affordable, high-quality early childhood education; and ensure
2 that Vermont’s early childhood educators, the backbone of our economy, are
3 well supported.

4 Sec. 19. HEALTH CARE WORKFORCE; LEGISLATIVE INTENT

5 (a) The General Assembly values all health care workers, at every level and
6 in each component of the health care system. The General Assembly also
7 acknowledges the many struggles faced by health care workers and that the
8 pandemic has placed further strain on an already taxed system. Many health
9 care workers have not had their pay adjusted over time to address increases in
10 the cost of living, essentially amounting to pay cuts from year to year. Health
11 care workers have experienced burnout, trauma, and moral injuries due to a
12 history of underfunding and the present stress of the pandemic.

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

17 Sec. 20. EMERGENCY GRANTS TO SUPPORT NURSE FACULTY AND
18 STAFF

19 (a) In fiscal year 2023 the amount of \$3,000,000.00 is appropriated from
20 the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery
21 Funds to the Department of Health and shall carry forward for the purpose of

1 providing emergency interim grants to Vermont’s nursing schools over three
2 years to increase the compensation for their nurse faculty and staff, with
3 \$1,000,000.00 to be distributed in each of fiscal years 2023, 2024, and 2025 to
4 increase the compensation for each full-time-equivalent (FTE) member of the
5 clinical and didactic nurse faculty and staff. The Department shall distribute
6 the funds among the nursing schools in Vermont equitably based on each
7 school’s proportion of nursing faculty and staff to the total number of FTE
8 nursing faculty and staff across all nursing schools statewide.

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

15 Sec. 21. NURSE PRECEPTOR INCENTIVE GRANTS; HOSPITALS;

16 WORKING GROUP; REPORT

17 (a)(1) In fiscal year 2023 the amount of \$2,400,000.00 is appropriated from
18 the General Fund to the Agency of Human Services to provide incentive grants
19 to hospital-employed nurses in Vermont to serve as preceptors for nursing
20 students enrolled in Vermont nursing school programs. The Agency shall
21 distribute the funds to hospitals employing nurses who provide student

1 preceptor supervision based on the number of preceptor hours to be provided,
2 at a rate of \$5.00 per preceptor hour, or a lesser hourly rate if the need exceeds
3 the available funds.

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

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

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

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

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

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

11 Sec. 22. HEALTH CARE EMPLOYER NURSING PIPELINE AND
12 APPRENTICESHIP PROGRAM

13 (a) In fiscal year 2023 the amount of \$3,000,000.00 is appropriated from
14 the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery
15 Funds to the Vermont Student Assistance Corporation and shall carry forward
16 for the purpose of providing grants to health care employers, including
17 hospitals, long-term care facilities, designated and specialized service agencies,
18 federally qualified health centers, and other health care providers, to establish
19 or expand partnerships with Vermont nursing schools to create nursing
20 pipeline or apprenticeship programs, or both, that will train members of the
21 health care employers’ existing staff, including personal care attendants,

1 licensed nursing assistants, and licensed practical nurses, to become higher-
2 level nursing professionals. Through a combination of scholarship awards,
3 grants awarded to health care employers pursuant to this section, and the health
4 care employer's contributions, the trainees' tuition and fees shall be covered in
5 full, and trainees shall be provided with assistance in meeting their living costs,
6 such as housing and child care, while attending the program.

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

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

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

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

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

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

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

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

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

11 Sec. 23. 18 V.S.A. § 34 is added to read:

12 § 34. VERMONT NURSING FORGIVABLE LOAN INCENTIVE
13 PROGRAM

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

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

- 1 (1) be enrolled at an approved postsecondary education institution as
2 defined in 16 V.S.A. § 2822;
- 3 (2) demonstrate financial need;
- 4 (3) demonstrate academic capacity by carrying the minimum grade point
5 average in the individual’s course of study prior to receiving the fund award;
6 and
- 7 (4) agree to work as a nurse in Vermont for a minimum of one year
8 following licensure for each year of forgivable loan awarded.
- 9 (c)(1) First priority for forgivable loan funds shall be given to students
10 pursuing a practical nursing certificate who will be eligible to sit for the
11 NCLEX-PN examination upon completion of the certificate.
- 12 (2) Second priority for forgivable loan funds shall be given to students
13 pursuing an associate’s degree in nursing who will be eligible to sit for the
14 NCLEX-RN examination upon graduation.
- 15 (3) Third priority for forgivable loan funds shall be given to students
16 pursuing a bachelor of science degree in nursing.
- 17 (4) Fourth priority shall be given to students pursuing graduate nursing
18 education.
- 19 (d) Students attending an approved postsecondary educational institution in
20 Vermont shall receive first preference for forgivable loans.

1 (e) There shall be no deadline to apply for a forgivable loan under this
2 section. Forgivable loans shall be awarded on a rolling basis as long as funds
3 are available, and any funds remaining at the end of a fiscal year shall roll over
4 and shall be available to the Department of Health and the Vermont Student
5 Assistance Corporation in the following fiscal year to award additional
6 forgivable loans as set forth in this section.

7 Sec. 24. REPEAL

8 18 V.S.A. § 31 (educational assistance; incentives; nurses) is repealed.

9 Sec. 25. VERMONT NURSING FORGIVABLE LOAN INCENTIVE

10 PROGRAM; APPROPRIATION

11 In fiscal year 2023, the amount of \$100,000.00 in General Fund investment
12 funds is appropriated to the Department of Health for forgivable loans for
13 nursing students under the Vermont Nursing Forgivable Loan Incentive
14 Program established in Sec. 23 of this act.

15 Sec. 26. 18 V.S.A. § 35 is added to read:

16 § 35. VERMONT NURSING AND PHYSICIAN ASSISTANT LOAN

17 REPAYMENT PROGRAM

18 (a) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

10 (4) be a resident of Vermont.

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

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

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

1 Sec. 27. VERMONT NURSING AND PHYSICIAN ASSISTANT LOAN
2 REPAYMENT PROGRAM; APPROPRIATION

3 In fiscal year 2023 the amount of \$2,000,000.00 is appropriated from the
4 General Fund to the Department of Health for loan repayment for nurses and
5 physician assistants under the Vermont Nursing and Physician Assistant Loan
6 Repayment Program established in Sec. 26 of this act.

7 Sec. 28. 18 V.S.A. § 36 is added to read:

8 § 36. NURSE FACULTY FORGIVABLE LOAN AND LOAN
9 REPAYMENT PROGRAM

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

11 (1) “Eligible individual” means an individual who satisfies the eligibility
12 requirements under this section for a forgivable loan or loan repayment.

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

15 (3) “Forgivable loan” means a loan awarded under this section covering
16 tuition, room, board, and the cost of required books and supplies for up to full-
17 time attendance at an eligible school.

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

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

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

4 (7) “Nurse faculty member” or “member of the nurse faculty” means a
5 nurse with a master’s or doctoral degree that qualifies the individual to teach at
6 a nursing school in this State.

7 (8) “Program” means the Nurse Faculty Forgivable Loan and Loan
8 Repayment Program created under this section.

9 (b) Program creation. The Nurse Faculty Forgivable Loan and Loan
10 Repayment Program is created and shall be administered by the Department of
11 Health in collaboration with the Corporation. The Program provides
12 forgivable loans to students enrolled in an eligible school who commit to
13 working as a member of the nurse faculty at a nursing school in this State and
14 who meet the eligibility requirements in subsection (d) of this section. The
15 Program also provides loan repayment on behalf of individuals who work as
16 nurse faculty members at a nursing school in this State and who meet the
17 eligibility requirements in subsection (e) of this section.

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

1 (d) Eligibility for forgivable loans. To be eligible for a forgivable loan
2 under the Program, an individual, whether a resident or nonresident, shall
3 satisfy all of the following requirements:

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

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

10 (3) have used any available gift aid;

11 (4) have executed a contract with the Corporation committing the
12 individual to work as a member of the nurse faculty at a nursing school in this
13 State;

14 (5) have executed a promissory note that will reduce the individual's
15 forgivable loan benefit, in whole or in part, if the individual fails to complete
16 the period of service required in subsection (f) of this section; and

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

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

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

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

8 (3) work as a member of the nurse faculty at a nursing school in this
9 State; and

10 (4) be a resident of Vermont.

11 (f) Service commitment.

12 (1) Forgivable loans. For each year of service as a nurse faculty
13 member at a nursing school in this State, an eligible individual shall be entitled
14 to a full academic year of forgivable loan benefit under the Program. If an
15 eligible individual fails to serve as a nurse faculty member at a nursing school
16 in this State for a period that would entitle the individual to the full forgivable
17 loan benefit received by the individual, other than for good cause as
18 determined by the Corporation in consultation with the Vermont Department
19 of Health, then the individual shall receive only partial loan forgiveness for a
20 pro rata portion of the loan pursuant to the terms of the interest-free

1 reimbursement promissory note signed by the individual at the time of entering
2 the Program.

3 (2) Loan repayment. An eligible individual shall be entitled to an
4 amount of loan cancellation and repayment under this section equal to one year
5 of loans for each year of service as a member of the nurse faculty at a nursing
6 school in this State.

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

10 Sec. 29. NURSE FACULTY FORGIVABLE LOAN AND LOAN
11 REPAYMENT PROGRAM; APPROPRIATION

12 In fiscal year 2023, the amount of \$500,000.00 is appropriated from the
13 American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery
14 Funds to the Department of Health for forgivable loans and loan repayment for
15 nurse faculty members under the Nurse Faculty Forgivable Loan and Loan
16 Repayment Program established in Sec. 28 of this act.

17 Sec. 30. 18 V.S.A. § 9456 is amended to read:

18 § 9456. BUDGET REVIEW

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

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

2 * * *

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

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

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

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

18 * * *

1 Sec. 31. GREEN MOUNTAIN CARE BOARD; FISCAL YEAR 2023
2 HOSPITAL BUDGET REVIEW; NURSING WORKFORCE
3 DEVELOPMENT INITIATIVES

4 For hospital fiscal year 2023, the Green Mountain Care Board may exclude
5 all or a portion of a hospital’s investments in nursing workforce development
6 initiatives from any otherwise applicable financial limitations on the hospital’s
7 budget or budget growth. Notwithstanding any provision of GMCB Rule
8 3.202, the Board may modify its hospital budget guidance for hospital fiscal
9 year 2023 as needed to comply with this section.

10 Sec. 32. AGENCY OF HUMAN SERVICES; HEALTH CARE
11 WORKFORCE DATA CENTER

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

1 Board’s Health Resource Allocation Plan responsibilities pursuant to
2 18 V.S.A. § 9405.

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

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

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

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

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

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

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

4 Sec. 33. OFFICE OF PROFESSIONAL REGULATION; BARRIERS TO
5 MENTAL HEALTH LICENSURE; REPORT

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

15 Sec. 34. AGENCY OF HUMAN SERVICES; POSITION;
16 APPROPRIATION

17 (a) One classified, three-year limited-service Health Care Workforce
18 Coordinator position is created in the Agency of Human Services, Office of
19 Health Care Reform in fiscal year 2023 to support the health care workforce
20 initiatives set forth in this act and in the Health Care Workforce Development
21 Strategic Plan. The Coordinator shall focus on building educational, clinical,

1 and housing partnerships and support structures to increase and improve health
2 care workforce training, recruitment, and retention.

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

7 Sec. 35. DEPARTMENT OF LABOR; GREEN MOUNTAIN CARE
8 BOARD; SUPPLY AND DEMAND MODELING

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

1 Sec. 36. DEPARTMENT OF FINANCIAL REGULATION; GREEN
2 MOUNTAIN CARE BOARD; PRIOR AUTHORIZATIONS;
3 ADMINISTRATIVE COST REDUCTION; REPORT

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

9 (b) The Department of Financial Regulation shall direct health insurers to
10 provide prior authorization information to the Department in a format required
11 by the Department in order to enable the Department to analyze opportunities
12 to align and streamline prior authorization request processes. The Department
13 shall share its findings and recommendations with the Green Mountain Care
14 Board, and the Department and the Board shall collaborate to provide
15 recommendations to the House Committee on Health Care and the Senate
16 Committees on Health and Welfare and on Finance on or before January 15,
17 2023 regarding the statutory changes necessary to align and streamline prior
18 authorization processes and requirements across health insurers.

1 Sec. 37. 33 V.S.A. § 3543 is amended to read:

2 § 3543. STUDENT LOAN REPAYMENT ASSISTANCE

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

7 (2) An eligible individual shall:

8 (A) work in a privately operated center-based child care program or
9 in a family child care home that is regulated by the Division for at least an
10 average of 30 hours per week for 48 weeks of the year, except that this
11 minimum time requirement does not apply to an employee of Vermont Head
12 Start to the extent it conflicts with any law or contract provision governing the
13 terms of employment;

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

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

19 * * *

1 Sec. 38. PILOT PROGRAM; POSITIONS EMBEDDED WITHIN
2 RECOVERY CENTERS

3 (a)(1) In fiscal year 2023 the amount of \$1,290,000.00 is appropriated from
4 the General Fund to the Department for Disabilities, Aging, and Independent
5 Living's Division of Vocation Rehabilitation for the purpose of developing and
6 implementing a two-year pilot program that authorizes 15 FTE new limited-
7 service positions embedded within 12 recovery centers across the State.

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

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

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

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

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

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

1 (b) On or before January 1, 2024, the Division of Vocational
2 Rehabilitation, in collaboration with the Vermont Association of Business
3 Industry and Rehabilitation, shall submit a report to the House Committees on
4 Commerce and Economic Development and on Human Services and to the
5 Senate Committees on Economic Development, Housing and General Affairs
6 and on Health and Welfare summarizing the effectiveness of the pilot program,
7 including:

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

12 Sec. 39. CREDENTIAL OF VALUE GOAL; PUBLIC-PRIVATE
13 PARTNERSHIP; APPROPRIATION

14 (a) Duties. In fiscal year 2023, the amount of \$150,000.00 is appropriated
15 from the General Fund to the Vermont Student Assistance Corporation for a
16 performance-based contract to perform the following duties, in coordination
17 and alignment with State partners, in support of the State’s goal articulated in
18 10 V.S.A. § 546 that 70 percent of working-age Vermonters hold a credential
19 of value by 2025 (Goal):

- 20 (1) increase public awareness of the value of postsecondary education
21 and training to help persons of any age make informed decisions about the

1 value of education and training that would further their advancement in
2 educational pathways and pursuit of career goals, through targeted outreach as
3 outlined in subsection (b) of this section;

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

7 (3) assist or coordinate with stakeholders, such as educational, business,
8 governmental, nonprofit, and philanthropic organizations, in activities that seek
9 to align the delivery of high-quality education and training opportunities with
10 career advancement and support the policy priorities outlined in 10 V.S.A.
11 § 546;

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

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

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

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

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

7 (b) Outreach. The contractor may use funds awarded by the State to:

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

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

14 (c) Reports. The contractor shall provide written reports to:

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

18 (2) on or before December 15, 2022, the House and Senate committees
19 of jurisdiction regarding the use of funds, activities performed, and outcomes
20 achieved pursuant to this section.

1 Sec. 40. VERMONT SERVE, LEARN, AND EARN PROGRAM;

2 APPROPRIATION

3 In fiscal year 2023, the amount of \$2,000,000.00 is appropriated from the
4 General Fund to the Department of Forests, Parks and Recreation to provide
5 funding for capital and operating needs of groups participating in the Vermont
6 Serve, Learn, and Earn Program, which supports workforce development goals
7 through creating meaningful paid service and learning opportunities for young
8 adults.

9 Sec. 41. ADULT EDUCATION AND LITERACY; FINDINGS

10 The General Assembly finds:

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

16 (2) 36,000 adults in Vermont do not have a high school credential, and
17 tens of thousands more lack the skills to matriculate into and be successful in
18 college, in career training programs, or both. Adult education and literacy
19 providers are the first stop on the path to the transformative opportunities that
20 Vermont is offering for these individuals.

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

6 (A) family and life;

7 (B) academics; and

8 (C) career and college readiness.

9 Sec. 42. FINDINGS; FOREST FUTURE STRATEGIC ROADMAP

10 The General Assembly finds for the purposes of this section and Secs. 43 to
11 45 of this act:

12 (1) Private and public forestlands:

13 (A) constitute unique and irreplaceable resources, benefits, and
14 values of statewide importance;

15 (B) contribute to the protection and conservation of wildlife habitat,
16 air, water, and soil resources of the State;

17 (C) mitigate the effects of climate change; and

18 (D) benefit the general health and welfare of the persons of the State.

19 (2) The forest products sector, including maple sap collection:

20 (A) is a major contributor to and is valuable to the State's economy
21 by providing nearly 14,000 jobs for Vermonters, generating \$2.1 billion in

1 annual sales, and supporting \$30.8 million in additional economic activity
2 from trail uses and seasonal tourism;

3 (B) is essential to the manufacture of forest products that are used
4 and enjoyed by the persons of the State; and

5 (C) benefits the general welfare of the persons of the State.

6 (3) Private and public forestlands are critical for and contribute
7 significantly to the State’s outdoor recreation and tourism economies.

8 (4) Eighty percent of Vermont’s forestland is held in private ownership,
9 of which 56 percent of private lands are enrolled in the forestland category of
10 Vermont’s Use Value Appraisal Program (UVA). UVA is Vermont’s most
11 important conservation program and contains the largest foundation of supply
12 to support a vibrant forest-based rural economy.

13 (5) Economic realities and demand pressures for urban, commercial, and
14 residential land uses throughout the State continue to challenge forest
15 landowners trying to maintain intact forests. Forest fragmentation can
16 adversely affect the natural environment and viable forest management.
17 Addressing the economic and social needs of the forest products sector is
18 paramount to keeping forests intact, viable, and healthy.

19 (6) The encouragement, development, improvement, and preservation of
20 forestry operations will result in extant, intact, and functioning forests that will

1 provide a general benefit to the health and welfare of the persons of the State
2 and the State’s economy.

3 (7) To strengthen, promote, and protect the Vermont forest products
4 sector, the State should establish the Vermont Forest Future Strategic
5 Roadmap.

6 Sec. 43. 10 V.S.A. chapter 82 is added to read:

7 CHAPTER 82. VERMONT FOREST FUTURE STRATEGIC ROADMAP

8 § 2531. VERMONT FOREST FUTURE STRATEGIC ROADMAP

9 (a) Creation. The Commissioner of Forests, Parks and Recreation shall
10 create the Vermont Forest Future Strategic Roadmap to strengthen, modernize,
11 promote, and protect the forest products sector in Vermont. The
12 Commissioner of Forests, Parks and Recreation may contract with a qualified
13 contractor for the creation of the Vermont Forest Future Strategic Roadmap.
14 During the contract proposal process, the Commissioner of Forests, Parks and
15 Recreation shall seek a proposal to complete the Vermont Forest Future
16 Strategic Roadmap from the Vermont Sustainable Jobs Fund.

17 (b) Intended outcomes. The intended outcomes of the Vermont Forest
18 Future Strategic Roadmap are to:

19 (1) increase sustainable economic development and jobs in Vermont’s
20 forest economy;

1 (2) promote ways to expand the workforce and strengthen forest product
2 enterprises in order to strengthen, modernize, promote, and protect the
3 Vermont forest economy into the future;

4 (3) promote the importance of healthy, resilient, and sustainably
5 managed working forests that provide a diverse array of high-quality products
6 now and in the future; and

7 (4) identify actionable strategies designed to strengthen, modernize,
8 promote, and protect the forest products sector in Vermont, including
9 opportunities for new product development, opening new markets for Vermont
10 forest products, adopting modern manufacturing processes, and utilizing new
11 ways to market Vermont forest products.

12 (c) Strategic Roadmap content. In developing the Vermont Forest Future
13 Strategic Roadmap, the Commissioner of Forests, Parks and Recreation or the
14 relevant contractor shall:

15 (1) review all existing data, plans, and industry-level research completed
16 over the past 10 years, including the Working Lands Enterprise Fund’s Forest
17 Sector Systems Analysis, and identify any recommendations in those reports in
18 order to build upon previous efforts;

19 (2) identify infrastructure investment and funding to support and
20 promote Vermont forest products enterprises;

1 (3) identify regulatory barriers and propose policy recommendations to
2 support and strengthen the Vermont forest economy;

3 (4) identify opportunities for all State agencies to engage with and
4 enhance the Vermont forest products sector, including the Department of
5 Buildings and General Services, the Agency of Commerce and Community
6 Development, the Department of Tourism and Marketing, the Agency of
7 Education, the Agency of Transportation, the Department of Public Service,
8 the Agency of Natural Resources, the Department of Financial Regulation, and
9 the Department of Labor;

10 (5) develop recommendations to support education and training of the
11 current and future workforce of the Vermont forest products sector;

12 (6) propose alternatives for the modernization of transportation and
13 regulation of Vermont forest products enterprises, including modernization of
14 local and State permits;

15 (7) identify methods or programs that Vermont forest enterprises can
16 utilize to access business assistance services;

17 (8) recommend how to maintain access by Vermont forest products
18 enterprises to forestland and how to maintain the stewardship and conservation
19 of Vermont forests as a whole;

1 (9) propose methods to enhance market development and manufacturing
2 by Vermont forest products enterprises, including value chain coordination and
3 regional partnerships;

4 (10) recommend consumer education and marketing initiatives; and

5 (11) recommend how to clarify the roles of various public entities and
6 nongovernmental organizations that provide certain services to the forestry
7 sector and to ensure coordination and alignment of those functions in order to
8 advance and maximize the strength of the forest products industry.

9 (d) Process for development of Vermont Forest Future Strategic Roadmap.

10 (1) The Commissioner of Forests, Parks and Recreation or relevant
11 contractor shall develop the Vermont Forest Future Strategic Roadmap and all
12 subsequent revisions through the use of a public stakeholder process that
13 includes and invites participation by interested parties representing all users of
14 Vermont’s forests, including representatives of forest products enterprises,
15 State agencies, investors, forestland owners, recreational interests, loggers,
16 foresters, truckers, sawmills, firewood processors, wood products
17 manufacturers, education representatives, and others.

18 (2) The Commissioner of Forests, Parks and Recreation, in collaboration
19 with forest products sector stakeholders, shall review the Strategic Roadmap
20 periodically and shall update the Strategic Roadmap at least every 10 years.

21 (e) Advisory panel; administration.

1 (1) The Commissioner of Forests, Parks and Recreation or relevant
2 contractor shall convene a Vermont Forest Future Strategic Roadmap advisory
3 panel to review and counsel in the development and implementation of the
4 Vermont Forest Future Strategic Roadmap. The advisory panel shall include
5 representatives of forest products enterprises, State agencies, investors,
6 forestland owners, foresters, loggers, truckers, wood products manufacturers,
7 recreational specialists, education representatives, trade organizations, and
8 other partners as deemed appropriate. The Commissioner of Forests, Parks and
9 Recreation shall select representatives to the advisory panel.

10 (2) The Commissioner of Forests, Parks and Recreation or relevant
11 contractor may seek grants or other means of assistance to support the
12 development and implementation of the Vermont Forest Future Strategic
13 Roadmap.

14 Sec. 44. IMPLEMENTATION

15 (a) The Commissioner of Forests, Parks and Recreation or relevant
16 contractor shall submit to the General Assembly:

17 (1) draft recommendations for the Vermont Forest Future Strategic
18 Roadmap on or before July 1, 2023; and

19 (2) a final report and recommendations for the Vermont Forest Future
20 Strategic Roadmap on or before January 1, 2024.

1 (b) Any recommendation submitted under this section shall include
2 recommended appropriations sufficient to implement the recommendation or
3 the Vermont Forest Future Strategic Roadmap as a whole.

4 Sec. 45. APPROPRIATIONS

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

11 * * * Capital Investment Grant Program * * *

12 Sec. 46. 2021 Acts and Resolves No. 74, Sec. H.18 is amended to read:

13 Sec. H.18 CAPITAL INVESTMENT GRANT PROGRAM

14 (a) Creation; purpose; regional outreach.

15 (1) The Agency of Commerce and Community Development shall use
16 the \$10,580,000 appropriated to the Department of Economic Development in
17 Sec. G.300(a)(12) of this act to design and implement a capital investment
18 grant program consistent with this section.

19 (2) The purpose of the program is to make funding available for
20 transformational projects that will provide each region of the State with the
21 opportunity to attract businesses, retain existing businesses, create jobs, and

1 invest in their communities by encouraging capital investments and economic
2 growth.

3 (3) The Agency shall collaborate with other State agencies, regional
4 development corporations, regional planning commissions, and other
5 community partners to identify potential regional applicants and projects to
6 ensure the distribution of grants throughout the regions of the State.

7 (b) Eligible applicants.

8 (1) To be eligible for a grant, an applicant shall comply with the
9 Department of Treasury Final Rule implementing the Coronavirus State and
10 Local Fiscal Recovery Funds established under the American Rescue Plan Act
11 and meet the following criteria:

12 (A) The applicant is located within this State.

13 (B) The applicant is:

14 (i)(I) a for-profit entity with not less than a 10 percent equity
15 interest in the project; or

16 (II) a nonprofit entity; and

17 (ii) grant funding from the Program represents not more than ~~50~~
18 20 percent of the total project cost.

19 (C) The applicant demonstrates:

20 (i) community and regional support for the project;

21 (ii) that grant funding is needed to complete the project;

1 (iii) leveraging of additional sources of funding from local, State,
2 or federal economic development programs; and

3 (iv) an ability to manage the project, with requisite experience and
4 a plan for fiscal viability.

5 (2) The following are ineligible to apply for a grant:

6 (A) a State or local government-operated business;

7 (B) a municipality;

8 (C) a business that, together with any affiliated business, owns or
9 operates more than 20 locations, regardless of whether those locations do
10 business under the same name or within the same industry; and

11 (D) a ~~publicly traded~~ publicly traded company.

12 (c) Awards; amount; eligible uses.

13 (1) An award shall not exceed the lesser of ~~\$1,500,000.00~~ \$1,000,000 or
14 ~~the estimated net State fiscal impact of the project based on Agency modeling~~
15 20 percent of the total project cost.

16 (2) A recipient may use grant funds for the acquisition of property and
17 equipment, construction, renovation, and related capital expenses.

18 (3) A recipient may combine grant funds with funding from other
19 sources but shall not use grant funds from multiple sources for the same costs
20 within the same project.

21 (4) The Agency shall release grant funds upon determining that the

1 applicant has met all Program conditions and requirements.

2 (5) Nothing in this section is intended to prevent a grant recipient from
3 applying for additional grant funds if future amounts are appropriated for the
4 program.

5 ~~(d) Data model; approval.~~

6 ~~(1) The Agency shall collaborate with the Legislative Economist to~~
7 ~~design a data model and related methodology to assess the fiscal, economic,~~
8 ~~and societal impacts of proposals and prioritize them based on the results.~~

9 ~~(2) The Agency shall present the model and related methodology to the~~
10 ~~Joint Fiscal Committee for its approval not later than September 1, 2021.~~

11 [Repealed.]

12 (e) Application process; decisions; awards.

13 (1)(A) The Agency shall accept applications on a rolling basis for three-
14 month periods and shall review and consider for approval the group of
15 applications it has received as of the conclusion of each three-month period.

16 (B) The Agency shall make application information available to the
17 Legislative Economist and the Executive Economist in a timely manner.

18 ~~(2) Using the data model and methodology approved by the Joint Fiscal~~
19 ~~Committee, the Agency shall analyze the information provided in an~~
20 ~~application to estimate the net State fiscal impact of a project, including the~~
21 ~~following factors:~~

- 1 ~~(A) increase to grand list value;~~
- 2 ~~(B) improvements to supply chain;~~
- 3 ~~(C) jobs impact, including the number and quality of jobs; and~~
- 4 ~~(D) increase to State GDP. [Repealed.]~~

5 (3) The Secretary of Commerce and Community Development shall
6 appoint an interagency team, which may include members from among the
7 Department of Economic Development, the Department of Housing and
8 Community Development, the Agency of Agriculture, Food and Markets, the
9 Department of Public Service, the Agency of Natural Resources, or other State
10 agencies and departments, which team shall review, analyze, and recommend
11 projects for funding consistent with the guidelines the Agency develops in
12 coordination with the Joint Fiscal Office ~~and approved by the Joint Fiscal~~
13 ~~Committee~~ and based on ~~the estimated net State fiscal impact of a project and~~
14 ~~on other contributing factors, including the following:~~

- 15 (A) transformational nature of the project for the region;
- 16 (B) project readiness, quality, and demonstrated collaboration with
17 stakeholders and other funding sources;
- 18 (C) alignment and consistency with regional plans and priorities; and
- 19 (D) creation and retention of workforce opportunities.

20 (4) The Secretary of Commerce and Community Development shall
21 consider the recommendations of the interagency team and shall give final

1 approval to projects.

2 (f) Grant agreements; post award monitoring.

3 (1) If selected by the Secretary, the applicant and the Agency shall
4 execute a grant agreement that includes audit provisions and minimum
5 requirements for the maintenance and accessibility of records that ensures that
6 the Agency and the Auditor of Accounts have access and authority to monitor
7 awards.

8 (2) The Agency shall publish on its website not later than 30 days after
9 approving an award a brief project description, the name of the grantee, and the
10 amount of a grant.

11 (g) Report. On or before ~~December 15, 2021~~ February 15, 2023, the
12 Agency shall submit a report to the House Committee on Commerce and
13 Economic Development and the Senate Committee on Economic
14 Development, Housing and General Affairs concerning the implementation of
15 this section, including:

16 (1) a description of the implementation of the program;

17 (2) the promotion and marketing of the program;

18 (3) an analysis of the utilization and performance of the program;

19 ~~including the projected revenue impacts and other qualitative and quantitative~~
20 ~~returns on investment in the program based on available data and modeling.~~

21 (h) Implementation.

1 (1) The Agency of Commerce and Community Development shall
2 consult with the Legislative Joint Fiscal Office to develop guidelines and
3 approval processes for the Capital Investment Grant Program and shall submit
4 the proposed guidelines and processes to the Joint Fiscal Committee and the
5 chairs of the relevant legislative committees of jurisdiction for approval prior
6 to accepting applications for grants through the Program.

7 (2) When considering whether and how to prioritize economic sectors
8 that have suffered economic harm due to the COVID-19 pandemic, the Agency
9 may designate one or more sectors for priority consideration through the
10 Program, including the arts and culture, travel, lodging, tourism, agriculture,
11 and child care sectors.

12 * * * VEDA Short-Term Forgivable Loans * * *

13 Sec. 47. VEDA SHORT-TERM FORGIVABLE LOANS

14 (a) Creation. The Vermont Economic Development Authority shall create
15 a Short-Term Forgivable Loan Program to support Vermont businesses
16 experiencing continued working capital shortfalls as a result of the COVID-19
17 public health emergency.

18 (b) Eligible business. An eligible borrower is a for-profit or nonprofit
19 business:

- 20 (1) with fewer than 500 employees;
21 (2) located in Vermont;

1 (3) that was in operation or had taken substantial steps toward becoming
2 operational as of March 13, 2020; and

3 (4) that can identify economic harm caused by or exacerbated by the
4 pandemic.

5 (c) Economic harm.

6 (1) An applicant shall demonstrate economic harm from lost revenue,
7 increased costs, challenges covering payroll, rent or mortgage interest, or other
8 operating costs that threaten the capacity of the business to weather financial
9 hardships and result in general financial insecurity due to the COVID-19
10 public health emergency.

11 (2) The Authority shall measure economic harm by a material decline in
12 the applicant’s annual adjusted net operating income before the COVID-19
13 public health emergency relative to its annual adjusted net operating income
14 during the COVID-19 public health emergency.

15 (3) When assessing an applicant’s adjusted net operating income, the
16 Authority shall consider previous COVID-19 State and federal subsidies,
17 reasonable owner’s compensation, noncash expenses, extraordinary items, and
18 other adjustments deemed appropriate. The Authority shall also consider
19 whether other State or federal assistance is or may become available and
20 appropriate for the business and shall not provide assistance for the same costs
21 that are covered by another program.

1 (4) To be eligible for a loan, the Authority shall determine that a business
2 has experienced at least a 20 percent reduction in its adjusted net operating
3 income in calendar years 2020 and 2021 combined as compared to 2019, or
4 other appropriate basis of comparison where necessary, and that 50 percent or
5 more of the reduction occurred in 2021.

6 (d) Maximum loan. The Authority shall determine the amount of a loan
7 award pursuant to guidelines adopted pursuant to subsection (f) of this section,
8 provided that a loan shall not exceed the lesser of:

9 (1) \$500,000.00;

10 (2)(A) six months of eligible fixed costs; or

11 (B) if, due to the nature of the business and its historical experience
12 fixed costs are not an accurate measure of ongoing operational need, another
13 amount based on a comparable measure of cost; or

14 (3) the amount of the cumulative decline in adjusted net operating
15 income during the COVID-19 public health emergency in 2020 and 2021.

16 (e) Eligible use of loan; loan forgiveness.

17 (1) A loan recipient may use loan proceeds to pay for eligible fixed costs
18 or operating expenses but shall not use the proceeds for capital expenditures.

19 (2) The Authority shall approve loan forgiveness based on
20 documentation evidencing loan proceeds were used to pay for eligible fixed
21 costs or operating expenses.

1 (f) Guidelines. The Vermont Economic Development Authority shall
2 consult with the Legislative Joint Fiscal Office to develop guidelines and
3 approval processes for the VEDA Short-Term Forgivable Loan Program and
4 shall submit the proposed guidelines and processes to the Joint Fiscal
5 Committee and the chairs of the relevant legislative committees of jurisdiction
6 for approval prior to accepting applications for grants through the Program.

7 (g) Priority sectors. When considering whether and how to prioritize
8 economic sectors that have suffered economic harm due to the COVID-19
9 pandemic, the Agency of Commerce and Community Development may
10 designate one or more sectors for priority funding through the Program,
11 including the arts and culture, travel, lodging, tourism, agriculture, and child
12 care sectors.

13 (h) Technical assistance. The Authority shall provide information to
14 applicants on how to access technical assistance from the Small Business
15 Development Center.

16 Sec. X. WINDHAM COUNTY ECONOMIC DEVELOPMENT

17 (a) Findings.

18 (1) In 2014 Acts and Resolves No. 95, sec. 80 created the Entergy
19 Windham County Economic Development Special Fund pursuant to 32 V.S.A.
20 chapter 7, subchapter 5, for the deposit and management of funds that were

1 received pursuant to the settlement agreement between the State of Vermont
2 and Entergy Nuclear Vermont Yankee, LLC, dated December 23, 2013.

3 (2) Pursuant to 2015 Acts and Resolves No. 4, Sec. 69, as further
4 amended by 2016 Acts and Resolves No. 68, Sec. 69, the Secretary of
5 Commerce and Community Development is authorized to make grants,
6 repayable grants, and loans in the Special Fund for the purpose of promoting
7 economic development in Windham County.

8 (3) From the amounts available in the Special Fund, the Agency of
9 Commerce and Community Development has provided grant funds, and the
10 Vermont Economic Development Authority, working in coordination with the
11 Agency, has provided loans and loan servicing, for economic development
12 projects in Windham County.

13 (b) Purpose: The purpose of this section is to ensure all program and interest
14 funds received from the revolved loans originating from the Entergy Windham
15 County Economic County Special Fund provide future economic development
16 benefits for Windham County.

17 ~~this section is to ensure that the remaining funds that are available through~~
18 ~~the Entergy settlement continue to provide economic development benefits for~~
19 ~~Windham County and that decisions for the use of these funds are made~~
20 ~~through local administration by the Brattleboro Development Credit~~
21 ~~Corporation.~~

1 (d) Authority; Program Creation: Decisions for the use of any remaining
2 and future funds shall be made through local administration by the Brattleboro
3 Development Credit Corporation.

4 (f) Agency of Commerce and Community Development; transfer. On or
5 before June 30, 2022 the Agency of Commerce and Community Development
6 shall transfer any amounts remaining in the Entergy Windham County
7 Economic Development Special Fund to the Brattleboro Development Credit
8 Corporation.

9 (g) Vermont Economic Development Authority; transfer. On or before
10 June 30, 2022, the Vermont Economic Development Authority shall take any
11 steps necessary to transfer to the Brattleboro Development Credit Corporation
12 any loans, loan servicing, future loan payments, and other legal rights, duties,
13 or obligations related to its activities undertaken with funding from the Entergy
14 Windham County Economic Development Special Fund.

15 (h) Brattleboro Economic Development Corporation; use of funds. The
16 Brattleboro Economic Development Corporation shall use the funds
17 transferred pursuant to this section to provide grants and loans for projects that
18 provide economic development benefits to Windham County, ~~consistent with~~
19 ~~the Windham County Economic Development Program.~~

20 (i) Entergy Windham County Economic Development Special Fund;
21 termination. The purpose of the Entergy Windham County Economic

1 Development Special Fund has been fulfilled as determined by the General
2 Assembly. Upon the completion of the transfers required in subsections (c) and
3 (d) of this section, and pursuant to pursuant to 32 VSA § 587(b) the Entergy
4 Windham County Economic Development Special Fund is terminated.

5 * * * Downtown Tax Credits * * *

6 Sec. 49. 32 V.S.A. § 5930ee is amended to read:

7 § 5930ee. LIMITATIONS

8 Beginning in fiscal year ~~2010~~ 2023 and thereafter, the State Board may
9 award tax credits to all qualified applicants under this subchapter, provided
10 that:

11 (1) the total amount of tax credits awarded annually, together with sales
12 tax reallocated under section 9819 of this title, does not exceed ~~\$3,000,000.00~~
13 \$4,350,000.00 with up to \$1,000,000.00 awarded to qualified projects in
14 neighborhood development areas;

15 * * *

16 Sec. 50. 32 V.S.A. § 5930ee is amended to read:

17 § 5930ee. LIMITATIONS

18 Beginning in fiscal year ~~2023~~ 2025 and thereafter, the State Board may
19 award tax credits to all qualified applicants under this subchapter, provided
20 that:

1 (1) the total amount of tax credits awarded annually, together with sales
2 tax reallocated under section 9819 of this title, does not exceed ~~\$4,350,000.00~~
3 ~~with up to \$1,000,000.00 awarded to qualified projects in neighborhood~~
4 ~~development areas~~ \$3,000,000.00;

5 * * *

6 Sec. 51. FY 2024 DOWNTOWN AND VILLAGE CENTER TAX CREDIT
7 PROGRAM OFFSET

8 In fiscal year 2023, the amount of \$1,350,000.00 shall be carried forward
9 within the General Fund to be available in fiscal year 2024 to provide onetime
10 increased fiscal capacity for the Downtown and Village Center Tax Credit
11 Program.

12 * * * Appropriations * * *

13 Sec. 52. APPROPRIATIONS

14 (a) Reversion. In fiscal year 2022, of the amounts appropriated in 2021
15 Acts and Resolves No. 74, Sec. G. 300(a)(13), from the American Rescue Plan
16 Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of
17 Commerce and Community Development for the Economic Recovery Grant
18 Program, \$25,500,000.00 shall revert to the American Rescue Plan Act
19 (ARPA) – Coronavirus State Fiscal Recovery Funds.

1 (b) COVID economic support. In fiscal year 2022, the amount of
2 \$28,000,000.00 is appropriated from the American Rescue Plan Act (ARPA) –
3 Coronavirus State Fiscal Recovery Funds as follows:

4 (1) VEDA Short-Term Forgivable Loan Program. \$19,000,000.00 to
5 the Vermont Economic Development Authority for the VEDA Short-Term
6 Forgivable Loan Program.

7 (2) Creative economy grants. \$9,000,000.00 to the Vermont Arts
8 Council to provide grants for monthly operating costs, including rent,
9 mortgage, utilities, and insurance, to creative economy businesses and
10 nonprofits that have sustained substantial losses due to the pandemic.

11 (c) General Fund. In fiscal year 2023 the amount of \$10,200,000.00 is
12 appropriated from the General Fund to the Agency of Commerce and
13 Community Development for the Capital Investment Grant Program.

14 Sec. 53. 2020 Acts and Resolves No. 3, Sec. 64(c) is amended to read:

15 (c) Sec. 62 (32 V.S.A. § 3102 (e)(8)) shall take effect on July 1, **2022**
16 2024.

17 * * * COVID-19-Related Paid Leave Grant Program * * *

18 Sec. 54. FINDINGS AND INTENT

19 (a) The General Assembly finds that:

20 (1) COVID-19 has caused increased employee absences due to illness,
21 quarantine, and school and daycare closures.

1 (2) Many employees do not have sufficient paid time off to cover all of
2 their COVID-19-related absences from work.

3 (3) Some employers have provided their employees with additional paid
4 time off for COVID-19-related purposes.

5 (4) The surge in COVID-19 cases caused by the Omicron variant of the
6 virus has made it financially difficult or impossible for employers to provide
7 additional paid time off to their employees for COVID-19-related purposes.

8 (5) Providing grants to employers to reimburse a portion of the cost of
9 providing paid time off to employees for COVID-19-related purposes will:

10 (A) help to mitigate some negative economic impacts of the COVID-
11 19 pandemic on employers;

12 (B) improve employee retention;

13 (C) prevent the spread of COVID-19 in the workplace; and

14 (D) provide crucial income to employees and their families.

15 (6) The Front-Line Employees Hazard Pay Grant Program established
16 pursuant to 2020 Acts and Resolves No. 136, Sec. 6 and expanded pursuant to
17 2020 Acts and Resolves No. 168, Sec. 1 successfully directed millions of
18 dollars in hazard pay to front-line workers during the first year of the COVID-
19 19 pandemic. By utilizing grants to employers, who in turn provided the
20 hazard pay to their employees, the Program enabled employers to retain

1 employees and reward them for their hard work during the uncertainty of the
2 early months of the COVID-19 pandemic.

3 (b) It is the intent of the General Assembly that the COVID-19-Related
4 Paid Leave Grant Program created pursuant to section 2a of this act shall be
5 modeled on the Front-Line Employees Hazard Pay Grant Program and shall
6 assist employers in providing paid leave to their employees for COVID-19
7 related absences.

8 Sec. 54a. COVID-19-RELATED PAID LEAVE GRANT PROGRAM

9 (a)(1) There is established in the Department of Financial Regulation the
10 COVID-19-Related Paid Leave Grant Program to administer and award grants
11 to employers to reimburse the cost of providing COVID-19-related paid leave
12 to employees.

13 (2) The sum of \$16,500,000.00 is appropriated from the American
14 Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the
15 Department of Financial Regulation in fiscal year 2023 for the provision of
16 grants to reimburse employers for the cost of providing COVID-19-related
17 paid leave. Not more than seven percent of the amount appropriated pursuant
18 to this subdivision (2) may be used for expenses related to Program
19 administration and outreach.

20 (b) As used in this section:

21 (1) “Commissioner” means the Commissioner of Financial Regulation.

1 (2) “COVID-19-related reason” means the employee is:

2 (A) self-isolating because the employee has been diagnosed with
3 COVID-19 or tested positive for COVID-19;

4 (B) self-isolating pursuant to the recommendation of a health care
5 provider or a State or federal public health official because the employee has
6 been exposed to COVID-19 or the employee is experiencing symptoms of
7 COVID-19;

8 (C) caring for a parent, grandparent, spouse, child, sibling, parent-in-
9 law, grandchild, or foster child, because:

10 (i) the school or place of care where that individual is normally
11 located during the employee’s workday is closed due to COVID-19;

12 (ii) that individual has been requested not to attend the school or
13 the place of care where that individual is normally located during the
14 employee’s workday due to COVID-19;

15 (iii) that individual has been diagnosed with or tested positive for
16 COVID-19; or

17 (iv) that individual is self-isolating pursuant to the
18 recommendation of a health care provider or a State or federal public health
19 official because that individual has been exposed to or is experiencing
20 symptoms of COVID-19;

1 (D) attending an appointment for the employee or the employee’s
2 parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster
3 child to receive a vaccine or a vaccine booster for protection against COVID-
4 19; or

5 (E) experiencing symptoms, or caring for a parent, grandparent,
6 spouse, child, sibling, parent-in-law, grandchild, or foster child who is
7 experiencing symptoms, related to a vaccine or a vaccine booster for protection
8 against COVID-19.

9 (3) “Department” means the Department of Financial Regulation.

10 (4) “Employee” means an individual who, in consideration of direct or
11 indirect gain or profit, is employed by an employer to perform services in
12 Vermont.

13 (5) “Employer” means any person that has one or more employees
14 performing services for it in Vermont. “Employer” does not include the State
15 or the United States.

16 (6) “Program” means the COVID-19-Related Paid Leave Grant Program
17 established pursuant to this section.

18 (7) “Program period” means the period beginning on July 1, 2022 and
19 ending on June 30, 2023.

20 (8) “Spouse” includes a civil union partner or a domestic partner, as that
21 term is defined pursuant to 17 V.S.A. § 2414.

1 (c)(1) An employer may apply to the Commissioner for quarterly grants to
2 reimburse the employer for the cost of paid leave provided to its employees for
3 COVID-19-related reasons during the Program period.

4 (2) An employer’s grant amount may include reimbursement for
5 retroactively provided COVID-19-related paid leave to employees who took
6 unpaid leave for a COVID-19-related reason during the Program period
7 because the employee did not have sufficient accrued paid leave available at
8 the time that the employee took the leave.

9 (3) Employers may submit applications for grants during the period
10 beginning on October 1, 2022 and ending on September 30, 2023 and may
11 submit an application not more than once each calendar quarter during that
12 period. Grant applications shall be submitted for paid leave provided during
13 the preceding calendar quarter.

14 (4) An employer may combine grant funds with funding from other
15 sources but shall not use grant funds from multiple sources for the same
16 instance of paid leave provided to its employees for COVID-19-related
17 reasons. As used in this subdivision (c)(4), an “instance” means a calendar day
18 in which the employee was absent from work for a COVID-19-related reason.

19 (5) For the sole purpose of administering grants related to paid leave
20 provided to independent direct support providers for COVID-19-related
21 reasons, ARIS Solutions, as the fiscal agent for the employers of the

1 independent direct support providers, shall have the authority to apply for
2 grants in the same manner as any employer.

3 (d)(1) The Commissioner shall:

4 (A) adopt procedures for implementing the Program, which shall
5 include a simple grant application process, a process to allow employers to
6 certify the amount of paid leave provided for COVID-19-related reasons, and a
7 process to allow employers to report on their use of the grant funds awarded
8 pursuant to this section;

9 (B) promote awareness of the Program to employers;

10 (C) award grants to employers on a first-come, first-served basis,
11 subject to available funding; and

12 (D) develop and implement an audit strategy to assess grant
13 utilization, the performance of the Program, and compliance with Program
14 requirements.

15 (2)(A) The Commissioner may, with the approval of the Secretary of
16 Administration, delegate administration of one or more aspects of the Program
17 to other agencies and departments of the State.

18 (B) The Commissioner may enter into agreements, memoranda of
19 understanding, or contracts with private entities as necessary to implement or
20 administer the Program and, notwithstanding any provision of law to the
21 contrary, shall not be required to competitively bid any contracts entered into

1 pursuant to this subdivision (2)(B). For the purposes of the Program, the
2 ongoing public health risk posed by COVID-19 shall be deemed to be an
3 emergency situation that justifies the execution of sole source contracts
4 pursuant to Bulletin 3.5, the State’s Procurement and Contracting Procedures.

5 (e)(1) Employers may apply for grants to either reimburse 67 percent of the
6 cost of COVID-19-related paid leave provided to employees or to provide
7 funds to be used to pay 67 percent of the cost to retroactively provide paid
8 leave to employees who took unpaid leave for COVID-19-related reasons.

9 (A) For reimbursement of COVID-19-related paid leave that was
10 already provided, the employer may, subject to the limitations of
11 subdivision (2) of this subsection (e), apply for a grant in an amount equal the
12 number of hours of COVID-19-related paid leave provided to each employee
13 multiplied by the greater of either the 67 percent of the minimum wage
14 established pursuant to 21 V.S.A. § 384 or 67 percent of the employee’s
15 regular hourly wage.

16 (B) For COVID-19-related paid leave that will be provided
17 retroactively to employees who took unpaid leave for COVID-19-related
18 reasons, the employer may, subject to the limitations of subdivision (2) of this
19 subsection (e), apply for a grant in an amount equal the number of hours of
20 COVID-19-related paid leave to be provided to each employee multiplied by

1 the greater of either the 67 percent of the minimum wage established pursuant
2 to 21 V.S.A. § 384 or 67 percent of the employee’s regular hourly wage.

3 (2)(A) An employer may only apply for a grant in relation to COVID-
4 19-related leave that was taken by an employee during the Program period.

5 (B) The maximum number of hours of COVID-19-related leave for
6 each employee that an employer may seek grant funding for through the
7 Program shall equal the lesser of 80 hours or two times the employee’s average
8 weekly hours worked for the employer during the six months preceding the
9 date on which the employee first took COVID-19-related leave during the
10 Program period.

11 (C) The maximum amount that an employer shall be eligible to
12 receive for COVID-19-related paid leave for each employee shall be not more
13 than \$27.50 per hour of leave, with an aggregate maximum of \$2,200.00 per
14 employee during the Program period.

15 (f) As a condition of being eligible to receive a grant through the Program,
16 each employer shall be required to certify:

17 (1) that the employer is not seeking funds in relation to any amounts of
18 paid leave that were deducted from the employee’s accrued paid leave balance
19 at the time the COVID-19-related leave was taken unless those amounts have
20 been restored to the employee’s accrued paid leave balance;

1 (2) grant funds shall only be used in relation to the payment of an
2 employee’s wages for the period when the employee was absent from work for
3 a COVID-19-related reason; and

4 (3) employees receiving paid leave funded by a grant shall not be
5 required to pay an administrative fee or other charge in relation to the
6 employer requesting the grant.

7 (g) Each employer that receives a grant shall, not later than **October 31,**
8 2023, report to the Department on a form provided by the Commissioner the
9 amount of grant funds used to provide paid leave to employees and the amount
10 of any remaining grant funds that were not spent. All unspent grant funds shall
11 be returned to the Department pursuant to a procedure adopted by the
12 Commissioner.

13 (h) Any personally identifiable information that is collected by the
14 Program, any entity of State government performing a function of the Program,
15 or any entity that the Commissioner contracts with to perform a function of the
16 Program shall be kept confidential and shall be exempt from inspection and
17 copying under the Public Records Act.

18 * * * Unemployment Insurance Benefits * * *

19 Sec. 55. FINDINGS

20 The General Assembly finds that the General Assembly previously enacted
21 a \$25.00 supplemental increase to the weekly unemployment insurance benefit

1 amount in 2021 Acts and Resolves No. 51, Sec. 11. However, the terms of that
2 supplemental increase did not conform to federal requirements, and it never
3 took effect. Enacting a future \$25.00 increase in the weekly unemployment
4 insurance benefit amount will fulfill the commitment made by the General
5 Assembly in 2021 Acts and Resolves No. 51, Sec. 11.

6 Sec. 55a. 2021 Acts and Resolves No. 51, Sec. 17(a)(4) is amended to read:

7 (4) Sec. 12 (repeal of supplemental weekly benefit) shall take effect
8 ~~upon the payment of a cumulative total of \$100,000,000.00 in supplemental~~
9 ~~benefits pursuant to 21 V.S.A. § 1338(e)(2) on October 7, 2021~~ and shall apply
10 prospectively to all benefit payments in the next week and each subsequent
11 week.

12 Sec. 55b. 21 V.S.A. § 1338 is amended to read:

13 § 1338. WEEKLY BENEFITS

14 * * *

15 (e) An individual's weekly benefit amount shall be determined by dividing
16 the individual's two high quarter total subject wages required under
17 subdivision (d)(1) of this section by 45 and adding \$25.00 to the resulting
18 quotient, provided that the weekly benefit amount so determined shall not
19 exceed the maximum weekly benefit amount computed pursuant to
20 subsection (f) of this section.

1 (f)(1) The maximum weekly benefit amount shall be annually adjusted on
2 the first day of the first calendar week in July to an amount equal to the sum of
3 \$25.00 plus 57 percent of the State annual average weekly wage as determined
4 by subsection (g) of this section.

5 * * *

6 Sec. 55c. UNEMPLOYMENT INSURANCE; INFORMATION

7 TECHNOLOGY MODERNIZATION; ANNUAL REPORT;

8 INDEPENDENT VERIFICATION

9 (a)(1) The Secretary of Digital Services and the Commissioner of Labor
10 shall, to the greatest extent possible, plan and carry out the development and
11 implementation of a modernized information technology system for the
12 unemployment insurance program so that the modernized system is available
13 in time to implement on July 1, 2025 the changes to the unemployment
14 insurance weekly benefit amount enacted pursuant to Sec. 3b of this act.

15 (2) The Secretary of Digital Services and the Commissioner of Labor
16 shall plan and carry out the development and implementation of the
17 modernized information technology system for the unemployment insurance
18 program so that the modernized system is capable of:

19 (A) implementing the weekly benefit increase enacted pursuant to
20 Sec. 3b of this act;

1 (B) adapting to the evolving needs of the unemployment insurance
2 program in the future;

3 (C) incorporating future advances in information technology;

4 (D) implementing future legislative changes to all aspects of the
5 unemployment insurance program, including:

6 (i) benefits,

7 (ii) eligibility;

8 (iii) taxes;

9 (iv) penalties; and

10 (v) recovery of overpayments; and

11 (E) implementing short-term changes that respond to specific
12 indicators economic health.

13 (b) The Secretary of Digital Services and the Commissioner of Labor shall,
14 on or before January 15, 2023 and January 15, 2024, submit a written report to
15 the House Committee on Commerce and Economic Development, the Senate
16 Committee on Economic Development, Housing and General Affairs, and the
17 Legislative Information Technology Consultant retained by the Joint Fiscal
18 Office detailing the actions taken and progress made in carrying out the
19 requirements of subsection (a) of this section, the anticipated timeline for being
20 able to implement the changes to the unemployment insurance weekly benefit

1 amount enacted pursuant to Sec. 3b of this act, and potential implementation
2 risks identified during the development process.

3 (c) The Legislative Information Technology Consultant shall, on or before
4 February 15, 2023 and February 15, 2024, submit to the House Committee on
5 Commerce and Economic Development and the Senate Committee on
6 Economic Development, Housing and General Affairs a review of the report
7 submitted pursuant to subsection (b) of this section. The review shall include
8 an assessment of whether the Agency of Digital Services and the Department
9 of Labor will be able to implement the changes to the unemployment insurance
10 weekly benefit amount enacted pursuant to Sec. 3b of this act by July 1, 2025
11 and shall identify any potential risks or concerns related to implementation that
12 are not addressed in the report submitted pursuant to subsection (b) of this
13 section.

14 Sec. 55d. 21 V.S.A. § 1338 is amended to read:

15 § 1338. WEEKLY BENEFITS

16 * * *

17 (e) An individual's weekly benefit amount shall be determined by dividing
18 the individual's two high quarter total subject wages required under
19 subdivision (d)(1) of this section by 45 ~~and adding \$25.00 to the resulting~~
20 ~~quotient~~, provided that the weekly benefit amount so determined shall not

1 exceed the maximum weekly benefit amount computed pursuant to
2 subsection (f) of this section.

3 (f)(1) The maximum weekly benefit amount shall be annually adjusted on
4 the first day of the first calendar week in July to an amount equal to ~~the sum of~~
5 ~~\$25.00 plus~~ 57 percent of the State annual average weekly wage as determined
6 by subsection (g) of this section.

7 * * *

8 Sec. 56. EFFECTIVE DATES

9 (a) This act shall take effect on July 1, 2022, except that:

10 (1) Sec. 13 (Secondary Student Industry Recognized Credential Pilot
11 Project) shall take effect on passage.

12 (2) Sec. 30 (18 V.S.A. § 9456) shall take effect on January 1, 2023 and
13 shall apply to hospital fiscal years 2024 and after.

14 (3) Sec. 48 (Windham County Economic Development) shall take effect
15 on passage.

16 (4) Sec. 53 (Pandemic Unemployment Assistance Program extension)
17 shall take effect on passage.

18 (b)(1) Notwithstanding 1 V.S.A. § 214, Sec. 55a (repeal of prior
19 unemployment insurance supplemental benefit) shall take effect retroactively
20 on October 7, 2021.

1 (2) Sec. 55b (increase in unemployment insurance weekly benefit
2 amount) shall take effect on July 1, 2025 and shall apply to benefit weeks
3 beginning after that date.

4 (3) Sec. 55d (prospective repeal of unemployment insurance benefit
5 increase) shall take effect upon the payment of a cumulative total of
6 \$100,000,000.00 in additional benefits pursuant to 21 V.S.A. § 1338(e) when
7 compared to the rate at which benefits would have been paid under the formula
8 set forth in 21 V.S.A. § 1338(e) on June 30, 2025 and shall apply to benefit
9 weeks beginning after that date.

10 (4) Sec. 55c (report on implementation of change to unemployment
11 insurance weekly benefit) shall take effect on passage.

12

13

14 and that after passage the title of the bill be amended to read: “An act
15 relating to economic and workforce development”

16

17

18

19

20

21 (Committee vote: _____)

1

2

Representative _____

3

FOR THE COMMITTEE