

1 H.315

2 Introduced by the Committee on Appropriations

3 Date:

4 Subject: COVID-19 relief

5 Statement of purpose of bill as introduced: This bill proposes to provide  
6 COVID-19 relief to Vermont, including working families and small businesses.

7 An act relating to COVID-19 relief

8 ~~Agency of Commerce and Community Development, Targeted Business Grants~~\*

9 Sec. 1. GAP ECONOMIC RECOVERY GRANTS; FISCAL YEAR 2021

10 ONE-TIME APPROPRIATION

11 (a) Appropriation.

12 (1) In fiscal year 2021, the amount of \$10,000,000.00 is appropriated  
13 from the General Fund to the Agency of Commerce and Community  
14 Development to provide gap economic recovery grants to eligible businesses  
15 pursuant to this act.

16 (2) The Agency may use not more than five percent of the appropriated  
17 funds for the costs of administration, including technical assistance and  
18 guidance concerning potential eligibility for federal programs.

1 ~~(b) Eligibility. To be eligible for a grant, a business shall meet the~~  
2 ~~following criteria:~~

3 ~~(1) The business is domiciled or has its primary place of business in~~  
4 ~~Vermont.~~

5 ~~(2) The business is organized and operated:~~

6 ~~(A) on a for-profit basis, including a sole proprietor, partnership,~~  
7 ~~limited liability company, business corporation, cooperative, or mutual benefit~~  
8 ~~enterprise; or~~

9 ~~(B) on a nonprofit or low-profit basis, including a mutual benefit~~  
10 ~~corporation, public benefit corporation, and a low-profit limited liability~~  
11 ~~company.~~

12 ~~(3) The business is:~~

13 ~~(A) open for business at the time of application; or~~

14 ~~(B) closed for business due to the COVID-19 public health~~  
15 ~~emergency but has a good-faith plan for reopening.~~

16 ~~(4) The business suffered an economic loss due to the COVID-19 public~~  
17 ~~health emergency.~~

18 ~~(5) At the time the business submits its application to the Agency, the~~  
19 ~~business demonstrates that:~~

20 ~~(A) the business has applied for the forgivable loans and grants made~~  
21 ~~available through the Paycheck Protection Program, the Economic Injury~~

1 ~~Disaster Relief Advance program, or other COVID-19-related business~~  
2 financial assistance programs created by, or as modified by, the Consolidated  
3 Appropriations Act of 2021, P.L. 116-260, but was denied assistance because  
4 the business does not meet the eligibility criteria for any program; or

5 (B) the business has not applied for any such assistance based on a  
6 determination by a financial institution or other participating lender, an  
7 attorney, an accountant, or another qualified financial professional that the  
8 business is not eligible for such assistance because the business does not meet  
9 the eligibility criteria for any program.

10 (6) The business is in compliance with current State health and safety  
11 protocols established by Executive Order.

12 (c) Amount of grant. A grant shall not exceed the lesser of:

13 (1) three times the eligible business's fixed monthly expenses for  
14 commercial mortgage or rent, insurance, electricity, heat, water, sewer service,  
15 telecommunications service, and Internet service; or

16 (2) \$150,000.00.

17 (d) Grant administration; priorities.

18 (1) Beginning on the date the Agency begins accepting applications, for  
19 an initial 30-day period, the Agency may accept applications from eligible  
20 businesses but shall award grants only to eligible businesses that have not  
21 received any COVID-19-related assistance from State or federal sources.

1 ~~(2) After the initial 30-day period, the Agency shall continue to accept~~  
2 applications and award grants consistent with the following:

3 (A) The Agency shall give first priority to eligible businesses that  
4 have not received any COVID-19-related assistance from State or federal  
5 sources.

6 (B) The Agency may exercise its discretion to give subsequent  
7 priority to eligible businesses based on whether and the extent to which an  
8 eligible business:

9 (i) was unable to operate because of the Governor's declared state  
10 of emergency;

11 (ii) suffered an operating loss;

12 (iii) has received State or federal grants or forgivable loans;

13 (iv) will use funds to reopen or modify its operations to remain  
14 open;

15 (v) will use funds to cover fixed operating expenses until the  
16 Governor's declared state of emergency is lifted; and

17 (vi) is the primary source of income for a household.

18 (e) Guidelines. Not later than 10 days after the effective date of this act,  
19 the Agency shall publish guidelines governing the implementation of the  
20 program, which at minimum shall:

21 ~~(1) establish application and award procedures,~~

1 ~~(2) establish standards to determine whether an eligible business has its~~  
2 primary place of business in Vermont;

3 ~~(3) establish standards for the use of grant funds;~~

4 ~~(4) establish procedures to ensure that grant awards comply with the~~  
5 requirements of this section and that the State maintains adequate records to  
6 demonstrate compliance with this section;

7 ~~(5) establish procedures to prevent, detect, and mitigate fraud, waste,~~  
8 error, and abuse; and

9 ~~(6) establish procedures to ensure that grant applicants comply with~~  
10 State and federal employment and labor laws.

11 (f) Reporting. The Agency shall submit two reports to the House  
12 Committees on Appropriations and on Commerce and Economic Development  
13 and the Senate Committees on Appropriations and on Economic Development,  
14 Housing and General Affairs detailing the implementation of this section,  
15 including specific information concerning the amount, identity, and  
16 demographic information of grant recipients, which shall be publicly available:

17 (1) an initial report following the 30-day approval period specified in  
18 subdivision (d)(1) of this section; and

19 (2) a final report not later than 30 days after program funds are  
20 exhausted.

\*\*\* Housing \*\*\*

1  
2 Sec. 2. CORONAVIRUS RELIEF FUND; VERMONT HOUSING AND  
3 CONSERVATION BOARD, HOUSING AND FACILITIES

4 The sum of \$10,000,000.00 of Coronavirus Relief Funds is appropriated to  
5 the Vermont Housing and Conservation Board in fiscal year 2021, which the  
6 Board shall use, in part through grants to nonprofit housing partners and  
7 service organizations, for housing and facilities necessary to provide safe  
8 shelter and assistance for persons who are, or are at risk of, experiencing  
9 homelessness, or who have suffered economic harm due to the COVID-19  
10 crisis, in order to mitigate COVID-19 effects and enable compliance with  
11 COVID-19 public health precautions. Upon expenditure of the funds, the  
12 Vermont Housing and Housing Conservation Board shall report to the House  
13 and Senate Committees on Appropriations on the specific uses of the funds  
14 appropriated in this section.

15 \* \* \* Human Services, Mental Health and Health Care \* \* \*

16 Sec. 3. DEPARTMENT OF MENTAL HEALTH; EMERGENCY  
17 OUTREACH SERVICES GRANTS

18 The sum of \$300,000.00 is appropriated from the General Fund to the  
19 Department of Mental Health in fiscal year 2021 for grants to peer-led and  
20 impacted member-led organizations for emergency outreach services to  
21 address COVID-19-related needs. Of these funds, the Department shall

1 ~~allocate \$150,000.00 to a mental health peer support organization and~~

2 ~~\$150,000.00 to an organization supporting the needs of LGBTQ youths.~~

3 Sec. 4. DEPARTMENT OF MENTAL HEALTH; HOUSING SUPPORTS

4 The sum of \$4,000,000.00 is appropriated from the General Fund to the  
5 Department of Mental Health in fiscal year 2021 for grants to Vermont Care  
6 Partners and other stakeholder organizations to provide housing supports in  
7 community settings. The Department shall select the projects in consultation  
8 with representatives of the designated agencies, specialized service agencies,  
9 and peer organizations. The grants shall be awarded to organizations that  
10 demonstrate the greatest ability to respond immediately to the need for housing  
11 supports and shall be for projects that will not require additional State funds  
12 for operating costs in future years or that can redirect current expenditures, or  
13 both. To the greatest extent possible, grants shall be awarded for projects in  
14 underserved areas of the State. At least one grant shall be awarded to a peer-  
15 run or peer-directed housing organization. In addition, the Department, in  
16 consultation with the designated agencies, specialized service agencies, and  
17 peer organizations, shall give priority to proposed projects that meet one or  
18 more of the following criteria:

19 (1) create movement within the current system of care, such as those  
20 that would move individuals out of hospitals and other restrictive settings and  
21 back into a community setting,

1 ~~(2) focus on equity and on providing patient-centered care; and~~

2 ~~(3) employ or build on successful, evidence-based models of supportive~~  
3 ~~housing~~

4 Sec. 5. DEPARTMENT OF MENTAL HEALTH; DESIGNATED AND  
5 SPECIALIZED SERVICE AGENCIES; CASE MANAGEMENT  
6 SERVICES

7 The sum of \$850,000.00 is appropriated from the General Fund to the  
8 Department of Mental Health in fiscal year 2021 to provide funds to the  
9 designated and specialized service agencies to enable them each to hire an  
10 additional case manager to provide case management services to Vermont  
11 residents who may not previously have been part of an agency's caseload but  
12 whose lives have been significantly disrupted by the COVID-19 pandemic and  
13 who are now urgently in need of these agencies' supports.

14 Sec. 6. DEPARTMENT OF MENTAL HEALTH; WORKFORCE  
15 TRAINING AND WELLNESS SUPPORTS

16 The sum of \$150,000.00 is appropriated from the General Fund to the  
17 Department of Mental Health in fiscal year 2021 for training and wellness  
18 supports for frontline health care workers to help them meet Vermont  
19 residents' current mental health needs, such as training for emergency  
20 department personnel responding to an increased demand for crisis services as  
21 a result of the COVID-19 pandemic and training on trauma-informed and



1 ~~trauma specific care for mental health professionals responding to the surge in~~  
2 mental health treatment needs. These workers would also benefit from  
3 wellness supports as they continue to care for people in crisis while  
4 experiencing their own stress, anxiety, and trauma as a result of the pandemic.

5 Sec. 7. DEPARTMENT OF MENTAL HEALTH; USE OF FUNDS;  
6 REPORT

7 On or before January 15, 2022, the Department of Mental Health shall  
8 report to the House Committees on Health Care and on Appropriations and the  
9 Senate Committees on Health and Welfare and on Appropriations with a  
10 summary of the use of the funds appropriated in Secs. 3–6 of this Act,  
11 including the amounts distributed or expended under each section, to whom  
12 the funds were distributed, and how the funds were used by each recipient or  
13 by the Department, as applicable.

14 Sec. 8. SUPPORTS FOR NEW AMERICANS, REFUGEES, AND  
15 IMMIGRANTS

16 (a) The sum of \$700,000.00 is appropriated from the Coronavirus Relief  
17 Fund to the Agency of Human Services in fiscal year 2021 for distribution in  
18 equal amounts to the Association of Africans Living in Vermont and the U.S.  
19 Committee for Refugees and Immigrants' Vermont Refugee Resettlement  
20 Program for various purposes related to COVID-19, including.

1 ~~(1) interpretation and translation services related to COVID-19,~~

2 ~~including accessing testing and vaccines;~~

3 ~~(2) purchasing laptops and providing digital literacy for households to~~

4 ~~ensure that children can attend school remotely, that families can access~~

5 ~~telehealth services, and that adult family members can find employment;~~

6 ~~(3) providing case management services related to an increased need~~

7 ~~related to housing assistance, workforce development, and employment~~

8 ~~coaching; and~~

9 ~~(4) providing navigation of Reach Up, 3SquaresVT, and other public~~

10 ~~assistance programs following job losses.~~

11 ~~(b) Upon expenditure of the funds, the Agency of Human Services shall~~

12 ~~report to the House and Senate Committees on Appropriations on the specific~~

13 ~~uses of the funds appropriated in subsection (a) of this section.~~

14 Sec. 9. GRANTS TO REACH UP PARTICIPANTS

15 ~~The sum of \$376,000.00 is appropriated from the General Fund and~~

16 ~~\$924,000.00 from the Coronavirus Relief Fund to the Department for Children~~

17 ~~and Families in fiscal year 2021 for the purposes of distributing monies to~~

18 ~~families participating in the Reach Up program. These funds shall be~~

19 ~~distributed in a manner similar to the distribution funds made to the population~~

20 ~~under 2020 Acts and Resolves No. 156, Sec. 15.~~

1 ~~Sec. 10. VERMONT FOOD BANK~~

2 ~~The sum of \$1,376,000.00 is appropriated from the Coronavirus Relief~~  
3 ~~Fund in fiscal year 2021 to the Agency of Human Services' central office to be~~  
4 ~~granted to the Vermont food bank to pay the costs of the Vermont Farmers to~~  
5 ~~Families Food Box Program for the months of January and February 2021.~~

6 Sec. 11. ASSOCIATION FOR THE BLIND AND VISUALLY IMPAIRED

7 ~~The sum of \$100,000.00 is appropriated from the General Fund to the~~  
8 ~~Department of Disabilities, Aging, and Independent Living (DAIL) in fiscal~~  
9 ~~year 2021 to be granted to the Vermont Association for the Blind and Visually~~  
10 ~~Impaired for a technology training program for older Vermonters who~~  
11 ~~experience decreased vision and blindness and others who are blind or visually~~  
12 ~~impaired to address social isolation resulting from social distancing.~~

13 Sec. 12. GREEN MOUNTAIN CARE BOARD; DEPARTMENT OF  
14 HEALTH; HEALTH CARE DISPARITIES; DATA COLLECTION  
15 AND ANALYSIS

16 ~~(a) The sum of \$66,000.00 is appropriated from the General Fund to the~~  
17 ~~Green Mountain Care Board in fiscal year 2021 to provide the State share~~  
18 ~~pursuant to 18 V.S.A. § 9374(h) for updates to the Vermont Healthcare Claims~~  
19 ~~Uniform Reporting and Evaluation System (VHCURES) to improve data~~  
20 ~~collection related to health equity.~~

1 ~~(b) The sum of \$134,000.00 is appropriated from the General Fund to the~~  
2 Department of Health in fiscal year 2021 for collection and analysis of  
3 demographic data, including race and ethnicity data, regarding Vermont  
4 residents who experience health disparities.

5 (c) Upon expenditure of the funds, the Green Mountain Care Board shall  
6 report to the House and Senate Appropriations Committee on the specific uses  
7 of the funds appropriated in subsections (a) and (b) of this section.

8 \* \* \* Education \* \* \*

9 Sec. 13. SCHOOL INDOOR AIR QUALITY GRANT PROGRAM;

10 REALLOCATION

11 (a) Reallocation. In fiscal year 2021, \$15,000,000.00 in unexpended funds  
12 from the amount appropriated to the Agency of Education in 2020 Acts and  
13 Resolves No. 120, Sec. A.50, as amended by 2020 Acts and Resolves No. 154,  
14 Sec. B.1112, for Pre-K–12 Education Pandemic Costs shall be reallocated to  
15 the School Indoor Air Quality Grant Program established in 2020 Acts and  
16 Resolves No. 120, Sec. A.51.

17 (b) Authorization. Efficiency Vermont shall require that any school that  
18 receives a grant through the School Indoor Air Quality Grant Program  
19 established in 2020 Acts and Resolves No. 120, Sec. A.51 authorize Efficiency  
20 Vermont to release the school name and grant amount in any report requested  
21 by the General Assembly.

1 ~~(c) Reporting. Upon expenditure of the funds, the Agency of Education~~  
2 ~~shall report to the House and Senate Committees on Appropriations on the~~  
3 ~~specific uses of the funds appropriated in subsection (a) of this section.~~

4 Sec. 14. PENSION AND OTHER POSTEMPLOYMENT BENEFIT  
5 OBLIGATIONS; VERMONT STATE EMPLOYEES'  
6 RETIREMENT SYSTEM; VERMONT STATE TEACHERS'  
7 RETIREMENT SYSTEM; RESERVATION OF FUNDS; LONG-  
8 TERM PLAN

(a) In fiscal year 2021, the amount of \$20,000,000.00 in General Funds is  
hereby reserved to ~~support~~ *be part of* pension funding initiatives and  
prefunding of other postemployment benefits (OPEB).

(b) On or before May 30, 2021, the General Assembly and the  
Administration, in collaboration with the Treasurer and interested parties, shall  
develop a long-term plan to address pension and OPEB liabilities. The funds  
reserved above in subsection (a) are available for an appropriation as part of  
this ~~plan development~~ *long-term funding initiative*.

9 \* \* \* Public Service; Broadband \* \* \*

10 Sec. 15. LINE EXTENSION FUNDING; CONNECTED COMMUNITY  
11 RESILIENCY PLANNING PROGRAM; AND  
12 COMMUNICATIONS UNION DISTRICTS (CUD)  
13 ~~BROADBAND INFRASTRUCTURE PROGRAM~~

1 ~~(a) It is the intent of the General Assembly that \$1,000,000.00 be allocated~~  
2 ~~for additional financial assistance under the COVID-Response Line Extension~~  
3 ~~Customer Assistance Program established in 2020 Acts and Resolves No. 137,~~  
4 ~~Sec. 13 and \$1,200,000.00 for the Connected Community Resiliency Planning~~  
5 ~~Program and the CUD Broadband Infrastructure Program.~~

6 ~~(b) To accomplish the purpose of this section and notwithstanding any~~  
7 ~~other provision of law to the contrary, the Department of Public Service is~~  
8 ~~authorized to use \$2,200,000.00 of the unobligated balance remaining from the~~  
9 ~~Coronavirus Relief Funds appropriated to the Department for broadband~~  
10 ~~programs in Act No. 137.~~

11 \* \* \* Natural Resources and Agriculture \* \* \*

12 Sec. 16. GENERAL FUND; NATURAL RESOURCES AND

13 AGRICULTURE

14 In fiscal year 2021, funds are appropriated from the General Fund as  
15 follows:

16 (1) \$3,000,000.00 to the Agency of Agriculture, Food and Markets for  
17 the Working Lands Program.

18 (2) \$10,000,000.00 to the Agency of Natural Resources (ANR) for the  
19 following.

1 ~~(A) \$5,000,000.00 to the Department of Forests, Parks and~~  
2 Recreation for the Vermont Outdoor Recreation Economic Collaborative  
3 (VOREC).

4 ~~(B) \$5,000,000.00 to the Vermont Agency of Natural Resources'~~  
5 central office for investments to improve recreational infrastructure and access  
6 on State lands and to fund repairs and improvements to Vermont's trail  
7 network on both private and public land.

8 ~~(3) Upon expenditure of the funds, the Agency of Natural Resources~~  
9 shall report to the House and Senate Committees on Appropriations on the  
10 specific uses of the funds appropriated in subdivision (2) of this section.

11 \* \* \* Taxation; Annual Link to Federal Statutes \* \* \*

12 Sec. 17. 32 V.S.A. § 5824 is amended to read:

13 § 5824. ADOPTION OF FEDERAL INCOME TAX LAWS

14 The statutes of the United States relating to the federal income tax, as in  
15 effect on December 31, 2019 2020, but without regard to federal income tax  
16 rates under 26 U.S.C. § 1, are hereby adopted for the purpose of computing the  
17 tax liability under this chapter.

18 Sec. 18. 32 V.S.A. § 7402(8) is amended to read:

19 (8) "Laws of the United States" means the U.S. Internal Revenue Code  
20 ~~of 1986, as amended through December 31, 2019~~ 2020. As used in this

1 chapter, "Internal Revenue Code" has the same meaning as "laws of the United  
2 States" as defined in this subdivision.

3 \* \* \* Effective Dates \* \* \*

4 Sec. 19. EFFECTIVE DATES

5 This act shall take effect on passage, except that, notwithstanding 1 V.S.A.  
6 § 214, Secs. 17 and 18 (annual link to federal statutes) shall take effect  
7 retroactively on January 1, 2021 and apply to taxable years beginning on and  
8 after January 1, 2020.

\* \* \* *Federal Funding, Administration* \* \* \*

*Sec. 1. FEDERAL FUNDS; ANTICIPATED RECEIPTS*

*(a) To the extent that appropriations in this act are made from federal funds*  
*provided by the American Rescue Plan Act of 2021 (ARPA), including state*  
*holding funds that are established as a result of the ARPA, the Commissioner*  
*of Finance and Management is authorized, to make expenditures in*  
*anticipation of receipts as necessary. The Commissioner shall immediately*  
*notify the House and Senate Appropriations Committees, or the Joint Fiscal*  
*Committee through the Joint Fiscal Office when the General Assembly is not in*  
*session, if any such expenditure is later deemed impermissible by subsequent*  
*federal guidance.*

*(b) The appropriations in this act from funds provided by ARPA of 2021*  
*shall carry forward from fiscal year 2021 until expended.*



~~Sec. 1a. AMERICAN RESCUE PLAN ACT OF 2021: ACCEPTANCE OF~~

~~SPECIFIC FEDERAL GRANTS~~

~~(a) Notwithstanding 32 V.S.A. § 5, funds from the American Rescue Plan Act of 2021, the Coronavirus State Fiscal Recovery Fund, the Coronavirus Capital Projects Fund, and the Homeowner Assistance Fund shall be deposited into the State Treasury and are hereby accepted and shall be spent subject to appropriation.~~

~~(b) Notwithstanding 32 V.S.A. § 5, any funds received through Section 2001 of the Elementary and Secondary School Emergency Relief Fund and not required to be made as subgrants to local educational agencies in the American Rescue Plan Act of 2021 shall be spent subject to appropriation.~~

~~Sec. 2. REMAINING CORONAVIRUS RELIEF FUNDS;~~

~~CARRYFORWARD, REVERSION, AND APPLICATION~~

~~(a) To the extent that Coronavirus Relief Fund (CRF) spending authority made through appropriation or approval of the Joint Fiscal Committee remains available as of June 30, 2021, any amounts necessary to pay for expenditures that have been obligated but not paid out as of June 30, 2021 shall carry forward to fiscal year 2022.~~

~~(b) Prior to the close of fiscal year 2021, the Commissioner of Finance and Management is authorized to revert all unobligated CRF appropriations to the State CRF. In fiscal year 2021, the total amount of CRF reverted under this~~

~~subsection shall be appropriated to the Department of Corrections for CRF eligible public safety payroll and benefits costs and the same amount of General Fund appropriated to the Department of Corrections shall be reverted. To the extent there are insufficient eligible public safety payroll and benefits costs, any remaining reverted CRF balance shall be appropriated to the Department of Corrections and the same amount of General Fund appropriated to the Department of Corrections shall be reverted in fiscal year 2022.~~

~~(c) The Commissioner shall report to the House and Senate Committees on Appropriations on or before June 1, 2021 with estimates of each of the following: CRF carryforward need, CRF reversions, and total CRF appropriation to the Department of Corrections and the General Fund reversion from Department of Corrections anticipated on or before June 30, 2021 as authorized under this section. The report shall also include a brief description of the degree to which FEMA funding applications and awards are impacting these estimates. The Commissioner shall provide a final report on these amounts to the Joint Fiscal Committee at its meeting in July 2021.~~

~~\*\*\* Commerce and Community Development; Targeted Business Grants \*\*\*~~

~~Sec. 3. GAP ECONOMIC RECOVERY GRANTS; FISCAL YEAR 2021~~

~~ONE-TIME APPROPRIATION~~

~~(a) Appropriation.~~

~~(1)(A) In fiscal year 2021, the amount of \$10,000,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Agency of Commerce and Community Development to provide gap economic recovery grants to eligible businesses pursuant to this act.~~

~~(B) Of this amount, the Agency shall work with community partners to allocate \$1,000,000.00 for eligible businesses owned by Vermonters who are members of underrepresented communities that have historically experienced unequal access to State economic benefits and services or suffered discrimination due to race, gender, socioeconomic status, citizenship status, disability status, or other similar factors.~~

~~(2) The Agency may use not more than five percent of the appropriated funds for the costs of administration, including technical assistance and guidance concerning potential eligibility for federal programs.~~

~~(b) Eligibility. To be eligible for a grant, a business shall meet the following criteria:~~

~~(1) The business is domiciled or has its primary place of business in Vermont.~~

~~(2) The business is organized and operated:~~

~~(A) on a for-profit basis, including a sole proprietor, partnership, limited liability company, business corporation, cooperative, or mutual benefit~~

~~enterprise; or~~

~~(B) on a nonprofit or low-profit basis, including a mutual benefit corporation, public benefit corporation, and a low-profit limited liability company.~~

~~(3) The business submits a written plan that demonstrates that the business will use grant funds for business-related operations and economic recovery and that:~~

~~(A) the business is open at the time of application; or~~

~~(B) the business is closed due to the COVID-19 public health emergency but has a good-faith plan to reopen within 60 days of receiving the grant award and will use grant funds for reopening.~~

~~(4) The business suffered an economic loss due to the COVID-19 public health emergency and has filed a 2020 tax return that demonstrates a tax loss.~~

~~(5) At the time the business submits its application to the Agency, the business demonstrates that it has not received prior COVID-19-related State assistance and:~~

~~(A) the business has applied for the forgivable loans and grants made available through the Paycheck Protection Program, the Economic Injury Disaster Relief Advance program, or other COVID-19-related business financial assistance programs created by, or as modified by, the Consolidated Appropriations Act of 2021, P.L. 116-260, but was denied assistance because~~

~~the business does not meet the eligibility criteria for any program; or~~

~~(B) the business has not applied for any such assistance based on a determination by a financial institution or other participating lender, an attorney, an accountant, or another qualified financial professional that the business is not eligible for such assistance because the business does not meet the eligibility criteria for any program.~~

~~(6) The business is in compliance with current State health and safety protocols established by Executive Order.~~

~~(c) Amount of grant. A grant shall not exceed the lesser of:~~

~~(1) the loss demonstrated on the business's 2020 tax return;~~

~~(2) three times the eligible business's fixed monthly expenses for commercial mortgage or rent, insurance, electricity, heat, water, sewer service, telecommunications service, and Internet service; or~~

~~(3) \$150,000.00.~~

~~(d) Grant administration; use of funds; future grant awards. Any amounts that remain unspent through the program shall revert to the Agency of Commerce and Community Development for purposes of supplementing any future economic recovery grant program established prior to January 1, 2022, and if no program is established, then to the General Fund.~~

~~(e) Guidelines. Not later than 10 days after the effective date of this act, the Agency shall publish guidelines governing the implementation of the~~

~~program, which at minimum shall:~~

~~(1) establish application award procedures, and a timeline for accepting applications and awarding grants;~~

~~(2) establish standards to determine whether an eligible business has its primary place of business in Vermont;~~

~~(3) establish standards for the use of grant funds for the purpose of business-related economic recovery;~~

~~(4) establish procedures to ensure that grant awards comply with the requirements of this section and that the State maintains adequate records to demonstrate compliance with this section;~~

~~(5) establish procedures to prevent, detect, and mitigate fraud, waste, error, and abuse; and~~

~~(6) establish procedures to ensure that grant applicants comply with State and federal employment and labor laws.~~

~~(f) Reporting. The Agency shall submit two reports to the House Committees on Appropriations and on Commerce and Economic Development and the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs detailing the implementation of this section, including specific information concerning the amount, identity and demographic information of grant recipients, which shall be publicly available.~~

~~(1) an initial report following the 30 day approval period specified in subdivision (d)(1) of this section; and~~

~~(2) a final report not later than 30 days after program funds are exhausted.~~

~~(g) Auditing; compliance. The Agency shall include in all grant awards standard audit provisions, substantially similar to the audit provisions included pursuant to administrative bulletins 3.5 and 5.0, that provide that records pertaining to grant awards shall be retained and remain subject to audit and inspection by the Agency and the State Auditor of Accounts for a period of time specified by the Agency.~~

~~(h) Recapture. The Agency shall include in all grant awards standard recapture provisions, which shall include that a grant award may be subject to recapture if a recipient is found to be ineligible for the award or to have used an award for an ineligible purpose, consistent with the guidelines the Agency adopts pursuant to subsection (e) of this section.~~

~~Sec. 3a. AMERICAN RESCUE PLAN ACT OF 2021;~~

~~FUTURE BUSINESS GRANT AWARDS~~

~~The Agency of Commerce and Community Development and other relevant Executive Branch agencies and departments shall consult and coordinate in a timely manner with legislative policy committees of jurisdiction through the Office of Legislative Counsel and the Joint Fiscal Office in the development of~~

~~proposals for future distributions of funds for business recovery through the American Rescue Plan Act of 2021.~~

~~Sec. 3b. VERMONT MICROBUSINESS DEVELOPMENT FUNDING~~

~~The sum of \$500,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund in fiscal year 2021 to Department for Children and Families, Office of Economic Opportunity, to be granted to the Community Action Agencies for the Statewide Community Action Network's Economic Micro Business Recovery Assistance for the COVID-19 Epidemic (EMBRACE) to assist the Vermont microbusiness owners impacted by COVID-19.~~

~~\* \* \* Housing and Homeowner Assistance \* \* \*~~

~~Sec. 4. VERMONT HOUSING AND CONSERVATION BOARD,~~

~~HOUSING AND FACILITIES~~

~~The sum of \$10,000,000.00 of General Fund is appropriated to the Vermont Housing and Conservation Board in fiscal year 2021, which the Board shall use, in part through grants to nonprofit housing partners and service organizations, for housing and facilities necessary to provide safe shelter to lower-income and at-risk populations. These funds are intended to be expended as expeditiously as possible on projects ready to proceed in 2021 and designed to meet immediate housing needs.~~

~~Sec. 5. HOMEOWNER, MORTGAGE ASSISTANCE FORECLOSURE~~



PREVENTION

The sum of \$5,000,000.00 is appropriated from Coronavirus Relief Funds in fiscal year 2021 to the Department of Housing and Community Development for a grant to the Vermont Housing Finance Agency to provide financial and technical assistance to stabilize low- and moderate-income homeowners and prevent home foreclosures for Vermont families. To the extent permitted by federal law and guidance, these funds may be used to provide mortgage assistance retroactively to January 1, 2021.

*\* \* \* Human Services, Mental Health and Health Care \* \* \**

*Sec. 6. DEPARTMENT OF MENTAL HEALTH; EMERGENCY*

*OUTREACH SERVICES GRANTS*

The sum of \$300,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Mental Health in fiscal year 2021 for grants to peer-led and impacted member-led organizations for emergency outreach services to address COVID-19-related needs. Of these funds, the Department shall allocate \$150,000.00 to a mental health peer-support organization and \$150,000.00 to an organization supporting the needs of LGBTQ youths.

*Sec. 7. DEPARTMENT OF MENTAL HEALTH; HOUSING*

The sum of \$4,000,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of

~~*Mental Health in fiscal year 2021 to make existing housing and community-based service facilities providing mental health services more accessible, safe, and compliant with the Americans with Disabilities Act or to expand capacity in community settings. The Department shall select the projects in consultation with the Agency of Human Services Secretary's Office, the Department of Disabilities, Aging, and Independent Living, and representatives of the designated agencies, specialized service agencies, and peer organizations. The grants shall be awarded to organizations that demonstrate the greatest ability to respond immediately to the need for housing and shall be for projects that will not require additional State funds for operating costs in future years. At least one grant shall be awarded to a peer-run or peer-directed housing organization. The Department of Mental Health shall partner with the Agency of Human Services Secretary's Office and the Department of Disabilities, Aging, and Independent Living to include as potential grant candidates all designated and specialized service agencies that provide developmental and mental health services.*~~

*Sec. 8. DEPARTMENT OF MENTAL HEALTH; CASE MANAGEMENT  
SERVICES*

~~*The sum of \$850,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Mental Health in fiscal year 2021 to provide funds to the mental health*~~

~~designated agencies to enable them each to hire an additional case manager to provide case management services to Vermont residents who may not previously have been part of an agency's caseload but whose lives have been significantly disrupted by the COVID-19 pandemic and who are now urgently in need of these agencies' supports. Agencies have the flexibility to identify where the targeted need exists within their agency, across all programs. The purpose funded in this section is limited to addressing the impacts related to the COVID-19 pandemic and not intended to create an ongoing funding commitment.~~

*Sec. 9. DEPARTMENT OF MENTAL HEALTH; WORKFORCE*

*TRAINING AND WELLNESS SUPPORTS*

~~The sum of \$150,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Mental Health in fiscal year 2021 for training and wellness supports for frontline health care workers to help them meet Vermont residents' current mental health needs, such as training for emergency department personnel responding to an increased demand for crisis services as a result of the COVID-19 pandemic and training on trauma-informed and trauma-specific care for mental health professionals responding to the surge in mental health treatment needs. These workers would also benefit from wellness supports as they continue to care for people in crisis while experiencing their own stress,~~

~~anxiety and trauma as a result of the pandemic.~~

~~Sec. 9a. RECOVERY CENTER SUPPLEMENTAL GRANTS~~

~~(a) The sum of \$240,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Health to make grants of \$20,000.00 to cover the financial impacts of the ongoing COVID-19 pandemic at each of the recovery centers statewide.~~

~~Sec. 10. SUPPORTS FOR NEW AMERICANS, REFUGEES, AND  
IMMIGRANTS~~

~~(a) The sum of \$700,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Agency of Human Services in fiscal year 2021 for distribution in equal amounts to the Association of Africans Living in Vermont and the U.S. Committee for Refugees and Immigrants' Vermont Refugee Resettlement Program for various purposes related to COVID-19, including:~~

~~(1) interpretation and translation services related to COVID-19, including accessing testing and vaccines;~~

~~(2) purchasing laptops and providing digital literacy for households to ensure that children can attend school remotely, that families can access telehealth services, and that adult family members can find employment;~~

~~(3) providing case management services related to an increased need related to housing assistance, workforce development, and employment~~

~~coaching; and~~

~~(4) providing navigation of Reach Up, 3SquaresVT, and other public assistance programs following job losses.~~

~~Sec. 11. GRANTS TO REACH UP PARTICIPANTS~~

~~The sum of \$1,300,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department for Children and Families in fiscal year 2021 for the purposes of distributing monies to families participating in the Reach Up program. These funds shall be distributed in a manner similar to the distribution funds made to the population under 2020 Acts and Resolves No. 136, Sec. 15.~~

~~Sec. 12. VERMONT FOOD BANK~~

~~(a) The sum of \$1,376,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund in fiscal year 2021 to the Agency of Human Services' Central Office to be granted to the Vermont Food Bank to pay the costs of the Vermont Farmers to Families Food Box Program for the months of January and February 2021.~~

~~(b) The sum of \$82,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund in fiscal year 2021 to the Agency of Human Services' Central Office to be granted to the Vermont Food Bank for statewide provision of diapers to families in need.~~

~~Sec. 13. GRANT TO THE ASSOCIATION FOR THE BLIND AND~~

VISUALLY IMPAIRED

(g) The sum of \$100,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Disabilities, Aging, and Independent Living in fiscal year 2021 to be granted to the Vermont Association for the Blind and Visually Impaired for a technology training program for older Vermonters who experience decreased vision and blindness and others who are blind or visually impaired to address social isolation resulting from social distancing.

Sec. 14. GREEN MOUNTAIN CARE BOARD; DEPARTMENT OF

HEALTH; HEALTH CARE DISPARITIES; DATA COLLECTION  
AND ANALYSIS

(a) The sum of \$66,000.00 is appropriated from the General Fund to the Green Mountain Care Board in fiscal year 2021 to provide the State share pursuant to 18 V.S.A. § 9374(h) for updates to the Vermont Healthcare Claims Uniform Reporting and Evaluation System (VHCURES) to improve data collection related to health equity.

(b) The sum of \$134,000.00 is appropriated from the General Fund to the Department of Health in fiscal year 2021 for collection and analysis of demographic data, including race and ethnicity data, regarding Vermont residents who experience health disparities.

~~Sec. 14a-18 V.S.A. § 1120(d) and (e) are amended to read:~~

~~(d) The Department may provide confidential registry information to health care provider networks serving Vermont patients, to the Vermont Health Information Exchange, and, with the approval of the Commissioner, to researchers who present evidence of approval from an institutional review board in accordance with 45 C.F.R. § 164.512.~~

~~(e) Prior to releasing confidential information pursuant to subsections (c) and (d) of this section, the Commissioner shall obtain from State registries, health care provider networks, the Vermont Health Information Exchange, and researchers a written agreement to keep any identifying information confidential and privileged.~~

~~\*\*\* Education \*\*\*~~

~~Sec. 15. SCHOOL INDOOR AIR QUALITY GRANT PROGRAM~~

~~(a) Appropriation. In fiscal year 2021, \$15,000,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund for the Pre-K-12 Education Pandemic - School Indoor Air Quality Grant Program established in 2020 Acts and Resolves No. 120, Sec. A.51. This appropriation may be adjusted if the Commissioner of Finance and Management determines that federal FEMA funds will be awarded for this purpose. The funds authorized by this section shall be either granted by the Agency of Education or paid to Efficiency Vermont to carry out the duties~~

~~listed in 2020 Acts and Resolves No. 120, Sec. A.51(a). Efficiency Vermont is authorized to use up to \$250,000.00 of the \$15,000,000.00 appropriated under this section for direct labor costs.~~

~~(b) Authorization. Efficiency Vermont shall require that any school that receives a grant through the School Indoor Air Quality Grant Program established in 2020 Acts and Resolves No. 120, Sec. A.51 authorize Efficiency Vermont to release the school name and grant amount in any report requested by the General Assembly.~~

~~(c) Reporting. Upon expenditure of the funds, the Agency of Education shall report to the House and Senate Committees on Appropriations on the specific uses of the funds appropriated in subsection (a) of this section on or before March 15, 2022.~~

~~Sec. 16. EDUCATION SERVICES; FEDERAL FUNDS APPROPRIATIONS~~

~~In fiscal year 2021 and to be carried forward, appropriations are made to the Agency of Education from federal funds for Elementary and Secondary School Relief (ESSR) funds provided in the American Rescue Plan Act of 2021 Section 2001(f) as follows:~~

~~(1) Literacy Training. \$3,000,000.00 for the Agency of Education to provide grants to supervisory districts and supervisory unions, on behalf of their member school districts, to provide professional development for teachers in methods of teaching literacy.~~



~~(A) The Agency shall administer the grant program and determine which supervisory districts and supervisory unions are eligible and the amount to be granted to each applicant based on its assessment of the relative need for this funding, taking into account the following factors across applicants:~~

~~(i) literacy assessments of students;~~

~~(ii) the number of literacy instructors per enrolled students;~~

~~(iii) the percentage of students eligible for free or reduced-priced meals;~~

~~(iv) the percentage of students who are English language learners;~~

~~(v) discrepancies in outcome data on literacy for students from historically underserved populations, including, to the extent that data is available in compliance with privacy laws, students who are Black, Indigenous, and Persons of Color and students on individualized education programs; and~~

~~(vi) the extent to which teacher professional development is integrated with a multitiered system of supports.~~

~~(B) There is established one limited service position, Education Programs Manager, within the Agency of Education for the literacy training program established by this section. The Agency of Education may utilize funds appropriated in this subdivision (1) for this position.~~

~~(2) Student Mental Health. \$500,000.00 to fund collaboration with the~~

~~Department of Mental Health and Health programs in schools to educate parents and school faculty on the signs of depression and suicide and to provide information and resources for assistance.~~

~~(3) Truancy. \$1,000,000.00 to provide services to school districts and supervisory unions to address the needs of students who have been truant during the pandemic and integrate them into a supportive school culture.~~

~~(4) Afterschool and Summer Programs. \$4,000,000.00 that shall be transferred to the Department for Children and Families – Child Development Division to be distributed to the Afterschool for All program. These funds shall be used for grants to afterschool and summer programs that fulfill requirements specified in American Rescue Plan Act of 2021 pursuant to Section 2001(f)(2) and (3).~~

~~(5) Summer Meals: In fiscal year 2021 and to be carried forward, \$5,500,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Agency of Education to ensure that children and families have access to nutritious foods throughout the summer. This appropriation may be adjusted if the Commissioner of Finance and Management determines that federal FEMA funds will be awarded for this purpose.~~

*Sec. 17. PRACTICAL NURSE; WORKFORCE FUNDING*

~~(a) The sum of \$1,400,000.00 is appropriated from the American Rescue~~

~~Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Vermont State Colleges to open 40 to 45 seats in the Practical Nurse Program in partnership with skilled nursing facilities across the State to upskill existing staff to achieve certification as a Practical Nurse. These funds may be used as follows:~~

~~(1) Up to \$500,000.00 for administrative and start-up costs for Vermont Technical College.~~

~~(2) Up to \$260,000.00 in incentive payments in the amount of \$6,000.00 per student to offset lost income during enrollment in the Program.~~

~~(3) All remaining funds are allocated for tuition and fees payments for required prerequisite courses at Community College of Vermont and for the Practical Nurse Program at Vermont Technical College after available federal and State financial aid is applied to ensure no cost to the student.~~

~~(b) To be eligible to participate in the program, a skilled nursing facility shall provide an incentive match in the amount of \$4,000.00 per student during enrollment in the Program.~~

~~Sec. 18. WORKFORCE UPSKILL OPPORTUNITY~~

~~(a) The sum of \$3,000,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Vermont State Colleges to provide up to two free classes in the summer or fall of 2021 and spring 2022 at any of the Vermont State Colleges for any Vermont resident~~

~~who is seeking to transition to a new career or to enhance the resident's job skills.~~

~~(b) The sum of \$1,000,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the University of Vermont to provide up to two free classes in summer or fall of 2021 and spring 2022 for any Vermont resident who is seeking to transition to a new career or to enhance the resident's job skills.~~

~~Sec. 19. RECENT HIGH SCHOOL GRADUATES; ADVANCEMENT  
OPPORTUNITY~~

~~(a) The sum of \$2,800,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Vermont Student Assistance Corporation (VSAC) to provide up to two free class in the summer or fall of 2021 and spring 2022 at any of the Vermont State Colleges for any Vermont 2020 or 2021 high school graduate to enhance the graduate's work or academic skills. VSAC may provide a stipend of \$200.00 per student per class for transportation, books, or other class or attendance-related costs, and may allocate up to \$100,000.00 for the cost of administering this program.~~

~~\* \* \* Reserve for Retirement Related Obligations \* \* \*~~

~~Sec. 20. PENSION AND OTHER POSTEMPLOYMENT BENEFIT  
OBLIGATIONS; LONG-TERM PLAN~~

~~(a) In fiscal year 2021, the amount of \$20,000,000.00 in General Fund~~

~~monies is hereby reserved to be part of pension funding initiatives and pre-funding of other postemployment benefits (OPEB).~~

~~(b) On or before May 30, 2021, the General Assembly and the Administration, in collaboration with the Treasurer and interested parties, shall develop a long-term plan to address pension and OPEB liabilities. The funds reserved in subsection (a) of this section are available for an appropriation as part of this long-term funding initiative.~~

~~\*\*\* Public Service; Broadband \*\*\*~~

~~Sec. 21. BROADBAND ALLOCATIONS AND APPROPRIATIONS~~

~~(a) Coronavirus Relief Fund (CRF) Authorization and Allocation: Notwithstanding any other provision of law to the contrary, the Department of Public Service is authorized to use \$3,200,000.00 of the unobligated balance remaining from the CRF appropriated to the Department for broadband programs in 2020 Acts and Resolves No. 137 as follows:~~

~~(1) \$1,600,000.00 shall be allocated for additional assistance under the COVID-Response Line Extension Customer Assistance Program established in 2020 Acts and Resolves No. 137, Sec. 13. The customer costs eligible for financial assistance under this Program shall include costs for associated equipment such as routers and modems; and~~

~~(2) \$1,600,000.00 shall be allocated to extend the COVID-Response Temporary Broadband Lifeline Program established in 2020 Acts and Resolves~~

~~No. 137, Sec. 13(d) for the covered period beginning on March 1, 2021 and extending until such funds are depleted. The subsidy under this Program may be used for the provision of broadband service and connected devices.~~

~~(b) The sum of \$1,800,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Public Service as follows:~~

~~(1) \$1,600,000.00 for the COVID-Response Connected Community Resilience Program established in 2020 Acts and Resolves No. 137, Sec. 14, and for a broadband infrastructure program to assist CUDs with preconstruction costs and general support services; and~~

~~(2) \$200,000.00 to fund the following:~~

~~(A) one or more limited-term employment positions to provide outreach, technical assistance, and other support services to communications union districts;~~

~~(B) restoration of the Vermont Relay Conference Captioning (RCC) service for remote conference calling service for the deaf or hard of hearing; and~~

~~(C) Wi-Fi hotspot license renewals.~~

~~\*\*\* Natural Resources and Agriculture \*\*\*~~

~~Sec. 22. NATURAL RESOURCES AND AGRICULTURE~~

~~(a) In fiscal year 2021, funds are appropriated from the American Rescue~~

~~Plan Act of 2021 – Coronavirus State Fiscal Recovery Fund as follows:~~

~~(1) \$3,000,000.00 to the Agency of Agriculture, Food and Markets for the Working Lands Program. Of these funds, \$500,000.00 is allocated for a grants related to slaughter, meat processing and meat processing training proposals.~~

~~(2) \$10,000,000.00 to the Agency of Natural Resources for the following:~~

~~(A) \$5,000,000.00 to the Department of Forests, Parks and Recreation for the Vermont Outdoor Recreation Economic Collaborative (VOREC); and~~

~~(B) \$5,000,000.00 to the Vermont Agency of Natural Resources' Central Office for investments to improve recreational infrastructure and access on State lands and to fund repairs and improvements to Vermont's trail network on both private and public land.~~

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

~~(1) \$14,000,000.00 to the Department of Environmental Conservation for brownfield remediation and environmental clean-up and related administrative costs; and~~

~~(2) \$250,000.00 to the Agency of Agriculture for continuation of work in soil conservation practice and payment for ecosystem services including the~~

~~costs of the task force established by 2019 Acts and Resolves No. 82.~~

~~Sec. 23. [Deleted.]~~

~~Sec. 24. TAXATION; ANNUAL LINK TO FEDERAL STATUTES;~~

~~TAX YEAR 2020~~

~~*It is the intent of the General Assembly that this act shall include legislative language conforming the Vermont tax code under 32 V.S.A. §§ 5824 and 7402(8) to the statutes of the United States for taxable year 2020, and further, to make explicit in this act the incorporation or lack thereof of the federal income tax-related changes enacted on March 11, 2021 in the American Recovery Plan Act, Pub. L. No. 117-2.*~~

~~\* \* \* Technical Assistance \* \* \*~~

~~Sec. 25. PROVISION OF TECHNICAL ASSISTANCE SERVICES TO~~

~~LOCAL EDUCATION AGENCIES~~

~~*(a) The sum of \$2,800,000.00 is appropriated in fiscal year 2021 and to be carried forward, to the Agency of Education from federal funds for Elementary and Secondary School Relief (ESSR) funds provided in the American Rescue Plan Act of 2021 Section 2001(f)(1), to fund a contract or contracts, for the period of award through December 2023, to provide support for Local Educational Agencies (LEAs), including charter schools that are LEAs, in their utilization of Federal Elementary and Secondary School Emergency*~~



~~Relief Funds and with assistance in utilization of other federal funds received through the various federal budget processes.~~

~~(b) Specifically, the contractor or contractors shall assist the LEAs with activities:~~

~~(1) to address learning loss by supporting the implementation of evidence-based interventions;~~

~~(2) to address the disproportionate impact of the coronavirus on the student subgroups described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care;~~

~~(3) to aid LEAs with planning and implementation to effectively use these federal funds for other areas of need consistent with state and federal law and regulations; including but not limited to facilities improvements and technological needs.~~

~~(4) to aid LEAs in prioritizing activities that will effectively use these federal funds without creating an ongoing funding demand.~~

~~(5) to assist in fund reporting and to provide other guidance to ensure that the funds are used in accordance with federal law and regulations within the time period allowed by law.~~

~~(c) The Agency may go through a bidding process or is authorized to award a sole source contract consistent with 5 U.S.A. § 3026 to the University~~

~~of Vermont~~

~~Sec. 26. PROVISION OF TECHNICAL ASSISTANCE SERVICES TO  
LOCAL GOVERNMENTS~~

~~(a) The sum of \$950,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Agency of Commerce and Community Development to be granted as follows:~~

~~(1) \$650,000.00 to the Vermont League of Cities and Towns (VLCT), to be used through State fiscal year 2024, to establish a support program for the use of federal funds received under 42 U.S.C. 801 Sec. 603, the Coronavirus Local Fiscal Recovery Fund. The VLCT shall use these resources to work with local governments to facilitate the local communities' efforts to:~~

~~(A) respond to the public health emergency with respect to COVID-19 and its negative economic impacts;~~

~~(B) assist with fund reporting, accountability, transparency, and usage technical assistance where necessary;~~

~~(C) provide for other guidance to ensure that 42 U.S.C. 801 Sec. 603 funds are used in accordance with federal law and regulations; and~~

~~(D) provide guidance; model templates and policies; and training on ARP compliant finance and program management.~~

~~(2) \$300,000 to one or more regional planning commissions, to be used through state fiscal year 2024, to establish and implement a capacity to assist~~

~~local communities with specific project management needs in expending federal funds received under 42 U.S.C. 801 Sec. 603. The Regional Planning Entities shall use these resources to work with local governments to facilitate the local communities' efforts to:~~

~~(A) identify needs and top priorities for designing and building projects that are consistent with state and federal law; implement existing State, regional and local plans; and do not duplicate investments made by other federal recovery funds;~~

~~(B) respond to inquiries on eligibility and to facilitate local discussions among stakeholders on specific projects; and~~

~~(C) provide other assistance as needed from local communities in coordination with the VLCT.~~

~~\*\*\* Other Miscellaneous Amendments \*\*\*~~

~~Sec. 27. VERMONT CENTER FOR CRIME VICTIM SERVICES~~

~~The amount of \$27,500.00 is appropriated from the General Fund in fiscal year 2021 to the Vermont Center for Crime Victim Services for a grant to the Burlington Community Justice Center for the St. Joseph's Orphanage Restorative Inquiry.~~

~~Sec. 28. AUDIT OF SHERIFFS' USE OF STATE PAID DEPUTIES~~

~~The amount of \$25,000.00 is appropriated from the General Fund in fiscal year 2021 to the Vermont State Auditor to contract for up to five audits of the~~

~~use of State paid deputies by county sheriffs during the state of emergency in  
calendar year 2020.~~

~~Sec. 29. HEALTHCARE WAIVERS: LEGISLATIVE CAPACITY~~

~~The Joint Fiscal Office is authorized to use available legislative  
appropriations including carryforward funds to engage a consultant to assist  
the legislative health care and fiscal committees on the policy and fiscal  
implications and opportunities related to the Global Commitment waiver and  
All Payer agreement renewals with Center for Medicaid and Medicare  
Services.~~

~~Sec. 30. 2020 Acts and Resolves No. 154, Sec. B.1123.1 is amended to read:~~

~~Sec. B.1123.1 FISCAL YEAR 2021 YEAR-END CLOSEOUT TRANSFERS~~

~~(a) At the close of fiscal year 2021, after the application of the provisions  
of 32 V.S.A. § 308(b), and before the application of 32 V.S.A. § 308(e) 308c  
up to \$5,000,000 of any remaining unreserved and undesignated end of fiscal  
year 2021 General Fund surplus shall be allocated as follows:~~

~~\* \* \*~~

~~Sec. 31. 2020 Acts and Resolves No. 154, Sec. B.330 as amended by 2021  
Acts and Resolves No. 3 (Budget Adjustment Act) Sec. 25 is further amended to  
read:~~

~~Sec. B.330 Disabilities, aging, and independent living - advocacy and  
independent living grants~~

<i>Grants</i>	<u>10,375,620</u>	<u>10,375,620</u>
<i>Total</i>	19,375,620	19,375,620
<i>Source of funds</i>		
<i>General fund</i>	7,454,782	7,454,782
<i>Federal funds</i>	<del>7,748,373</del>	7,148,466
<i>Global Commitment fund</i>	<del>4,172,465</del>	<u>4,772,372</u>
<i>Total</i>	19,375,620	19,375,620
<i>Sec. 32. 2020 Acts and Resolves No. 154, Sec. B.346, as amended by 2021 Acts and Resolves No. 3, Sec. 32, is further amended to read:</i>		
<i>Sec. B.346 Total human services</i>		
<i>Source of funds</i>		
<i>General fund</i>	977,495,760	977,495,760
<i>Special funds</i>	116,403,523	116,403,523
<i>Tobacco fund</i>	25,088,208	25,088,208
<i>State health care resources fund</i>	17,078,501	17,078,501
<i>Federal Coronavirus Relief Fund</i>	17,774,276	17,774,276
<i>Federal funds</i>	<del>1,471,852,944</del>	1,471,253,037
<i>Global Commitment fund</i>	<del>1,592,184,231</del>	1,592,784,138
<i>Internal service funds</i>	1,930,685	1,930,685
<i>Interdepartmental transfers</i>	46,869,842	46,869,842
<i>Permanent trust funds</i>	<u>25,000</u>	<u>25,000</u>

~~Total 4,266,702,970 4,266,702,970~~

~~\*\*\* Effective Dates \*\*\*~~

~~Sec. 33. EFFECTIVE DATES~~

~~This act shall take effect on passage, except notwithstanding 1 V.S.A. § 214,~~

~~Sec. 5 (mortgage assistance foreclosure assistance) shall take effect  
retroactively on January 1, 2021.~~

~~\*\*\* Federal Funding, Administration \*\*\*~~

~~Sec. 1. FEDERAL FUNDS; ANTICIPATED RECEIPTS~~

~~(a) To the extent that appropriations in this act are made from federal funds provided by the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2, in the Coronavirus State Fiscal Recovery Fund and the Elementary and Secondary School Emergency Relief Fund, the Commissioner of Finance and Management is authorized to make expenditures in anticipation of receipts as necessary. The Commissioner shall immediately notify the House and Senate Committees on Appropriations, or the Joint Fiscal Committee through the Joint Fiscal Office when the General Assembly is not in session, if any such expenditure is later deemed impermissible by subsequent federal guidance.~~

~~(b) The Commissioner shall maximize the use of Federal Emergency Management Administration (FEMA) funds where expenses are eligible, and the use of FEMA funds does not delay or inhibit the purpose of the funded program or activity. To the extent that FEMA funding is used, the~~

Commissioner shall reduce funding to the extent that FEMA resources reduce the need for appropriated resources.

(c) The appropriations in this act shall carry forward from fiscal year 2021 until expended.

*Sec. 1a. AMERICAN RESCUE PLAN ACT OF 2021: ACCEPTANCE OF  
SPECIFIC FEDERAL GRANTS*

(a) Notwithstanding 32 V.S.A. § 5, funds from the American Rescue Plan Act of 2021 (ARPA), the Coronavirus State Fiscal Recovery Fund, and the Coronavirus Capital Projects Fund shall be deposited into the State Treasury and are hereby accepted and shall be spent subject to appropriation.

(b) Notwithstanding 32 V.S.A. § 5, any funds received through Section 2001 of the Elementary and Secondary School Emergency Relief Fund and not required to be made as subgrants to local educational agencies in ARPA shall be spent subject to appropriation.

*Sec. 1b. REPORTING BY ENTITIES OUTSIDE STATE  
GOVERNMENT ON USE OF FUNDS*

Any recipient State agency that grants funds appropriated in this act to a non-State recipient shall require that recipient to report on the specific uses of the funds on or before November 1, 2021. Granting agencies shall compile and report on the use of these funds to the General Assembly by December 1, 2021.

*Sec. 1c. INTENT REGARDING FUTURE STATE FUNDING*

*The purpose of funding appropriated from ARPA in this act is related to addressing impacts of the COVID-19 pandemic as well as making investments for a sustained economic recovery. The appropriation of these funds is not intended to create a future funding commitment from other State funds.*

*Sec. 2. REMAINING CORONAVIRUS RELIEF FUNDS;*

*CARRYFORWARD, REVERSION, AND APPLICATION*

*(a) To the extent that Coronavirus Relief Fund (CRF) spending authority made through appropriation or by approval of the Joint Fiscal Committee remains available as of June 30, 2021, any amounts necessary to pay for expenditures that have been obligated but not paid out as of June 30, 2021 shall carry forward to fiscal year 2022.*

*(b) Prior to the close of fiscal year 2021, the Commissioner of Finance and Management is authorized to revert all unobligated CRF appropriations to the State CRF. In fiscal year 2021, the total amount of CRF reverted under this subsection shall be appropriated to any agency or department for CRF eligible public safety payroll and benefits costs or other eligible CRF costs and the same amount of General Fund appropriated shall be reverted. To the extent there are insufficient CRF eligible costs in fiscal year 2021, any remaining reverted CRF balance shall be appropriated and carried forward to any agency or department with eligible CRF costs in fiscal year 2022 where an*



equal amount of general funds shall be reverted in fiscal year 2022 through the budget adjustment process.

(c) The Commissioner shall report to the House and Senate Committees on Appropriations on or before June 1, 2021 with estimates of each of the following: CRF carryforward need, CRF reversions, and total CRF appropriations to the Department of Corrections and other departments with eligible CRF costs; and the General Fund reversions anticipated on or before June 30, 2021 as authorized under this section. The report shall also include a brief description of the degree to which Federal Emergency Management Agency (FEMA) funding applications and awards are impacting these estimates. The Commissioner shall provide an update on these amounts to the Joint Fiscal Committee at its meeting in July 2021.

*\* \* \* Commerce and Community Development; Targeted Business Grants \* \* \**

### *Sec. 3. ECONOMIC RECOVERY BRIDGE GRANTS*

(a) Purpose.

(1) The purpose of this section is to provide bridge funding to businesses that suffered a tax loss in 2020 and require immediate State aid, either to remain open or to reopen the business, until additional federal funds can be deployed and until the economic recovery provides a more stable stream of revenue to support business operations.

(2) The funding in this section is primarily intended for businesses that have not received prior State or federal financial assistance. Because these businesses have not benefited from State or federal programs, they are eligible for grants that will provide funding for fixed operating costs or a threshold amount in order to ensure they remain viable.

(3) To the extent that funds remain available, businesses that have already received prior State or federal assistance may receive grants under the program, with priority for those businesses that, after adding to the business's income the amount of any nontaxable COVID-19-related direct financial assistance from State or federal sources, the business still would have suffered a tax loss.

(b) Appropriation.

(1) In fiscal year 2021, the amount of \$10,000,000.00 is appropriated from the American Rescue Plan Act of 2021- Coronavirus State Fiscal Recovery Fund to the Agency of Commerce and Community Development to provide grants to eligible businesses pursuant to this act.

(2) The Agency may use not more than five percent of the appropriated funds for the costs of administration, including technical assistance and guidance concerning potential eligibility for federal programs.

(3) The Agency shall make best reasonable efforts to conduct outreach, provide information, and provide necessary assistance for women- and BIPOC-owned businesses to access grant funds.

(c) Eligibility. To be eligible for a grant, a business shall meet the following criteria:

(1) The business is domiciled or has its primary place of business in Vermont.

(2) The business is organized and operated:

(A) on a for-profit basis, including a sole proprietor, partnership, limited liability company, business corporation, cooperative, or mutual benefit enterprise; or

(B) on a nonprofit or low-profit basis, including a mutual benefit corporation, public benefit corporation, and a low-profit limited liability company.

(3) The business:

(A) is open at the time of application and attests that it will use grant funds for business-related operations and economic recovery; or

(B)(i) is closed at the time of application due to the COVID-19 public health emergency;

(ii) attests that it will use grant funds for resuming its business operations and economic recovery; and

(iii) submits a brief written description of its good faith plan to reopen.

(4) The business suffered a tax loss due to the COVID-19 public health emergency as evidenced by its federal 2020 income tax return.

(5) The business complies with current State health and safety protocols established by Executive Order.

(d) Amount of grant.

(1) A grant shall not exceed the lesser of:

(A) three times the eligible business's fixed monthly expenses for commercial mortgage or rent, insurance, electricity, heat, water, sewer service, telecommunications service, and Internet service; or

(B) \$150,000.00.

(2) The Agency may reduce the amount of a grant pursuant to guidelines it adopts for that purpose based on the amount of any COVID-19-related direct financial assistance that the business has received from State or federal sources.

(e) Grant administration; priorities.

(1) Beginning on the date the Agency begins accepting applications, for an initial 30-day period, the Agency may accept applications from eligible businesses but shall award grants only to eligible businesses that have not

received any COVID-19-related direct financial assistance from State or federal sources.

(2) After the initial 30-day period, the Agency shall continue to accept applications and award grants consistent with the following:

(A) The Agency shall give first priority to eligible businesses that have not received any COVID-19-related direct financial assistance from State or federal sources.

(B) The Agency shall give subsequent priority to eligible businesses that, after adding to the business's income the amount of any nontaxable COVID-19-related direct financial assistance from State or federal sources, the business still would have suffered a tax loss.

(f) Grant administration; use of funds; future grant awards. Any amounts that remain unspent through the program shall revert to the Agency of Commerce and Community Development for purposes of supplementing any future economic recovery grant program established prior to January 1, 2022 and, if no program is established, then to the American Rescue Plan Act of 2021 – Coronavirus State Fiscal Recovery Fund.

(g) Guidelines. Not later than 10 days after the effective date of this act, the Agency shall publish guidelines governing the implementation of the program, which at minimum shall:

(1) establish application award procedures and a timeline for accepting applications;

(2) establish standards to determine whether an eligible business has its primary place of business in Vermont;

(3) establish standards for the use of grant funds for the purpose of business-related economic recovery;

(4) establish procedures to ensure that grant awards comply with the requirements of this section and that the State maintains adequate records to demonstrate compliance with this section;

(5) establish procedures to prevent, detect, and mitigate fraud, waste, error, and abuse; and

(6) establish procedures to ensure that grant applicants comply with State and federal employment and labor laws.

(h) Reporting. The Agency shall submit two reports to the House Committees on Appropriations and on Commerce and Economic Development and the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs detailing the implementation of this section, including specific information concerning the amount, identity, and demographic information of grant recipients, which shall be publicly available:

(1) an initial report following the 30-day approval period specified in subdivision (e)(1) of this section; and

(2) a final report not later than 30 days after program funds are exhausted.

(i) Auditing; compliance. The Agency shall include in all grant awards standard audit provisions, substantially similar to the audit provisions included pursuant to Administrative Bulletins 3.5 and 5.0, that provide that records pertaining to grant awards shall be retained and remain subject to audit and inspection by the Agency and the State Auditor of Accounts for a period of time specified by the Agency.

(j) Recapture. The Agency shall include in all grant awards standard recapture provisions, which shall include that a grant award may be subject to recapture if a recipient is found to be ineligible for the award or to have used an award for an ineligible purpose, consistent with the guidelines the Agency adopts pursuant to subsection (g) of this section.

**Sec. 3a. VERMONT MICROBUSINESS DEVELOPMENT FUNDING**

The sum of \$500,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund in fiscal year 2021 to the Department for Children and Families, Office of Economic Opportunity, to be granted to the Community Action Agencies for the Statewide Community Action Network's Economic Micro Business Recovery Assistance for the

COVID-19 Epidemic (EMBRACE) to assist the Vermont microbusiness owners impacted by COVID-19 and for new businesses started by individuals who have been impacted by the COVID-19 pandemic through layoffs, furloughs, reduced hours, or due to being employed in an industry that has been severely affected.

*\* \* \* Housing and Homeowner Assistance \* \* \**

*Sec. 4. VERMONT HOUSING AND CONSERVATION BOARD,  
HOUSING AND FACILITIES*

The sum of \$10,000,000.00 is appropriated from the General Fund to the Vermont Housing and Conservation Board in fiscal year 2021, which the Board shall use, in part through grants to nonprofit housing partners and service organizations, for housing and facilities necessary to provide safe shelter to lower-income and at-risk populations. These funds are intended to be expended as expeditiously as possible on projects ready to proceed in 2021 and designed to meet immediate housing needs.

*Sec. 5. HOMEOWNER; MORTGAGE ASSISTANCE FORECLOSURE  
PREVENTION*

The sum of \$5,000,000.00 is appropriated from the Coronavirus Relief Funds in fiscal year 2021 to the Department of Housing and Community Development for a grant to the Vermont Housing Finance Agency to provide financial and technical assistance to stabilize low- and moderate-income



homeowners and prevent home foreclosures for Vermont families. To the extent permitted by federal law and guidance, these funds may be used to provide mortgage assistance retroactively to January 1, 2021.

*\* \* \* Human Services, Mental Health and Health Care \* \* \**

*Sec. 6. DEPARTMENT OF MENTAL HEALTH; EMERGENCY*

*OUTREACH SERVICES GRANTS*

The sum of \$300,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Mental Health in fiscal year 2021 for grants to peer-led and impacted member-led organizations for emergency outreach services to address COVID-19-related needs. Of these funds, the Department shall allocate \$150,000.00 to a mental health peer-support organization and \$150,000.00 to an organization supporting the needs of LGBTQ youths.

*Sec. 7. DEPARTMENT OF MENTAL HEALTH; HOUSING*

The sum of \$4,000,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Mental Health in fiscal year 2021 to make existing housing and community-based service facilities providing mental health services more accessible, safe, and compliant with the Americans with Disabilities Act or to expand capacity in community settings. The Department shall select the projects in consultation with the Agency of Human Services Secretary's Office, the

Department of Disabilities, Aging, and Independent Living, and representatives of the designated agencies, specialized service agencies, and peer organizations. The grants shall be awarded to organizations that demonstrate the greatest ability to respond immediately to the need for housing and shall be for projects that will not require additional State funds for operating costs in future years. At least one grant shall be awarded to a peer-run or peer-directed housing organization. The Department of Mental Health shall partner with the Agency of Human Services Secretary's Office and the Department of Disabilities, Aging, and Independent Living to include as potential grant candidates all designated and specialized service agencies that provide developmental disability or mental health services.

*Sec. 8. DEPARTMENT OF MENTAL HEALTH; CASE MANAGEMENT*

*SERVICES*

The sum of \$850,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Mental Health in fiscal year 2021 to provide funds to the designated community mental health agencies to enable them each to hire an additional case manager to provide case management services to Vermont residents who may not previously have been part of an agency's caseload but whose lives have been significantly disrupted by the COVID-19 pandemic and who are now urgently in need of these agencies' supports. Agencies have the flexibility

to identify where the targeted need exists within their agency, across all programs. The purpose of the funds appropriated in this section is limited to addressing the impacts related to the COVID-19 pandemic and the appropriation of these funds is not intended to create an ongoing funding commitment.

*Sec. 9. DEPARTMENT OF MENTAL HEALTH; WORKFORCE*

*TRAINING AND WELLNESS SUPPORTS*

The sum of \$150,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Mental Health in fiscal year 2021 for training and wellness supports for frontline health care workers to help them meet Vermont residents' current mental health needs, such as training for emergency department personnel responding to an increased demand for crisis services as a result of the COVID-19 pandemic and training on trauma-informed and trauma-specific care for mental health professionals responding to the surge in mental health treatment needs. These workers would also benefit from wellness supports as they continue to care for people in crisis while experiencing their own stress, anxiety, and trauma as a result of the pandemic.

*Sec. 9a. RECOVERY CENTER SUPPLEMENTAL GRANTS*

The sum of \$240,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of

Health to make grants of \$20,000.00 to cover the financial impacts of the ongoing COVID-19 pandemic at each of the recovery centers statewide.

*Sec. 10. SUPPORTS FOR NEW AMERICANS, REFUGEES, AND*

*IMMIGRANTS*

(a) The sum of \$700,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Agency of Human Services in fiscal year 2021 for distribution in equal amounts to the Association of Africans Living in Vermont and the U.S. Committee for Refugees and Immigrants' Vermont Refugee Resettlement Program for various purposes related to COVID-19, including:

(1) interpretation and translation services related to COVID-19, including accessing testing and vaccines;

(2) purchasing laptops and providing digital literacy for households to ensure that children can attend school remotely, that families can access telehealth services, and that adult family members can find employment;

(3) providing case management services related to an increased need related to housing assistance, workforce development, and employment coaching; and

(4) providing navigation of Reach Up, 3SquaresVT, and other public assistance programs following job losses.

*Sec. 11. GRANTS TO REACH UP PARTICIPANTS*

The sum of \$1,300,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department for Children and Families in fiscal year 2021 for the purposes of distributing monies to families participating in the Reach Up program. These funds shall be distributed in a manner similar to the distribution of funds to this population pursuant to 2020 Acts and Resolves No. 136, Sec. 15.

Sec. 12. VERMONT FOOD BANK

(a) The sum of \$1,376,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund in fiscal year 2021 to the Agency of Human Services' Central Office to be granted to the Vermont Food Bank to pay the costs of the Vermont Farmers to Families Food Box Program for the months of January and February 2021.

(b) The sum of \$82,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund in fiscal year 2021 to the Agency of Human Services' Central Office to be granted to the Vermont Food Bank for statewide provision of diapers to families in need.

Sec. 13. GRANT TO THE ASSOCIATION FOR THE BLIND AND  
VISUALLY IMPAIRED

The sum of \$100,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Disabilities, Aging, and Independent Living in fiscal year 2021 to be granted

to the Vermont Association for the Blind and Visually Impaired for a technology training program for older Vermonters who experience decreased vision and blindness and others who are blind or visually impaired to address social isolation resulting from social distancing.

Sec. 14. GREEN MOUNTAIN CARE BOARD; DEPARTMENT OF

HEALTH; HEALTH CARE DISPARITIES; DATA COLLECTION

AND ANALYSIS

(a) The sum of \$66,000.00 is appropriated from the General Fund to the Green Mountain Care Board in fiscal year 2021 to provide the State share pursuant to 18 V.S.A. § 9374(h) for updates to the Vermont Healthcare Claims Uniform Reporting and Evaluation System (VHCURES) to improve data collection related to health equity.

(b) The sum of \$134,000.00 is appropriated from the General Fund to the Department of Health in fiscal year 2021 for collection and analysis of demographic data, including race and ethnicity data, regarding Vermont residents who experience health disparities.

Sec. 14a. 18 V.S.A. § 1129(d) and (e) are amended to read:

(d) The Department may provide confidential registry information to health care provider networks serving Vermont patients, to the Vermont Health Information Exchange, and, with the approval of the Commissioner, to

*researchers who present evidence of approval from an institutional review board in accordance with 45 C.F.R. § 164.512.*

*(e) Prior to releasing confidential information pursuant to subsections (c) and (d) of this section, the Commissioner shall obtain from State registries, health care provider networks, the Vermont Health Information Exchange, and researchers a written agreement to keep any identifying information confidential and privileged.*

*\* \* \* Education \* \* \**

*Sec. 15. SCHOOL INDOOR AIR QUALITY GRANT PROGRAM*

*(a) Appropriation. In fiscal year 2021, \$15,000,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund for the Pre-K–12 Education Pandemic - School Indoor Air Quality Grant Program established in 2020 Acts and Resolves No. 120, Sec. A.51. This appropriation may be adjusted if the Commissioner of Finance and Management determines that FEMA funds will be awarded for this purpose. At the Agency's discretion, the funds authorized by this section shall be either granted by the Agency of Education or paid to Efficiency Vermont to carry out the duties listed in 2020 Acts and Resolves No. 120, Sec. A.51(e). Efficiency Vermont is authorized to use up to \$250,000.00 of the \$15,000,000.00 appropriated under this section for direct labor costs.*

(b) Authorization. Efficiency Vermont shall require that any school that receives a grant through the School Indoor Air Quality Grant Program established in 2020 Acts and Resolves No. 120, Sec. A.51 authorize Efficiency Vermont to release the school name and grant amount in any report requested by the General Assembly.

(c) Reporting. Upon expenditure of the funds, the Agency of Education shall report to the House and Senate Committees on Appropriations on the specific uses of the funds appropriated in subsection (a) of this section on or before March 15, 2022.

*Sec. 16. EDUCATION SERVICES; FEDERAL FUNDS APPROPRIATIONS*

(a) Afterschool and Summer Programs: In fiscal year 2021 and to be carried forward, the sum of \$4,000,000.00 is appropriated from federal funds for Elementary and Secondary School Relief (ESSR) provided in the American Rescue Plan Act of 2021 Section 2001(f) to the Agency of Education to be used for grants to afterschool and summer programs. At least \$2,000,000.00 of these grants shall be made with consultation from and approval of the Child Development Division in the Department for Children and Families. These funds shall be used to fulfill requirements specified in the American Rescue Plan Act of 2021 pursuant to Section 2001(f)(2) and (3).

(b) Summer Meals: In fiscal year 2021 and to be carried forward, the sum of \$5,500,000.00 is appropriated from the American Rescue Plan Act of 2021 -



Coronavirus State Fiscal Recovery Fund to the Agency of Education to ensure that children and families have access to nutritious foods throughout the summer. This appropriation may be adjusted if the Commissioner of Finance and Management determines that FEMA funds will be awarded for this purpose.

*Sec. 17. PRACTICAL NURSE; WORKFORCE FUNDING*

(a) Due to the increasing challenge of the pandemic on the health professions, the sum of \$1,400,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Vermont State Colleges to open 40 to 45 seats in the Practical Nurse Program in partnership with skilled nursing facilities across the State to upskill existing staff to achieve certification as a practical nurse. These funds shall be used as follows:

(1) Up to \$500,000.00 for administrative and start-up costs for Vermont Technical College.

(2) Up to \$260,000.00 in incentive payments in the amount of \$6,000.00 per student to offset lost income during enrollment in the Program.

(3) All remaining funds shall be allocated for tuition and fees payments for required prerequisite courses at Community College of Vermont and for the Practical Nurse Program at Vermont Technical College after available federal and State financial aid is applied to ensure no cost to the student.

(b) To be eligible to participate in the program, a skilled nursing facility shall provide an incentive match in the amount of \$4,000.00 per student during enrollment in the Program.

*Sec. 18. WORKFORCE UPSKILL OPPORTUNITY*

(a) For Vermonters whose employability or employer has been impacted by the Coronavirus since March of 2020, the sum of \$3,000,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Vermont State Colleges to provide up to two free classes in the summer or fall of 2021 and spring 2022 at any of the Vermont State Colleges for any Vermont resident who is seeking to transition to a new career or to enhance the resident's job skills.

(b) The sum of \$1,000,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the University of Vermont to provide up to two free classes in summer or fall of 2021 and spring 2022 for any Vermont resident who is seeking to transition to a new career or to enhance the resident's job skills.

*Sec. 19. RECENT HIGH SCHOOL GRADUATES; ADVANCEMENT  
OPPORTUNITY*

Due to the economic impact of the pandemic on the families of recent high school graduates, the sum of \$2,800,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the

Vermont Student Assistance Corporation (VSAC) to provide up to two free classes in the summer or fall of 2021 and spring of 2022 at any of the Vermont State Colleges for any Vermont 2020 or 2021 high school graduate to enhance the graduate's work or academic skills. VSAC may provide a stipend of \$200.00 per student per class for transportation, books, or other class or attendance-related costs, and may allocate up to \$100,000.00 for the cost of administering this program.

Sec. 20. [Deleted.]

\* \* \* Public Service; Broadband \* \* \*

Sec. 21. BROADBAND ALLOCATIONS AND APPROPRIATIONS

(a) Coronavirus Relief Fund Authorization and Allocation:  
Notwithstanding any other provision of law to the contrary, the Department of Public Service is authorized to use \$3,200,000.00 of the unobligated balance remaining from the CRF monies appropriated to the Department for broadband programs in 2020 Acts and Resolves No. 137 as follows:

(1) \$1,600,000.00 shall be allocated for additional assistance under the COVID-Response Line Extension Customer Assistance Program established in 2020 Acts and Resolves No. 137, Sec. 13. The customer costs eligible for financial assistance under this Program shall include costs for associated equipment such as routers and modems; and

(2) \$1,600,000.00 shall be allocated to extend the COVID-Response Temporary Broadband Lifeline Program established in 2020 Acts and Resolves No. 137, Sec. 13(d) for the covered period beginning on March 1, 2021 and extending until such funds are depleted. The subsidy under this Program may be used for the provision of broadband service and connected devices.

(b) The sum of \$1,800,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Department of Public Service as follows:

(1) \$1,600,000.00 for a broadband infrastructure program to assist Communications Union Districts (CUD) with preconstruction costs and general support services. Applicants may be:

(A) an individual CUD;

(B) a group of CUDs working together on a single project; or

(C) an external partner working with a single CUD or group of CUDs.

(2) \$200,000.00 to fund the following:

(A) contract services to provide outreach, technical assistance, and other support services to CUDs;

(B) restoration of the Vermont Relay Conference Captioning (RCC) service for remote conference calling service for the deaf or hard of hearing; and

(C) Wi-Fi hotspot license renewals.

*\* \* \* Natural Resources and Agriculture \* \* \**

*Sec. 22. NATURAL RESOURCES AND AGRICULTURE*

(a) In fiscal year 2021, funds are appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund as follows:

(1) \$3,000,000.00 to the Agency of Agriculture, Food and Markets for the Working Lands Program. Of these funds, \$500,000.00 is allocated for grants related to slaughter, meat processing and meat processing training proposals.

(2) \$5,000,000.00 to the Agency of Natural Resources' Central Office for investments to improve recreational infrastructure and access on State lands and to fund repairs and improvements to Vermont's trail network on both private and public land.

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

(1) \$14,000,000.00 to the Department of Environmental Conservation for brownfield remediation and environmental clean-up and related administrative costs. Including two classified limited service positions to be established in the Department of Environmental Conservation - one (1) environmental analyst and one (1) grant management specialist.

(2) \$5,000,000.00 to the Department of Forests, Parks and Recreation for the Vermont Outdoor Recreation Economic Collaborative (VOREC).

(3) \$250,000.00 to the Agency of Agriculture for continuation of work in soil conservation practice and payment for ecosystem services including the costs of the task force established by 2019 Acts and Resolves No. 83.

*\* \* \* Annual Link to Federal Statutes \* \* \**

*Sec. 23. 32 V.S.A. § 5824 is amended to read:*

*§ 5824. ADOPTION OF FEDERAL INCOME TAX LAWS*

*The statutes of the United States relating to the federal income tax, as in effect on December 31, ~~2019~~ 2020, but without regard to federal income tax rates under 26 U.S.C. § 1, are hereby adopted for the purpose of computing the tax liability under this chapter, and shall continue in effect as adopted until amended, repealed, or replaced by act of the General Assembly.*

*Sec. 23a. 32 V.S.A. § 7402(8) is amended to read:*

*(8) “Laws of the United States” means the U.S. Internal Revenue Code of 1986, as amended through December 31, ~~2019~~ 2020, which shall continue in effect as adopted until amended, repealed, or replaced by act of the General Assembly. As used in this chapter, “Internal Revenue Code” has the same meaning as “laws of the United States” as defined in this subdivision.*

*Sec. 23b. ARPA EXCLUSION OF UNEMPLOYMENT COMPENSATION*

*FROM GROSS INCOME; TAX YEAR 2020*

(a) For taxable year 2020 only, 32 V.S.A. § 5824, adoption of federal income tax laws, shall also adopt 26 U.S.C. § 85(c) as amended by Section 9042 of the American Rescue Plan Act, Pub. L. No. 117-2, pursuant to which the first \$10,200.00 of unemployment compensation received is excluded from the gross income of a taxpayer whose taxable year 2020 adjusted gross income is less than \$150,000.00.

(b) For taxable year 2020 only, notwithstanding 26 U.S.C. § 85(c) as amended by Section 9042 of the American Rescue Plan Act, Pub. L. No. 117-2, the definition of household income pursuant to 32 V.S.A. § 6061(4)(A) and (5) shall include all unemployment compensation received by a taxpayer in taxable year 2020.

*Sec. 23c. EXCLUSION OF FORGIVEN PAYCHECK PROTECTION*

*PROGRAM LOANS FROM GROSS INCOME*

Notwithstanding 32 V.S.A. § 5824 and any other provision of law to the contrary, the exclusion of income associated with the forgiveness of a covered Paycheck Protection Program loan from gross income pursuant to the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Pub. L. No. 116-136, § 1106(i), as amended, and the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, § 276 shall not be allowed in computing taxable income under 32 V.S.A. chapter 151. As used in this section, “covered loan” has the same meaning as in the CARES Act, § 1106(a), as amended. Nothing

in this section shall affect the deduction of expenses to the extent that payment of the expenses results in forgiveness of a covered loan pursuant to the CARES Act, Pub. L. No. 116-136, § 1106, as amended, and the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, § 276.

*Sec. 24. FISCAL YEAR 2021 CONTINGENT USE OF RESERVE*

(a) In fiscal year 2021, if the General Fund is found to have an undesignated fund deficit, the Commissioner of Finance and Management is authorized to transfer not more than \$12,600,000.00 from the Human Services Caseload Reserve established in 32 V.S.A. § 308b to offset the undesignated fund deficit prior to making a transfer in accordance with 32 V.S.A. § 308(c).

(b) If a transfer from the Human Services Caseload Reserve is made pursuant to subsection (a) of this section, then the Commissioner of Finance and Management shall recommend to the House and Senate Committees on Appropriations that the same amount be transferred from the General Fund to the Human Services Caseload Reserve Fund in the fiscal year 2022 budget adjustment process.

*\* \* \* Technical Assistance \* \* \**

*Sec. 25. [Deleted]*

*Sec. 26. PROVISION OF TECHNICAL ASSISTANCE SERVICES TO  
LOCAL GOVERNMENTS*



(a) The sum of \$950,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund to the Agency of Commerce and Community Development to be granted as follows:

(1) \$650,000.00 to establish a support program through State fiscal year 2024 for the use of federal funds received under 42 U.S.C. 801 § 603, the Coronavirus Local Fiscal Recovery Fund. These resources shall be used to work with local governments to facilitate the local communities' efforts to:

(A) respond to the public health emergency with respect to COVID-19 and its negative economic impacts;

(B) assist with fund reporting, accountability, transparency, and usage technical assistance where necessary;

(C) provide for other guidance to ensure that funds received pursuant to 42 U.S.C. 801 § 603 funds are used in accordance with federal law and regulations; and

(D) provide guidance; model templates and policies; and training on ARP compliant finance and program management.

(2) \$300,000.00 to one or more regional planning commissions, to be used through State fiscal year 2024, to establish and implement a capacity to assist local communities with specific project management needs in expending federal funds received under 42 U.S.C. 801 § 603. The regional planning

commissions shall use these resources to work with local governments to facilitate the local communities' efforts to:

(A) identify needs and top priorities for designing and building projects that are consistent with State and federal law; implement existing State, regional and local plans; and do not duplicate investments made by other federal recovery funds;

(B) respond to inquiries on eligibility and to facilitate local discussions among stakeholders on specific projects; and

(C) provide other assistance as needed from local communities in coordination with the grantee chosen in subsection (a) of this section.

*\* \* \* Other Miscellaneous Amendments \* \* \**

*Sec. 27. VERMONT CENTER FOR CRIME VICTIM SERVICES*

The sum of \$27,500.00 is appropriated from the General Fund in fiscal year 2021 to the Vermont Center for Crime Victim Services for a grant to the Burlington Community Justice Center for the St. Joseph's Orphanage Restorative Inquiry.

*Sec. 28. AUDIT OF SHERIFFS' USE OF STATE PAID DEPUTIES*

The sum of \$25,000.00 is appropriated from the General Fund in fiscal year 2021 to the Vermont State Auditor to contract for up to five audits or reviews of the use of State paid deputies by county sheriffs during the state of emergency in calendar year 2020.

*Sec. 29. HEALTHCARE WAIVERS: LEGISLATIVE CAPACITY*

*The Joint Fiscal Office is authorized to use available legislative appropriations including carryforward funds to engage a consultant to assist the House Committees on Appropriations, on Health Care, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare to consider the policy and fiscal implications and opportunities related to renegotiation of the State's Global Commitment to Health Medicaid Section 1115 demonstration and continuation of the All Payer ACO Model agreement with the Centers for Medicare and Medicaid Services.*

*Sec. 30. 2020 Acts and Resolves No. 154, Sec. B.1123.1 is amended to read:*

*Sec. B.1123.1 FISCAL YEAR 2021 YEAR-END CLOSEOUT TRANSFERS*

*(a) At the close of fiscal year 2021, after the application of the provisions of 32 V.S.A. § 308(b), and before the application of 32 V.S.A. § ~~308(e)~~ 308c up to \$5,000,000 of any remaining unreserved and undesignated end of fiscal year 2021 General Fund surplus shall be allocated as follows:*

*\* \* \**

*Sec. 31. 2020 Acts and Resolves No. 154, Sec. B.330 as amended by 2021 Acts and Resolves No. 3 (Budget Adjustment Act) Sec. 25 is further amended to read:*

*Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants*

<i>Grants</i>	<u>19,375,620</u>	<u>19,375,620</u>
<i>Total</i>	19,375,620	19,375,620
<i>Source of funds</i>		
<i>General fund</i>	7,454,782	7,454,782
<i>Federal funds</i>	<del>7,748,373</del>	7,148,466
<i>Global Commitment fund</i>	<u>4,172,465</u>	<u>4,772,372</u>
<i>Total</i>	19,375,620	19,375,620

*Sec. 32. 2020 Acts and Resolves No. 154, Sec. B.338 as amended by 2021*

*Acts and Resolves No. 3, Sec. 28 is further amended to read:*

*Sec. B.338 Corrections - correctional services*

<i>Personal services</i>	115,752,606	115,752,606
<i>Operating expenses</i>	23,059,297	23,059,297
<i>Grants</i>	<u>8,808,427</u>	<u>8,808,427</u>
<i>Total</i>	147,620,330	147,620,330

*Source of funds*

<i>General fund</i>	<del>135,553,733</del>	128,553,733
<i>Special funds</i>	935,963	935,963
<i>Federal Coronavirus Relief Fund</i>	<del>4,950,000</del>	11,950,000
<i>Federal funds</i>	473,523	473,523
<i>Global Commitment fund</i>	5,310,796	5,310,796
<i>Interdepartmental transfers</i>	<u>396,315</u>	<u>396,315</u>

*Total* 147,620,330 147,620,330

*Sec. 32a. 2020 Acts and Resolves No. 154, Sec. B.346, as amended by 2021*

*Acts and Resolves No. 3, Sec. 30, is further amended to read:*

*Sec. B.346 Total human services*

*Source of funds*

*General fund* 977,495,760 970,495,760

*Special funds* 116,403,523 116,403,523

*Tobacco fund* 25,088,208 25,088,208

*State health care resources fund* 17,078,501 17,078,501

*Federal Coronavirus Relief Fund* ~~17,774,276~~ 24,774,276

*Federal funds* ~~1,471,852,944~~ 1,471,253,037

*Global Commitment fund* ~~1,592,184,231~~ 1,592,784,138

*Internal service funds* 1,930,685 1,930,685

*Interdepartmental transfers* 46,869,842 46,869,842

*Permanent trust funds* 25,000 25,000

*Total* 4,266,702,970 4,266,702,970

*\* \* \* Effective Dates \* \* \**

*Sec. 33. EFFECTIVE DATES*

*This act shall take effect on passage, except that, notwithstanding 1 V.S.A.*

*§ 214:*

(1) Sec. 5 (mortgage assistance foreclosure prevention) shall take effect retroactively on January 1, 2021;

(2) Secs. 23–23b (annual link to federal statutes) shall take effect retroactively on January 1, 2021 and shall apply to taxable years beginning on and after January 1, 2020; and

(3) Sec. 23c (forgiven Paycheck Protection Program loan exclusion) shall take effect retroactively on January 1, 2021 and shall apply to taxable years beginning on and after January 1, 2021.