

4/29/2021 – JFO – 8:48AM  
DRAFT

H.439

Senators Balint, Baruth, Kitchel, Nitka, Sears, Starr, and Westman moves to amend the bill as follows:

First: Sec. B.1106, fiscal year 2022 one-time General Fund appropriations, in subsection (a), by striking out subdivision (8) in its entirety and inserting a new subdivision (8) to read as follows:

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

Second: By striking out Sec. B.204, judiciary, in its entirety and inserting in lieu thereof a new Sec. B.204 to read as follows:

Sec. B.204 Judiciary

Personal services	43,787,084
Operating expenses	10,626,239
Grants	<u>121,030</u>
Total	54,534,353
Source of funds	
General fund	48,337,826
Special funds	3,200,659
Federal funds	900,469
Interdepartmental transfers	<u>2,095,399</u>
Total	54,534,353

**4/29/2021 – JFO – 8:48AM  
DRAFT**

Third: By striking out Sec. B.207, sheriffs, in its entirety and inserting in lieu of a new Sec. B.207 to read as follows:

Sec. B.207 Sheriffs

Personal services	4,251,923
Operating expenses	<u>398,724</u>
Total	4,650,647
Source of funds	
General fund	<u>4,650,647</u>
Total	4,650,647

**Fourth:** By striking out Sec. B.515, retired teachers' health care and medical benefits, in its entirety and inserting in lieu thereof a new Sec. B.515 to read as follows:

Sec. B.515 Retired teachers' health care and medical benefits

Grants	<u>48,929,622</u>
Total	48,929,622
Source of funds	
General fund	35,093,844
Education fund	<u>13,835,778</u>
Total	48,929,622

Fifth By inserting a new section to be Sec. C.112 to read as follows:

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

Sec. 16 EDUCATION SERVICES; FEDERAL FUNDS APPROPRIATIONS

**4/29/2021 – JFO – 8:48AM**  
**DRAFT**

(a) Afterschool and Summer Programs: In fiscal year 2021 and to be carried forward, the sum of \$4,000,000.00 is appropriated from federal funds for Elementary and Secondary Emergency School Relief (~~ESSR~~) (ESSER) provided in the American Rescue Plan Act of 2021 Section 2001(f) to the Agency of Education to be used for grants to afterschool and summer programs.

\* \* \*

Sixth: In Sec. D.101, fund transfers, reversions and reserves, in subdivision (b)(2) after the words Secretary of State Services Funds by striking out the number \$2,867,898.00 and inserting in lieu thereof \$2,467,898.00

Seventh: By striking out Sec.E.126.2 in its entirety and inserting in lieu thereof a new Sec. E.126.2 to read as follows:

Sec. E.126.2 TASK FORCE ON AFFORDABLE, ACCESSIBLE HEALTH  
 CARE; REPORT

(a) Creation. There is created the Task Force on Affordable, Accessible Health Care to explore opportunities to make health care more affordable for Vermont residents and employers.

(b) Membership. The Task Force shall be composed of the following six members:

(1) three current members of the House of Representatives, not all from the same political party, who shall be appointed by the Speaker of the House; and

(2) three current members of the Senate, not all from the same political party, who shall be appointed by the Committee on Committees.

**4/29/2021 – JFO – 8:48AM**  
**DRAFT**

(c) Powers and duties. The Task Force shall explore opportunities to make health care, including prescription drugs, more affordable for Vermont residents and employers, including identifying potential opportunities to leverage federal flexibility and financing and to expand existing public health care programs. The Task Force shall consider the following, keeping in mind the principles for health care reform enacted in 2020 Acts and Resolves No. 48 and codified at 18 V.S.A. § 9371:

(1) the long-term trends in out-of-pocket costs in Vermont in individual and small group health insurance plans and in large group health insurance plans;

(2) how Vermont’s current health care system is impacting Vermont residents and businesses and their access to affordable health care;

(3) the extent to which Vermont’s uninsured rate may have increased during the COVID-19 pandemic and the specific causes of any such increase;

(4) opportunities to decrease health care disparities, especially those highlighted by the COVID-19 pandemic and those attributable to a lack of access to affordable health care services;

(5) the findings and recommendations from previous studies and analyses relating to the affordability of health care coverage in Vermont; and

(6) opportunities made available by the Biden Administration to expand access to affordable health care through existing public health care programs or through the creation of new or expanded public option programs, including the potential for expanding Medicare to cover individuals between 50 and 64 years of age and for

4/29/2021 – JFO – 8:48AM  
DRAFT

expanding Vermont’s Dr. Dynasaur program to cover individuals up to 26 years of age to align with the young adult coverage under the Affordable Care Act.

(d) Public engagement. In order to gain a fuller understanding of the impact of health care affordability issues on Vermont residents, the Task Force shall:

(1) Solicit input from a wide range of stakeholders, including health care providers; health care administrators; Vermonters who lack health insurance or who have inadequate health coverage; employers; labor unions; members of the New American and Black, Indigenous, and Persons of Color communities; Vermonters with low income; and older Vermonters.

(2) Beginning on or before September 15, 2021, hold public hearings to hear from Vermont residents from around the State. Public hearings may be held in person or by remote means. A summary of the findings from these field hearings shall be included as an appendix to the Task Force report.

(e) Assistance. To the extent that applicable funds are appropriated in Sec. B.1106 of this act, the Task Force, through the Office of Legislative Operations, shall hire a consultant to provide technical and research assistance, deliver actuarial analyses as needed, and support the work of the Task Force. In addition, the Task Force shall have the administrative, technical, and legal assistance of the Office of Legislative Operations, the Office of Legislative Counsel, and the Joint Fiscal Office.

(f) Report. On or before January 15, 2022, the Task Force shall present to the General Assembly its findings and recommendations regarding the most cost-effective ways to expand access to affordable health care for Vermonters without health insurance

4/29/2021 – JFO – 8:48AM  
DRAFT

and those facing high health care costs and the various options available to implement these recommendations.

(g) Meetings.

(1) The first meeting of the Task Force shall occur on or before August 15, 2021.

(2) The Task Force shall select House and Senate co-chairs from among its members at its first meeting. The Co-Chairs shall alternate acting as Chair at Task Force meetings.

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

(4) The Task Force shall cease to exist on January 15, 2022.

(h) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, the members of the Task Force shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than eight meetings. These payments shall be made from monies appropriated to the General Assembly.

Eighth: By inserting a new section to be Sec. E.127.1 to read as follows:

Sec. E.127.1 INFORMATION TECHNOLOGY REVIEW

(a) The Executive Branch shall transfer, upon request, one vacant position for use in the Legislative Joint Fiscal Office (JFO) for a staff position, or the JFO may hire a consultant, to provide support to the General Assembly to conduct independent reviews of State information technology projects and operations.

(b) The Secretary of Administration and the Chief Information Officer shall:

4/29/2021 – JFO – 8:48AM  
DRAFT

(1) provide to the JFO access to the reviews conducted by Independent Verification and Validation (IVV) firms hired to evaluate the State’s current and planned information technology project, as requested;

(2) ensure that IVV firms’ contracts allow the JFO to make requests for information related to the projects that it is reviewing and that such requests are provided to the JFO in a confidential manner; and

(3) provide to the JFO access to all other documentation related to current and planned information technology projects and operations, as requested.

(c) The JFO shall maintain a memorandum of understanding with the Executive Branch relating to any documentation provided under subsection (b) of this section that shall protect security and confidentiality.

(d) To fund this work for fiscal year 2022 and fiscal year 2023, notwithstanding 32 V.S.A. § 706, at the close of fiscal year 2021, \$250,000.00 in carryforward from the legislative budget shall be transferred to the JFO.

**Ninth:** By striking out Sec. E.207.1 in its entirety and inserting in lieu thereof a new Sec. E.207.1 to read as follows:

Sec. E.207.1 SHERIFFS; TRANSPORT DEPUTIES; TRANSITION

(a) Effective July 1, 2022, full-time deputy sheriffs whose primary responsibility is transportation of prisoners and individuals with a mental condition or psychiatric disability shall cease to be paid by the State of Vermont.

**4/29/2021 – JFO – 8:48AM**  
**DRAFT**

(b) Commencing on July 1, 2022, full-time deputy sheriffs whose primary responsibility is transportation of prisoners and individuals with a mental condition or psychiatric disability shall:

- (1) serve at the pleasure of the elected sheriff in the county to which they are assigned on that date;
- (2) be paid by the county for service performed on and after July 1, 2022; and
- (3) be subject to the provisions of 24 V.S.A. § 290(a) as full-time employees of the sheriff's department.

**Tenth:** By inserting a new section to be Sec. E.207.3 to read as follows:

Sec. E.207.3 JOINT LEGISLATIVE JUSTICE OVERSIGHT

COMMITTEE; COUNTY SHERIFFS; TRANSPORT

DEPUTIES; TRANSITION; STUDY; REPORT

(a) The Joint Legislative Justice Oversight Committee shall examine the process for converting full-time deputy sheriffs who are currently paid by the State pursuant to 24 V.S.A. § 290(b) to full-time, county-paid employees of the appropriate sheriff's department as provided pursuant to sections E.270–E.270.2 of this act. The Committee shall identify any potential challenges or adverse consequences related to the transition and any legislative changes necessary to facilitate the transition and mitigate the potential challenges or adverse consequences identified.

(b) On or before December 15, 2021, the Committee shall submit a report to the House and Senate Committees on Appropriations and on Government Operations regarding its findings and any recommendations for legislative action.



**4/29/2021 – JFO – 8:48AM**  
**DRAFT**

Eleventh: In Sec. E.220.1, study committee on program funding related to criminal justice fines, fees, in subsection (b), by striking out subdivisions (8) and (9) in their entireties and inserting in lieu thereof the following:

(8) the Commissioner of Public Safety or designee;

(9) the Commissioner for Children and Families or designee; and

(10) the Executive Director of the Department of State's Attorneys and Sheriffs or designee.

**Twelfth**: In Sec. E.220.1, study committee on program funding related to criminal justice fines, fees, by striking out subsection (e) in its entirety and inserting in lieu thereof the following:

(e) For purposes of its study of these issues, the Committee shall have the assistance of the Department of Finance and Management, the VCVVS, and the Joint Fiscal Office.

Thirteenth: In Sec. E.227, Department of Financial Regulation; essential health benefits; benchmark plan review, in subsection (a), by striking out subdivisions (4) and (5) in their entireties and inserting in lieu thereof the following:

(4) durable medical equipment;

(5) fertility services; and

(6) at least two primary care visits per year with no cost-sharing requirement.

**Fourteenth**: By inserting a new Section to be Sec. E.227.1 to read as follows:  
 Sec. E.227.1 DEPARTMENT OF FINANCIAL REGULATION; 304B DRUG

PRICING PROGRAM REPORT

4/29/2021 – JFO – 8:48AM  
DRAFT

(a) On or before January 15, 2022, the Department of Financial Regulation, in consultation with the Office of the Attorney General, shall report to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance regarding national activity affecting participation in the 340B Drug Pricing Program, including;

(1) recent changes to the manner in which prescription drug manufacturers pay rebates to pharmacy benefit managers for prescription filled 340B pharmacies;

(2) the potential impacts of these changes on Vermont stakeholders, including individual Vermonters; and

(3) possible State responses to prescription drug manufacturer and pharmacy benefit manger actions related to participation in the 340B Drug Pricing Program.

**Fifteenth:** In Sec. E.235 study; E-911 special fund, in subsection (a) after the last sentence, by adding the words , and recommendations regarding the structure or governance of the E911 program.

**Sixteenth:** In Sec. E.318.1, Department for Children and Families; specialized childcare transportation, by adding a subsection (b) to read as follows:

(b) On or before November 1, 2021, the Department for Children and Families shall submit a written report to the House Committees on Appropriations and on Human Services; and the Senate Committees on Appropriations and on Health and Welfare outlining the outcome of the statewide transportation Request for Proposal regarding transportation services. The report shall identify the average number of children served under the Specialized Transportation Services program by region in fiscal year 2021 and the average number of number of children served

4/29/2021 – JFO – 8:48AM  
DRAFT

under the Specialized Transportation Services program by region in July, August, and September 2021.

Seventeenth: In Sec. E.335, corrections appropriations, unexpended funds transfers; justice reinvestment; report, in subsection (b), in the second sentence after “Senate Committees on Appropriations and” by striking out the word “Institutions” and inserting the word Judiciary.

Eighteenth: In Sec. E.515, retired teachers’ health care and medical care and medical benefits, by adding subsection (b) to read as follows:

(b) \$13,835,778 is appropriated from the education fund for the normal cost of the Retired Teachers’ Health and Medical Benefits plan.

Nineteenth: In Sec. G.501, state technology modernization investments; by striking out subdivision (a)(3) in its entirety and inserting in lieu thereof a new subdivision (a)(3) to read as follows:

(3) \$500,000 to Natural Resources Board for Act 250 scanning project – digitize land use records.

Twentieth: In Sec. G.301, by striking out subdivision (a)(3) in its entirety and inserting in lieu thereof a new subdivision (a)(3) to read as follows:

(3) \$10,000,000 to the Secretary of Administration for equitable distribution, to be determined in consultation with the Association of Vermont Independent Colleges, among the 11 independent colleges. Distribution factors to be considered shall include ARPA funding guidelines and creating a floor to protect smaller schools. In order to qualify for funding from this appropriation, institutions must be accredited and chartered in Vermont.

**4/29/2021 – JFO – 8:48AM**  
**DRAFT**

Twenty-first: Sec. G.302, economic development investments, in subdivision (a)(2) after the last sentence, by inserting The Agency of Commerce and Community Development shall award the amount of \$1,000,000.00 in fiscal year 2022 to regional planning commissions for the purposes of brownfields assessment. In awarding funds under this section, the Secretary, in consultation with VAPDA, shall select one regional planning commission to administer these funds. To ensure statewide availability, the selected regional planning commission shall subgrant to regional planning commissions with brownfield programs, with not more than 10 percent of the funds being used for administrative purposes.

Twenty-second: In Sec. G.400, housing and homelessness investments, by striking out subdivision (a)(1) in its entirety and inserting in lieu thereof a new subdivision (a)(1) to read as follows:

(1) \$12,000,000 to Vermont Housing Conservation Board to provide housing and increase shelter capacity for Vermonters experiencing homelessness. This allocation is designed for those populations who may be displaced from the hotel/motel voucher program or are currently without housing. Vermont Housing and Conservation Board shall distribute these funds in consultation with the Secretary of Human Services.

Twenty-third: In Sec. G. 400, housing and homelessness investments, by striking out subdivision (a)(3) in its entirety and inserting in lieu thereof a new subdivision (a)(3) to read as follows:

(3) \$1,500,000 to the Agency of Commerce and Community Development.

**4/29/2021 – JFO – 8:48AM**  
**DRAFT**

(A) \$650,000 shall be used by the Agency to provide technical assistance to municipalities on accessory dwelling and small lot development as well as bylaw modernization consistent with specifications enacted in the 2021 legislative session. This allocation may include grants to Regional Planning Commissions

(B) \$850,000 shall be used provide grants of \$75,000 to each Regional Planning Commission for increased workload from the pandemic.

**Twenty-fourth:** By striking out Sec. H.100, effective dates, in its entirety and inserting in lieu thereof a new Sec. H.100 to read as follows:

(a) This section and Secs. B.1104 (fiscal year 2022 one-time transportation fund appropriations), C.100 through C.109 (fiscal year 2021 one-time appropriations, adjustment and amendments), E.234 (building efficiency goals), E.234.1 (Home Weatherization Assistance Program), E.234.2 (Public Utility Commission proceeding), E.234.3 (development of weatherization workforce and counseling services; reports), E.234.4 (Energy Saving Fund), F.112 (onetime salary payments authorized), G.300(a)(2) (workforce investments), G.400 (b)(1) (housing and homelessness related investments), and G.500 (a)(2)(E 911 funds) shall take effect upon passage.

(b) Sec. E.306.1 (Vermont Health Benefit Exchange) shall take effect on October 1, 2021.

(c) Secs. E.207 (county sheriff's department) and E.207.2 (Department of State's Attorneys and Sheriffs) shall take effect **on July 1, 2022, or January 1, 2023**

(d) All remaining sections shall take effect on July 1, 2021.