

TO THE HONORABLE SENATE:

The Committee on Appropriations to which was referred House Bill No.439 entitled “An act relating to making appropriations for the support of government” respectfully reports that it has considered the same and recommends that the Senate propose to the House that the bill be amended bill by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Short Title * * *

Sec. A.100 SHORT TITLE

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

* * * Purpose * * *

Sec. A.101 PURPOSE

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

otherwise directed by specific language in this act or other acts of the General Assembly.

Sec. A.102 APPROPRIATIONS

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

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

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

Sec. A.103 DEFINITIONS

(a) As used in this act:

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

(2) “Grants” means subsidies, aid, or payments to local governments, to community and quasi-public agencies for providing local services, and to persons who are not wards of the State for services or supplies and means cash or other direct assistance, including pension contributions.

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

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

Sec. A.104 RELATIONSHIP TO EXISTING LAWS

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

Sec. A.105 OFFSETTING APPROPRIATIONS

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

Sec. A.106 FEDERAL FUNDS

(a) In fiscal year 2022, the Governor, with the approval of the General Assembly or the Joint Fiscal Committee if the General Assembly is not in

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

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

Sec. A.107 NEW POSITIONS

(a) Notwithstanding any other provision of law, the total number of authorized State positions, both classified and exempt, excluding temporary

positions as defined in 3 V.S.A. § 311(11), shall not be increased during fiscal year 2022 except for new positions authorized by the 2021 session. Limited service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to this restriction.

Sec. A.108 LEGEND

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

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

B.1100–B.1199 and E.1100–E.1199 One-time and other appropriation
actions

(b) The C sections contain any amendments to the current fiscal year and the D sections contain fund transfers and reserve allocations for the upcoming budget year.

B SECTION GOES HERE

~~Sec. B.1100 VERMONT’S FUTURE RESERVATION AND
ALLOCATION OF AMERICAN RESCUE PLAN ACT
CORONAVIRUS STATE FISCAL RECOVERY FUNDS~~

~~(a) To respond to the health emergency and make investments in a Vermont COVID-19 recovery plan to support Vermonters’ lifelong well-being, vibrant local communities, the Vermont economy, and the infrastructure of the State, the following reservations and allocations are made from the American Rescue Plan Act of 2021 Coronavirus State Fiscal Recovery Fund. These allocations shall guide appropriation of these funds in the 2021 legislative session and in subsequent sessions:~~

~~(1) \$250,000,000 for investments in the health and well-being of families and small businesses to create an equitable, resilient Vermont;~~

~~(2) \$150,000,000 for increasing broadband access statewide;~~

~~(3) \$100,000,000 for the Clean Water Fund for eligible expenditures on necessary investments in water and sewer infrastructure;~~

~~(4) \$100,000,000 for State information technology systems to purchase and upgrade technology platforms, systems, and cybersecurity services used by agencies and departments to carry out their statutory functions to increase Vermonters' online access and to improve functions and operations of Vermont's government;~~

~~(5) \$50,000,000 to address COVID-19's negative economic impacts through workforce training and development; and~~

~~(6) the remainder of funds, outside of these allocations and not appropriated in the 2021 legislation session, shall be reserved for appropriation and allocation on eligible expenditures in the 2022 legislative session.~~

Sec. B.1100 [DELETED]

~~Sec. B.1101 APPROPRIATION OF AMERICAN RESCUE PLAN ACT~~

~~————— FUNDS FOR TECHNOLOGY MODERNIZATION~~

~~(a) In fiscal year 2022, and to be carried forward as needed, \$61,913,000 is appropriated from the American Rescue Plan Act of 2021 – Coronavirus State Fiscal Recovery Fund for State technology modernization as follows. These appropriations are within the reservation and allocation target established in Sec. B.1100 of this act for technology modernization:~~

~~(1) To the Department of Motor Vehicles: \$24,500,000 to complete the first phase of the DMV IT system replacement of the 40-year-old mainframe applications;~~

~~(2) To the Department of Environmental Conservation: \$1,075,000 for the second phase of the permit navigator – citizen facing permit portal;~~

~~(3) To Natural Resource Board: \$500,000 for phase 2 of the Act 250 online application and database project – moving Act 250 services online;~~

~~(4) To Agency of Administration: \$12,750,000 for a Human Capital Management ERP upgrade – replacement of our HR system that tracks employee information, timesheets, and contracts; includes VANTAGE budget system upgrade and interface with the new HR system;~~

~~(5) To the Department for Children and Families: \$4,500,000 for Bright Futures Information System replacement;~~

~~(6) To Agency of Digital Services: \$1,500,000 cybersecurity – core infrastructure replacement and router replacements for public safety connections to the municipalities;~~

~~(7) To Agency of Commerce and Community Development (ACCD): \$1,000,000 for Salesforce grant management system – transitions ACCD from an unwieldy grants program to a centralized grants system;~~

~~(8) To the Agency of Human Services: \$9,500,000 for the Integrated Eligibility (IE) project – IE replaces Access;~~

~~(9) To States’ Attorneys and Sheriffs (SAS): \$1,700,000 for case management system – needed upgrade to SAS case management software;~~

~~(10) To the Defender General: \$138,000 to complete case management system upgrade;~~

~~(11) To the Secretary of State: \$250,000 for completion of the Vermont Business Portal to provide digital access for Vermont based businesses to at least four State agencies;~~

~~(12) To the Vermont Department of Labor (VDOL): \$3,500,000 for phase one of the UI modernization—begins replacement of mainframe applications for unemployment insurance; and~~

~~(13) To VDOL: \$1,000,000 for Joblink replacement—coordinates activities between ACCD and VDOL to better serve Vermonters.~~

~~(b) Funds allocated in subdivisions (a)(12) and (13) of this section shall be released only after approval of the Joint Information Technology Oversight Committee (JITOC). The JITOC is requested to review the breadth of scope, appropriateness of the proposed technology, experience record of the proposed vendor, reliability of the cost estimate, availability of dedicated department personnel for implementation and operation, and the proposed schedule and scope of future phases, where appropriate. The JITOC's evaluation shall consider information provided by the Agency of Digital Services and an outside technical resource.~~

Sec. B.1101 [DELETED]

Sec. B.1102—AMERICAN RESCUE PLAN ACT OF 2021—

~~————CORONAVIRUS STATE FISCAL RECOVERY FUND~~

~~————APPROPRIATIONS~~

~~(a) In fiscal year 2022, the following appropriations are made from the American Rescue Plan Act of 2021 – Coronavirus State Fiscal Recovery Fund:~~

~~(1) To the Agency of Agriculture, Food and Markets: \$2,000,000 for the Working Lands Program. These funds, in combination with funds from the same source appropriated in fiscal year 2021, provide a total of \$5,000,000 of ARPA funding for grant beginning in the spring of 2021.~~

~~(2) To the Vermont Symphony Orchestra: \$25,000 to offset revenues lost during the pandemic.~~

~~(3) To the Council on the Arts: \$1,150,000 for technical assistance for cultural and arts organizations to enhance digital presence.~~

~~(4) To Agency of Commerce and Community Development: \$850,000 for grants of \$75,000 to each of the regional planning commissions for increased demand from communities during the pandemic.~~

~~(5) To aid households, small businesses, and nonprofits negatively impacted by the COVID-19 pandemic, in addition to the \$10,000,000 General Fund appropriation in Sec. D-101(a)(2) of this act to the Municipal Energy Revolving Fund: \$20,000,000 for weatherization and global warming mitigation activities as follows:~~

~~(A) To the Department for Children and Families, Office of Economic Opportunity, Home Weatherization Assistance Program: \$4,000,000 to be used in fiscal year 2022 and fiscal year 2023. Up to \$150,000 of these funds may be used for vermiculite remediation and home repair as part of home weatherization.~~

~~(B) To the Agency of Administration: \$9,000,000 to grant to the Vermont Housing Finance Agency (VHFA) for its Vermont Weatherization Agency for Rapid Mobilization and Savings (VtWARMS) in financial support of housing weatherization statewide. VHFA shall issue progress reports to Agency of Administration, House Committees on Energy and Technology and on Appropriations and Senate Committees on Natural Resources and Energy and on Appropriations on January 15, 2022, July 15, 2022, and January 15, 2023.~~

~~(C) To the Department of Public Service: \$5,000,000 grant to Efficiency Vermont for the purpose of weatherization incentives. This grant shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and be available for use by Efficiency Vermont through December 31, 2023.~~

~~(D) To the Department of Public Service: \$2,000,000 to grant to Efficiency Vermont for the purpose of workforce development initiatives and to support the expansion of Neighborworks of Western Vermont's Heat Squad~~

~~program. This grant shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and be available for use by Efficiency Vermont through December 31, 2023.~~

~~(6) To the Agency of Administration Office of Racial Equity: \$180,000 for activities related to health disparities and health equity.~~

~~(7) To the Department of Human Resources: \$200,000 for racial equity training support.~~

~~(8) To the State’s Attorney’s Office: \$462,474 for information technology and other caseload demands resulting from Judicial system changes made in response to the pandemic. This may include temporary staff.~~

~~(9) To the Vermont Student Assistance Corporation: \$8,100,000 for the following:~~

~~(A) \$1,500,000 for advancement grants to be evenly distributed over the three year period from July 1, 2021 through June 30, 2024;~~

~~(B) \$900,000 for aspiration grants to be evenly distributed over the three year period from July 1, 2021 through June 30, 2024; and~~

~~(C) \$5,700,000 for 802 Opportunity Grants to be evenly distributed over the three year period from July 1, 2021 through June 30, 2024.~~

~~(10) To the Vermont State College System: \$61,500,000 for the following:~~

~~(A) \$20,000,000 for systemwide deficit caused by the pandemic;~~

~~(B) \$20,000,000 for post pandemic system transformation of which \$8,000,000 is distributed in fiscal year 2022, and the remaining balance distributed in subsequent fiscal years;~~

~~(C) \$20,500,000 for statewide workforce training that are critical to post pandemic State economic recovery; and~~

~~(D) \$1,000,000 for increased operating costs due to the COVID-19 pandemic;~~

~~(11) To the University of Vermont: \$2,200,000 to offset the impact from level room and board fees;~~

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

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

~~(14) To the Department of Health: \$300,000 to make grants of \$25,000 to cover the financial impacts of the ongoing COVID-19 pandemic at each of the recovery centers statewide.~~

~~(15) To the Department of Disabilities, Aging, and Independent Living: \$5,000,000 for grants to adult day service providers to maintain this program infrastructure. This appropriation may be adjusted to the extent that the Department, in coordination with the Agency of Human Services, determines~~

~~that funding from the Global Commitment can be substituted as a result of the increased federal match of 10 percent in American Rescue Plan Act for home and community based services. The Department and the Agency of Human Services shall report to the Joint Fiscal Committee at the July or September meetings on the status of any such substitution.~~

~~(16) To the Department of Mental Health: \$1,200,000 to provide mobile crisis intervention funding in Rutland for fiscal years 2022 and 2023. This appropriation may be adjusted to the extent that the Department, in coordination with the Agency of Human Services, determines that funding from the Global Commitment can be substituted as a result of the increased federal match to 85 percent in the American Rescue Plan Act for mobile crisis intervention programs. The Department and the Agency of Human Services shall report to the Joint Fiscal Committee at the July or September meetings on the status of any such substitution and any required State match required in the budget adjustment process.~~

Sec. B.1102 [DELETED]

Sec. B.1103 FISCAL YEAR 2022 ONE-TIME DOWNTOWN

TRANSPORTATION AND RELATED CAPITAL

IMPROVEMENT FUND ~~(21575)~~ APPROPRIATIONS

(a) In fiscal year 2022, funds are appropriated from the downtown transportation and capital improvement fund (21575) established by 24 V.S.A. § 2796 as follows:

(1) ~~To the Department of Housing and Community Development: a one-time allocation of \$5,000,000 to the Downtown Transportation Fund~~ Department of Housing and Community Development to design, engineer, and construct eligible projects.

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

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

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

the Better Connections Program, in accordance with the program guidelines to be established by the Department.

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

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

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

FUND APPROPRIATIONS

~~(a) In fiscal year 2022, funds are appropriated from the Transportation~~

~~Fund as follows:~~

~~(1) To the Agency of Transportation:~~

~~(A) \$6,775,000 for vehicle incentive programs and electric vehicle supply equipment grants; and~~

~~(B) \$3,000,000 to be distributed to municipalities through town highway aid in the same apportionments and for the same purposes prescribed under 19 V.S.A. § 306(a)(3), which shall not be included in any subsequent calculations for the annual appropriation for aid to town highways pursuant to 19 V.S.A. § 306(a).~~

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

~~(1) To the Agency of Transportation:~~

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

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

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

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

~~Sec. B.1105 FISCAL YEAR 2022 ONE-TIME SPECIAL FUND~~

~~————— APPROPRIATIONS~~

~~(a) The following appropriations are made from the funds specified:~~

~~(1) \$10,000,000 from the Environmental Contingency Fund (21275) to the Department of Environmental Conservation, of which \$5,000,000 is for PCB testing in schools and \$5,000,000 is to clean up environmental emergencies. Of this appropriation, the amount of \$500,000 shall be~~

~~transferred to the Vermont Department of Health to support PCB testing in schools.~~

~~(2) \$11,000,000 from the Brownfields Revitalization Fund (21985) to ACCD to clean up and prepare contaminated sites for reuse.~~

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

APPROPRIATIONS

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

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

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

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

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

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

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

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

(5) \$126,242 to the Council on the Arts for matching federal funds available in the American Rescue Plan Act.

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

(7) \$200,000 to the Department for Children and Families from the General Fund for the purpose of enabling Building Bright Futures to contract with an independent consulting entity for a childcare and early childhood education systems analysis study required by legislation enacted during the 2022 session.

(8) \$175,000 to the Legislature, for the Legislative Operations department to contract for the analytical work needed for the Health Care Task Force established in legislation in the 2022 session.

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

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

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

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

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

(14) \$25,000 to for the donor milk program....

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

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

APPROPRIATIONS

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

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

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

~~(3) To the Department of Housing and Community Development:~~

~~\$3,000,000 for the Vermont Housing Investment Program.~~

~~(43) To the Agency of Commerce and Community Development:~~

~~\$25,000 for the administration of Vermont 250th anniversary celebration.~~

~~(5) To the Vermont Housing and Conservation Board: \$40,000,000 to~~

~~be used primarily for affordable housing initiatives. Up to \$10,000,000 of this~~

~~amount may be used for conservation projects and Farm and Forest Viability~~

~~Program activities that support the rural economy. Not less than \$100,000~~

~~shall be used expand the Rural Economic Development Initiative (REDI).~~

~~(4) To the Vermont Housing Conservation Board, \$50,000 for the farm~~

~~viability program to give technical assistance to farmers applying for economic
recovery grants from the state.~~

~~Sec. C.101 PENSION AND OTHER POST EMPLOYMENT BENEFIT~~

~~————— OBLIGATIONS; LONG TERM PLAN~~

~~(a) In fiscal year 2021, the amount of \$150,000,000 in General Fund~~

~~monies is hereby reserved to be part of pension funding initiatives and~~

~~prefunding of other postemployment benefits (OPEB).~~

~~(b) On or before 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.~~

Sec. C.101 PENSION AND OTHER POST EMPLOYMENT BENEFIT

OBLIGATIONS; LONG-TERM PLAN

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

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

Sec. C.102 FISCAL YEAR 2021: GLOBAL COMMITMENT PROGRAM

GENERAL FUND REVERSION

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

(b) The Secretary of Human Services shall report to the Joint Fiscal Committee in July or September 2021 on the status and impact of the reversion

required by subsection (a) of this section and any carryforward balance of unobligated General Fund appropriations from fiscal year 2021 to fiscal year 2022. To the extent possible, this report shall also provide updates related to the reversion specified in Sec. D.104 of this act for fiscal year 2022 and any carryforward related to home and community-based services as specified in Sec. E.301.3 of this act.

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

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

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

Sec. E.215 Military – Administration

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

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

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

Sec. B.505 Education - adjusted education payment

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

~~Sec. C.106 AMERICAN RESCUE PLAN ACT; FUNDS TRANSFERRED~~

~~————— TO E-911 FUND~~

~~(a) In fiscal year 2021, \$1,800,000 is transferred from the American Rescue Plan Act of 2021 – Coronavirus State Fiscal Recovery Fund to the E-911 special fund to cover revenues not realized in the fund.~~

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

(a) The sum of \$15,000,000.00 from the Coronavirus Relief Fund is appropriated to the Department of Public Service for the purpose of establishing a program to simultaneously minimize financial hardship caused by the COVID-19 public health emergency and mitigate utility rate increases ultimately shared by all utility customers. As used in this section, “utility” means a utility affected by the Public Utility Commission’s moratorium on utility disconnections related to COVID-19.

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

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

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

(d) To the extent consistent with guidance and law, any excess funding under the program not obligated for the purposes set forth in this section by

November 1, 2021 shall be reallocated to energy and fuel assistance programs administered by the Department for Children and Families.

Sec. C.108 LEGISLATIVE PREPARATION FOR 2022 SESSION

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

Sec. C.109 REPEAL (Fiscal Year 2021 Year-End Closeout Transfers)

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

Sec. C.110 FISCAL YEAR 2021 YEAR-END CLOSEOUT;

APPROPRIATION AND RESERVE

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

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

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

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

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

Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

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

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

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

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

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

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

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

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

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

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

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

~~(2) From the General Fund to the Municipal Energy Revolving Fund established in Sec. E.112.1 of this act: \$10,000,000.~~

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

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

~~(4) From the General Fund to fund 21260, the Act 250 Permit Fund: \$1,000,000~~

~~(5) From the General Fund to fund 21901, the Fire Prevention Special Fund: \$500,000~~

(36) From the Clean Water Fund (21932) established by 10 V.S.A. § 1388 to the Agricultural Water Quality Special Fund (21933) created under 6 V.S.A. § 4803: \$4,521,393

(47) From the Clean Water Fund established by 10 V.S.A. § 1388 to the Lake in Crisis Response Program Special Fund (21938) created under 10 V.S.A. § 1315: \$50,000.

(58) From the Transportation Fund to the Downtown Transportation and Related Capital Improvement Fund (21575) established by 24 V.S.A. § 2796 to be used by the Vermont Downtown Development Board for the purposes of the Fund: ~~\$4,023,966~~ \$423,966.

(69) From the Transportation Infrastructure Bond Fund established by 19 V.S.A. § 11f to the Transportation Infrastructure Bonds Debt Service Fund established by 32 V.S.A. § 951a for funding fiscal year ~~2022~~ 2023 transportation infrastructure bonds debt service: \$2,502,363.

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2022:

(1) The following amounts shall be transferred to the General Fund from the funds indicated:

<u>22005</u>	<u>AHS Central Office earned federal receipts</u>	<u>\$4,641,961.14</u>
<u>50300</u>	<u>Liquor Control Fund</u>	<u>\$22,750,000.00</u>
	<u>Caledonia Fair</u>	<u>\$5,000.00</u>

North Country Hospital Loan \$24,047.00

(2) The following estimated amounts, which may be all or a portion of unencumbered fund balances, shall be transferred from the following funds to the General Fund. The Commissioner of Finance and Management shall report to the Joint Fiscal Committee at its July meeting the final amounts transferred from each fund and certify that such transfers will not impair the agency, office, or department reliant upon each fund from meeting its statutory requirements.

<u>21638</u>	<u>AG-Fees & reimbursement – Court order</u>	<u>\$2,000,000.00</u>
<u>21928</u>	<u>Secretary of State Services Funds</u>	<u>\$2,867,898.00</u>
<u>62100</u>	<u>Unclaimed Property Fund</u>	<u>\$1,797,750.00</u>

(3) Notwithstanding 2016 Acts and Resolves No. 172, Section E. 228, \$37,078,618 of the unencumbered balances in the Insurance Regulatory and Supervision Fund (Fund Number 21075), the Captive Insurance Regulatory and Supervision Fund (Fund Number 21085), and the Securities Regulatory and Supervision Fund (Fund Number 21080) shall be transferred to the General Fund.

(c) Notwithstanding any provisions of law to the contrary, in fiscal year 2022 the following estimated General Fund reserves shall be made:

(1) Pursuant to 32 V.S.A. § 308, an estimated amount of \$6,259,724 shall be reserved in the General Fund Budget Stabilization Reserve.

(d) Notwithstanding any provisions of law to the contrary, in fiscal year

2022:

(1) The following amounts shall revert to the General Fund from the

Accounts indicated:

<u>2150010000</u>	<u>Military – administration</u>	<u>\$200,000.00</u>
<u>1210002000</u>	<u>Legislature</u>	<u>\$140,000.00</u>
<u>1215001000</u>	<u>Legislative Counsel</u>	<u>\$50,000.00</u>
<u>1220000000</u>	<u>Joint Fiscal Office</u>	<u>\$50,000.00</u>
<u>1225001000</u>	<u>Legislative IT</u>	<u>\$120,000.00</u>
<u>1230001000</u>	<u>Sergeant at Arms</u>	<u>\$60,000.00</u>

Sec. D.102 27/53 RESERVE; TRANSFER AND USE

(a) \$3,740,000 from the General Fund shall be reserved in the 27/53 reserve in fiscal year 2022. This action is the fiscal year 2022 contribution to the reserve for the 53rd week of Medicaid as required by 32 V.S.A. § 308e and the 27th payroll reserve as required by 32 V.S.A. § 308e(b).

(b) \$24,030,000 shall be unreserved from the 27/53 Reserve in in fiscal year 2022 to provide for the appropriations described in Secs. B.1106(a)(1)(A) and B.1106(a)(1)(B) of this act.

~~Sec. D.103 AMERICAN RESCUE PLAN ACT OF 2021 – CORONAVIRUS
STATE FISCAL RECOVERY FUND TRANSFERS~~

~~(a) In fiscal year 2022, the following transfers are made from the American Rescue Plan Act (ARPA) of 2021 – Coronavirus State Fiscal Recovery Fund to the funds specified. These transfers are made as a result of insufficient revenue being collected during the course of the coronavirus pandemic to maintain the services provided by these funds~~

~~(1) to fund 21270, the Forest Parks Revolving Fund: \$2,050,000~~

~~(2) to fund 21260, the Act 250 Permit Fund: \$1,000,000~~

~~(3) to fund 21901, the Fire Prevention Special Fund: \$500,000~~

~~(4) to fund 21145, the Victims Compensation Fund: \$1,190,000~~

~~(b) In fiscal year 2022, the following transfers are made from the American Rescue Plan Act of 2021 – Coronavirus State Fiscal Recovery Fund to the funds specified. All expenditures of funds made as a result of these transfer shall be consistent with federal guidance and requirements that pertain to these ARPA monies in response to the coronavirus pandemic.~~

~~(1) To the Brownfields Revitalization Fund established by 10 V.S.A. § 6654: \$11,000,000~~

~~(2) To the Clean Energy Development Fund (21991) established by 30 V.S.A. § 8015. Funding of proposed projects are subject to review by the Joint Energy Committee. \$10,000,000~~

~~(3) To Fund 21575, the Downtown Transportation and Related Capital Improvement established by 24 V.S.A. § 2796: \$1,500,000~~

~~(c) In fiscal year 2022, \$100,000,000 is transferred to the Clean Water Fund established in 10 V.S.A. § 1388 from the funds provided to the State by the American Rescue Plan Act of 2021—Coronavirus State Fiscal Recovery Fund for authorized expenditures on necessary investment in water and sewer infrastructure and are within the reservation and allocation target established in Sec. B.1100 of this act. Funds transferred under this section shall remain in the Clean Water Fund for expenditure, subject to appropriation, for the time period allowed by federal law for the Coronavirus State Fiscal Recovery Fund.~~

Sec. D.104 FISCAL YEAR 2022; GLOBAL COMMITMENT PROGRAM

GENERAL FUND REVERSION

(a) In fiscal year 2022, the amount of \$66,000,000 shall be reverted to the General Fund from the general funds appropriated in Sec. B. 301 of this act for the Global Commitment program.

Sec. D.105 FISCAL YEAR 2022; GENERAL FUND TEMPORARY

RESERVE

(a) In fiscal year 2022, \$38,000,000 of General Fund is reserved for legislative allocation to existing General Fund reserves or appropriation for budget adjustment, including offsets that may be required due to federal relief fund guidance.

* * * General Government * * *

Sec. E.100 EXECUTIVE BRANCH POSITIONS

(a) The establishment of the following new positions is authorized in fiscal year 2022 and shall be transferred and converted from existing vacant positions in the Executive Branch and shall not increase the total number of authorized State positions, as defined in Sec. A.107 of this act that pertains to subdivisions (1) and (2) of this subsection:

(1) Permanent classified positions:

(A) Department of Public Safety – one (1) Paralegal to assist with public records requests.

(B) Agency of Administration – one (1) policy and research analyst and one (1) outreach and education coordinator.

(C) Secretary of State – one (1) State Elections Assistant Director.

(D) Criminal Justice Council – one (1) Professional Regulatory Investigator.

(2) Permanent exempt position:

(A) Criminal Justice Council – one (1) Staff Attorney.

~~(3) Three year limited service classified positions are authorized in fiscal year 2022:~~

~~(A) Department of Environmental Conservation – one (1) Environmental Analyst.~~

~~(B) Department of Environmental Conservation – one (1) Grant Management Specialist.~~

(4) The conversion of one limited service position to classified permanent status is authorized in fiscal year 2022 as follows:

(A) The Secretary of State – one (1) Administrative Services Director.

(5) 5-year limited service classified positions are authorized in fiscal year 2022;

(A) Department of Environmental Conservation – one (1) environmental analyst.

(B) Department of Health – one (1) senior Environmental Health Risk Assessor.

Sec. E.100.1 2014 Acts and Resolves No. 179, Sec. E100(d); as amended by 2015 Acts and Resolves No. 4, Sec. 74; 2106 Acts and Resolves No. 172, Sec. E.100.2; 2017 Acts and Resolves No. 85, Sec. E.100.1; 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.100.1; 2020 Acts and Resolves No. 120; and by 2020 Act and Resolves No. 154, Sec. A.7; is further amended to read:

(d) Position Pilot Program. A Position Pilot is hereby created to assist participating departments in more effectively managing costs of overtime, compensatory time, temporary employees, and contractual work by removing the position cap with the goal of maximizing resources to the greatest benefit of Vermont taxpayers.

* * *

(7) This Pilot shall sunset on ~~July 1, 2024~~ July 1, 2023, unless extended or modified by the General Assembly.

~~Sec. E.100.2 10 V.S.A. § 1388 is amended to read:~~

~~§ 1388. CLEAN WATER FUND~~

~~(a) There is created a special fund to be known as the Clean Water Fund to be administered by the Secretary of Administration. The Fund shall consist of:~~

~~(1) revenues from the Property Transfer Tax surcharge established under 32 V.S.A. § 9602a;~~

~~(2) other gifts, donations, and impact fees received from any source, public or private, dedicated for deposit into the Fund and approved by the Secretary of Administration;~~

~~(3) the unclaimed beverage container deposits (escheats) remitted to the State under chapter 53 of this title; and~~

~~(4) six percent of the revenues from the meals and rooms taxes imposed under 32 V.S.A. chapter 225; and~~

~~(5)(4) other revenues dedicated for deposit into the Fund by the General Assembly.~~

~~(b) Notwithstanding any contrary provisions of 32 V.S.A. chapter 7, subchapter 5, unexpended balances and any earnings shall remain in the Fund from year to year.~~

~~Sec. E.100.3 32 V.S.A. § 435 is amended to read:~~

~~§ 435. GENERAL FUND~~

~~(a) There is established the General Fund that shall be the basic operating fund of the State. The General Fund shall be used to finance all expenditures for which no special revenues have otherwise been provided by law.~~

~~(b) The General Fund shall be composed of revenues from the following sources:~~

~~* * *~~

~~(7) 69 75 percent of the meals and rooms taxes levied pursuant to chapter 225 of this title;~~

~~* * *~~

~~Sec. E.100.4 – 10 V.S.A. § 1388 is amended to read:~~

~~§ 1388. CLEAN WATER FUND~~

~~(a) There is created a special fund to be known as the Clean Water Fund to be administered by the Secretary of Administration. The Fund shall consist of:~~

~~(1) revenues from the Property Transfer Tax surcharge established under 32 V.S.A. § 9602a;~~

~~(2) other gifts, donations, and impact fees received from any source, public or private, dedicated for deposit into the Fund and approved by the Secretary of Administration;~~

~~(3) the unclaimed beverage container deposits (escheats) remitted to the State under chapter 53 of this title; and~~

~~(4) six percent of the revenues from the meals and rooms taxes imposed under 32 V.S.A. chapter 225; and~~

~~(4)(5) other revenues dedicated for deposit into the Fund by the General Assembly.~~

~~(b) Notwithstanding any contrary provisions of 32 V.S.A. chapter 7, subchapter 5, unexpended balances and any earnings shall remain in the Fund from year to year.~~

~~Sec. E.100.5 32 V.S.A. § 435 is amended to read:~~

~~§ 435. GENERAL FUND~~

~~(a) There is established the General Fund that shall be the basic operating fund of the State. The General Fund shall be used to finance all expenditures for which no special revenues have otherwise been provided by law.~~

~~(b) The General Fund shall be composed of revenues from the following sources:~~

~~* * *~~

~~(7) 75-69 percent of the meals and rooms taxes levied pursuant to chapter 225 of this title;~~

~~* * *~~

~~Sec. E. 100.6 DEPARTMENT OF FISH AND WILDLIFE AND LIQUOR
AND LOTTERY BODY WORN CAMERA POLICY AND
DEPLOYMENT~~

~~(a) The Departments of Fish and Wildlife and of Liquor Control shall only deploy the use of body cameras after appropriate training of staff and the adoptions of policies on use and retention of records. The departments shall identify the ongoing cost and funding source for training, data storage and redaction and report these findings to the Joint Fiscal and the Joint Justice Oversight Committees on or before September 15, 2021. There shall be no requirement for these departments to purchase or maintain body cameras without full funding being provided. The Secretary of Administration shall provide a report to the House and Senate Committees on Appropriations and on Government Operations on or before February 15, 2022 on the status of use of body cameras in these departments.~~

Sec. E.103 12 V.S.A. 5601(f) is amended to read:

§ 5601 LIABILITY OF STATE

(f) The limitations in subsection (e) of this section do not apply to claims against the State of Vermont to the extent that there exists coverage under a policy of liability insurance purchased by the ~~Commissioner of Buildings and General Services~~ Secretary of Administration.

Sec. E.103.1 12 V.S.A. 5603 is amended to read:

§ 5603 SETTLEMENT OF CLAIMS

(a) The Attorney General may consider, adjust, determine, and settle any claim for damages against the State of Vermont resulting from the acts or

omissions of an employee as provided under 3 V.S.A. § 159. If the State elects to self-insure the liability as defined in 12 V.S.A. § 5601, the Attorney General shall consult with the ~~Commissioner of Buildings and General Services~~ Secretary of Administration prior to exercising his or her authority under this subsection.

* * *

(d) The duties described at 29 V.S.A. 152(a)(5) as the Department of Buildings and General Services shall become the duties of the Secretary of Administration.

Sec. E.103.2 REPEAL

29 V.S.A. § 152(a)(5) is repealed.

Sec. E.103.3 3 V.S.A. § 2222 is ~~amended~~ **added** to read:

* * *

(a)(11) Inspect, appraise, and maintain a current appraisal schedule of all State-owned buildings, appendages, and appurtenances thereto based upon replacement value in the first instance and upon depreciated value in the second instance. Appraisals shall be furnished upon request to the Commissioner of Buildings and General Services, departments and agencies concerned, and appropriate committees of the General Assembly.

Sec. E.105 3 V.S.A. § 3303 is amended to read:

§ 3303 REPORTING, RECORDS, AND REVIEW REQUIREMENTS

* * *

(c) Strategic plan. ~~Biennially, on or before January 15, the Secretary shall prepare and submit a strategic plan for information technology and cybersecurity.~~ The Secretary shall prepare and submit a strategic plan for information technology and cybersecurity, concurrent with the Governor's annual budget request required under 32 V.S.A. § 306. The strategic plan shall include:

* * *

Sec. E.111 Tax – administration/collection

(a) Of the appropriation in Sec. B.111 of this act, \$15,000 is from the Current Use Administration Special Fund established by 32 V.S.A. § 9610(c) and shall be appropriated for programming changes to the CAPTAP software used by municipalities for establishing property values and administering their grand lists.

~~Sec. E.112 MUNICIPAL ENERGY LOAN PILOT PROGRAM~~

~~(a) Authority. Beginning on July 1, 2021 and ending on June 30, 2025, the Department of Buildings and General Service is authorized to provide financing to municipalities through the Municipal Energy Loan Pilot Program for equipment replacement, studies, weatherization, construction of improvements affecting the use of energy resources, the implementation of~~

~~energy efficiency and conservation measures, and the use of renewable resources.~~

~~(b) Loan eligibility and criteria. The Commissioner shall establish for the program described in subsection (a) of this section:~~

~~(1) criteria to determine eligibility for funding, including repayment terms;~~

~~(2) a priority basis for the selection process that ensures equitable allocation of funds to municipalities, considering at least financial need, geographic distribution, and ability to repay; and~~

~~(3) loan conditions that ensure accountability by a municipality receiving funds.~~

~~(c) Report. On or before January 15, 2023, the Commissioner of Buildings and General Services shall submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with a status update on the pilot program, including a list of municipalities and projects that have received a loan, and the energy and cost savings anticipated to be generated for each project. The report shall also include any recommendations for legislative action to continue or change the program. The report shall be consolidated into the annual report for the Municipal Energy Revolving Fund as required by 29 V.S.A. § 168a(g).~~

~~(d) Definitions. As used in this section:~~

~~(1) “Energy efficiency improvement” means a set of measures aimed at reducing the energy used by specific end-use devices and systems to provide light, heat, cooling, or other services without affecting the level of service provided. An energy efficiency project may also include energy conservation measures, that is, a reduction in energy consumption that corresponds with a reduction in service demand.~~

~~(2) “Municipality” has the same meaning as under 1 V.S.A. § 126.~~

~~(3) “Renewables” has the same meaning as under 30 V.S.A. § 8002.~~

~~(4) “Resource conservation measures” means a set of measures, including a study, product, process, or technology, aimed at reducing overall use or consumption of energy resources. “Resource conservation measures” includes energy efficiency improvements.~~

Sec. E.112 STATE ENERGY MANAGEMENT PROGRAM

~~(a) The Buildings and General Services State Energy Management Program may charge for technical assistance they provide to municipalities at amount equal to time and cost.~~

~~Sec. E.112.1 29 V.S.A. § 168a is added to read:~~

~~§ 168a. MUNICIPAL ENERGY REVOLVING FUND~~

~~(a) Creation. There is established the Municipal Energy Revolving Fund to provide financing to a municipality for energy management measures.~~

~~including equipment replacement, studies, weatherization, construction of improvements affecting the use of energy resources, the implementation of energy efficiency and conservation measures, and the use of renewable resources. Monies from the Fund shall be loaned for measures anticipated to generate a cost savings to a municipality, as determined by the Commissioner.~~

~~(b) Monies in the Fund. The Fund shall consist of:~~

~~(1) monies appropriated to the Fund or that are paid to it under authorization of the Emergency Board;~~

~~(2) loan repayment by municipalities derived from savings by the implementation of energy efficiency improvements and the use of renewable resources; and~~

~~(3) fees for administrative costs paid by municipalities, which may be fixed by the Commissioner subject to the approval of the Secretary of Administration.~~

~~(c) Repayment terms. A municipality receiving funding shall repay the Fund through its regular operating budget according to a schedule established by the Commissioner. Repayment may include charges of fees for administrative costs over the term of the repayment.~~

~~(d) Fund administration:~~

~~(1) The Commissioner of Finance and Management may anticipate receipts to this Fund and issue warrants based thereon.~~

~~(2) The Commissioner of Buildings and General Services shall maintain accurate and complete records of all receipts by and expenditures from the Fund.~~

~~(3) All balances remaining at the end of a fiscal year shall be carried over to the following year.~~

~~(e) Definitions. As used in this section:~~

~~(1) “Energy efficiency improvement” means a set of measures aimed at reducing the energy used by specific end use devices and systems to provide light, heat, cooling, or other services without affecting the level of service provided. An energy efficiency project may also include energy conservation measures, that is, a reduction in energy consumption that corresponds with a reduction in service demand.~~

~~(2) “Municipality” has the same meaning as under 1 V.S.A. § 126.~~

~~(3) “Renewables” has the same meaning as under 30 V.S.A. § 8002.~~

~~(4) “Resource conservation measures” means a set of measures, including a study, product, process, or technology, aimed at reducing overall use or consumption of energy resources. “Resource conservation measures” includes energy efficiency improvements.~~

~~(f) Annual report. Beginning on or before January 15, 2022 and annually thereafter, the Commissioner of Buildings and General Services shall report to the House Committee on Corrections and Institutions and the Senate~~

~~Committee on Institutions on the expenditure of funds from the Municipal Energy Revolving Fund. For each fiscal year, the report shall include a summary of each project receiving funding and the municipality's expected savings. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subsection.~~

Sec. E.125 LEGISLATIVE COUNSEL POSITION

(a) One new permanent exempt position, Paralegal, is authorized for establishment in fiscal year 2022.

(b) One limited service position, Legislative Counsel, is authorized for establishment in fiscal year 2022.

Sec. E.126 TRANSFER OF FUNDS WITHIN LEGISLATIVE BRANCH

(a) Notwithstanding 32 V.S.A. § 706, in fiscal year 2022, appropriations within the Legislative Branch may be transferred between respective offices to ensure a balanced close out in the fiscal year.

Sec. E.126.1 LEGISLATIVE INFORMATION TECHNOLOGY POSITION

(a) One new permanent exempt position, Web Developer, is authorized for establishment in fiscal year 2022.

Sec. E.126.2 2020 Acts and Resolves No. 120, Sec. A.49(a)(1) is amended to read:

(1) Legislature: \$2,000,000 is appropriated to the Legislature for costs incurred for an estimated six week extension of the during the 2020 session in

~~fiscal year 2021 (August and September 2020) due to the response to the Coronavirus pandemic. This extension to legislative work may be conducted in a remote or partially remote manner. Funds may be transferred to appropriate units within the General Assembly as necessary to reimburse eligible fiscal year 2020 and 2021 expenditures. Any transfers shall be reviewed and approved through traditional transfer approval processes by the Secretary of Administration and shall be reported by the Joint Fiscal Office to the Joint Legislative Management Committee and the Commissioner of Finance and Management.~~

~~Sec. E.127 JOINT FISCAL COMMITTEE~~

~~(a) In the event of any Joint Fiscal Committee consideration pursuant to 2021 Acts and Resolves No. 3, Sec. 45 or other subsequent deliberation to allocate funds as an emergency response to address issues affecting the public health, safety, or welfare, the Joint Fiscal Committee shall notify and invite participation of the chairs of the committees of jurisdiction relative to any specific proposal.~~

~~Sec. E.127 JOINT FISCAL OFFICE POSITION~~

~~(a) One new permanent exempt position, Fiscal Analyst, is authorized for establishment in fiscal year 2022.~~

~~Sec. E.128 SERGEANT AT ARMS – CAPITOL POLICE OFFICER~~

~~POSITION~~

(a) One new permanent exempt position, Capitol Police Officer, is authorized for establishment in fiscal year 2022.

Sec. E.130 32 V.S.A. § 168 is amended to read:

§ 168. SINGLE AUDIT REVOLVING FUND

(a)(1) The Single Audit Revolving Fund is established within the State Treasury, to be administered by the Auditor of Accounts, from which payments may be made for the costs of audits performed pursuant to subdivisions 163(1), ~~and 163(2)~~, and 5404a(1) of this ~~subchapter title~~ and 24 V.S.A. § 290b.

(2) All monies received from charges made for audit services under the provisions of subsection (b) of this section and sums that may be appropriated to the Fund shall be deposited in the Fund.

(3) Any balance remaining in the Fund at the end of any fiscal year shall be carried forward and remain a part of the Fund.

(b)(1) The Auditor of Accounts shall charge the State department, agency, commission, instrumentality, political subdivision, or State-created authority audited for the direct and indirect costs of an audit performed pursuant to subdivisions 163(1), ~~and 163(2)~~, and 5404a(1) of this ~~subchapter title~~ and 24 V.S.A. § 290b.

(2) Costs shall be determined by the Auditor of Accounts and costs associated with subdivisions 163(1) and (2) of this ~~subchapter~~ title shall be approved by the Secretary of Administration.

Sec. E.130.1 32 V.S.A. § 5404a is amended to read:

§ 5404a. TAX STABILIZATION AGREEMENTS; TAX INCREMENT
FINANCING DISTRICTS

* * *

(1) The State Auditor of Accounts shall conduct performance audits of all tax increment financing districts ~~according to a schedule, which will be arrived at in consultation with the Vermont Economic Progress Council.~~ The cost of conducting each audit shall be considered a “related cost” as defined in 24 V.S.A. § 1891(6) and shall be billed back to the municipality pursuant to subsection 168(b) of this title. Audits conducted pursuant to this subsection shall include a review of a municipality’s adherence to relevant statutes and rules adopted by the Vermont Economic Progress Council pursuant to subsection (j) of this section, an assessment of record keeping related to revenues and expenditures, and a validation of the portion of the tax increment retained by the municipality and used for debt repayment and the portion directed to the Education Fund.

* * *

Sec. E.133 VERMONT STATE RETIREMENT SYSTEM

(a) Notwithstanding 3 V.S.A. § 473(d), in fiscal year 2022, investment fees shall be paid from the corpus of the Fund.

Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

(a) Of the appropriation in Sec. B.139 of this act, \$9,000 shall be transferred to the Attorney General and \$70,000 shall be transferred to the Department of Taxes, Division of Property Valuation and Review and reserved and used with any remaining funds from the amount previously transferred for final payment of expenses incurred by the Department or towns in defense of grand list appeals regarding the reappraisals of the hydroelectric plants and other property owned by TransCanada Hydro Northeast, Inc. and its successor Great River Hydro, LLC in the State of Vermont. Expenditures for this purpose shall be considered qualified expenditures under 16 V.S.A. § 4025(c).

Sec. E.142 PAYMENTS IN LIEU OF TAXES

(a) This appropriation is for State payments in lieu of property taxes under 32 V.S.A. chapter 123, subchapter 4, and the payments shall be calculated in addition to and without regard to the appropriations for PILOT for Montpelier and for correctional facilities elsewhere in this act. Payments in lieu of taxes under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

Sec. E.143 PAYMENTS IN LIEU OF TAXES – MONTPELIER

(a) Payments in lieu of taxes under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

Sec. E.144 PAYMENTS IN LIEU OF TAXES – CORRECTIONAL
FACILITIES

(a) Payments in lieu of taxes under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

* * * Protection to Persons and Property * * *

Sec. E.200 ATTORNEY GENERAL

(a) Notwithstanding any other provisions of law, the Office of the Attorney General, Medicaid Fraud and Residential Abuse Unit, is authorized to retain, subject to appropriation, one-half of the State share of any recoveries from Medicaid fraud settlements, excluding interest, that exceed the State share of restitution to the Medicaid Program. All such designated additional recoveries retained shall be used to finance Medicaid Fraud and Residential Abuse Unit activities.

(b) Of the revenue available to the Attorney General under 9 V.S.A. § 2458(b)(4), \$1,390,500 is appropriated in Sec. B.200 of this act.

Sec. E.207 24 V.S.A. § 290 is amended to read:

§ 290. COUNTY SHERIFF'S DEPARTMENT

* * *

~~(b) Full-time deputy sheriffs whose primary responsibility is transportation of prisoners and persons with a mental condition or psychiatric disability shall be paid by the State of Vermont. The appointment of such deputies and their salary shall be approved by the Governor or his or her designee. The Executive Committee of the Vermont Sheriffs Association and the Executive Director of the Department of State's Attorneys and Sheriffs shall jointly have authority for the assignment of position locations in the counties of State-paid deputy sheriffs and shall review the county location assignments periodically for efficient use of resources. [Repealed.]~~

* * *

Sec. E.207.1 SHERIFFS; TRANSPORT DEPUTIES; TRANSITION

(a) Effective October 1, 2021, 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.

(b) Commencing on October 1, 2021, 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, 2021; and

(3) be subject to the provisions of 24 V.S.A. § 290(a) as full-time employees of the sheriff's department.

Sec. E.207.2. 24 V.S.A. § 367 is amended to read:

§ 367. DEPARTMENT OF STATE'S ATTORNEYS AND SHERIFFS

* * *

(c)(1) The Executive Director shall prepare and submit all budgetary and financial materials and forms that are required of the head of a department of State government with respect to all State funds appropriated for all of the Vermont State's Attorneys and sheriffs. At the beginning of each fiscal year, the Executive Director, with the approval of the Executive Committee, shall establish allocations for each of the State's Attorneys' offices from the State's Attorneys' appropriation. Thereafter, the Executive Director shall exercise budgetary control over these allocations and the general appropriation for State's Attorneys. ~~The Executive Director shall monitor the sheriff's transport budget and report to the sheriffs on a monthly basis the status of the budget.~~ He or she shall provide centralized support services for the State's Attorneys and sheriffs with respect to budgetary planning, training, and office management, and perform such other duties as the Executive Committee

directs. The Executive Director may employ clerical staff as needed to carry out the functions of the Department.

* * *

Sec. E.208 PUBLIC SAFETY – ADMINISTRATION

(a) The Commissioner of Public Safety is authorized to enter into a performance-based contract with the Essex County Sheriff’s Department to provide law enforcement service activities agreed upon by both the Commissioner of Public Safety and the Sheriff.

Sec. E.209 PUBLIC SAFETY – STATE POLICE

(a) Of the appropriation in Sec. B.209 of this act, \$35,000 in special funds shall be available for snowmobile law enforcement activities and \$35,000 in general funds shall be available to the Southern Vermont Wilderness Search and Rescue Team, which comprises State Police, the Department of Fish and Wildlife, county sheriffs, and local law enforcement personnel in Bennington, Windham, and Windsor Counties, for snowmobile enforcement.

(b) Of the appropriation in Sec. B.209 of this act, \$405,000 is allocated for grants in support of the Drug Task Force. Of this amount, \$190,000 shall be used by the Vermont Drug Task Force to fund three town task force officers. These town task force officers shall be dedicated to enforcement efforts with respect to both regulated drugs as defined in 18 V.S.A. § 4201(29) and the diversion of legal prescription drugs. Any unobligated funds may be allocated

by the Commissioner to fund the work of the Drug Task Force or carried forward.

Sec. E.212 PUBLIC SAFETY – FIRE SAFETY

(a) Of this General Fund appropriation in Sec. B.212 of this act, \$55,000 shall be granted to the Vermont Rural Fire Protection Task Force for the purpose of designing dry hydrants.

Sec. E.215 MILITARY – ADMINISTRATION

(a) The amount of \$1,119,834 shall be disbursed to the Vermont Student Assistance Corporation for the National Guard Tuition Benefit Program established in 16 V.S.A. § 2857.

Sec. E.219 MILITARY – VETERANS’ AFFAIRS

(a) Of this appropriation in Sec. B.219 of this act, \$1,000 shall be used for continuation of the Vermont Medal Program; \$4,800 shall be used for the expenses of the Governor’s Veterans’ Advisory Council; \$7,500 shall be used for the Veterans’ Day parade; \$5,000 shall be used for the Military, Family, and Community Network; and \$10,000 shall be granted to the American Legion for the Boys’ State and Girls’ State programs.

Sec. E.220 CENTER FOR CRIME VICTIMS SERVICES

(a) Notwithstanding 20 V.S.A. § 2365(c), the Vermont Center for Crime Victims Services shall transfer \$52,624 from the Domestic and Sexual Violence Special Fund established in 13 V.S.A. § 5360 to the Criminal Justice

Training Council for the purpose of funding one-half the costs of the Domestic Violence Trainer position. The other half of the position will be funded with an appropriation to the Criminal Justice Training Council.

Sec. E.220.1 STUDY COMMITTEE ON PROGRAM FUNDING RELATED
TO CRIMINAL JUSTICE FINES, FEES, PENALTIES AND
SURCHARGES

(a) There is created a Study Committee on the funding of state programs that are reliant on criminal justice fines, fees, penalties and surcharges to provide services and accomplish their respective statutory missions. The purpose of the Committee is to address an anticipated decrease in available revenue for these various programs and to develop a financial plan of action that will ensure that these programs will be able to provide these services.

(b) The Committee shall be composed of:

(1) One Representative from each of the House Committees on Appropriations, on Judiciary, and on Ways and Means appointed by the Speaker of the House.

(2) One Senator from each of the Senate Committees on Appropriations, on Judiciary, and on Finance appointed by the Committee on Committees.

(3) The Chief Justice of the Supreme Court or his designee.

(4) One representative from the Agency of Administration, appointed by the Secretary of Administration.

(5) The Executive Director of the Vermont Center for Crime Victims Services (VCCVS).

(6) The Executive Director of the Vermont network Against Domestic and Sexual Violence;

(7) The Attorney General or designee;

(8) The Commissioner of Public Safety or designee; and

(9) The Commissioner of the Department for Children and Families or designee.

(c) The Chief Justice of the Supreme Court or his designee shall call the first meeting of the Committee on or before July 15, 2021. The members of the Committee shall elect a Chair, who shall convene meetings and set meeting agendas.

(d) Powers and Duties of the Committee. The Committee shall:

(1) review and inventory the programs funded by criminal justice fines, fees, penalties and surcharges as well any other funding source that are consistently or on an ad hoc basis provided to these programs.

(2) analyze the factors that affect the revenue generated the various criminal justice fines, fees, penalties and surcharges including past and current trends;

(3) identify strategies that the State can engage in that will provide a sustainable funding source for these programs into the future;

(4) Specifically in regard to the programs of the Vermont Center for Crime Victims Services, the committee shall analyze victim service programs mandated by state statute and funded with state special funds, including what services are provided, who provides the services, where services are provided, and when services are provided and consider the viability of phasing out the use of special funds for victim services over a five-year period and replacing special funds with other funding sources, including the general fund;

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

(f) On or before November 15, 2021 the Committee shall report to the House Committees on Appropriations, on Judiciary, and on Ways and Means and Senate Committees on Appropriations, on Judiciary, and on Finance on its findings and any legislative or administrative recommendations.

(g) The Committee shall meet no more than six times and shall cease to exist upon filing its report. For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee shall be entitled to compensation and reimbursement for expenses under 2 V.S.A. § 406.

Sec.E.227 DEPARTMENT OF FINANCIAL REGULATION; ESSENTIAL

HEALTH BENEFITS; BENCHMARK PLAN REVIEW

(a) The Department of Financial Regulation, in consultation with the Department of Vermont Health Access; the Director of Health Care Reform in the Agency of Human Services; the Green Mountain Care Board; representatives of health care consumers, health care providers, and health insurers; and other interested stakeholders, shall review Vermont’s benchmark plan establishing the State’s essential health benefits to determine whether to recommend requesting approval from the Centers for Medicare and Medicaid Services to modify the benchmark plan. As part of its review, the Department shall determine the potential impacts of modifying the benchmark plan to include coverage of each of the following:

- (1) hearing aids;
- (2) dentures;
- (3) vision care;
- (4) durable medical equipment; and
- (5) fertility services.

(b) On or before January 15, 2022, the Department of Financial Regulation shall provide the results of its benchmark plan review, including the impacts of adding coverage for each of the items listed in subdivisions (a)(1)–(5) of this section, and any recommendations for modifications to Vermont’s benchmark

plan, to the House Committees on Health Care and on Human Services and the Senate Committees on Health and Welfare and on Finance.

Sec. E.222 2019 Acts and Resolves No. 83 § Sec. 8, as amended by 2020 Acts and Resolves No. 129 § 24 is further amended to read:

Sec.3. PAYMENT FOR ECOSYSTEM SERVICES AND SOIL HEALTH
WORKING GROUP

* * *

(4) The Working Group shall cease to exist on February 1, ~~2022~~2023.

(d) On or before January 15, ~~2022~~2023, the Secretary of Agriculture, Food and Markets shall submit to the Senate Committee on Agriculture and the House Committee on Agriculture and Forestry a report that shall include:

* * *

Sec. E.224 AGRICULTURE, FOOD AND MARKETS – AGRICULTURAL
— DEVELOPMENT

(a) Of the funds appropriated in Sec. B.224 of this act, the amount of \$594,000 in general funds is appropriated for expenditure by the Working Lands Enterprise Board established in 6 V.S.A. § 4606 for investments in food and forest system businesses and services providers pursuant to 6 V.S.A. § 4607 and consistent with the funding priorities in 2012 Acts and Resolves No. 142, Sec. 5, as amended by 2014 Acts and Resolves No. 179, Sec. E.224.1.

Sec. E.234 10 V.S.A. § 581 is amended to read:

§ 581. BUILDING EFFICIENCY GOALS

It shall be goals of the State:

(1) To improve substantially the energy fitness of at least ~~20 percent of the State's housing stock by 2017 (more than 60,000 housing units), and 25 percent of the State's housing stock by 2020 (approximately 80,000 housing units)~~ 120,000 housing units and reduce greenhouse gas emissions by 0.15 MMTCO₂e by 2031.

* * *

(4) To save Vermont families and businesses a total of \$1.5 billion on their fuel bills over the lifetimes of the improvements and measures installed between 2008 and 2017.

(5) To increase weatherization services to low-income Vermonters by expanding the number of units weatherized or the scope of services provided, or both, as revenue becomes available in the Home Weatherization Assistance Fund.

Sec. 234.1 33 V.S.A. § 2502 is amended to read:

§ 2502. HOME WEATHERIZATION ASSISTANCE PROGRAM

(a) The Director of the State Office of Economic Opportunity shall administer the Home Weatherization Assistance Program under such rules, regulations, funding, and funding requirements as may be imposed by federal law.

(b) In addition, the Director shall supplement, or supplant, any federal program with the State Home Weatherization Assistance Program.

* * *

(3) The Director, in collaboration with the weatherization service providers and other stakeholders, shall develop the State program so that it will include:

* * *

(D) Eliminating the lien requirements on weatherized rental properties, so long as the landlord executes a rent stabilization agreement which has a term of at least one year.

(E) Generally, allowing flexibility to accommodate special circumstances in which greater energy savings can be realized or health and safety problems may be alleviated.

(F) Increasing the number of low income homes weatherized each year, or the scope of services provided, or both, to reflect increased revenues in the Home Weatherization Assistance Fund.

(G) With respect to multi-family buildings housing recipients of home heating fuel assistance under chapter 26 of this title, targeted outreach efforts to ensure the highest weatherization participation rates by owners of such buildings.

(H) Working to achieve the State’s energy savings and carbon emissions reduction goals, including those in 10 V.S.A. §581.

* * *

Sec. E.234.2 PUBLIC UTILITY COMMISSION PROCEEDING

(a) On or before December 17, 2021, the Public Utility Commission shall report to the General Assembly on its recommendations concerning the implementation of

a volumetric thermal energy efficiency charge to provide supplemental funding for thermal energy efficiency programs including those implemented pursuant to 30 V.S.A. § 209(e) and (g). The report shall include the following:

(1) criteria for establishing the amount of the thermal energy efficiency charge, including the size of annual thermal energy efficiency program budgets and accounting for existing or new sources of funding for those programs over time;

(2) whether the supplemental funding provided by the thermal energy efficiency charge should be directed to an entity other than an entity appointed by the Commission pursuant to 30 V.S.A. § 209(d)(2)(B) to provide efficiency programs and services to thermal energy customers;

(3) how to incentivize the installation of clean energy heating systems and phase out the use of heating systems with high amounts of emissions; and

(4) any statutory amendments necessary to implement its recommendations.

**Sec. E.234.3 DEVELOPMENT OF WEATHERIZATION WORKFORCE AND
COUNSELING SERVICES; REPORTS**

(a) Weatherization Workforce Report.

(1) On or before June 15, 2021, the Chairs of the Senate Committee on Natural Resources and Energy and the House Committee on Energy and Technology, or their designees, shall meet with the Department of Labor, the Agency of Education, Efficiency Vermont, representatives of the Community Action Agencies, NeighborWorks of Western Vermont, the Vermont Fuel Dealers

Association, and other parties currently delivering programming to train workers to perform services related to thermal energy savings and weatherization.

(2) Thereafter, Efficiency Vermont shall lead the Weatherization Workforce Group that shall develop plans for the coordinated delivery of a standardized statewide Building Sciences curriculum that includes weatherization. The curriculum shall be designed to establish a career pathway in energy efficiency construction and shall include a certification that is broadly recognized, transparent, and portable.

(3) On or before October 1, 2021, Efficiency Vermont shall report to the Senate Committee on Natural Resources and Energy and the House Committee on Energy and Technology a plan for enhancing the coordinated delivery of the standardized Building Sciences training program in order to support the goals of 10 V.S.A. § 581.

(b) Energy Savings Counseling Report.

(1) On or before June 30, 2021, the Chairs of the Senate Committee on Natural Resources and Energy and the House Committee on Energy and Technology, or their designees shall meet with the Office of Economic Opportunity, the directors of the Community Action Agencies, Efficiency Vermont, NeighborWorks of Western Vermont, and other parties currently providing outreach and counseling services to Vermonters with low and moderate income for

the State's energy savings programs, including thermal and transportation energy efficiency programs.

(2) Thereafter, the Office of Economic Opportunity shall lead the Energy Savings Counseling Group that shall develop a plan for the coordinated and effective delivery of counseling services designed to enroll and deliver energy savings programs to their target service populations.

(3) On or before October 15, 2021, the Office of Economic Opportunity shall report to the Senate Committee on Natural Resources and Energy and the House Committee on Energy and Technology a plan for coordinating and enhancing their counseling services to low-income and moderate-income Vermonters who could benefit from the State's energy savings programs, including thermal and transportation energy efficiency programs.

Sec. E.234.4 30 V.S.A. § 35 is added to read:

§ 35. ENERGY SAVINGS FUND

(a) There is established the Energy Savings Fund, which shall be managed in accordance with 32 V.S.A. chapter 7, subchapter 5. This Fund shall be administered by the Department of Public Service to fund a variety of programs that will increase energy savings. Monies in the Fund shall be used solely for energy savings programs and for necessary costs incurred in administering the Fund. The Department may create programs to be funded, including weatherization and transportation programs.

(b) The Fund shall be made up of any funds appropriated to or deposited into the Fund.

(c) The funds shall only be used to fund projects for which federal funds are not currently available.

Sec. E.234.5 10 V.S.A. § 621 is amended to read (Vermont Housing Finance Agency):

§ 621. GENERAL POWERS AND DUTIES

The Agency shall have all of the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter, including those general powers provided a business corporation by 11A V.S.A. § 3.02 and those general powers provided a nonprofit corporation by 11B V.S.A. § 3.02 and including, without limiting the generality of the foregoing, the power to:

* * *

(22) issue bonds, notes, and other obligations secured by the property transfer tax revenues transferred to the Agency pursuant to 32 V.S.A. § 9610(d); and

(23) develop a program to finance and promote housing weatherization using funds appropriated by the State; funds generated through issuing bonds, notes, and other obligations of the Agency; and funds from other sources obtained through grants or other arrangements. The program shall give priority to programs benefiting persons and families at or below 120 percent of the median income with high energy burdens.

Sec. E.235 STUDY; E-911 SPECIAL FUND

(a) The Agency of Administration shall review the existing statutory funding streams for the Enhanced 911 Special Fund and shall propose changes or additions as necessary to ensure the long-term sustainability of the E-911 Board's operations. On or before January 15, 2022, the Secretary of Administration shall report his or her findings and recommendations to the House Committees on Energy and Technology, on Government Operations, on Ways and Means, and on Appropriations and the Senate Committees on Finance and on Appropriations. As a part of this review and report, the Administration shall specifically provide comment or recommendation on the proposals related to capacity of the Universal Service Fund contained in the report issued pursuant to Act 137 Sec. 19 (PEG study).

* * * Human Services * * *

Sec. E.300 FUNDING FOR THE OFFICE OF THE HEALTH CARE
ADVOCATE

(a) Of the funds appropriated in Sec. B.300 of this act, \$1,457,406 shall be used for the contract with the Office of the Health Care Advocate.

Sec. E.300.1 2020 Acts and Resolves No. 155, Sec. 2 is amended to read:

Sec. 2. HEALTH CARE WORKFORCE STRATEGIC PLAN; REPORT

(a) The Director of Health Care Reform, in connection with the advisory group established pursuant to 18 V.S.A. § 9491(b) in Sec. 1 of this act, shall

update the health care workforce strategic plan as set forth in 18 V.S.A. § 9491 and shall submit a draft of the plan to the Green Mountain Care Board for its review and approval on or before ~~July 1~~ October 15, 2021. The Board shall review and approve the plan within 30 days following receipt.

(b) On or before ~~August 15~~ December 1, 2021, the Director shall provide the updated health care workforce strategic plan to the House Committees on Appropriations, on Health Care, and on Commerce and Economic Development and the Senate Committees on Appropriations, on Health and Welfare, and on Economic Development, Housing and General Affairs.

E.300.2 AGENCY OF HUMAN SERVICES; ALL PAYER ACO
MODEL; DELIVERY SYSTEM REFORM; HEALTH
INFORMATION TECHNOLOGY

(a) The Agency of Human Services is authorized to carry forward the sum of \$3,900,000 in Global Commitment funds to fiscal year 2022 for the following purposes related to implementation of the All-Payer Accountable Care Organization (ACO) Model:

(1) health information technology projects, including:

(A) a hypertension and diabetes identification and management tool to support clinical decision making; and

(B) just-in-time clinical data reporting for quality improvement to support clinical decision making; and

(2) delivery system reform projects focused on implementation of the care model, including expanding trainings and performance improvement activities, and continuation of the Longitudinal Care Home Health Program and the Developmental Understanding and Legal Collaboration for Everyone (DULCE) program.

Sec. E.301 SECRETARY’S OFFICE – GLOBAL COMMITMENT:

(a) The Agency of Human Services shall use the funds appropriated in this section for payment of the actuarially certified premium required under the intergovernmental agreement between the Agency of Human Services and the managed care entity, the Department of Vermont Health Access, as provided for in the Global Commitment for Health Waiver (Global Commitment) approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

(b) In addition to the State funds appropriated in this section, a total estimated sum of \$24,993,731 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) \$22,220,000 certified State match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with \$28,280,000 of federal funds appropriated in Sec. B.301 of this act equals a total estimated expenditure of \$50,500,000. An amount equal to the amount of the federal

matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) \$2,773,731 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

(c) Up to \$4,618,437 is transferred from the AHS Federal Receipts Holding Account to the Interdepartmental Transfer Fund consistent with the amount appropriated in Sec. B.301 – Secretary’s Office – Global Commitment of this act.

Sec. E.301.1 GLOBAL COMMITMENT WAIVER AMENDMENT

(a) The Secretary of the Agency of Human Services is authorized to seek ~~an extension to extend or renew of~~ Vermont’s Global Commitment to Health Section 1115 Demonstration Waiver, which is currently set to expire on December 31, 2021. The Agency of Human Services shall strive to maintain or increase the State’s flexibility to use Global Commitment investment dollars to increase access to care and coverage, improve health outcomes, strengthen health care delivery , and promote transformation to value-based and integrated models of care.

Sec. E.301.2 GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER;

REPORT

(a) In order to facilitate the end-of-year closeout for fiscal year 2022, the Secretary of Human Services, with approval from the Secretary of Administration, may make transfers among the appropriations authorized for Medicaid and Medicaid-waiver program expenses, including Global Commitment appropriations outside the Agency of Human Services. At least three business days prior to any transfer, the Agency shall submit to the Joint Fiscal Office a proposal of transfers to be made pursuant to this section. A final report on all transfers made under this section shall be made to the Joint Fiscal Committee for review at the September 2022 meeting. The purpose of this section is to provide the Agency with limited authority to modify the appropriations to comply with the terms and conditions of the Global Commitment for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

Sec. E.301.3 GLOBAL COMMITMENT: CARRYFORWARD RESERVE
TO SUSTAIN HOME AND COMMUNITY BASED
PROGRAM FUNDING INCREASES

(a) To the extent that federal guidance related to Section 9817 of ARPA (one-year 10 percent FMAP increase for home and community-based programs) allow, state general fund appropriated in Sec. B.301 of this act that is unexpended in fiscal year 2022 as a result FMAP increase shall

carryforward. This carryforward shall to available in future years to provide the State match in order to sustain the fiscal year 2022 increases in funding to statewide home- and community-based programs.

Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

(a) The Agency of Human Services may adopt rules pursuant to 3 V.S.A. chapter 25 to conform Vermont’s rules regarding health care eligibility and enrollment and the operation of the Vermont Health Benefit Exchange to state and federal law and guidance. The Agency may use the emergency rules process pursuant to 3 V.S.A. § 844 prior to June 30, 2022, but only in the event that new state or federal law or guidance require Vermont to amend or adopt its rules in a time frame that cannot be accomplished under the traditional rulemaking process. An emergency rule adopted under these exigent circumstances shall be deemed to meet the standard for the adoption of emergency rules required pursuant to 3 V.S.A. § 844(a).

Sec. E.306.1 33 V.S.A. § 1805 is amended to read:

§ 1805 DUTIES AND RESPONSIBILITIES

The Vermont Health Benefit Exchange shall have the following duties and responsibilities consistent with the Affordable Care Act:

(1) Offering coverage for health services through qualified health benefit plans, including by creating a process for:

(A) the certification, decertification, and recertification of qualified health benefit plans as described in section 1806 of this title;

(B) enrolling qualified individuals in qualified health benefit plans, including through open enrollment periods as provided in the Affordable Care Act, and ensuring that individuals may transfer coverage between qualified health benefit plans and other sources of coverage as seamlessly as possible.

~~(C) collecting premium payments made for qualified health benefit plans from employers and individuals on a pretax basis, including collecting premium payments from multiple employers of one individual for a single plan covering that individual.~~

~~Sec. E.311 AGENCY OF HUMAN SERVICES; DESIGNATED AND~~

~~— SPECIALIZED SERVICE AGENCIES; WORKFORCE~~

~~— DEVELOPMENT~~

~~(a) On or before August 1, 2021, the Agency of Human Services shall determine the amount of funds remaining from the \$5,000,000 appropriated to the Agency to make strategic investments in order to expand the supply of high quality mental health and substance use disorder treatment professionals in 2018 (Special Session) Acts and Resolves No. 11, Sec. 106.1 and shall inform the House Committees on Health Care and on Human Services, the Senate Committee on Health and Welfare, the Joint Fiscal Committee, and the chief executive officer of each designated and specialized service agency of the~~

~~amount of funds that remain. Notwithstanding any provision of 2018 (Special Session) Acts and Resolves No. 11, Sec. 106.1 to the contrary, the Agency shall direct the chief executive officers to agree on an appropriate allocation of the funds for strategic investments in order to expand the supply of high-quality mental health and substance use disorder treatment professionals available to Vermont residents in need of their services, which the officers shall report to the Agency, at which time the Agency shall distribute the funds to the designated and specialized service agencies according to the agreed-upon allocation.~~

~~(b) On or before January 1, 2022, the Agency of Human Services shall report to the House Committees on Appropriations, on Health Care, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare regarding the amounts allocated to each designated and specialized service agency and the dates of distribution.~~

Sec. E.311 AGENCY OF HUMAN SERVICES; DESIGNATED AND
SPECIALIZED SERVICE AGENCIES; WORKFORCE
DEVELOPMENT

~~(a) The Agency of Human Services distribute the funds remaining from the \$5,000,000 appropriated to the Agency to make strategic investments in order to expand the supply of high-quality mental health and substance use disorder treatment professionals in 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec.~~

106.1 to the designated and specialized service agencies equitably based on each agency's proportion of full-time equivalent (FTE) mental health and substance use disorder treatment staff to the total number of FTE mental health and substance use disorder treatment staff across all designated and specialized service agencies statewide. The designated and specialized service agencies shall use these funds for loan repayment and tuition assistance to promote the recruitment and retention of high-quality mental health and substance use disorder treatment professionals available to Vermont residents in need of their services, as set forth in subsection (b) of this section.

(b)(1) Each designated and specialized service agency shall make the funds received pursuant to subsection (a) of this section available to its current and prospective employees as set forth in subdivisions (A) and (B) of this subdivision (1) on a rolling basis in exchange for a one-year service obligation to provide mental health services or substance use disorder treatment services, or both, at a designated or specialized service agency in this State. The funds may be used for the following purposes:

(A) loan repayment for master's-level clinicians, bachelor's-level direct service staff, and nurses; and

(B) tuition assistance for individuals pursuing degrees to become master's-level clinicians, bachelor's-level direct service staff, and nurses.

(2) Loan repayment and tuition assistance funds shall be available to the current and prospective employees of designated and specialized service agencies in the form of forgivable loans, with the debt forgiven upon an employee's completion of the required service obligation.

(c) Until the funds have been fully expended, the Agency of Human Services shall provide quarterly reports to the House Committees on Appropriations, on Health Care, and on Human Services, the Senate Committees on Appropriations and on Health and Welfare, and the Health Reform Oversight Committee with information on the following:

(1) the specific designated and specialized service agencies that have received funds to date and the programs within each of those agencies in which the financial assistance recipients will deliver services;

(2) the amount of financial assistance funding provided to each recipient;

(3) the specific degrees or certificates toward which the tuition assistance recipients are working and those earned by loan repayment recipients; and

(4) the number of new employees attracted to the designated and specialized service agencies as a result of the financial assistance, their fields of study, and the programs in which they deliver services.

Sec. E.311.1. 18 V.S.A. § 33 is amended to read:

~~§ 33. MEDICAL STUDENTS; PRIMARY CARE~~

~~(a) The Department of Health, in collaboration with the Office of Primary Care and Area Health Education Centers Program at the University of Vermont College of Medicine (AHEC) and the Vermont Student Assistance Corporation (VSAC), shall establish a primary care physician scholarship program. The scholarships shall cover the medical school tuition for up to five third-year and up to five fourth-year medical students annually at the University of Vermont College of Medicine who commit to practicing primary care in a rural area of this State or in a Vermont federally qualified health center's service area, in a setting or practice not owned by an academic medical center. For each academic year of tuition covered by the scholarship, the recipient shall incur an obligation of two years of full-time service or four years of half-time service. Students receiving a scholarship for their third year of medical school shall be eligible to receive another scholarship for their fourth year of medical school. The amount of each scholarship shall be set at the in-state tuition rate less any other State or federal educational grant assistance the student receives for the same academic year.~~

~~***~~

~~(d) AHEC and VSAC shall enter into a memorandum of understanding establishing their respective responsibilities for administering the scholarship~~

~~program. The memorandum of understanding shall be subject to the approval of the Department of Health.~~

Sec. E.311.1. 18 V.S.A. § 33 is amended to read:

§ 33. UNIVERSITY OF VERMONT COLLEGE OF MEDICINE; MEDICAL STUDENTS; PRIMARY CARE STUDENT INCENTIVE SCHOLARSHIP PROGRAM

(a) The Department of Health, in collaboration with the Office of Primary Care and Area Health Education Centers Program (AHEC) at the University of Vermont College of Medicine (~~AHEC~~) and the Vermont Student Assistance Corporation (VSAC), shall establish a ~~primary care physician scholarship program~~ Medical Student Incentive Scholarship Program at the University of Vermont College of Medicine. The purpose of the Program is to strengthen the workforce pipeline and increase the number of new physicians practicing in Vermont to meet the health care needs of Vermonters, with a focus on rural areas and undersupplied medical specialties.

~~The scholarships shall cover the medical school tuition for up to five third-year and up to five fourth-year medical students annually who commit to practicing primary care in a rural area of this State or in a Vermont federally qualified health center's service area, in a setting or practice not owned by an academic medical center. For each academic year of tuition covered by the~~

~~scholarship, the recipient shall incur an obligation of two years of full-time service or four years of half-time service. Students receiving a scholarship for their third year of medical school shall be eligible to receive another scholarship for their fourth year of medical school. The amount of each scholarship shall be set at the in-state tuition rate less any other State or federal educational grant assistance the student receives for the same academic year.~~

(b)(1) Scholarships shall be awarded to up to 10 students annually who commit to practicing in a medical specialty priority area, as set forth in subdivision (c)(2) of this section, in a region of Vermont other than Chittenden County, in a practice site that is not owned by an academic medical center and that accepts patients who are covered by Medicaid, Medicare, or other publicly funded health benefit program.

(2) Students shall be eligible to participate in the Medical Student Incentive Scholarship Program in their third and fourth year of medical school. A student who receives an incentive scholarship for the third year of medical school shall be eligible to receive another incentive scholarship for the fourth year of medical school.

(3) Each incentive scholarship award shall be for an amount not less than the in-state tuition rate for the University of Vermont College of Medicine.

(c)(1) For each academic year of incentive scholarship received, the recipient shall incur a full-time service obligation of not less than one year in a medical specialty priority area and in a setting the meets the requirements of subdivision (b)(1) of this section.

(2) The medical specialty priority area shall be primary care; Approved approved specialties shall be all of the specialties recognized by the National Health Service Corps at the time of the scholarship award, which may include family medicine, internal medicine adult primary care, pediatrics primary care, obstetrics-gynecology, and psychiatry.

(e)(3) A ~~An incentive~~ scholarship recipient who does not fulfill the service obligation commitment to practice ~~primary care~~ in Vermont in accordance with the terms of the award shall be liable for repayment of the full amount of the scholarship, plus interest ~~calculated in accordance with the formula determined by the National Health Service Corps for failure to complete a service obligation under that program~~ and penalty.

(d)(1) The Medical Student Incentive Scholarship Program shall be administered in compliance with federal financial aid regulations and the Internal Revenue Code.

(2) Payments shall be made directly to the recipient's University of Vermont student financial services account.

(3) The full terms and conditions of the award shall be described in the award contract or promissory note and shall be binding once the contract or note is fully executed.

(4) AHEC and VSAC shall enter into a memorandum of understanding establishing their respective responsibilities for administering the Medical Student Incentive Scholarship Program. The memorandum of understanding shall be subject to the approval of the Department of Health.

(e)(1) The Commissioner of Health, in consultation with AHEC and VSAC, may establish additional medical specialties, recipient eligibility criteria, selection criteria, award terms and conditions, and evidence-based best practices to meet the purposes of the Medical Student Incentive Scholarship Program on an annual basis to best respond to Vermont's needs for physician workforce and access to health care.

(2) The Commissioner of Health may adopt rules in accordance with 3 V.S.A. chapter 25 in order to plan, implement, maintain, and evaluate the Medical Student Incentive Scholarship Program established in this section.

Sec. E.311.2 2020 Acts and Resolves No. 155, Sec. 7a is amended to read:

Sec. 7a. SUNSET

18 V.S.A. § 33 (medical students; primary care) is repealed on July 1, ~~2022~~
2027.

~~Sec. E.311.3 REGISTERED NURSE AND PRIMARY CARE PHYSICIAN
SCHOLARSHIP PROGRAM-UNIVERSITY OF VERMONT
COLLEGE OF MEDICINE; MEDICAL STUDENT
INCENTIVE SCHOLARSHIP PROGRAM; APPROPRIATION;
MEMORANDUM OF UNDERSTANDING~~

(a) Of the Global Commitment funds appropriated in Sec. B.311 of this act to the Department of Health, the sum of \$2,272,727 shall be transferred to Vermont Student Assistance Corporation in fiscal year 2022 for scholarships for registered nurse students who commit to practice in Vermont and for medical students who commit to practicing primary care in this State in accordance with 18 V.S.A. § 33. The funds shall be available for distribution following ~~the Joint Fiscal Committee's~~ approval of the initial memorandum of understanding between the Office of Primary Care and Area Health Education Centers Program at the University of Vermont College of Medicine (AHEC) and the Vermont Student Assistance Corporation (VSAC) as set forth in subsection (b) of this section.

Sec. E.312 HEALTH – PUBLIC HEALTH

(a) AIDS/HIV funding.

(1) In fiscal year 2022, and as provided in this section, the Department of Health shall provide grants in the amount of \$475,000 in AIDS Medication Rebates special funds to the Vermont AIDS service and peer-support organizations for client-based support services. The Department of Health AIDS Program shall meet at least quarterly with the Community Advisory Group (CAG) with current information and data relating to service initiatives. The funds shall be allocated according to an RFP process.

(2) Ryan White Title II funds for AIDS services and the Vermont Medication Assistance Program (VMAP) shall be distributed in accordance with federal guidelines. The federal guidelines shall not apply to programs or services funded solely by State general funds.

(3)(A) The Secretary of Human Services shall immediately notify the Joint Fiscal Committee if at any time there are insufficient funds in VMAP to assist all eligible individuals. The Secretary shall work in collaboration with persons living with HIV/AIDS to develop a plan to continue access to VMAP medications until such time as the General Assembly can take action.

(B) As provided in this section, the Secretary of Human Services shall work in collaboration with the VMAP Advisory Committee, which shall be composed of not less than 50 percent of members who are living with HIV/AIDS. If a modification to the program's eligibility requirements or benefit coverage is considered, the Committee shall make recommendations

regarding the program’s formulary of approved medication, related laboratory testing, nutritional supplements, and eligibility for the program.

(4) In fiscal year 2022, the Department of Health shall provide grants in the amount of \$100,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for community-based HIV prevention programs and services. These funds shall be used for HIV/AIDS prevention purposes, including syringe exchange programs; improving the availability of confidential and anonymous HIV testing; prevention work with at-risk groups such as women, intravenous drug users, and people of color; and anti-stigma campaigns. Not more than 15 percent of the funds may be used for the administration of such services by the recipients of these funds. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health and the Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers.

(5) In fiscal year 2022, the Department of Health shall provide grants in the amount of \$150,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for syringe exchange programs. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health, the Vermont AIDS service organizations, and other Vermont

HIV/AIDS prevention providers. The performance period for these grants will be State fiscal year 2022. Grant reporting shall include outcomes and results.

(6) In fiscal year 2022, the Department of Health shall not reduce any grants to the Vermont AIDS service and peer-support organizations from funds appropriated for AIDS/HIV services to levels below those in fiscal year 2020 without receiving prior approval from the Joint Fiscal Committee.

~~Sec. E.317 REPORT; FOSTER CARE REIMBURSEMENT RATES~~

~~(a) On or before January 15, 2022, the Department for Children and Families shall submit a report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare providing a comparison of Vermont's foster care rates to those in other states and information as to when the reimbursement rates were last changed.~~

Sec. E.318 EDUCATIONAL AND EXPERIENTIAL VARIANCE

(a) For individuals operating or employed in a registered family child care home or as a director or teacher associate in a center-based program for 10 or more years prior to September 1, 2016, the Commissioner for Children and Families or designee may issue a variance to the Child Development Division's rule regarding educational and experiential requirements to allow an individual to maintain employment in that same role regardless of whether the family child care provider, family child care assistant, director, or teacher

associate intends to attain the otherwise necessary educational requirements.

To be eligible for a variance, the family child care provider, family child care assistant, director, or teacher associate shall:

(1) work continuously in a regulated program with a full license in good standing; and

(2) meet the Division’s educational and experiential requirements in place prior to the adoption of the new rule, which was effective beginning on September 1, 2016.

(b) The Commissioner or designee shall review any violation occurring in a regulated program where a family childcare provider, family child care assistant, director, or teacher associate is under variance and may revoke the variance granted by this section depending upon the seriousness and circumstances of the violation.

(c) Any variance granted under this section shall be terminated on July 1, 2024, and extensions shall not be granted beyond that date.

Sec. E.318.1 DEPARTMENT FOR CHILDREN AND FAMILIES;

SPECIALIZED CHILD CARE TRANSPORTATION

(a) It is the intent of the General Assembly that there be no reduction in specialized childcare transportation services provided by the Department for Children and Families resulting from a statewide transportation contract.

Should a more cost-effective, coordinated system of specialized child care

transportation not be attainable by the move to a statewide contract in fiscal year 2022, the program shall revert to a commensurate base funding level and program parameters that were in place during fiscal year 2021. Any changes to transportation services shall not decrease the expeditious authorization of services to families.

Sec. E.318.2 CHILD CARE PROVIDER STABILIZATION GRANTS

(a) Of the funds provided in fiscal year 2022 in Sec. B.318 of this act, \$800,000 is allocated for the purpose of expanding infant and toddler child care capacity.

(b) The Division shall award grants to eligible applicants. An eligible applicant shall:

(1) be a new or existing regulated, privately owned center-based childcare program or family child care home in good regulatory standings;

(2) participate in CCFAP;

(3) provide year-round, full day childcare and early learning services;

(4) provide childcare and early learning services for infants and toddlers; and

(5) participate in the Step Ahead Recognition System (STARS).

(c) Center-based childcare program or family child care homes receiving a grant pursuant to this section shall remain in compliance with the Division's

rules, continue participation in STARS, and maintain enrollment of children supported by CCFAP.

Sec. E.318.3 AMERICAN RESCUE PLAN ACT OF 2021; CHILD CARE
STABILIZATION GRANTS: APPROPRIATION AND PLAN
REQUIREMENT

(a) In fiscal year 2022, the amount of \$XX,XXX,XXX is appropriated to the Department of Children and Families Division of Child Development from the Federal Funds available under the Child Care Stabilization Grants funding received by the State pursuant to the American Rescue Plan Act of 2021, Pub. L. No. 117-2. Of this appropriation, \$700,000 shall be allocated for current and prospective early childhood provider scholarships programs; \$1,800,000 shall be allocated for early childhood student loan repayment; and \$100,000 shall be transferred to Vermont Department of Labor for the pre-apprenticeship program in Early Childhood Education provided by Vermont Career and Technical Education centers.

(b) On or before September 1, 2021, the Department for Children and Families, in consultation with stakeholders, including individuals who are Black, Indigenous, and Persons of Color, shall submit a plan on the proposed use of the Child Care Stabilization Grants funding received by the State pursuant to the American Rescue Plan Act of 2021, Pub. L. No. 117-2, in excess of funds appropriated or authorized under subsection (a) of this section

for review and acceptance by the Joint Fiscal Committee at their September 2021 meeting. The plan shall concurrently be provided to the Chairs of the House Committee on Human Services and of the Senate Committee on Health and Welfare for input prior to action by the Joint Fiscal Committee. To the extent permissible, the plan shall specifically address the fiscal impact of the pandemic on Head Start programs statewide.

(c) Grant acceptance and Excess Receipts: Notwithstanding 32 V.S.A. § 5, funds from the American Rescue Plan Act of 2021 Child Care Stabilization Grants Fund shall be deposited into the State Treasury and are hereby accepted and shall be spent subject to appropriation. Excess receipts authority may be granted only in the event that the appropriation in subsection (a) of this section are not sufficient to support childcare providers prior to the fiscal year 2022 budget adjustment process and the funds are used consistent with the plan accepted pursuant to subsection (b) of this section.

~~Sec. E.321 DEPARTMENT FOR CHILDREN AND FAMILIES;~~

~~———— EMERGENCY HOUSING; FISCAL YEAR 2022~~

~~(a) The Department for Children and Families shall continue to provide emergency housing through the General Assistance Emergency Assistance programs through June 30, 2022. The Department shall use federal funds, which may include funds that are 100 percent reimbursable by the Federal Emergency Management Agency; Emergency Rental Assistance funds~~

~~provided to the State by the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260; and funds provided to the State by the American Rescue Plan Act of 2021, Pub. L. No. 117-2, to cover the costs of motel or hotel rooms and associated costs.~~

~~(b) As a cost saving measure, the Department shall make reasonable efforts to negotiate reduced rates for motel and hotel rooms.~~

~~(c) In order to assist individuals in seeking permanent housing and to maintain positive relations with motels, hotels, and local communities, the Department shall offer appropriate support services to clients in motels, hotels, and shelters.~~

~~(d) In carrying out this section, the Department shall give priority to vulnerable populations and those individuals facing catastrophic situations.~~

~~Sec. E.321.1 DEPARTMENT FOR CHILDREN AND FAMILIES;~~

~~————— GENERAL ASSISTANCE WORKING GROUP; TRANSITION
————— PLAN; REPORT~~

~~(a) The Secretary of Human Services shall convene a General Assistance working group for the purposes of reaching agreement on a plan to transition from expanded emergency housing to a sustainable emergency housing program by the end of fiscal year 2022. In developing this plan, the working group shall consider the prioritization of vulnerable populations, including those facing catastrophic situations.~~

~~(b) The working group shall be composed of the following members:~~

~~(1) four representatives, selected by the Secretary of Human Services;~~

~~and~~

~~(2) four representatives of homeless service providers or homeless shelter providers, or both, selected as follows:~~

~~(A) one representative selected by the Chittenden County Homeless Alliance;~~

~~(B) one representative selected by the Vermont Community Action Partnership;~~

~~(C) one representative selected by the Affordable Housing Coalition;~~

~~(D) one representative selected by Vermont Legal Aid.~~

~~(c) The working group shall develop a transition plan that includes:~~

~~(1) a strategy for using the federal funds described in Sec. A(a) of this act;~~

~~(2) policy changes to the General/Emergency Assistance housing plan and a budget and timeline for implementation;~~

~~(3) consideration of the capacity of organizations in the State and in local communities to implement the transition plan; and~~

~~(4) proposals for addressing any identified constraints.~~

~~(d) The working group shall have the administrative, technical, and legal assistance of the Department for Children and Families.~~

~~(e) On or before April 30, 2021, the Commissioner shall submit an interim report on the development of the working group's transition plan to the House Committees on Appropriations and on Human Services and the Senate Committees on Appropriations and on Health and Welfare.~~

~~Sec. E.321.2 DEPARTMENT FOR CHILDREN AND FAMILIES;~~

~~HOUSING RECOVERY WORKING GROUP; REPORT~~

~~(a) The Department for Children and Families, in coordination with the Department of Housing and Community Development, shall convene the Housing Recovery working group to develop a plan to most effectively utilize the federal funds provided to the State by the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (ARPA), and other funding sources to meet the needs of Vermonters at risk of and experiencing homelessness.~~

~~(b)(1) The working group shall be composed of representatives of the following State and quasi-public housing agencies responsible for administering the ARPA funds:~~

~~(A) the Department for Children and Families;~~

~~(B) the Department of Housing and Community Development;~~

~~(C) the Vermont Housing and Conservation Board;~~

~~(D) the Vermont State Housing Authority; and~~

~~(E) the Vermont Housing Finance Agency.~~

~~(2) The working group shall consult with community providers of shelter, services, affordable housing, and families and individuals experiencing homelessness.~~

~~(c) The Working Group shall develop a plan that includes:~~

~~(1) a strategy for using ARPA funds, along with other State and federal resources, to maximize the amount of capital, service, and rental support available to allow transitions to permanent housing and build community capacity;~~

~~(2) ways to fully utilize Vermont’s allocation of federal Emergency Rental Assistance funding, including a mechanism for using 25 percent of those funds to create permanent affordable housing, as permitted by ARPA;~~

~~(3) an evaluation of the potential for converting lodging establishments and other properties into permanent, affordable housing while taking into consideration location, transportation, jobs, services, food, schools, and the feasibility of transitioning to mixed income properties;~~

~~(4) maximizing the use of other State and federal resources, such as Low Income Housing Tax Credits, the HOME and Community Development Block Grants, the National Housing Trust Fund, and energy efficiency programs;~~

~~(5) providing service supports for households experiencing homelessness and those that have transitioned to permanent homes to ensure housing stability; and~~

~~(6) preventing homelessness through financial and counseling assistance to homeowners, apartment owners, and residents of rental housing.~~

~~(d) The working group shall have the administrative, technical, and legal assistance of the Departments for Children and Families and of Housing and Community Development.~~

~~(e)(1) On or before April 30, 2021, the Working Group shall submit an interim report on the development of its plan to the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Human Services and the Senate Committees on Appropriations, on Health and Welfare, and on Economic Development, Housing and General Affairs.~~

~~(2) On or before November 30, 2021, the Working Group shall submit its final plan to the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Human Services and the Senate Committees on Appropriations, on Health and Welfare, and on Economic Development, Housing and General Affairs.~~

~~Sec. E.321.3 EMERGENCY HOUSING RESERVE~~

~~(a) In addition to the funds appropriated in this Act, \$40,000,000 of funds received from the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-~~

260) Emergency Rental Assistance Program and \$10,000,000 of funds from the American Rescue Plan Act of 2021–Coronavirus State Fiscal Recovery Fund from the Fiscal Recovery Fund are reserved for expenditures made in Fiscal Year 2022 in accordance with the needs identified through this planning process.

Sec. E.321 GENERAL/EMERGENCY ASSISTANCE HOUSING

(a) Funds appropriated to the Department for Children and Families in the General/Emergency Assistance program in fiscal year 2022 shall be used to provide emergency housing in accordance with program rules waived or varied under Act 6, Sec. 1 of 2021. The purpose of emergency housing is to ensure short-term housing for vulnerable segments of the population experiencing homelessness and housing insecurity to the extent that such housing does not exceed hotel/motel room capacity within the State and expenditures for such housing do not exceed available state and federal funds. The assistance provided under this section is not an entitlement and may be discontinued upon the expenditure of the appropriated funds.

(b) During the COVID-19 pandemic the Department for Children and Families temporarily expanded eligibility for emergency housing through the General/Emergency Assistance program in response to the public health emergency. The General Assembly and the Administration acknowledge that this approach is neither financially nor programmatically sustainable. The

Commissioner for the Department for Children and Families, in consultation with the emergency housing working group established by the House Appropriations Committee, has identified and shall implement new emergency housing eligibility criteria. The new eligibility criteria shall remain in effect for the duration of fiscal year 2022 unless there is a need to expand eligibility in response to a public health emergency or other emergency.

(c) The Department for Children and Families is authorized to create 17 limited service positions to process applications for emergency housing and comply with federal funding requirements for state fiscal year 2022.

(d) The Commissioner for the Department for Children and Families may, by policy, provide emergency housing for a limited duration in adverse weather conditions when appropriate shelter space is not available.

Sec. 321.1 HOUSING ASSISTANCE BENEFITS

FLEXIBILITY PROGRAM; COMMUNITY BASED ALTERNATIVES TO GENERAL ASSISTANCE EMERGENCY HOUSING

(a) For fiscal year 2022, the Department for Children and Families may continue to fund housing assistance programs within the General Assistance program to create flexibility to provide General Assistance benefits, as well as grants to support the establishment of community-based alternatives for temporary housing as part of the effort to reduce the number of individuals

temporarily housed by the General Assistance program. The purpose of these housing assistance programs and community-based alternatives is to mitigate poverty and serve applicants more effectively than they are currently being served with General Assistance funds. Eligible activities shall include, among other things, the provision of shelter, overflow shelter, case management, transitional housing, deposits, down payments, rental assistance, upstream prevention, and related services that ensure that all Vermonters have access to shelter, housing, and the services they need to become safely housed. The Department may award grants to homeless and housing service providers for eligible activities. Where such housing assistance programs and grants are provided, and community-based programs are established, the General Assistance rules shall not apply. The assistance provided under this section is not an entitlement and may be discontinued should there not be sufficient funds.

Sec. 321.2 EMERGENCY HOUSING WORKGROUP

(a) The Department for Children and Families shall continue to use the General Assistance Emergency Housing Workgroup, convened in March 2021, to make recommendations to the Commissioner of the Department for Children and Families on the design and implementation of a sustainable, long-term plan for providing emergency housing for fiscal year 2023 that reduces and/or ends

reliance on the General/Emergency Assistance Motel Voucher Program. This workgroup shall consider investments needed to build local capacity to support emergency housing needs, which may include funding, training, technical assistance, and planning support. The Department for Children and Families and workgroup shall also consider the Governor’s proposed permanent housing initiative when developing its recommendations.

(b) On or before November 1, 2021, the Department for Children and Families shall submit a written report to the House Committees on Appropriations; General, Housing, and Military Affairs; and Human Services and the Senate Committees on Appropriations and on Health and Welfare with recommendations on the development of a sustainable, long-term plan for emergency housing.

(c) The Department shall continue to engage interested local and statewide parties, including but not limited to the Continua of Care, service providers, people with lived experience, and representatives of Vermont’s health care system, in the design, implementation, and evaluation of housing assistance programs and community-based alternatives to General/Emergency Assistance emergency housing.

Sec. 321.3 IMPLEMENTATION OF THE REPORT

(a) The Department for Children and Families shall implement the identified sustainable housing plan on July 1, 2022 in line with recommendations made in the November 1, 2021 written report. The Department for Children and Families shall take into consideration steps necessary to ensure an effective and efficient transition that reduces and/or ends reliance on the General/Emergency Assistance Motel Voucher Program effective June 30, 2022.

Sec. E. 323 REACH UP – FISCAL YEAR 2022 ONE-TIME USE OF
UNDERUTILIZED FUNDS

(a) To the extent that funds appropriated to the Reach Up program in fiscal year 2022 are not utilized as a result of caseload estimates being less than anticipated, funds shall carryforward and be used for a one-time payment to participating families in fiscal year 2023. The Department for Children and Families shall report to the Joint Fiscal Committee at their September 2022 meeting on the status of funds available and timing of one-time payments to participating families.

Sec. E.324 EXPEDITED CRISIS FUEL ASSISTANCE

(a) The Commissioner for Children and Families or designee may authorize crisis fuel assistance to those income-eligible households that have applied for an expedited seasonal fuel benefit but have not yet received it, if the benefit cannot be executed in time to prevent them from running out of fuel. The

crisis fuel grants authorized pursuant to this section count toward the one crisis fuel grant allowed per household for the winter heating season pursuant to 33 V.S.A. § 2609(b).

Sec. E.325 DEPARTMENT FOR CHILDREN AND FAMILIES – OFFICE
OF ECONOMIC OPPORTUNITY

(a) Of the General Fund appropriation in Sec. B.325 of this act, \$6,699,440 shall be granted to community agencies for homeless assistance by preserving existing services, increasing services, or increasing resources available statewide. These funds may be granted alone or in conjunction with federal Emergency Solutions Grants funds. Funds shall be administered in consultation with the Vermont Coalition to end homelessness.

Sec. E.326 DEPARTMENT FOR CHILDREN AND FAMILIES – OEO –
WEATHERIZATION ASSISTANCE

(a) Of the Special Fund appropriation in Sec. B.326 of this act, \$750,000 is for the replacement and repair of home heating equipment.

Sec. E.327 REPEAL

33 V.S.A. chapter 58 (Woodside Juvenile Rehabilitation Center) is repealed.

Sec. E.335 CORRECTIONS APPROPRIATIONS; UNEXPENDED FUNDS
TRANSFER; JUSTICE REINVESTMENT; REPORT

(a) In fiscal year 2022, the Secretary of Administration may, upon recommendation of the Secretary of Human Services, transfer unexpended funds between the respective appropriations for correctional services; provided, however, that no transfer shall be made from correctional services out-of-state beds. At least three days prior to any such transfer being made, the Secretary of Administration shall report the intended transfer to the Joint Fiscal Office and shall report any completed transfers to the Joint Fiscal Committee at its next scheduled meeting.

(b) In fiscal year 2022, any unexpended funds for correctional services out-of-state beds shall be carried forward to fiscal year 2023, and the amount reported to the Joint Legislative Justice Oversight Committee in September 2022, to support community-based service programs. Funds may only be expended on community-based service programs upon approval of the House Committees on Appropriations and on Corrections and Institutions and the Senate Committees on Appropriations and on Institutions following a recommendation from the Joint Legislative Justice Oversight Committee.

Sec. E.335.1 CORRECTIONAL OFFICERS; BODY-WORN CAMERA

POLICE POLICY AND DEPLOYMENT

(a) Deployment. The Department of Corrections shall not deploy body-worn cameras until it adopts a policy on their use, including the storage and retention of records, and trains its staff in accordance with the policy.

(b) Policy development. In developing the policy as required by this section, the Department shall:

(1) consider the implications of:

(A) the offender programming it provides; and

(B) the collective bargaining agreement it operates under; and

(2) consult with the Vermont Criminal Justice Council, the American Civil Liberties Union, the Prisoner’s Rights Office, the Human Rights Commission, the Vermont State Employees’ Association, statewide groups representing individuals with lived experience of incarceration, and any other stakeholder group as determined by the Department.

(c) Reports.

(1) The Department shall provide a progress report to the Joint Legislative Justice Oversight Committee on or before September 15, 2021 on the status of the policy development.

(2) On or before January 15, 2022, the Department shall present to the House Committee on Corrections and Institutions, the Senate Committee on Judiciary, and the House and Senate Committees on Government Operations its policy regarding the use of body-worn cameras for correctional officers.

(d) Funding. The Department shall identify the ongoing cost and funding source for the use of body-worn cameras, including training, data storage, and redaction, and report these findings to the Joint Fiscal and the Joint Justice

Oversight Committees on or before September 15, 2021. The Department shall provide a report to the House and Senate Committees on Appropriations on or before February 15, 2022 on the status of its deployment of body-worn cameras for correctional officers.

Sec. E.337 COMMUNITY HIGH SCHOOL OF VERMONT; ~~TWO-YEAR FUNDING-FISCAL YEAR 2022~~

(a) It is the intent of the General Assembly that ~~\$6,700,000~~ \$3,350,000 of funds from the Elementary and Secondary School Emergency Relief Fund, pursuant to Section 313(e) of the Consolidated Appropriations Act, 2021, Pub. L. No. 116–260, and statewide education agency funds, appropriated to the Agency of Education in Sec. B. 501 of this act, ~~will~~ shall fund the Community High School of Vermont for fiscal years 2022 and 2023. ~~Approximately one-half of these funds are transferred to the Department of Correction in Sec. B.337 in fiscal year 2022 in this act, with the remaining balance in this federal funding allocation being available for transfer to the Department of Corrections in fiscal year 2023. These funds shall be transferred from the Agency of Education to the Department of Corrections.~~

Sec. E.338 CORRECTIONS - CORRECTIONAL SERVICES

(a) Notwithstanding 32 V.S.A. § 3709(a), the special funds appropriation of \$152,000 for the supplemental facility payments to Newport and Springfield shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

* * * K-12 Education * * *

Sec. E.500 Education – finance and administration

(a) The Global Commitment funds appropriated in Sec. B.500 of this act shall be used for physician claims for determining medical necessity of Individualized Education Programs (IEPs). These services are intended to increase access to quality health care for uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.502 Education – special education; formula grants

(a) Of the appropriation authorized in this section, and notwithstanding any other provision of law, an amount not to exceed \$3,966,265 shall be used by the Agency of Education in fiscal year 2022 as funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the Secretary shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d).

Sec. E.503 Education – state-placed students

(a) The Independence Place Program of the Lund Family Center shall be considered a 24-hour residential program for the purposes of reimbursement of education costs.

Sec. E.504.1 Education – flexible pathways

(a) Of the appropriation in Sec. B.504 of this act, \$2,100,000 from the Education Fund shall be distributed to school districts for reimbursement of high school completion services pursuant to 16 V.S.A. § 943(c).

(b) Notwithstanding 16 V.S.A. § 4025(b), of this Education Fund appropriation, the amount of:

(1) \$921,500 is available for dual enrollment programs, notwithstanding 16 V.S.A. § 944(f)(2). ~~and the amount of \$41,225 is available for use pursuant to Sec. E.605.2(a) of this act;~~

(2) \$1,800,000 is available to support the Vermont Virtual High School;

(3) \$400,000 is available for secondary school reform grants; and

(4) \$500,000 is available for the Vermont Academy of Science and Technology and \$2,500,000 for Early College pursuant to 16 V.S.A. § 4011(e).

(c) Of this appropriation, \$921,500 from the General Fund is available for dual enrollment programs, ~~and \$41,225 from the General Fund is available for need-based stipends pursuant to Sec. E.605.2(a) of this act.~~

Sec. E.514 State teachers' retirement system

(a) In accordance with 16 V.S.A. § 1944(g)(2), the annual contribution to the State Teachers' Retirement System (STRS) shall be \$196,206,504 of which \$189,646,629 shall be the State's contribution and \$6,559,875 shall be contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944c.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$38,901,533 is the "normal contribution," and \$157,304,971 is the "accrued liability contribution."

Sec. E.515 RETIRED TEACHERS' HEALTH CARE AND MEDICAL
BENEFITS

(a) In accordance with 16 V.S.A. § 1944b(b)(2), \$35,093,844 shall be contributed to the Retired Teachers' Health and Medical Benefits plan.

Sec. E. 515.1 16 V.S.A § 1944b is amended to read:

§ 1944b. RETIRED TEACHERS' HEALTH AND MEDICAL BENEFITS

FUND

* * *

(3) any monies pursuant to subsection ~~(e)~~(h) of this section; and

* * *

(h) Beginning on July 1, 2021, and annually thereafter, the annual contribution to be made to the Benefits Fund by the State shall be the sum of the following, each of which shall be made by separate appropriation:

(1) The amount determined by the State Treasurer to be necessary to pay all retiree health and medical benefits, including prescription drug benefits, due in accordance with subsection 1942(p) and section 1944e of this title on a pay-go basis for the fiscal year; plus

(2) The amount determined in the most recent actuarial valuation to be the “normal cost” for the same fiscal year as set forth in subsection (1), which shall be appropriated from the Education Fund. For purposes of this subsection, the “normal cost” shall be the amount that, if contributed over each

member's prospective period of service, will be sufficient to provide for the payment of all future health and medical benefits after subtracting the unfunded actuarial liability and the total assets of the Benefits Fund. The "normal cost" shall be identified using the actuarial cost method known as "projected unit credit" and applying a rate of return equal to the most recently adopted actuarial rate of return pursuant to 3 V.S.A. § 523.

Sec. E.515.2 16 V.S.A § 4025(b)(4) is amended to read:

(4) To make payments to the Vermont Teachers' Retirement Fund and the Retired Teachers' Health and Medical Benefits Fund for the normal contribution in accordance with subsection 1944(c) and 1944b (h) of this title.

Sec. 515.3 REPORT ON NORMAL COSTS AND OTHER TO CHARGES
TO BE PART OF SCHOOL BUDGETS.

(a) The Treasurer shall report on the following:

(1) the feasibility of moving the normal costs expenses from the Education Fund to local education agencies;

(2) assessing federal grants for the normal costs of these benefits in a manner currently charged for teacher pensions whose funding is provided from federal grants or through federal reimbursement pursuant to § 1944c; and

(3) reimbursement for employer health care benefits through the Elementary & Secondary School Emergency Relief Fund. The report shall be submitted to the General Assembly on January 15, 2022.

* * * Higher Education * * *

Sec. E.600 University of Vermont

(a) The Commissioner of Finance and Management shall issue warrants to pay 1/12 of this appropriation in Sec. B.600 to the University of Vermont on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$380,326 shall be transferred to EPSCoR (Experimental Program to Stimulate Competitive Research) for the purpose of complying with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. E.602 Vermont State Colleges

(a) The Commissioner of Finance and Management shall issue warrants to pay 1/12 of the appropriation in Sec. B.602 to the Vermont State Colleges on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$427,898 shall be transferred to the Vermont Manufacturing Extension Center for the purpose of complying with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. E.602.1. 16 V.S.A. § 2187 is added to read:

§ 2187 PROPERTY TRANSACTIONS

Any sale, lease, demolition, or disposal of property by the Vermont State Colleges Corporation shall comply with the requirements of 32 V.S.A. § 962.

Sec. E.602.2 VERMONT STATE COLLEGES

(a) The Vermont State College (VSC) system shall transform itself into a fully integrated system that achieves financial stability in a responsible and sustainable way in order to meet each of these strategic priorities:

(1) Affordability. Ensure that student costs and debt obligations are not barriers to student access.

(2) Accessibility. Ensure that each VSC student, regardless of where their home campus is located, has increased access to academic opportunities, majors and courses across the statewide system;

(3) Relevance.

(A) Ensure that each VSC student is prepared for a lifelong career and personal success in the globally-competitive 21st century.

(B) Ensure that it offers educational programs that are:

(i) aligned with State workforce needs;

(ii) offered in a fiscally responsible manner; and

(iii) delivered in a manner that is relevant to current student and employer needs.

(b) VSC shall meet the following requirements during the transformation of its system required under subsection (a) of this section, to achieve these goals and to accommodate oversight by the General Assembly, and shall accommodate the oversight of the General Assembly in so doing.

(1) VSC shall reduce its structural deficit by \$5,000,000.00 per year for five years through a combination of annual operating expense reductions and increased enrollment revenues, for a total of \$25,000,000.00 by the end of fiscal year 2026. These reductions shall be structural in nature and shall not be met by use of one-time funds. The VSC Board of Trustees, through the Chancellor or designee, shall report the results of these structural reductions to the House and Senate Committees on Education and the House and Senate Committees on Appropriations annually during the Chancellor’s budget presentation.

(2) The VSC Board of Trustees shall develop and implement a 10-year strategic plan for managing its physical assets that is fiscally sustainable, maintains reasonable net asset value, and meets the needs of Vermont learners. On or before March 1, 2022, the Chancellor shall present this Board approved plan to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

(3) VSC shall maintain its present campus locations as educational and student-support centers, recognizing that changes in overall campus size, governance and operational structures as well as program and service offerings may change as circumstances require.

(4) Beginning in fiscal year 2022 through 2031, the VSC Board of Trustees, acting through the Chancellor or designee, shall brief, as part of the

Chancellor’s annual budget proposal, the House and Senate Committees on Appropriations and the House and Senate Committees on Education on:

(A) enrollment levels in courses offered by VSC, reported on the basis of courses with fewer than five students, courses with five to nine students, courses with 10 to 14 students, and courses with 15 or more students, along with relevant information about these enrollment data;

(B) in order to demonstrate accessibility, the percentage of courses and programs offered by VSC on a statewide basis and on the formats in which they are offered;

(C) an assessment of affordability and accessibility within VSC and recommendations on how to improve them;

(D) retention statistics with corresponding trend lines and benchmarks;

(E) enrollment statistics **with relevant industry benchmarks** that pertain to the student enrollment efforts authorized by the fiscal year 2022 Vermont budget bill with the net student revenue generated and discount rate applied in order to enroll the students, aggregated by cohort; and

(F) demographics of student enrollments aggregated by full-time and part-time students.

(5) To help optimize student opportunities, VSC shall complete implementation of seamless general education credit transfer between all of its constituent institutions by the end of fiscal year 2023.

(6) To ensure that VSC is meeting its responsibilities to Vermont businesses and communities, beginning in fiscal year 2022, the VSC Board of Trustees, through the Chancellor or designee, shall report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs, as part of the Chancellor’s annual budget presentation, on advances in workforce readiness and meeting employer needs, including:

(A) employer and institutional partnerships with VSC;

(B) progress in meeting critical employer needs; and

(C) the number of degrees and credentials of value awarded.

(7) The VSC Board of Trustees, through the Chancellor or designee, shall provide, in a summary form, to the House and Senate Committees on Education and the House and Senate Committees on Appropriations, as part of the Chancellor’s annual budget presentation, VSC’s profit and loss statement based upon its annual October financial statement.

(8) The Chancellor shall ensure all VSC Board of Trustees policies are adhered to unless a process for an exception to a Board policy is used to situationally and temporarily amend a specific Board policy. The Chancellor

shall establish policies and procedures to implement the Board approved transformation plan as developed by the Select Committee on Higher Education. The Chancellor shall report the status or progress of these Board policies, as part of the Chancellor’s annual budget presentation, to the House and Senate Committees on Education.

(9) The Chancellor shall report by institution the overall net student revenue and institutional discounting of tuition metrics with relevant trends.

(10) Regarding the deficit reduction plan, the Chancellor shall report the activities that have generated expense cuts as well as activities that will result in enhanced revenues as well as future plans that will continue both efforts.

~~The Chancellor shall demonstrate the status with trends and relevant industry benchmark information.~~

~~Sec. E.602.3 VERMONT STATE COLLEGES WORKFORCE~~

~~————— DEVELOPMENT AND EDUCATION~~

~~(a) Funds appropriated to the Vermont State Colleges in Sec. B.1102(a)(10)(C) of this act for statewide workforce training critical to post pandemic State economic recovery, in coordination with the Department of Labor, shall be allocated as follows:~~

~~(1) Welcome home scholarships. \$4,000,000 to provide scholarships of \$5,000 per year or \$2,500 per semester for full-time students enrolled for 12 or more credits, or \$3,000 per year or \$1,500 per semester for part-time students,~~

~~to Vermonters transferring from out-of-state institutions or returning to school after exiting in 2020–2021. This program’s mission is to incentivize students to come home to Vermont by transferring to VSCS institutions and to complete their degree if they left school without finishing in 2020–2021.~~

~~(2) Degree completion program. \$3,000,000 to provide scholarships for up to 30 credits towards a credential of value for adult learners who have earned at least 40 credits towards an undergraduate degree and have a gap in attendance of at least two years.~~

~~(3) Critical occupations; graduate internship scholarships. \$2,000,000 to provide scholarships for up to 12 credits and incentive payments of \$15.00 per hour for up to 240 hours per semester for graduate students who are required to fulfill an internship, practicum, or clinical requirement for a graduate degree in education or mental health counseling.~~

~~(4) Critical occupations; undergraduate internship scholarships. \$1,000,000 to provide incentive payments of \$15.00 per hour for up to 240 hours per semester for undergraduate students who are required to fulfill an internship, practicum, or clinical requirement for an undergraduate degree in education or allied health.~~

~~(5) Free tuition for critical occupation careers. \$5,500,000 to provide free last dollar tuition for one year of undergraduate studies for critical occupation careers, including bookkeeping certificate, IT service desk~~

~~specialist certificate, certified production technician, graphic design certificate, software and web development program, practical nursing program, electrical and plumbing apprenticeships, child care, nursing programs, mental health counseling, paramedicine, dental hygiene, certificate in accounting, small business management, radiologic science, and respiratory therapy.~~

~~(6) Workforce development 2.0. \$3,000,000 to provide funding for up to six credits or two courses, including wraparound services, for Vermonters whose employment was impacted by the COVID-19 public health emergency since March 13, 2020.~~

~~(7) Long term care facility LPN program. \$2,000,000.00 to provide funding for tuition and wraparound services for students to pursue a practical nursing certificate program.~~

~~(b) Report. On or before January 15, 2022, the Vermont State Colleges shall submit to the General Assembly a progress report concerning the implementation of this section.~~

Sec. E.603 Vermont State Colleges – Allied Health

~~(a) If Global Commitment fund monies are unavailable, the total grant funding for the Vermont State Colleges shall be maintained through the General Fund or other State funding sources.~~

~~(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in this section to support the dental hygiene, respiratory therapy,~~

and nursing programs which graduate approximately 315 health care providers annually. These graduates deliver direct, high-quality health care services to Medicaid beneficiaries or uninsured or underinsured persons, or both.

~~Sec. E.605 Vermont student assistance corporation~~

~~(a) Of the appropriation in B.605 of this act, \$25,000 is appropriated from the General Fund to the Vermont Student Assistance Corporation (VSAC) to be deposited into the Trust Fund established in 16 V.S.A. § 2845.~~

~~(b) Of the appropriated amount remaining after accounting for subsection (a) of this section, not less than 93 percent of this appropriation shall be used for direct student aid.~~

~~(c) Of the total one-time funds appropriated in this act to VSAC, an amount up to six percent, but not to exceed \$100,000 in a fiscal year, may be used for staff expenses associated with administering the funds. Funds shall not be used for indirect costs.~~

Sec. E.605.21 NEED-BASED STIPEND FOR DUAL ENROLLMENT AND
EARLY COLLEGE STUDENTS

(a) The sum of \$82,500 shall be transferred is appropriated to the Vermont Student Assistance Corporation (VSAC) from Sec. E.504(a)(1) and (b)(flexible pathways funds appropriated for dual enrollment and need-based stipend purposes) to fund a flat-rate, need-based stipend or voucher program for financially needy students enrolled in a dual enrollment course pursuant to

16 V.S.A. § 944 or in early college pursuant to 16 V.S.A. § 946 to be used for the purchase of books, cost of transportation, and payment of fees. VSAC shall establish the criteria for program eligibility. Funds shall be granted to eligible students on a first-come, first-served basis until funds are depleted.

(b) VSAC shall report on the program to the House Committees on Appropriations and on Commerce and Economic Development and to the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs on or before January 15, 2022.

Sec. E.709 10 V.S.A. § 1283 is amended to read:

§ 1283. CONTINGENCY FUND

* * *

(b) Disbursements under this subsection may be made for emergency purposes or to respond to other than emergency situations; provided, however, that disbursements in response to an individual situation that is not an emergency situation shall not exceed ~~\$100,000.00 for costs attributable to each of the subdivisions of this subsection~~ \$350,000.00 for a response to a release of a hazardous material, unless the Secretary has received the approval of the General Assembly, or the Joint Fiscal Committee, in case the General Assembly is not in session. Furthermore, the balance in the Fund shall not be drawn below the amount of \$100,000.00, except in emergency situations. If the balance of the Fund becomes insufficient to allow a proper response to one

or more emergencies that have occurred, the Secretary shall appear before the Emergency Board, as soon as possible, and shall request that necessary funds be provided. Within these limitations, disbursements from the Fund may be made:

* * *

Sec. E.709.1 ENVIRONMENTAL CONTINGENCY FUND; PCB TESTING
IN SCHOOLS

(a) Notwithstanding 10 V.S.A. § 1283, of the funds transferred in Sec. D.101(a) of this act to the Environmental Contingency Fund, the Department of Environmental Conservation, in consultation with the Department of Health and the Agency of Education, shall use up to \$~~5,000,000~~ 4,500,000 to complete air indoor quality testing for Polychlorinated Biphenyls (PCBs) in public schools and approved and recognized independent schools.

* * * Vermont Housing Finance Agency; Weatherization * * *

Sec. E.802 10 V.S.A. § 621 is amended to read:

§ 621. GENERAL POWERS AND DUTIES

The Agency shall have all of the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter, including those general powers provided a business corporation by 11A V.S.A. § 3.02 and those general powers provided a nonprofit corporation by 11B V.S.A. § 3.02 and including, without limiting the generality of the foregoing, the power to:

* * *

(22) issue bonds, notes, and other obligations secured by the property transfer tax revenues transferred to the Agency pursuant to 32 V.S.A. §9610(d); and

(23) develop a program to finance and promote housing weatherization using funds appropriated by the State, funds generated through issuing bonds, notes and other obligations of the Agency, and funds from other sources obtained through grants or other arrangements, giving priority to programs benefiting persons and families at or below 120 percent of median income with high energy burdens and to programs to expand the pool of qualified weatherization contractors in the State.

* * * Transportation * * *

**Sec. E.900 NOTIFICATION OF USE OF AMERICAN RESUCE PLAN
ACT FUNDS BY THE VERMONT AGENCY OF
TRANSPORTATION**

(a) The Secretary of the Agency of Transportation shall provide a written report to the Joint Fiscal Committee prior to utilizing Federal American Rescue Plan Act (ARPA) funds in place of funds appropriated in the fiscal year 2022 budget. The written report is for informational purposes and will not require Joint Fiscal Committee approval. If the substitutions are included in the Administrations recommended fiscal year 2022 Budget Adjustment bill, a

separate written report of these substitutions shall be submitted to the House and Senate Committees on Appropriations as part of the testimony on the budget adjustment.

~~Sec. E.915 TRANSPORTATION—TOWN HIGHWAY AID PROGRAM~~

~~(a) The total appropriation in Secs. B.915 and B.1104(a)(1)(B) is authorized, notwithstanding the provisions of 19 V.S.A. § 306(a).~~

* * * Collective Bargaining Agreements; Fiscal Year 2022 * * *

Sec. F.100 COLLECTIVE BARGAINING AGREEMENTS; FISCAL YEAR
2022

(a) This act fully funds the collective bargaining agreements between the State and the Vermont State Employees' Association and the State and the Vermont Troopers' Association for the period of July 1, 2021 through June 30, 2022. These collective bargaining agreements provide in fiscal year 2022 an average 1.9 percent step increase and 2.25 percent across-the-board increase for a total of 4.15 percent increase.

* * * Executive Branch; Exempt Employees; Fiscal Year 2022 * * *

Sec. F.101 EXECUTIVE BRANCH; EXEMPT EMPLOYEES; PERMITTED
SALARY INCREASES; FISCAL YEAR 2022

(a) Exempt employees in the Executive Branch may receive salary increases not to exceed the average rate of adjustment available to classified

employees, which is 4.15 percent, in fiscal year 2022 beginning on July 4, 2021.

(b) The permitted increases set forth in subsection (a) of this section are consistent with the collective bargaining agreement between the State and the Vermont State Employees' Association for classified employees in the Executive Branch for fiscal year 2022.

Sec. F.102 EXECUTIVE BRANCH; EXEMPT AGENCY AND
DEPARTMENT HEADS, DEPUTIES, AND EXECUTIVE
ASSISTANTS; ANNUAL SALARY ADJUSTMENT AND
SPECIAL SALARY INCREASE OR BONUS

(a) For purposes of determining annual salary adjustments, special salary increases, and bonuses under 32 V.S.A. §§ 1003(b) and 1020(b), “the average rate of adjustment available to classified employees under the collective bargaining agreement” shall be, in fiscal year 2022, 4.15 percent.

Sec. F.103 32 V.S.A. § 1020 is amended to read:

§ 1020. SALARY ADJUSTMENT; APPROVAL OF GOVERNOR

(a) Compensation to be paid any officer or employee within the Executive Branch of State government shall be determined at the time the officer or employee is hired by the Governor or such person as the Governor shall designate, subject to any applicable statutory limits, other than:

- (1) an employee in the classified service;

(2) a member of the uniformed State Police within the Department of Public Safety; or

(3) an officer or employee whose compensation is specifically fixed by statute, ~~shall be determined at the time the officer or employee is hired by the Governor or such person as the Governor shall designate subject to any applicable statutory limits.~~

(b)(1) Annually, subject to any applicable statutory salary limits, the Governor may grant annual salary adjustments to exempt employees who are deputies or executive assistants to department heads or are deputies or executive assistants to agency secretaries. The annual salary adjustment granted to any officer under this subsection shall not exceed the average ~~of the total~~ rate of adjustment available to classified employees under the collective bargaining agreement then in effect.

(2) In addition to the annual salary adjustment specified in this subsection, the Governor may grant a special salary increase or a bonus to any such officer whose job duties have significantly increased, or whose contributions to the State in the preceding year are deemed especially significant. Special salary increases or bonuses granted to any individual shall not exceed the average ~~of the total~~ rate of adjustment available to classified employees under the collective bargaining agreement then in effect.

(c)(1) The Governor may establish one or more compensation plans for other exempt employees ~~which~~ that provide for adjustments in salary based on changes in the duties performed, seniority, or other objective factors ~~which~~ that the ~~governor~~ Governor finds to be appropriate.

(2) The Governor may extend to such employees any adjustments to compensation not to exceed those available to classified employees provided under the collective bargaining agreement then in effect.

* * * Executive Branch; Miscellaneous Statutory Salaries;

Fiscal Year 2022 * * *

Sec. F.104 32 V.S.A. § 1003 is amended to read:

§ 1003. STATE OFFICERS

(a) Each elective officer of the Executive Department is entitled to an annual salary as follows:

	Annual Salary as of July 7, 2019	Annual Salary as of January 5, 2020	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 4,</u> <u>2021</u>
Governor	\$181,661	\$184,113	<u>\$191,754</u>
Lieutenant Governor	77,112	78,153	<u>81,396</u>
Secretary of State	115,190	116,745	<u>121,590</u>

State Treasurer	115,190	116,745	<u>121,590</u>
Auditor of Accounts	115,190	116,745	<u>121,590</u>
Attorney General	137,898	139,790	<u>145,591</u>

(b) The Governor may appoint each officer of the Executive Branch listed in this subsection at a starting salary ranging from the base salary stated for that position to a salary that does not exceed the maximum salary unless otherwise authorized by this subsection. The maximum salary for each appointive officer shall be 50 percent above the base salary. Annually, the Governor may grant to each of those officers an annual salary adjustment subject to the maximum salary. The annual salary adjustment granted to officers under this subsection shall not exceed the average ~~of the total~~ rate of adjustment available to classified employees under the collective bargaining agreement then in effect. In addition to the annual salary adjustment specified in this subsection, the Governor may grant a special salary increase subject to the maximum salary, or a bonus, to any officer listed in this subsection whose job duties have significantly increased, or whose contributions to the State in the preceding year are deemed especially significant. Special salary increases or bonuses granted to any individual shall not exceed the average ~~of the total~~ rate of adjustment available to classified employees under the collective bargaining agreement then in effect.

(1) Heads of the following Departments and Agencies:

	Base	Base	<u>Base</u>
	Salary	Salary	<u>Salary</u>
	as of	as of	<u>as of</u>
	July 7,	January 5,	<u>July 4,</u>
	2019	2020	<u>2021</u>
(A) Administration	\$109,849	\$111,332	<u>\$115,952</u>
(B) Agriculture, Food and Markets	109,849	111,332	<u>115,952</u>
(C) Financial Regulation	102,693	104,079	<u>108,398</u>
(D) Buildings and General Services	102,693	104,079	<u>108,398</u>
(E) Children and Families	102,693	104,079	<u>108,398</u>
(F) Commerce and Community Development	109,849	111,332	<u>115,952</u>
(G) Corrections	102,693	104,079	<u>108,398</u>
(H) Defender General	102,693	104,079	<u>108,398</u>
(I) Disabilities, Aging, and Independent Living	102,693	104,079	<u>108,398</u>
(J) Economic Development	93,155	94,413	<u>98,331</u>
(K) Education	109,849	111,332	<u>115,952</u>
(L) Environmental Conservation	102,693	104,079	<u>108,398</u>
(M) Finance and Management	102,693	104,079	<u>108,398</u>
(N) Fish and Wildlife	93,155	94,413	<u>98,331</u>

(O) Forests, Parks and Recreation	93,155	94,413	<u>98,331</u>
(P) Health	102,693	104,079	<u>108,398</u>
(Q) Housing and Community			
Development	93,155	94,413	<u>98,331</u>
(R) Human Resources	102,693	104,079	<u>108,398</u>
(S) Human Services	109,849	111,332	<u>115,952</u>
(T) Digital Services	109,849	111,332	<u>115,952</u>
(U) Labor	102,693	104,079	<u>108,398</u>
(V) Libraries	93,155	94,413	<u>98,331</u>
(W) Liquor and Lottery	93,155	94,413	<u>98,331</u>
(X) [Repealed.]			
(Y) Mental Health	102,693	104,079	<u>108,398</u>
(Z) Military	102,693	104,079	<u>108,398</u>
(AA) Motor Vehicles	93,155	94,413	<u>98,331</u>
(BB) Natural Resources	109,849	111,332	<u>115,952</u>
(CC) Natural Resources Board			
Chair	93,155	94,413	<u>98,331</u>
(DD) Public Safety	102,693	104,079	<u>108,398</u>
(EE) Public Service	102,693	104,079	<u>108,398</u>
(FF) Taxes	102,693	104,079	<u>108,398</u>
(GG) Tourism and Marketing	93,155	94,413	<u>98,331</u>

(HH) Transportation	109,849	111,332	<u>115,952</u>
(II) Vermont Health Access	102,693	104,079	<u>108,398</u>
(JJ) Veterans' Home	102,693	104,079	<u>108,398</u>

(2) The Secretary of Administration may include the Director of the Office of Professional Regulation in any pay plans that may be established under the authority of subsection 1020(c) of this title, provided the minimum hiring rate does not fall below a base salary, as of ~~July 7, 2019~~ of ~~\$78,975.00~~ ~~and as of January 5, 2020~~ of ~~\$80,041.00~~ and as of July 4, 2021 of \$83,363.00.

(3) If the Chair of the Natural Resources Board is employed on less than a full-time basis, the hiring and salary maximums for that position shall be reduced proportionately.

(4) When a permanent employee is appointed to an exempt position, the Governor may authorize such employee to retain the present salary even though it is in excess of any salary maximum provided in statute.

* * *

(d) Notwithstanding the maximum salary established in subsection (b) of this section, the Defender General shall not receive compensation in excess of the compensation established for the Attorney General in this section.

(e) Notwithstanding the maximum salary established in subsection (b) of this section, the maximum salary for the Commissioner of Health ~~may~~ shall not exceed \$150,000.00.

* * * Judicial Branch; Statutory Salaries; Fiscal Year 2022 * * *

Sec. F.105 32 V.S.A. § 1003(c) is amended to read:

(c) The officers of the Judicial Branch named below shall be entitled to annual salaries as follows:

	Annual	Annual	<u>Annual</u>
	Salary	Salary	<u>Salary</u>
	as of	as of	<u>as of</u>
	July 7,	January 5,	<u>July 4,</u>
	2019	2020	<u>2021</u>
(1) Chief Justice of Supreme Court	\$174,843	\$177,203	<u>\$184,557</u>
(2) Each Associate Justice	66,868	169,121	<u>176,140</u>
(3) Administrative judge judge <u>Judge</u>	166,868	169,121	<u>176,140</u>
(4) Each Superior judge	158,635	160,777	<u>167,449</u>
(5) [Repealed.]			
(6) Each magistrate	119,609	121,224	<u>126,255</u>
(7) Each Judicial Bureau hearing Officer	119,609	121,224	<u>126,255</u>

Sec. F.106 32 V.S.A. § 1141 is amended to read:

§ 1141. ASSISTANT JUDGES

(a)(1) Each assistant judge of the Superior Court shall be entitled to receive compensation in the amount of ~~\$183.38 a day as of July 7, 2019~~ and \$185.86 a day as of January 5, 2020 and \$193.57 a day as of July 4, 2021 for time spent in the performance of official duties and necessary expenses as allowed to classified State employees. Compensation under this section shall be based on a two-hour minimum and hourly thereafter.

(2)(A) The compensation paid to an assistant judge pursuant to this section shall be paid by the State except as provided in subdivision (B) of this subdivision (2).

(B) The compensation paid to an assistant judge pursuant to this section shall be paid by the county at the State rate established in subdivision (a)(1) of this section when an assistant judge is sitting with a presiding Superior judge in the Civil or Family Division of the Superior Court.

(b) Assistant judges of the Superior Court shall be entitled to receive pay for such days as they attend court when it is in actual session, or during a court recess when engaged in the special performance of official duties.

Sec. F.107 32 V.S.A. § 1142 is amended to read:

§ 1142. PROBATE JUDGES

(a) The Probate judges in the several Probate Districts shall be entitled to receive the following annual salaries, which shall be paid by the State in lieu of all fees or other compensation:

	Annual Salary	Annual Salary	<u>Annual Salary</u>
	as of	as of	as of
	July 7, 2019	January 5, 2020	<u>July 4, 2021</u>
(1) Addison	\$62,540	\$63,384	<u>\$66,014</u>
(2) Bennington	79,060	80,127	<u>83,452</u>
(3) Caledonia	55,461	56,210	<u>58,543</u>
(4) Chittenden	131,939	133,720	<u>139,269</u>
(5) Essex	15,494	15,703	<u>16,355</u>
(6) Franklin	62,540	63,384	<u>66,014</u>
(7) Grand Isle	15,494	15,703	<u>16,355</u>
(8) Lamoille	43,660	44,249	<u>46,085</u>
(9) Orange	51,919	52,620	<u>54,804</u>
(10) Orleans	50,740	51,425	<u>53,559</u>
(11) Rutland	112,100	113,613	<u>118,328</u>
(12) Washington	86,138	87,301	<u>90,924</u>
(13) Windham	69,620	70,560	<u>73,488</u>
(14) Windsor	94,400	95,674	<u>99,644</u>

(b) Probate judges shall be entitled to be paid by the State for their actual and necessary expenses under the rules and regulations pertaining to classified State employees. The compensation for the Probate judge of the Chittenden District shall be for full-time service.

(c) All Probate judges, regardless of the number of hours worked annually, shall be eligible to participate in all employee benefits that are available to exempt employees of the Judicial Department.

* * * Sheriffs; Statutory Salaries; Fiscal Year 2022 * * *

Sec. F.108 32 V.S.A. § 1182 is amended to read:

§ 1182. SHERIFFS

(a) The sheriffs of all counties except Chittenden shall be entitled to receive salaries in the amount of ~~\$84,969.00 as of July 7, 2019~~ and \$86,116.00 as of January 5, 2020 and \$89,690.00 as of July 4, 2021. The Sheriff of Chittenden County shall be entitled to an annual salary in the amount of ~~\$89,919.00 as of July 7, 2019~~ and \$91,133.00 as of January 5, 2020 and \$94,915.00 as of July 4, 2021.

(b) Compensation under subsection (a) of this section shall be reduced by 10 percent for any sheriff who has not obtained Level III law enforcement officer certification under 20 V.S.A. § 2358.

* * * State's Attorneys; Statutory Salaries; Fiscal Year 2022 * * *

Sec. F.109 32 V.S.A. § 1183 is amended to read:

§ 1183. STATE'S ATTORNEYS

(a) The State's Attorneys shall be entitled to receive annual salaries as follows:

~~Annual~~ Annual Annual

	Salary	Salary	<u>Salary</u>
	as of	as of	<u>as of</u>
	July 7,	January 5,	<u>July 4,</u>
	2019	2020	<u>2021</u>
(1) Addison County	\$114,934	\$116,486	<u>\$121,320</u>
(2) Bennington County	\$114,934	\$116,486	<u>\$121,320</u>
(3) Caledonia County	\$114,934	\$116,486	<u>\$121,320</u>
(4) Chittenden County	\$120,160	\$121,782	<u>\$126,836</u>
(5) Essex County	\$86,202	\$87,366	<u>\$90,992</u>
(6) Franklin County	\$114,934	\$116,486	<u>\$121,320</u>
(7) Grand Isle County	\$86,202	\$87,366	<u>\$90,992</u>
(8) Lamoille County	\$114,934	\$116,486	<u>\$121,320</u>
(9) Orange County	\$114,934	\$116,486	<u>\$121,320</u>
(10) Orleans County	\$114,934	\$116,486	<u>\$121,320</u>
(11) Rutland County	\$114,934	\$116,486	<u>\$121,320</u>
(12) Washington County	\$114,934	\$116,486	<u>\$121,320</u>
(13) Windham County	\$114,934	\$116,486	<u>\$121,320</u>
(14) Windsor County	\$114,934	\$116,486	<u>\$121,320</u>

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* * * Appropriations * * *

Sec. F.111 PAY ACT APPROPRIATIONS; FISCAL YEAR 2022

(a) Executive Branch. The second year of the two-year agreements between the State of Vermont and the Vermont State Employees' Association for the Defender General, Non-Management, Supervisory, and Corrections bargaining units, and, for the purpose of appropriation, the State's Attorneys' offices bargaining unit, for the period of July 1, 2021 through June 30, 2022; the collective bargaining agreement with the Vermont Troopers' Association for the period of July 1, 2021 through June 30, 2022; and salary increases for employees in the Executive Branch not covered by the bargaining agreements shall be funded as follows:

(1) Fiscal year 2022.

(A) General Fund. The amount of \$10,033,806.00 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2022 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$4,250,000 is appropriated from the Transportation Fund to the Secretary of Administration for distribution to the Agency of Transportation and the Department of Public Safety to fund the fiscal year 2022 collective bargaining agreements and the requirements of this act.

(C) Other funds. The Administration shall provide additional spending authority to departments through the existing process of excess

receipts to fund the fiscal year 2022 collective bargaining agreements and the requirements of this act. The estimated amounts are \$15,775,278.00 from a special fund, federal funds, and other sources.

(D) Transfers. With due regard to the possible availability of other funds, for fiscal year 2022, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(2) This section shall include sufficient funding to ensure administration of exempt pay plans authorized by 32 V.S.A. § 1020(c).

(b) Judicial Branch.

(1) The Chief Justice of the Vermont Supreme Court may extend the provisions of the Judiciary’s collective bargaining agreement to Judiciary employees who are not covered by the bargaining agreement.

(2) The second year of the two-year agreements between the State of Vermont and the Vermont State Employees’ Association for the judicial bargaining unit for the period of July 1, 2021 through June 30, 2022 and salary increases for employees in the Judicial Branch not covered by the bargaining agreements shall be funded as follows: the amount of \$978,648.00 is

appropriated from the General Fund to the Judiciary to fund the fiscal year 2022 collective bargaining agreement and the requirements of this act.

(c) Legislative Branch. For the period of July 1, 2021 through June 30, 2022, the General Assembly shall be funded as follows: the amount of \$399,630.00 is appropriated from the General Fund to the Legislative Branch.

* * * Fiscal Year 2021; One-Time Payments * * *

Sec. F.112 FISCAL YEAR 2021; ONE-TIME PAYMENTS AUTHORIZED

(a) The Executive Branch is authorized to provide elected State officials whose salaries are set pursuant to 32 V.S.A. § 1003 (State officers), who did not otherwise receive a salary increase in fiscal year 2021, a one-time cash payment equivalent to the value of a 1.9 percent increase on their fiscal year 2020 salary.

(b) The Judicial Branch is authorized to provide judicial officers whose salaries are set pursuant to 32 V.S.A. §§ 1003, 1141–1142, who did not otherwise receive a salary increase in fiscal year 2021, a one-time cash payment equivalent to the value of a 1.9 percent increase on their fiscal year 2020 salary.

* * * American Rescue Plan Act of 2021 –
Coronavirus State Fiscal Recovery Fund * * *

Sec. G.

* * * Effective Dates * * *

Sec. ~~GH~~.100 EFFECTIVE DATES

(a) Secs. C.100 through C.106 (Fiscal Year 2021 adjustments), Sec. E.234 (building efficiency goals), Sec. E.234.1 (Home Weatherization Assistance Program), Sec. E.234.2 (Public Utility Commission proceeding), Sec. E.234.3 (development of weatherization workforce and counseling services; reports); and Sec. E.234.4 (Energy Saving Fund) and Sec. F.112 (Judiciary onetime payments authorized) shall take effect upon passage.

(b) Secs. E. 100.2 (Clean Water Fund) and E.100.3 (General Fund) shall take effect July 1, 2021.

(c) Secs. E.100.4 (reversion of rooms and meals to Clean Water Fund,) and E.100.5 (removal of rooms and meals tax from General Fund), shall take effect on July 1, 2026.

(d) Secs. E.207 and E.207.2 shall take effect on October 1, 2021.

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

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