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1 **No. XX. An act relating to fiscal year 2022 budget adjustments.**

2 **Sec. 46.** 2021 Acts and Resolves No. 74, Sec. B.1106 is amended to read:

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

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

6 1) ~~\$38,430,000~~ \$39,460,000 to the Agency of Administration for the following:

7 (A) ~~\$11,580,000~~ \$12,420,000 for distribution to departments to fund the fiscal
8 year 2022 53rd week of Medicaid.

9 (B) ~~\$12,450,000~~ \$12,640,000 for distribution to departments to fund the fiscal
10 year 2022 27th payroll pay period.

EXPLANATION: Adjust appropriations based on the September 17, 2021 27/53 Reserve Report to the Joint Fiscal Committee.

* * *

11 (12) \$126,000 to the ~~Agency of Human Services Secretary's Office~~ Department for
12 Children and Families – administration and support services to maintain the 211-call center.

* * *

EXPLANATION: Reflect the move of the management of the 211 contract from the Secretary's Office to the Department of Children and Families.

13 (21) \$25,000,000 to the Agency of Human Services – Central Office to address emergent
14 and exigent circumstances following the COVID-19 pandemic.

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- 1 (A) Of these funds, \$5,280,000 shall be allocated to match \$12,000,000 Global
 2 Commitment Funds appropriated to the Agency of Human Services in fiscal year 2022 to
 3 reimburse nursing homes through Medicaid rates, notwithstanding any provision of Vermont
 4 statute or rule to the contrary, for the actual costs incurred in using traveling nurses to provide
 5 services to their residents

EXPLANATION: While Covid Relief Funds expired on December 31, 2021, emergent health needs remain. This sum will help meet COVID-related grant and contractual obligations and provide financial support to providers to prevent business closures and disruptions. HAC allocates state match funding for \$12m Nursing home reimbursement for traveling nurse costs.

- 6 ~~(22) \$15,000,000 to the Agency of Human Services — Central Office for Healthcare~~
 7 ~~Workforce Retention incentives.~~

EXPLANATION: Retention incentives to maintain existing health care workers in Vermont (e.g. LNA, LPN, RN, MH/SWs, DSPs) to ensure stability of the system while medium and long-term strategies are implemented. Provider types include home health, skilled nursing facilities, residential care providers, direct service workers such as nurses, direct support professionals, and independent workers.

- 8 ~~(22) \$3,300,000 to the Agency of Digital Services for a cyber security initiative as~~
 9 ~~follows:~~
- 10 (A) \$2,300,000 for purchase and implementation of Security Information and Event
 11 Management software.
- 12 (B) \$1,000,000 to prepay the fiscal year 2023 annual licensing/maintenance costs for
 13 the system.

EXPLANATION: Provide improved protection against cyber-attacks by implementing a new system for Security Information and Event Management (the real-time analysis of system logs and security alerts generated by applications and network hardware). The licensing/maintenance cost would be distributed as a statewide allocation beginning in FY2024.

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1 ~~(24) \$20,000,000 to the State Treasurer's Office to be used to redeem, prior to maturity,~~
2 ~~State of Vermont general obligation bonds that may become eligible for redemption in fiscal~~
3 ~~years 2022 and 2023. These funds shall carry forward into fiscal year 2023 and be used only for~~
4 ~~the purpose of redeeming State of Vermont general obligation bonds prior to maturity.~~

EXPLANATION: Reduce the State's outstanding debt to reduce debt service costs, lower Vermont's debt-to-GDP ratio, and improve the State's standing with credit rating agencies.

5 (23) \$350,000 to the Department of Environmental Conservation to evaluate and provide
6 an analysis of the capital and ongoing operations and maintenance costs of the Green River Dam.
7 Any unspent funds shall be directed to State-owned dams to evaluate the capital and ongoing
8 operations and maintenance costs.

EXPLANATION: Provide an economic analysis of the potential cost to the State to assume ownership of the Green River Dam, to include capital (what the State would need to invest in the structure to keep it in good standing as a high-hazard dam) and ongoing operations and maintenance costs.

9 (24) \$33,000 to the Joint Fiscal Office for the expense of a consultant for the Health
10 Reform Oversight Committee.

11 (25) \$350,000 to the Agency of Education to provide support for the four statewide
12 nonprofit organizations in the Adult Education and Literacy (AEL) network to address budget
13 shortfalls resulting from the effects of COVID-19.

14 (26) \$300,000 to the Public Service Department to support the continuity of statewide
15 public, educational, and governmental (PEG) access services.

16 (27) \$166,667 to the Department of Health, Alcohol and Drug Abuse Programs, to support
17 four statewide syringe services programs.

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1 (28) \$250,000 to the Agency of Commerce and Community Development, Housing and
2 Community Development, to make grants to municipal planning organizations.

3 (29) \$112,000 to the Center for Crime Victim Services for legal services for victims.

4 **Sec. 3** ~~FISCAL YEAR 2022 ONE-TIME APPROPRIATIONS FROM SECTION 9817 OF THE~~
5 ~~AMERICAN RESCUE PLAN ACT FOR MEDICAID HOME AND COMMUNITY-~~
6 ~~BASED SERVICES~~

7 ~~(a) At the close of fiscal year 2022, up to \$66,000,000 of the General Fund in Sec. B.301~~
8 ~~shall revert, and up to \$66,000,000 of the amount reverted shall be appropriated as a one-time~~
9 ~~appropriation for the Agency of Human Services Central Office in fiscal year 2022. This one-~~
10 ~~time appropriation will be used as match for the American Rescue Plan Section 9817 Home and~~
11 ~~Community Based Services (HCBS) Reinvestment activities. Unspent funds from this one-time~~
12 ~~appropriation shall carry forward until fully expended.~~

13 ~~(b) Based on the October 2021 HCBS spending plan as submitted to the Center for Medicare~~
14 ~~and Medicaid Services, the following amounts shall be appropriated in fiscal year 2022 as one-~~
15 ~~time Global Commitment fund appropriations and carried forward until fully expended for the~~
16 ~~following departments:~~

17 ~~(1) \$85,601,939 to the Agency of Human Services — Secretary's Office~~

18 ~~(2) \$2,370,000 to Department of Disabilities, Aging, and Independent Living~~

19 ~~(3) \$6,171,000 to Department of Mental Health~~

20 ~~(4) \$390,000 to the Department of Vermont Health Access~~

21 ~~(5) \$4,942,586 to the Department of Health~~

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1 ~~(c) In order to facilitate end of year closeout for fiscal year 2022, the appropriations in~~
 2 ~~subsections (a) and (b) of this section shall be included among the Global Commitment~~
 3 ~~appropriations referenced in Sec. E.301.2 of, available for transfers.~~

EXPLANATION: Language to establish Global Commitment spending authority associated with the HCBS spending plan.

4 **Sec. 47.** FISCAL YEAR 2022; VERMONT STATE EMPLOYEES' RETIREMENT SYSTEM;
 5 RECOMMENDATIONS; DEPARTMENT OF CORRECTIONS EMPLOYEES;
 6 LONGEVITY INCENTIVE

7 (a) On or before April 15, 2022, the State Treasurer and the Board of Trustees for the
 8 Vermont State Employees Retirement System shall recommend to the House and Senate
 9 Committees on Appropriations and on Government Operations a plan for the following:

10 (1) the creation of a new pension benefit group for Department of Corrections employees
 11 that is actuarially neutral to the pension system and results in no additional employer pension
 12 costs; and

13 (2) the development of a longevity incentive that encourages Group F member who are
 14 eligible for a normal retirement a longevity incentive to continue working past their retirement
 15 date, provided that the incentive is designed to result in actuarial savings to the pension system
 16 and reduce employer pension expenses.

17 **Sec. 48.** 2021 Acts and Resolves No. 74, Sec. D.101 is amended to read:

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

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

* * *

3 (6) From the Clean Water Fund (21932) established by 10 V.S.A. § 1388 to the
4 Agricultural Water Quality Special Fund (21933) created under 6 V.S.A. § 4803: ~~\$4,521,393~~
5 \$5,963,850.

EXPLANATION: The August 12, 2021 Clean Water Board meeting recommended an additional Clean Water Fund appropriation to the Vermont Agency of Agriculture, Food and Markets (AAFM), in the amount of \$1,442,457. This comes to the AAFM in the form of a transfer from the Clean Water Fund to the Agricultural Water Quality Special fund. This adjustment increases the original transfer amount by \$1,442,457 to provide for the B.225.2 appropriation adjusted in Section XX of this act.

* * *

6 (9) From the Transportation Infrastructure Bond Fund established by 19 V.S.A. § 11f to
7 the Transportation Infrastructure Bonds Debt Service Fund (35200) established by 32 V.S.A. §
8 ~~951a for funding fiscal year 2023 transportation infrastructure bonds debt service~~ the redemption
9 of transportation infrastructure bonds prior to maturity: \$2,502,363.

10 (10) From the Transportation FHWA Fund (20135) to the Transportation Infrastructure
11 Bonds Debt Service Fund (35200) established by 32 V.S.A. § 951a for funding the redemption of
12 transportation infrastructure bonds prior to maturity: \$12,554,768.

13 (11) From the Transportation Fund – Non-Dedicated (20105) to the Transportation
14 Infrastructure Bonds Debt Service Fund (35200) established by 32 V.S.A. § 951a for funding the
15 redemption of transportation infrastructure bonds prior to maturity: \$4,863,957.

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EXPLANATION: The 2021 Coronavirus Response and Relief Supplemental Apportionment and Allocation provided \$50.4M dollars to Vermont from the Federal Highway Administration (FHWA). A provision of this apportionment provides for its use toward transportation debt service. The remaining balance of this apportionment, along with \$7M of Transportation Funds, is transferred to the Transportation Infrastructure Bonds Debt Service Fund to repay Transportation Infrastructure Bond debt, which will eliminate both the amount of interest owed and the \$2.5M annual debt service payment. Savings will be available for use toward federal match requirements described in the Infrastructure Improvement and Jobs Act of 2021, and ongoing future federal match requirements. Funds needed for the June 15, 2022 debt service payment have already been transferred to the trustee, so the amount to be included in the BAA will be reduced. We will only need to include the principal amount of bonds outstanding after the June 15 payment (\$19,925,000) less the Debt Service Reserve (\$2,506,275) which will be liquidated and used for redemption, for a total of \$17,418,725.

1 ~~(12)~~ From the General Fund to the Correctional Industries Internal Services Fund (59100):

2 ~~\$1,877,092.~~

EXPLANATION: This figure represents \$800,000 of funds reverted from VDH Admin and Public Health appropriations to the General Fund per D.101(d) below, plus an additional amount of \$1,077,092 of General Funds to be transferred to the Correctional Industries Internal Services Fund (59100) to address its deficit balance.

3 ~~(13)~~ From the General Fund to the Property Management Fund (58700) established by

4 29 V.S.A. § 160: ~~\$10,000,000~~ \$5,000,000.

EXPLANATION: This transfer pays down the legacy deficit created by lack of a revenue source prior to FY2017 to operate the Property Management program. In FY2017, a 5.26% surcharge on lease payments was implemented to fund ongoing program operation and prevent growth of the deficit; however, the surcharge is insufficient to pay down the pre-FY2017 deficit.

5 ~~(14)~~ From the General Fund to the State Liability Self-Insurance Fund (56200):

6 ~~\$6,700,000~~ \$5,000,000.

EXPLANATION: Provide sufficient fund reserves to accommodate coverage changes due to July 2021 policy renewal terms, including decreased coverage and increased retention for Non-tort Excess Liability, and increased deductible (from \$250k to \$3.5M) and decreased coverage (from \$10M to \$5M) for Cyber Liability.

7 (14) From the General Fund to the Victims Compensation Special Fund (21145)

8 established by 13 V.S.A. § 5359: \$1,300,000.

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EXPLANATION: Provide funds to replace revenues from declining penalties, fines and fees.

- 1 (15) From the General Fund to the Domestic and Sexual Violence Special Fund (21926)
 2 established by 13 V.S.A. § 5360: \$250,000.

EXPLANATION: Provide funds to replace revenues from declining penalties, fines and fees.

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

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

* * *

6 21500 Interdepartmental Transfer Fund – 7100000022 125,000.00

EXPLANATION: In 2016, ACCD approved a \$200,000 grant from the VT Enterprise Fund (21944) to BHS Composites, and made a first payment of \$100,000 to the grantee. In June of 2021, \$25,000 of this original payment, along with \$100,000 that had been obligated for a second payment, was returned based on determination that the grantee was unable to meet the obligations of the grant agreement. Because the VT Enterprise Fund was sunset 6/30/2017 and the remaining fund balance was transferred to the General Fund, the \$125,000 being returned to ACCD is likewise requested for transfer to the General Fund.

* * *

- 7 (d) Notwithstanding any provision of law to the contrary, in fiscal year 2022, the following
 8 amounts shall revert to the General Fund from the accounts indicated:

9 2150010000 Military – administration ~~\$200,000.00~~316,556.00

EXPLANATION: Increase to reversion by \$116,556 is due to a reduction in the amount disbursed to Vermont Student Assistance Corporation in Section XX of this act.

10 1210002000 Legislature ~~\$140,000.00~~435,000.001,935,000

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EXPLANATION: Increase to reversion by \$295,000 is intended to fund increased appropriations to B.126 and B.127 in Section XX of this act. HAC reverts additional \$1.5 M to appropriate too BGS for State House programming and design.

1	1215001000	Legislative Counsel	50,000.00
2	1220000000	Joint Fiscal Office	50,000.00
3	1225001000	Legislative IT	120,000.00
4	1230001000	Sergeant at Arms	60,000.00
5	<u>1100010000</u>	<u>Secretary of Administration</u>	<u>50,000.00</u>
6	<u>1110003000</u>	<u>Budget & Management</u>	<u>117,075.64</u>
7	<u>1110006000</u>	<u>University of Vermont</u>	<u>1.00</u>
8	<u>1110007000</u>	<u>UVM- Morgan Horse Farm</u>	<u>1.00</u>
9	<u>1110009100</u>	<u>Vermont State Colleges</u>	<u>3.00</u>
10	<u>1130030000</u>	<u>Libraries</u>	<u>26,000.38</u>
11	<u>1140010000</u>	<u>Tax Operation Costs</u>	<u>200,000.00</u>
12	<u>1140040000</u>	<u>Homeowner Rebates</u>	<u>333,503.02</u>
13	<u>1140330000</u>	<u>Renter Rebates</u>	<u>1,712,964.82</u>
14	<u>1240001000</u>	<u>Lieutenant Governor's Office</u>	<u>20,672.89</u>
15	<u>1260891901</u>	<u>Pension Grp Membership</u>	<u>65,000.00</u>
16	<u>2130200000</u>	<u>Sheriffs</u>	<u>542,914.55</u>

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1	<u>2140010000</u>	<u>DPS – State Police</u>	<u>13,666,973.39</u>
2	<u>2170010000</u>	<u>Criminal Justice Trng Council</u>	<u>62,049.00</u>
3	<u>2280001000</u>	<u>Human Rights Commission</u>	<u>9,101.68</u>
4	<u>3150891901</u>	<u>Copeland Center</u>	<u>5,803.03</u>
5	<u>3330010000</u>	<u>Green Mountain Care Board</u>	<u>0.44</u>
6	<u>3400001000</u>	<u>Secretary's Office Admin Costs</u>	<u>50,000.00</u>
7	<u>3400002000</u>	<u>RSVP Appropriation</u>	<u>1,035.00</u>
8	<u>3400891902</u>	<u>Elec Med/Health Records Syst</u>	<u>3,894.00</u>
9	<u>3410017000</u>	<u>DVHA-Programs-ST-Only Funded</u>	<u>76,450.02</u>
10	<u>3420010000</u>	<u>Administration</u>	<u>650,000.00</u>
11	<u>3420021000</u>	<u>Public Health</u>	<u>1,784,782.61</u>
12	<u>3420892110</u>	<u>VDH-Data Collection</u>	<u>134,000.00</u>
13	<u>3440060000</u>	<u>DCFS - General Assistance</u>	<u>4,374,450.77</u>
14	<u>3440891903</u>	<u>Parent Child Centers</u>	<u>18,089.40</u>
15	<u>3440891906</u>	<u>Incentivizing Child Care Profs</u>	<u>96,628.40</u>
16	<u>3440891908</u>	<u>Weatherization Assist Bridge</u>	<u>290,035.94</u>
17	<u>3460020000</u>	<u>Advocacy & Indep Living Grants</u>	<u>241,585.88</u>
18	<u>3480004000</u>	<u>Corrections-Correctional Services</u>	<u>6,361,238.22</u>

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1	<u>5100010000</u>	<u>Administration</u>	<u>118,500.00</u>
2	<u>5100060000</u>	<u>Adult Basic Education</u>	<u>63,476.19</u>
3	<u>5100070000</u>	<u>Education Services</u>	<u>51,719.84</u>
4	<u>5100210000</u>	<u>Ed - Flexible Pathways</u>	<u>10,675.00</u>
5	<u>5100891807</u>	<u>Restorative Justice Grants</u>	<u>75,867.34</u>
6	<u>5100891901</u>	<u>AOE New Positions</u>	<u>214,729.59</u>
7	<u>6100040000</u>	<u>Property Tax Assessment Approp</u>	<u>0.93</u>
8	<u>6130010000</u>	<u>Administration</u>	<u>0.70</u>
9	<u>7100892107</u>	<u>ACCD-Public Access TV</u>	<u>30,450.10</u>
10	<u>7120892001</u>	<u>ThinkVermont Initiative</u>	<u>45,000.00</u>

EXPLANATION: Additional amounts, totaling \$31,504,673.77, remaining for reversion to General Fund after Finance & Management approval of expenditure plans for carry-forward from SFY21 to SFY22. HAC removed the \$65K reversion from the Treasurer's Office to be available for actuarial work.

11 (e) Notwithstanding any provision of law to the contrary, in fiscal year 2022, the following
 12 amounts shall revert to the Education Fund from the accounts indicated:

13	<u>1140060000</u>	<u>Reappraisal & Listing Payments</u>	<u>0.13</u>
14	<u>5100010000</u>	<u>Administration</u>	<u>950,949.54</u>
15	<u>5100040000</u>	<u>Special Education Formula</u>	<u>5,824,528.53</u>
16	<u>5100050000</u>	<u>State-Placed Students</u>	<u>880,000.00</u>

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1	<u>5100090000</u>	<u>Education Grant</u>	<u>0.69</u>
2	<u>5100110000</u>	<u>Small School Grant</u>	<u>614,965.00</u>
3	<u>5100190000</u>	<u>Essential Early Educ Grant</u>	<u>41,295.67</u>
4	<u>5100200000</u>	<u>Education-Technical Education</u>	<u>1,841,126.00</u>
5	<u>5100210000</u>	<u>Ed - Flexible Pathways</u>	<u>1,579,282.05</u>

EXPLANATION: Amounts, totaling \$11,732,147.61, remaining for reversion to Ed Fund after carry-forward of \$44,418,308.78 from SFY21 to SFY22.

6 (f) Notwithstanding any provision of law to the contrary, in fiscal year 2022, the following
7 amount shall revert to the Transportation Fund from the account indicated:

8	<u>2140010000</u>	<u>DPS-State Police</u>	<u>3,933,026.61</u>
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EXPLANATION: Unobligated balance remaining from Transportation Fund appropriation to State Police at SFY21 year end is reverted to Transportation Fund for transfer to TIB Debt Service Fund in Section XX of this act.

9 (g) Notwithstanding any provision of law to the contrary, in fiscal year 2022, the following
10 amount shall revert to the Clean Water Fund from the account indicated:

11	<u>6140040000</u>	<u>Environmental Conservation – Office of Water Programs</u>	<u>\$675,149.73</u>
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EXPLANATION: In FY 2021 the Municipal Grant-in-Aid program was moved from the Department of Environmental Conservation to VTrans. The funds that remain after all DEC Grant-in-Aid agreements were closed are reverted in this section. These funds are appropriated to the Agency of Transportation in Section B. 919 of this budget adjustment proposal.

12 **Sec. 49** 2021 Acts and Resolves No. 74, Sec. D.102 is amended to read:

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

14 (a) ~~\$3,740,000~~ \$4,770,000 from the General Fund shall be reserved in the 27/53 reserve in
15 fiscal year 2022. This action is the fiscal year 2022 contribution to the reserve for the 53rd week

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1 of Medicaid as required by 32 V.S.A. § 308e and the 27th payroll reserve as required by 32
2 V.S.A. § 308e(b).

3 (b) ~~\$24,030,000~~ \$25,060,000 shall be unreserved from the 27/53 Reserve in in fiscal year
4 2022 to provide for the appropriations described in Secs. B.1106(a)(1)(A) and B.1106(a)(1)(B)
5 of this act.

EXPLANATION: Amounts updated to provide for the appropriations adjusted in Sec. XX of this
act.

6 **Sec. 50.** 2021 Acts and Resolves No. 74, Sec. E.107 is amended to read:

7 Sec. E.107 CORONAVIRUS RELIEF FUND APPROPRIATIONS; REVERSION AND
8 REALLOCATION; REPORTS

9 (a) The Commissioner of Finance and Management is authorized to revert all unobligated
10 Coronavirus Relief Fund (CRF) appropriations prior to December 31, 2021. The total amount of
11 CRF monies reverted in accordance with this subsection shall be allocated pursuant to 32 V.S.A.
12 § 511 to any agency or department for CRF-eligible costs incurred from ~~July 1, 2021~~ March 1,
13 2020 through December 31, 2021.

14 (b) If previously obligated CRF monies become unobligated after December 31, 2021, the
15 Commissioner of Finance and Management is authorized to revert the unobligated CRF
16 appropriations and allocate the monies for expenditure pursuant to 32 V.S.A. § 511 to any
17 agency or department for CRF-eligible costs incurred from ~~July 1, 2021~~ March 1, 2020 through
18 December 31, 2021.

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EXPLANATION: Date change in (a) is intended to accommodate reallocation of CRF funds to reimburse an eligible expenditure that was obligated prior to July 1, 2021. Date change in (b) is intended to accommodate any similar unforeseen needs that may arise.

1 **Sec. 51. CORONAVIRUS RELIEF FUND REALLOCATION**

2 (a) Pursuant to 2021 Acts and Resolves No. 74, Sec. E.107 as amended by Sec. 50 of this
 3 Act, the following amount is reallocated from the Coronavirus Relief Fund to the following
 4 eligible appropriation:

5 (1) To the Agency of Education for Local Educational Agency (LEA) grants:

6 \$436,217.22

EXPLANATION: The Agency of Education received a request for reimbursement from an LEA (Windsor Central Supervisory Union) on December 28, 2021. Because the reimbursement request was for expenses incurred prior to July 1, 2021, the Commissioner of Finance & Management was not empowered to reallocate reverted CRF for this purpose. This section enumerates the desired reallocation.

7 **Sec. 52. PENSION RESERVE**

8 (a) In fiscal year 2022, the amount of \$50,000,000 in General Funds are hereby reserved to
 9 be part of pension funding initiatives.

10 **Sec. 53. FISCAL YEAR 2022 UNALLOCATED RESERVE**

11 (a) After satisfying the requirements of 32 V.S.A. § 308, and after other reserve requirements
 12 have been met, but prior to satisfying the requirements of 32 V.S.A. § 308c, the first \$85,000,000
 13 of remaining unreserved and undesignated funds at the close of fiscal year 2022 shall remain in
 14 the General Fund and be carried forward to fiscal year 2023 to be used to provide state match to
 15 the federal Infrastructure Investment and Jobs Act in order to meet the needs of Vermonters.

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EXPLANATION: AHS requests the option to work with DFM as needed for program management of specific appropriations to revert and reallocate funds appropriated in Section XX. The identified appropriations require a flexible approach similar to the State's approach to Coronavirus Relief Fund appropriations.

1 **Sec. 54.** EMERGENCY HOUSING; ELIGIBILITY; SOURCE OF

2 FUNDS; LEGISLATIVE INTENT

3 (a) The Department for Children and Families shall continue to make emergency housing

4 available to individuals and families through June 30, 2022. It is the intent of the General

5 Assembly that the Department shall continue to fund the program with Federal Emergency

6 Management Agency (FEMA) funds, provided that, if the 100 percent match rate changes or if

7 FEMA funding is not available, then the General Assembly intends for the program to be funded

8 with federal Emergency Rental Assistance Program (ERAP) funds.

9 **Sec. 55.** 2021 Acts and Resolves No. 74, Sec. E.126 is amended to read:

10 Sec. E.126 TRANSFER OF FUNDS WITHIN LEGISLATIVE BRANCH

11 (a) Notwithstanding 32 V.S.A. § 706, in fiscal year 2022, appropriations within the

12 Legislative Branch may be transferred between respective offices to ensure a balanced close-out

13 in the fiscal year.

14 (b) The Joint Fiscal Office shall be reimbursed by a transfer from the Legislative budget for

15 any costs incurred in contracting with an economist or independent consulting entity for the

16 study created in 2021 Acts and Resolves No. 45, Sec. 14.

EXPLANATION: Childcare Study

1 **Sec. 56.** FISCAL YEAR 2022; STATE HOUSE EXPANSION; REQUEST FOR PROPOSAL;
 2 SERGEANT AT ARMS; DEPARTMENT OF BUILDINGS AND GENERAL
 3 SERVICES; GENERAL FUND CARRYFORWARD

4 (a) On or before May 1, 2022, the Department of Buildings and General Services, in
 5 collaboration with the Sergeant at Arms, shall develop and issue a request for proposal (RFP) for
 6 programming, schematic design, and the initial phase of design development documents for an
 7 expansion of the State House, including the infrastructure needs for any future phases of
 8 expansion.

9 (b) The sum of \$1,500,000 is appropriated on a one-time basis from the General Fund in
 10 fiscal year 2022 to the Department of Buildings and General Services to perform the work
 11 described in subsection (a) of this section.

12 (c) Upon approval and funding from the General Assembly, it is the intent of the General
 13 Assembly that the Sergeant at Arms and the Department of Buildings and General Services will
 14 extend the RFP for architectural and engineering services to finalize design development and
 15 construction and bid documents.

16 **Sec. 14** ~~2021 Acts and Resolves No. 74, Sec. E.131 is added to read:~~

17 ~~Sec. E.131 USE OF DEPT SERVICE SAVINGS FROM BOND REDEMPTIONS~~

18 ~~(a) It is the intent of the General Assembly to use any debt service payments avoided through~~
 19 ~~the early redemption of State bonds or notes before maturity pursuant to 32 V.S.A. § 902(c), to~~
 20 ~~defray the costs of future capital expenditures.~~

21 **Sec. 57.** 2021 Acts and Resolves No. 74, Sec. E.215 is amended to read:

22 Sec. E.215 Military – Administration

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- 1 (a) The amount of \$1,119,834 \$934,290 shall be disbursed to the Vermont Student Assistance
 2 Corporation for the National Guard educational assistance program established in 16 V.S.A. §
 3 2856 and the National Guard Tuition Benefit Program established in 16 V.S.A. § 2857.

EXPLANATION: Reduction of disbursement to VSAC based on actual need. Note: the \$68,988 variance between the additional amount available for reversion in D.101(d) above (\$116,556) and the reduced disbursement to VSAC in this section (\$185,544) is due to the filling of vacant Executive Director and Veterans Service Officer I positions.

- 4 **Sec. 58. HOSPITALS; EMERGENCY DEPARTMENTS; PATIENTS AWAITING**
 5 **PLACEMENT; PER DIEM RATES**

- 6 (a) A hospital shall use funds received for per diem rates in their emergency departments to
 7 improve the patient experience of care for individuals encountering long delays in admission for
 8 inpatient psychiatric treatment, in direct consultation with the Department of Mental Health and
 9 with individuals and families with lived experience of mental health emergencies.

- 10 **Sec. 59. CANNABIS CONTROL BOARD**

- 11 (a) The establishment of the following three (3) new permanent classified positions are
 12 authorized in fiscal year 2022 and shall be transferred and converted from existing vacant
 13 positions in the Executive Branch: One (1) Licensing Director, and two (2) Licensing
 14 Administrators.

- 15 **Sec. 60.** 2021 Acts and Resolves No. 74, Sec. E.301 is amended to read:

- 16 Sec. E.301 SECRETARY'S OFFICE – GLOBAL COMMITMENT:

* * *

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1 (b) In addition to the State funds appropriated in this section, a total estimated sum of
 2 ~~\$24,993,731~~ \$25,220,180 is anticipated to be certified as State matching funds under the Global
 3 Commitment as follows:

* * *

4 (2) ~~\$2,773,731~~ \$3,000,180 certified State match available from local designated mental
 5 health and developmental services agencies for eligible mental health services provided under
 6 Global Commitment.

7 (c) Up to ~~\$4,618,437~~ \$4,034,170 is transferred from the AHS Federal Receipts Holding
 8 Account to the Interdepartmental Transfer Fund consistent with the amount appropriated in Sec.
 9 B.301 of this act – Secretary's Office – Global Commitment.

EXPLANATION: Subsections (b) and (c) are amended to reflect current estimates.

10 **Sec. 61.** DEPARTMENT FOR CHILDREN AND FAMILIES

11 (a) \$2,000,000 of federal spending authority for the Department for Children and Families'
 12 administrative division, to be established pursuant to 32 V.S.A. § 511, shall be used for federal
 13 matching funds to implement the first phase of the Comprehensive Child Welfare Information
 14 System in Vermont in accordance with 45 CFR § 1355.55.

EXPLANATION: DCF's federal partner requests current law intent of the state's commitment
 to building the CCWIS in its entirety over time. This portion of funding is intended for the first
 module encompassing the fiscal components of the system, including IV-E eligibility, financial
 & contract management, and federal & agency reporting.

15

16

17 **Sec. 62.** 2021 Acts and Resolves No. 74, Sec. E.335 is amended to read:

18 **Sec. E.335 CORRECTIONS APPROPRIATIONS; UNEXPENDED FUNDS**

1 TRANSFER; JUSTICE REINVESTMENT; REPORT

2 * * *

3 (b) In fiscal year 2022, any unexpended funds for correctional services out-of-state
4 beds shall be carried forward to fiscal year 2023, and the amount reported to the Joint
5 Legislative Justice Oversight Committee in September 2022, to ~~support~~ provide additional
6 funding to community-based service programs in support of Justice Reinvestment II
7 initiatives. Funds may only be expended on community-based service programs upon
8 approval of the Joint Legislative Justice Oversight Committee. Prior to approval, the House
9 Committees on Appropriations and on Corrections and Institutions and the Senate Committees
10 on Appropriations and on Judiciary shall be notified of any proposed expenditures on
11 community-based service programs.

12 **Sec. 63:** 2021 Acts and Resolves No. 74, Sec. E.501.1(a) is amended to read:

13 (a) ESSER I funds. The following sums are appropriated to the Agency of Education in fiscal
14 year 2021 from the ESSER funds provided to the State pursuant to Section 18003 of Division B
15 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116–136 (CARES Act);
16 a portion of the funds may be expended in fiscal year 2020 consistent with the terms of the grant
17 acceptance, and any unexpended amounts may be carried forward to fiscal years 2022 and after:

18 (1) \$953,021 for software tools to assist with the response to the COVID-19 pandemic;

19 (2) \$2,006,074 for learning management assistance, including remote learning supports
20 and materials; and

21 (3) \$1,000,000 for emerging State-level needs; and

22 ~~(3)(4)~~ \$155,741 for administrative and personnel costs.

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1 **Sec. 64.** 2021 Acts and Resolves No. 74, Sec. E.501.2(b) is amended to read:

2 (b) ESSER III funds. The federal funds appropriated in Sec. B.501 of this act shall be
3 allocated as follows:

4 (1) \$1,000,000 from the ESSER funds provided to the State pursuant to Sec. 2001(f) of the
5 American Rescue Plan Act of 2021, Pub. L. No. 117-2 ~~to address emerging State level needs for~~
6 learning management assistance, including remote learning supports and materials; and

7 * * *

EXPLANATION: ESSER set aside funds in Act 74: changes to language in order to maximize
federal funding deadlines for previously approved and funded programs to support remote
learning.

8 **Sec. 65.** 2020 Acts and Resolves No. 120, Sec. A.51, as amended by 2020 Acts and Resolves
9 No. 154, Sec. B. 1113 is further amended to read:

10 Sec. A.51. SCHOOL INDOOR AIR QUALITY GRANT PROGRAM; CORONAVIRUS
11 RELIEF FUND; APPROPRIATION

* * *

12 (c) Definition. As used in this section, “covered school” means public schools, regional
13 career technical center school districts as defined in 16 V.S.A. 1571, regional CTE centers as
14 defined in 16 V.S.A 1522, and approved independent schools as defined under 16 V.S.A. § 11.

* * *

15 **Sec. 66.** 2021 Acts and Resolves No. 74, Sec. E.311.3 is amended to read:

16 Sec. E.311.3 EDUCATIONAL ASSISTANCE; MEDICAL STUDENT INCENTIVE
17 SCHOLARSHIP PROGRAM; APPROPRIATION

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1 ***

2 (b) This funding shall remain available to VSAC until expended, and if needed, fiscally neutral
 3 adjustments to spending authority shall be included in future budget legislation.

4 **Sec. 67.** 2021 Acts and Resolves No. 74, Sec. E.602.2(c) is added to read:

5 (c) Vermont State College System (VSCS) shall use funds remaining with Vermont
 6 Technical College provided in 2019 Acts and Resolves No. 80 to continue to study a model for
 7 course delivery at Career and Technical Education (CTE) centers in Vermont and pilot up to two
 8 programs that offer these degree programs in up to two CTE centers. On or before January 15,
 9 2023, the VSCS shall submit a written supplemental report to the House and Senate Committees
 10 on Education and the State Board of Education with its findings and recommendations from the
 11 pilot programs.

EXPLANATION: Proposed language to enable VSCS to investigate course delivery at CTEs.

12

13 **Sec. 68.** 2021 Acts and Resolves No. 74, Sec. G.300 is amended to read:

14 **Sec. G.300 INVESTMENTS IN VERMONT'S ECONOMY, WORKFORCE, AND**
 15 **COMMUNITIES**

16 (a) ~~\$109,200,000~~ \$179,529,922 in fiscal year 2022 is appropriated from the American Rescue
 17 Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

18 * * *

19 (7) ~~\$1,000,000~~ \$2,000,000 in fiscal year 2022 to the University of Vermont:

1 (A) \$1,000,000 for matching funds for research grant opportunities related to COVID-
2 19.

3 (B) \$1,000,000 to provide up to two free classes in calendar year 2022 for any Vermont
4 resident who is seeking to transition to a new career or to enhance the resident's job skills.

5 (8) ~~\$10,000,000~~ \$19,700,000 in fiscal year 2022 to the Vermont State Colleges for the
6 following programs, funds shall be carried forward until expended:

7 * * *

8 (C) ~~\$5,000,000~~ \$14,700,000 to provide free last dollar tuition for one year of
9 undergraduate studies for critical occupation careers, including bookkeeping certificate, IT
10 service desk specialist certificate, certified production technician, graphic design certificate,
11 software and web development program, electrical and plumbing apprenticeships, dental
12 hygiene, certificate in accounting, small business management, radiologic science, and
13 respiratory therapy. \$540,000 of these funds shall be allocated for paramedic/EMS programs
14 and any unexpended amount of this allocation shall be available for the broader purpose in this
15 subdivision (C). Funds may be used for practical nursing, childcare, nursing, and mental health
16 counseling programs only after available federal and State financial aid is applied to ensure no
17 cost to the student. Of this amount, \$7,350,000 shall be carried forward for the 2022-2023
18 school year. If demand from undergraduates is met, then funds may be used to pay for tuition for
19 the following graduate programs:

20 (i) Master in Education (all programs);

21 (ii) Master in Educational Leadership;

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1 (iii) Master of Arts and Certificate of Advanced Graduate Studies in School

2 Psychology;

3 (iv) Masters in Counseling; and

4 (v) Masters in Clinical Mental Health Counseling.

EXPLANATION: The original \$5,000,000 appropriation was oversubscribed; this adjustment funds additional scholarships for waitlisted applicants. HAC added \$7.3 million for the 22/23 school. year

5 * * *

6 (22) \$2,320,000 to the Agency of Commerce and Community Development for Working
7 Community Challenge grants.

8 (23) \$6,000,000 to the Department for Children and Families to be granted to the Vermont
9 Foodbank.

10 (24) \$515,746.30 to the Agency of Education is appropriated to be granted to the three public
11 independent career technical education centers specified in this subsection. On or before April
12 30, 2022, the Agency of Education may submit to the House and Senate Committees on
13 Appropriations and on Education a spending proposal requesting funding for the remaining
14 career technical education centers that is based on COVID-19-related need and COVID-19
15 related funding already received.

16 (A) Hannaford Career Center - \$185,374.06;

17 (B) Southwest Career Center - \$79,233.24; and

18 (C) River Valley Technical Center - \$251,139.00.

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1 (25) \$2,000,000 to the Agency of Agriculture, Food and Markets for grants to be made to
2 eligible projects in the Working Lands Enterprise Initiative.

3 (26) \$1,001,913 to the Department of Disabilities, Aging, and Independent Living to be
4 granted to Adult Day service providers to maintain operations through June 30, 2022.

5 (27) \$4,934,590 to the Department of Corrections for costs associated with the collective
6 bargaining unit related to retention and shift differential.

7 (28) \$12,803,99 to the Department of Labor to cover pandemic related operating costs in
8 the Unemployment system and other programs.

9 (29) \$373,680 to the Vermont Veteran's Home for retention and personal protective
10 equipment related expenses.

11 (30) \$6,000,000 to the Department for Children and Families to be granted to childcare
12 providers to address emergent and exigent circumstances following the COVID-19 pandemic for
13 workforce retention bonuses to retain early childhood educators.

14 (31) \$26,000,000 to the Agency of Human Services for a program to provide workforce
15 retention funding as specified in Sec. 72 of this act. These funds are combined with other
16 funding provide in Sec. 72 for total \$60,000,000 retention payment program.

* * *

17 **Sec. 69.** 2021 Acts and Resolves No. 74, Sec. G.400(a) is amended to read:

18 Sec. G.400 HOUSING AND HOMELESSNESS INVESTMENTS

19 (a) ~~\$99,000,000~~ ~~174,000,000~~ \$144,000,000 in fiscal year 2022 is appropriated from the
20 American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

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1 (1) ~~\$94,000,000~~ ~~144,000,000~~ \$119,000,000 to the Vermont Housing and Conservation
2 Board (VHCB) to provide housing and increase shelter capacity, with priority given to
3 populations who may be displaced from the hotel/motel voucher problem or are currently
4 without housing, including by providing permanent homes in mixed-income settings. VHCB
5 shall distribute the funds in consultation with the Secretary of Human Services and may subgrant
6 a portion to other entities, including the Department of Housing and Community Development,
7 the Vermont Housing Finance Agency, and regional nonprofit housing organizations, for one or
8 more of the following purposes:

9 (A) if necessary, to help ensure that households and areas impacted by the pandemic
10 are served;

11 (B) to undertake additional housing initiatives, such as home ownership, to the extent
12 permitted by ARPA and related regulations and guidance; or

13 (C) to provide for the efficient use of the funds.

14 (2) ~~\$5,000,000~~ \$25,000,000 to the Agency of Commerce and Community Development
15 for the Vermont Housing Incentive Program (VHIP).

16 ~~(3) \$5,000,000 to the Agency of Commerce and Community Development—Department~~
17 ~~of Housing and Community Development to grant to the Vermont Housing Finance Agency to~~
18 ~~establish a Missing Middle Home Ownership Development pilot to support the development of~~
19 ~~new homes for purchase by middle class families.~~

20 (b) ~~\$91,000,000~~ \$121,000,000 is appropriated from other funds as follows:

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1 (1) ~~\$40,000,000~~ \$70,000,000 in fiscal year 2021 is appropriated from the General Fund to
 2 the Vermont Housing and Conservation Board (VHCB) for affordable housing initiatives. These
 3 funds shall carryforward into fiscal year 2022 and are in addition to funding provided to VHCB
 4 in 2021 Acts and Resolves No. 9.

* * *

EXPLANATION: \$50M increase to support additional mixed income, multifamily rentals, and shelter expansion. Continued focus on properties to serve households exiting homelessness; goal is to create over 250 units. **HAC funds VHCB increase at \$55m - \$25m from ARPA-SFR and \$30m GF Does not fund New VHFA Missing Middle program.**

\$20M increase to support affordable apartment and accessory dwelling unit creation in existing properties, with a focus on vacant and code violating properties; goal is to create over 400 units to serve households existing homelessness and families in need of affordable housing. Also, a technical correction to properly reflect the VHIP program name.

5 **Sec. 70.** 2021 Acts and Resolves No. 74, Sec. G.700(a)(4)(B)(i) is amended to read:

6 (i) \$1,000,000 to increase the funds available for grants and loan forgiveness to replace failed
 7 or inadequate residential on-site wastewater and water supply systems.

EXPLANATION: The ARPA program is currently written to only include loan forgiveness to replace failed residential on-site wastewater and water supply systems. The department would like to add grants as a mechanism to fund these projects (this is in line with the treasury guidance and the direction of the program). Additionally, the department wants to expand the program to include "inadequate" so that these funds can be used for systems that may not meet the definition of "failed" but do not meet the needs of the household.

8 **Sec. 71.** 2021 Acts and Resolves No. 74, Sec. G.700(a)(5) is amended to read:

9 (5) ~~\$10,000,000 to the Department of Environmental Conservation for allocation by the~~
 10 ~~Clean Water Board established under 10 V.S.A. § 1389, as part of their budget process in fiscal~~
 11 ~~year 2022~~ for water quality initiatives to be allocated as follows:

12 (A) \$6,500,000 to the Department of Environmental Conservation for municipal water
 13 control grants and storm water project delivery, planning, and implementation.

- 1 (B) \$3,500,000 to the Agency of Agriculture, Food and Markets for water quality
2 grants to partners and farmers.

EXPLANATION: In 2021 Act 74 Sec. G. 700 (a)(5), the General Assembly appropriated \$10 million to ANR-DEC to be allocated by the Clean Water Board. The Clean Water Board adopted an allocation of these funds on August 12, 2021 that requires an appropriation change to provide the required spending authority to AAFM. This amendment reduces the DEC appropriation to \$6.5M, and provides AAFM with a \$3.5M appropriation, consistent with the allocations made by the Clean Water Board.

3 **Sec. 72. WORKFORCE RETENTION FUNDING FOR EMPLOYEES OF ELIGIBLE**
4 **HEALTH CARE AND SOCIAL SERVICE EMPLOYERS**

5 (a)(1) The Secretary of Human Services shall establish a workforce retention grant program
6 for employees of eligible employers, as defined in this section. Eligible employers may apply
7 within the grant application period determined by the Secretary.

8 (2) The total grant award amount for each eligible employer shall be calculated at a rate of
9 \$3,000 per full-time equivalent employee (FTE) based on the number of FTEs identified by the
10 eligible employer in its grant application. In the event that the total funds appropriated for the
11 grant program are insufficient to fund all eligible applications at the rate of \$3,000 per FTE, the
12 Secretary may prorate the award amounts across all applicants.

13 (3) Eligible employers shall distribute the full amount of their awards within 12 months
14 following receipt of the grant funds.

15 (b) As used in this section, "eligible employers" means:

16 (1) assisted living residences, as defined in 33 V.S.A. § 7102;

17 (2) nursing homes, as defined in 33 V.S.A. § 7102;

18 (3) residential care homes, as defined in 33 V.S.A. § 7102;

19 (4) home health agencies, as defined in 33 V.S.A. § 6302;

1 (5) designated and specialized service agencies, including shared living providers;

2 (6) substance use treatment providers in the Department of Health's preferred provider

3 network; and

4 (7) recovery centers.

5 (c) For the purpose of administering retention payment amounts to independent direct support
6 providers, ARIS Solutions, as the fiscal agent for the employers of independent direct support
7 providers, is authorized to apply for a grant in the same manner as an eligible employer and to
8 disburse retention payments funded by the grant to eligible independent direct support providers
9 in a manner consistent with ARIS Solutions' payroll practices, to the extent that making those
10 awards is not inconsistent with the terms of the collective bargaining agreement between the
11 Agency of Human Services and the independent direct support providers.

12 (d) It is the intent of the General Assembly that the eligible employers awarded funds
13 pursuant to this section shall use the funds to make retention payments to their employees.
14 Employers shall be afforded flexibility in determining how best to provide the financial retention
15 assistance to their employees and how best to encourage employment beyond the terms of this
16 program.

17 (e) A total of \$60,000,000 is appropriated in fiscal year 2022 for the workforce retention
18 grant program established in this section from the following sources:

19 (1) \$18,000,000 is appropriated to the Agency of Human Services in fiscal year 2022 from
20 the Global Commitment Fund. The estimated \$7,940,000 required in State matching funds shall
21 be from receipts received as a result of the increased federal medical assistance percentage
22 increase for home- and community-based services made available pursuant to Sec. 9817 of the
23 American Rescue Plan Act of 2021. The Agency shall amend the American Rescue Plan Act

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1 Home and Community-Based Services plan it submitted to the Centers for Medicare and
2 Medicaid Services if needed to reflect this appropriation.

3 (2) \$16,000,000 is appropriated to the Agency of Human Services in fiscal year 2022 from
4 the Global Commitment Fund. To provide the State matching funds, \$7,040,000 is appropriated
5 to the Agency of Human Services in fiscal year 2022 from the General Fund and shall carry
6 forward if not fully expended in fiscal year 2022;

7 (3) \$26,000,000 shall be made available for this purpose from the funds allocated to the
8 Agency of Human Services from the American Rescue Plan Act of 2021 – Coronavirus State
9 Fiscal Recovery Fund in 2021 Acts and Resolves No. 74, as amended by Sec. 74 of this act.

10 (f) On or before April 1, 2022, the Secretary of Human Services shall report to the House
11 Committees on Appropriations, on Health Care, and on Human Services and the Senate
12 Committees on Appropriations and on Health and Welfare regarding the status of program
13 implementation. The Secretary shall require eligible employer applicants, and ARIS Solutions
14 on behalf of employers of independent direct support providers, to report to the Agency the
15 number of employees who received retention payments under the program including the
16 maximum, minimum and median employee payment, and the status of those employees'
17 continued employment in order to evaluate the program's effectiveness. On or before June 30,
18 2023, the Secretary shall provide a final report to the committees on the overall effectiveness of
19 the program.

20 **Sec. 73.** 2020 Acts and Resolves No. 136, Sec.7, as amended by 2020 Acts and Resolves No.
21 154, Sec. B.1121, and 2021 Acts and Resolves No. 3, Sec. 50, is further amended to read:

22 Sec. 7. AGENCY OF HUMAN SERVICES; HEALTH CARE PROVIDER

23 STABILIZATION GRANT PROGRAM

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1 (a) Appropriation. The sum of \$247,500,000.00 is appropriated from the Coronavirus Relief
 2 Fund to the Agency of Human Services in fiscal year 2021 for purposes of establishing the
 3 Health Care Provider Stabilization Grant Program as set forth in this section. The Agency shall
 4 disburse these funds to eligible health care provider applicants as expeditiously as possible using
 5 a needs-based application process or as deemed necessary by the Agency due to emergent and
 6 exigent circumstances attributable to the COVID-19 pandemic.

* * *

7 (d) Specific allocations. Notwithstanding any provisions of this section to the contrary, of the
 8 funds appropriated in subsection (a) of this section, the Agency of Human Services shall make
 9 the following allocations for the following purposes:

* * *

10 (3) Up to \$3,000,000.00 for COVID-19-related expenses incurred by designated and
 11 specialized service agencies through ~~December 30, 2020~~ December 31, 2021.

* * *

EXPLANATION: These changes broaden the Provider Stabilization Grant disbursement process to accommodate emergent needs and extend the end date for expenditures authorized by this section.

13 ~~Sec. 74. 2019 Acts and Resolves No. 6, Sec. 105, as amended by 2019 Acts and Resolves No.~~
 14 ~~71, Sec. 19, is further amended to read:~~

15 ~~Sec. 105. EFFECTIVE DATES~~

* * *

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1 ~~(b) Sec. 73 (further amending 32 V.S.A. § 10402) shall take effect on July 1, 2021 2023.~~

~~***~~

2 ~~(c) Notwithstanding 1 V.S.A. § 214, Sec. X (health care claims tax) shall take effect~~

3 ~~retroactively on July 1, 2021.~~

4 ~~(e)(f) This section and all remaining sections shall take effect on passage.~~

EXPLANATION: The intended extensions of the Health Care Claims tax and its allocation to the Health IT-Fund in last year's Misc. Tax Bill Act 73, Sec. 14 inadvertently omitted a reference to a session law effective date. As a result, only 32 V.S.A. § 10301 (Health IT-Fund) was correctly extended until July 2023 and 32 V.S.A. § 10402 (imposition and allocation of health care claims tax) was not. Under Act 71 of 2019, Sec. 19, on July 1, 2021, the 0.999% health care claims tax rate was sunset, and a 0.8% rate took effect instead, with all HCCT revenues going to the General Fund. However, it was clearly the Legislature's intent in the Miscellaneous Tax Bill to extend both the tax and the allocation until 2023.

5 ~~Sec. 75. 9 V.S.A. § 4452 is amended to read:~~

6 ~~§ 4452. EXCLUSIONS~~

7 ~~Unless created to avoid the application of this chapter, this chapter does not apply to any of~~
8 ~~the following:~~

~~***~~

9 ~~(8) transient occupancy in a hotel, motel, or lodgings during the time the occupant is a~~
10 ~~recipient of General Assistance or Emergency Assistance temporary housing assistance, or~~
11 ~~occupancy in a hotel or motel funded by federal Emergency Rental Assistance, regardless of~~
12 ~~whether the occupancy is subject to a tax levied under 32 V.S.A. chapter 225;~~

~~***~~

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EXPLANATION: Expand the scope of the statutory exclusions pertaining to Residential Rental Agreements to include occupancy in housing funded by federal Emergency Rental Assistance Funds.

1 **Sec. 76.** 16 V.S.A § 4028 is amended to read:

2 ~~§ 4028. FUND PAYMENTS TO SCHOOL DISTRICTS~~

* * *

3 ~~(b) Payments made for special education under chapter 101 of this title, for career technical~~
 4 ~~education under chapter 37 of this title and in support of COVID-19 recovery, and for other aid~~
 5 ~~and categorical grants paid for support of education shall also be from the Education Fund.~~

* * *

EXPLANATION: Ensure that the use of Education Funds in the appropriation of 2021 Act 74 Sec. B.505 as proposed for adjustment by this act is a permissible use according to statute.

6 **Sec. 77.** 32 V.S.A. § 902 is amended to read

7 ~~§ 902. AUTHORIZATION TO BORROW MONEY~~

* * *

8 ~~(c) Notwithstanding any other provision of law to the contrary, the State Treasurer shall have~~
 9 ~~the authority to redeem any previously issued bonds or notes prior to their maturity, at a time and~~
 10 ~~on terms consistent with the provisions of such bonds or notes, with funds specifically~~
 11 ~~appropriated by the General Assembly for such redemption or in the case of any bonds maturing~~
 12 ~~within a particular fiscal year, from funds appropriated or available for payment of debt service~~
 13 ~~for the particular fiscal year.~~

14 **Sec. 75.** EFFECTIVE DATES

1 (a) ~~This act shall take effect on passage except, notwithstanding XXX Sec. 73? 1 V.S.A. §~~
2 ~~214, Sec. 74 (health care claims tax) shall take effect retroactively on July 1, 2021.~~

3 Sec. 74. HEALTH CARE PROVIDER STABILIZATION GRANT

4 PROGRAM; ALTERNATIVE FUND DISTRIBUTION PROCESS

5 Notwithstanding any provision of 2020 Acts and Resolves No. 136, Sec. 7, as amended by
6 2020 Acts and Resolves No. 154, Sec. B.1121, 2021 Acts and Resolves No. 3, Sec. 50, and this
7 act, to the contrary, the Agency of Human Services may distribute funds from the Health Care
8 Provider Stabilization Grant Program to eligible health care providers using an alternative
9 process to that set forth in 2020 Acts and Resolves No. 136, Sec. 7, as amended, as deemed
10 necessary by the Agency due to emergent and exigent circumstances attributable to the COVID-
11 19 pandemic.

12 * * *

13 Sec. 75. 2019 Acts and Resolves No. 6, Sec.105, as amended by 2019 Acts and Resolves No.
14 71, Sec. 19, is further amended to read:

15 Sec. 105. EFFECTIVE DATES

16 * * *

17 (b) Sec. 73 (further amending 32 V.S.A. § 10402) shall take effect on July 1, 2024 2023.

18 * * *

19 Sec. 76. EFFECTIVE DATES

20 (a) This act shall take effect on passage except, notwithstanding 1 V.S.A. § 214:

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1 (1) Secs. 73 (designated and specialized service agencies; COVID-19-related expenses)
2 and 74 (Health Care Provider Stabilization Grant Program; alternative fund distribution process)
3 shall take effect retroactively on January 1, 2021; and

4 (2) Sec. 75 (health care claims tax) shall take effect retroactively on July 1, 2021.

5