

1 H.679

2 TO THE HONORABLE SENATE

3 The Committee on Appropriations to which was referred House Bill No.

4 H.679, entitled “An act relating to fiscal year 2022 budget adjustments”

5 respectfully reports that it has considered the same and recommends that the

6 bill be amended by striking out all after the enacting clause and inserting in

7 lieu thereof the following:

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

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

10 APPROPRIATIONS

11 (a) In fiscal year 2022, funds are appropriated from the General Fund for

12 new and ongoing initiatives as follows:

13 (1) ~~\$38,430,000~~ \$39,460,000 to the Agency of Administration for the

14 following:

15 (A) ~~\$11,580,000~~ \$12,420,000 for distribution to departments to fund

16 the fiscal year 2022 53rd week of Medicaid.

17 (B) ~~\$12,450,000~~ \$12,640,000 for distribution to departments to fund

18 the fiscal year 2022 27th payroll pay period.

19 * * *

1 (B) Funds appropriated in the subsection may be included among the
2 Global Commitment appropriations referenced in 2021 Acts and Resolves No.
3 74, Sec. E.301.2 as available for transfers if it is determined that grants made
4 under this provision can be included and matched in the Global Commitment
5 waiver.

6 (22) \$3,300,000 to the Agency of Digital Services for a cyber security
7 initiative as follows:

8 (A) \$2,300,000 for purchase and implementation of Security
9 Information and Event Management software.

10 (B) \$1,000,000 to prepay the fiscal year 2023 annual
11 licensing/maintenance costs for the system.

12 (23) \$350,000 to the Department of Environmental Conservation to
13 evaluate and provide an analysis of the capital and ongoing operations and
14 maintenance costs of the Green River Dam. Any unspent funds shall be
15 directed to State-owned dams to evaluate the capital and ongoing operations
16 and maintenance costs.

17 (24) \$33,000 to the Joint Fiscal Office for the expense of a consultant
18 for the Health Reform Oversight Committee.

19 (25) \$350,000 to the Agency of Education to provide support for the
20 four statewide nonprofit organizations in the Adult Education and Literacy

1 (AEL) network to address budget shortfalls resulting from the effects of
2 COVID-19.

3 (26) \$300,000 to the Public Service Department to support the
4 continuity of statewide public, educational, and governmental (PEG) access
5 services.

6 (27) \$166,667 to the Department of Health, Alcohol and Drug Abuse
7 Programs, to support four statewide syringe services programs.

8 (28) \$250,000 to the Agency of Commerce and Community
9 Development, Housing and Community Development, to make grants to
10 municipal planning organizations.

11 (29) \$112,000 to the Center for Crime Victim Services for legal services
12 for victims.

13 (30) \$150,000 to the Agency of Education for the vaccine incentive
14 program for recognized and approved Independent Schools that are not eligible
15 to receive Elementary and Secondary School Emergency Relief (ESSER)
16 funds.

17 (31) \$150,000 to the Agency of Commerce and Community
18 Development for a grant to the Town of New Haven for expenses related to the
19 relocation of the railroad station. These funds are in addition to other funding
20 provided to the town for the same purpose from other state entities and other
21 sources.

1 (32) \$500,000 to the Green Mountain Care Board for a consultant to
2 perform per capita benchmarking analyses with comparisons to national, peers
3 and better performers. This shall include an analysis of avoidable utilization
4 and low value care.

5 (33) U.S. Economic Development Administration match \$1,000,000?

6 Sec. 47. FISCAL YEAR 2022; VERMONT STATE EMPLOYEES’
7 RETIREMENT SYSTEM; RECOMMENDATIONS;
8 DEPARTMENT OF CORRECTIONS EMPLOYEES; LONGEVITY
9 INCENTIVE

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

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

17 (2) the development of a longevity incentive that encourages Group F
18 members who are eligible for a normal retirement a longevity incentive to
19 continue working past their retirement date, provided that the incentive is
20 designed to result in actuarial savings to the pension system and reduce
21 employer pension expenses.

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

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

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

5 * * *

6 (6) From the Clean Water Fund (21932) established by 10 V.S.A.
7 § 1388 to the Agricultural Water Quality Special Fund (21933) created under
8 6 V.S.A. § 4803: ~~\$4,521,393~~ \$5,963,850.

9 * * *

10 (9) From the Transportation Infrastructure Bond Fund established by
11 19 V.S.A. § 11f to the Transportation Infrastructure Bonds Debt Service Fund
12 (35200) established by 32 V.S.A. § 951a for funding ~~fiscal year 2023~~
13 ~~transportation infrastructure bonds debt service~~ the redemption of
14 transportation infrastructure bonds prior to maturity: \$2,502,363.

15 (10) From the Transportation FHWA Fund (20135) to the
16 Transportation Infrastructure Bonds Debt Service Fund (35200) established by
17 32 V.S.A. § 951a for funding the redemption of transportation infrastructure
18 bonds prior to maturity: \$12,554,768.

19 (11) From the Transportation Fund – Non-Dedicated (20105) to the
20 Transportation Infrastructure Bonds Debt Service Fund (35200) established by

1 32 V.S.A. § 951a for funding the redemption of transportation infrastructure
2 bonds prior to maturity: \$4,863,957.

3 (12) From the General Fund to the Property Management Fund (58700)
4 established by 29 V.S.A. § 160: ~~\$5,000,000~~ 6,700,000.

5 (13) From the General Fund to the State Liability Self-Insurance Fund
6 (56200): \$5,000,000.

7 (14) From the General Fund to the Victims Compensation Special Fund
8 (21145) established by 13 V.S.A. § 5359: \$1,300,000.

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

11 (16) From the General Fund to the Correctional Industries Internal
12 Services Fund (59100): \$1,877,092.

13 (17) From the General Fund to the Cannabis Regulation Fund (21998):
14 \$850,000.

15 (b) Notwithstanding any provisions of law to the contrary, in fiscal year
16 2022:

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

19 * * *

20 21500 Interdepartmental Transfer Fund – 7100000022 \$125,000.00

21 * * *

1 (d) Notwithstanding any provision of law to the contrary, in fiscal year
2 2022, the following amounts shall revert to the General Fund from the
3 accounts indicated:

4	2150010000	Military – administration	\$200,000.00	<u>\$316,556.00</u>
5	1210002000	Legislature	\$140,000.00	<u>\$1,935,000.00\$435,000</u>
6	1215001000	Legislative Counsel		\$50,000.00
7	1220000000	Joint Fiscal Office		\$50,000.00
8	1225001000	Legislative IT		\$60,000.00
9	<u>1100010000</u>	<u>Secretary of Administration</u>		<u>\$50,000.00</u>
10	<u>1110003000</u>	<u>Budget & Management</u>		<u>\$117,075.64</u>
11	<u>1110006000</u>	<u>University of Vermont</u>		<u>\$1.00</u>
12	<u>1110007000</u>	<u>UVM– Morgan Horse Farm</u>		<u>\$1.00</u>
13	<u>1110009100</u>	<u>Vermont State Colleges</u>		<u>\$3.00</u>
14	<u>1130030000</u>	<u>Libraries</u>		<u>\$26,000.38</u>
15	<u>1140010000</u>	<u>Tax Operation Costs</u>		<u>\$200,000.00</u>
16	<u>1140040000</u>	<u>Homeowner Rebates</u>		<u>\$333,503.02</u>
17	<u>1140330000</u>	<u>Renter Rebates</u>		<u>\$1,712,964.82</u>
18	<u>1240001000</u>	<u>Lieutenant Governor’s Office</u>		<u>\$20,672.89</u>
19	<u>2130200000</u>	<u>Sheriffs</u>		<u>\$542,914.55</u>
20	<u>2140010000</u>	<u>DPS – State Police</u>		<u>\$13,666,973.39</u>
21	<u>2170010000</u>	<u>Criminal Justice Trng Council</u>		<u>\$62,049.00</u>

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Senate Appropriations – Proposal of Amendment
2-1-2022 11:32 a.m.

1	<u>2280001000</u>	<u>Human Rights Commission</u>	<u>\$9,101.68</u>
2	<u>3150891901</u>	<u>Copeland Center</u>	<u>\$5,803.03</u>
3	<u>3330010000</u>	<u>Green Mountain Care Board</u>	<u>\$0.44</u>
4	<u>3400001000</u>	<u>Secretary's Office Admin Costs</u>	<u>\$50,000.00</u>
5	<u>3400002000</u>	<u>RSVP Appropriation</u>	<u>\$1,035.00</u>
6	<u>3400891902</u>	<u>Elec Med/Health Records Syst</u>	<u>\$3,894.00</u>
7	<u>3410017000</u>	<u>DVHA-Programs-ST-Only Funded</u>	<u>\$76,450.02</u>
8	<u>3420010000</u>	<u>Administration</u>	<u>\$650,000.00</u>
9	<u>3420021000</u>	<u>Public Health</u>	<u>\$1,784,782.61</u>
10	<u>3420892110</u>	<u>VDH-Data Collection</u>	<u>\$134,000.00</u>
11	<u>3440060000</u>	<u>DCFS - General Assistance</u>	<u>\$4,374,450.77</u>
12	<u>3440891903</u>	<u>Parent Child Centers</u>	<u>\$18,089.40</u>
13	<u>3440891906</u>	<u>Incentivizing Child Care Profs</u>	<u>\$96,628.40</u>
14	<u>3440891908</u>	<u>Weatherization Assist Bridge</u>	<u>\$290,035.94</u>
15	<u>3460020000</u>	<u>Advocacy & Indep Living Grants</u>	<u>\$241,585.88</u>
16	<u>3480004000</u>	<u>Corrections-Correctional Services</u>	<u>\$6,361,238.22</u>
17	<u>5100010000</u>	<u>Administration</u>	<u>\$118,500.00</u>
18	<u>5100060000</u>	<u>Adult Basic Education</u>	<u>\$63,476.19</u>
19	<u>5100070000</u>	<u>Education Services</u>	<u>\$51,719.84</u>
20	<u>5100210000</u>	<u>Ed-Flexible Pathways</u>	<u>\$10,675.00</u>
21	<u>5100891807</u>	<u>Restorative Justice Grants</u>	<u>\$75,867.34</u>

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Senate Appropriations – Proposal of Amendment
2-1-2022 11:32 a.m.

1	<u>5100891901</u>	<u>AOE New Positions</u>	<u>\$214,729.59</u>
2	<u>6100040000</u>	<u>Property Tax Assessment Approp</u>	<u>\$0.93</u>
3	<u>6130010000</u>	<u>Administration</u>	<u>\$0.70</u>
4	<u>7100892107</u>	<u>ACCD-Public Access TV</u>	<u>\$30,450.10</u>
5	<u>7120892001</u>	<u>ThinkVermont Initiative</u>	<u>\$45,000.00</u>

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

9	<u>1140060000</u>	<u>Reappraisal & Listing Payments</u>	<u>\$0.13</u>
10	<u>5100010000</u>	<u>Administration</u>	<u>\$950,949.54</u>
11	<u>5100040000</u>	<u>Special Education Formula</u>	<u>\$5,824,528.53</u>
12	<u>5100050000</u>	<u>State-Placed Students</u>	<u>\$880,000.00</u>
13	<u>5100090000</u>	<u>Education Grant</u>	<u>\$0.69</u>
14	<u>5100110000</u>	<u>Small School Grant</u>	<u>\$614,965.00</u>
15	<u>5100190000</u>	<u>Essential Early Educ Grant</u>	<u>\$41,295.67</u>
16	<u>5100200000</u>	<u>Education-Technical Education</u>	<u>\$1,841,126.00</u>
17	<u>5100210000</u>	<u>Ed-Flexible Pathways</u>	<u>\$1,579,282.05</u>

18 (f) Notwithstanding any provision of law to the contrary, in fiscal year
19 2022, the following amount shall revert to the Transportation Fund from the
20 account indicated:

21	<u>2140010000</u>	<u>DPS-State Police</u>	<u>\$3,933,026.61</u>
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1 with this subsection shall be allocated pursuant to 32 V.S.A. § 511 to any
2 agency or department for CRF-eligible costs incurred from ~~July 1, 2021~~
3 March 1, 2020 through December 31, 2021.

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

10 Sec. 51. CORONAVIRUS RELIEF FUND REALLOCATION

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

14 (1) To the Agency of Education for Local Educational Agency (LEA)
15 grants: \$436,217.22

16 ~~Sec. 52. PENSION RESERVE [DELETE]~~

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

19 ~~Sec. 52 [DELETED]~~

20 Sec. 53. FISCAL YEAR 2022 UNALLOCATED RESERVE

1 (a) After satisfying the requirements of 32 V.S.A. § 308, and after other
2 reserve requirements have been met, but prior to satisfying the requirements of
3 32 V.S.A. § 308c, the first ~~\$85,000,000~~ \$80,000,000 of remaining unreserved
4 and undesignated funds at the close of fiscal year 2022 shall remain in the
5 General Fund and be carried forward to fiscal year 2023. ~~These funds may be~~
6 used to provide state match to the federal Infrastructure Investment and Jobs
7 Act.~~in order to meet the needs of Vermonters.~~

8 (b) After meeting the requirements of subsection (a) of this section, but
9 prior to satisfying the requirements of 32 V.S.A. § 308c, the remaining
10 unreserved and undesignated funds at the close of fiscal year 2022 shall be
11 allocated as follows:

12 (1) \$5,000,000 shall be transferred to the Property Management Fund
13 (58700) established by 29 V.S.A. § 160.

14 (2) \$20,000,000 is appropriated to the State Treasurer’s Office to be
15 used to redeem, prior to maturity, State of Vermont general obligation bonds
16 that may become eligible for redemption in fiscal years 2022 and 2023. These
17 funds shall carry forward into fiscal year 2023 and be used only for the
18 purpose of redeeming State of Vermont general obligation bonds prior to
19 maturity.

20 (c) After meeting the requirements of subsections (a) and (b) of this
21 section, but prior to satisfying the requirements of 32 V.S.A. § 308c, the

1 remaining unreserved and undesignated funds at the close of fiscal year 2022
2 shall remain in the General Fund and be carried forward to fiscal year 2023.

3 Sec. 53a. 32 V.S.A. § 902 is amended to read

4 § 902. AUTHORIZATION TO BORROW MONEY

* * *

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

12 ~~Sec. 54. EMERGENCY HOUSING; ELIGIBILITY; SOURCE OF~~
13 ~~———— FUNDS; LEGISLATIVE INTENT~~

14 ~~(a) The Department for Children and Families shall continue to make~~
15 ~~emergency housing available to individuals and families through June 30,~~
16 ~~2022. It is the intent of the General Assembly that the Department shall~~
17 ~~continue to fund the program with Federal Emergency Management Agency~~
18 ~~(FEMA) funds, provided that, if the 100 percent match rate changes or if~~
19 ~~FEMA funding is not available, then the General Assembly intends for the~~

1 ~~program to be funded with federal Emergency Rental Assistance Program~~
2 ~~(ERAP) funds.~~

3 Sec. 54. GENERAL ASSISTANCE EMERGENCY HOUSING;
4 TRANSITIONAL HOUSING; SOURCE OF FUNDS

5 (a) The Department for Children and Families shall continue to make
6 emergency housing available through the General Assistance Emergency
7 Housing program to individuals and families through June 30, 2022, using
8 eligibility criteria in effect on January 1, 2022.

9 (b) It is the intent of the General Assembly that the Department shall
10 continue to fund the program through June 30, 2022 using 100 percent Federal
11 Emergency Management Agency (FEMA) funds. The adverse weather
12 condition policy in effect on November 22, 2021 shall continue in effect until
13 at least March 31, 2022 using 100 percent FEMA funds and through the end of
14 the fiscal year if 100 percent FEMA funds are available for this purpose.

15 (c)(1) The Commissioner for Children and Families shall reconvene the
16 General Assistance working group described in 2021 Acts and Resolves No.
17 74, sections E.321 and E.321.2 for the purpose of assisting with the
18 development of rules for a transitional housing program, which shall be funded
19 by federal Emergency Rental Assistance Program (ERAP) funds. The
20 Department shall initiate emergency rulemaking as soon as practicable and

1 shall be deemed to have met the emergency rulemaking criteria in 3 V.S.A.
2 § 844. The Department shall file permanent rules pursuant to 3 V.S.A. chapter
3 25 concurrently with its emergency rule filing.

4 (2) Notwithstanding subsection (a) of this section, once emergency rules
5 have been adopted for the transitional housing program, and if the Department
6 has negotiated occupancy agreements with motels and hotels and secured
7 rooms on behalf of program participants, the Department shall transition
8 participating individuals and families from the General Assistance emergency
9 housing program funded by 100 percent FEMA funds to the transitional
10 housing program funded by ERAP funds prior to June 30, 2022, at the earliest
11 possible opportunity.

12 Sec. 54a. 9 V.S.A. § 4452 is amended to read:

13 § 4452. EXCLUSIONS

14 Unless created to avoid the application of this chapter, this chapter does not
15 apply to any of the following:

16 * * *

17 (8) transient occupancy in a hotel, motel, or lodgings during the time the
18 occupant is a recipient of General Assistance or Emergency Assistance
19 temporary housing assistance, or occupancy in a hotel or motel funded by
20 federal Emergency Rental Assistance administered by the Department for

1 Children and Families through August 30, 2025, regardless of whether the
2 occupancy is subject to a tax levied under 32 V.S.A. chapter 225;

3 * * *

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

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

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

9 (b) The Joint Fiscal Office shall be reimbursed by a transfer from the
10 Legislative budget for any costs incurred in contracting with an economist or
11 independent consulting entity for the study created in 2021 Acts and Resolves
12 No. 45, Sec. 14.

13 **Sec. 56.** FISCAL YEAR 2022; STATE HOUSE EXPANSION; REQUEST
14 FOR PROPOSAL; SERGEANT AT ARMS; DEPARTMENT OF
15 BUILDINGS AND GENERAL SERVICES; GENERAL FUND
16 CARRYFORWARD

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

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

4 (eb) Upon approval and funding from the General Assembly, it is the intent
5 of the General Assembly that the Sergeant at Arms and the Department of
6 Buildings and General Services will extend the RFP for architectural and
7 engineering services to finalize design development and construction and bid
8 documents.

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

10 Sec. E.215 Military – Administration

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

15 ~~Sec. 58. HOSPITALS; EMERGENCY DEPARTMENTS; PATIENTS~~

16 ~~———— AWAITING PLACEMENT; PER DIEM RATES~~

17 ~~(a) A hospital shall use funds received for per diem rates in their~~
18 ~~emergency departments to improve the patient experience of care for~~
19 ~~individuals encountering long delays in admission for inpatient psychiatric~~
20 ~~treatment, in direct consultation with the Department of Mental Health and~~

1 ~~with individuals and families with lived experience of mental health~~
2 ~~emergencies.~~

3 Sec. 58 [DELETED]

4 Sec. 59. CANNABIS CONTROL BOARD

5 (a) The establishment of the following ~~three (3)~~ eight (8) new permanent
6 classified positions are authorized in fiscal year 2022 ~~and shall be transferred~~
7 ~~and converted from existing vacant positions in the Executive Branch:~~

8 (1) One (1) Licensing Director, ~~and~~

9 (2) Two (2) Licensing Administrators,

10 (3) One (1) Policy Enforcement Director,

11 (4) Three (3) Compliance Officers, and;

12 (5) One (1) Financial Manager.

13 Sec. 59a. 2021 Acts and Resolves No. 62, Sec. 15 is amended to read:

14 Sec. 15. IMPLEMENTATION OF MEDICAL CANNABIS REGISTRY

15 (a) On January 1, 2022, the following shall transfer from the Department of
16 Public Safety to the Cannabis Control Board:

17 (1) the authority to administer the Medical Cannabis Registry and the
18 regulation of cannabis dispensaries pursuant to 18 V.S.A. chapter 86;

19 (2) the cannabis registration fee fund established pursuant to 18 V.S.A.
20 chapter 86; and

21 (3) the positions dedicated to administering 18 V.S.A. chapter 86.

1 (b) The Registry shall continue to be governed by 18 V.S.A. chapter 86 and
2 the rules adopted pursuant to that chapter until 7 V.S.A. chapters 35 and 37 and
3 the rules adopted by the Board pursuant to those chapters take effect on
4 ~~March 1, 2022~~ July 1, 2022 as provided in 2019 Acts and Resolves No. 164.

5 Sec. 59b. 2019 Acts and Resolves No. 164, Sec. 33 is amended to read:

6 Sec. 33. EFFECTIVE DATES

7 * * *

8 (d) ~~Secs. 9 (Medical Cannabis Registry chapter), except for 7 V.S.A. § 956~~
9 ~~(rulemaking); 11 (Repeal); 12 (Medical Cannabis Dispensaries), except for~~
10 ~~7 V.S.A. § 974 (rulemaking); 14 (creation of excise tax); 14a (tax license~~
11 ~~disclosure); 15 (sales tax exemption); 16 (tax exemption); 17 (tax expenditure);~~
12 ~~17a (meals and rooms tax); 17b (meals and rooms tax expenditure); and 17c~~
13 ~~(dedicated use of sales and use tax revenue) shall take effect March 1, 2022.~~

14 (e) ~~See: Secs. 6d (Auditor of Accounts report); 9 (Medical Cannabis~~
15 ~~Registry chapter), except for 7 V.S.A. § 956 (rulemaking); 11 (Repeal); and~~
16 ~~12 (Medical Cannabis Dispensaries), except for 7 V.S.A. § 974 (rulemaking),~~
17 shall take effect on July 1, 2022.

18 * * *

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

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

21 * * *

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

4 * * *

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

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

12 **Sec. 60a. MEDICAID; POSTPARTUM COVERAGE; STATE PLAN**
13 **AMENDMENT**

14 (a) The Agency of Human Services shall seek to amend Vermont’s
15 Medicaid state plan to extend Medicaid coverage to 12 months postpartum for
16 eligible individuals, as permitted under Sec. 9812 of the American Rescue Plan
17 Act of 2021, Pub. L. No. 117-2, beginning on April 1, 2022.

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

19 (a) \$2,000,000 of federal spending authority for the Department for
20 Children and Families’ administrative division, to be established pursuant to
21 32 V.S.A. § 511, shall be used for federal matching funds to implement the

1 first phase of the Comprehensive Child Welfare Information System in
2 Vermont in accordance with 45 CFR § 1355.55.

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

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

6 * * *

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

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

18 (a) ESSER I funds. The following sums are appropriated to the Agency of
19 Education in fiscal year 2021 from the ESSER funds provided to the State
20 pursuant to Section 18003 of Division B of the Coronavirus Aid, Relief, and
21 Economic Security Act, Pub. L. No. 116–136 (CARES Act); a portion of the

1 funds may be expended in fiscal year 2020 consistent with the terms of the
2 grant acceptance, and any unexpended amounts may be carried forward to
3 fiscal years 2022 and after:

4 (1) \$953,021 for software tools to assist with the response to the
5 COVID-19 pandemic;

6 (2) ~~\$2,006,074~~ \$1,006,074 for learning management assistance,
7 including remote learning supports and materials; and

8 (3) \$1,000,000 for emerging State-level needs; and

9 (4) \$155,741 for administrative and personnel costs.

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

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

13 (1) \$1,000,000 from the ESSER funds provided to the State pursuant to
14 Sec. 2001(f) of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 to
15 ~~address emerging State-level needs for learning management assistance,~~

16 including remote learning supports and materials; and

17 * * *

18 Sec. 65. 2020 Acts and Resolves No. 120, Sec. A.51, as amended by 2020

19 Acts and Resolves No. 154, Sec. B. 1113 is further amended to read:

20 Sec. A.51. SCHOOL INDOOR AIR QUALITY GRANT PROGRAM;

21 CORONAVIRUS RELIEF FUND; APPROPRIATION

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

* * *

**Sec. 65a. ONETIME FISCAL YEAR 2022 TECHNICAL EDUCATION
SUPPLEMENTAL GRANT FUNDING**

(a) In fiscal year 2022, \$1,725,000 is appropriated from the Education Fund to the Agency of Education to make supplemental grants to career technical education centers. The grants shall be made on a proportional basis based the Fiscal Year 2019 through 2021 average headcount of attendees at each center, except the three public independent career technical education centers shall not be included in this calculation and \$576,951 of this appropriation shall be allocated to fund grants as specified here:

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

(B) Southwest Career Center - \$140,138.25; and

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

Sec. 66. 2021 Acts and Resolves No. 74, Sec. E.311.3 to read:

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

1 APPROPRIATION

2 * * *

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

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

7 (c) Vermont State College System (VSCS) shall use funds remaining with
8 Vermont Technical College provided in 2019 Acts and Resolves No. 80 to
9 continue to study a model for course delivery at Career and Technical
10 Education (CTE) centers in Vermont and pilot up to two programs that offer
11 these degree programs in up to two CTE centers. On or before January 15,
12 2023, the VSCS shall submit a written supplemental report to the House and
13 Senate Committees on Education and the State Board of Education with its
14 findings and recommendations from the pilot programs.

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

16 Sec. G.300 INVESTMENTS IN VERMONT'S ECONOMY,
17 WORKFORCE, AND COMMUNITIES

18 (a) \$109,200,000 ~~\$179,529,922~~ \$183,114,176 in fiscal year 2022 is
19 appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State
20 Fiscal Recovery Funds as follows:

21 * * *

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

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

5 (B) \$1,000,000 to provide up to two free classes in calendar year
6 2022 for any Vermont resident who is seeking to transition to a new career or
7 to enhance the resident's job skills.

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

11 (A) \$2,000,000 to provide funding for up to six credits or two courses
12 in the 2022–2023 academic year, including wraparound services for
13 Vermonters whose employment was impacted by the COVID-19 public health
14 emergency since March 13, 2020. The wraparound services may also be
15 provided to students who enroll in six credit hours or two courses in the
16 summer or fall of 2021 and spring of 2022 pursuant to 2021 Acts and
17 Resolves No. 9, Sec. 18.

18 (B) \$3,000,000 to provide degree completion scholarships for up to
19 30 credits towards a credential of value for adult learners who have earned at
20 least 40 credits towards an undergraduate degree and have a gap in attendance
21 of at least two years.

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

- 16 (i) Master in Education (all programs);
17 (ii) Master in Educational Leadership;
18 (iii) Master of Arts and Certificate of Advanced Graduate
19 Studies in School Psychology;
20 (iv) Masters in Counseling; and
21 (v) Masters in Clinical Mental Health Counseling.

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

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

(24) [Deleted.]

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

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

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

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

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

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

1 early childhood educators. It is the intent of the General Assembly that the
2 eligible employers awarded funds pursuant to this section shall use the funds to
3 make retention payments to their employees. The employers shall be afforded
4 flexibility in determining how best to provide the financial retention assistance
5 to their employees and how best to encourage employment beyond the terms of
6 this program.

7 (31) ~~\$26,000,000~~ \$30,000,000 to the Agency of Human Services for a
8 program to provide workforce retention funding as specified in Sec. 72 of this
9 act. These funds are combined with other funding provide in Sec. 72 for total
10 \$60,000,000 retention payment program.

11 (32) \$1,500,000 to the Department of Buildings and General Services to
12 perform the work described in Sec. 56 (State House expansion planning and
13 design) of this Act.

14 (33) \$2,600,000.00 to the Agency of Agriculture, Food and Markets for
15 purposes of implementing the Dairy Risk Management Assistance Program
16 established under Sec. 77 of this act. Funds appropriated under this section
17 that are unexpended in fiscal year 2022 shall carry forward for use by the
18 Agency of Agriculture, Food and Markets in providing risk management
19 assistance for dairy farmers in fiscal year 2023.

20 * * *

1 Sec. 69. 2021 Acts and Resolves No. 74, Sec. G.400 is amended to read:

2 Sec. G.400 HOUSING AND HOMELESSNESS INVESTMENTS

3 (a) ~~\$99,000,000~~ \$144,000,000 \$124,000,000 in fiscal year 2022 is

4 appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State

5 Fiscal Recovery Funds as follows:

6 (1) ~~\$94,000,000~~ \$119,000,000 to the Vermont Housing and

7 Conservation Board (VHCB) to provide housing and increase shelter capacity,

8 with priority given to populations who may be displaced from the hotel/motel

9 voucher problem or are currently without housing, including by providing

10 permanent homes in mixed-income settings. VHCB shall distribute the funds

11 in consultation with the Secretary of Human Services and may subgrant a

12 portion to other entities, including the Department of Housing and Community

13 Development, the Vermont Housing Finance Agency, and regional nonprofit

14 housing organizations, for one or more of the following purposes:

15 (A) if necessary, to help ensure that households and areas impacted

16 by the pandemic are served;

17 (B) to undertake additional housing initiatives, such as home

18 ownership, to the extent permitted by ARPA and related regulations and

19 guidance; or

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

1 part of their budget process in fiscal year 2022 for water quality initiatives to
2 be allocated as follows:

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

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

8 **Sec. 72. WORKFORCE RECRUITMENT AND RETENTION FUNDING**
9 **FOR EMPLOYEES OF ELIGIBLE HEALTH CARE AND**
10 **SOCIAL SERVICE EMPLOYERS**

11 (a) The Secretary of Human Services shall establish a workforce
12 recruitment and retention grant program for employees of eligible employers,
13 as defined in this section. The Secretary shall develop a needs-based
14 application process by which the Secretary shall invite eligible employers to
15 apply by a date certain, assess the need across all employers following the
16 application deadline, and disburse the funds appropriated in this section to
17 eligible employers in a single round of grants. The total grant award amount
18 for each eligible employer shall be based on the employer's demonstrated
19 need, subject to available funds.

1 (b) As used in this section, “eligible employers” means providers of health
2 care and social services in the following categories that are located in Vermont
3 and deliver health care or social services, or both, in this State:

4 (1) hospitals, including community hospitals and psychiatric hospitals;

5 (2) health care professional services, including independent medical
6 practices, hospital-owned medical practices, designated and specialized
7 services agencies, federally qualified health centers, rural health clinics,
8 ambulatory surgical centers, and laboratory and imaging centers;

9 (3) dental services;

10 (4) other professional services, including mental health providers,
11 residential and nonresidential substance use disorder treatment providers,
12 emergency medical service and ambulance service providers, advanced
13 practice registered nurses, physical therapists, podiatrists, optometrists,
14 chiropractors, naturopathic physicians, and other health care providers licensed
15 by the Board of Medical Practice or the Office of Professional Regulation;

16 (5) home health and hospice agencies;

17 (6) pharmacy services;

18 (7) facility- and community-based long-term care services, including
19 skilled nursing facilities, nursing homes, residential care homes, assisted living
20 facilities, and adult day service providers; and

1 (8) organizations recognized by the Agency of Human Services through
2 their status as provider grant recipients providing health support services,
3 including the area agencies on aging and organizations providing peer support
4 services, organizations providing peer outreach services to individuals with
5 intellectual disabilities, and organizations providing children’s integrated
6 services.

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

16 (d)(1) It is the intent of the General Assembly that the eligible employers
17 awarded funds pursuant to this section shall use the funds to make recruitment
18 and retention payments to their employees. The employers shall be afforded
19 flexibility in determining how best to provide the financial recruitment and
20 retention assistance to their employees and how best to encourage employment
21 beyond the terms of this program, provided that each employee who receives a

1 recruitment or retention payment under the program established in this section
2 shall commit to continuing employment with the employer for not less than 12
3 months following receipt of the payment.

4 (2) Notwithstanding any provision of Vermont law to the contrary and
5 to the extent permitted under federal law, the amount of a recruitment or
6 retention payment received by an employee of an eligible employer under the
7 program established in this section shall be disregarded for purposes of
8 determining the employee's or employee's household's income eligibility for
9 any benefit program.

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

13 (1) \$25,000,000 as appropriated in Sec. 72a (c)(2) to the Agency of
14 Human Services in fiscal year 2022 from the Global Commitment Fund. The
15 Agency shall amend the American Rescue Plan Act Home and Community-
16 Based Services plan it submitted to the Centers for Medicare and Medicaid
17 Services if needed to reflect this allocation.

18 (2) \$5,000,000 is appropriated to the Agency of Human Services in
19 fiscal year 2022 from the General Fund, these funds may be included among
20 the Global Commitment appropriations referenced in 2021 Acts and Resolves
21 No. 74, Sec. E.301.2 as available for transfers if it is determined that grants

1 made under this provision can be included and matched in the Global
2 Commitment waiver. These funds shall carry forward if not fully expended in
3 fiscal year 2022; and

4 (3) \$30,000,000 shall be made available for this purpose from the funds
5 allocated to the Agency of Human Services from the American Rescue Plan
6 Act of 2021 – Coronavirus State Fiscal Recovery Fund in 2021 Acts and
7 Resolves No. 74, as amended by Sec. 68 of this act.

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

20 **Sec. 72a. MEDICAID HOME- AND COMMUNITY-BASED SERVICES**
21 **(HCBS) PLAN**

1 (a) Pursuant to Sec. 9817 of the American Rescue Plan Act (ARPA), in
2 October 2021 the State submitted a Home- And Community-Based Services
3 (HCBS) spending plan to the Center for Medicare and Medicaid Services. This
4 plan totals \$146,600,000 consisting of the following major components:

5 (1) \$77,800,000 allocated to improve services.

6 (2) \$25,000,000 allocated to promote a high-performing and stable
7 HCBS workforce.

8 (3) \$43,800,000 allocated to improve HCBS care through data
9 systems, value-based payment models and oversight.

10 (b) The Agency of Human Services (AHS) is authorized to transfer General
11 Fund appropriations made in fiscal year 2022 in the Global Commitment line
12 to a new onetime General Fund HCBS appropriation departmental ID. The
13 amount transferred shall be no greater than the amount accounted for in fiscal
14 year 2022 as a result of the 10% match rate allowed under ARPA Sec. 9817.
15 The estimate of this transfer is between \$65,000,000 and \$69,000,000. AHS
16 shall report to the Joint Fiscal Committee in July 2022 on the actual amount
17 transferred by this authority, and the amount expended as state match for the
18 HCBS plan expenditures in fiscal year 2022. Funds transferred and
19 appropriated under this subsection shall carry forward until expended and may
20 only be used as state matching funds for the HCBS plan.

1 (c) In fiscal year 2022 a total of \$59,457,740 is appropriated from the
2 Global Commitment Fund to AHS to meet the objectives of the HCBS plan.
3 This appropriation consists of the following appropriation in distinct one-time
4 departmental IDs:

5 (1) \$17,136,654 as appropriated in Act 74 of 2021 for a 3% rate increase
6 to HCBS providers including the assistive community care rates and children
7 integrated services rates.

8 (2) \$25,000,000 is appropriated for the retention and recruitment grant
9 program for HCBS providers as specified in Sec. 72 of this act,

10 (3) \$3,447,500 is appropriated to the Agency of Human Services –
11 Secretary’s Office,

12 (4) \$2,370,000 is appropriated to Department of Disabilities, Aging, and
13 Independent Living,

14 (5) \$6,171,000 is appropriated to Department of Mental Health,

15 (6) \$390,000 is appropriated to the Department of Vermont Health
16 Access, and

17 (7) \$4,942,586 is appropriated to the Department of Health.

18 (d) The Global Commitment Fund appropriated in subsection (c) of this
19 section may be obligated in fiscal year 2022 for the purposes of bringing
20 HCBS plan spending authority forward into fiscal year 2023. The funds
21 appropriated in subsections (b and c) of this act may be transferred on a net

1 Sec. 74. HEALTH CARE PROVIDER STABILIZATION GRANT
2 PROGRAM; ALTERNATIVE FUND DISTRIBUTION PROCESS
3 Notwithstanding any provision of 2020 Acts and Resolves No. 136, Sec. 7,
4 as amended by 2020 Acts and Resolves No. 154, Sec. B.1121, 2021 Acts and
5 Resolves No. 3, Sec. 50, and this act to the contrary, the Agency of Human
6 Services may distribute funds from the Health Care Provider Stabilization
7 Grant Program to eligible health care providers using an alternative process to
8 that set forth in 2020 Acts and Resolves No. 136, Sec. 7, as amended, as
9 deemed necessary by the Agency due to emergent and exigent circumstances
10 attributable to the COVID-19 pandemic.

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

13 Sec. 105. EFFECTIVE DATES

14 * * *

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

17 * * *

18 **Sec. 76. CARRYFORWARD AUTHORITY**

19 (a) Notwithstanding any other provisions of law and subject to the approval
20 of the Secretary of Administration, General, Transportation, Transportation
21 Infrastructure Bond, Education Fund, Clean Water Fund (21932), and

1 Agricultural Water Quality Fund (21933) appropriations remaining
2 unexpended on June 30, 2022 in the Executive Branch of State government
3 shall be carried forward and shall be designated for expenditure.

4 (b) Notwithstanding any other provisions of law, General Fund
5 appropriations remaining unexpended on June 30, 2022 in the Legislative and
6 Judicial Branches of State government shall be carried forward and shall be
7 designated for expenditure.

8 **Sec. 77. DAIRY MARGIN COVERAGE PROGRAM; PREMIUM**
9 **ASSISTANCE**

10 (a) As used in this section:

11 (1) “Dairy Margin Coverage Program” or “DMC” means a voluntary
12 program authorized under the Farm Act that provides dairy operations with
13 risk management coverage that will pay producers when the difference
14 between the national price of milk and the average cost of feed falls below a
15 certain level selected by the Program participants.

16 (2) “Farm Act” means the federal Agriculture Improvement Act of
17 2018, Pub. L. No. 115-334.

18 (3) “Good standing” means an applicant under this section that:

19 (A) does not have an active enforcement violation under any Agency
20 of Agriculture, Food and Markets program that has reached a final order with

1 the Secretary and is not subject to an ongoing enforcement action initiated by
2 the Agency of Natural Resources; and

3 (B) is in compliance with all terms of a current grant agreement or
4 contract with the Secretary.

5 (4) “Milk producer” or “producer” means a person, partnership,
6 unincorporated association, or corporation who owns or controls one or more
7 dairy cows, dairy goats, or dairy sheep and sells or offers for sale a part or all
8 of the milk produced by the animals.

9 (5) “Secretary” means the Secretary of Agriculture, Food and Markets.

10 (b) The Secretary shall establish the Dairy Risk Management Assistance
11 Program (Assistance Program) for the purpose of assisting milk producers that
12 participate in the federal DMC management programs. A milk producer in
13 Vermont that participates in the DMC at the first-tier coverage level may apply
14 for reimbursement of premium payments from the Assistance Program. A
15 milk producer shall be eligible for assistance if the producer:

16 (1) is in good standing with the Agency of Agriculture, Food and
17 Markets and the Agency of Natural Resources; and

18 (2) provides proof of payment of an annual premium payment for
19 participation in Tier 1 of DMC.

20 (c)(1) A milk producer shall apply to the Secretary on or before July 1,
21 2022 to participate.

1 (2) The Secretary shall reimburse eligible applicants in the order in
2 which the Secretary receives administratively complete applications. The
3 Secretary shall have the discretion to determine when an application is
4 administratively complete.

5 (3) After funds are exhausted, applicants shall no longer be eligible for
6 reimbursement from the Secretary unless or until additional funds are
7 appropriated to the Assistance Program.

8 Sec. 78. EDUCATION FUND REFUND; CITY OF BARRE TIF DISTRICT;
9 TAX INCREMENT; FISCAL YEAR 2016 – 2019

10 Notwithstanding 16 V.S.A. chapter 133 and any other provision of law to
11 the contrary, the sum of \$20,962.00 shall be transferred from the Education
12 Fund to the City of Barre not later than fiscal year 2023 to compensate the City
13 for overpayments of education property taxes in fiscal years 2016 to 2019 due
14 to insufficient retention of tax increment from the City’s Tax Increment
15 Financing District Fund.

16 Sec. 79. 2021 Acts and Resolves No. 55, Sec. 20 is amended to read:

17 Sec. 20. MILEAGESMART

18 (a) The Agency is authorized to spend up to \$750,000.00 in one-time
19 Transportation Fund monies in fiscal years 2021 and 2022 combined and up to
20 \$500,000.00 in one-time General Fund monies in fiscal year 2022 on
21 MileageSmart, which was established in 2019 Acts and Resolves No. 59, Sec.

1 34, as amended, with up to 15 percent of the total amount that is distributed
2 in incentives in fiscal year 2022, including incentive funding authorized by this
3 section and incentive funding carried over from prior fiscal years pursuant to
4 2019 Acts and Resolves No. 59, Sec. 34, as amended, available for costs
5 associated with administering MileageSmart.

6 Sec. 80. SEPARATE INDIVIDUAL AND SMALL GROUP HEALTH
7 INSURANCE MARKETS FOR PLAN YEAR 2023 IF FEDERAL
8 SUBSIDIES EXTENDED

9 (a) Purpose. The purpose of this section is to allow for separate individual
10 and small group health insurance markets for plan year 2023 in the event that
11 Congress extends increased opportunities for federal advanced premium tax
12 credits to include plan year 2023 and that extension is enacted on or before
13 September 1, 2022.

14 (b) Definitions. As used in this section, “health benefit plan,” “registered
15 carrier,” and “small employer” have the same meanings as in 33 V.S.A.
16 § 1811.

17 (c) Separate plans and community rating. Notwithstanding any provision
18 of 33 V.S.A. § 1811 to the contrary, if the Department of Vermont Health
19 Access, after consultation with interested stakeholders, determines on or before
20 September 1, 2022 that Congress has extended the increased opportunities for
21 federal premium assistance originally made available through the American

1 Rescue Plan Act of 2021, Pub. L. No. 117-2 to eligible households purchasing
2 qualified health benefit plans in the individual market to include plan year
3 2023, or has made substantially similar opportunities available, then for plan
4 year 2023, a registered carrier shall:

5 (1) offer separate health benefit plans to individuals and families in the
6 individual market and to small employers in the small group market;

7 (2) apply community rating in accordance with 33 V.S.A. § 1811(f) to
8 determine the premiums for the carrier’s plan year 2023 individual market
9 plans separately from the premiums for its small group market plans; and

10 (3) file premium rates with the Green Mountain Care Board pursuant to
11 8 V.S.A. § 4062 separately for the carrier’s individual market and small group
12 market plans.

13 Sec. ~~76~~81. EFFECTIVE DATES

14 (a) This act shall take effect on passage except, notwithstanding 1 V.S.A.
15 § 214:

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

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

22

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

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

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

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

16 (b) As used in this section, “eligible employers” means:

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

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

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

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

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

3 (6) substance use treatment providers in the Department of Health’s
4 preferred provider network; and

5 (7) recovery centers.

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

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

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

4 (1) \$18,000,000 is appropriated to the Agency of Human Services in
5 fiscal year 2022 from the Global Commitment Fund. The estimated
6 \$7,940,000 required in State matching funds shall be from receipts received as
7 a result of the increased federal medical assistance percentage increase for
8 home- and community-based services made available pursuant to Sec. 9817 of
9 the American Rescue Plan Act of 2021. The Agency shall amend the
10 American Rescue Plan Act Home and Community-Based Services plan it
11 submitted to the Centers for Medicare and Medicaid Services if needed to
12 reflect this appropriation.

13 (2) \$16,000,000 is appropriated to the Agency of Human Services in
14 fiscal year 2022 from the Global Commitment Fund. To provide the State
15 matching funds, \$7,040,000 is appropriated to the Agency of Human Services
16 in fiscal year 2022 from the General Fund and shall carry forward if not fully
17 expended in fiscal year 2022; and

18 (3) \$26,000,000 shall be made available for this purpose from the funds
19 allocated to the Agency of Human Services from the American Rescue Plan
20 Act of 2021 Coronavirus State Fiscal Recovery Fund in 2021 Acts and
21 Resolves No. 74, as amended by Sec. 68 of this act.

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

13
14 **HOUSE 3 CTEs Language**

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

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- 1 (A) Hannaford Career Center - \$185,374.06;
- 2 (B) Southwest Career Center - \$79,233.24; and
- 3 (C) River Valley Technical Center - \$251,139.00.
- 4
- 5