

TO THE HONORABLE SENATE:

The Committee on Appropriations to which was referred House Bill No.740 entitled “An act relating to making appropriations for the support of government” respectfully reports that it has considered the same and recommends that the Senate propose to the House that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. A.100 SHORT TITLE

This bill may be referred to as the BIG BILL – Fiscal Year 2023

Appropriations Act.

Sec. A.101 PURPOSE

(a) The purpose of this act is to provide appropriations for the operations of State government during fiscal year 2023. It is the express intent of the General Assembly that activities of the various agencies, departments, divisions, boards, and commissions be limited to those that can be supported by funds appropriated in this act or other acts passed prior to June 30, 2022. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2023 to meet this condition unless otherwise directed by specific language in this act or other acts of the General Assembly.

Sec. A.102 APPROPRIATIONS

(a) It is the intent of the General Assembly that this act serves as the primary source and reference for appropriations for fiscal year 2023.

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

(c) Unless codified or otherwise specified, all narrative portions of this act apply only to the fiscal year ending on June 30, 2023.

Sec. A.103 DEFINITIONS

(a) As used in this act:

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

(2) “Grants” means subsidies, aid, or payments to local governments, to community and quasi-public agencies for providing local services, and to

persons who are not wards of the State for services or supplies and means cash or other direct assistance, including pension contributions.

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

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

Sec. A.104 RELATIONSHIP TO EXISTING LAWS

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

Sec. A.105 OFFSETTING APPROPRIATIONS

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

Sec. A.106 FEDERAL FUNDS

(a) In fiscal year 2023, the Governor, with the approval of the Legislature or the Joint Fiscal Committee if the Legislature is not in session, may accept federal funds available to the State of Vermont, including block grants in lieu of or in addition to funds herein designated as federal. The Governor, with the

approval of the Legislature or the Joint Fiscal Committee if the Legislature is not in session, may allocate all or any portion of such federal funds for any purpose consistent with the purposes for which the basic appropriations in this act have been made.

(b) If, during fiscal year 2023, federal funds available to the State of Vermont and designated as federal in this and other acts of the 2022 session of the Vermont General Assembly are converted into block grants or are abolished under their current title in federal law and reestablished under a new title in federal law, the Governor may continue to accept such federal funds for any purpose consistent with the purposes for which the federal funds were appropriated. The Governor may spend such funds for such purposes for not more than 45 days prior to Legislative or Joint Fiscal Committee approval. Notice shall be given to the Joint Fiscal Committee without delay if the Governor intends to use the authority granted by this section, and the Joint Fiscal Committee shall meet in an expedited manner to review the Governor's request for approval.

Sec. A.107 NEW POSITIONS

(a) Notwithstanding any other provision of law, the total number of authorized State positions, both classified and exempt, excluding temporary positions as defined in 3 V.S.A. § 311(11), shall not be increased during fiscal year 2023 except for new positions authorized by the 2022 session. Limited-

service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to this restriction.

Sec. A.108 LEGEND

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

<u>B.100–B.199 and E.100–E.199</u>	<u>General Government</u>
<u>B.200–B.299 and E.200–E.299</u>	<u>Protection to Persons and Property</u>
<u>B.300–B.399 and E.300–E.399</u>	<u>Human Services</u>
<u>B.400–B.499 and E.400–E.499</u>	<u>Labor</u>
<u>B.500–B.599 and E.500–E.599</u>	<u>General Education</u>
<u>B.600–B.699 and E.600–E.699</u>	<u>Higher Education</u>
<u>B.700–B.799 and E.700–E.799</u>	<u>Natural Resources</u>
<u>B.800–B.899 and E.800–E.899</u>	<u>Commerce and Community</u>
	<u>Development</u>
<u>B.900–B.999 and E.900–E.999</u>	<u>Transportation</u>
<u>B.1000–B.1099 and E.1000–E.1099</u>	<u>Debt Service</u>
<u>B.1100–B.1199 and E.1100–E.1199</u>	<u>One-time and other appropriation</u>
	<u>actions</u>

(b) The C sections contain amendments to the current fiscal year, the D sections contain fund transfers and reserve allocations for the upcoming budget year, and the G sections contain provisions relating to the American Rescue Plan Act of 2021, Pub. L. No 117-2 (ARPA) – Coronavirus State Fiscal Recovery Fund expenditures and other related funding.

NUMBERS SECTION GOES HERE

Sec. B.1100 FISCAL YEAR 2023 ONE-TIME GENERAL FUND

APPROPRIATIONS

(a) In fiscal year 2023, funds are appropriated from the General Fund for new and ongoing initiatives as follows:

(1) \$220,000 to the Agency of Administration for the Inclusion, Diversity, Equity, Action, Leadership (IDEAL) VT initiative to support municipalities in promoting these values within their communities.

(2) \$37,000 to the Ethics Commission to support the cost of one half-time position.

(3) \$205,000 to the Sergeant at Arms to support the costs associated with transitioning positions in the Capitol Police Department.

(4) \$2,341,649 to the Judiciary to support the costs of reopening the courts.

(5) \$1,283,400 to the Office of the Defender General to support costs associated with the reopening of the courts.

(6) \$700,000 to the Secretary of State as follows:

(A) \$450,000 for Election Support.

(B) \$250,000 to meet operational expenditures not covered by revenue resulting from telehealth.

(7) \$1,720,000 to the Agency of Agriculture, Food and Markets, as follows:

(A) \$1,000,000 for the development of an agricultural Payment for Ecosystems Services Program to support the work of the Payment for Ecosystem Services and Soil Health Working Group (PES WG) – as authorized by 2019 Acts and Resolves No. 83, amended by 2020 Acts and Resolves No. 129 and 2021 Acts and Resolves No. 47 – to enable Payment for Ecosystem Services Program development to retain facilitation services, contract identified research needs, fund pilot program development, and deliver payments to farmers for quantified ecosystem services.

(B) \$200,000 to fund programs to assist individuals with low income and who are health challenged access local food and fresh produce at farmers' markets and through Community Supported Agriculture (CSA) shares. This one-time appropriation would respond to the record demand in these fresh food access programs due to increased food insecurity experienced by Vermonters during the pandemic.

(C) \$420,000 for the purchase of laboratory equipment to test for Per- and Poly-fluoroalkyl Substances (PFAS) in drinking water to support public health testing requirements for Agencies of Natural Resources, of Transportation and of Agriculture, Food and Markets.

(D) \$100,000 for a Vermont Brand Assessment to further sales of Vermont agricultural products.

(8) \$2,000,000 to the Center for Crime Victims Services to meet operational expenditures not covered by revenue.

(9) \$100,000 to the Criminal Justice Council for an incident simulator to enable de-escalation training.

(10) \$8,000,000 to the Department of Public Safety- Emergency Management to provide state match for FEMA funds to purchase properties identified for high flood risk.

(11) \$420,000 to the Agency of Human Services, Central Office for a grant to Vermont Legal Aid, of which \$270,000 is for the Office of the Health Care Advocate and \$150,000 is for the Poverty Law Project.

(12) \$1,152,500 to the Department of Health, Office of Alcohol and Drug Abuse Programs as follows:

(A) \$540,000 to the Recovery Centers.

(B) \$612,500 for tobacco prevention activities.

(13) \$1,215,860 to the Agency of Education as follows:

(A) \$500,000 for Child Nutrition Grants to school districts to purchase local foods.

(B) \$15,860 to the Vermont Ethnic and Social Equity Standards Advisory Working Group to cover per diem and reimbursement of expenses.

(C) \$700,000 to Adult Education and Literacy to provide grants to the Adult Learning Centers.

(14) \$2,500,000 to the Vermont State colleges to meet operational expenditures not covered by revenue.

(15) \$75,000 to the Agency of Natural Resources – Central Office for contractual support to complete work associated with implementing the Global Warming Solutions Act of 2020.

(16) \$250,000 to the Agency of Natural Resources, Department of Environmental Conservation, to complete statewide wetland mapping updates and to update the Vermont Significant Wetland Inventory maps.

(17) \$730,000 to the Agency of Commerce and Community Development as follows:

(A) \$130,000 for the Vermont Adaptive Ski and Sport program.

(B) \$600,000 for Public Access Television to fund the 24 media centers.

(18) \$1,300,000 to the Enhanced 9-1-1 Board to meet operational expenditures not covered by Universal Service Fund revenues.

(19) \$4,000,000 to the Green Mountain Care Board as follows:

(A) \$2,000,000 for consultants with expertise in community engagement and in health system design to support a patient-focused, community-inclusive redesign of Vermont's health care system to ensure sustainability and health care access and to support delivery system transformation that reduces inefficiencies, lowers costs, and improves population health outcomes, and which shall include a review of newly emerging models of care.

(B) \$1,400,000 to develop a methodology and proposed rules for establishing aligned, fixed payments to hospitals for hospital services, including ensuring that the fixed payments are predictable, sustainable, aligned across multiple payers, and consistent with the principles set forth in 18 V.S.A. § 9371.

(C) \$600,000 to support the Board and the Agency of Human Services in developing and negotiating a potential agreement with the Centers for Medicare and Medicaid Innovation, which may include engaging consulting and analytic support in order to include Medicare in Vermont's payment and delivery system transformation initiatives.

(b) \$11,000,000 is appropriated from the General Fund to the Department of Public Safety to be held in reserve until released or reverted pursuant the provisions of Sec. E.209.1(g) of this act.

(c) The following General Fund appropriations are to provide transition funding in fiscal year 2023 for changes to State Employees and Teachers Pensions systems and prefunding of other post-employment benefits.

(1) State Employees fiscal year 2023 transitional employer contribution: \$10,000,000 is appropriated to the Agency of Administration for distribution as needed to departments and agencies if approved by the Commissioner of Finance and Management to fund the fiscal year 2023 payroll assessment necessary to meet the State-employees' pension and other post-employment benefits resulting from any changes to these programs enacted in the 2022 legislative session. The Commissioner shall report to the Joint Fiscal Committee at its November 2022 meeting on the status of this appropriation.

(2) Teachers other post-employment benefits: \$5,500,000 is appropriated to the Retired Teachers' Health and Medical Benefits Fund, established in 16 V.S.A. § 1944b to meet the fiscal year 2023 Actuarial Determined Employer Contribution (ADEC) consistent with system prefunding changes enacted in the 2022 legislative session.

* * * Fiscal Year 2022 Adjustments, Appropriations, and Amendments * * *
Sec. C.100 2021 Acts and Resolves No. 74, Sec. D.101(b)(2) is amended to read:

(b)(2) The following estimated amounts, which may be all or a portion of unencumbered fund balances, shall be transferred from the following funds

to the General Fund. The Commissioner of Finance and Management shall report to the Joint Fiscal Committee at its July meeting the final amounts transferred from each fund and certify that such transfers will not impair the agency, office, or department reliant upon each fund from meeting its statutory requirements.

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62100	Unclaimed Property Fund	\$3,027,750.00	<u>\$4,106,300</u>
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Sec. C.101 2021 Acts and Resolves No. 74, Sec. E.602.2 is amended to read:

Sec. E.602.2 VERMONT STATE COLLEGES

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

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

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

(3) Equitability. Determine the extent to which gaps in educational access and success are being reduced for students from economically deprived backgrounds, first-generation students, students of color, and other marginalized groups.

~~(3)~~(4) Relevance.

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

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

- (i) aligned with State workforce needs;
- (ii) offered in a fiscally responsible manner; and
- (iii) delivered in a manner that is relevant to current student and

employer needs.

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

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

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

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

(4) Beginning in fiscal year 2022 and through 2031, the VSC Board of Trustees, acting through the Chancellor or designee, shall brief, as part of the Chancellor's annual budget proposal, the House and Senate Committees on Education and Committees on Appropriations:

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

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

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

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

(E) enrollment statistics with methods of comparison using readily available metrics that pertain to the student enrollment efforts authorized by the current fiscal year ~~2022~~ Vermont budget bill with the net student revenue generated and discount rate applied in order to enroll the students, aggregated by cohort; and

* * *

Sec. C.102 2022 Acts and Resolves No. 83, Sec. 53(c) is added to read:

(c) After meeting the requirements of subsections (a) and (b) of this section, but prior to satisfying the requirements of 32 V.S.A. § 308c, the remaining unreserved and undesignated funds at the close of fiscal year 2022 shall remain in the General Fund and be carried forward to fiscal year 2023.

Sec. C.103 2021 Acts and Resolves No. 74, Sec G.300(a)(8)(C) as amended by 2022 Acts and Resolves No.83, Sec. 68 is further amended to read:

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

- (i) ~~Master~~ Master's in Education (all programs);
 - (ii) ~~Master~~ Master's in Educational Leadership;
 - (iii) ~~Master~~ Master's of Arts and Certificate of Advanced Graduate Studies in School Psychology;
 - (iv) ~~Masters~~ Master's in Counseling; ~~and~~
 - (v) ~~Masters~~ Master's in Clinical Mental Health Counseling;
- and

(vi) Master's in Clinical Social Work.

Sec. C.104 FISCAL YEAR 2022 AND FISCAL YEAR 2023; OUT-OF-
STATE BEDS SAVINGS; APPROPRIATION

(a) In fiscal year 2022, \$360,140 of the amount appropriated in 2021 Acts and Resolves No. 74, Sec. B.339 (correctional services for out-of-state beds) shall be allocated as follows:

(1) \$300,000 to the Department of Corrections to expand community-based domestic violence intervention programming for individuals under Department of Corrections supervision and ensure that programming is free of charge and to create domestic violence intervention programming and curricula for lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ) individuals; and

(2) \$60,140 for Offender Management System/data system improvements.

(b) In fiscal year 2022, the amount of \$417,030 is appropriated to the Department of Corrections in Sec. B.338 (correctional services) of the fiscal year 2022 Budget Adjustment Act shall be used for community justice centers.

Sec. C.105 2022 Acts and Resolves No. 83, Sec. 72a is amended to read:

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

(a) Pursuant to Sec. 9817 of the American Rescue Plan Act (ARPA), in ~~October 2022~~ February 2022, the State submitted a home- and community-based services (HCBS) spending plan to the Centers for Medicare and Medicaid Services. This plan currently totals ~~\$146,600,000~~ \$149,550,122, consisting of the following major components:

- (1) ~~\$77,800,000~~ \$77,839,612 allocated to improve services;
- (2) ~~\$25,000,000~~ \$20,258,042 allocated to promote a high-performing and stable HCBS workforce; and
- (3) ~~\$43,800,000~~ \$51,452,468 allocated to improve HCBS care through data systems, value-based payment models, and oversight.

* * *

(e) In fiscal year 2023, a total of \$71,239,891 is appropriated from the Global Commitment Fund to AHS to meet the objectives of the HCBS plan. This appropriation consists of \$17,136,654 as appropriated in 2021 Acts and Resolves No. 74 for a three percent rate increase to HCBS providers, including the assistive community care rates and children integrated services rates, and the following appropriations in distinct one-time departmental IDs:

(1) \$23,510,987 is appropriated to the Agency of Human Services – Secretary’s Office.

(2) \$10,500,000 is appropriated to the Department of Disabilities, Aging, and Independent Living.

(3) \$1,500,000 is appropriated to the Department of Mental Health.

(4) \$17,000,000 is appropriated to the Department of Vermont Health Access.

(5) \$1,500,000 is appropriated to the Department of Health.

(6) \$92,250 is appropriated to the Department for Children and Families.

(f) The Global Commitment Fund appropriated in subsection (e) of this section may be obligated in fiscal year 2023 for the purposes of bringing HCBS plan spending authority forward into fiscal year 2024. The funds appropriated in subsections (b), (c), and (e) of this section may be transferred on a net-neutral basis in fiscal year 2023 in the same manner as the Global Commitment appropriations in Sec. E.301 of this act. The Agency shall report to the Joint Fiscal Committee in September 2023 on transfers of appropriations made and final amounts expended by each department in fiscal year 2023 and any obligated funds carried forward to be expended in fiscal year 2024.

Sec. C.106 CANNABIS CONTROL BOARD; PHASE I

(a) The amount of \$759,903 in special funds is appropriated to the Cannabis Control Board to support phase one of the online registration, licensing, and business application portal.

Sec. C.107 2021 Acts and Resolves No. 74, Sec. C.100(a)(1) is amended to read:

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

APPROPRIATIONS

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

(1) To the Agency of Human Services, Global Commitment Program: \$2,000,000 for the State match for the 2020 Acts and Resolves No. 155 Nurse Scholarship Program and University of Vermont College of Medicine, Medical Student Incentive Scholarship Program, as amended in Sec. E. 311.3 of this act. Of these general funds, \$1,000,000 is for expenditure in fiscal year 2022, and \$1,000,000 is for expenditure in fiscal year 2023. To extent that funds are unexpended and unobligated at the close of fiscal year 2022 and fiscal year 2023, these funds shall be available for the Vermont Nursing Forgivable Loan Incentive Program established in Sec. 25 of H.703 of 2022.

* * * Fiscal Year 2023 Fund Transfers and Reserve Allocations * * *

Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

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

(1) The sum of \$428,933 is appropriated from the Current Use Administration Special Fund to the Department of Taxes for administration of the Use Tax Reimbursement Program. Notwithstanding 32 V.S.A. § 9610(c), amounts above \$428,933 from the property transfer tax that are deposited into the Current Use Administration Special Fund shall be transferred into the General Fund.

(2) The sum of \$21,128,985 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board. Notwithstanding 10 V.S.A. § 312, amounts above \$21,128,985 from the property transfer tax and surcharge established by 32 V.S.A. § 9602a that are deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.

(A) The dedication of \$2,500,000 in revenue from the property transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the affordable housing bond, 10 V.S.A. § 314, is to be offset by the reduction of \$1,500,000 in the appropriation to the Vermont Housing and Conservation

Board and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a.

The fiscal year 2023 appropriation of \$21,128,985 to VHCB reflects the \$1,500,000 reduction. The affordable housing bond and related property transfer tax and surcharge provisions are repealed after the life of the bond on July 1, 2039. Once the bond is retired, the \$1,500,000 reduction in the appropriation to VHCB is intended to be restored.

(3) The sum of \$5,882,597 is appropriated from the Municipal and Regional Planning Fund. Notwithstanding 24 V.S.A. § 4306(a), amounts above \$5,882,597 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$5,882,597 shall be allocated as follows:

(A) \$4,574,417 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

(B) \$872,120 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b); and

(C) \$436,060 to the Agency of Digital Services for the Vermont Center for Geographic Information.

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

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

(1) From the General Fund to the All Other Insurance Fund (56300):
\$1,000,000.

(2) From the General Fund to the Technology Modernization Special
Fund created in Sec. E.105.1 of this act: \$16,760,000.

(3) From the Clean Water Fund (21932) established by 10 V.S.A.
§ 1388 to the Agricultural Water Quality Special Fund (21933) created under
6 V.S.A. § 4803: \$5,816,111.

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

(5) From the Transportation Fund to the Downtown Transportation and
Related Capital Improvement Fund (21575) established by 24 V.S.A. § 2796 to
be used by the Vermont Downtown Development Board for the purposes of
the Fund: \$523,966.

(b) Notwithstanding any provisions of law to the contrary, in fiscal year
2023:

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

<u>225005 AHS Central Office earned federal receipts</u>	<u>\$4,641,960</u>
<u>50300 Liquor Control Fund</u>	<u>\$20,400,000</u>
<u>Caledonia Fair</u>	<u>\$5,000</u>

North Country Hospital Loan \$24,047

Springfield Hospital promissory note repayment \$121,416

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

21638 AG-Fees & reimbursement – Court order \$2,000,000

21928 Secretary of State Services Funds \$1,200,000

62100 Unclaimed Property Fund \$1,773,425

(3) Notwithstanding 2016 Acts and Resolves No. 172, Section E. 228, \$45,664,476 of the unencumbered balances in the Insurance Regulatory and Supervision Fund (21075), the Captive Insurance Regulatory and Supervision Fund (21085), and the Securities Regulatory and Supervision Fund (21080) shall be transferred to the General Fund.

(4) Notwithstanding any provision of law to the contrary, in fiscal year 2023, the following amounts shall revert to the General Fund from the accounts indicated:

1210002000 Legislature \$205,000

(c) Notwithstanding any provisions of law to the contrary, in fiscal year 2023 the following estimated General Fund reserves shall be made:

(1) Pursuant to 32 V.S.A. § 308, an estimated amount of \$18,629,568 shall be reserved in the General Fund Budget Stabilization Reserve.

Sec. D.102 27/53 RESERVE

(a) \$3,020,000 from the General Fund shall be reserved in the 27/53 reserve in fiscal year 2022. This action is the fiscal year 2023 contribution to the reserve for the 53rd week of Medicaid as required by 32 V.S.A. § 308e and the 27th payroll reserve as required by 32 V.S.A. § 308e.

Sec. D.103 INFRASTRUCTURE INVESTMENT AND JOBS ACT

MATCH FUNDS

(a) \$7,200,000 is reserved within the General Fund in fiscal year 2023, which shall carry forward, to be used to match federal Infrastructure Investment and Jobs Act funds that become available to Vermont.

* * * General Government * * *

Sec. E.100 EXECUTIVE BRANCH POSITIONS

(a) The establishment of the following new positions is authorized in fiscal year 2023:

(1) Permanent classified positions:

(A) Agency of Agriculture, Food and Markets - Vermont Agriculture and Environmental Lab: one new VAEL Scientist IV; Chemistry.

(B) Department of Buildings and General Services – Fee for Space:

- (i) one BGS Utility Mechanic;
- (ii) three BGS Institutional Custodians; and
- (iii) one BGS Maintenance Mechanic II.

(C) Department of Aging, Disabilities, and Independent Living's

Administration and Support division:

- (i) one S&C Non-clinical Manager;
- (ii) three Nurse Surveyors;
- (iii) one Administrative Assistant;
- (iv) one Quality Outcomes Specialist;
- (v) two Adult Protection Services Investigators;
- (vi) one Office of Public Guardian Community Financial

Specialist; and

- (vii) one Office of Public Guardian Assistant Director.

(D) Department of Mental Health:

- (i) one Suicide Prevention Manager;
- (ii) one Quality Control Specialist III;
- (iii) one Staffing Office Manager;
- (iv) five Mental Health Scheduling Coordinators;
- (v) one DMH Psychologist;
- (vi) one DMH Activity Therapist;

(vii) one Psychiatric Social Worker II;

(viii) two Food Service Workers;

(ix) two Cook Cs; and

(x) one Supervising Chef.

(E) Agency of Education:

(i) one School Facility Coordinator; and

(ii) one Communication Coordinator.

(F) Cannabis Control Board:

(i) two enforcement officers; and

(ii) one data analyst.

(G) State Treasurer: one Retirement Program Technician.

(2) Permanent Exempt Positions:

(A) Vermont Pension Investment Commission: one Principal Assistant.

(b) The conversion of the following limited-service positions to classified permanent status is authorized in fiscal year 2023 as follows:

(1) Department of Vermont Health Access:

(A) DVHA, Business Office Unit – one Financial Manager III;

(B) DVHA, Business Office Unit – one Grants Management

Specialist;

(C) DVHA, Contracts & Grants Unit – two Contracts & Grants

Administrators:

(D) DVHA, Contracts & Grants Unit – one Financial Manager I;

(E) DVHA, HAEEU – one Assister Program Manager;

(F) DVHA, HAEEU – seven Benefits Program Mentors;

(G) DVHA, HAEEU – two Business Analysts;

(H) DVHA, HAEEU – one Communications & Outreach

Coordinator:

(I) DVHA, HAEEU – one Health Care Training/Community

Manager:

(J) DVHA, HAEEU – seven Health Program Administrators;

(K) DVHA, HAEEU – three Healthcare Assistant Admin Is;

(L) DVHA, HAEEU – five Healthcare Assistant Admin IIs;

(M) DVHA, HAEEU – one VHC Business Process Coordinator;

(N) DVHA, HAEEU – one VHC Education & Outreach Coordinator;

(O) DVHA, HAEEU – five VHC Support Services Specialists;

(P) DVHA, HAEEU – 16 VT Healthcare Service Specialist Is;

(Q) DVHA, HAEEU – 25 VT Healthcare Service Specialist IIs;

(R) DVHA, HAEEU – five VT Healthcare Service Specialist III's;

(S) DVHA, Health Care Appeals Unit – five Fair Hearing Specialists;

(T) DVHA, Health Care Appeals Unit – one Program Technician I;

(U) DVHA, Legal Unit – one Staff Attorney II; and

(V) DVHA, Long Term Care Unit – three Long Term Care Specialist

Is.

(2) Department of Forests, Parks and Recreation – Forestry: one

Forester III.

(3) State Treasurer: one Financial Manager.

(c) The establishment of the following new classified limited-service positions are authorized in fiscal year 2023 as follows:

(1) Department of Labor: three positions to assist with the UI

Modernization project.

(2) Agency of Education:

(A) one Grants Manager; and

(B) three Monitoring Coordinators.

(d) The establishment of the following new classified limited-service positions are authorized in fiscal year July 1, 2022 through December 31, 2024

as follows:

(1) Department of State’s Attorneys and Sheriffs:

(A) ten Deputy State’s Attorneys; and

(B) two Administrative Assistants.

Sec. E.100.1 2014 Acts and Resolves No. 179, Sec. E.100(d), as amended by
2015 Acts and Resolves No. 4, Sec. 74; 2016 Acts and Resolves No. 172,

Sec. E.100.2; 2017 Acts and Resolves No. 85, Sec. E.100.1; 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.100.1; 2020 Acts and Resolves No. 120, Sec. A.7; 2020 Act and Resolves No. 154, Sec. E.100.2; and by 2021 Acts and Resolves No. 74, Sec. E.100.1, is further amended to read:

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

(1) Notwithstanding Sec. A.107 of this act, the Agency of Transportation, the Department for Children and Families, the Agency of Natural Resources, the Department of Buildings and General Services, the Department of Labor, the Department of Corrections, ~~and~~ the Department of Public Safety, the Department of State's Attorneys and Sheriffs, and the Vermont Veterans' Home shall not be subject to the cap on positions for the duration of the Pilot.

(A) The Department of Corrections is authorized to add only Correctional Officer I and II positions.

(B) The Department of State's Attorneys and Sheriffs is authorized to add only State's Attorney positions.

(C) The Vermont Veterans' Home is authorized to add direct care positions, including part-time positions. Prior to authorizing positions under subdivision (d)(2) of this section, the Secretary of Administration shall be provided the financial analysis from the Vermont Veterans' Home reviewed by the Commissioner of Finance and Management which demonstrates reduction in the cost of overtime expenses or other expenses equal to or greater than the projected cost of the positions for the current and successive fiscal year of operations.

* * *

(7) This Pilot shall sunset on ~~July 1, 2023~~ July 1, 2025, unless extended or modified by the General Assembly.

(8) ~~On or before January 15, 2019~~ Annually on or before January 15, the Commissioner of Human Resources, in coordination with the Vermont State Employees' Association (VSEA), shall provide a report on the total number of positions created under the authority of this section to the House and Senate Committees on Appropriations. The report shall include a recommendation on whether this program should be expanded and continue and, if so, should it be extended but remain in session law or be made permanent by codification in statute.

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

§ 3303. REPORTING, RECORDS, AND REVIEW REQUIREMENTS

(a) Annual report and budget. The Secretary shall submit to the General Assembly, concurrent with the Governor's annual budget request required under 32 V.S.A. § 306, an annual report for information technology and cybersecurity. The report shall reflect the priorities of the Agency and shall include:

- (1) performance metrics and trends, including baseline and annual measurements, for each division of the Agency;
- (2) a financial report of revenues and expenditures to date for the current fiscal year;
- (3) costs avoided or saved as a result of technology optimization for the previous fiscal year;
- (4) an outline summary of information, including scope, schedule, budget, and status for information technology projects with total costs of \$500,000.00 or greater;
- (5) an annual update to the strategic plan prepared pursuant to subsection (c) of this section;
- (6) a summary of independent reviews as required by subsection (d) of this section; ~~and~~
- (7) the Agency budget submission; and

(8) a report on the expenditures of the Technology Modernization Special Fund, a list of projects receiving funding from the Fund in the prior fiscal year, and a list of prioritized recommendations for projects to be funded from the Fund in the next fiscal year.

* * *

Sec. E.105.1 3 V.S.A. § 3305 is added to read:

§ 3305. TECHNOLOGY MODERNIZATION SPECIAL FUND

(a) Creation. There is created the Technology Modernization Special Fund, to be administered by the Agency of Digital Services. Monies in the Fund shall be used to purchase, implement, and upgrade technology platforms, systems, and cybersecurity services used by State agencies and departments to carry out their statutory functions.

(b) Funds. The Fund shall consist of:

(1) any amounts transferred or appropriated to it by the General Assembly; and

(2) any interest earned by the Fund.

(c) Fund balance. Any balance remaining at the end of the fiscal year shall remain in the Fund.

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

(e) Priorities. The General Assembly shall prioritize projects to receive monies from the Fund based on recommendations from the Chief Information Officer submitted pursuant to subsection 3303(a) of this title.

Sec. E.105.2 FISCAL YEAR 2023; TECHNOLOGY MODERNIZATION

SPECIAL FUND; AUTHORIZATIONS

(a) In fiscal 2023, the following expenditures are authorized from the Technology Modernization Special Fund to the projects described in this section:

(1) the sum of \$11,800,000 for Enterprise Resource Planning (ERP) system upgrade of core statewide financial accounting system and integration with the Vermont Department of Labor and the Agency of Transportation financial systems;

(2) the sum of \$1,800,000 for continued implementation of the Workplace Information Management System for property management at the Department of Buildings and General Services;

(3) the sum of \$960,000 for the Fire Safety System Modernization to replace the current technology with a modern platform to improve records management and public interaction functionalities related to permitting and licensing; and

(4) the sum of \$2,200,000 for a case management system at the Office of the Attorney General.

(b) The expenditures authorized in subdivision (a)(1) of this section shall only be released following approval by the Joint Information Technology Oversight Committee upon a review of the following documentation as provided by the Agency of Digital Services, the Agency of Administration, and the Joint Fiscal Office's IT consultant:

- (1) adequacy of departmental readiness;
- (2) the responsiveness of requests for proposals; and
- (3) results of the independent review.

Sec. E.106 EXECUTIVE BRANCH FEES AND FUND DEFICITS;

PROPOSED INCREASES AND FOREGONE REVENUE;

REPORT

(a) According to the report submitted by the Commissioner of Finance and Management pursuant to 2021 Acts and Resolves No. 74, Sec. E.106, \$22,000,000 in revenue was foregone in one fiscal year due to lack of inflationary increases in certain fees, including Agency of Transportation fees. Some special funds, such as the Victims Compensation, Domestic and Sexual Violence, Judiciary Technology, Public Safety Fire Prevention, Secretary of State's Office—Office of Professional Regulation, and Vermont Correctional industries are facing structural deficits. In the absence of additional resources, the fiscal status of the Transportation Fund could result in the delay of projects

or the inability of the state to fully draw the federal funding allocated to Vermont in the Infrastructure Investment and Innovation Jobs.

(b) On or before January 15, 2023, the Commissioner of Finance and Management shall submit a report to the House Committees on Government Operations and on Ways and Means and the Senate Committees on Finance and on Government Operations that:

(1) identifies all existing Executive Branch fees under 32 V.S.A. chapter 7, subchapter 6 that have not been changed or reauthorized in two or more years;

(2) for each fee identified pursuant to subdivision (1) of this subsection, provides:

(A) the relationship between the revenue to be raised by the fee and the cost to provide the service, product, or regulatory function supported by the fee;

(B) the inflationary pressures that have arisen since the fee was last set;

(C) the effect on the program's budget adequacy if the fee is not increased; and

(D) whether there are comparable fees in other jurisdictions;

(3) includes a listing of all funds in deficit, with either a plan to resolve the deficit, including fee increase as appropriate, or a justification for the financial position; and

(4) proposes a fee increase for each fee identified pursuant to subdivision (1) of this subsection for which the revenue generated by the fee does not account for the cost of providing the service, product, or regulatory function that the fee supports.

Sec. E.107 CORONAVIRUS RELIEF FUND APPROPRIATIONS;

REVERSION AND REALLOCATION; REPORTS

(a) From July 1, 2022 through September 30, 2022, the Commissioner of Finance and Management is authorized to revert all unobligated Coronavirus Relief Fund (CRF) appropriations and allocate the monies for expenditure pursuant to 32 V.S.A. § 511 to any agency or department for CRF-eligible costs incurred from March 1, 2020 through December 31, 2021.

(b) The Commissioner of Finance and Management shall report at the September meeting of the Joint Fiscal Committee on final CRF activity and if any monies will be returned to the federal government.

Sec. E.128 SERGEANT AT ARMS

(a) The Capitol Police are authorized to develop a pilot program supported with up to \$15,000 of carryforward funds within the Sergeant at Arms' budget to lease a vehicle to provide capacity for officers to address law enforcement

services that are either no longer being provided by partner organizations or have not previously been provided, diminished coverage from the Department of Buildings and General Services Security to handle after-hours alarms, and other law enforcement issues within legislative spaces.

Sec. E.134.1 3 V.S.A. § 522 is amended to read:

§ 522. VERMONT PENSION INVESTMENT COMMISSION

* * *

(i) ~~Assistance~~ Transfers and expenses.

(1) ~~The Commission shall have the administrative and technical support of the Office of the State Treasurer.~~ There is hereby created the Vermont Pension Investment Commission Special Fund for the purpose of receiving funds transferred from the three retirement systems and from which expenses will be paid that are associated with carrying out its duties.

Sec. E.134.1a VERMONT PENSION INVESTMENT COMMISSION;

SOURCE OF FUNDS

(a) The funds appropriated in Sec. B.134.1 of this act are costs to the State's pension funds and have been considered in each pension systems' actuarial valuations but have not been included in the funds appropriated in Secs. B.133, B.134, and B.514.1 of this act.

(b) Spending authority needed to transfer pension funds to the VPIC special fund will be granted by the Department of Finance and Management pursuant to 32 V.S.A. § 511.

(c) The funds appropriated from the pension systems for administrative costs in Secs. B.133, B.134, and B.514.1 of this act are intended to provide spending authority needed to transfer funds from the State's pension systems to the Treasurers Retirement Admin Costs fund (21520) to cover the portion of the Treasurer's budget attributable to the State's pension systems.

Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

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

Sec. E.142 PAYMENTS IN LIEU OF TAXES

(a) This appropriation is for State payments in lieu of property taxes under 32 V.S.A. chapter 123, subchapter 4, and the payments shall be calculated in addition to and without regard to the appropriations for PILOT for Montpelier

and for correctional facilities elsewhere in this act. Payments in lieu of taxes under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

(b) Notwithstanding subsection (a) of this section, the payments under this section shall be adjusted so that the total payments made under Secs. E.142, E.143, and E.144 do not exceed 100 percent of the assessed value of State buildings defined by 32 V.S.A. § 3701(2).

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

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

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

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

* * * Protection to Persons and Property * * *

Sec. E.203 RESTORATIVE JUSTICE WORKING GROUP; REPORT

(a) Creation. There is created the Restorative Justice Working Group to evaluate the organization of Vermont’s criminal justice system concerning restorative justice programming and services generally, with a focus on the administration and funding of pretrial services, court diversion programs, and community justice center services.

(b) Membership. The Working Group shall be composed of the following nine members:

(1) a local representative from a Community Justice Center currently funded by the of the Vermont Department of Corrections, selected by the directors of Vermont's Community Justice Centers;

(2) a county-level representative from the court diversion and pretrial services program, or an affiliated county-level restorative justice program, currently funded by the Office of the Vermont Attorney General, selected by the Vermont Association of Court Diversion and Pretrial Services;

(3) a district-level representative from a Balanced and Restorative Justice program provider currently funded by the Vermont Department of Children and Families director, selected by the directors of Vermont's Balanced and Restorative Justice program providers;

(4) a representative from the Department of State's Attorneys and Sheriffs;

(5) the Chief Superior Judge of the Vermont Superior Court or designee;

(6) the Commissioner of Corrections or designee;

(7) the Vermont Attorney General or designee;

(8) the Vermont Defender General or designee; and

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

(c) Powers and duties. The Working Group shall study the roles, relationships, and funding of the various entities providing restorative justice programming and services in the State of Vermont. The Working Group's study shall:

(1) identify any disparities or variation between administrative rules, policies, procedures, practices, and results of restorative justice programming and services in different areas of the State;

(2) evaluate the system of restorative justice programming and services that ensures geographic equity throughout the State, equal access for all Vermonters, and adequate resources for all providers;

(3) review and recommend any changes to ensure streamlined restorative justice programming and services, which coordinates the roles, responsibilities, and funding mechanisms of the Department of Corrections, the Office of the Attorney General, the Department for Children and Families, and any other entity that administers restorative justice programming and services in the State;

(4) recommend any changes to ensure a coherent statutory framework for all restorative justice programming and services in the State; and

(5) ensure that any proposed changes to restorative justice programming and services in the State reflect and serve restorative justice principles.

(d) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Department of Corrections, the Office of the Attorney General, and the Department for Children and Families. The Department of Corrections, the Office of the Attorney General, and the Department for Children and Families shall coordinate and assist the Working Group in the writing of any reports. The Working Group may solicit input and participation from other stakeholders in furtherance of its purpose.

(e) Report. On or before January 15, 2023, the Working Group shall submit a written report to the House Committees on Corrections and Institutions, on Judiciary, and on Appropriations, and the Senate Committees on Institutions, on Judiciary, and on Appropriations with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The Chief Superior Judge or designee shall call the first meeting of the Working Group to occur on or after July 1, 2022.

(2) The Working Group shall select a chair from among its members at the first meeting.

(3) The Working Group shall meet a sufficient number of times to fulfill its power and duties and issue a timely report.

(4) A majority of the membership shall constitute a quorum.

(5) Notwithstanding 1 V.S.A. § 172, an action may be taken by the Working Group with the assent of a majority of the members attending and voting, assuming a quorum.

(6) The Working Group shall cease to exist on February 15, 2023.

Sec. E.208 PUBLIC SAFETY – ADMINISTRATION

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

Sec. E.209 PUBLIC SAFETY – STATE POLICE

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

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

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

Sec. E.209.1 PUBLIC SAFETY – VERMONT STATE POLICE; DISPATCH
WORKING GROUP; TRANSITION PROPOSAL; REPORT

(a) Creation. The Commissioner of the Department of Public Safety shall convene a working group for the purpose of reaching agreement on a proposal to transition to a new dispatch model.

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

(1) one representative of the Vermont State Police, selected by the Commissioner of Public Safety;

(2) two representatives of local legislative bodies, selected by the Vermont League of Cities and Towns, one of which utilizes a state-dispatch center and one of which utilizes an existing regional or local dispatch center;

(3) one representative of an existing local or regional dispatch center, selected by the Vermont League of Cities and Towns;

(4) two police chiefs, selected by the Vermont Police Chiefs Association, one of whom utilizes a state-dispatch center and one of whom utilizes an existing regional or local dispatch center;

(5) one emergency medical responder, selected by the Vermont EMS Advisory Committee;

(6) one firefighter, selected by the Vermont State Firefighters

Association;

(7) one sheriff, selected by the Vermont Sheriffs Association; and

(8) one representative of the Enhanced 9-1-1 Board, selected by the

Board Chair.

(c) Powers and duties. The working group shall develop a proposal to transition to a regional dispatch model. In developing the proposal, the working group shall:

(1) consider and document, for each town, how much is currently spent on dispatch services in contrast to the projected costs under a regional dispatch model, which responder services have been provided for that funding, and to whom payment has been made for these services; and

(2) identify a transitional timeline and the tasks to be completed within that timeline for transitioning to a regional dispatch model and recommend funding sources for the new model that resolves funding inequities between those towns paying for services using local funds and those towns receiving services funded by the State.

(d) Report. On or before January 15, 2023, the working group shall submit a report to the House and Senate Committees on Government Operations and on Appropriations, the House Committee on Ways and Means, and the Senate Committee on Finance. The report shall identify the working group's

recommendations for implementing the new dispatch model, including a recommendation for how transition funds should be spent and recommendations for ongoing funding for the new model.

(e) Meetings.

(1) The Commissioner of the Department of Public Safety or designee shall call the first meeting of the working group.

(2) The working group shall determine its chair from among the members of the working group.

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

(f) Assistance. The working group shall have the administrative, technical, and legal assistance of the Department of Public Safety.

(g) Approval of appropriation use.

(1) If the General Assembly approves, through the enactment of legislation, the working group's recommendation, the \$11,000,000 appropriated in Sec. B.1100(b) of this act and held in reserve for transition to a new dispatch model may be released to the extent that it is needed for implementing the recommendation. Any portion not needed to support the transition shall revert to the General Fund.

(2) If the General Assembly does not approve the transition to a new dispatch model through the enactment of legislation, the \$11,000,000 held in reserve shall revert in its entirety to the General Fund, and the Department of

Public Safety shall continue to provide dispatch service to those local agencies to which the Department is currently providing dispatch services.

Sec. E.212 PUBLIC SAFETY – FIRE SAFETY

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

Sec. E.215 MILITARY - ADMINISTRATION

(a) The amount of \$1,319,834 shall be disbursed to the Vermont Student Assistance Corporation for the National Guard Tuition Benefit Program established in 16 V.S.A. § 2857.

Sec. E.219 MILITARY – VETERANS’ AFFAIRS

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

Sec. E.232 OFFICE OF PROFESSIONAL REGULATION; REPORT

(a) On or before December 15, 2022, the Office of Professional Regulation shall submit a report to the General Assembly outlining how to restore and maintain the fiscal health of the Office of Professional Regulation Regulatory Fee Fund. The report shall be submitted to the House Committees on

Government Operations, on Ways and Means, and on Appropriations as well as the Senate Committees on Government Operations, on Finance, and on Appropriations.

Sec. E.240 CANNABIS CONTROL BOARD

(a) The funds appropriated for the Cannabis Control Board in Sec. B.240 of this act include one-time special funds of \$703,432 to support phase two of the license application and seed to sale tracking information technology system.

* * * Human Services * * *

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

ADVOCATE

(a) Of the funds appropriated in Sec. B.300 of this act, \$1,577,406 shall be used for the contract with the Office of the Health Care Advocate.

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

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

(b) In addition to the State funds appropriated in this section, a total estimated sum of \$25,231,644 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) \$22,230,100 certified State match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with \$28,269,900 of federal funds appropriated in Sec. B.301 of this act equals a total estimated expenditure of \$50,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) \$3,001,544 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

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

Sec. E.301.1 GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER;
REPORT

(a) In order to facilitate the end-of-year closeout for fiscal year 2023, the Secretary of Human Services, with approval from the Secretary of Administration, may make transfers among the appropriations authorized for Medicaid and Medicaid-waiver program expenses, including Global Commitment appropriations outside the Agency of Human Services. At least three business days prior to any transfer, the Agency shall submit to the Joint Fiscal Office a proposal of transfers to be made pursuant to this section. A final report on all transfers made under this section shall be made to the Joint Fiscal Committee for review at the September 2023 meeting. The purpose of this section is to provide the Agency with limited authority to modify the appropriations to comply with the terms and conditions of the Global Commitment for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

Sec. E.301.2 GLOBAL COMMITMENT WAIVER AMENDMENT

(a) The Secretary of Human Services is authorized to seek to extend or renew Vermont's Global Commitment to Health Section 1115 Demonstration Waiver, which is currently set to expire on June 30, 2022. The Agency of Human Services shall strive to maintain or increase the State's flexibility to use Global Commitment investment dollars to increase access to care and

coverage, improve health outcomes, strengthen health care delivery, and promote transformation to value-based and integrated models of care.

Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

(a) The Agency of Human Services may adopt rules pursuant to 3 V.S.A. chapter 25 to conform Vermont's rules regarding health care eligibility and enrollment and the operation of the Vermont Health Benefit Exchange to state and federal law and guidance. The Agency may use the emergency rules process pursuant to 3 V.S.A. § 844 prior to June 30, 2023, but only in the event that new state or federal law or guidance require Vermont to amend or adopt its rules in a time frame that cannot be accomplished under the traditional rulemaking process. An emergency rule adopted under these exigent circumstances shall be deemed to meet the standard for the adoption of emergency rules required pursuant to 3 V.S.A. § 844(a).

Sec. E.306.1 SEPARATE INDIVIDUAL AND SMALL GROUP HEALTH
INSURANCE MARKETS FOR PLAN YEAR 2023 IF
FEDERAL SUBSIDIES ARE EXTENDED

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

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

(c) Separate plans and community rating. Notwithstanding any provision of 33 V.S.A. § 1811 to the contrary, if the Department of Vermont Health Access, after consultation with interested stakeholders, determines on or before September 1, 2022 that Congress has extended the increased opportunities for federal premium assistance originally made available through the American Rescue Plan Act of 2021, Pub. L. No. 117-2 to eligible households purchasing qualified health benefit plans in the individual market to include plan year 2023, or has made substantially similar opportunities available, then for plan year 2023, a registered carrier shall:

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

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

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

Sec. E.312 HEALTH – PUBLIC HEALTH

(a) AIDS/HIV funding.

(1) In fiscal year 2023 and as provided in this section, the Department of Health shall provide grants in the amount of \$475,000 in AIDS Medication Rebates special funds to the Vermont AIDS service and peer-support organizations for client-based support services. The Department of Health AIDS Program shall meet at least quarterly with the Community Advisory Group (CAG) with current information and data relating to service initiatives. The funds shall be allocated according to an RFP process.

(2) In fiscal year 2023 and as provided in this section, the Department of Health shall provide grants in the amount of \$295,000 to the following organizations:

(A) Vermont CARES - \$135,000;

(B) AIDS Project of Southern Vermont - \$105,000; and

(C) HIV/HCV Resource Center - \$55,000.

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

(A) The Secretary of Human Services shall immediately notify the Joint Fiscal Committee if at any time there are insufficient funds in VMAP to

assist all eligible individuals. The Secretary shall work in collaboration with persons living with HIV/AIDS to develop a plan to continue access to VMAP medications until such time as the General Assembly can take action.

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

(4) In fiscal year 2023, the Department of Health shall provide grants in the amount of \$100,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for community-based HIV prevention programs and services. These funds shall be used for HIV/AIDS prevention purposes, including syringe exchange programs; improving the availability of confidential and anonymous HIV testing; prevention work with at-risk groups such as women, intravenous drug users, and people of color; and anti-stigma campaigns. Not more than 15 percent of the funds may be used for the administration of such services by the recipients of these funds. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of

Health and the Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers.

(5) In fiscal year 2023, the Department of Health shall provide grants in the amount of \$150,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for syringe exchange programs. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health, the Vermont AIDS service organizations, and other Vermont HIV/AIDS prevention providers. The performance period for these grants will be State fiscal year 2023. Grant reporting shall include outcomes and results.

(6) In fiscal year 2023 and as provided in this section, the Department of Health shall provide grants in the amount of \$360,000 for HIV prevention programs and \$200,000 to the Howard Center for syringe service programs.

(7) In fiscal year 2023, the Department of Health shall not reduce any grants to the Vermont AIDS service and peer-support organizations or syringe service programs from funds appropriated for AIDS/HIV services to levels below those in fiscal year 2022 without receiving prior approval from the Joint Fiscal Committee.

Sec. E.314 DEPARTMENT OF MENTAL HEALTH; MOBILE CRISIS

OUTREACH SERVICES

(a) The Department of Mental Health shall build an urgent care model for mental health by expanding mobile outreach services based on the Department's analysis of statewide mobile crisis services and gaps pursuant to its State Planning Grant from the Centers for Medicare and Medicaid Services. The urgent care model shall address geographic gaps and the regions of the State in which the lack of mobile outreach is most directly driving unnecessary emergency department visits or unnecessary law enforcement responses.

(b) The new mobile outreach services shall:

(1) be based on evidence-based and trauma-informed practices, including using peer support staff;

(2) be developed in conjunction with the continuum of urgent care response related to the new 9-8-8 suicide prevention line; and

(3) comply with federal requirements as needed to qualify for three years of federal financial participation at an enhanced 85 percent federal match rate.

(c) The Department shall develop a sustainability plan to ensure that the services will continue to be available after expiration of the enhanced federal match rate.

Sec. E.314.1 DEPARTMENT OF MENTAL HEALTH; EMERGENCY
DEPARTMENTS; PATIENT EXPERIENCE OF CARE;
REPORT

(a) On or before January 15, 2023, the Department of Mental Health shall report to the House Committee on Health Care and the Senate Committee on Health and Welfare regarding the progress of the health care system in improving the patient experience of care for individuals encountering lengthy emergency departments waits for admission for inpatient psychiatric treatment. The report shall include an assessment of the services offered to these patients in emergency departments and the extent to which stakeholder input is included in decisions about services and patient care.

Sec. E.318 CHILD CARE FINANCIAL ASSISTANCE PROGRAM;
REPORT

(a) On or before October 1, 2024, the Commissioner for Children and Families, in consultation with stakeholders, shall submit a report to the House Committee on Human Services and to the Senate Committee on Health and Welfare:

(1) Evaluating the effectiveness of the expenditures resulting from the Child Care Financial Assistance Program rate and subsidy changes enacted for fiscal year 2020 as set forth in 2019 Acts and Resolves No. 72, Sec. E.318.1, the incentive grants set forth in 2019 Acts and Resolves No. 72, Sec. E.318.5,

and the stipend or paid internship opportunities for individuals completing the Child Development Associate Credential at a Vermont technical center set forth in 2019 Acts and Resolves No. 72, Sec. E.318.6;

(2) making recommendations as to whether the programs and expenditures set forth in 2019 Acts and Resolves No. 72, Secs. E.318.1, E.318.5, and E.318.6 should continue; and

(3) evaluating how the programs and expenditures set forth in 2019 Acts and Resolves No. 72, Secs. E.318.1, E.318.5, and E.318.6 contribute to Vermont's children and young people reaching their potential pursuant to 3 V.S.A. § 2311.

Sec. E.318.1 CHILD CARE CAPACITY BUILDING GRANTS

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

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

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

(2) participate in Child Care Financial Assistance Program (CCFAP);

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

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

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

(c) Center-based child care program or family child care homes receiving a grant pursuant to this section shall remain in compliance with the Division's rules, continue participation in STARS, and maintain enrollment of children supported by CCFAP.

Sec. 318.2 33 V.S.A. § 5126 is added to read:

§ 5126. PLACEMENT OF A CHILD INTO A QUALIFIED RESIDENTIAL
TREATMENT PROGRAM

(a) Within 60 days of the start of a placement of a child into a qualified residential treatment program by the Commissioner, the Family Division of the Superior Court or the Judicial Master shall review the assessment, determination, and documentation provided by the qualified individual conducting the assessment required pursuant to 42 U.S.C. § 675a. The court or Judicial Master shall determine whether the needs of the child can be met through placement with family members, in a foster family home, or in another approved setting designed to meet specialized needs. If placement in a setting described above is not appropriate, the court or Judicial Master shall consider whether placement of the child in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment, and whether such a placement is consistent with

the short- and long-term goals for the child, as specified in the case plan for the child.

(b) The court or Judicial Master shall approve or disapprove the placement in a qualified residential treatment program based on the factors considered in subsection (a) of this section and make written findings as to the basis for the determination. The decision and findings shall be submitted to the parties.

(c) Nothing in this section shall be construed to limit the Commissioner's authority to place a child who is in the Commissioner's legal custody in a family home or a treatment, rehabilitative, detention, or educational facility or institution as provided in subdivision 5106(4) of this title.

(d) This section shall not apply to children placed in a setting that is intended for the detention of minors.

Sec. E.321 GENERAL ASSISTANCE HOUSING

(a) Funds appropriated to the Agency of Human Services in the General Assistance program in fiscal year 2023 may be used for temporary housing in catastrophic situations and for vulnerable populations, as defined in rules adopted by the Agency.

Sec. E.321.1 GENERAL ASSISTANCE HOUSING; ADVERSE WEATHER
CONDITIONS

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

Sec. E.324 EXPEDITED CRISIS FUEL ASSISTANCE

(a) The Commissioner for Children and Families or designee may authorize crisis fuel assistance to those income-eligible households that have applied for an expedited seasonal fuel benefit but have not yet received it if the benefit cannot be executed in time to prevent them from running out of fuel. The crisis fuel grants authorized pursuant to this section count toward the one crisis fuel grant allowed per household for the winter heating season pursuant to 33 V.S.A. § 2609(b).

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

(a) Of the funds appropriated in Sec. B.325 of this act, \$12,699,440 shall be granted to community agencies for homeless assistance by preserving existing services, increasing services, or increasing resources available statewide. These funds may be granted alone or in conjunction with federal Emergency Solutions Grants funds. Funds shall be administered in consultation with the Vermont Coalition to End Homelessness.

Sec. E. 326 DEPARTMENT FOR CHILDREN AND FAMILIES – OFFICE
OF ECONOMIC OPPORTUNITY – WEATHERIZATION
ASSISTANCE

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

Sec. E.329 ALLOCATION OF POSITIONS; DEVELOPMENTAL
DISABILITIES SERVICES DIVISION

(a) Of the 10 new positions designated for the Department of Disabilities, Aging, and Independent Living in Sec. E.100 of this act, the following five positions shall be allocated to the Developmental Disabilities Services Division to ensure that annual quality assurance and improvement site visits are made to the designated and specialized service agencies and other contractors:

- (1) one Quality Review Team Supervisor;
- (2) one Nurse Reviewer; and
- (3) three Quality Review Team staff members.

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

(a) In fiscal year 2023, the Secretary of Administration may, upon recommendation of the Secretary of Human Services, transfer unexpended funds between the respective appropriations for correctional services; provided, however, that no transfer shall be made from correctional services

out-of-state beds. At least three days prior to any such transfer being made, the Secretary of Administration shall report the intended transfer to the Joint Fiscal Office and shall report any completed transfers to the Joint Fiscal Committee at its next scheduled meeting.

Sec. E.335.1 32 V.S.A. § 307 is amended to read:

§ 307. FORM OF BUDGET

(a) The budget shall be arranged and classified to separately show the following estimates and recommendations:

* * *

(f) The budget shall also include the total amount requested for any proposed expenditures by the Department of Corrections for Justice Reinvestment II initiatives supporting community-based programs.

Sec. E.335.2 28 V.S.A. § 125 is added to read:

§ 125. JUSTICE REINVESTMENT II INITIATIVES; REPORT

(a) On or before January 15 each year, the Commissioner of Corrections shall submit a report to the House Committees on Appropriations and on Corrections and Institutions and the Senate Committees on Appropriations and on Judiciary with:

(1) a breakdown and description of General Fund expenditures for the following Justice Reinvestment II initiatives to date:

(A) Department of Corrections funding for domestic violence intervention programming;

(B) Department of Corrections funding for transitional housing capacity;

(C) Funding for the Department of Correction's data collection Offender Management System; and

(D) any funding in the Department of Mental Health for community-based mental health and substance use services for individuals under Department of Corrections supervision; and

(2) a description of any other General Fund expenditures for Justice Reinvestment II initiatives not described in subdivision (1) of this subsection to date.

(b) The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this section

Sec. E.338 CORRECTIONS – CORRECTIONAL SERVICES

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

Sec. E.345 GREEN MOUNTAIN CARE BOARD: PAYMENT AND
DELIVERY SYSTEM TRANSFORMATION;
APPROPRIATIONS; REPORTS

(a)(1) Of the funds appropriated in Sec. B.1100 of this act, \$2,000,000 is for the purpose of engaging one or more consultants with expertise in community engagement and in health system design to support a patient-focused, community-inclusive redesign of Vermont's health care system to ensure sustainability and health care access and to support delivery system transformation that reduces inefficiencies, lowers costs, and improves population health outcomes, and which shall include a review of newly emerging models of care. The Board and its consultants shall:

(A) ensure a broad-based community engagement process;

(B) engage in data gathering and analysis as needed to support redesign; and

(C) provide support and technical assistance to hospitals to facilitate redesign and transformation initiatives.

(2) On or before February 1, 2023, the Board shall report to the House Committees on Health Care and on Appropriations and the Senate Committees on Health and Welfare and on Appropriations on the status of its community engagement and system redesign initiatives.

(b)(1) Of the funds appropriated in Sec. B.1100 of this act, \$1,400,000 is to develop a methodology and proposed rules for establishing aligned, fixed payments to hospitals for hospital services, including ensuring that the fixed payments are predictable, sustainable, aligned across multiple payers, and consistent with the principles set forth in 18 V.S.A. § 9371. In developing the methodology and proposed rules, the Board shall:

(A) engage Vermonters in seeking ways to equitably distribute health services while acknowledging the connection between fair and sustainable payment and access to health care;

(B) work in collaboration with providers and payers to preserve access to care and quality in each community;

(C) take into consideration existing Medicare designations and payment methodologies, including critical access hospitals, prospective payment system hospitals, graduate medical education payments, Medicare dependent hospitals, and federally qualified health centers;

(D) encourage coordination and planning on a regional basis, taking into account existing local relationships between providers and social services organizations, the community needs assessments conducted by Vermont hospitals, and information available from the community engagement process conducted pursuant to subsection (a) of this section; and

(E) propose modifications to the Board's regulatory processes and duties as appropriate to support and align with the use of fixed hospital payments.

(2) In developing the methodology and proposed rules, the Board may also conduct research into payment and budgeting methodologies in other states, actuarial analysis, analysis of Vermont hospital markets, analysis of hospital costs and expenses, and methods of data collection.

(3) Prior to implementing a fixed hospital payment methodology, adopting rules, or modifying its regulatory processes, the Board shall report the proposed methodology, rules, and any regulatory modifications to the House Committee on Health Care and the Senate Committee on Health and Welfare, including the means by which the methodology takes into account the relationships between health care and social service providers in the community, the hospital community needs assessments, and information from the community engagement process conducted pursuant to subsection (a) of this section.

(c) Of the funds appropriated in Sec. B.1100 of this act, \$600,000 is to support the Board and the Agency of Human Services in developing and negotiating a potential agreement with the Centers for Medicare and Medicaid Innovation, which may include engaging consulting and analytic support in order to include Medicare in Vermont's payment and delivery system

transformation initiatives. The Board shall ensure that any services it procures are supplemental to, and not duplicative of, analytics and other support available through the Agency of Human Services.

* * * Labor * * *

Sec. E.400 DEPARTMENT OF LABOR; TRADE APPRENTICESHIP

EXPENSE REIMBURSEMENT; PROGRAM EXPANSION

(a) Up to \$1,000,000 of the funds appropriated in 2021 Acts and Resolves No. 74, Sec. G.300(a)(6) may be carried forward by the Vermont Department of Labor and used to reimburse Vermont employers for costs incurred for work tools and personal protective equipment for new apprentices, and for expansion of registered apprenticeship programs and participants. Employers may be reimbursed up to \$300 for tools per apprentice.

Sec. E.400.1 UNEMPLOYMENT INSURANCE; INFORMATION

TECHNOLOGY MODERNIZATION FUNDING; REPORTS

(a) On or before November 15, 2022, the Office of Legislative Counsel in consultation with the Joint Fiscal Office shall submit a written report to the House Committees on Commerce and Economic Development and on Ways and Means; the Senate Committees on Economic Development, Housing and General Affairs and on Finance; and the Commissioner of Labor regarding statutes and mechanisms in other states that establish funding for unemployment insurance information technology modernization. The Office

of Legislative Counsel may consult with the Department of Labor in relation to the preparation of the report.

(b) On or before January 15, 2023, the Commissioner of Labor shall submit a written report to the House Committees on Commerce and Economic Development and on Ways and Means and the Senate Committees on Economic Development, Housing and General Affairs and on Finance evaluating the funding mechanisms for unemployment insurance information technology modernization identified in the report prepared pursuant to subsection (a) of this section. The report shall specifically address whether a funding mechanism similar to those identified in the report prepared pursuant to subsection (a) of this section could be implemented in Vermont and any potential challenges or adverse impacts related to implementing a similar funding mechanism in Vermont. The report may include an evaluation of one or more potential funding mechanisms for unemployment insurance information technology modernization that are not identified in the report prepared pursuant to subsection (a) of this section and may include a proposal for legislative action.

* * * K-12 Education * * *

Sec. E.500 EDUCATION – FINANCE AND ADMINISTRATION

(a) The Global Commitment funds appropriated in this section will be used for physician claims for determining medical necessity of Individualized

Education Programs (IEPs). These services are intended to increase access to quality health care for uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.500.1. 2021 Acts and Resolves No. 66, Sec. 14 is amended to read:

Sec. 14. FINDINGS AND PURPOSE

(a) Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended, requires that not later than July 1, 2022 all Vermont supervisory unions, supervisory districts, school districts, and independent technical center districts utilize the same shared school district data management system (~~eFinancePlus~~) (SSDDMS), which shall be selected by the Agency of Education per State procurement guidelines.

(b) The purpose of Secs. 15–17 of this act is to:

(1) extend the deadline to December 31, ~~2022~~ 2024 for statewide adoption of ~~eFinancePlus~~ SSDDMS;

(2) pause until ~~January 1, 2022~~ July 1, 2023 the further implementation of ~~eFinancePlus~~ SSDDMS to provide time for further evaluation of the system, provided that:

(A) the Agency of Education and its contractor for implementation of the system shall continue to support users of the system; and

(B) a supervisory union, supervisory district, school district, or independent technical center district ~~that does not use the system~~ may ~~join an~~

~~implementation round offered by the Agency of Education~~ implement or leave
SSDDMS during the pause period after consultation with the Agency of
Education and upon approval by its governing body; and

* * *

Sec. E.500.2 2021 Acts and Resolves No. 66, Sec. 15 is amended to read:

Sec. 15. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.500.1, as
amended by 2019 Acts and Resolves No. 72, Sec. E.500.5, is further
amended to read:

Sec. E.500.1. SHARED SCHOOL DISTRICT FINANCIAL DATA
MANAGEMENT SYSTEM

(a) Not later than December 31, ~~2022~~ 2024, all Vermont supervisory
unions, supervisory districts, school districts, and independent technical center
districts shall utilize the same school finance and financial data management
system. The system shall be selected by the Agency of Education per State
procurement guidelines.

* * *

Sec. E.500.3 2021 Acts and Resolves No. 66, Sec. 16 is amended to read:

Sec. 16. PAUSE OF IMPLEMENTATION OF SHARED SCHOOL
DISTRICT FINANCIAL DATA MANAGEMENT SYSTEM

Notwithstanding Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves
No. 11, as amended, the implementation of the Shared School District Data

Management System (SSDDMS) shall be paused until ~~January 1, 2022~~ July 1, 2023, provided that:

(1) the Agency of Education and its contractor for implementation of the system shall continue to support users, as of the date of enactment of this act, of the system; and

(2) a supervisory union, supervisory district, school district, or independent technical center district ~~that does not use the system~~ may ~~join an implementation round offered by the Agency of Education~~ implement or leave SSDDMS during the pause period after consultation with the Agency of Education and upon approval by its governing body.

Sec. E.500.4 2021 Acts and Resolves No. 66, Sec. 17 is amended to read:

Sec. 17. AGENCY OF EDUCATION; REPORTS

(a) On or before June 30, 2021 and quarterly thereafter until March 31, ~~2023~~ 2025, the Agency of Education shall provide a written report to the General Assembly and the Vermont Association of School Business Officials on the status of improving and implementing the Shared School District Data Management System, including the status of:

* * *

Sec. E.500.5 AGENCIES OF EDUCATION AND OF DIGITAL SERVICES;

JOINT REPORT ON THE SHARED SCHOOL DISTRICT

DATA MANAGEMENT SYSTEM

(a) On or before December 15, 2022, the Agencies of Education and of Digital Services shall jointly submit a report to the House and Senate Committees on Education on the status of improving and implementing the Shared School District Data Management System (SSDDMS) and a recommendation on whether to continue, discontinue, suspend, or delay implementation of SSDDMS and the reasons for their recommendation. In preparing their report, the Agencies of Education and of Digital Services shall solicit feedback from the Vermont Association of School Business Officials, school business managers and users and nonusers of SSDDMS around the State, the Vermont chapter of the American Association of School Personnel Administrators, and school human resources managers around the State.

Sec. E.500.6 2019 Acts and Resolves No. 1, Sec. 1, as amended by 2021 Acts and Resolves No. 66, Sec. 12, is further amended to read:

Sec. 1. ETHNIC AND SOCIAL EQUITY STANDARDS ADVISORY
WORKING GROUP

* * *

(d) Appointment and operation.

* * *

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

* * *

(g) Duties of the Working Group.

(1) The Working Group shall review standards for student performance adopted by the State Board of Education under 16 V.S.A. § 164(9) and, on or before December 31, ~~2021~~ 2022, recommend to the State Board updates and additional standards to recognize fully the history, contributions, and perspectives of ethnic groups and social groups. These recommended additional standards shall be designed to:

* * *

(h) Reports.

* * *

(3) The Working Group shall, on or before ~~December 31, 2022~~ June 30, 2023, submit a report to the General Assembly that includes:

* * *

(i) Duties of the State Board of Education. The Board of Education shall, on or before ~~December 31, 2022~~ June 30, 2023, consider adopting ethnic and social equity studies standards into standards for student performance adopted by the State Board under 16 V.S.A. § 164(9) for students in prekindergarten through grade 12, taking into account the report submitted by the Working Group under subdivision (g)(1) of this section.

Sec. E. 500.7. 2021 Acts and Resolves No. 66, Sec. 13 is amended to read:

* * *

(c) Any unused portion of these appropriations shall, as of July 1, 2022
2023, revert to the General Fund.

Sec. E.501 AGENCY OF EDUCATION; ESSER III FUND PLAN

(a) The following sums are appropriated from the ESSER III funds to the
Agency of Education in fiscal year 2023:

(A) \$2,852,234 for Evidence-Based Summer Programming: Grant
program for schools to offer district-wide tutoring or the implementation of a
statewide contract to set up tutoring by a vendor.

(B) \$2,852,234 for Evidence-Based Afterschool Programming: Seed
grants to districts for adoption of 21C quality approaches without necessarily
having to meet the usual 21C stringent grant criteria, with targeting to districts
that have been challenged to stand up 21C programs due to geographic
challenges. The requirement that this be evidence-based (21C programming)
is necessary to meet ARPA ESSER eligibility criteria.

(C) \$1,352,170 for the implementation of evidence-based
interventions aimed specifically at addressing learning loss, such as summer
learning or summer enrichment, extended day, comprehensive afterschool
programs, or extended school year programs.

(D) \$1,130,586 for meeting other needs as determined by the State
educational agency (AOE) to address issues in responding to COVID-19.

Sec. E.502 EDUCATION – SPECIAL EDUCATION: FORMULA GRANTS

(a) Of the appropriation authorized in section B.502 of this act, and notwithstanding any other provision of law, an amount not to exceed \$4,073,400 shall be used by the Agency of Education in fiscal year 2023 as funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the Secretary shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d).

Sec. E.504.1 EDUCATION – FLEXIBLE PATHWAYS

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

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

(1) \$921,500 is available for dual enrollment programs notwithstanding 16 V.S.A. § 944(f)(2);

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

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

(4) \$3,000,000 is available for Early College pursuant to 16 V.S.A.

§ 4011(e).

(c) Of the appropriation in Sec. B.504 of this act, \$921,500 from the General Fund is available for dual enrollment programs.

Sec. E.514 STATE TEACHERS' RETIREMENT SYSTEM

(a) In accordance with 16 V.S.A. § 1944(g)(2), and consistent with system changes enacted for fiscal year 2023 in the 2022 session, the annual contribution to the State Teachers' Retirement System (STRS) shall be \$194,161,651 of which \$187,273,782 shall be the State's contribution and \$6,887,869 shall be contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944c.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$34,342,965 is the "normal contribution," and \$159,818,686 is the "accrued liability contribution."

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

(a) In accordance with 16 V.S.A. § 1944b(b)(2), and consistent with system changes enacted for fiscal year 2023 in the 2022 session, the annual contribution to the Retired Teachers' Health and Medical Benefits plan shall be \$50,206,128 consisting of the funds appropriated in Sec. B.515 and Sec. B.1100(c)(2).

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$15,100,000 is the "normal contribution," and \$35,106,128 is the "accrued liability contribution."

* * * Higher Education * * *

Sec. E.600 UNIVERSITY OF VERMONT

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

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

Sec. E.602 VERMONT STATE COLLEGES

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

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

Sec. E.603 VERMONT STATE COLLEGES – ALLIED HEALTH

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

(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in Sec. B.603 of this act to support the dental hygiene, respiratory therapy, and nursing programs that graduate approximately 315 health care providers annually. These graduates deliver direct, high-quality health care services to Medicaid beneficiaries or uninsured or underinsured persons.

Sec. E.605 VERMONT STUDENT ASSISTANCE CORPORATION

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

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

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

Sec. E.702 23 V.S.A. § 3513 is amended to read:

§ 3513. LIABILITY INSURANCE; AUTHORITY TO CONTRACT FOR
LAW ENFORCEMENT SERVICES

(a) The amount of 85 percent of the fees and penalties collected under this chapter, except interest, is allocated to the Agency of Natural Resources for

use by the Vermont ATV Sportsman’s Association (VASA) for development and maintenance of a Statewide ATV Trail Program, for trail liability insurance, and to contract for law enforcement services with any constable, sheriff’s department, municipal police department, the Department of Public Safety, and the Department of ~~Fish and Wildlife~~ Forests, Parks and Recreation for purposes of trail compliance pursuant to this chapter. The Departments of Public Safety and of ~~Fish and Wildlife~~ Forests, Parks and Recreation are authorized to contract with VASA to provide these law enforcement services. The Agency of Natural Resources shall retain for its use up to \$7,000 during each fiscal year to be used for administration of this program.

* * *

* * * Transportation * * *

Sec. E.903 MULTI-AGENCY INVESTMENTS IN ELECTRIC VEHICLE
SUPPLY EQUIPMENT INFRASTRUCTURE

(a) Definitions. As used in this section:

(1) “Area median income” means the county or Metropolitan Statistical Area median income published by the federal Department of Housing and Urban Development.

(2) “Electric vehicle supply equipment (EVSE)” has the same meaning as in 30 V.S.A. § 201.

(3) “Level 1 charger” or “level 1 EVSE” means EVSE that plugs directly into a standard 120-volt AC outlet and supplies an average output of 1.3 to 2.4 kilowatts.

(4) “Level 2 charger” or “level 2 EVSE” means galvanically connected EVSE with a single-phase input voltage range from 208 to 240 volts AC and a maximum output current less than or equal to 80 amperes AC.

(5) “Level 3 charger,” “level 3 EVSE,” or “direct-current fast charger (DCFC),” means EVSE that uses dedicated direct current (DC) to provide energy to a plug-in electric vehicle.

(6) “Multiunit affordable housing” means a multiunit dwelling where:

(A) at least 50 percent of the units are or will be occupied by households whose income does not exceed 100 percent of the greater of the State or area median income; or

(B) all units are affordable to households earning between 60 and 120 percent of area median income.

(7) “Multiunit dwelling” means a housing project, such as cooperatives, condominiums, dwellings, or mobile home parks, with three or more units constructed or maintained on a tract or tracts of land.

(8) “Workplace” means a place where an individual works.

(b) Housing, employers, and public venues and attractions.

(1) In fiscal year 2023, \$10,000,000 is appropriated in Sec. G.600 (b) of this act to the Agency of Commerce and Community Development to support the following:

(A) one or more grant programs, which may build upon the existing EVSE Grant Program, to support the continued buildout of level 1 and 2 EVSE at multiunit dwellings, including multiunit affordable housing, with less than 20 units prioritized and not less than 30 percent of the total appropriation, less the administration expenses allowed under subsection (d) of this section, allocated to this purpose;

(B) one or more grant programs, which may build upon the existing EVSE Grant Program, to support the continued buildout of level 1 and 2 EVSE at private workplaces, with the workplaces of employers with less than 100 employees prioritized;

(C) one or more grant programs, which may build upon the existing EVSE Grant Program, to support the continued buildout of level 1, 2, and 3 EVSE at public venues and attractions, such as parks, downtowns, museums, and ski mountains, that are available to any member of the public; and

(D) the purchase and installation of level 1 and 2 EVSE that is available to the public at State workplaces or to provide grants to persons for the purchase and installation of level 1 and 2 EVSE that is available to the public at State workplaces, or both.

(2) If the Agency of Commerce and Community Development, in consultation with the EVSE Interagency Workgroup, determines that programmatic funding remains available following the first round of grant awards made under subdivision (1) of this subsection, then the balance of the \$10,000,000 shall be awarded in grants that prioritize placing EVSE at multiunit affordable housing and workplaces of employers with less than 100 employees.

(c) State parks and fishing access areas. In fiscal year 2023, \$3,000,000 is appropriated in Sec. G.600 (b) of this act to the Agency of Natural Resources to purchase and install level 1 and 2 EVSE at State parks and fishing access areas available to the public or to provide grants for persons to purchase and install level 1 and 2 EVSE at State parks and fishing access areas available to the public, or both.

(d) Administration expenses. The Agencies of Commerce and Community Development, and of Natural Resources may use up to 15 percent of the total amount that is distributed in grant awards under subsections (b) and (c) of this section for costs associated with administering and promoting any State-run electric vehicle supply equipment grant programs, including translation and interpretation service, community outreach, and education.

(e) Carryforward; deployment in fiscal year 2023.

(1) Notwithstanding any other provision of law and subject to the approval of the Secretary of Administration, appropriations to support the expenditures under this section remaining unexpended on June 30, 2023 shall be carried forward and designated for the same expenditures in the subsequent fiscal year.

(2) Every reasonable effort shall be made to obligate and deploy the monies appropriated for expenditure under this section in fiscal year 2023 in order to achieve a pace of EVSE deployment necessary to meet the emissions reduction requirements of 10 V.S.A. § 578(a) and the recommendations of the Climate Action Plan (CAP) issued under 10 V.S.A. § 592.

(f) Outreach and marketing. The Agencies of Commerce and Community Development and of Natural Resources shall ensure that there is sufficient outreach and marketing, including the use of translation and interpretation services, of the EVSE grant programs so that Vermonters who can secure financial assistance under one of the EVSE grant programs can easily learn about and how to apply for an EVSE grant.

* * * American Rescue Plan Act Appropriations * * *

* * * Intent and Other Funding * * *

Sec. G.100 MULTIYEAR FUNDING PRIORITIES INTENT

(a) The appropriations of ARPA – Coronavirus State Fiscal Recovery Funds in made in Secs. G.300–G.700 of this act by categorical areas are made

consistent with the intent expressed in Sec. G.100 of 2021 Acts and Resolves No. 74 (the Big Bill), and reiterated in 2022 Acts and Resolves No. 83, Sec. 67a. In some cases, other funding sources are included or are referenced for specific programs or projects providing comprehensive funding by category. All appropriations of ARPA funds in this act are made only to the extent permitted by federal law and guidance. Appropriations not expended in fiscal year 2023 shall carry forward.

Sec. G.200 AMERICAN RESCUE PLAN ACT (ARPA) - CORONAVIRUS
STATE FISCAL RECOVERY FUND (SFR)
APPROPRIATIONS; REVERSION AND REALLOCATION;
REPORTS

(a) On or before September 15, 2022 and annually thereafter until September 15, 2026, the Commissioner of Finance and Management shall submit a report to the Joint Fiscal Committee on the status of all appropriations made from the Coronavirus State and Local Fiscal Recovery Fund (SLFR) provided to the State from the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (ARPA). The report shall include updates on project eligibility, obligated funds, actual expenditures, and any compliance or reporting issues.

(b) On or before January 15, 2023, the Commissioner of Finance and Management shall provide an update to the September 15, 2022 ARPA report described in subsection (a) of this section to the House and Senate Committees

on Appropriations, including recommendations, if any, for reallocation of ARPA SLFR funds in the fiscal year 2023 budget adjustment act.

* * * Economy, Workforce, and Communities * * *

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

(a) \$4,635,227 in fiscal year 2023 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds. These funds shall be allocated as follows:

(1) \$1,050,000 to the Natural Resources Board, to be used as needed to prioritize and expedite permitting of ARPA-funded projects, including the costs of three exempt limited-service positions.

(2) \$2,145,227 to the Judiciary as follows :

(A) \$1,539,851 safe reopening of courts; and

(B) \$605,376 for HVAC systems at county Court Houses.

(3) \$450,000 to the Vermont Historical Society for HVAC systems.

(4) \$750,000 to the Secretary of State for expenses related to telehealth.

(5) \$90,000 to the Agency of Agriculture, Food and Markets for grants to State fairs and field days organizations to assist in recovery from business disruptions and lost revenues caused by the COVID-19 pandemic.

(6) \$150,000 to the Agency of Agriculture, Food and Markets to contract with an eligible consultant for the development of a State Food

Security Action Plan that will include a strategy to improve the resilience of the statewide food system in order to better meet the food needs of citizens of Vermont during times of disruption to the national food distribution chain caused by emergencies such as the COVID-19 pandemic.

(b) Contingent Appropriations: To the extent that American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds are available as a result of the provision specified in 2022 Acts and Resolves No. 83, Sec. 53(b)(6) then the following appropriations are made in fiscal year 2023 consistent with projects authorized in the fiscal year 2023 Capital Budget Adjustment Act:

(1) Up to \$5,114,179 to the Judiciary for County Court House HVAC projects; and

(2) Up to \$20,000,000 to Buildings and General Services for State House expansion.

(c) General Fund Workforce Appropriations: In fiscal year 2023, \$1,500,000 is appropriated from the General Fund to Vermont Student Assistance Corp (VSAC) 802 Opportunity Program for increasing the household income eligibility limit from \$50,000 to \$75,000.

(1) Other workforce initiatives are funded in H.703, this includes \$18,897,000 General Fund, \$15,000,000 Education Fund and a \$8,000,000 reallocation of previously appropriated ARPA-SFR funds. The programs in

this bill include Work-based Learning and Training program, Vermont Trades Scholarship program, CTE Construction and Rehabilitation Experiential Learning Program, Emergency Grants to Support Nurse Educators, Nurse Preceptor Incentive grants, and Health Care Employer Nursing Pipeline and Apprenticeship program.

(d) Community Economic Development. \$9,000,000 is appropriated in fiscal year 2023 from the General Fund for community base economic development initiatives as follows:

(1) \$3,000,000 to the Department of Forests, Parks and Recreation for the Vermont Outdoor Recreation Economic Collaborative (VOREC) Community Grant Program.

(2) \$6,000,000 to the Department of Economic Development for the remediation and redevelopment of brownfield sites.

* * * Addressing Homelessness, Housing Insecurity and Increasing the Stock
of Low- and Moderate-Income Housing * * *

Sec. G.400 HOUSING AND HOMELESSNESS INVESTMENTS

(a) \$50,000,000 in fiscal year 2023 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Fund to the Vermont Housing and Conservation Board (VHCB) to provide affordable mixed-income rental housing and homeownership units, improvements to manufactured homes and communities, recovery residences and, if determined

eligible, housing available to farm workers and refugees. VHCB shall also use the funds for shelter and permanent homes for those experiencing homelessness in consultation with the Secretary of Human Services. These funds shall carryforward into fiscal year 2024.

* * * Broadband Connectivity and Technology

Modernization Investments * * *

Sec. G.500 BROADBAND CONNECTIVITY INVESTMENTS

(a) \$69,380,816 is appropriated in fiscal year 2023 to the Department of Public Service, Vermont Community Broadband Board from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Fund in order to support the State's goal of achieving universal access to reliable, high-quality, affordable broadband. This appropriation shall be transferred to the Vermont Community Broadband Fund to make grants through the Broadband Construction Grant Program. These funds are in addition to \$25,619,184 in funds provided for the same purpose in fiscal year 2023 from the American Rescue Plan Act - Coronavirus Capital Projects Fund.

Sec. G.501 STATE TECHNOLOGY MODERNIZATION INVESTMENTS

(a) \$50,250,000 is appropriated in fiscal year 2023 from American Rescue Plan Act - Coronavirus State Fiscal Recovery Funds to the Agency of Digital Services (ADS) to decide for the following projects as follows:

(1) \$20,250,000 for the Department of Motor Vehicles (DMV) Core System Modernization Phase II

(2) \$30,000,000 for the completion of the Department of Labor Unemployment Insurance modernization project.

(b)(1) The funds authorized in subdivision (a)(2) of this section shall be released as follows:

(A) the sum of \$3,000,000 on July 1, 2022;

(B) the sum of \$10,000,000 on July 1, 2023 upon approval by the Joint Information Technology Oversight Committee of the actions outlined in a Project Schedule;

(C) the sum of \$10,000,000 on July 1, 2024 upon approval by the Joint Information Technology Oversight Committee of the actions outlined in a Project Schedule; and

(D) the sum of \$7,000,000 on July 1, 2025 upon approval by the Joint Information Technology Oversight Committee of the actions outlined in a Project Schedule.

(2) For the amounts released in subdivisions (1)(B)–(D) of this subsection, the Joint Information Technology Oversight Committee shall consider the Project Schedule developed between the Department of Labor and the Agency of Digital Services, as approved by the Agency of Administration. The Joint Information Technology Oversight Committee shall also consider

any actions proposed by the U.S. Department of Labor that may impact current or future plans developed by the State's Department of Labor.

* * * Weatherization and Other Climate Change Mitigation Investments * * *

Sec. G.600 CLIMATE ACTION INVESTMENTS

(a) In fiscal year 2023, \$131,260,000 is appropriated from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Funds for climate change mitigation initiatives as follows:

(1) \$45,000,000 to the Department for Children and Families, Office of Economic Opportunity, Home Weatherization Assistance Program to be used in fiscal years 2023 and 2024. Households approved for assistance in this section will also be offered services outlined in (a)(4) of this subdivision.

(2) \$35,000,000 to the Department of Public Service to grant to Efficiency Vermont for the purpose of weatherization incentives to Vermonters with a moderate income. These funds shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be available for use by Efficiency Vermont through December 31, 2024. Households approved for assistance in this section will also be offered services outlined in (a)(4) of this subdivision.

(3) \$2,000,000 to the Agency of Transportation to support the continued build-out of public electric vehicle charging infrastructure along highway networks.

(4) \$25,000,000 to the Clean Energy Development Fund administered the Department of Public Service pursuant to 30 V.S.A. § 8015(e)(1), of which \$20,000,000 is to provide financial and technical assistance for low- and moderate-income Vermonters to upgrade home electrical systems to enable installation of energy saving technologies, and \$5,000,000 is to establish a “Switch and Save” program to provide financial and technical assistance for low- and moderate-income Vermonters to install, at low- or no-cost, heat pump water heaters, with a focus on replacing water heaters near the end of their useful life and serving households participating in the electrical system upgrades described in this subsection. Notwithstanding any contrary provision of 30 V.S.A. § 8015, the Clean Energy Development Fund is authorized to deploy these funds as laid out in this subsection.

(5) \$2,000,000 to the Department of Public Service for load management and storage efforts to assist income-sensitive customers access incentives and incentive rates to purchase electric equipment for heating, cooling, and transportation. In addition, investments will be made in load control and management platforms to enable smaller municipal and cooperative utilities to capture and share benefits of load management and funding for municipal back-up electricity storage installations.

(6) \$15,000,000 to improve landscape resilience and mitigate flood hazards to be allocated as follows:

(A) \$14,750,000 to the Department of Public Safety, Division of Emergency Management, for a State-level buyout program for flood-vulnerable parcels; and

(B) \$250,000 to the Department of Environmental Conservation to provide technical assistance to the statewide hazard mitigation program.

(7) \$4,760,000 to the Agency of Agriculture, Food and Markets to provide farms in Vermont with financial assistance for the implementation of soil-based practices that improve soil quality and nutrient retention, increase crop production, minimize erosion potential, and reduce agricultural waste discharges. Assistance may take the form of programs that provide education, training, or instruction to farmers.

(8) \$1,500,000 to the Department for Children and Families' Economic Services Division to grant to the Vermont Foodbank to support Vermonters Feeding Vermonters, which promotes farm viability and access to healthy food for Vermonters with low income.

(9) \$1,000,000 to the Department of Forests, Parks and Recreation for the Urban and Community Forestry Program to plant up to 5,000 trees to improve air quality and reduce heat island effects in urban areas.

(b) In fiscal year 2023, \$40,000,000 is appropriated from the General Fund for electric vehicle charging infrastructure, electrification incentives, and advanced metering as follows:

(1) \$10,000,000 to the Agency of Commerce and Community Development to subgrant to the Vermont Housing Authority, Vermont Housing and Conservation Board, for-profit, nonprofit, municipal, and other governmental entities to install Level I and Level II public electric vehicle charging infrastructure for multifamily dwellings, workplaces, and community attractions.

(2) \$3,000,000 to the Agency of Natural Resources for use by the Department of Fish and Wildlife and the Department of Forests, Parks and Recreation to purchase and install level 1 and 2 EVSE at State parks and fishing access areas available to the public or to provide grants for persons to purchase and install level 1 and 2 EVSE at State parks and fishing access areas available to the public, or both.

(3) \$12,000,000 to the Agency of Transportation for the Incentive Program for New PEVs, established in 2019 Acts and Resolves No. 59, Sec. 34, as amended.

(4) \$2,000,000 to the Agency of Transportation for the public-private partnership with Drive Electric Vermont to support the expansion of the plug-in electric vehicle market in the State.

(5) \$3,000,000 to the Agency of Transportation to grant to the Community Action Agencies to support the MileageSmart Program, established in 2019 Acts and Resolves No. 59, Sec. 34, as amended.

(6) \$3,000,000 to the Agency of Transportation for the Replace Your Ride Program, established in 2021 Acts and Resolves No. 55, Sec. 27, as amended.

(7) \$2,000,000 to the Agency of Transportation for other incentives as follows:

(A) \$1,000,000 for eBikes; and

(B) \$1,000,000 electric snowmobiles and electric all-terrain vehicles.

(8) \$5,000,000 to the Department of Public Service to offer up to 50 percent reimbursement to municipal and cooperative electrical distribution utilities for the implementation of one or more systems of Advanced Metering Infrastructure that has been approved by the Public Utility Commission.

* * * Clean Water Investments * * *

Sec. G.700 WATER AND SEWER INVESTMENTS

(a) In fiscal year 2023, \$107,000,000 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

(1) \$32,000,000 for Stormwater Retrofit Projects to provide three-acre stormwater permitting design and construction support for entities subject to the Vermont 3- 9050 Stormwater General Permit and to provide design and construction for practices necessary to restore impaired waters subject to flow restoration plans. These funds shall be allocated as follows:

(A) \$31,000,000 to the Department of Environmental Conservation to provide three-acre stormwater permitting design and construction support for entities subject to the Vermont 3- 9050 Stormwater General Permit and to provide permitting, design, and construction services; and

(B) \$1,000,000 to the Department of Forests, Parks and Recreation to support compliance with the three-acre stormwater rule.

(2) \$35,000,000 to the Department of Environmental Conservation to support water and wastewater projects and pretreatment activities, as follows:

(A) \$15,000,000 to support the design and construction of community-scale water or decentralized wastewater projects, or both, to support underserved designated centers;

(B) \$5,000,000 to provide financial assistance to municipalities, Vermont businesses, and nonprofit entities to install or enhance pretreatment processes to address high strength or toxic wastes that otherwise require treatment at municipal expense by publicly owned treatment facilities; and

(C) \$15,000,000 to municipalities with small and primarily residential customer bases to upgrade or replace existing water or wastewater treatment systems that are at risk of failure.

(3) \$30,000,000 to the Department of Environmental Conservation to assist municipalities to design and construct projects to reduce or eliminate wet weather sewer overflows.

(4) \$10,000,000 to make repairs or improvements to water and wastewater systems in Vermont homes to be allocated as follows:

(A) \$6,500,000 to the Department of Environmental Conservation for improving water/wastewater systems at coop-owned or nonprofit mobile home parks (MHPs);

(B) \$2,000,000 to the Department of Environmental Conservation to replace failed on-site wastewater and water supplies for Vermonters with low income or who are unable to access or afford market rate loans; and

(C) \$1,500,000 to the Department of Housing and Community Development to update leaking service lines, old plumbing, and replacing outdated fixtures (sinks, toilets, dishwashers, laundry) with high-efficiency devices.

Sec. G.701 APPROPRIATIONS: OFFSET CAPITAL FUNDS BY SWAP TO
ARPA

(a) Fiscal year 2022. \$500,000 in fiscal year 2022 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds to the Department of Forests, Parks and Recreation for forestry access road water quality improvements.

(b) Fiscal year 2023. \$5,236,781 in fiscal year 2023 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery

Funds for projects authorized in the fiscal year 2023 Capital Building

Adjustment Bill. as follows:

(1) \$600,000 in fiscal year 2023 to the Department of Buildings and
General Services for three-acre parcel stormwater planning, design, and
implementation;

(2) \$300,000 in fiscal year 2023 to the Department of Forests, Parks and
Recreation for State parks major maintenance;

(3) \$585,000 in fiscal year 2023 to the Department of Environmental
Conservation for Municipal Pollution Control Grants;

(4) \$700,000 in fiscal year 2023 to the Department of Forests, Parks and
Recreation for forestry access road water quality improvements;

(5) \$2,451,781 in fiscal year 2023 to the Agency of Agriculture, Food
and Markets for water quality grants; and

(6) \$600,000 in fiscal year 2023 to the Vermont Housing and
Conservation Board for agricultural water quality projects.

Sec. G.702 2021 Acts and Resolves No. 74, Sec. G.700(c) is amended to read
as follows:

(c) ~~\$15,000,000 to be used to~~ To the extent capital funds have been
appropriated to projects supporting water and sewer infrastructure in fiscal
year 2022 and capital appropriations can be offset for reuse for future capital
construction projects in the fiscal years 2022 – 2023 capital budget adjustment

process. ~~On~~ on or before December 15, 2021, the Commissioner of Finance and Management shall review and recommend water and sewer infrastructure projects funded ~~in fiscal year 2022~~ that could be funded with ARPA funds to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and to the Governor for the fiscal years 2022–2023 capital budget adjustment report.

* * * Administration * * *

Sec. G.800 ARPA FUNDED LIMITED-SERVICE POSITIONS

(a) The establishment of the following 23 new classified limited-service positions is authorized in fiscal year 2023.

(1) Agency of Administration: one Grants Manager.

(2) Agency of Agriculture, Food and Markets: two Water Quality Program Coordinators.

(3) Public Service Department:

(A) one Administrative Services Coordinator;

(B) one Outreach Coordinator;

(C) one Grants Manager;

(D) one Financial Manager; and

(E) one Program Coordinator.

(4) Natural Resources Board:

(A) two District Coordinators; and

(B) one Program Director.

(5) Agency of Human Services, Office of Economic Opportunity:

(A) one Senior Energy Services Program Officer; and

(B) two Energy Services Program Officers.

(6) Department of Labor: three Program Technicians

(7) Agency of Natural Resources, Department of Forests, Parks and
Recreation: one Environmental Analyst III.

(8) Agency of Natural Resources, Central Office: one Environmental
Analyst III.

(9) Agency of Commerce and Community Development, Department of
Housing and Community Development:

(A) one Community Affairs Planning Coordinator;

(B) two Grants Management Specialist;

(C) one AOT Environmental Specialist 1; and

(D) one Historic Resource Specialist.

(10) Agency of Transportation:

(A) one Grants Management Specialist; and

(B) one Grants Manager.

Sec. G.801 APPROPRIATION FOR ADMINISTRATIVE COSTS

(a) \$10,500,000 in fiscal year 2023 is appropriated from the American
Rescue Plan Act - Coronavirus State Fiscal Recovery Funds to the Agency of

Administration to be transferred as needed to address the statewide costs of administering these funds, including the costs of related limited-service positions, and contracting for programs and services.

* * * Effective Dates * * *

Sec. H.100 EFFECTIVE DATES

(a) This section and Secs C.100 through C.107 (fiscal year 2022 one-time appropriations, adjustments, and amendments), Sec. G.701(a) (offset capital funds by swap to ARPA) and Sec. G.702 (amendment to 2021 Acts and Resolves No.74, Sec. G.700(c)) shall take effect upon passage.

(b) Notwithstanding 1 V.S.A. § 214, Sec. E.702 (Fish and Wildlife) shall take effective on July 1, 2023.

(c) All remaining sections shall take effect on July 1, 2022.