

1 TO THE HONORABLE SENATE:

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

8 Sec. A.100 SHORT TITLE

9 This bill may be referred to as the BIG BILL – Fiscal Year 2023
10 Appropriations Act.

11 Sec. A.101 PURPOSE

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

21 Sec. A.102 APPROPRIATIONS

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

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

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

13 Sec. A.103 DEFINITIONS

14 (a) As used in this act:

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

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

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

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

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

10 Sec. A.104 RELATIONSHIP TO EXISTING LAWS

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

13 Sec. A.105 OFFSETTING APPROPRIATIONS

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

17 Sec. A.106 FEDERAL FUNDS

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

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

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

17 Sec. A.107 NEW POSITIONS

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

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

3 Sec. A.108 LEGEND

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

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

1 transferred to VPIC if the Pension Oversight Committee determines it
2 necessary to accomplish the analysis.

3 (5) \$120,000 to the Judiciary for Sustaining Language Access Program
4 improvements.

5 (6) \$1,283,400 to the Office of the Defender General to support costs
6 associated with the reopening of the courts.

7 (7) \$700,000 to the Secretary of State as follows:

8 (A) \$450,000 for election support.

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

11 (8) \$1,910,000 to the Agency of Agriculture, Food and Markets, as
12 follows:

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

1 (B) \$200,000 to fund programs to assist individuals with low-income
2 to access local, fresh or whole food at farmers’ markets and through
3 Community Supported Agriculture (CSA) shares. This one-time appropriation
4 will respond to the record demand in these fresh food access programs due to
5 increased food insecurity experienced by Vermonters during the pandemic.

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

10 (D) \$90,000 for grants to State fairs and field days organizations.

11 (E) \$200,000 to establish a grant program for organic milk farmers
12 that are transitioning to a new buyer to assist with the costs of modifications
13 needed to accommodate the new buyer.

14 (9) \$1,512,636 to the Center for Crime Victims Services as follows:

15 (A) \$660,000 to replace shortfall in special fund revenue relating to
16 finances and fees from the courts and traffic tickets.

17 (B) \$519,600 to replace declining federal Victims of Crime Act
18 (VOCA) funds.

19 (C) \$308,036 for a grant to the Vermont Network Against Domestic
20 and Sexual Violence.

21 (D) \$25,000 for a grant to the Kurn Hattin Survivors Support Group.

1 (10) \$150,000 to the Criminal Justice Council for the following:

2 (A) \$100,000 for an incident simulator to enable de-escalation
3 training.

4 (B) \$50,000 for the development of a new entrance exam.

5 (11) \$8,000,000 to the Department of Public Safety- Emergency
6 Management to provide state match for FEMA funds to purchase properties
7 identified for high flood risk.

8 (12) \$980,000 to the Department for Children and Families for the
9 following:

10 (A) \$50,000 for a grant to the Vermont Donor Milk Center for
11 statewide activities.

12 (B) \$750,000 to the Parent Child Centers for upgrades to facilities,
13 systems, or new equipment.

14 (C) \$180,000 to be granted to the Vermont Food Bank for statewide
15 provision of diapers to families in need.

16 (13) \$3,370,250 to the Department of Health, Office of Alcohol and
17 Drug Abuse Programs for the following:

18 (A) \$3,000,000 for a grant to the Substance Misuse Prevention
19 Coalitions. It is the intent of the General Assembly that this funding for the
20 coalitions be continued with funds from cannabis revenues or opioid settlement
21 funds, or both.

1 (B) \$100,000 for Mobile Medication-Assisted Treatment (MAT).

2 (C) \$270,250 that shall be transferred to the Department of

3 Disabilities, Aging, and Independent Living – Vocational Rehabilitation, to

4 establish one new employment center to provide services to clients of

5 Recovery Centers. It is the intent of the General Assembly that funding for the

6 new employment center be continued with funds from cannabis revenues or

7 opioid settlement funds, or both.

8 (14) \$1,215,860 to the Agency of Education as follows:

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

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

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

15 (15) \$67,000 to the Attorney General for the Court Diversion program
16 to replace special fund shortfall.

17 (16) \$573,000 to the Agency of Natural Resources for the following:

18 (A) \$75,000 to the Central Office for contractual support to complete
19 work associated with implementing the Global Warming Solutions Act of
20 2020.

1 (B) \$250,000 to the Department of Environmental Conservation to
2 complete statewide wetland mapping updates and to update the Vermont
3 Significant Wetland Inventory maps.

4 (C) \$248,000 to the Department of Environmental Conservation for a
5 grant to the Conservation Districts for equipment and capital improvements.

6 (17) \$130,000 to the Agency of Commerce and Community
7 Development for a grant to the Vermont Adaptive Ski and Sport program.

8 (18) \$500,000 to the Agency of Human Services, Central Office for the
9 Vermont Refugee Resettlement program to provide assistance to refugees from
10 Afghanistan.

11 (19) \$1,500,000 to the Department of Disabilities, Aging, and
12 Independent Living (DAIL) to be used for grants to adult day service providers
13 to support operating costs and program infrastructure. The funds shall be
14 allocated on an equitable basis per a methodology developed by DAIL. On or
15 before the first day of each quarter of fiscal year 2023 (July 1, 2022, October 1,
16 2022, January 1, 2023, and April 1, 2023), the Vermont Association of Adult
17 Day Services shall provide a spreadsheet to the Department detailing quarterly
18 expenditures versus the annual budget. DAIL shall work with community
19 partners to seek organizations interested in opening an adult day center in the
20 underserved regions where adult day centers closed during the COVID-19
21 pandemic. Up to \$50,000 of these funds may be used to support the start-up

1 costs of a new adult day center. Any amount of this appropriation remaining at
2 the end of fiscal year 2023 shall be carried forward and shall be used to support
3 operating costs, and program infrastructure.

4 (20) \$250,000 to the Agency of Commerce and Community
5 Development for a grant to the Vermont League of Cities and Towns to
6 provide technical assistance to towns related to seeking or expending federal
7 funds.

8 (21) \$267,364 to the Department of Taxes for appraisal and litigation
9 costs associated with the Sheldon Springs Hydroelectric Dam.

10 (22) \$600,000 to the Department of Public Service for Public Access,
11 Education, and Government Media to fund the 24 media centers.

12 (23) \$450,000 to the Vermont Historical Society for HVAC systems.

13 (b) \$11,000,000 is appropriated from the General Fund to the Department
14 of Public Safety. Up to \$6,500,000 of this appropriation may be used to
15 provide grants for establishing four new regional dispatch facilities. The
16 Commissioner of Public Safety shall report to the Joint Fiscal Committee in
17 September and November 2022 on the status of grants made under this
18 provision. The remaining amount shall be held in reserve until further
19 approval by the General Assembly is provided subsequent to the report
20 required by Sec. E.209.1 of this act.

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

4 (1) State Employees fiscal year 2023 transitional employer contribution.
5 \$10,000,000 is appropriated to the Agency of Administration for distribution
6 as needed to departments and agencies if approved by the Commissioner of
7 Finance and Management to fund the fiscal year 2023 payroll assessment
8 necessary to meet the State-employees' pension and other post-employment
9 benefits resulting from any changes to these programs enacted in the 2022
10 legislative session. The Commissioner shall report to the Joint Fiscal
11 Committee at its November 2022 meeting on the status of this appropriation.

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

17 * * * Fiscal Year 2022 Adjustments, Appropriations, and Amendments * * *

18 Sec. C.100 2021 Acts and Resolves No. 74, Sec. D.101(b)(2) is amended to
19 read:

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

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

6 * * *

7 62100 Unclaimed Property Fund ~~\$3,027,750.00~~ \$4,106,300.00

8 Sec. C.101 2021 Acts and Resolves No. 74, Sec. E.602.2 is amended to read:

9 Sec. E.602.2 VERMONT STATE COLLEGES

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

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

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

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

1 ~~(3)~~(4) Relevance.

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

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

5 (i) aligned with State workforce needs;

6 (ii) offered in a fiscally responsible manner; and

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

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

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

20 (2) The VSC Board of Trustees shall develop and implement a 10-year
21 strategic plan for managing its physical assets that is fiscally sustainable,

1 maintains reasonable net asset value, and meets the needs of Vermont learners.
2 ~~On or before March 1, 2022, the Chancellor shall present this Board approved~~
3 ~~plan~~ Updates to the plan and an annual report on its implementation shall be
4 presented to the House Committee on Corrections and Institutions and the
5 Senate Committee on Institutions.

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

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

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

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

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

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

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

10 * * *

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

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

16 Sec. C.102.1 2022 Acts and Resolves No. 83, Sec. 53(b)(5) is amended to read:

17 (5) \$25,000,000 is ~~reserved and~~ carried forward into fiscal year 2023 to
18 improve the debt position of the State. ~~This may include the redemption of~~
19 ~~general obligation bonds, reducing the amount of new debt to be issued or to~~
20 ~~address negative internal fund balances. To the extent funds are available they~~
21 ~~shall be applied~~ and shall be allocated as follows:

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

3 (B) \$20,000,000 shall be appropriated to the State Treasurer’s Office
4 and used for redeeming State of Vermont general obligation bonds prior to
5 maturity. In fiscal year 2024, to the extent bonds are redeemed, an amount
6 equal to the reduction in payments for debt service required resulting from any
7 redemption shall be reserved in the Capital Expenditure Cash Fund, as
8 established in 32 V.S.A. § 1001b.

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

11 (C) \$14,700,000 to provide free last dollar tuition for one year of
12 undergraduate studies for critical occupation careers, including bookkeeping
13 certificate, IT service desk specialist certificate, certified production
14 technician, graphic design certificate, software and web development program,
15 electrical and plumbing apprenticeships, dental hygiene, certificate in
16 accounting, small business management, radiologic science, and respiratory
17 therapy. \$540,000 of these funds shall be allocated for paramedic/EMS
18 programs and any unexpended amount of this allocation shall be available for
19 the broader purpose in this subdivision (C). Funds may be used for practical
20 nursing, ~~child care~~ child care, nursing, ~~and~~ mental health counseling, and
21 psychology and social work programs only after available federal and State

1 financial aid is applied to ensure no cost to the student. Of this amount,
2 \$7,350,000 shall be carried forward for the 2022–2023 school year. If demand
3 from undergraduates is met, then funds may be used to pay for tuition for the
4 following graduate programs:

- 5 (i) ~~Master~~ Master's in Education (all programs);
6 (ii) ~~Master~~ Master's in Educational Leadership;
7 (iii) ~~Master~~ Master's of Arts and ~~Certificate of~~ Advanced
8 Graduate Studies in ~~School~~ Psychology;
9 (iv) ~~Masters~~ Master's in Counseling; ~~and~~
10 (v) ~~Masters~~ Master's in Clinical Mental Health Counseling;
11 and
12 (vi) Master's in Clinical Social Work.

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

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

18 (1) \$300,000 to the Department of Corrections to expand and eliminate
19 participant fees for community-based domestic violence intervention
20 programming and to create domestic violence intervention programming and

1 curricula for lesbian, gay, bisexual, transgender, queer, or questioning
2 (LGBTQ) individuals; and
3 (2) \$60,140 for Offender Management System/data system
4 improvements.

5 (b) In fiscal year 2022, \$417,030 of the amount appropriated in 2021 Acts
6 and Resolves No. 74, Sec. B.338 (correctional services) shall be used for
7 community justice centers.

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

9 Sec. 72a. MEDICAID HOME- AND COMMUNITY-BASED

10 SERVICES (HCBS) PLAN

11 (a) Pursuant to Sec. 9817 of the American Rescue Plan Act (ARPA), in
12 ~~October 2021~~ February 2022, the State submitted a home- and community-
13 based services (HCBS) spending plan to the Centers for Medicare and
14 Medicaid Services. This plan currently totals ~~\$146,600,000~~ \$149,550,122,
15 consisting of the following major components:

16 (1) ~~\$77,800,000~~ \$77,839,612 allocated to improve services;

17 (2) ~~\$25,000,000~~ \$20,258,042 allocated to promote a high-performing
18 and stable HCBS workforce; and

19 (3) ~~\$43,800,000~~ \$51,452,468 allocated to improve HCBS care through
20 data systems, value-based payment models, and oversight.

21

* * *

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

7 (1) \$23,510,987 is appropriated to the Agency of Human Services –
8 Secretary’s Office.

9 (2) \$10,500,000 is appropriated to the Department of Disabilities,
10 Aging, and Independent Living.

11 (3) \$1,500,000 is appropriated to the Department of Mental Health.

12 (4) \$17,000,000 is appropriated to the Department of Vermont Health
13 Access.

14 (5) \$1,500,000 is appropriated to the Department of Health.

15 (6) \$92,250 is appropriated to the Department for Children and
16 Families.

17 (f) The Global Commitment Fund appropriated in subsection (e) of this
18 section may be obligated in fiscal year 2023 for the purposes of bringing
19 HCBS plan spending authority forward into fiscal year 2024. The funds
20 appropriated in subsections (b), (c), and (e) of this section may be transferred
21 on a net-neutral basis in fiscal year 2023 in the same manner as the Global

1 Commitment appropriations in Sec. E.301 of this act. The Agency shall report
2 to the Joint Fiscal Committee in September 2023 on transfers of appropriations
3 made and final amounts expended by each department in fiscal year 2023 and
4 any obligated funds carried forward to be expended in fiscal year 2024.

5 Sec. C.106 CANNABIS CONTROL BOARD; PHASE I SYSTEM

6 (a) In fiscal year 2022, the amount of \$760,000 is transferred from the
7 General Fund to the Cannabis Regulation Fund (21998) to support phase one
8 of the online registration, licensing, and business application portal.

9 Sec. C.107 [Deleted.]

10 Sec. C.108 DEPARTMENT OF LABOR; TRADE APPRENTICESHIP

11 EXPENSE REIMBURSEMENT; PROGRAM EXPANSION

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

18 Sec. C.109 16 V.S.A. § 944 is amended to read:

19 § 944. DUAL ENROLLMENT PROGRAM

20 * * *

21 (b) Students.

1 (1) A Vermont resident who has completed grade 10 but has not
2 received a high school diploma is eligible to participate in the Program if:

3 (A) ~~the student:~~

4 (i) ~~is enrolled in:~~

5 ~~(I) a Vermont public school, including a Vermont career~~
6 ~~technical center;~~

7 ~~(II) a public school in another state or an approved independent~~
8 ~~school that is designated as the public secondary school for the student's~~
9 ~~district of residence; or~~

10 ~~(III) an approved independent school in Vermont to which the~~
11 ~~student's district of residence pays publicly funded tuition on behalf of the~~
12 ~~student;~~

13 ~~(ii) is assigned to a public school through the High School~~
14 ~~Completion Program; or~~

15 ~~(iii) is a home study student; none of the payment to the accredited~~
16 ~~postsecondary institution will be used to support religious instruction, religious~~
17 ~~indoctrination (where "indoctrination" means to instruct in a body of doctrine~~
18 ~~or principles), as defined in section 820 of this title, religious worship, or the~~
19 ~~propagation of religious views, except for religious instruction that is designed~~
20 ~~to provide an overview of religious history and teachings and does not support~~

1 religious instruction, religious indoctrination, religious worship, or the
2 propagation of religious views of any one religion or theology over others; and

3 (B) the student is not enrolled in a recognized independent
4 school or a school or program that is not recognized for attendance purposes
5 under section 1121 of this title;

6 ~~(B)~~(C) dual enrollment is an element included within the student’s
7 personalized learning plan; and

8 ~~(C)~~(D) the secondary school and the postsecondary institution have
9 determined that the student is sufficiently prepared to succeed in a dual
10 enrollment course, which can be determined in part by the assessment tool or
11 tools identified by the participating postsecondary institution.

12 Sec. C. 110 TOBACCO FUNDS; APPROPRIATION

13 (a) The amount of \$1,000,000 in tobacco funds are appropriated in fiscal
14 year 2022 to the Department of Health, Public Health, and carried forward to
15 fiscal year 2023 for tobacco prevention and cessation programs developed in
16 coordination with the Chief Prevention Officer in the Agency of
17 Administration.

18 Sec. C.111 2021 Acts and Resolves No. 74, Sec. E.335 as amended by 2022
19 Acts and Resolves No. 83, Sec. 62, is further amended by adding a subsection

20 (c) to read:

1 (c) Any funds expended on community-based service programs pursuant to
2 subsection (b) of this section shall be included in the subsequent year
3 Department of Corrections budget for the same purpose at the same amount.

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

5 Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

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

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

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

1 (A) The dedication of \$2,500,000 in revenue from the property
2 transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the
3 affordable housing bond, 10 V.S.A. § 314, is to be offset by the reduction of
4 \$1,500,000 in the appropriation to the Vermont Housing and Conservation
5 Board and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a.
6 The fiscal year 2023 appropriation of \$21,128,985 to VHCB reflects the
7 \$1,500,000 reduction. The affordable housing bond and related property
8 transfer tax and surcharge provisions are repealed after the life of the bond on
9 July 1, 2039. Once the bond is retired, the \$1,500,000 reduction in the
10 appropriation to VHCB is intended to be restored.

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

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

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

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

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

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

4 (1) From the General Fund to the All Other Insurance Fund (56300):
5 \$1,000,000.

6 (2) From the General Fund to the Workers' Compensation Fund
7 (56100): \$2,000,000.

8 (3) From the General Fund to the Enhanced 911 Special Fund (21711):
9 \$1,300,000.

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

12 (5) From the Clean Water Fund (21932) established by 10 V.S.A.
13 § 1388 to the Agricultural Water Quality Special Fund (21933) created under
14 6 V.S.A. § 4803: \$5,816,111.

15 (6) From the Clean Water Fund established by 10 V.S.A. § 1388 to
16 the Lake in Crisis Response Program Special Fund (21938) created under
17 10 V.S.A. § 1315: \$50,000.

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

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

2 2023:

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

5 22005 AHS Central Office earned federal receipts \$4,641,960

6 50300 Liquor Control Fund \$20,400,000

7 Caledonia Fair \$5,000

8 North Country Hospital Loan \$24,047

9 Springfield Hospital promissory note repayment \$121,416

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

17 21638 AG-Fees & reimbursement – Court order \$2,000,000

18 21928 Secretary of State Services Funds \$1,200,000

19 62100 Unclaimed Property Fund \$1,773,425

20 21998 Cannabis Regulation Fund \$3,059,478

1 (3) Notwithstanding 2016 Acts and Resolves No. 172, Sec. E. 228,
2 \$45,664,476 of the unencumbered balances in the Insurance Regulatory and
3 Supervision Fund (21075), the Captive Insurance Regulatory and Supervision
4 Fund (21085), and the Securities Regulatory and Supervision Fund (21080)
5 shall be transferred to the General Fund.

6 (4) Notwithstanding any provision of law to the contrary, in fiscal year
7 2023, the following amounts shall revert to the General Fund from the
8 accounts indicated:

9 1210002000 Legislature \$205,000

10 (c) Notwithstanding any provisions of law to the contrary, in fiscal year
11 2023 the following estimated General Fund reserves shall be made:

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

14 Sec. D.102 27/53 RESERVE

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

1 Sec. D.103 [Deleted.]

2 * * * General Government * * *

3 Sec. E.100 EXECUTIVE BRANCH POSITIONS

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

6 (1) Permanent classified positions:

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

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

10 (i) one BGS Utility Mechanic;

11 (ii) three BGS Institutional Custodians; and

12 (iii) one BGS Maintenance Mechanic II.

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

14 Administration and Support division:

15 (i) one Survey and Certification Non-clinical Manager;

16 (ii) three Nurse Surveyors;

17 (iii) one Administrative Assistant; and

18 (iv) one Office of Public Guardian Community Financial

19 Specialist.

20 (D) Department of Mental Health:

21 (i) one Suicide Prevention Director;

- 1 (ii) one Quality Control Specialist III;
- 2 (iii) one Staffing Office Manager;
- 3 (iv) five Mental Health Scheduling Coordinators;
- 4 (v) one DMH Psychologist;
- 5 (vi) one DMH Activity Therapist;
- 6 (vii) one Psychiatric Social Worker II;
- 7 (viii) two Food Service Workers;
- 8 (ix) two Cook Cs; and
- 9 (x) one Supervising Chef.
- 10 (E) Agency of Education:
- 11 (i) one School Facility Coordinator; and
- 12 (ii) one Communication Coordinator.
- 13 (F) Cannabis Control Board:
- 14 (i) two enforcement officers; and
- 15 (ii) one data analyst.
- 16 (G) State Treasurer: one Retirement Program Technician.
- 17 (H) Agency of Natural Resources Central Office:
- 18 (i) one Environmental Analyst VII; and
- 19 (ii) two Environmental Analyst V.
- 20 (2) Permanent Exempt Positions:

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

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

5 (1) Department of Vermont Health Access:

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

7 (B) DVHA, Business Office Unit – one Grants Management
8 Specialist;

9 (C) DVHA, Contracts & Grants Unit – two Contracts & Grants
10 Administrators;

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

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

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

14 (G) DVHA, HAEEU – two Business Analysts;

15 (H) DVHA, HAEEU – one Communications & Outreach

16 Coordinator;

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

18 Manager;

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

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

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

- 1 (M) DVHA, HAEEU – one VHC Business Process Coordinator;
2 (N) DVHA, HAEEU – one VHC Education & Outreach Coordinator;
3 (O) DVHA, HAEEU – five VHC Support Services Specialists;
4 (P) DVHA, HAEEU – 16 VT Healthcare Service Specialist Is;
5 (Q) DVHA, HAEEU – 25 VT Healthcare Service Specialist IIs;
6 (R) DVHA, HAEEU – five VT Healthcare Service Specialist IIIs;
7 (S) DVHA, Health Care Appeals Unit – five Fair Hearing Specialists;
8 (T) DVHA, Health Care Appeals Unit – one Program Technician I;
9 (U) DVHA, Legal Unit – one Staff Attorney II; and
10 (V) DVHA, Long Term Care Unit – three Long Term Care Specialist
11 Is.
12 (2) Department of Forests, Parks and Recreation – Forestry: one
13 Forester III.
14 (3) State Treasurer: one Financial Manager.
15 (c) The establishment of the following new classified limited-service
16 positions are authorized in fiscal year 2023 as follows:
17 (1) Department of Labor: three positions to assist with the UI
18 Modernization project.
19 (2) Agency of Education:
20 (A) one Grants Manager; and
21 (B) three Monitoring Coordinators.

1 (3) Department of Environmental Conservation:

2 (A) one Environmental Analyst V.

3 (4) Department of Motor Vehicles – to support DMV Core

4 Modernization Phase II:

5 (A) one Purchasing/Inventory & Facilities Specialist III,

6

7 (B) two Direct Client Service Specialist I,

8 (C) one Financial Specialist III, and

9 (D) one Direct Customer Service Specialist I.

10 (d) The establishment of the following new classified limited-service

11 positions are authorized in fiscal year July 1, 2022 through December 31, 2024

12 as follows:

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

14 (A) ten Deputy State’s Attorneys; and

15 (B) two Administrative Assistants.

16 (e) The transfer of the following exempt position is authorized in fiscal

17 year 2023 as follows:

18 (1) From the Agency of Administration to the Office of the Attorney

19 General:

20 (A) one Staff Attorney III.

1 Sec. E.100.1 2014 Acts and Resolves No. 179, Sec. E.100(d), as amended by
2 2015 Acts and Resolves No. 4, Sec. 74; 2016 Acts and Resolves No. 172,
3 Sec. E.100.2; 2017 Acts and Resolves No. 85, Sec. E.100.1; 2018 (Sp. Sess.)
4 Acts and Resolves No. 11, Sec. E.100.1; 2020 Acts and Resolves No. 120,
5 Sec. A.7; 2020 Act and Resolves No. 154, Sec. E.100.2; and by 2021 Acts and
6 Resolves No. 74, Sec. E.100.1, is further amended to read:

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

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

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

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

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

11 * * *

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

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

1 Sec. E.100.2 CHIEF PREVENTION OFFICER

2 (a) The Office of the Chief Prevention Officer shall coordinate all budget
3 and policy initiatives across the full spectrum of the prevention continuum.

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

5 § 3303. REPORTING, RECORDS, AND REVIEW REQUIREMENTS

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

11 (1) performance metrics and trends, including baseline and annual
12 measurements, for each division of the Agency;

13 (2) a financial report of revenues and expenditures to date for the current
14 fiscal year;

15 (3) costs avoided or saved as a result of technology optimization for the
16 previous fiscal year;

17 (4) an outline summary of information, including scope, schedule,
18 budget, and status for information technology projects with total costs of
19 \$500,000.00 or greater;

20 (5) an annual update to the strategic plan prepared pursuant to
21 subsection (c) of this section;

1 (6) a summary of independent reviews as required by subsection (d) of
2 this section; ~~and~~

3 (7) the Agency budget submission; and

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

8 * * *

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

10 § 3305. TECHNOLOGY MODERNIZATION SPECIAL FUND

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

16 (b) Funds. The Fund shall consist of:

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

19 (2) any interest earned by the Fund.

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

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

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

6 Sec. E.105.2 FISCAL YEAR 2023; TECHNOLOGY MODERNIZATION
7 SPECIAL FUND; AUTHORIZATIONS

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

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

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

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

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

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

8 (1) adequacy of departmental readiness;

9 (2) the responsiveness of requests for proposals; and

10 (3) results of the independent review.

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

12 PROPOSED INCREASES AND FOREGONE REVENUE;

13 REPORT

14 (a) According to the report submitted by the Commissioner of Finance and
15 Management pursuant to 2021 Acts and Resolves No. 74, Sec. E.106,
16 \$22,000,000 in revenue was foregone in one fiscal year due to lack of
17 inflationary increases in certain fees, including Agency of Transportation fees.

18 (b) On or before November 15, 2022, the Commissioner of Finance and
19 Management shall submit an inventory of all existing fees within State
20 government to the Joint Fiscal Committee in Excel format. This inventory
21 shall include all fees collected by the Executive Branch, the Attorney General,

1 and the State Treasurer, as well as fees collected by the Judicial Branch. For
2 fees within the Judicial Branch, the Commissioner shall have the assistance of
3 the State Court Administrator. The fee inventory shall contain the following
4 information for each fee in existence on the preceding July 1:

5 (1) the statutory authorization and termination date if any;

6 (2) its current rate or amount and the date this was last set or adjusted by
7 the General Assembly or by the Joint Fiscal Committee;

8 (3) the fund into which its revenues are deposited;

9 (4) the revenues derived from it in each of the two previous fiscal years
10 and an estimate of what will be collected in the current fiscal year; and

11 (5) in the case of licensing and registration fees, whether the fee is
12 collected annually, biennially, or on some other set time frame.

13 (c) On or before November 15, 2022, the Secretary of State shall submit an
14 inventory of its existing fees to the Joint Fiscal Committee in Excel format.

15 The fee inventory shall contain the following information for each fee in
16 existence on the preceding July 1:

17 (1) the statutory authorization and termination date if any;

18 (2) its current rate or amount and the date this was last set or adjusted by
19 the General Assembly or by the Joint Fiscal Committee;

20 (3) the fund into which its revenues are deposited;

1 (4) the revenues derived from it in each of the two previous fiscal years
2 and an estimate of what will be collected in the current fiscal year; and

3 (5) in the case of licensing and registration fees, whether the fee is
4 collected annually, biennially, or on some other set time frame.

5 (d) On or before November 15, 2022, the Commissioner of Finance and
6 Management shall provide a list of all funds to the Joint Fiscal Committee for
7 which one or both of the following conditions are true:

8 (A) the fund was in a deficit at the end of the most recent fiscal year
9 or is expected to be in a deficit at the end of the current fiscal year; or

10 (B) general funds were needed in any of the last three years to
11 address a fund deficit or to support the related operating costs of programs
12 supported by the fund.

13 (e) On or before January 15, 2023, the Commissioner of Finance and
14 Management shall submit a report to the General Assembly that provides a list
15 of programs by department where the fees do not fully cover the cost of
16 providing the service or regulatory function.

17 Sec. E.106.1 32 V.S.A. § 1001b is added to read:

18 § 1001b. CAPITAL EXPENDITURE CASH FUND

19 (a) Creation. There is hereby created the Capital Expenditure Cash Fund to
20 be administered by the Commissioner of Finance and Management, in
21 consultation with the State Treasurer, for the purpose of using general funds to

1 defray the costs of future capital expenditures that would otherwise be paid for
2 using the State’s general obligation bonding authority and debt service
3 obligations.

4 (b) Fund. The Fund may consist of:

5 (1) any appropriations or transfers made by the General Assembly; and

6 (2) any interest earned by the Fund.

7 (c) Use of funds. Monies in the Fund shall only be used for:

8 (1) costs associated with a proposed capital project that occur prior to
9 the construction phase of that project, including feasibility, planning, design,
10 and engineering and architectural costs;

11 (2) projects with an anticipated lifespan of less than 20 years;

12 (3) costs associated with the early redemption of general obligation
13 bonds; and

14 (4) other eligible capital projects receiving an appropriation from the
15 General Assembly.

16 (d) Fund balance. All balances in the Fund at the end of any fiscal year
17 shall be carried forward and remain part of the Fund.

18 (e) Early redemption transfer. If any expenditures are made from the Fund
19 or the General Assembly appropriates general funds to pay for the early
20 redemption of general obligation bonds pursuant to subdivision (c)(3) of this

1 section, then an amount equal to the reduction in debt service required in any
2 fiscal year resulting from that redemption shall be transferred to the Fund.

3 Sec. E.106.2 CAPITAL EXPENDITURE CASH FUND; ANALYSIS

4 (a) The Commissioner of Finance and Management, in consultation with
5 the Joint Fiscal Office and the State Treasurer, shall analyze and make
6 recommendations on:

7 (1) a dedicated revenue source or State fiscal capacity to fund the
8 Capital Expenditure Cash Fund; and

9 (2) for any revenue source or State fiscal capacity identified in
10 subdivision (1) of this subsection, an analysis of the benefits and costs of
11 dedicating this revenue source to the Capital Expenditure Cash Fund in
12 comparison to other identified unfunded State fiscal pressures.

13 (b) On or before January 15, 2023, the Commissioner of Finance and
14 Management shall submit any recommendations to the House Committees on
15 Appropriations and on Corrections and Institutions and the Senate Committees
16 on Appropriations and on Institutions.

17 Sec. E.107 CORONAVIRUS RELIEF FUND APPROPRIATIONS;

18 REVERSION AND REALLOCATION; REPORTS

19 (a) From July 1, 2022 through September 30, 2022, the Commissioner of
20 Finance and Management is authorized to revert all unobligated Coronavirus
21 Relief Fund (CRF) appropriations and allocate the monies for expenditure

1 pursuant to 32 V.S.A. § 511 to any agency or department for CRF-eligible
2 costs incurred from March 1, 2020 through December 31, 2021.

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

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

7 (a) Notwithstanding 32 V.S.A. § 706, in fiscal year 2023, appropriations
8 within the Legislative Branch may be transferred between respective offices to
9 ensure a balanced close-out in the fiscal year.

10 Sec. E.126.1 DECARBONIZATION OF PUBLIC PENSION FUNDS; JOINT
11 PUBLIC PENSION OVERSIGHT COMMITTEE; REPORT

12 (a) Study. The Joint Public Pension Oversight Committee shall, in
13 consultation with the State Treasurer, the Chair of the Vermont Pension
14 Investment Commission, and any interested stakeholders with investment and
15 environmental expertise, develop a strategy and timeline for the policies of the
16 State to decarbonize the investments of the Vermont State Employees’
17 Retirement System, the State Teachers’ Retirement System, and the Municipal
18 Employees’ Retirement System. The strategy and timeline developed by the
19 Committee shall be in accordance with sound investment criteria and
20 consistent with the fiduciary obligations of the Retirement Board for the
21 Vermont State Employees’ Retirement System, the Board of Trustees for the

1 Vermont Teachers’ Retirement System, and the Retirement Board of the
2 Municipal Employees’ Retirement System. In developing the strategy and
3 plan, the Committee shall consider the feasibility of different decarbonization
4 strategies, including divestment to the fullest extent possible, and review
5 models used in New York and in other states for decarbonization.

6 (b) Assistance. The Committee shall have the fiscal assistance of the
7 Vermont Pension Investment Commission to conduct the work described in
8 subsection (a) of this section.

9 (c) Report. On or before January 15, 2023, the Committee shall submit a
10 report on the strategy and timeline described in subsection (a) of this section to
11 the House and Senate Committees on Government Operations.

12 Sec. E.128 [Deleted.]

13 Sec. E.128.1 FARMERS’ NIGHT CONCERT SERIES APPROPRIATION

14 (a) The Office of the Sergeant at Arms is authorized to use not more than
15 \$10,000 from resources available within the General Assembly’s budget to
16 provide honoraria to speakers and performing groups who are invited to
17 participate in the 2023 Farmers’ Night Concert Series and who are not
18 otherwise sponsored or compensated for their participation.

19 Sec. E.134 VERMONT MUNICIPAL EMPLOYEES’ RETIREMENT

20 SYSTEM; FISCAL YEARS 2023–2026; RATES

1 (a) Notwithstanding the provisions of 24 V.S.A. § 5064(b), for the period
2 from July 1, 2022 through June 30, 2023, contributions shall be made by:

3 (1) Group A members at the rate of 3.5 percent of earnable
4 compensation;

5 (2) Group B members at the rate of 5.875 percent of earnable
6 compensation;

7 (3) Group C members at the rate of 11 percent of earnable
8 compensation; and

9 (4) Group D members at the rate of 12.35 percent of earnable
10 compensation.

11 (b) Notwithstanding the provisions of 24 V.S.A. § 5064(b), for the period
12 from July 1, 2023 through June 30, 2024, contributions shall be made by:

13 (1) Group A members at the rate of 3.75 percent of earnable
14 compensation;

15 (2) Group B members at the rate of 6.125 percent of earnable
16 compensation;

17 (3) Group C members at the rate of 11.25 percent of earnable
18 compensation; and

19 (4) Group D members at the rate of 12.6 percent of earnable
20 compensation.

1 (c) Notwithstanding the provisions of 24 V.S.A. § 5064(b), for the period
2 from July 1, 2024 through June 30, 2025, contributions shall be made by:

3 (1) Group A members at the rate of 4 percent of earnable compensation;

4 (2) Group B members at the rate of 6.375 percent of earnable
5 compensation;

6 (3) Group C members at the rate of 11.5 percent of earnable
7 compensation; and

8 (4) Group D members at the rate of 12.85 percent of earnable
9 compensation.

10 (d) Notwithstanding the provisions of 24 V.S.A. § 5064(b), for the period
11 from July 1, 2025 through June 30, 2026, contributions shall be made by:

12 (1) Group A members at the rate of 4.25 percent of earnable
13 compensation;

14 (2) Group B members at the rate of 6.625 percent of earnable
15 compensation;

16 (3) Group C members at the rate of 11.75 percent of earnable
17 compensation; and

18 (4) Group D members at the rate of 13.1 percent of earnable
19 compensation.

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

21 § 522. VERMONT PENSION INVESTMENT COMMISSION

1 * * *

2 (i) Assistance and expenses.

3 (1) ~~The Commission shall have the administrative and technical support~~
4 ~~of the Office of the State Treasurer.~~

5 ~~(2)~~ The Commission may collect proportionally from the funds of the
6 three retirement systems and any individual municipalities that have been
7 allowed to invest their retirement funds pursuant to subsection 523(a) of this
8 title, any expenses incurred that are associated with carrying out its duties, and
9 any expenses incurred by the Treasurer's office in support of the Commission.

10 ~~(3)~~(2) The Attorney General shall serve as legal advisor to the
11 Commission.

12 Sec. E. 134.2 3 V.S.A. § 524 is added to read:

13 § 524. VERMONT PENSION INVESTMENT COMMISSION SPECIAL

14 FUND

15 (a) Creation. There is hereby created the Vermont Pension Investment
16 Commission Special Fund, administered by the Vermont Pension Investment
17 Commission, for the purpose of receiving funds transferred to the Commission
18 pursuant to subsection 523(i) of this title. Monies in the Fund shall be used to
19 pay expenses associated with carrying out the Commission's duties.

20 (b) Funds. The Fund shall consist of:

1 (1) any amounts collected and transferred by the three retirement
2 systems and any individual municipalities that have been allowed to invest
3 their retirement funds pursuant to subsection 523(a) of this title;

4 (2) any amounts transferred or appropriated to it by the General
5 Assembly; and

6 (3) any interest earned by the Fund.

7 Sec. E.134.3 VERMONT PENSION INVESTMENT COMMISSION;

8 SOURCE OF FUNDS

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

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

18 Sec. E.136.1 2017 Acts and Resolves No. 79, Sec. 13, as amended by 2020
19 Acts and Resolves No. 120, Sec. A.8, and 2021 Acts and Resolves No. 44, Sec.
20 2, is further amended to read:

21 Sec. 13. STATE ETHICS COMMISSION FUNDING SOURCE

1 SURCHARGE; REPEAL

2 (a) Surcharge.

3 (1) Notwithstanding the provisions of 3 V.S.A. § 2283(c) setting forth
4 the purpose and rate of charges collected in the Human Resource Services
5 Internal Service Fund, in fiscal year 2018 and thereafter, a surcharge of up to
6 2.3 percent, but no greater than the cost of the activities of the State Ethics
7 Commission set forth in Sec. 7 of this act, on the per-position portion of the
8 charges authorized in 3 V.S.A. § 2283(c)(2) shall be assessed to all Executive
9 Branch agencies, departments, and offices and shall be paid by all assessed
10 entities solely with State funds.

11 (2) The amount collected shall be accounted for within the Human
12 Resource Services Internal Service Fund and used solely for the purposes of
13 funding the activities of the State Ethics Commission set forth in Sec. 7 of
14 this act.

15 (b) Repeal. This section shall be repealed on ~~July 1, 2022~~ July 1, 2025.

16 Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

17 (a) Of the funds appropriated in Sec. B.139 of this act, \$9,000 shall be
18 transferred to the Attorney General and \$70,000 shall be transferred to the
19 Department of Taxes, Division of Property Valuation and Review and reserved
20 and used with any remaining funds from the amount previously transferred for
21 final payment of expenses incurred by the Department or towns in defense of

1 grand list appeals regarding the reappraisals of the hydroelectric plants and
2 expenses incurred to undertake complex commercial and utility property
3 appraisals conducted by the Department to aid town valuations.

4 Sec. E.142 PAYMENTS IN LIEU OF TAXES

5 (a) This appropriation is for State payments in lieu of property taxes under
6 32 V.S.A. chapter 123, subchapter 4, and the payments shall be calculated in
7 addition to and without regard to the appropriations for PILOT for Montpelier
8 and for correctional facilities elsewhere in this act. Payments in lieu of taxes
9 under this section shall be paid from the PILOT Special Fund under 32 V.S.A.
10 § 3709.

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

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

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

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

19 FACILITIES

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

1 * * * Protection to Persons and Property * * *

2 Sec. E.200 ATTORNEY GENERAL

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

10 (b) Of the revenue available to the Attorney General under 9 V.S.A.
11 § 2458(b)(4), \$1,545,393 is appropriated in Sec. B.200 of this act.

12 Sec. E.203 [Deleted.]

13 Sec. E.205 24 V.S.A. § 290 is amended to read:

14 § 290. COUNTY SHERIFF'S DEPARTMENT

15 * * *

16 (b) Full-time State deputy sheriffs whose primary responsibility is
17 transportation of prisoners and persons with a mental condition or psychiatric
18 disability shall be paid by the State of Vermont. ~~The appointment of such~~
19 ~~deputies and their salary shall be approved by the Governor or his or her~~
20 ~~designee. The Executive Committee of the Vermont Sheriffs Association and~~
21 ~~the Executive Director of the Department of State's Attorneys and Sheriffs~~

1 shall jointly have authority for the assignment of position locations in the
2 counties of State paid deputy sheriffs and shall review the county location
3 assignments periodically for efficient use of resources. The positions and their
4 funding shall be assigned to the Department of State’s Attorneys and Sheriffs.
5 The Executive Director shall have the authority to determine job duties for the
6 position, assignment of positions to county, regular and temporary work
7 locations, assistance to other State agencies and departments, timesheet
8 systems, daily work logs, and to have final approval of personnel matters
9 including, but not limited to, approval for hiring, paygrade assignment, hiring
10 rate, discipline and termination. The Sheriffs shall have an Executive
11 Committee of not more than five current Sheriffs, elected for a two-year term
12 by a vote of the Sheriffs held not later than January 15, for a term starting
13 February 1. The Executive Committee shall have a Chair, Vice-Chair,
14 Secretary-Treasurer, and two members at large. The Executive Committee
15 shall meet at least quarterly to provide input to the Department of State’s
16 Attorneys and Sheriffs regarding budget, legislation, personnel and policies,
17 and the assignment of positions, when vacancies arise, for efficient use of
18 resources.

19 * * *

20 Sec. E. 205.1 32 V.S.A. § 1591(2) is amended to read:

1 (2) For the transportation and care of prisoners, juveniles, and patients
2 with a mental condition or psychiatric disability:
3 (A) For necessary assistance in arresting or transporting prisoners,
4 juveniles, or persons with mental illness, the ~~sum of \$18.00 per hour~~ State’s
5 Attorneys and Sheriffs Executive Director shall annually set the per hour
6 chargeable rate for each deputy sheriff or assistant so required ~~if the~~ to assist in
7 the transport. The Executive Director shall consult with the Sheriffs
8 Association before setting the per hour chargeable rate. The sheriff or
9 ~~constable makes oath that the deputy sheriff, assistant, or assistants were~~
10 ~~required, giving the name of the assistant or assistants if there were more than~~
11 ~~one; provided, however, a full-time law enforcement officer~~ shall provide the
12 documentation required by the Department. The deputy sheriff or assistant
13 ~~shall not receive compensation under this subsection if otherwise compensated~~
14 from any other funding source for the same hours during which such
15 transportation is performed. ~~In addition to the rate established the sheriffs’~~
16 ~~department shall be reimbursed for the costs of the employers’ contribution to~~
17 ~~Social Security and workers’ compensation insurance attributable to services~~
18 ~~provided under this section. Reimbursement shall be calculated on an hourly~~
19 ~~basis; the sheriff’s department shall also be reimbursed for the costs of~~
20 ~~employer contributions for unemployment compensation, when a claim is filed~~

1 ~~and the percentage owed from the sheriff's department to the State can be~~
2 ~~accounted for under this section.~~

3 * * *

4 Sec. E.208 PUBLIC SAFETY – ADMINISTRATION

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

9 Sec. E.209 PUBLIC SAFETY – STATE POLICE

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

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

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

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

5 (a) Creation. The Commissioner of the Department of Public Safety shall
6 convene a working group on the new regional dispatch model. The task force
7 shall provide a written report to the Governor and the General Assembly on or
8 before December 1, 2022. The report shall include recommendations on:

9 (1) The long-term funding model for regional dispatch that fairly
10 assesses costs statewide; and

11 (2) The estimated timeline and transition funding needed as new
12 regional dispatch centers come on line and local dispatch services are
13 transitioned away from state operated facilities.

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

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

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

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

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

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

8 (6) one firefighter, selected by the Vermont State Firefighters
9 Association;

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

11 (8) one representative of the Enhanced 911 Board, selected by the Board
12 Chair.

13 (c) Powers and Duties. The working group shall:

14 (1) Consider and document how current dispatch services are provided
15 statewide and the various methods of funding that exist to cover the cost of
16 dispatch services. This shall include detail by town and or by emergency
17 service provider. This analysis shall identify any funding inequities that exist
18 in the current system between those entities paying for services using local
19 funds and those entities receiving dispatch services provide by the State
20 without cost. The analysis of current costs and payments flows for dispatch
21 services shall be compared to the projected costs and payment flows under the

1 new regional dispatch model. This analysis shall also estimate how first
2 responder entities dispatched through the new regional system may be
3 financially impacted in the transition to the new regional system.

4 (2) Identify a transitional timeline and the tasks to be completed within
5 that timeline for transitioning to the new regional dispatch model.

6 (3) Identify any State resources that may become available once the new
7 dispatch system is fully operational and recommend if and how such resources
8 should be distributed to equitably reduce local costs.

9 (4) Identify any other ongoing sources of statewide revenue to be
10 dedicated to statewide emergency response communications to equitably
11 reduce local costs.

12 (d) Meetings.

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

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

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

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

1 Sec. E.212 PUBLIC SAFETY – FIRE SAFETY

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

5 Sec. E.215 MILITARY – ADMINISTRATION

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

9 Sec. E.219 MILITARY – VETERANS’ AFFAIRS

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

15 Sec. E.222 NEW FARMER PROGRAM COORDINATION

16 (a) The Secretary of Agriculture shall, in consultation with the Vermont
17 Housing Conservation Board, inventory the programs available to assist new
18 farmers beginning operations in the State. On or before January 15, 2023, the
19 Secretary shall provide a report to the House and Senate Committees on
20 Agriculture on the degree of coordination across these programs. This shall

1 include recommendations for improvement or change in operations and
2 coordination that would benefit new farmers experience in seeking assistance.

3 Sec. E.232 [Deleted.]

4 Sec. E.233 30 V.S.A. § 8083(b)(6) is amended to read:

5 (6) upon approval by the General Assembly, up to \$1,500,000.00

6 annually to fund the operational expenses of the Board and the Department to
7 the extent the Department’s expenses support the work of the Board.

8 Sec. 233.1 VERMONT COMMUNITY BROADBAND BOARD;

9 OPERATIONAL EXPENSES; ANNUAL BUDGET

10 (a) On or before December 1, 2022, the Vermont Community Broadband
11 Board shall submit to the Governor and the General Assembly a proposed
12 budget for its operational expenses for fiscal year 2023 for inclusion in the
13 fiscal year 2023 budget adjustment act.

14 (b) On or before January 15, 2023, the Vermont Community Broadband
15 Board shall submit to the Governor and the General Assembly a proposed
16 budget for its operational expenses in fiscal year 2024 for inclusion in the
17 Governor’s recommended fiscal year 2024 appropriations for the support of
18 government.

19 (c) In preparing a proposed budget for its operational expenses, the
20 Vermont Community Broadband Board shall maximize first the use of any
21 federal funds in the Vermont Community Broadband Fund that are available

1 for administrative costs, and then shall draw upon monies transferred to the
2 Vermont Community Broadband Fund pursuant to 30 V.S.A. § 7523(b).

3 Sec. E.233.2 VERMONT COMMUNITY BROADBAND BOARD

4 (a) In fiscal year 2023 there is appropriated to the Vermont Community
5 Broadband Board a total of \$1,500,000 from special funds to operate the
6 Board. The intent of this section is to provide the necessary spending authority
7 to the Board to operate in fiscal year 2023 until a new line-item budget is
8 included in the budget adjustment for fiscal year 2023 pursuant to Sec. 233.1.
9 of this act.

10 Sec. E.233.3 MUNICIPAL FUNDS FOR BROADBAND

11 (a) Notwithstanding any other provision of law to the contrary, a
12 municipality may accept and finance broadband projects with funds received
13 from the American Rescue Plan Act of 2021, Pub. L. 117-2, including funds
14 received as lost revenue.

15 Sec. E.240 CANNABIS CONTROL BOARD

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

19 * * * Cannabis Regulation Fund;

20 Cannabis Excise Tax Revenue in Fiscal Years 2023–2025 * * *

21 Sec. E.240.1 7 V.S.A. § 845 is amended to read:

1 § 845. CANNABIS REGULATION FUND

2 (a) There is established the Cannabis Regulation Fund, which shall be
3 managed in accordance with 32 V.S.A. chapter 7, subchapter 5. The Fund
4 shall be maintained by the Cannabis Control Board.

5 (b) The Fund shall be composed of:

6 (1) all State application fees, annual license fees, renewal fees, and civil
7 penalties collected by the Board pursuant to chapters 33 (cannabis
8 establishments) and 37 (medical cannabis dispensaries) of this title; ~~and~~

9 (2) all annual and renewal fees collected by the Board pursuant to
10 chapter 35 (medical cannabis registry) of this title; and

11 (3) all cannabis excise tax revenue raised pursuant to 32 V.S.A. § 7902.

12 (c) Monies from the Fund shall only be appropriated for the purposes of
13 implementation, administration, and enforcement of this chapter and chapter
14 33 of this title.

15 (d) The Commissioner of Finance and Management shall do the following
16 not later than July 31 each year:

17 (1) transfer the unexpended and unobligated balance of the Cannabis
18 Regulation Fund to the General Fund at the close of the prior fiscal year; and

19 (2) report the amount of the transfer made pursuant to subdivision (1) of
20 this subsection to the Joint Fiscal Committee.

21 Sec. E.240.2 32 V.S.A. § 7909 is amended to read:

1 § 7909. SUBSTANCE MISUSE PREVENTION FUNDING

2 (a) Thirty percent of the ~~revenues raised by the cannabis excise tax~~
3 ~~imposed by section 7902 of this title~~ unexpended and unobligated balance of
4 the Cannabis Regulation Fund that is transferred to the General Fund pursuant
5 to 7 V.S.A. § 845(d)(1), not to exceed \$10,000,000.00 per fiscal year, shall be
6 used to fund substance misuse prevention programming in the subsequent
7 fiscal year.

8 * * *

9 Sec. E.240.3. REPEAL

10 (a) 2020 Acts and Resolves No. 164, Sec. 6c (contingent Cannabis
11 Regulation Fund deficit offset) is repealed.

12 Sec. E.240.4 2020 Acts and Resolves No. 164, Sec. 33(h) is amended to read:

13 (h) ~~Sec. 6c (contingent Cannabis Regulation Fund deficit offset) shall take~~
14 ~~effect on July 1, 2024. [Repealed.]~~

15 * * * Cannabis Excise Tax Revenue Starting in Fiscal Year 2025 * * *

16 Sec. 240.5. 7 V.S.A. § 845 is amended to read:

17 § 845. CANNABIS REGULATION FUND

18 (a) There is established the Cannabis Regulation Fund, which shall be
19 managed in accordance with 32 V.S.A. chapter 7, subchapter 5. The Fund
20 shall be maintained by the Cannabis Control Board.

21 (b) The Fund shall be composed of:

1 (1) all State application fees, annual license fees, renewal fees, and civil
2 penalties collected by the Board pursuant to chapters 33 (cannabis
3 establishments) and 37 (medical cannabis dispensaries) of this title; and

4 (2) all annual and renewal fees collected by the Board pursuant to
5 chapter 35 (medical cannabis registry) of this title; and.

6 (3) ~~all cannabis excise tax revenue raised pursuant to 32 V.S.A. § 7902.~~
7 [Repealed.]

8 (c) Monies from the Fund shall only be appropriated for the purposes of
9 implementation, administration, and enforcement of this chapter and chapter
10 33 of this title.

11 (d) ~~The Commissioner of Finance and Management shall do the following~~
12 ~~not later than July 31 each year:~~

13 (1) ~~transfer the unexpended and unobligated balance of the Cannabis~~
14 ~~Regulation Fund to the General Fund at the close of the prior fiscal year; and~~

15 (2) ~~report the amount of the transfer made pursuant to subdivision (1) of~~
16 ~~this subsection to the Joint Fiscal Committee. [Repealed.]~~

17 Sec. 240.6. 32 V.S.A. § 7909(a) is amended to read:

18 (a) Thirty percent of the revenues raised by the cannabis excise tax
19 imposed by section 7902 of this title ~~unexpended and unobligated balance of~~
20 ~~the Cannabis Regulation Fund that is transferred to the General Fund pursuant~~
21 ~~to 7 V.S.A. § 845(d)(1), not to exceed \$10,000,000.00 per fiscal year, shall be~~

1 used to fund substance misuse prevention programming in the subsequent
2 fiscal year.

3 Sec. E. 240.7 TRANSFER IN JULY 2025

4 (a) Notwithstanding any provision of law to the contrary, the
5 Commissioner of Finance and Management shall do the following not later
6 than July 31, 2025:

7 (1) transfer the unexpended and unobligated balance of the Cannabis
8 Regulation Fund to the General Fund at the close of the 2024 fiscal year; and

9 (2) report the amount of the transfer made pursuant to subdivision (1) of
10 this section to the Joint Fiscal Committee.

11 * * * Human Services * * *

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

14 (a) Of the funds appropriated in Sec. B.300 of this act, \$1,847,406 shall be
15 used for the contract with the Office of the Health Care Advocate.

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

17 (a) The Agency of Human Services (AHS) shall use the funds appropriated
18 in this section for payment of the actuarially certified premium required under
19 the intergovernmental agreement between the Agency of Human Services and
20 the managed care entity, the Department of Vermont Health Access, as
21 provided for in the Global Commitment for Health Waiver (Global

1 Commitment) approved by the Centers for Medicare and Medicaid Services
2 under Section 1115 of the Social Security Act.

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

6 (1) \$22,230,100 certified State match available from local education
7 agencies for eligible special education school-based Medicaid services under
8 the Global Commitment. This amount combined with \$28,269,900 of federal
9 funds appropriated in Sec. B.301 of this act equals a total estimated
10 expenditure of \$50,500,000. An amount equal to the amount of the federal
11 matching funds for eligible special education school-based Medicaid services
12 under Global Commitment shall be transferred from the Global Commitment
13 Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A.
14 § 2959a.

15 (2) \$3,001,544 certified State match available from local designated
16 mental health and developmental services agencies for eligible mental health
17 services provided under Global Commitment.

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

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

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

16 Sec. E.301.2 GLOBAL COMMITMENT WAIVER AMENDMENT

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

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

3 Sec. E.301.3 PROVIDER RATE INCREASES

4 (a) Recipients of any increased rates under Secs. B.314 and B.333 of this
5 act shall be transparent in the use of these funds through timely and accurate
6 reporting as defined by the State, including complying with specific
7 performance measures using existing data collected by providers to assure
8 accountability to the clients and the system of care.

9 Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

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

1 Sec. E.306.1 [Deleted.]

2 Sec. E.312 HEALTH – PUBLIC HEALTH

3 (a) AIDS/HIV funding.

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

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

14 (A) Vermont CARES - \$140,000;

15 (B) AIDS Project of Southern Vermont - \$100,000; and

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

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

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

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

13 (4) In fiscal year 2023, the Department of Health shall provide grants in
14 the amount of \$100,000 in general funds to Vermont AIDS service
15 organizations and other Vermont HIV/AIDS prevention providers for
16 community-based HIV prevention programs and services. These funds shall
17 be used for HIV/AIDS prevention purposes, including syringe exchange
18 programs; improving the availability of confidential and anonymous HIV
19 testing; prevention work with at-risk groups such as women, intravenous drug
20 users, and people of color; and anti-stigma campaigns. Not more than
21 15 percent of the funds may be used for the administration of such services by

1 the recipients of these funds. The method by which these prevention funds are
2 distributed shall be determined by mutual agreement of the Department of
3 Health and the Vermont AIDS service organizations and other Vermont
4 HIV/AIDS prevention providers.

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

13 (6) In fiscal year 2023, the Department of Health shall not reduce any
14 grants to the Vermont AIDS service and peer-support organizations or syringe
15 service programs without receiving prior approval from the Joint Fiscal
16 Committee.

17 Sec. E.313 REPORT, PUBLIC INEBRIATE AND SOBER BED
18 PROGRAMMING

19 (a) The new alcohol and drug abuse program beds funded through Sec.
20 B.313 of this act shall be used to treat public inebriates instead of having these
21 individuals held by the Department of Corrections. On or before January 15,

1 2023, the Department of Health, in consultation with the Chief Prevention
2 Officer, Vermont Care Partners, the Vermont Association for Mental Health
3 and Addiction Recovery, and the Vermont Alliance for Recovery Residences,
4 shall submit a written report to the House Committees on Appropriations and
5 on Human Services and to the Senate Committees on Appropriations and on
6 Health and Welfare examining whether there is excess bed capacity among
7 those programs designated for use by public inebriates. If the Department
8 determines that there is excess capacity, the report shall include a plan to make
9 efficient use of the excess capacity, including possibly redesignating beds for
10 alternative purposes.

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

12 OUTREACH SERVICES

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

20 (b) The new mobile outreach services shall:

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

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

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

8 (c) The Department, in coordination with the Agency of Human Services
9 Secretary’s Office, Department of Vermont Health Access and the Department
10 of Financial Regulation, shall develop a sustainability plan to ensure that the
11 services will continue to be available after expiration of the enhanced federal
12 match rate.

13 (d) On or before January 15, 2023, the Department shall provide a status
14 report on:

15 (1) the experience of the Rutland pilot project which includes the
16 number of Vermonters served by this pilot through 2022, as well as a
17 description of the evaluation of the operating model of the pilot since it was
18 launched to date; and

19 (2) the status of expansion of the urgent care model for mental health by
20 expanding mobile outreach services funded in fiscal year 2023, including

1 grants issued to date, operating status of the programs provided funding, and
2 number of Vermonters served in 2022.

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

6 (a) On or before January 15, 2023, the Department of Mental Health shall
7 report to the House Committee on Health Care and the Senate Committee on
8 Health and Welfare regarding the progress of the health care system in
9 improving the patient experience of care for individuals encountering lengthy
10 emergency departments waits for admission for inpatient psychiatric treatment.
11 The report shall include an assessment of the services offered to these patients
12 in emergency departments and the extent to which stakeholder input is
13 included in decisions about services and patient care. The report shall include
14 the most recent data pertaining to patient length of stay in emergency
15 departments due to a lack of appropriate alternative mental health level 1 or
16 step-down bed placements, and any changes anticipated in the inventory of
17 level 1 or step-down beds system wide.

18 Sec. E.316 PARENT CHILD CENTER GRANT

19 (a) The Department for Children and Families shall, within the
20 administration of the grant for parent child centers and in consultation with the
21 parent child centers, seek to ensure that services are targeted to families most

1 at risk of having young children come into State custody. The shared goal of
2 preventing that outcome, and bringing Vermont’s rate of young children
3 coming into State custody down to a level more consistent with other states
4 experience, shall be reflected in the grant agreement.

5 Sec. E.317 33 V.S.A. § 5126 is added to read:

6 § 5126. PLACEMENT OF A CHILD INTO A QUALIFIED RESIDENTIAL
7 TREATMENT PROGRAM

8 (a) Within 60 days of the start of a placement of a child into a qualified
9 residential treatment program by the Commissioner, the Family Division of the
10 Superior Court or the Judicial Master shall review the assessment,
11 determination, and documentation provided by the qualified individual
12 conducting the assessment required pursuant to 42 U.S.C. § 675a. The court or
13 Judicial Master shall determine whether the needs of the child can be met
14 through placement with family members, in a foster family home, or in another
15 approved setting designed to meet specialized needs. If placement in a setting
16 described above is not appropriate, the court or Judicial Master shall consider
17 whether placement of the child in a qualified residential treatment program
18 provides the most effective and appropriate level of care for the child in the
19 least restrictive environment, and whether such a placement is consistent with
20 the short- and long-term goals for the child, as specified in the case plan for the
21 child.

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

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

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

11 Sec. E.318 REPEAL

12 2019 Acts and Resolves No. 72, Sec. E.138.7 is repealed.

13 Sec. E.318.1 CHILD CARE CAPACITY-BUILDING GRANTS

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

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

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

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

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

1 policy changes to the Step Ahead Recognition System (STARS) to the House
2 Committee on Human Services and the Senate Committee on Health and
3 Welfare. The Division’s presentation shall summarize its proposed changes to
4 STARS, including any anticipated impacts on child care providers and
5 families. Any requested policy changes to STARS and related appropriations
6 requests shall require legislative approval through the budget process pursuant
7 to 32 V.S.A. chapter 7, subchapter 3.

8 Sec. E.318.4 BRIGHT FUTURES INFORMATION SYSTEM;
9 MODERNIZATION; CHILD CARE FINANCIAL
10 ASSISTANCE PROGRAM

11 (a) On or before January 1, 2024, or six months after both the
12 modernization of the Bright Futures Information System (BFIS) pursuant to
13 2021 Acts and Resolves No. 45, Sec. 5 and the implementation of the
14 corresponding eligibility changes to the Child Care Financial Assistance
15 Program (CCFAP) pursuant to 2021 Acts and Resolves No. 45, Sec. 2 have
16 taken effect, whichever is first occurring, the Department for Children and
17 Families shall submit a written report to the House Committees on
18 Appropriations and on Human Services and to the Senate Committees on
19 Appropriations and on Health and Welfare evaluating the effectiveness of the
20 BFIS modernization project and the CCFAP eligibility changes. The report

1 shall address how implementation of BFIS and CCFAP changes impact the
2 availability and affordability of child care throughout Vermont.

3 Sec. E.321 [Deleted.]

4 Sec. E.321.1 [Deleted.]

5 Sec. E.324 EXPEDITED CRISIS FUEL ASSISTANCE

6 (a) The Commissioner for Children and Families or designee may authorize
7 crisis fuel assistance to those income-eligible households that have applied for
8 an expedited seasonal fuel benefit but have not yet received it if the benefit
9 cannot be executed in time to prevent them from running out of fuel. The
10 crisis fuel grants authorized pursuant to this section count toward the one crisis
11 fuel grant allowed per household for the winter heating season pursuant to
12 33 V.S.A. § 2609(b).

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

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

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

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

6 Sec. E.329 [Deleted.]

7 Sec. E.334 ADULT DAY PAYMENT REFORM – ALTERNATIVE
8 PAYMENT METHODOLOGY – REPORT

9 (a) On or before January 15, 2023, the Commissioner for Vermont
10 Health Access and the Commissioner of Disabilities, Aging, and Independent
11 Living shall submit a report to the House Committee on Appropriations and
12 the Senate Committee on Appropriations on the status of implementing an
13 alternative payment model for the Adult Day providers. This new payment
14 model should be designed to stabilize the financial well-being of the Adult Day
15 providers.

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

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

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

5 (b) In fiscal year 2023, any unexpended funds for correctional services out-
6 of-state beds shall be carried forward to fiscal year 2023, and the amount
7 reported to the Joint Legislative Justice Oversight Committee in September
8 2022, to support community-based service programs. Funds may only be
9 expended on community-based service programs upon approval of the Joint
10 Legislative Justice Oversight Committee.

11 (c) Any funds expended on community-based service programs pursuant to
12 subsection (b) of this section shall be included in the subsequent year
13 Department of Corrections budget for the same purpose at the same amount.

14 Sec. E.335.1 [Deleted.]

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

16 § 125. JUSTICE REINVESTMENT II INITIATIVES; REPORT

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

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

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

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

7 (C) funding for the Department of Correction’s data collection
8 Offender Management System;

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

12 (E) any funding provided to court diversion and restorative justice
13 programs, and any Justice Reinvestment II funding, shall be reported in context
14 of other baseline funding sources provided to these programs.

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

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

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

3 Sec. E.338 CORRECTIONS – CORRECTIONAL SERVICES

4 (a) Notwithstanding 32 V.S.A. § 3709(a), the special funds appropriation of
5 \$152,000 for the supplemental facility payments to Newport and Springfield
6 shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

7 Sec. E.345 [Deleted.]

8 * * * Labor * * *

9 Sec. E.400 [Deleted.]

10 Sec. E.400.1 [Deleted.]

11 * * * K–12 Education * * *

12 Sec. E.500 EDUCATION – FINANCE AND ADMINISTRATION

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

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

19 Sec. 14. FINDINGS AND PURPOSE

20 (a) Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended,
21 requires that not later than July 1, 2022 all Vermont supervisory unions,

1 supervisory districts, school districts, and independent technical center districts
2 utilize the same ~~shared school district data management system~~ Shared School
3 District Data Management System (eFinancePlus) (SSDDMS), which shall be
4 selected by the Agency of Education per State procurement guidelines.

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

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

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

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

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

18 * * *

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

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

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

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

12 * * *

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

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

16 Notwithstanding Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves
17 No. 11, as amended, the implementation of the Shared School District Data
18 Management System (SSDDMS) shall be paused until ~~January 1, 2022~~ July 1,
19 2023, provided that:

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

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

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

10 Sec. 17. AGENCY OF EDUCATION; REPORTS

11 (a) On or before June 30, 2021 and quarterly thereafter until March 31,
12 ~~2023~~ 2025, the Agency of Education shall provide a written report to the
13 General Assembly and the Vermont Association of School Business Officials
14 on the status of improving and implementing the Shared School District Data
15 Management System, including the status of:

16 * * *

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

18 JOINT REPORT ON THE SHARED SCHOOL DISTRICT

19 DATA MANAGEMENT SYSTEM

20 (a) On or before December 15, 2022, the Agencies of Education and of
21 Digital Services shall jointly submit a report to the House and Senate

1 Committees on Education on the status of improving and implementing the
2 Shared School District Data Management System (SSDDMS) and a
3 recommendation on whether to continue, discontinue, suspend, or delay
4 implementation of SSDDMS and the reasons for their recommendation. In
5 preparing their report, the Agencies of Education and of Digital Services shall
6 solicit feedback from the Vermont Association of School Business Officials,
7 school business managers and users and nonusers of SSDDMS around the
8 State, the Vermont chapter of the American Association of School Personnel
9 Administrators, and school human resources managers around the State.

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

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

14 * * *

15 (d) Appointment and operation.

16 * * *

17 (D) The Working Group shall cease to exist on ~~July 1, 2022~~ July 1,
18 2023.

19 * * *

20 (g) Duties of the Working Group.

1 (c) Any unused portion of these appropriations shall, as of July 1, 2022
2 2023, revert to the General Fund.

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

4 (a) The following sums are appropriated from the ESSER III funds
5 provided to the State pursuant to Sec. 2001(f) of the American Rescue Plan
6 Act of 2021 to the Agency of Education in fiscal year 2023:

7 (A) \$2,852,234 for Evidence-Based Summer Programming for the
8 implementation of evidence-based summer enrichment programs and to ensure
9 such programs respond to students' academic, social, and emotional needs and
10 address the disproportionate impact of the coronavirus on the student
11 populations described in section 1111(b)(2)(B)(xi) of the Elementary and
12 Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students
13 experiencing homelessness, and children and youth in foster care.

14 (B) \$2,852,234 for Evidence-Based Afterschool Programming for the
15 implementation of evidence-based comprehensive afterschool programs, and to
16 ensure such programs respond to students' academic, social, and emotional
17 needs and address the disproportionate impact of the coronavirus on the
18 student populations described in section 1111(b)(2)(B)(xi) of the Elementary
19 and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students
20 experiencing homelessness, and children and youth in foster care.

1 (C) \$1,352,170 to address lost instructional time due to COVID-19 in
2 accordance with 2021 Acts and Resolves No. 28 to support literacy with a
3 specific prioritization for the implementation of 2018 Acts and Resolves No.
4 173.

5 (D) \$1,130,586 for meeting other needs as determined by the State
6 educational agency (AOE) to address issues in responding to COVID-19. This
7 may include the implementation of a facilities planning grant program per
8 2021 Acts and Resolves No. 72.

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

10 (a) Of the appropriation authorized in Sec. B.502 of this act, and
11 notwithstanding any other provision of law, an amount not to exceed
12 \$4,073,400 shall be used by the Agency of Education in fiscal year 2023 as
13 funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the
14 Secretary shall not be limited by the restrictions contained within 16 V.S.A.
15 § 2969(c) and (d).

16 Sec. E.504.1 EDUCATION – FLEXIBLE PATHWAYS

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

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

1 (1) \$996,500 is available for dual enrollment programs notwithstanding
2 16 V.S.A. § 944(f)(2);

3 (2) \$1,800,000 is available to support the Vermont Virtual High School;

4 (3) \$400,000 is available for secondary school reform grants; and

5 (4) \$3,000,000 is available for Early College pursuant to 16 V.S.A.
6 § 4011(e).

7 (c) Of the appropriation in Sec. B.504 of this act, \$996,500 from the
8 General Fund is available for dual enrollment programs.

9 Sec. E.514 STATE TEACHERS' RETIREMENT SYSTEM

10 (a) In accordance with 16 V.S.A. § 1944(g)(2), and consistent with system
11 changes enacted for fiscal year 2023 in the 2022 session, the annual
12 contribution to the State Teachers' Retirement System (STRS) shall be
13 \$194,161,651 of which \$187,273,782 shall be the State's contribution and
14 \$6,887,869 shall be contributed from local school systems or educational
15 entities pursuant to 16 V.S.A. § 1944c.

16 (b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution,
17 \$34,342,965 is the "normal contribution," and \$159,818,686 is the "accrued
18 liability contribution."

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

20 BENEFITS

1 (a) In accordance with 16 V.S.A. § 1944b(b)(2), and consistent with system
2 changes enacted for fiscal year 2023 in the 2022 session, the annual
3 contribution to the Retired Teachers’ Health and Medical Benefits plan shall be
4 \$50,206,128 consisting of the funds appropriated in Sec. B.515 and Sec.
5 B.1100(c)(2) of this act.

6 (b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution,
7 \$15,100,000 is the “normal contribution,” and \$35,106,128 is the “accrued
8 liability contribution.”

9 * * * Higher Education * * *

10 Sec. E.600 UNIVERSITY OF VERMONT

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

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

18 Sec. E.602 VERMONT STATE COLLEGES

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

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

5 Sec. E.603 VERMONT STATE COLLEGES – ALLIED HEALTH

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

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

14 Sec. E.605 VERMONT STUDENT ASSISTANCE CORPORATION

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

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

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

5 Sec. E.605.1 NEED-BASED STIPEND FOR DUAL ENROLLMENT AND
6 EARLY COLLEGE STUDENTS

7 (a) Notwithstanding 16 V.S.A. § 4025(b), the sum of \$41,225 in education
8 funds and \$41,225 in general funds is appropriated to the Vermont Student
9 Assistance Corporation (VSAC) for dual enrollment and need-based stipend
10 purposes to fund a flat-rate, need-based stipend or voucher program for
11 financially needy students enrolled in a dual enrollment course pursuant to
12 16 V.S.A. § 944 or in early college pursuant to 16 V.S.A. § 946 to be used for
13 the purchase of books, cost of transportation, and payment of fees. VSAC
14 shall establish the criteria for program eligibility. Funds shall be granted to
15 eligible students on a first-come, first-served basis until funds are depleted.

16 (b) VSAC shall report on the program to the House Committees on
17 Appropriations and on Commerce and Economic Development and to the
18 Senate Committees on Appropriations and on Economic Development,
19 Housing and General Affairs on or before January 15, 2023.

20 Sec. E. 700 10 V.S.A. § 1389(d)(3) is amended to read:

21 (3) The Clean Water Board shall:

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(E) solicit, consult with, and accept public comment from organizations interested in improving water quality in Vermont regarding recommendations under this subsection (d) for the allocation of funds from the Clean Water Fund; ~~and~~

(F) recommend capital appropriations for the permanent protection of land and waters from future development through conservation and water quality projects; and

(G) recommend that at least \$1,000,000.00 is annually appropriated to the Vermont Natural Resources Conservation Council from the Clean Water Fund for distribution on an equitable basis to the Natural Resources Conservation Districts to conduct water quality programs or projects; annual outreach, education, monitoring and assessment; and technical assistance, planning and design, and implementation of local projects related to agricultural improvements and natural resources restoration and conservation.

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

1 and maintenance of a Statewide ATV Trail Program, for trail liability
2 insurance, and to contract for law enforcement services with any constable,
3 sheriff’s department, municipal police department, the Department of Public
4 Safety, and the Department of Fish and Wildlife for purposes of trail
5 compliance pursuant to this chapter. The Departments of Public Safety and of
6 Fish and Wildlife are authorized to contract with VASA to provide these law
7 enforcement services. The Agency of Natural Resources shall retain for its use
8 up to \$7,000.00 during each fiscal year to be used for administration of this
9 Program.

10 * * *

11 Sec. E.709 10 V.S.A. § 1283(g)(3) is amended to read:

12 (3) “Release” means any intentional or unintentional action or omission
13 resulting in the spilling, leaking, pumping, pouring, emitting, emptying,
14 dumping, or disposing of hazardous materials into the surface or groundwaters,
15 or onto the lands in the State, or into waters outside the jurisdiction of the State
16 when damage may result to the public health, lands, waters, or natural
17 resources within the jurisdiction of the State. “Release” also means the
18 intentional or unintentional action or omission resulting in the spilling, leaking,
19 emission, or disposal of polychlorinated biphenyls (PCBs) from building
20 materials in a ~~building or structure~~ public schools and approved and recognized

1 independent schools, as those terms are defined in 16 V.S.A. § 11, that were
2 constructed or renovated before 1980.

3 Sec. E.709.1 10 V.S.A. § 6602(17) is amended to read:

4 (17) “Release” means any intentional or unintentional action or
5 omission resulting in the spilling, leaking, pumping, pouring, emitting,
6 emptying, dumping, or disposing of hazardous materials into the surface or
7 groundwaters, or onto the lands in the State, or into waters outside the
8 jurisdiction of the State when damage may result to the public health, lands,
9 waters, or natural resources within the jurisdiction of the State. “Release” also
10 means the intentional or unintentional action or omission resulting in the
11 spilling, leaking, emission, or disposal of polychlorinated biphenyls (PCBs)
12 from building materials in ~~a building or structure~~ public schools and approved
13 and recognized independent schools, as those terms are defined in 16 V.S.A.
14 § 11, that were constructed or renovated before 1980.

15 Sec. E.709.2 REPORT ON REGULATION OF PCB RELEASES FROM
16 BUILDING MATERIALS IN NONSCHOOL BUILDINGS

17 On or before January 15, 2023, the Secretary of Natural Resources shall
18 submit to the Senate Committees on Appropriations and on Natural Resources
19 and Energy and the House Committees on Appropriations and on Natural
20 Resources, Fish, and Wildlife a report regarding the indoor air quality testing

1 of buildings for releases of polychlorinated biphenyls (PCBs) from building
2 materials. The report shall include:

3 (1) a proposal for the best method for regulating releases of PCBs from
4 PCB-containing building materials in nonschool buildings;

5 (2) a proposal of who will be required to test for a release or potential
6 release of PCBs from building materials, including whether and how testing
7 will be required under the Brownfields Reuse and Environmental Liability
8 Limitation Program or as part of an environmental assessment for a property
9 transaction;

10 (3) a summary of when during a corrective action or property
11 transaction testing would be required and why it would be required;

12 (4) the standard or standards that would be utilized to determine if a
13 release occurred;

14 (5) the action or remediation that would be required if PCBs are
15 identified in excess of the proposed standard;

16 (6) how responsive action or remediation would be funded, including
17 potential federal or State sources of funding; and

18 (7) how the requirement to test may affect investment in the
19 redevelopment of historic downtowns or similar areas.

20 * * * Transportation * * *

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

3 (a) Definitions. As used in this section:

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

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

9 (3) “Level 1 charger” or “level 1 EVSE” means EVSE that plugs
10 directly into a standard 120-volt AC outlet and supplies an average output of
11 1.3 to 2.4 kilowatts.

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

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

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

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

1 (B) all units are affordable to households earning between 60 and
2 120 percent of area median income.

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

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

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

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

11 (A) one or more grant programs, which may build upon the existing
12 EVSE Grant Program, to support the continued buildout of level 1 and 2 EVSE
13 at multiunit dwellings, including multiunit affordable housing, with less than
14 20 units prioritized and not less than 30 percent of the total appropriation, less
15 the administration expenses allowed under subsection (d c) of this section,
16 allocated to this purpose;

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

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

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

10 (2) If the Agency of Commerce and Community Development, in
11 consultation with the EVSE Interagency Workgroup, determines that
12 programmatic funding remains available following the first round of grant
13 awards made under subdivision (1) of this subsection, then the balance of the
14 \$10,000,000 shall be awarded in grants that prioritize placing EVSE at
15 multiunit affordable housing and workplaces of employers with fewer than 100
16 employees.

17 (c) Administration costs. The Agency of Commerce and Community
18 Development may use up to 15 percent of the appropriation in subsection (b)
19 of this section for administrative costs associated with installing EVSE at
20 multiunit housing, workplaces, and public venues and attractions.

21 (d) Carryforward; deployment in fiscal year 2023.

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

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

11 (e) Outreach and marketing. The Agency of Commerce and Community
12 Development shall ensure that there is sufficient outreach and marketing,
13 including the use of translation and interpretation services, of the EVSE grant
14 programs implemented pursuant to subsection (b) of this section and such costs
15 shall be considered administrative costs for purposes of subsection (c) of this
16 section.

17 * * * Pay Act * * *

18 Sec. F.100 APPROVAL OF FISCAL YEAR 2023 COMPENSATION

19 INCREASES

20 (a) Funding of fiscal year 2023 collective bargaining agreement provisions.

1 (1) This act funds in fiscal year 2023 the provisions of the collective
2 bargaining agreements between the State and the Vermont State Employees’
3 Association for the Defender General, Non-Management, Supervisory, and
4 Corrections bargaining units; for the State’s Attorneys’ offices bargaining unit;
5 and for the Judicial bargaining unit, and between the State and the Vermont
6 Troopers’ Association, that apply during the period of July 1, 2022 through
7 June 30, 2023.

8 (2) These collective bargaining agreements provide during that fiscal
9 year 2023 period a cost-of-living adjustment of three percent, an average 1.9
10 percent step increase, and a \$1,500 one-time payment to individuals employed
11 as of January 1, 2023.

12 (b) Other permitted fiscal year 2023 increases. In fiscal year 2021, the
13 Executive, Judicial, and Legislative Branches may extend the fiscal year 2023
14 provisions of the collective bargaining agreements that are funded by this act
15 to employees not covered by the bargaining agreements as they determine to
16 be appropriate and in accordance with the appropriations provided to each
17 branch.

18 Sec. F.200 FISCAL YEAR 2023 PAY ACT APPROPRIATIONS

19 (a) Executive Branch. In fiscal year 2023, the fiscal year 2023 provisions
20 of the collective bargaining agreements between the State of Vermont and the
21 Vermont State Employees’ Association for the Defender General, Non-

1 Management, Supervisory, and Corrections bargaining units, and, for the
2 purpose of appropriation, the State’s Attorneys’ offices bargaining unit, for the
3 period of July 1, 2022 through June 30, 2023; the collective bargaining
4 agreement with the Vermont Troopers’ Association, for the period of July 1,
5 2022 through June 30, 2023; and salary increases for employees in the
6 Executive Branch not covered by the bargaining agreements shall be funded as
7 follows:

8 (1) General Fund. The amount of \$22,847,453 is appropriated from the
9 General Fund to the Secretary of Administration for distribution to
10 departments to fund the fiscal year 2023 compensation increases permitted by
11 this act.

12 (2) Transportation Fund. The amount of \$1,502,420 is appropriated
13 from the Transportation Fund to the Secretary of Administration for
14 distribution to the Agency of Transportation and the Department of Public
15 Safety to fund the fiscal year 2023 compensation increases permitted by this
16 act.

17 (3) Other funds. The Administration shall provide additional spending
18 authority to departments through the existing process of excess receipts to fund
19 the fiscal year 2023 compensation increases permitted by this act. The
20 estimated amounts are \$35,494,376 from special fund, federal, and other
21 sources.

1 (4) Transfers. With due regard to the possible availability of other
2 funds, for fiscal year 2023, the Secretary of Administration may transfer from
3 the various appropriations and various funds and from the receipts of the
4 Liquor Control Board such sums as the Secretary may determine to be
5 necessary to carry out the purposes of this act to the various agencies supported
6 by State funds.

7 (b) Judicial Branch. In fiscal year 2023, the amount of \$2,342,075 is
8 appropriated from the General Fund to the Judiciary to fund the fiscal year
9 2021 provisions of the collective bargaining agreement between the State of
10 Vermont and the Vermont State Employees’ Association for the Judicial
11 bargaining unit for the period of July 1, 2022 through June 30, 2023 and salary
12 increases for employees in the Judicial Branch not covered by the bargaining
13 agreement.

14 (c) Legislative Branch. In fiscal year 2023, the amount of \$985,111 is
15 appropriated from the General Fund to the Legislative Branch for the period of
16 July 1, 2022 through June 30, 2023.

17 * * * American Rescue Plan Act Appropriations * * *

18 * * * Intent and Other Funding * * *

19 Sec. G.100 MULTIYEAR FUNDING PRIORITIES INTENT

20 (a) The appropriations of ARPA – Coronavirus State Fiscal Recovery

21 Funds in made in Secs. G.300–G.700 of this act by categorical areas are made

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

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

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

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

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

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

4 Sec. G.300 INVESTMENTS IN VERMONT’S ECONOMY,
5 WORKFORCE, AND COMMUNITIES

6 (a) \$28,251,052 in fiscal year 2023 is appropriated from the American
7 Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as
8 follows:

9 (1) \$1,050,000 to the Natural Resources Board, to be used as needed to
10 prioritize and expedite permitting of ARPA-funded projects, including the
11 costs of three exempt limited-service positions.

12 (2) \$9,601,052 to the Judiciary as follows:

13 (A) \$3,881,500 for the safe reopening of courts; and

14 (B) \$5,719,552 for HVAC systems at county courthouses.

15 (3) \$750,000 to the Secretary of State for expenses related to telehealth.

16 (4) \$14,900,000 to the Vermont State Colleges for bridge funding to
17 transform the system. This includes offsets to continuing costs and impacts
18 from COVID-19 pandemic.

19 (5) \$2,000,000 to the Department for Children and Families’ Economic
20 Services Division to grant to the Vermont Foodbank to support access to food
21 for Vermonters with low income.

1 (b) General Fund Workforce Appropriations: In fiscal year 2023,
2 \$1,500,000 is appropriated from the General Fund to Vermont Student
3 Assistance Corp (VSAC) 802 Opportunity Program for increasing the
4 household income eligibility limit from \$50,000 to \$75,000.

5 (1) It is the intent of the General Assembly to provide \$26,900,000 from
6 the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery
7 Funds and the State General Fund to be allocated for workforce investment
8 initiatives to address critical needs in nursing and the skilled trades and to
9 provide training opportunities for young adult Vermonters seeking to acquire
10 skills. The specific programs to be funded shall be included in H.703 or other
11 legislation passed in the 2022 legislative session.

12 (c) Community Economic Development. \$11,800,000 is appropriated in
13 fiscal year 2023 from the General Fund for community base economic
14 development initiatives as follows:

15 (1) \$5,000,000 to the Department of Forests, Parks and Recreation for
16 the Vermont Outdoor Recreation Economic Collaborative (VOREC)
17 Community Grant Program.

18 (2) \$6,000,000 to the Department of Economic Development for the
19 remediation and redevelopment of brownfield sites.

20 (3) \$800,000 to the Department of Motor Vehicles to grant to the
21 Vermont Association of Snow Travelers (VAST) as follows:

1 (ARPA) – Coronavirus State Fiscal Recovery Fund to the to provide affordable
2 mixed-income rental housing and homeownership units, improvements to
3 manufactured homes and communities, recovery residences and, if determined
4 eligible, housing available to farm workers and refugees. VHCB shall also use
5 the funds for shelter and permanent homes for those experiencing
6 homelessness in consultation with the Secretary of Human Services. These
7 funds shall carry forward into fiscal year 2024.

8 (b) Additional funding of \$20,000,000 is included in S.226 through the
9 Department of Housing and Community Development for affordable rental
10 unit development and for program to reduce single-family housing costs for
11 middle-income families.

12 * * * Broadband Connectivity and Technology

13 Modernization Investments * * *

14 Sec. G.500 BROADBAND CONNECTIVITY INVESTMENTS

15 (a) \$95,000,000 is appropriated in fiscal year 2023 to the Department of
16 Public Service, Vermont Community Broadband Board from the American
17 Rescue Plan Act - Coronavirus Capital Projects Fund in order to support the
18 State’s goal of achieving universal access to reliable, high-quality, affordable
19 broadband. This appropriation shall be transferred to the Vermont Community
20 Broadband Fund to make grants through the Broadband Construction Grant
21 Program. To the greatest extent possible and for the purpose of maximizing

1 the availability of federal funds for State broadband projects, the ARPA
2 monies appropriated in this subsection shall be used first to fund any match
3 requirements applicable to broadband grants funded by the Infrastructure
4 Investment and Jobs Act of 2021.

5 (b) \$1,600,000 to the Department of Forests, Parks and Recreation from the
6 Coronavirus Capital Projects Fund provided to the State from the American Rescue
7 Plan Act of 2021, Pub. L. No. 117-217 (ARPA), for the Parks Connectivity Project
8 to improve reliability, performance, and support Internet connectivity services
9 to all State parks.

10 Sec. G.501 STATE TECHNOLOGY MODERNIZATION INVESTMENTS

11 (a) \$25,250,000 is appropriated in fiscal year 2023 from American Rescue
12 Plan Act - Coronavirus State Fiscal Recovery Funds as follows:

13 (1) \$20,250,000 to the Department of Motor Vehicles (DMV) Core
14 System Modernization Phase II.

15 (2) \$5,000,000 to the Department of Labor Unemployment Insurance
16 modernization project.

17 (b) To the extent that American Rescue Plan Act (ARPA) - Coronavirus
18 State Fiscal Recovery Funds are available as a result of the provision specified
19 in 2022 Acts and Resolves No. 83, Sec. 53(b)(6), \$25,000,000 shall be
20 appropriated to the Department of Labor for the completion of the Department
21 of Labor Unemployment Insurance modernization project.

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

2 Sec. G.600 CLIMATE ACTION INVESTMENTS

3 (a) In fiscal year 2023, \$129,760,000 is appropriated from the American
4 Rescue Plan Act - Coronavirus State Fiscal Recovery Funds for climate change
5 mitigation initiatives as follows:

6 (1) \$45,000,000 to the Department for Children and Families, Office of
7 Economic Opportunity, Home Weatherization Assistance Program to be used
8 in fiscal years 2023 and 2024. Households approved for assistance in this
9 section will also be offered services outlined in subdivision (4) of this
10 subsection.

11 (2) \$35,000,000 to the Department of Public Service to grant to
12 Efficiency Vermont for the purpose of weatherization incentives to Vermonters
13 with a moderate income. These funds shall be deposited in the Electric
14 Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be available
15 for use by Efficiency Vermont through December 31, 2024. Households
16 approved for assistance in this section will also be offered services outlined in
17 subdivision (4) of this subsection.

18 (3) \$2,000,000 to the Agency of Transportation to support the continued
19 build-out of public electric vehicle charging infrastructure along highway
20 networks.

1 (4) \$25,000,000 to the Department of Public Service, of which
2 \$20,000,000 is to provide financial and technical assistance for Vermonters
3 with low- and moderate-income to upgrade home electrical systems to enable
4 installation of energy saving technologies, and \$5,000,000 is to establish a
5 “Switch and Save” program to provide financial and technical assistance for
6 Vermonters with low and moderate income to install, at low-or no-cost, heat
7 pump water heaters, with a focus on replacing water heaters near the end of
8 their useful life and serving households participating in the electrical system
9 upgrades described in this subsection.

10 (5) \$2,000,000 to the Department of Public Service for load
11 management and storage efforts to assist Vermonters with low and moderate
12 income customers to purchase electric equipment for heating, cooling, and
13 vehicle charging. In addition, investments will be made in load control and
14 management platforms to enable smaller municipal and cooperative utilities to
15 capture and share benefits of load management and funding for municipal
16 back-up electricity storage installations.

17 (6) \$15,000,000 to improve landscape resilience and mitigate flood
18 hazards to be allocated as follows:

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

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

3 (7) \$4,760,000 to the Agency of Agriculture, Food and Markets to
4 provide farms in Vermont with financial assistance for the implementation of
5 soil-based practices that improve soil quality and nutrient retention, increase
6 crop production, minimize erosion potential, and reduce agricultural waste
7 discharges. Assistance may take the form of programs that provide education,
8 training, or instruction to farmers.

9 (8) \$1,000,000 to the Department of Forests, Parks and Recreation for
10 the Urban and Community Forestry (UCF) Program to plant up to 5,000 trees
11 to improve air quality and reduce heat island effects in urban areas in
12 accordance with UCF program standards for design, planting, and
13 maintenance.

14 (b) In fiscal year 2023, \$32,200,000 is appropriated from the General Fund
15 and \$500,000 is appropriated from the Transportation Fund for electric vehicle
16 charging infrastructure, electrification incentives and public transportation
17 investments as follows:

18 (1) \$10,000,000 to the Agency of Commerce and Community
19 Development to **install** dwellings, workplaces, community venues and
20 attractions in accordance with Sec. E.903 of this act.

1 (2) \$12,000,000 to the Agency of Transportation for the Incentive
2 Program for New PEVs, established in 2019 Acts and Resolves No. 59,
3 Sec. 34, as amended.

4 (3) \$2,000,000 to the Agency of Transportation for the public-private
5 partnership with Drive Electric Vermont to support the expansion of the plug-
6 in electric vehicle market in the State.

7 (4) \$3,000,000 to the Agency of Transportation to grant to the
8 Community Action Agencies to support the MileageSmart Program,
9 established in 2019 Acts and Resolves No. 59, Sec. 34, as amended.

10 (5) \$3,000,000 to the Agency of Transportation for the Replace Your
11 Ride Program, established in 2021 Acts and Resolves No. 55, Sec. 27, as
12 amended.

13 (6) \$2,200,000 general funds and \$500,000 Transportation funds to the
14 Agency of Transportation for the following:

15 (A) \$1,200,000 general funds for transit agencies to, as practicable
16 and in the sole discretion of the transit agencies, operate routes other than
17 commuter and LINK Express on a zero-fare basis and provide service at pre-
18 COVID-19 levels; and

19 (B) \$1,000,000 general funds and \$500,000 Transportation funds to
20 continue administering the Mobility and Transportation Innovation (MTI)
21 Grant program to support projects that improve both mobility and access to

1 services for transit-dependent Vermonters, reduce the use of single-occupancy
2 vehicles, and reduce greenhouse gas emissions.

3 (c) In fiscal year 2023, \$8,000,000 is appropriated from the General
4 Fund to the Department of Public Service to offer up to 70 percent
5 reimbursement to municipal and cooperative electrical distribution utilities for
6 the implementation of one or more systems of Advanced Metering
7 Infrastructure that has been approved by the Public Utility Commission.

8 (d) Additional funding of \$35,000,000 is included in H.518 from ARPA
9 resources for a Municipal Energy Resilience Grant Program.

10 * * * Clean Water Investments * * *

11 Sec. G.700 WATER AND SEWER INVESTMENTS

12 (a) In fiscal year 2023, \$94,000,000 is appropriated from the American
13 Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as
14 follows:

15 (1) \$31,000,000 for Stormwater Retrofit Projects to provide three-acre
16 stormwater permitting design and construction support for entities subject to
17 the Vermont 3- 9050 Stormwater General Permit and to provide design and
18 construction for practices necessary to restore impaired waters subject to flow
19 restoration plans. These funds shall be allocated as follows:

20 (A) \$30,000,000 to the Department of Environmental Conservation
21 to provide three-acre stormwater permitting design and construction support

1 for entities subject to the Vermont 3- 9050 Stormwater General Permit and to
2 provide permitting, design, and construction services; and
3 (B) \$1,000,000 to the Department of Forests, Parks and Recreation to
4 support compliance with the three-acre stormwater rule.
5 (2) \$35,000,000 to the Department of Environmental Conservation to
6 support water and wastewater projects and pretreatment activities, as follows:
7 (A) \$15,000,000 to support the design and construction of
8 community-scale water or decentralized wastewater projects, or both, to
9 support underserved designated centers;
10 (B) \$5,000,000 to provide financial assistance to municipalities,
11 Vermont businesses, and nonprofit entities to install or enhance pretreatment
12 processes to address high strength or toxic wastes that otherwise require
13 treatment at municipal expense by publicly owned treatment facilities; and
14 (C) \$15,000,000 to municipalities with small and primarily
15 residential customer bases to upgrade or replace existing water or wastewater
16 treatment systems that are at risk of failure.
17 (3) \$20,000,000 to the Department of Environmental Conservation to
18 assist municipalities to design and construct projects to reduce or eliminate wet
19 weather sewer overflows.
20 (4) \$13,000,000 to make repairs or improvements to water and
21 wastewater systems in Vermont homes to be allocated as follows:

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

4 (B) \$5,000,000 to the Department of Environmental Conservation to
5 replace failed on-site wastewater and water supplies for Vermonters with low
6 income or who are unable to access or afford market rate loans; and

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

11 Sec. G.701 APPROPRIATIONS: OFFSET CAPITAL BILL FUNDED

12 PROJECTS BY SWAP TO ARPA

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

17 (b) Fiscal year 2023. \$5,236,781 in fiscal year 2023 is appropriated from
18 the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery
19 Funds for projects authorized in the fiscal year 2023 Capital Budget
20 Adjustment Act. as follows:

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

3 (2) \$300,000 to the Department of Forests, Parks and Recreation for
4 State parks major maintenance;

5 (3) \$585,000 to the Department of Environmental Conservation for
6 Municipal Pollution Control Grants;

7 (4) \$700,000 to the Department of Forests, Parks and Recreation for
8 forestry access road water quality improvements;

9 (5) \$2,451,781 to the Agency of Agriculture, Food and Markets for
10 water quality grants; and

11 (6) \$600,000 to the Vermont Housing and Conservation Board for
12 agricultural water quality projects.

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

15 (c) ~~\$15,000,000 to be used to~~ To the extent capital funds have been
16 appropriated to projects supporting water and sewer infrastructure in fiscal
17 year 2022 and capital appropriations can be offset for reuse for future capital
18 construction projects in the fiscal years 2022–2023 capital budget adjustment
19 process. ~~On~~ on or before December 15, 2021, the Commissioner of Finance
20 and Management shall review and recommend water and sewer infrastructure
21 projects funded ~~in fiscal year 2022~~ that could be funded with ARPA funds to

1 the Chairs of the House Committee on Corrections and Institutions and the
2 Senate Committee on Institutions and to the Governor for the fiscal years
3 2022–2023 capital budget adjustment report.

4 * * * Administration * * *

5 Sec. G.800 ARPA FUNDED LIMITED-SERVICE POSITIONS

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

8 (1) Agency of Administration: one Grants Manager.

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

11 (3) Public Service Department:

12 (A) one Administrative Services Coordinator;

13 (B) one Outreach Coordinator;

14 (C) one Grants Manager;

15 (D) one Financial Manager; and

16 (E) one Program Coordinator.

17 (4) Vermont Community Broadband Board:

18 (A) one Fiscal and Federal Reporting Specialist;

19 (B) one Rural Broadband Technical Specialist;

20 (C) one Business Office Manager; and

21 (D) one Digital Equity Office Manager.

1 (E) Vermont Community Broadband Board: one Fiber Optics

2 Engineer.

3 (5) Natural Resources Board:

4 (A) two District Coordinators; and

5 (B) one Executive Director.

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

7 (A) one Senior Energy Services Program Officer; and

8 (B) two Energy Services Program Officers.

9 (7) Department of Labor: three Program Technicians.

10 (8) Agency of Natural Resources, Department of Forests, Parks and

11 Recreation: one Environmental Analyst III.

12 (9) Agency of Natural Resources, Central Office: one Environmental

13 Analyst III.

14 (10) Agency of Transportation:

15 (A) one Grants Management Specialist; and

16 (B) one Grants Manager.

17 Sec. G.801 APPROPRIATION FOR ADMINISTRATIVE COSTS

18 (a) \$10,500,000 in fiscal year 2023 is appropriated from the American

19 Rescue Plan Act - Coronavirus State Fiscal Recovery Funds to the Agency of

20 Administration to be distributed as needed to address the statewide costs of

1 administering these funds, including the costs of related limited-service
2 positions, and contracting for programs and services.

3 * * * Effective Dates * * *

4 Sec. H.100 EFFECTIVE DATES

5 (a) This section and Secs C.100 through C.111 (fiscal year 2022 one-time
6 appropriations, adjustments, and amendments), E.240.1 (7 V.S.A. § 845),
7 E.240.2 (32 V.S.A. § 7909), E.240.3 (repeal of 2020 Acts and Resolves No.
8 164, Sec. 6(c), and E.240.4 (repeal of 2020 Acts and Resolves No. 164, Sec.
9 33(h)); G.701(a) (offset capital funds by swap to ARPA) and Sec. G.702
10 (amendment to 2021 Acts and Resolves No.74, Sec. G.700(c)) shall take effect
11 upon passage.

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

14 (c) Notwithstanding 1 V.S.A. § 214, Sec. E.240.5 (7 V.S.A. § 845) and
15 E.240.6 (32 V.S.A. § 7909(a)) shall take effect on July 1, 2025.

16 (d) Notwithstanding 1 V.S.A. § 214, Secs. E.709 and E.709.1 (definition of
17 release; PCBs) shall take effect retroactively on July 1, 2021.

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