

Sec. 29. 2023 Acts and Resolves No. 78, Sec. B.505 is amended to read:

Sec. B.509 Education - Afterschool Grant Program

Grants 4,000,000

Total 4,000,000

Source of funds

~~Education fund~~ Special funds 4,000,000

Total 4,000,000

EXPLANATION:

Afterschool learning programs are to be funded by the proposed Afterschool and Summer Learning special fund instead of the Education Fund. (pg. 15)

Sec. 46. 2023 Acts and Resolves No. 78, Sec. D.100 is amended to read:

Sec. D.100 ~~APPROPRIATIONS~~ALLOCATIONS; PROPERTY TRANSFER TAX

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

(1) The sum of \$560,000 is ~~appropriated~~ allocated from the Current Use Administration Special Fund to the Department of Taxes for administration of the Use Tax Reimbursement Program. Notwithstanding 32 V.S.A. § 9610(c), amounts in excess of \$560,000 from the property transfer tax deposited into the Current Use Administration Special Fund shall be transferred into the General Fund.

(2) ~~The sum of \$21,462,855 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board (VHCB).~~ Notwithstanding 10 V.S.A. § 312, amounts in excess of \$21,462,855 from the property transfer tax and surcharge established by 32 V.S.A. § 9602a that are deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.

(A) The dedication of \$2,500,000 in revenue from the property transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the affordable housing bond (10 V.S.A. § 314) shall be offset by the reduction of \$1,500,000 in the appropriation to the Vermont Housing and Conservation Board and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a. The fiscal year 2024 appropriation of \$21,462,855 to the Vermont Housing and Conservation Board reflects the \$1,500,000 reduction. The affordable housing bond and related property transfer tax and surcharge provisions are repealed after the life of the bond on July 1, 2039. Once the bond is retired, it is the intent of the General Assembly that the \$1,500,000 reduction in the appropriation to the Vermont Housing and Conservation Board should be restored.

(3) ~~The sum of \$7,545,993 is appropriated from the Municipal and Regional Planning Fund.~~ Notwithstanding 24 V.S.A. § 4306(a), amounts in excess of \$7,545,993 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$7,545,993 shall be allocated for the following:

(A) \$6,211,650 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

- (B) \$898,283 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b); and
- (C) \$436,060 to the Agency of Digital Services for the Vermont Center for Geographic Information.

EXPLANATION:

Technical amendment to correct language that double-appropriates, once in D.100 and again in the respective departments' B sections.

Sec. 48. 2023 Acts and Resolves No. 78, Sec. D.101 is amended to read:

2) From the Education Fund to:

(A) the Tax Computer System Modernization Fund (21909): \$1,300,000.

(B) the Afterschool and Summer Learning Fund: \$2,836,982.94

EXPLANATION:

Subsection (a)(2)(B) transfers an amount of Education Funds to the Afterschool and Summer Learning fund equal to proceeds deposited into the Education Fund, in fiscal year 2023, from the sales and use tax levied upon cannabis and cannabis products.

Sec. 48. 2023 Acts and Resolves No. 78, Sec. D.101 is amended to read:

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2024:

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

22005	AHS Central Office Earned Federal Receipts		\$4,641,960
50300	Liquor Control Fund		\$21,200,000
<u>50250</u>	<u>Sports Wagering Fund</u>	<u>\$1,204,000</u>	<u>\$3,200,000</u>
	Caledonia Fair		\$5,000
	North Country Hospital Loan Repayment		\$24,047
	Springfield Hospital Promissory Note Repayment		\$121,416
<u>21970</u>	<u>Registration Fees Fund</u>		<u>\$605,273.01</u>

EXPLANATION:

Updates the sports wagering direct application based on more recent information.

Sec. 50. 2023 Acts and Resolves No. 78, Sec. E.111.2 is amended to read:

Sec. E.111.2 TAX COMPUTER SYSTEM MODERNIZATION FUND TRANSFER

- (a) Any remaining funds on June 30, 2023 in the Tax Computer System Modernization Fund established by 2007 Acts and Resolves No. 65, Sec. 282, and amended from time to time, shall ~~be deposited into~~ remain in the fund ~~established as codified by~~ 32 V.S.A. § 3209.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided clarifies and allows the executive branch to execute the law in accordance with the legislative intent.

Sec. 52. 2023 Acts and Resolves No. 78, Sec. E.500.1 is amended to read:

Sec. E.500.1 16 V.S.A. § 4018 is added to read:

§ 4018. AFTERSCHOOL AND SUMMER LEARNING PROGRAMS

(a) ~~Education Fund grants in an amount equal to the receipts from the sales and use tax imposed by 32 V.S.A. chapter 233 on retail sales of cannabis or cannabis products in this State, net of any administrative costs per subsection (b)(4) of this section, shall be used~~ The Afterschool and Summer Learning Fund is created pursuant to 32 V.S.A. Chapter 7, subchapter 5 to be administered by the Secretary of Education to fund grant programs for the expansion of summer and afterschool programs with an emphasis on increasing access in underserved areas of the State. Monies in the fund shall be comprised of the following:

(1) All receipts from the sales and use tax imposed pursuant to 32 V.S.A. Chapter 233 on retail sales of cannabis or cannabis products in Vermont; and

(2) Any proceeds transferred from another State fund as directed by the General Assembly

(b) The Secretary of Education shall administer the grant programs, as follows:

(1) Grants shall be used to support a mixed delivery system for afterschool and summer programming. Eligible recipients can be public, private, or nonprofit organizations.

(2) Grants may be used for technical assistance, program implementation, program expansion, program sustainability, and related costs.

(3) Grants may be used to directly target communities with low existing capacity to serve youth in afterschool and summer settings.

(4) The Agency may use up to \$500,000 each fiscal year from the Afterschool and Summer Learning Fund for administrative costs to allow for the support of the grant program and technical assistance to communities. This could include subcontracts to support the grant programs.

(c) An Advisory Committee is created to support the Secretary of Education in administering funds pursuant to this section. The Agency shall provide administrative and technical support to the Committee. The Committee is to be composed of:

(1) the State's Chief Prevention Officer;

(2) the Commissioner for Children and Families or designee;

(3) the Commissioner of Health or designee;

(4) the Commissioner of Mental Health or designee;

(5) the Secretary of Natural Resources or designee;

(6) the Secretary of Commerce and Community Development or designee;

(7) the Vermont Afterschool Executive Director or designee; and

(8) a representative from the Governor's Office.

(d) On or before each November 15, the Agency of Education shall submit to the General Assembly a plan to fund grants in furtherance of the purposes of subsection (a) of this section and report outcomes data on the grants made during the previous year. The Agency shall also report on the number of programs, slots, weeks, or hours; geographic distribution; and what is known about costs to families. The report should be inclusive of 21C programming. ~~The amount of grant funds awarded shall be in alignment with the actual revenue collected from the sales and use tax imposed by 32 V.S.A. § 233 on cannabis or cannabis products in this State. Discrepancies between the amount of grant funds awarded and actual revenue shall be reconciled through the budget adjustment process.~~ The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the plan to be made under this subsection 209.

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EXPLANATION:

The original language deposited cannabis sales and use taxes into the Education Fund. Grants from the Education Fund are restricted to Local Education Agencies (LEA) eliminating any flexibility by the Secretary of Administration to provide funding to programs not operated by LEA's. This language establishes a special fund and redirects the cannabis sales and use tax to this fund, thereby, providing the Secretary of Administration the flexibility to fund a greater portfolio of afterschool learning programs.

Sec. 61. 10 V.S.A. § 6083a is amended to read:

§ 6083a. Act 250 fees

(a) All applicants for a land use permit under section 6086 of this title shall be directly responsible for the costs involved in the publication of notice in a newspaper of general circulation in the area of the proposed development or subdivision and the costs incurred in recording any permit or permit amendment in the land records. In addition, applicants shall be subject to each of the following fees for each individual permit or permit application for the purpose of compensating the State of Vermont for the direct and indirect costs incurred with respect to the administration of the Act 250 program:

(1) For applications for projects involving construction, \$6.65 for each \$1,000.00 of the first \$15,000,000.00 of construction costs, and \$3.12 for each \$1,000.00 of construction costs above \$15,000,000.00. An additional \$0.75 for each \$1,000.00 of the first \$15,000,000.00 of construction costs shall be paid to the Agency of ~~National~~Natural Resources to account for the Agency of Natural Resources' review of Act 250 applications;

(2) For applications for projects involving the creation of lots, \$125.00 for each lot;

(3) For applications for projects involving exploration for or removal of oil, gas, and fissionable source materials, a fee as determined under subdivision (1) of this subsection or \$1,000.00 for each day of Commission hearings required for such projects, whichever is greater;

(4) For applications for projects involving the extraction of earth resources, including sand, gravel, peat, topsoil, crushed stone, or quarried material, the greater of: a fee as determined under subdivision (1) of this subsection; or a fee equivalent to the rate of \$0.02 per cubic yard of the first million cubic yards of the total volume of earth resources to be extracted over the life of the permit, and \$0.01 per cubic yard of any such earth resource extraction above one million cubic yards. Extracted material that is not sold or does not otherwise enter the commercial marketplace shall not be subject to the fee. The fee assessed under this subdivision for an amendment to a permit shall be based solely upon any additional volume of earth resources to be extracted under the amendment-; and

(5) For applications for projects involving the review of a master plan, a fee equivalent to \$0.10 per \$1,000.00 of total estimated construction costs in current dollars in addition to the fee established in subdivision (1) of this subsection for any portion of the project seeking construction approval.

~~(6) In no event shall a permit application fee exceed \$165,000.00.~~

(b) Notwithstanding the provisions of subsection (a) of this section, there shall be a minimum fee of \$187.50 for original applications and \$62.50 for amendment applications, in addition to publication and recording costs. These costs shall be in addition to any other fee established by statute, unless otherwise expressly stated. In addition, in no event shall the fee for an individual permit or permit amendment application, including each individual permit or permit amendment application seeking approval for any portion of a project involving a master plan, exceed \$165,000.00.

EXPLANATION:

1) Addresses the fact that the \$165,000 statutory cap is on a per application basis and clarifies that each application triggers the fee categories. The language codifies the Environmental Division's recent decision. Language also codifies longstanding practice by clarifying that each application fee category may apply depending on the project type.

Sec. 62. 16 V.S.A. § 4025(a)(6) is amended to read:

(6) revenues raised from the sales and use tax imposed by 32 V.S.A. chapter 233 except those proceeds deposited in accordance with 16 V.S.A. § 4018(a)(1); and

EXPLANATION:

Redirects proceeds from the Sales and Use Tax imposed upon cannabis and cannabis products from the Education Fund to the Afterschool and Summer Learning special fund.

Sec. 63. 16 V.S.A. § 4025(b)(2) is amended to read:

(2) To cover the cost of fund auditing, accounting, revenue collection, and of short-term borrowing to meet fund cash flow requirements.

EXPLANATION:

Technical correction to support the codification of the Tax Computer Modernization Fund (CMF). It does not change any allocation to the CMF nor divert any additional funds away from the Education Fund. It clarifies that the Tax Department does accounting *and* revenue collection.

Sec. 65. 32 V.S.A. § Chapter 207 is amended to read:

CHAPTER 207. CANNABIS EXCISE TAX AND SALES TAX REVENUE

§ 7910. Cannabis Sales Tax Revenue; Afterschool and Summer Learning Program

(a) Revenue from the sales and use tax imposed by Chapter 233 of this title on retail sales of cannabis or cannabis products in Vermont shall be deposited into the Afterschool and Summer Learning special fund established pursuant to 16 V.S.A. § 4018(a).

EXPLANATION:

Requires sales and use tax proceeds levied on cannabis and cannabis products to be deposited into the Afterschool and Summer Learning special fund.