

By Reps. Black and others,

H.C.R. 95.

House concurrent resolution congratulating the 2021 Essex High School Hornets State championship girls' varsity volleyball team.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, February 1, 2022, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 37.

TUESDAY, FEBRUARY 1, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Imam Islam of Burlington.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Consideration Postponed

Senate bill entitled:

S. 79.

An act relating to improving rental housing health and safety.

Was taken up.

Thereupon, pending consideration of the Governor's veto, Senator Sirotkin moved that consideration of the bill be postponed until Tuesday, March 22, 2022, which was agreed to.

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 38.

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senator Balint,

J.R.S. 38. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 4, 2022, it be to meet again no later than Tuesday, February 8, 2022.

Joint Resolutions Placed on Calendar

Joint Senate resolution of the following title was offered, read the first time and is as follows:

By Senator Balint,

J.R.S. 39. Joint resolution providing for a Joint Assembly for the election of two legislative Trustees of the Vermont State Colleges Corporation.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, February 17, 2022, at ten o'clock and thirty minutes in the forenoon to vote on the election of two legislative Trustees of the Vermont State Colleges Corporation to serve a four year term commencing March 1, 2022, and expiring on March 1, 2026, *and be it further*

Resolved: That the Joint Assembly shall be concurrently conducted electronically at which members of the General Assembly may participate and debate from a remote location; that voting by ballot shall be conducted, as practicable, consistent with Vermont's "Early or Absentee Voters" statute at 17 V.S.A. §2531, et seq.; that after nominations and debates, if necessary, the Joint Assembly shall recess until Tuesday, March 8, 2022 at 2:00 pm (or as otherwise ordered by the Joint Assembly) so that ballots may be submitted; and that upon reconvening, the results of the vote shall be announced or the Joint Assembly shall proceed until the above is completed.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action the next legislative day.

Joint Senate resolution of the following title was offered, read the first time and is as follows:

By Senator Balint,

J.R.S. 40. Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2022.

Whereas, in recent years it has become increasingly necessary to shorten the length of time spent by the General Assembly in joint session for the election of various officials, and

Whereas, if elections for multiple vacancies were to be decided by a plurality vote, then a great savings of time can be effectuated, *now therefore be it*

Resolved by the Senate and House of Representatives:

That, notwithstanding the current provisions of Joint Rule 10, and for this election only, the election of two legislative trustees of the Vermont State Colleges Corporation at a Joint Assembly to be held pursuant to J.R.S. 38, shall be governed by the following procedure:

(1) All candidates for the office of Trustee shall be voted upon and decided on the same ballot; members may vote for any number of candidates up to and including the maximum number of vacancies to be filled, which in this case shall be two.

(2) The two candidates receiving the greater number of votes shall be declared elected to fill the two vacancies.

(3) In the event that the first balloting for the Trustee vacancies results in a tie vote for a vacant position, then voting shall continue on successive ballots for the unfilled position or positions until the vacancies have been filled by election declared of the two candidates receiving the greater number of votes.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action the next legislative day.

Third Reading Ordered

S. 280.

Senate committee bill entitled:

An act relating to miscellaneous changes to laws related to vehicles.

Having appeared on the Calendar for notice for one day, was taken up.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Wednesday, February 2, 2022.

WEDNESDAY, FEBRUARY 2, 2022

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the House No. 12

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 462. An act relating to miscellaneous Department of Health programs.

H. 466. An act relating to surface water withdrawals and interbasin transfers.

H. 693. An act relating to the annual budget vote of the Northeast Kingdom Waste Management District.

In the passage of which the concurrence of the Senate is requested.

The House has considered a bill originating in the Senate of the following title:

S. 30. An act relating to prohibiting possession of firearms within hospital buildings.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

Rules Suspended; Bill Not Referred to Committee Finance**H. 679**

Appearing on the Calendar for notice, and, pending referral of the bill to the Committee on Finance pursuant to Senate Rule 31, Senator Cummings moved that the rules be suspended and the Senate bill entitled:

An act relating to fiscal year 2022 budget adjustments.

Not be referred to the Committee on Finance pursuant to Senate Rule 31 (and thereby remain on the Calendar for notice),

Which was agreed to.

Consideration Postponed

Senate bill entitled:

S. 210.

An act relating to rental housing health and safety and affordable housing.

Was taken up.

Thereupon, Senator Sirotkin moved that consideration of the bill be postponed until Tuesday, February 8, 2022, which was agreed to.

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 462.

An act relating to miscellaneous Department of Health programs.

To the Committee on Health and Welfare.

H. 466.

An act relating to surface water withdrawals and interbasin transfers.

To the Committee on Natural Resources and Energy.

H. 693.

An act relating to the annual budget vote of the Northeast Kingdom Waste Management District.

To the Committee on Government Operations.

Bill Amended; Third Reading Ordered**S. 113.**

Senator Sears, for the Committee on Judiciary, to which was referred Senate bill entitled:

An act relating to establishing a cause of action for medical monitoring expenses.

Reported recommending that the bill be amended as follows:

First: In Sec. 1, 12 V.S.A. chapter 219, section 7201, subsection (5), by striking out subdivision (B)(i) in its entirety and inserting in lieu thereof a new subdivision (B)(i) to read as follows:

(B)(i) where, at any one time, 10 or more full-time or full-time equivalent employees have been employed; or

Second: in Sec. 1, 12 V.S.A. chapter 219, section 7202, in subdivision (a)(4), after “as a” and before “result of exposure” by inserting the word proximate

Third: In Sec. 4, Effective Date, by striking out “2021” where it appears and inserting in lieu thereof 2022

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendations of amendment were severally agreed to, and third reading of the bill was ordered.

Joint Resolutions Adopted on the Part of the Senate

Joint Senate resolutions entitled:

J.R.S. 39. Joint resolution providing for a Joint Assembly for the election of two legislative Trustees of the Vermont State Colleges Corporation.

J.R.S. 40. Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2022.

Having been placed on the Calendar for action, were taken up and adopted severally on the part of the Senate.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 3, 2022.

THURSDAY, FEBRUARY 3, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Jill Colley Robinson of Burlington.

Message from the Governor Appointments Referred

A message was received from the Governor, by Brittney L. Wilson, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

The nomination of

Frank, Thomas of Milton - Member of the Board of Libraries - from December 1, 2021 to February 28, 2025.

To the Committee on Education.

The nomination of

Saarnijoki, Linda of Weston - Member of the Board of Libraries - from December 1, 2021 to February 28, 2025.

To the Committee on Education.

The nomination of

Baser, Fred of Bristol - Member of the Vermont Housing Finance Agency - from January 1, 2021 to January 31, 2026.

To the Committee on Finance.

The nomination of

Leavitt, Thomas of Waterbury - Member of the Vermont Housing Finance Agency - from December 1, 2021 to January 31, 2024.

To the Committee on Finance.

The nomination of

Jefferson, Shirley of South Royalton - Member of the State Police Advisory Commission - from December 1, 2021 to June 30, 2025.

To the Committee on Government Operations.

Bill Passed

S. 113.

Senate bill of the following title:

An act relating to establishing a cause of action for medical monitoring expenses.

Was read the third time and passed on a roll call, Yeas 30, Nays 0.

Senator Sears having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Benning, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Hardy, Hooker, Ingalls, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Parent, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, Starr, Terenzini, Westman, White.

Those Senators who voted in the negative were: None.

Bill Amended; Third Reading Ordered**S. 184.**

Senator Benning, for the Committee on Judiciary, to which was referred Senate bill entitled:

An act relating to defense of others and justifiable homicide.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 2305 is amended to read:

§ 2305. JUSTIFIABLE HOMICIDE

(a) If a person kills or wounds another under any of the circumstances enumerated below, ~~he or she~~ the person shall be guiltless:

(1) in the just and necessary defense of the person's own life or the life of ~~the person's spouse, parent, child, sibling, guardian, or ward~~ any other person; or

(2) if the person reasonably believed that ~~he or she~~ the person, or any other person, was in imminent peril and that it was necessary to repel that peril with deadly force; in the forceful or violent suppression of a person attempting to commit murder, sexual assault, aggravated sexual assault, burglary, or robbery; or

(3) in the case of a law enforcement officer as defined in 20 V.S.A. § 2351(a) using force in compliance with 20 V.S.A. § 2368(b)(1)–(2) and (5) or deadly force in compliance with 20 V.S.A. § 2368(c)(1)–(4) and (6).

(b) This section shall not be construed to limit or infringe upon defenses granted at common law.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

Proposals of Amendment; Third Reading Ordered**H. 679.**

Senator Kitchel, for the Committee on Appropriations, to which was referred House bill entitled:

An act relating to fiscal year 2022 budget adjustments.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 2021 Acts and Resolves No. 74, Sec. B.126 is amended to read:

Sec. B.126 Legislature

Personal services	5,033,474	5,138,474
Operating expenses	<u>3,768,163</u>	<u>3,768,163</u>
Total	8,801,637	8,906,637
Source of funds		
General fund	<u>8,801,637</u>	<u>8,906,637</u>
Total	8,801,637	8,906,637

Sec. 2. 2021 Acts and Resolves No. 74, Sec. B.127 is amended to read:

Sec. B.127 Joint fiscal committee

Personal services	2,288,387	2,478,387
Operating expenses	<u>158,873</u>	<u>158,873</u>
Total	2,447,260	2,637,260
Source of funds		
General fund	2,322,260	2,512,260
Interdepartmental transfers	<u>125,000</u>	<u>125,000</u>
Total	2,447,260	2,637,260

Sec. 3. 2021 Acts and Resolves No. 74, Sec. B.145 is amended to read:

Sec. B.145 Total general government

Source of funds

General fund	98,982,912	99,277,912
Transportation fund	3,911,594	3,911,594
Special funds	16,446,601	16,446,601
Federal funds	1,150,041	1,150,041
Internal service funds	138,310,838	138,310,838
Interdepartmental transfers	7,551,641	7,551,641
Enterprise funds	6,840	6,840
Pension trust funds	7,169,079	7,169,079
Private purpose trust funds	<u>1,135,286</u>	<u>1,135,286</u>
Total	274,664,832	274,959,832

Sec. 4. 2021 Acts and Resolves No. 74, Sec. B.225.2 is amended to read:

Sec. B.225.2 Agriculture, Food and Markets - Clean Water

Personal services	3,249,011	3,249,011
Operating expenses	486,344	486,344
Grants	<u>4,060,891</u>	<u>5,503,348</u>
Total	<u>7,796,246</u>	<u>9,238,703</u>
Source of funds		
General fund	1,087,080	1,087,080
Special funds	<u>6,089,920</u>	<u>7,532,377</u>
Federal funds	133,534	133,534
Interdepartmental transfers	<u>485,712</u>	<u>485,712</u>
Total	<u>7,796,246</u>	<u>9,238,703</u>

Sec. 5. 2021 Acts and Resolves No. 74, Sec. B.240 is amended to read:

Sec. B.240 Cannabis Control Board

Personal services	<u>650,000</u>	<u>850,000</u>
Total	<u>650,000</u>	<u>850,000</u>
Source of funds		
Special funds	<u>650,000</u>	<u>850,000</u>
Total	<u>650,000</u>	<u>850,000</u>

Sec. 6. 2021 Acts and Resolves No. 74, Sec. B.241 is amended to read:

Sec. B.241 Total protection to persons and property

Source of funds		
General fund	171,360,524	171,360,524
Transportation fund	20,250,000	20,250,000
Special funds	<u>91,319,879</u>	<u>92,962,336</u>
Tobacco fund	561,843	561,843
Federal funds	70,315,412	70,315,412
ARRA funds	520,000	520,000
Interdepartmental transfers	14,457,347	14,457,347
Enterprise funds	<u>12,785,618</u>	<u>12,785,618</u>
Total	<u>381,570,623</u>	<u>383,213,080</u>

Sec. 7. 2021 Acts and Resolves No. 74, Sec. B.300 is amended to read:

Sec. B.300 Human services - agency of human services - secretary's office

Personal services	<u>11,427,819</u>	<u>11,346,910</u>
Operating expenses	5,214,621	5,214,621
Grants	<u>2,895,202</u>	<u>2,895,202</u>
Total	<u>19,537,642</u>	<u>19,456,733</u>
Source of funds		
General fund	<u>8,430,401</u>	<u>8,802,492</u>
Special funds	135,517	135,517

Federal funds	9,959,398	9,959,398
Global Commitment fund	453,000	0
Interdepartmental transfers	<u>559,326</u>	<u>559,326</u>
Total	19,537,642	19,456,733

Sec. 8. 2021 Acts and Resolves No. 74, Sec. B.301 is amended to read:

Sec. B.301 Secretary's office - global commitment

Grants	<u>1,680,637,999</u>	<u>1,839,201,185</u>
Total	1,680,637,999	1,839,201,185
Source of funds		
General fund	559,592,034	585,702,238
Special funds	33,370,086	33,228,937
Tobacco fund	21,049,373	21,049,373
State health care resources fund	<u>17,078,501</u>	16,023,501
Federal funds	1,044,929,568	1,179,162,966
Interdepartmental transfers	<u>4,618,437</u>	<u>4,034,170</u>
Total	1,680,637,999	1,839,201,185

Sec. 9. 2021 Acts and Resolves No. 74, Sec. B.306 is amended to read:

Sec. B.306 Department of Vermont health access - administration

Personal services	130,163,425	130,170,447
Operating expenses	26,394,423	26,444,423
Grants	<u>3,192,301</u>	<u>2,912,301</u>
Total	159,750,149	159,527,171
Source of funds		
General fund	32,776,219	33,116,885
Special funds	3,363,758	5,678,861
Federal funds	114,469,002	111,590,255
Global Commitment fund	4,314,039	4,314,039
Interdepartmental transfers	<u>4,827,131</u>	<u>4,827,131</u>
Total	159,750,149	159,527,171

Sec. 10. 2021 Acts and Resolves No. 74, Sec. B.307 is amended to read:

Sec. B.307 Department of Vermont health access - Medicaid program - global commitment

Personal services	547,983	547,983
Grants	<u>757,772,233</u>	<u>855,581,847</u>
Total	758,320,216	856,129,830
Source of funds		
Global Commitment fund	<u>758,320,216</u>	<u>856,129,830</u>
Total	758,320,216	856,129,830

Sec. 11. 2021 Acts and Resolves No. 74, Sec. B.309 is amended to read:

Sec. B.309 Department of Vermont health access - Medicaid program - state only

Grants	<u>42,367,754</u>	<u>50,029,823</u>
Total	42,367,754	50,029,823
Source of funds		
General fund	42,315,703	40,459,853
Global Commitment fund	<u>52,051</u>	<u>9,569,970</u>
Total	42,367,754	50,029,823

Sec. 12. 2021 Acts and Resolves No. 74, Sec. B.310 is amended to read:

Sec. B.310 Department of Vermont health access - Medicaid non-waiver matched

Grants	<u>32,842,006</u>	<u>34,768,604</u>
Total	32,842,006	34,768,604
Source of funds		
General fund	12,664,602	12,817,789
Federal funds	<u>20,177,404</u>	<u>21,950,815</u>
Total	32,842,006	34,768,604

Sec. 13. 2021 Acts and Resolves No. 74, Sec. B.311 is amended to read:

Sec. B.311 Health - administration and support

Personal services	5,753,602	5,753,602
Operating expenses	6,567,686	5,946,041
Grants	<u>6,313,608</u>	<u>6,313,608</u>
Total	18,634,896	18,013,251
Source of funds		
General fund	2,982,217	2,360,572
Special funds	2,061,857	2,061,857
Federal funds	7,777,658	7,777,658
Global Commitment fund	5,748,858	5,748,858
Interdepartmental transfers	<u>64,306</u>	<u>64,306</u>
Total	18,634,896	18,013,251

Sec. 14. 2021 Acts and Resolves No. 74, Sec. B.314 is amended to read:

Sec. B.314 Mental health - mental health

Personal services	32,985,332	34,712,990
Operating expenses	4,700,264	4,850,264
Grants	<u>246,498,959</u>	<u>234,392,478</u>
Total	284,184,555	273,955,732

Source of funds		
General fund	10,281,092	10,850,067
Special funds	1,685,284	1,685,284
Federal funds	9,398,134	9,377,108
Global Commitment fund	262,745,408	251,968,636
Interdepartmental transfers	<u>74,637</u>	<u>74,637</u>
Total	284,184,555	273,955,732

Sec. 15. 2021 Acts and Resolves No. 74, Sec. B.316 is amended to read:

Sec. B.316 Department for children and families - administration & support services

Personal services	38,362,798	39,823,024
Operating expenses	17,035,520	19,109,020
Grants	<u>3,819,106</u>	<u>3,819,106</u>
Total	59,217,424	62,751,150
Source of funds		
General fund	33,091,620	34,739,860
Special funds	2,711,682	2,761,682
Federal funds	21,062,298	23,494,784
Global Commitment fund	2,000,936	1,403,936
Interdepartmental transfers	<u>350,888</u>	<u>350,888</u>
Total	59,217,424	62,751,150

Sec. 16. 2021 Acts and Resolves No. 74, Sec. B.317 is amended to read:

Sec. B.317 Department for children and families - family services

Personal services	39,332,995	39,636,555
Operating expenses	4,997,338	4,997,338
Grants	<u>81,171,012</u>	<u>83,187,102</u>
Total	125,501,345	127,820,995
Source of funds		
General fund	49,047,462	49,543,086
Special funds	729,587	729,587
Federal funds	31,365,138	32,373,091
Global Commitment fund	44,344,158	45,137,731
Interdepartmental transfers	<u>15,000</u>	<u>37,500</u>
Total	125,501,345	127,820,995

Sec. 17. 2021 Acts and Resolves No. 74, Sec. B.318 is amended to read:

Sec. B.318 Department for children and families - child development

Personal services	5,020,429	5,624,306
Operating expenses	848,079	921,579

Grants	<u>100,111,841</u>	<u>97,958,128</u>
Total	<u>105,980,349</u>	<u>104,504,013</u>
Source of funds		
General fund	27,348,614	25,996,178
Special funds	16,820,000	16,820,000
Federal funds	50,874,814	50,623,626
Global Commitment fund	10,914,421	11,064,209
Interdepartmental transfers	<u>22,500</u>	<u>0</u>
Total	<u>105,980,349</u>	<u>104,504,013</u>

Sec. 18. 2021 Acts and Resolves No. 74, Sec. B.321 is amended to read:

Sec. B.321 Department for children and families - general assistance

Personal services	15,000	15,000
Grants	<u>2,823,574</u>	<u>2,823,574</u>
Total	<u>2,838,574</u>	<u>2,838,574</u>
Source of funds		
General fund	2,441,239	2,541,239
Federal funds	411,320	11,320
Global Commitment fund	<u>286,015</u>	<u>286,015</u>
Total	<u>2,838,574</u>	<u>2,838,574</u>

Sec. 19. 2021 Acts and Resolves No. 74, Sec. B.323 is amended to read:

Sec. B.323 Department for children and families - reach up

Operating expenses	29,119	29,119
Grants	<u>31,842,843</u>	<u>31,842,843</u>
Total	<u>31,871,962</u>	<u>31,871,962</u>
Source of funds		
General fund	19,904,694	19,704,694
Special funds	5,854,320	5,954,320
Federal funds	3,431,330	3,531,330
Global Commitment fund	<u>2,681,618</u>	<u>2,681,618</u>
Total	<u>31,871,962</u>	<u>31,871,962</u>

Sec. 20. 2021 Acts and Resolves No. 74, Sec. B.325 is amended to read:

Sec. B.325 Department for children and families - office of economic opportunity

Personal services	636,177	636,177
Operating expenses	43,488	43,488
Grants	<u>19,383,262</u>	<u>25,483,262</u>
Total	<u>20,062,927</u>	<u>26,162,927</u>
Source of funds		

General fund	14,225,798	20,325,798
Special funds	57,990	57,990
Federal funds	4,423,154	4,423,154
Global Commitment fund	<u>1,355,985</u>	<u>1,355,985</u>
Total	20,062,927	26,162,927

Sec. 21. 2021 Acts and Resolves No. 74, Sec. B.327 is amended to read:

Sec. B.327 Department for Children and Families - Secure Residential Treatment

Personal services	258,100	258,100
Operating expenses	650,463	650,463
Grants	<u>3,476,862</u>	<u>3,773,834</u>
Total	4,385,425	4,682,397
Source of funds		
General fund	4,355,425	4,652,397
Global Commitment fund	<u>30,000</u>	<u>30,000</u>
Total	4,385,425	4,682,397

Sec. 22. 2021 Acts and Resolves No. 74, Sec. B.328 is amended to read:

Sec. B.328 Department for children and families - disability determination services

Personal services	7,139,139	6,991,600
Operating expenses	<u>460,858</u>	<u>460,858</u>
Total	7,599,997	7,452,458
Source of funds		
General fund	111,120	111,120
Federal funds	<u>7,488,877</u>	<u>7,341,338</u>
Total	7,599,997	7,452,458

Sec. 23. 2021 Acts and Resolves No. 74, Sec. B.329 is amended to read:

Sec. B.329 Disabilities, aging, and independent living - administration & support

Personal services	33,906,585	35,498,760
Operating expenses	<u>5,953,426</u>	<u>5,953,426</u>
Total	39,860,011	41,452,186
Source of funds		
General fund	17,731,954	19,174,129
Special funds	1,390,457	1,390,457
Federal funds	19,671,316	19,821,316
Interdepartmental transfers	<u>1,066,284</u>	<u>1,066,284</u>
Total	39,860,011	41,452,186

Sec. 24. 2021 Acts and Resolves No. 74, Sec. B.330 is amended to read:

Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants

Grants	<u>19,352,893</u>	19,921,075
Total	<u>19,352,893</u>	19,921,075
Source of funds		
General fund	7,644,654	7,644,654
Federal funds	7,148,466	7,148,466
Global Commitment fund	<u>4,559,773</u>	<u>5,127,955</u>
Total	<u>19,352,893</u>	19,921,075

Sec. 25. 2021 Acts and Resolves No. 74, Sec. B.334 is amended to read:

Sec. B.334 Disabilities, aging, and independent living - Brain injury home and community-based waiver

Grants	<u>5,564,689</u>	5,714,689
Total	<u>5,564,689</u>	5,714,689
Source of funds		
Global Commitment fund	<u>5,564,689</u>	<u>5,714,689</u>
Total	<u>5,564,689</u>	5,714,689

Sec. 26. 2021 Acts and Resolves No. 74, Sec. B.334.1 is amended to read:

Sec. B.334.1 Disabilities, aging and independent living - Long Term Care

Grants	<u>230,505,916</u>	238,018,868
Total	<u>230,505,916</u>	238,018,868
Source of funds		
General fund	498,579	498,579
Federal funds	2,083,333	2,083,333
Global Commitment fund	<u>227,924,004</u>	<u>235,436,956</u>
Total	<u>230,505,916</u>	238,018,868

Sec. 27. 2021 Acts and Resolves No. 74, Sec. B.339 is amended to read:

Sec. B.339 Corrections - Correctional services-out of state beds

Personal services	<u>5,640,604</u>	5,223,574
Total	<u>5,640,604</u>	5,223,574
Source of funds		
General fund	<u>5,640,604</u>	<u>5,223,574</u>
Total	<u>5,640,604</u>	5,223,574

Sec. 28. 2021 Acts and Resolves No. 74, Sec. B.342 is amended to read:

Sec. B.342 Vermont veterans' home - care and support services

Personal services	19,020,560	20,520,560
Operating expenses	<u>5,426,960</u>	<u>5,899,095</u>
Total	24,447,520	26,419,655
Source of funds		
General fund	2,843,321	4,025,456
Special funds	11,868,942	12,658,942
Federal funds	<u>9,735,257</u>	<u>9,735,257</u>
Total	24,447,520	26,419,655

Sec. 29. 2021 Acts and Resolves No. 74, Sec. B.346 is amended to read:

Sec. B.346 Total human services

Source of funds		
General fund	1,022,527,917	1,056,891,225
Special funds	116,659,874	119,773,828
Tobacco fund	23,088,208	23,088,208
State health care resources fund	17,078,501	16,023,501
Federal Coronavirus Relief Fund	15,000,000	15,000,000
Federal funds	1,497,837,906	1,634,136,654
Global Commitment fund	1,641,496,441	1,746,171,697
Internal service funds	1,951,982	1,951,982
Interdepartmental transfers	25,329,631	24,745,364
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	4,360,995,460	4,637,807,459

Sec. 30. [Deleted.]

Sec. 31. 2021 Acts and Resolves No. 74, Sec. B.400 is amended to read:

Sec. B.400 Labor - programs

Personal services	31,359,103	30,259,103
Operating expenses	7,701,210	7,701,210
Grants	<u>1,822,409</u>	<u>1,822,409</u>
Total	40,882,722	39,782,722
Source of funds		
General fund	5,394,154	5,394,154
Special funds	6,422,539	6,422,539
Federal funds	28,658,417	27,558,417
Interdepartmental transfers	<u>407,612</u>	<u>407,612</u>
Total	40,882,722	39,782,722

Sec. 32. 2021 Acts and Resolves No. 74, Sec. B.401 is amended to read:

Sec. B.401 Total labor

Source of funds

General fund	5,394,154	5,394,154
Special funds	6,422,539	6,422,539
Federal funds	28,658,417	27,558,417
Interdepartmental transfers	<u>407,612</u>	<u>407,612</u>
Total	40,882,722	39,782,722

Sec. 33. [Deleted.]

Sec. 34. [Deleted.]

Sec. 35. 2021 Acts and Resolves No. 74, Sec. B.605 is amended to read:

Sec. B.605 Vermont student assistance corporation

Grants	<u>22,251,315</u>	<u>19,978,588</u>
Total	22,251,315	19,978,588
Source of funds		
General fund	19,978,588	19,978,588
Interdepartmental transfers	<u>2,272,727</u>	<u>0</u>
Total	22,251,315	19,978,588

Sec. 36. 2021 Acts and Resolves No. 74, Sec. B.608 is amended to read:

Sec. B.608 Total higher education

Source of funds

General fund	98,861,685	98,861,685
Education fund	41,225	41,225
Global Commitment fund	409,461	409,461
Interdepartmental transfers	<u>2,272,727</u>	<u>0</u>
Total	101,585,098	99,312,371

Sec. 37. 2021 Acts and Resolves No. 74, Sec. B.702 is amended to read:

Sec. B.702 Fish and wildlife - support and field services

Personal services	18,654,752	18,754,752
Operating expenses	6,717,480	7,617,480
Grants	<u>670,446</u>	<u>670,446</u>
Total	26,042,678	27,042,678
Source of funds		
General fund	6,403,816	6,403,816
Special funds	<u>239,657</u>	<u>1,239,657</u>
Fish and wildlife fund	9,561,364	9,561,364
Federal funds	8,504,410	8,504,410
Interdepartmental transfers	1,322,431	1,322,431
Permanent trust funds	<u>11,000</u>	<u>11,000</u>
Total	26,042,678	27,042,678

Sec. 38. 2021 Acts and Resolves No. 74, Sec. B.711 is amended to read:

Sec. B.711 Environmental conservation - office of water programs

Personal services	28,652,311	28,652,311
Operating expenses	6,722,953	6,722,953
Grants	<u>31,819,350</u>	<u>29,319,350</u>
Total	67,194,614	64,694,614
Source of funds		
General fund	7,926,170	7,926,170
Special funds	22,601,929	20,101,929
Federal funds	36,003,082	36,003,082
Interdepartmental transfers	<u>663,433</u>	<u>663,433</u>
Total	67,194,614	64,694,614

Sec. 39. 2021 Acts and Resolves No. 74, Sec. B.713 is amended to read:

Sec. B.713 Natural resources board

Personal services	2,597,208	2,747,096
Operating expenses	545,630	<u>395,742</u>
Total	3,142,838	3,142,838
Source of funds		
General fund	631,629	631,629
Special funds	<u>2,511,209</u>	<u>2,511,209</u>
Total	3,142,838	3,142,838

Sec. 40. 2021 Acts and Resolves No. 74, Sec. B.714 is amended to read:

Sec. B.714 Total natural resources

Source of funds		
General fund	31,693,115	31,693,115
Special funds	78,151,968	76,651,968
Fish and wildlife fund	9,561,364	9,561,364
Federal funds	54,981,735	54,981,735
Interdepartmental transfers	11,534,344	11,534,344
Permanent trust funds	<u>11,000</u>	<u>11,000</u>
Total	185,933,526	184,433,526

Sec. 41. 2021 Acts and Resolves No. 74, Sec. B.900 is amended to read:

Sec. B.900 Transportation - finance and administration

Personal services	13,654,880	13,558,021
Operating expenses	2,507,103	2,507,103
Grants	<u>50,000</u>	<u>50,000</u>
Total	16,211,983	16,115,124

Source of funds

Transportation fund	15,815,083	15,718,224
Federal funds	<u>396,900</u>	<u>396,900</u>
Total	16,211,983	16,115,124

Sec. 42. 2021 Acts and Resolves No. 74, Sec. B.903 is amended to read:

Sec. B.903 Transportation - program development

Personal services	58,611,534	58,092,913
Operating expenses	227,109,245	226,965,577
Grants	<u>28,813,660</u>	<u>28,813,660</u>
Total	314,534,439	313,872,150

Source of funds

Transportation fund	48,717,849	48,055,560
TIB fund	10,597,637	10,597,637
Federal funds	254,737,875	254,737,875
Local match	<u>481,078</u>	<u>481,078</u>
Total	314,534,439	313,872,150

Sec. 43. 2021 Acts and Resolves No. 74, Sec. B.905 is amended to read:

Sec. B.905 Transportation - maintenance state system

Personal services	45,339,790	45,955,270
Operating expenses	57,902,709	58,046,377
Grants	<u>277,000</u>	<u>277,000</u>
Total	103,519,499	104,278,647

Source of funds

Transportation fund	87,191,712	87,950,860
Federal funds	16,227,787	16,227,787
Interdepartmental transfers	<u>100,000</u>	<u>100,000</u>
Total	103,519,499	104,278,647

Sec. 44. 2021 Acts and Resolves No. 74, Sec. B.919 is amended to read:

Sec. B.919 Transportation - municipal mitigation assistance program

Operating expenses	265,000	265,000
Grants	<u>5,845,000</u>	<u>8,020,150</u>
Total	6,110,000	8,285,150

Source of funds

Transportation fund	705,000	705,000
Special funds	3,977,000	6,152,150
Federal funds	<u>1,428,000</u>	<u>1,428,000</u>
Total	6,110,000	8,285,150

Sec. 45. 2021 Acts and Resolves No. 74, Sec. B.922 is amended to read:

Sec. B.922 Total transportation

Source of funds

Transportation fund	271,865,668	271,865,668
TIB fund	11,397,637	11,397,637
Special funds	4,027,000	6,202,150
Federal funds	361,546,034	361,546,034
Internal service funds	22,202,720	22,202,720
Interdepartmental transfers	2,888,052	2,888,052
Local match	<u>1,833,316</u>	<u>1,833,316</u>
Total	675,760,427	677,935,577

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

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

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

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

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

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

* * *

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

* * *

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

(A) On or before March 1, 2022, the Agency of Human Services shall report to the House and Senate Committees on Appropriations on a plan to address costs associated with contract staffing for nursing homes. The plan shall include a methodology for addressing costs incurred for state fiscal year 2022, as well as a timeline for implementation. The plan shall include a

timeline to address the rate setting process for future ongoing base costs starting in state fiscal year 2023.

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

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

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

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

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

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

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

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

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

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

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

(30) \$150,000 to the Agency of Education for the vaccine incentive program for recognized and approved Independent Schools that are not

eligible to receive Elementary and Secondary School Emergency Relief (ESSER) funds.

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

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

(33) \$1,000,000 to the Agency of Commerce of Community Development to provide state match for U.S. Economic Development Administration funding to be allocated equally between the Build to Scale and the Good Jobs Challenge proposals to be submitted for funding.

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

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

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

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

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

Sec. D.101 FUND TRANSFERS, REVERSIONS AND RESERVES

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

* * *

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

* * *

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

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

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

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

(13) From the General Fund to the State Liability Self-Insurance Fund (56200): \$6,700,000.

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

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

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

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

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

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

* * *

<u>21500</u>	<u>Interdepartmental Transfer Fund – 7100000022</u>	<u>\$125,000.00</u>
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* * *

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

2150010000	Military – administration	\$200,000.00	<u>\$316,556.00</u>
1210002000	Legislature	\$140,000.00	<u>\$435,000.00</u>
1215001000	Legislative Counsel		\$50,000.00
1220000000	Joint Fiscal Office		\$50,000.00
1225001000	Legislative IT		\$60,000.00
<u>1100010000</u>	<u>Secretary of Administration</u>		<u>\$50,000.00</u>
<u>1110003000</u>	<u>Budget & Management</u>		<u>\$117,075.64</u>
<u>1110006000</u>	<u>University of Vermont</u>		<u>\$1.00</u>
<u>1110007000</u>	<u>UVM– Morgan Horse Farm</u>		<u>\$1.00</u>
<u>1110009100</u>	<u>Vermont State Colleges</u>		<u>\$3.00</u>
<u>1130030000</u>	<u>Libraries</u>		<u>\$26,000.38</u>
<u>1140010000</u>	<u>Tax Operation Costs</u>		<u>\$200,000.00</u>
<u>1140040000</u>	<u>Homeowner Rebates</u>		<u>\$333,503.02</u>
<u>1140330000</u>	<u>Renter Rebates</u>		<u>\$1,712,964.82</u>
<u>1240001000</u>	<u>Lieutenant Governor’s Office</u>		<u>\$20,672.89</u>
<u>2130200000</u>	<u>Sheriffs</u>		<u>\$542,914.55</u>
<u>2140010000</u>	<u>DPS – State Police</u>		<u>\$13,666,973.39</u>
<u>2170010000</u>	<u>Criminal Justice Trng Council</u>		<u>\$62,049.00</u>
<u>2280001000</u>	<u>Human Rights Commission</u>		<u>\$9,101.68</u>
<u>3150891901</u>	<u>Copeland Center</u>		<u>\$5,803.03</u>
<u>3330010000</u>	<u>Green Mountain Care Board</u>		<u>\$0.44</u>
<u>3400001000</u>	<u>Secretary’s Office Admin Costs</u>		<u>\$50,000.00</u>
<u>3400002000</u>	<u>RSVP Appropriation</u>		<u>\$1,035.00</u>
<u>3400891902</u>	<u>Elec Med/Health Records Syst</u>		<u>\$3,894.00</u>
<u>3410017000</u>	<u>DVHA-Programs-ST-Only Funded</u>		<u>\$76,450.02</u>
<u>3420010000</u>	<u>Administration</u>		<u>\$650,000.00</u>
<u>3420021000</u>	<u>Public Health</u>		<u>\$1,784,782.61</u>

<u>3420892110</u>	<u>VDH-Data Collection</u>	<u>\$134,000.00</u>
<u>3440060000</u>	<u>DCFS - General Assistance</u>	<u>\$4,374,450.77</u>
<u>3440891903</u>	<u>Parent Child Centers</u>	<u>\$18,089.40</u>
<u>3440891906</u>	<u>Incentivizing Child Care Profs</u>	<u>\$96,628.40</u>
<u>3440891908</u>	<u>Weatherization Assist Bridge</u>	<u>\$290,035.94</u>
<u>3460020000</u>	<u>Advocacy & Indep Living Grants</u>	<u>\$241,585.88</u>
<u>3480004000</u>	<u>Corrections-Correctional Services</u>	<u>\$6,361,238.22</u>
<u>5100010000</u>	<u>Administration</u>	<u>\$118,500.00</u>
<u>5100060000</u>	<u>Adult Basic Education</u>	<u>\$63,476.19</u>
<u>5100070000</u>	<u>Education Services</u>	<u>\$51,719.84</u>
<u>5100210000</u>	<u>Ed-Flexible Pathways</u>	<u>\$10,675.00</u>
<u>5100891807</u>	<u>Restorative Justice Grants</u>	<u>\$75,867.34</u>
<u>5100891901</u>	<u>AOE New Positions</u>	<u>\$214,729.59</u>
<u>6100040000</u>	<u>Property Tax Assessment Approp</u>	<u>\$0.93</u>
<u>6130010000</u>	<u>Administration</u>	<u>\$0.70</u>
<u>7100892107</u>	<u>ACCD-Public Access TV</u>	<u>\$30,450.10</u>
<u>7120892001</u>	<u>ThinkVermont Initiative</u>	<u>\$45,000.00</u>

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

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

Sec. 51. CORONAVIRUS RELIEF FUND REALLOCATION

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

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

Sec. 52. [Deleted.]

Sec. 53. FISCAL YEAR 2022 UNALLOCATED RESERVE

(a) After satisfying the requirements of 32 V.S.A. § 308, and after other reserve requirements have been met, but prior to satisfying the requirements of 32 V.S.A. § 308c, the first \$81,000,000 of remaining unreserved and undesignated funds at the close of fiscal year 2022 shall remain in the General Fund and be carried forward to fiscal year 2023. These funds may be used to provide state match to the federal Infrastructure Investment and Jobs Act.

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

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

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

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

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

§ 902. AUTHORIZATION TO BORROW MONEY

* * *

(c) Notwithstanding any other provision of law to the contrary, the State Treasurer shall have the authority to redeem any previously issued bonds or notes prior to their maturity, at a time and on terms consistent with the

provisions of such bonds or notes, with funds specifically appropriated by the General Assembly for such redemption or in the case of any bonds maturing within a particular fiscal year, from funds appropriated or available for payment of debt service for the particular fiscal year.

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

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

(b) The Adverse Weather Conditions policy in effect on November 22, 2021 shall continue in effect until March 31, 2022 using 100 percent FEMA funds and through the end of the fiscal year using either 100 percent FEMA funds or Emergency Rental Assistance Program (ERAP) funds.

(c)(1) The Commissioner for Children and Families shall reconvene the General Assistance working group described in 2021 Acts and Resolves No. 74, sections E.321 and E.321.2 for the purpose of assisting with the development of rules for a transitional housing program, which shall be funded by federal ERAP funds. The Department shall initiate emergency rulemaking as soon as practicable and shall be deemed to have met the emergency rulemaking criteria in 3 V.S.A. § 844. The Department shall file permanent rules pursuant to 3 V.S.A. chapter 25 concurrently with its emergency rule filing.

(2) Notwithstanding subsection (a) of this section, once emergency rules have been adopted for the ERAP-funded transitional housing program, and if the Department has located housing through facilitated occupancy agreements with motels and hotels or other housing providers on behalf of program participants, the Department shall begin transitioning participating individuals and families from the General Assistance emergency housing program funded by 100 percent FEMA funds to the transitional housing program funded by ERAP funds prior to June 30, 2022.

(3) The Department is authorized to provide supplemental services as needed for the safety of program participants and providers to the extent that ERAP or 100 percent FEMA funds are available for this purpose.

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

§ 4452. EXCLUSIONS

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

* * *

(8) transient occupancy in a hotel, motel, or lodgings during the time the occupant is a recipient of General Assistance or Emergency Assistance temporary housing assistance, or occupancy in a hotel or motel funded by federal Emergency Rental Assistance administered by the Department for Children and Families through August 30, 2025, regardless of whether the occupancy is subject to a tax levied under 32 V.S.A. chapter 225;

* * *

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

Sec. E.126 TRANSFER OF FUNDS WITHIN LEGISLATIVE BRANCH

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

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

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

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

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

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

Sec. E.215 Military – Administration

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

Sec. 58. [Deleted.]

Sec. 59. CANNABIS CONTROL BOARD

(a) The establishment of the following eight (8) new permanent classified positions are authorized in fiscal year 2022:

- (1) One (1) Licensing Director,
- (2) Two (2) Licensing Administrators,
- (3) One (1) Policy Enforcement Director,
- (4) Three (3) Compliance Officers; and
- (5) One (1) Financial Manager.

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

Sec. 15. IMPLEMENTATION OF MEDICAL CANNABIS REGISTRY

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

- (1) the authority to administer the Medical Cannabis Registry and the regulation of cannabis dispensaries pursuant to 18 V.S.A. chapter 86;
- (2) the cannabis registration fee fund established pursuant to 18 V.S.A. chapter 86; and
- (3) the positions dedicated to administering 18 V.S.A. chapter 86.

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

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

Sec. 33. EFFECTIVE DATES

* * *

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

(e) See: Secs. 6d (Auditor of Accounts report); 9 (Medical Cannabis Registry chapter), except for 7 V.S.A. § 956 (rulemaking); 11 (Repeal); and

12 (Medical Cannabis Dispensaries), except for 7 V.S.A. § 974 (rulemaking), shall take effect on July 1, 2022.

* * *

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

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

* * *

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

* * *

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

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

Sec. 60a. MEDICAID; POSTPARTUM COVERAGE; STATE PLAN AMENDMENT

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

Sec. 61. DEPARTMENT FOR CHILDREN AND FAMILIES

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

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

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

* * *

(b) In fiscal year 2022, any unexpended funds for correctional services out-of-state beds shall be carried forward to fiscal year 2023, and the amount

reported to the Joint Legislative Justice Oversight Committee in September 2022, to ~~support~~ provide additional funding to community-based service programs in support of Justice Reinvestment II initiatives. Funds may only be expended on community-based service programs upon approval of the Joint Legislative Justice Oversight Committee. Prior to approval, the House Committees on Appropriations and on Corrections and Institutions and the Senate Committees on Appropriations and on Judiciary shall be notified of any proposed expenditures on community-based service programs.

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

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

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

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

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

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

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

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

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

* * *

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

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

* * *

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

* * *

Sec. 65a. ONE-TIME FISCAL YEAR 2022 TECHNICAL EDUCATION
SUPPLEMENTAL GRANT FUNDING

(a) In fiscal year 2022, \$1,725,000 is appropriated from the Education Fund to the Agency of Education to make supplemental grants to career technical education centers. The grants shall be made proportionally based on fiscal year 2019 through 2021 average headcount of attendees at each center.

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

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

* * *

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

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

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

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

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

(a) ~~\$109,200,000~~ \$187,114,176 in fiscal year 2022 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

* * *

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

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

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

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

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

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

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

- (i) Master in Education (all programs);
- (ii) Master in Educational Leadership;

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

(iv) Masters in Counseling; and

(v) Masters in Clinical Mental Health Counseling.

* * *

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

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

(24) [Deleted.]

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

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

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

(28) \$12,803,996 to the Department of Labor to cover pandemic related operating costs in the Unemployment system and other programs.

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

(30) \$6,000,000 to the Department for Children and Families to be granted to childcare providers to address emergent and exigent circumstances following the COVID-19 pandemic for workforce retention bonuses to retain early childhood educators. It is the intent of the General Assembly that the eligible employers awarded funds pursuant to this section shall use the funds to make retention payments to their employees. The employers shall be afforded flexibility in determining how best to provide the financial retention assistance to their employees and how best to encourage employment beyond the terms of this program.

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

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

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

* * *

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

Sec. G.400 HOUSING AND HOMELESSNESS INVESTMENTS

(a) ~~\$99,000,000~~ \$124,000,000 in fiscal year 2022 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

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

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

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

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

* * *

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

(1) \$40,000,000 in fiscal year 2021 is appropriated from the General Fund to the Vermont Housing and Conservation Board (VHCB) for affordable housing initiatives. These funds shall carryforward into fiscal year 2022 and are in addition to funding provided to VHCB in 2021 Acts and Resolves No. 9 and \$30,000,000 in fiscal year 2022 is appropriated from the General Fund to

the Vermont Housing and Conservation Board (VHCB) for affordable housing initiatives.

* * *

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

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

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

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

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

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

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

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

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

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

(2) health care professional services, including independent medical practices, hospital-owned medical practices, designated and specialized

services agencies, federally qualified health centers, rural health clinics, ambulatory surgical centers, and laboratory and imaging centers;

(3) dental services;

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

(5) home health and hospice agencies;

(6) pharmacy services;

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

(8) organizations recognized by the Agency of Human Services through their status as provider grant recipients providing health support services, including the area agencies on aging and organizations providing peer support services, organizations providing peer outreach services to individuals with intellectual disabilities, and organizations providing children's integrated services, recovery centers, adult day providers and programs licensed by the Department for Children and Families as a residential treatment program.

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

(d)(1) It is the intent of the General Assembly that the eligible employers awarded funds pursuant to this section shall use the funds to make recruitment and retention payments to their employees. The employers shall be afforded flexibility in determining how best to provide the financial recruitment and retention assistance to their employees and how best to encourage employment beyond the terms of this program, provided that each employee who receives a recruitment or retention payment under the program established in this section shall commit to continuing employment with the employer for not less than 12 months following receipt of the payment.

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

(e) A total of \$60,000,000 is appropriated in fiscal year 2022 for the workforce recruitment and retention grant program established in this section. The Agency of Human Services may use up to 1.5 percent of these funds for administration of the program. This funding is from the following sources:

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

(2) \$5,000,000 is appropriated to the Agency of Human Services in fiscal year 2022 from the General Fund, these funds may be included among the Global Commitment appropriations referenced in 2021 Acts and Resolves No. 74, Sec. E.301.2 as available for transfers if it is determined that grants made under this provision can be included and matched in the Global Commitment waiver. These funds shall carry forward if not fully expended in fiscal year 2022; and

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

(f) On or before April 1, 2022, the Secretary of Human Services shall report to the House Committees on Appropriations, on Health Care, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare regarding the status of program implementation. The Secretary shall require eligible employer applicants, and ARIS Solutions on behalf of employers of independent direct support providers, to report to the Agency the number of employees who received recruitment and retention payments under the program, including the maximum, minimum, and median employee payment amount and the status of those employees' continued employment in order to evaluate the program's effectiveness. The Agency shall also report on the total amount of funds allocated and expended for recruitment and the number of staff successfully recruited who did not come from active employment with another Vermont provider eligible for this program. On or

before June 30, 2023, the Secretary shall provide a final report to the committees on the overall effectiveness of the program.

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

(a) Pursuant to Sec. 9817 of the American Rescue Plan Act (ARPA), in October 2021 the State submitted a Home- And Community-Based Services (HCBS) spending plan to the Center for Medicare and Medicaid Services. This plan totals \$146,600,006 consisting of the following major components:

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

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

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

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

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

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

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

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

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

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

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

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

(d) The Global Commitment Fund appropriated in subsection (c) of this section may be obligated in fiscal year 2022 for the purposes of bringing HCBS plan spending authority forward into fiscal year 2023. The funds appropriated in subsections (b and c) of this act may be transferred on a net neutral basis in fiscal year 2022 in the same manner as the Global Commitment appropriations referenced in 2021 Acts and Resolves No. 74, Sec. E.301.2. The Agency shall report to the Joint Fiscal Committee in September 2022 on transfers of appropriations made and final amounts expended by department in fiscal year 2022 and any obligated funds carried forward to be expended in fiscal year 2023.

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

Sec. 7. AGENCY OF HUMAN SERVICES; HEALTH CARE PROVIDER STABILIZATION GRANT PROGRAM

* * *

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

* * *

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

* * *

Sec. 74. HEALTH CARE PROVIDER STABILIZATION GRANT PROGRAM; ALTERNATIVE FUND DISTRIBUTION PROCESS

Notwithstanding any provision of 2020 Acts and Resolves No. 136, Sec. 7, as amended by 2020 Acts and Resolves No. 154, Sec. B.1121, 2021 Acts and Resolves No. 3, Sec. 50, and this act to the contrary, the Agency of Human Services may distribute funds from the Health Care Provider Stabilization Grant Program to eligible health care providers using an alternative process to that set forth in 2020 Acts and Resolves No. 136, Sec. 7, as amended, as

deemed necessary by the Agency due to emergent and exigent circumstances attributable to the COVID-19 pandemic.

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

Sec. 105. EFFECTIVE DATES

* * *

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

* * *

Sec. 76. CARRYFORWARD AUTHORITY

(a) Notwithstanding any other provisions of law and subject to the approval of the Secretary of Administration, General, Transportation, Transportation Infrastructure Bond, Education Fund, Clean Water Fund (21932), and Agricultural Water Quality Fund (21933) appropriations remaining unexpended on June 30, 2022 in the Executive Branch of State government shall be carried forward and shall be designated for expenditure.

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

Sec. 77. DAIRY MARGIN COVERAGE PROGRAM; PREMIUM ASSISTANCE

(a) As used in this section:

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

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

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

(A) does not have an active enforcement violation under any Agency of Agriculture, Food and Markets program that has reached a final order with the Secretary and is not subject to an ongoing enforcement action initiated by the Agency of Natural Resources; and

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

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

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

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

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

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

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

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

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

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

Notwithstanding 16 V.S.A. chapter 133 and any other provision of law to the contrary, the sum of \$20,962 shall be transferred from the Education Fund to the City of Barre not later than fiscal year 2023 to compensate the City for overpayments of education property taxes in fiscal years 2016 to 2019 due to insufficient retention of tax increment from the City’s Tax Increment Financing District Fund.

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

Sec. 20. MILEAGESMART

(a) The Agency is authorized to spend up to \$750,000.00 in one-time Transportation Fund monies in fiscal years 2021 and 2022 combined and up to \$500,000.00 in one-time General Fund monies in fiscal year 2022 on MileageSmart, which was established in 2019 Acts and Resolves No. 59, Sec. 34, as amended, with up to ~~10~~ 15 percent of the total amount that is distributed in incentives in fiscal year 2022, including incentive funding authorized by this section and incentive funding carried over from prior fiscal years pursuant to 2019 Acts and Resolves No. 59, Sec. 34, as amended, available for costs associated with administering MileageSmart.

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

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

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

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

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

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

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

Sec. 81. EFFECTIVE DATES

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

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

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

And that the bill ought to pass in concurrence with such proposal of amendment.

Thereupon, pending the question, Shall the Senate propose to the House that the bill be amended as recommended by the Committee on Appropriations?, Senator Kitchel moved to amend the proposal of amendment of the Committee on Appropriations, as follows:

First: In Sec. 54a, 9 V.S.A. § 4452, in subdivision (8), by striking out "August" and inserting in lieu thereof September

Second: In Sec. 72, workforce recruitment and retention funding for employees of eligible health care and social service employers, in subsection (b), by striking out subdivision (8) in its entirety and inserting in lieu thereof a new subdivision (8) to read as follows:

(8) organizations recognized by the Agency of Human Services through their status as provider grant recipients providing health support services, including the area agencies on aging, organizations providing peer support services, organizations providing peer outreach services to individuals with intellectual disabilities, organizations providing children's integrated services, shared living providers, recovery centers, and programs licensed by the Department for Children and Families as residential treatment programs.

Which was agreed to.

Thereupon, the proposal of amendment of the Committee on Appropriations, as amended, was agreed to and third reading of the bill was ordered on a roll call, Yeas 24, Nays 6.

Senator Brock having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Bray, Campion, Chittenden, Clarkson, Cummings, Hardy, Hooker, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, Starr, Westman, White.

Those Senators who voted in the negative were: Benning, Brock, Collamore, Ingalls, Parent, Terenzini.

House Proposal of Amendment Concurred In with Amendment**S. 30.**

House proposal of amendment to Senate bill entitled:

An act relating to prohibiting possession of firearms within hospital buildings.

Was taken up.

The House proposes to the Senate to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 4023 is added to read:

§ 4023. POSSESSION OF FIREARMS IN HOSPITAL BUILDINGS
PROHIBITED

(a) A person shall not knowingly possess a firearm while within a hospital building.

(b) A person who violates this section shall be fined not more than \$250.00.

(c) This section shall not apply to a firearm possessed by a federal law enforcement officer or a law enforcement officer certified as a law enforcement officer by the Vermont Criminal Justice Training Council pursuant to 20 V.S.A. § 2358, for legitimate law enforcement purposes.

(d) Notice of the provisions of this section shall be posted conspicuously at each public entrance to each hospital.

(e) As used in this section:

(1) "Firearm" has the same meaning as in subsection 4017(d) of this title.

(2) "Hospital" has the same meaning as in 18 V.S.A. § 1902.

Sec. 2. 13 V.S.A. § 4019 is amended to read:

§ 4019. FIREARMS TRANSFERS; BACKGROUND CHECKS

(a) As used in this section:

* * *

(4) “Licensed dealer” means a person issued a license as a dealer in firearms pursuant to 18 U.S.C. § 923(a).

(5) “Proposed transferee” means an unlicensed person to whom a proposed transferor intends to transfer a firearm.

(6) “Proposed transferor” means an unlicensed person who intends to transfer a firearm to another unlicensed person.

(7) “Transfer” means to transfer ownership of a firearm by means of sale, trade, or gift.

(8) “Unlicensed person” means a person who has not been issued a license as a dealer, importer, or manufacturer in firearms pursuant to 18 U.S.C. § 923(a).

(b)(1) Except as provided in subsection (e) of this section, an unlicensed person shall not transfer a firearm to another unlicensed person unless:

(A) the proposed transferor and the proposed transferee physically appear together with the firearm before a licensed dealer and request that the licensed dealer facilitate the transfer; and

(B) the licensed dealer agrees to facilitate the transfer.

(2) A person shall not, in connection with the transfer or attempted transfer of a firearm pursuant to this section, knowingly make a false statement or exhibit a false identification intended to deceive a licensed dealer with respect to any fact material to the transfer.

* * *

(d) A person shall not transfer a firearm to another person if:

(1) the transfer requires a background check under this section or under federal law; and

(2) the licensed dealer facilitating the transfer has not been provided with a unique identification number for the transfer by the National Instant Criminal Background Check System, provided that if the identification number has not been provided within 30 days, then the transfer may proceed.

~~(d)~~(e)(1) An unlicensed person who transfers a firearm to another unlicensed person in violation of subdivision (b)(1) of this section shall be imprisoned not more than one year or fined not more than \$500.00, or both.

(2) A person who violates subdivision (b)(2) or subsection (d) of this section shall be imprisoned not more than one year or fined not more than \$500.00, or both.

~~(e)~~(f) This section shall not apply to:

(1) the transfer of a firearm by or to a law enforcement agency;

(2) the transfer of a firearm by or to a law enforcement officer or member of the U.S. Armed Forces acting within the course of his or her official duties;

(3) the transfer of a firearm from one immediate family member to another immediate family member; or

(4) a person who transfers the firearm to another person in order to prevent imminent harm to any person, provided that this subdivision shall only apply while the risk of imminent harm exists.

~~(f)~~(g) A licensed dealer who facilitates a firearm transfer pursuant to this section shall be immune from any civil or criminal liability for any actions taken or omissions made when facilitating the transfer in reliance on the provisions of this section. This subsection shall not apply to reckless or intentional misconduct by a licensed dealer.

Sec. 3. 13 V.S.A. § 4057 is amended to read:

§ 4057. PROCEDURE

(a) Except as otherwise specified, proceedings commenced under this subchapter shall be in accordance with the Vermont Rules for Family Proceedings and shall be in addition to any other available civil or criminal remedies.

* * *

(d)(1) For purposes of a petition filed pursuant to this subchapter, a health care provider may notify a law enforcement officer when the provider believes in good faith that disclosure of the information is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public.

(2) As used in this subsection:

(A) "Health care provider" has the same meaning as in 18 V.S.A. § 9402.

(B) “Necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public” includes circumstances when the health care provider reasonably believes that the patient poses an extreme risk of causing harm to themselves or another person by purchasing, possessing, or receiving a dangerous weapon or by having a dangerous weapon within the patient’s custody or control.

Sec. 4. 13 V.S.A. § 4062 is added to read:

§ 4062. ANNUAL REPORTING; OFFICE OF COURT ADMINISTRATOR
AND AGENCY OF HUMAN SERVICES

(a) On or before September 1, 2022 and annually thereafter, the Court Administrator, with the assistance of the Agency of Human Services, shall report data on the use of extreme risk protection orders during the previous year to the Senate and House Committees on Judiciary.

(b) The reports required by this section shall include the following data for the previous year:

(1) the number of extreme risk protection order petitions filed and the number of orders issued;

(2) geographical data indicating the county where the petition was filed;
and

(3) follow-up information describing whether the order was renewed or terminated pursuant to section 4055 of this title and whether the subject of the order was charged with violating it under section 4058 of this title.

(c) The Agency of Human Services shall include in the reports required by this section an analysis of the impact of extreme risk prevention orders on Vermont suicide rates, including any relevant data relied on or utilized by the Agency for purposes of providing the information required by 2017 Acts and Resolves No. 34, An act relating to evaluation of suicide profiles.

Sec. 5. 13 V.S.A. § 4021 is amended to read:

§ 4021. LARGE CAPACITY AMMUNITION FEEDING DEVICES

(a) A person shall not manufacture, possess, transfer, offer for sale, purchase, or receive or import into this State a large capacity ammunition feeding device. As used in this subsection, “import” ~~shall~~ does not include the transportation back into this State of a large capacity ammunition feeding device by the same person who transported the device out of State if the person possessed the device on or before the effective date of this section.

* * *

(d)(1) This section shall not apply to any large capacity ammunition feeding device:

* * *

(F) transported by a resident of another state into this State for the exclusive purpose of use in an organized shooting competition sponsored by an entity registered with the Secretary of State if the device is lawfully possessed under the laws of another state.

* * *

Sec. 6. 15 V.S.A. § 1104 is amended to read:

§ 1104. EMERGENCY RELIEF

(a) In accordance with the Vermont Rules of Civil Procedure, temporary orders under this chapter may be issued ex parte, without notice to the defendant, upon motion and findings by the court that the defendant has abused the plaintiff or the plaintiff's children, or both. The plaintiff shall submit an affidavit in support of the order. A minor 16 years of age or older, or a minor of any age who is in a dating relationship as defined in subdivision 1101(2) of this chapter, may seek relief on his or her own behalf. Relief under this section shall be limited as follows:

(1) Upon a finding that there is an immediate danger of further abuse, an order may be granted requiring the defendant:

(A) to refrain from abusing the plaintiff or his or her children, or both, or from cruelly treating as defined in 13 V.S.A. § 352 or 352a or killing any animal owned, possessed, leased, kept, or held as a pet by either party or by a minor child residing in the household;

(B) to refrain from interfering with the plaintiff's personal liberty or the personal liberty of the plaintiff's children, or both;

(C) to refrain from coming within a fixed distance of the plaintiff, the plaintiff's children, the plaintiff's residence, or the plaintiff's place of employment; ~~and~~

(D) to refrain from contacting the plaintiff or the plaintiff's children, or both, in any way, whether directly, indirectly, or through a third party, with the purpose of making contact with the plaintiff, including in writing or by telephone, e-mail, or other electronic communication; or

(E) to immediately relinquish, until the expiration of the order, all firearms that are in the defendant's possession, ownership, or control and to refrain from acquiring or possessing any firearms while the order is in effect.

(2) Upon a finding that the plaintiff, ~~his or her~~ or the plaintiff's children, or both, have been forced from the household and will be without shelter unless the defendant is ordered to vacate the premises, the court may order the defendant to vacate immediately the household and may order sole possession of the premises to the plaintiff.

(3) Upon a finding that there is immediate danger of physical or emotional harm to minor children, the court may award temporary custody of these minor children to the plaintiff or to other persons.

* * *

Sec. 7. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment?, Senator Baruth moved that the Senate concur in the House proposal of amendment with an amendment as follows:

In Sec. 2, 13 V.S.A. § 4019, by striking out subsection (d) in its entirety and inserting in lieu thereof a new subsection (d) to read as follows:

(d) A person shall not transfer a firearm to another person if:

(1) the transfer requires a background check under this section or under federal law; and

(2) the licensed dealer facilitating the transfer has not been provided with a unique identification number for the transfer by the National Instant Criminal Background Check System.

Thereupon, the question, Shall the Senate concur in the House proposal of amendment with further proposal of amendment?, was decided in the affirmative on a roll call, Yeas 21, Nays 9.

Senator Ingalls having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Bray, Champion, Chittenden, Clarkson, Cummings, Hardy, Hooker, Kitchel, Lyons, MacDonald, McCormack, Nitka, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, White.

Those Senators who voted in the negative were: Benning, Brock, Collamore, Ingalls, Mazza, Parent, Starr, Terenzini, Westman.

**Rules Suspended; Third Reading Ordered; Rules Suspended; Bill Passed
in Concurrence; Bill Messaged**

H. 693.

Appearing on the Calendar for notice, on motion of Senator White, the rules were suspended and House bill entitled:

An act relating to the annual budget vote of the Northeast Kingdom Waste Management District.

Was taken up for immediate consideration.

Senator Collamore, for the Committee on Government Operations, to which the bill was referred, reported that the bill ought to pass in concurrence.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

Thereupon, on motion of Senator Balint, the rules were suspended and the bill was placed on all remaining stages of its passage in concurrence forthwith.

Thereupon, the bill was read the third time and passed in concurrence.

Thereupon, on motion of Senator Balint, the rules were suspended and the bill was ordered messaged to the House forthwith.

Message from the House No. 13

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 320. An act relating to prohibiting agreements that prevent an employee from working for the employer following the settlement of a discrimination claim.

In the passage of which the concurrence of the Senate is requested.

The House has considered joint resolution originating in the Senate of the following title:

J.R.S. 38. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Adjournment

On motion of Senator Balint, the Senate adjourned until eleven o'clock and thirty minutes in the morning.

FRIDAY, FEBRUARY 4, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Rick Swanson of Stowe.

Bill Referred

House bill of the following title was read the first time and referred:

H. 320.

An act relating to prohibiting agreements that prevent an employee from working for the employer following the settlement of a discrimination claim.

To the Committee on Economic Development, Housing and General Affairs.

Bill Passed**S. 184.**

Senate bill of the following title was read the third time and passed:

An act relating to defense of others and justifiable homicide.

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted in concurrence:

By Reps. Killacky and others,

H.C.R. 96.

House concurrent resolution recognizing July 2022 as Park and Recreation Month in Vermont and designating July 15, 2022, as Vermont Park and Recreation Professionals Day in Vermont..

By Reps. Mrowicki and Bos-Lun,

By Senators Balint and White,

H.C.R. 97.

House concurrent resolution congratulating Alicia Dana on winning the Women's Road Race H1-4 cycling bronze medal at the 2020 Paralympics in Tokyo.

Message from the House No. 14

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 367. An act relating to the management of perpetual care funds by cemetery associations.

H. 461. An act relating to excluding the income of asylum seekers and refugees from household income.

H. 489. An act relating to miscellaneous provisions affecting health insurance regulation.

H. 701. An act relating to cannabis license fees.

In the passage of which the concurrence of the Senate is requested.

The House has adopted joint resolution of the following title:

J.R.H. 14. Joint resolution authorizing the 2022 Green Mountain Girls State educational program to use the State House.

In the adoption of which the concurrence of the Senate is requested.

The House has considered joint resolutions originating in the Senate of the following titles:

J.R.S. 39. Joint resolution providing for a Joint Assembly for the election of two legislative Trustees of the Vermont State Colleges Corporation.

J.R.S. 40. Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2022.

And has adopted the same in concurrence.

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 96. House concurrent resolution recognizing July 2022 as Park and Recreation Month in Vermont and designating July 15, 2022, as Vermont Park and Recreation Professionals Day in Vermont..

H.C.R. 97. House concurrent resolution congratulating Alicia Dana on winning the Women's Road Race H1-4 cycling bronze medal at the 2020 Paralympics in Tokyo.

In the adoption of which the concurrence of the Senate is requested.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, February 8, 2022, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 38.

TUESDAY, FEBRUARY 8, 2022

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Bill Referred to Committee on Appropriations

S. 91.

Senate bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to Parent Child Center Network.

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 41.

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senator Balint,

J.R.S. 41. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 11, 2022, it be to meet again no later than Tuesday, February 15, 2022.

Joint Resolution Placed on Calendar**J.R.H. 14.**

Joint resolution originating in the House of the following title was read the first time and is as follows:

Joint resolution authorizing the 2022 Green Mountain Girls State educational program to use the State House

Whereas, the American Legion Auxiliary Department of Vermont sponsors the Green Mountain Girls State educational program, providing a group of girls entering the 12th grade a special opportunity to study the workings of State government in Montpelier, and

Whereas, the Green Mountain Girls State educational program serves as an outstanding leadership-training forum for future civic leaders in Vermont, and

Whereas, as part of their visit to the State's capital city, the girls conduct a mock legislative session in the State House, now therefore be it

Resolved by the Senate and House of Representatives:

That the Sergeant at Arms shall make available the chambers and committee rooms of the State House for the Green Mountain Girls State educational program on Wednesday, June 22, 2022, from 8:00 a.m. to 4:15 p.m., and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the American Legion Auxiliary Department of Vermont in Montpelier.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action the next legislative day.

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 367.

An act relating to the management of perpetual care funds by cemetery associations.

To the Committee on Government Operations.

H. 461.

An act relating to excluding the income of asylum seekers and refugees from household income.

To the Committee on Finance.

H. 489.

An act relating to miscellaneous provisions affecting health insurance regulation.

To the Committee on Finance.

H. 701.

An act relating to cannabis license fees.

To the Committee on Finance.

**Proposal of Amendment Amended; Bill Passed in Concurrence with
Proposal of Amendment**

H. 679.

House bill entitled:

An act relating to fiscal year 2022 budget adjustments.

Was taken up.

Thereupon, pending third reading of the bill, Senators Pearson, Balint, Baruth, Bray, Campion, Chittenden, Clarkson, Hardy, Hooker, Lyons, MacDonald, McCormack, Perchlik, Pollina and Ram Hinsdale moved to amend the Senate proposal of amendment by adding a new section to be numbered Sec. 71a to read as follows:

**Sec. 71a. AMERICAN RESCUE PLAN ACT; PREVAILING WAGE
REQUIREMENT**

(a)(1) Except as provided in subsection (b) of this section, any contract awarded for a maintenance, construction, or improvement project that receives \$200,000.00 or more in American Rescue Plan Act (ARPA) funds shall provide that all construction employees working on the project shall be paid not less than the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey plus an additional fringe benefit of 42 and one-half percent of wage, as calculated by the current Vermont prevailing wage survey.

(2) As used in this subsection, “fringe benefits” has the same meaning as used in 29 V.S.A. § 161.

(b) The requirements of subsection (a) of this section shall not apply to any maintenance, construction, or improvement project that received \$200,000.00 or more in American Rescue Plan Act (ARPA) funds appropriated prior to the

effective date of this act if any of the following apply as of the effective date of this act:

- (1) the project has been invited or advertised for bid;
- (2) the project is under contract; or
- (3) the funds are obligated.

(c) Subsection (a) of this section shall not apply to contracts awarded for maintenance, construction, or improvements projects that are required by law to comply with the requirements of the federal Davis-Bacon Act.

Which was agreed to.

Thereupon, pending third reading of the bill, Senator Kitchel moved to amend the Senate proposal of amendment as follows:

First: By striking out Sec. 53, fiscal year 2022 unallocated reserve, in its entirety and inserting in lieu thereof a new Sec. 53 to read as follows:

Sec. 53. FISCAL YEAR 2022 UNALLOCATED RESERVE

(a) After satisfying the requirements of 32 V.S.A. § 308, and after other reserve requirements have been met, but prior to satisfying the requirements of 32 V.S.A. § 308c, the first \$81,000,000 of remaining unreserved and undesignated funds at the close of fiscal year 2022 shall remain in the General Fund and be carried forward to fiscal year 2023. These funds may be used to provide state match to the federal Infrastructure Investment and Jobs Act.

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

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

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

(3) \$25,114,179 is appropriated to the extent available and, in fiscal year 2022, the Commissioner of Finance and Management is authorized to replace American Rescue Plan Act – Coronavirus State Fiscal Recovery Funds

appropriated in 2021 Acts and Resolves No. 74, Sec. G.300, as amended by Sec. 68 of this act, with General Fund dollars in the following amounts:

(A) \$6,000,000 to replace the fund source in the appropriation in Sec. G.300(a)(23) (Vermont Foodbank);

(B) \$1,001,913 to replace the fund source in the appropriation in Sec. G.300(a)(26) (adult day services);

(C) \$4,934,590 to replace the fund source in the appropriation in Sec. G.300(a)(27) (Department of Corrections);

(D) \$12,803,996 to replace the fund source in the appropriation in Sec. G.300(a)(28) (Department of Labor); and

(E) \$373,680 to replace the fund source in the appropriation in Sec. G.300(a)(29) (Vermont Veterans' Home).

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

Second: By adding a new section to be Sec. 67a to read as follows:

**Sec. 67a. REAFFIRMATION OF MULTIYEAR FUNDING PRIORITIES
FOR AMERICAN RESCUE PLAN ACT (ARPA) AND OTHER
FEDERAL AND STATE FUNDS**

(a) In 2021 Acts and Resolves No. 74, Sec. G.100, the General Assembly recognized that ARPA State Fiscal Relief funds, along with other federal or State funds, offer the unprecedented opportunity to invest in Vermont's recovery and long-term future by supporting Vermonters' health and well-being and by strengthening Vermont's communities, businesses, environment, and climate.

(b) In November 2021, the federal Infrastructure Investment and Jobs Act (IIJA) was enacted. This federal law includes unprecedented levels of federal investments for broadband; water, transportation, and electricity infrastructure; environmental remediation; cybersecurity; and carbon reduction and climate resilience strategies. The law authorizes approximately \$1.2 trillion of funding over five years, of which approximately \$550 billion is newly authorized spending, for transformative investments in these critical infrastructure systems. The law provides for formula funding to states, as well as competitive grants that states may apply for to seek additional funding, with nearly 50 percent of the additional funding allocated for nontransportation investments. While match requirements vary by project and funding stream,

the additional state match requirements necessary to draw down the nontransportation formula and competitive grant funding will be substantial.

(c) The General Assembly reaffirms the intention of 2021 Acts and Resolves No. 74, Sec. G.100 and will seek to make the budget and appropriations processes of the 2022 legislative session consistent with the need to create state fiscal capacity to maximize the federal funding opportunities in the IJA for broadband, cybersecurity, water, energy, and climate initiatives.

Third: In Sec. 68, which amends 2021 Acts and Resolves No. 74, Sec. G.300, by striking out subdivision (a)(32) in its entirety and inserting in lieu thereof a new subdivision (32) to read as follows:

(32) \$1,500,000 to the Department of Buildings and General Services to develop and issue the request for proposal for the State House expansion planning design, provided that any funds remaining unobligated by October 1, 2023 shall be reverted and made available for reallocation.

Fourth: In Sec. 72, workforce recruitment and retention funding for employees of eligible health care and social service employers, in subsection (b), by striking out subdivision (8) in its entirety and inserting in lieu thereof a new subdivision (8) to read as follows:

(8) organizations recognized by the Agency of Human Services through their status as provider grant recipients providing health support services, including the area agencies on aging; organizations providing peer support services; organizations providing peer outreach services to individuals with intellectual disabilities; organizations providing children's integrated services; shared living providers; recovery centers; children, youth, and family-based support providers; and programs licensed by the Department for Children and Families as residential treatment programs.

Fifth: By striking out Sec. 72a, Medicaid home- and community-based services (HCBS) plan, in its entirety and inserting in lieu thereof a new Sec. 72a to read as follows:

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

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

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

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

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

(b) The Agency of Human Services (AHS) is authorized to transfer General Fund appropriations made in fiscal year 2022 in the Global Commitment line to a new, one-time General Fund HCBS appropriation departmental ID. The amount transferred shall be not greater than the amount accounted for in fiscal year 2022 as a result of the 10 percent match rate allowed under ARPA Sec. 9817. The estimate of this transfer is between \$65,000,000 and \$69,000,000. Up to \$7,540,128 of the funds transferred and appropriated in this subsection may be used in fiscal year 2022 as State matching funds in 2021 Acts and Resolves No. 74, Sec. B.301 for the \$17,136,654 HCBS Global Commitment rate increases provided in 2021 Acts and Resolves No. 74. AHS shall report to the Joint Fiscal Committee in July 2022 on the actual amount transferred pursuant to this authority and the amount expended as the State match for all the HCBS plan expenditures in fiscal year 2022. Funds transferred and appropriated under this subsection shall carry forward until expended and may only be used as State matching funds for the HCBS plan.

(c) In fiscal year 2022, a total of \$59,457,740 is appropriated from the Global Commitment Fund to AHS to meet the objectives of the HCBS plan. This appropriation consists of \$17,136,654 as appropriated in 2021 Acts and Resolves No. 74 for a three percent rate increase to HCBS providers, including the assistive community care rates and children integrated services rates, and the following appropriations in distinct one-time departmental IDs:

(1) \$25,000,000 is appropriated for the retention and recruitment grant program for HCBS providers as specified in Sec. 72 of this act.

(2) \$3,447,500 is appropriated to the Agency of Human Services – Secretary’s Office.

(3) \$2,370,000 is appropriated to the Department of Disabilities, Aging, and Independent Living.

(4) \$6,171,000 is appropriated to the Department of Mental Health.

(5) \$390,000 is appropriated to the Department of Vermont Health Access.

(6) \$4,942,586 is appropriated to the Department of Health.

(d) The Global Commitment Fund appropriated in subsection (c) of this section may be obligated in fiscal year 2022 for the purposes of bringing

HCBS plan spending authority forward into fiscal year 2023. The funds appropriated in subsections (b) and (c) of this section may be transferred on a net-neutral basis in fiscal year 2022 in the same manner as the Global Commitment appropriations referenced in 2021 Acts and Resolves No. 74, Sec. E.301.2. The Agency shall report to the Joint Fiscal Committee in September 2022 on transfers of appropriations made and final amounts expended by each department in fiscal year 2022 and any obligated funds carried forward to be expended in fiscal year 2023.

Which was agreed to.

Thereupon, the bill was read the third time and passed in concurrence with proposals of amendment on a roll call, Yeas 30, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Benning, Bray, Brock, Campion, Chittenden, Clarkson, Collamore, Cummings, Hardy, Hooker, Ingalls, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Parent, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, Starr, Terenzini, Westman, White.

Those Senators who voted in the negative were: None.

Committee Relieved of Further Consideration; Bill Committed

H. 367.

On motion of Senator White, the Committee on Government Operations was relieved of further consideration of House bill entitled:

An act relating to the management of perpetual care funds by cemetery associations,

and the bill was committed to the Committee on Finance.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Wednesday, February 9, 2022.

WEDNESDAY, FEBRUARY 9, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Thomas Harty of Bethel.

Message from the House No. 15

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has concurred in the adoption of a proposed amendment to the Vermont Constitution entitled:

Prop 2. Declaration of rights; clarifying the prohibition on slavery and indentured servitude.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam President:

I am directed by the Governor to inform the Senate that on the eighth day of February, 2022 he approved and signed a bill originating in the Senate of the following title:

S. 78. An act relating to binding interest arbitration for employees of the Vermont Judiciary.

Rules Suspended; Bill Committed

Appearing on the Calendar for notice, on motion of Senator Sears the rules were suspended and Senate bill entitled:

S. 166. An act relating to utility construction worksites and consumer protection.

Was taken up for immediate consideration.

Thereupon, pending the reading of the report of the Committee on Judiciary, Senator Sears moved that Senate Rule 49 be suspended in order to commit the bill to the Committee on Finance with the report of the Committee on Judiciary *intact*,

Which was agreed to.

Bill Passed**S. 280.**

Senate Committee bill of the following title was read the third time and passed:

An act relating to miscellaneous changes to laws related to vehicles.

Bill Amended; Third Reading Ordered**S. 210.**

Senator Clarkson, for the Committee on Economic Development, Housing and General Affairs, to which was referred Senate bill entitled:

An act relating to rental housing health and safety and affordable housing.

Reported recommending that the bill be amended as follows:

First: In Sec. 1, 20 V.S.A. chapter 172, in subsection 2678(b), by inserting a new subdivision (7) to read:

(7) Units rented for fewer than 90 days. The registration and fee requirements imposed in subsection (a) of this section do not apply to a unit that is rented for fewer than 90 days per calendar year.

And by renumbering the remaining subdivision to be numerically correct

Second: In Sec. 3, repeal, by striking out “2678(b)(7)” and inserting in lieu thereof 2678(b)(8)

Third: By adding two new sections to be numbered Secs. 14a and 14b to read as follows:

Sec. 14a. VERMONT RENTAL HOUSING INVESTMENT PROGRAM;
FY 2022 APPROPRIATION

In fiscal year 2022, of the amounts available to the State from federal coronavirus relief funds, the amount of \$2,000,000.00 is appropriated to the Department of Housing and Community Development to implement the Vermont Rental Housing Investment Program created in Sec. 9 of this act.

Sec. 14b. VERMONT RENTAL HOUSING INVESTMENT PROGRAM;
FY 2023 APPROPRIATION

In fiscal year 2023, of the amounts available to the State from federal coronavirus relief funds, the amount of \$10,000,000.00 is appropriated to the Department of Housing and Community Development to implement the Vermont Rental Housing Investment Program created in Sec. 9 of this act.

Fourth: By striking out Sec. 15, effective dates, in its entirety and inserting in lieu thereof a new Sec. 15 to read as follows:

Sec. 15. EFFECTIVE DATES

(a) This section, Secs. 8–10 (Vermont Rental Housing Investment Program), and Sec. 14a (FY 2022 VRHIP appropriation) shall take effect on passage.

(b) The following sections shall take effect on July 1, 2022:

(1) Sec. 1 (DPS authority for rental housing health and safety; rental housing registration);

(2) Sec. 4 (DPS positions);

(3) Sec. 5 (DHCD positions);

(4) Sec. 6 (conforming changes to Department of Health statutes);

(5) Sec. 7 (DPS rulemaking authority and transition provisions);

(6) Secs. 11–14 (revolving loan program; reports); and

(7) Sec. 14b (FY 2023 VRHIP appropriation).

(c) Sec. 2 (administrative penalty for failure to register) shall take effect on July 1, 2023.

(d) Sec. 3 (repeal of registration exemption for housing provided as a benefit of farm employment) shall take effect on July 1, 2025.

And that when so amended the bill ought to pass.

Senator Sirotkin, for the Committee on Finance, to which the bill was referred, reported that the bill ought to pass.

Senator Kitchel, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill be amended as recommended by the Committee on Economic Development, Housing and General Affairs with the following amendments thereto:

First: By striking out Secs. 4 (DPS positions) and 5 (DHCD positions) in their entireties and inserting in lieu thereof new Secs. 4–5 to read as follows:

Sec. 4. DEPARTMENT OF PUBLIC SAFETY; POSITIONS

(a) The Department of Public Safety is authorized to create five full-time classified Inspector positions in order to conduct rental housing health and safety inspections and enforcement pursuant to 20 V.S.A. chapter 172.

(b) The Department may hire additional Inspectors authorized by this section to the extent funds become available from the Rental Housing Safety Special Fund created and maintained pursuant to 20 V.S.A. § 2678(d).

Sec. 5. DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT; POSITIONS

(a) The Department of Housing and Community Development is authorized to create one full-time classified position and one half-time classified position to design and implement the registry created in, and to administer and enforce the registry requirements of, 20 V.S.A. § 2678.

(b) The Department may hire additional staff authorized by this section to the extent funds become available from the Rental Housing Safety Special Fund created and maintained pursuant to 20 V.S.A. § 2678(d).

Second: By striking out Secs. 14a (FY 2022 appropriation; VRHIP); 14b (FY 2023 appropriation; VRHIP); and 15 (effective dates) in their entirety and inserting in lieu thereof two new sections to be Secs. 15–16 to read as follows:

Sec. 15. APPROPRIATIONS

(a) Purpose. The purpose of the appropriations in this section are:

(1) to respond to the far-reaching public health and negative economic impacts of the COVID-19 pandemic; and

(2) to ensure that Vermonters and Vermont communities have an adequate supply of safe, affordable housing.

(b) In fiscal year 2022, the amount of \$20,400,000.00 is appropriated from the America Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds as follows:

(1) \$100,000.00 to the Department of Public Safety as one-time startup funding to hire one or more Inspector positions authorized pursuant to Sec. 4 of this act.

(2) \$300,000.00 to the Department of Housing and Community Development as one-time startup funding to hire one or more of the positions authorized pursuant to Sec. 5 of this act.

(3) \$20,000,000.00 to the Department of Housing and Community Development to implement the Vermont Rental Housing Investment Program created in 10 V.S.A. § 699.

Sec. 16. EFFECTIVE DATES

(a) This section and the following sections shall take effect on passage:

(1) Sec. 1 (DPS authority for rental housing health and safety; rental housing registration).

(2) Sec. 4 (DPS positions).

(3) Sec. 5 (DHCD positions).

(4) Sec. 6 (conforming changes to Department of Health statutes).

(5) Sec. 7 (DPS rulemaking authority and transition provisions).

(6) Secs. 8–10 (Vermont Rental Housing Investment Program).

(7) Secs. 11–14 (Vermont Homeownership Revolving Loan Fund).

(8) Sec. 15 (FY 2022 ARPA appropriations).

(b) Sec. 2 (administrative penalty for failure to register rental housing) shall take effect on July 1, 2023.

(c) Sec. 3 (repeal of registration exemption for housing provided as a benefit of farm employment) shall take effect on July 1, 2025.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the recommendation of amendment of the Committee on Economic Development, Housing and General Affairs was agreed to.

Thereupon, the question, Shall the bill be amended as recommended by the Committee on Appropriations?, was decided in the affirmative.

Thereupon, third reading of the bill was ordered on a roll call, Yeas 22, Nays 8.

Senator Brock having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Bray, Champion, Chittenden, Clarkson, Cummings, Hardy, Hooker, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, White.

Those Senators who voted in the negative were: Benning, Brock, Collamore, Ingalls, Parent, Starr, Terenzini, Westman.

Joint Resolution Adopted in Concurrence

J.R.H. 14.

Joint House resolution entitled:

Joint resolution authorizing the 2022 Green Mountain Girls State educational program to use the State House.

Having been placed on the Calendar for action, was taken up and adopted in concurrence.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 10, 2022.

THURSDAY, FEBRUARY 10, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Greta Getlein of Burlington.

Message from the House No. 16

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has considered joint resolution originating in the Senate of the following title:

J.R.S. 41. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

The House has concurred in the adoption of a proposed amendment to the Vermont Constitution entitled:

Prop 5. Declaration of rights; right to personal reproductive liberty.

Message from the Governor Appointments Referred

A message was received from the Governor, by Brittney L. Wilson, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

The nomination of

Gray, Heather J. of Queechee - Superior Judge - from January 3, 2022 to March 31, 2027.

To the Committee on Judiciary.

The nomination of

Jiron, Justin Patrick of Underhill - Superior Judge - from January 3, 2022 to March 31, 2023.

To the Committee on Judiciary.

The nomination of

Novotny, Elizabeth of Jericho - Superior Judge - from January 3, 2022 to March 31, 2027.

To the Committee on Judiciary.

Bill Passed

S. 210.

Senate bill of the following title:

An act relating to rental housing health and safety and affordable housing.

Was read the third time and passed on a roll call, Yeas 20, Nays 9.

Senator Ingalls having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Bray, Champion, Chittenden, Clarkson, Cummings, Hardy, Hooker, Kitchel, Lyons, MacDonald, McCormack, Nitka, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, White.

Those Senators who voted in the negative were: Benning, Brock, Collamore, Ingalls, Mazza, Parent, Starr, Terenzini, Westman.

The Senator absent and not voting was: Baruth.

Message from the House No. 17

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 510. An act relating to a Vermont Child Tax Credit and the Vermont Social Security income exclusion.

H. 559. An act relating to workers' compensation.

In the passage of which the concurrence of the Senate is requested.

The Governor has informed the House that on February 10, 2022, he returned without signature and vetoed a bill originating in the House of the following title:

H. 157. An act relating to registration of construction contractors.

Text of Communication from Governor

The text of the communication to the House from His Excellency, the Governor, whereby he vetoed and returned unsigned **House Bill No. H. 157** to the House is as follows:

“February 10, 2022

The Honorable BetsyAnn Wrask
Clerk of the Vermont House of Representatives
115 State Street
Montpelier, VT 05633

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I am returning H. 157, *An act relating to registration of contractors*, without my signature because of my objections described herein.

As I have previously said, I strongly support protecting the interests of consumers, who are already facing a crisis of affordability. I also support policy that helps Vermont's small businesses succeed and grow. These small, local businesses are the heart and soul of our communities and the backbone of our economy.

The fact is the findings of the Legislature in support of this bill are flawed.

This bill has the potential to undermine and weaken a large number of Vermont's small businesses – small, local residential contractors – at a time when we all agree we must prioritize new and revitalized housing.

More specifically, this bill favors larger and more established businesses at the expense of small entry-level businesses by imposing, by law, specific contract and insurance requirements that many of the smaller businesses will not be able to meet. Such specific requirements are rarely, if ever imposed on other professions. Ultimately, these provisions harm small businesses – which could lead to closures – and they harm consumers through higher costs and fewer options for making needed repairs.

There are multiple ways of finding residential contractors in one's community and for holding contractors accountable without creating this new regulatory system. One can find directories maintained by trades associations, as well as commercial listings, social media, consumer sites, references, and, of course, word of mouth.

Importantly, there are existing avenues for determining and adjudicating complaints already, as well as an existing Home Improvement Fraud Registry. Current law clearly authorizes the Attorney General to pursue both civil and criminal complaints against contractors for unfair or deceptive acts or practices. The Criminal Law provisions relating to home improvement fraud apply to oral and written contracts for \$500 or more; convictions for home improvement fraud require notice to the Attorney General; and the Attorney General maintains the Home Improvement Fraud Registry (although it is important to note successfully completed deferred sentences will be expunged).

Finally, the Legislature concedes in its findings that registration confers no assurance of competence. Given this concession, we should not risk the economic harm of this legislation when we already have tools in the toolbox to protect consumers and perhaps those tools should be sharpened.

I would agree there is room to improve existing processes already designed to protect consumers, but not necessarily through Legislative action, and certainly not action that could advantage larger established entities over small, local mom-and-pop businesses; reduce our contracting workforce and increase costs for already over-burdened consumers – not to mention the \$250 fee that will be charged to get on this registry.

As legislators are well aware, I have been willing to work with you to find a path forward, but based on the objections outlined above, I cannot support this piece of legislation and must return it without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,

/s/Philip B. Scott

Philip B. Scott
Governor

PBS/kp”

Adjournment

On motion of Senator Balint, the Senate adjourned until eleven o'clock and thirty minutes in the morning.

FRIDAY, FEBRUARY 11, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Arnold Thomas of Jericho.

Message from the House No. 18

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 477. An act relating to leave for crime victims.

In the passage of which the concurrence of the Senate is requested.

The House has adopted joint resolution of the following title:

J.R.H. 15. Joint resolution extending the application of temporary Joint Rule 22A through Tuesday, March 8, 2022.

In the adoption of which the concurrence of the Senate is requested.

The House has considered Senate proposal of amendment to House proposal of amendment to Senate bill of the following title:

S. 30. An act relating to prohibiting possession of firearms within hospital buildings.

And has concurred therein.

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 98. House concurrent resolution congratulating Mary L. Miner of Manchester on her 100th birthday.

H.C.R. 99. House concurrent resolution congratulating the Town of Stowe on earning a three-year designation as a Quality Youth Development Community.

H.C.R. 100. House concurrent resolution honoring Rebecca Buck for her superb service as a member of the Joint Fiscal Office staff.

H.C.R. 101. House concurrent resolution in memory of former Representative Carl D. Powden of Johnson.

H.C.R. 102. House concurrent resolution honoring Stephen A. Klein for his dedicated leadership as the General Assembly's Chief Fiscal Officer.

H.C.R. 103. House concurrent resolution congratulating the 2021 class of Eagle Scouts in the State of Vermont.

In the adoption of which the concurrence of the Senate is requested.

The House has considered concurrent resolutions originating in the Senate of the following titles:

S.C.R. 12. Senate concurrent resolution memorializing the more than 500 Vermonters who have died due to COVID-19, extending sincere condolences to their families, and thanking those Vermonters whose frontline jobs have been especially challenging during the pandemic.

S.C.R. 13. Senate concurrent resolution congratulating Kekla Magoon on her 2021 and 2022 literary honors as an author of young people's literature.

S.C.R. 14. Senate concurrent resolution congratulating Jason Chin of Burlington on his winning of the 2022 Randolph Caldecott Medal.

And has adopted the same in concurrence.

Pages Honored

In appreciation of their many services to the members of the General Assembly, the President recognized the following-named pages who are completing their services today and presented them with letters of appreciation.

Camden Buckley of Montpelier
Mia Dolan of Barre
Abraham Dunne of Hartland
Amelia Farley of South Burlington
Grady Hagenbuch of Waterbury Center
Cecilia Marino of Williston
Emma Schaffer of Morristown

Joint Resolution Placed on Calendar

J.R.H. 15.

Joint resolution originating in the House of the following title was read the first time and is as follows:

Joint resolution extending the application of temporary Joint Rule 22A through Tuesday, March 8, 2022

Resolved by the Senate and House of Representatives:

That Temporary Joint Rule 22A is amended to read as follows:

Rule 22A. Temporary Rule Regarding Joint Committee Meetings

(a) A member of a joint committee may debate and vote remotely in that committee if the member confirms with the committee's chair or co-chairs, as applicable, that the member must be absent from committee due to symptomatic illness or direct COVID-19-related circumstances.

(b) The Joint Rules Committee is authorized to meet remotely as necessary to address COVID-19-related matters that may impact the operation of the General Assembly and joint committees.

(c) The remote authority set forth in this rule shall remain in effect through Tuesday, ~~February 15~~ March 8, 2022.

(d) Notwithstanding the provisions of subsection (c) of this rule, if the Governor thereafter reissues capacity restrictions at gatherings and events or requires masks and physical distancing in response to COVID-19, the Joint Rules Committee is authorized to meet remotely and to permit any joint committees of the Legislature to meet and vote electronically as the Joint Rules Committee determines appropriate.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action the next legislative day.

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 477.

An act relating to leave for crime victims.

To the Committee on Economic Development, Housing and General Affairs.

H. 510.

An act relating to a Vermont Child Tax Credit and the Vermont Social Security income exclusion.

To the Committee on Finance.

H. 559.

An act relating to workers' compensation.

To the Committee on Economic Development, Housing and General Affairs.

Third Reading Ordered**H. 361.**

Senator White, for the Committee on Government Operations, to which was referred House bill entitled:

An act relating to approval of amendments to the charter of the Town of Brattleboro.

Reported that the bill ought to pass in concurrence.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered on a roll call, Yeas 20, Nays 9.

Senator Terenzini having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Bray, Campion, Chittenden, Clarkson, Cummings, Hardy, Hooker, Kitchel, Lyons, Mazza, McCormack, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, Starr, White.

Those Senators who voted in the negative were: Benning, Brock, Collamore, Ingalls, MacDonald, Nitka, Parent, Terenzini, Westman.

The Senator absent and not voting was: Baruth.

Bill Amended; Third Reading Ordered**S. 122.**

Senator Ram Hinsdale, for the Committee on Government Operations, to which was referred Senate bill entitled:

An act relating to the required votes of presidential electors.

respectfully reports that it has considered the same and recommends that the bill be amended as follows:

First: In Sec. 1, 17 V.S.A. chapter 57, section 2732, subdivision (c)(3)(A), following "The Secretary of State shall accept and", by striking out the word "cast" and inserting in lieu thereof the word count

Second: In Sec. 2, effective date, following "July 1," by striking out "2021" and inserting in lieu thereof 2022

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendations of amendment were severally agreed to, and third reading of the bill was ordered.

Senate Concurrent Resolutions

The following joint concurrent resolutions, having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted on the part of the Senate:

By Senators Ram Hinsdale, Balint, Benning, Bray, Brock, Campion, Chittenden, Clarkson, Hardy, Hooker, Kitchel, Lyons, McCormack, Parent, Pearson, Perchlik, Pollina, Sears, Sirotkin, Terenzini and White,

By All Members of the House,

S.C.R. 12.

Senate concurrent resolution memorializing the more than 500 Vermonters who have died due to COVID-19, extending sincere condolences to their families, and thanking those Vermonters whose frontline jobs have been especially challenging during the pandemic.

By Senators Ram Hinsdale, Cummings, Lyons, Perchlik and Pollina,

S.C.R. 13.

Senate concurrent resolution congratulating Kekla Magoon on her 2021 and 2022 literary honors as an author of young people's literature.

By Senators Ram Hinsdale, Cummings, Lyons, Perchlik, Pollina and Sirotkin,

S.C.R. 14.

Senate concurrent resolution congratulating Jason Chin of Burlington on his winning of the 2022 Randolph Caldecott Medal.

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted in concurrence:

By Rep. Morrissey,

H.C.R. 98.

House concurrent resolution congratulating Mary L. Miner of Manchester on her 100th birthday.

By Rep. Scheuermann,

H.C.R. 99.

House concurrent resolution congratulating the Town of Stowe on earning a three-year designation as a Quality Youth Development Community.

By Rep. Hooper,

By Senator Kitchel,

H.C.R. 100.

House concurrent resolution honoring Rebecca Buck for her superb service as a member of the Joint Fiscal Office staff.

By Reps. Brumsted and others,

H.C.R. 101.

House concurrent resolution in memory of former Representative Carl D. Powden of Johnson.

By Rep. Hooper,

By Senator Kitchel,

H.C.R. 102.

House concurrent resolution honoring Stephen A. Klein for his dedicated leadership as the General Assembly's Chief Fiscal Officer.

By Reps. Fagan and others,

By All Members of the Senate,

H.C.R. 103.

House concurrent resolution congratulating the 2021 class of Eagle Scouts in the State of Vermont.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, February 15, 2022, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 41.

TUESDAY, FEBRUARY 15, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Katelyn Macrae of Richmond.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Bill Referred to Committee on Finance**S. 188.**

Senate bill of the following title, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule was referred to the Committee on Finance:

An act relating to regulating licensed small cannabis cultivation as farming.

Bill Referred to Committee on Appropriations**S. 173.**

Senate bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to the State House Oversight Committee.

Joint Senate Resolution Adopted on the Part of the Senate**J.R.S. 42.**

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senator Balint,

J.R.S. 42. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 18, 2022, it be to meet again no later than Tuesday, February 22, 2022.

Bill Passed**S. 122.**

Senate bill of the following title:

An act relating to the required votes of presidential electors.

Was read the third time and passed on a roll call, Yeas 22, Nays 7.

Senator Ingalls having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Bray, Campion, Chittenden, Clarkson, Cummings, Hardy, Hooker, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Pearson, Pollina, Ram Hinsdale, Sears, Sirotkin, Starr, White.

Those Senators who voted in the negative were: Benning, Brock, Collamore, Ingalls, Parent, Terenzini, Westman.

The Senator absent and not voting was: Perchlik.

Bill Passed in Concurrence

H. 361.

House bill of the following title was read the third time and passed in concurrence:

An act relating to approval of amendments to the charter of the Town of Brattleboro.

Bill Amended; Third Reading Ordered

S. 169.

Senator Cummings, for the Committee on Finance, to which was referred Senate bill entitled:

An act relating to education property tax overpayments by a municipality or school district.

Reported recommending that the bill be amended as follows:

First: In Sec. 1, Education Fund refund; City of Barre TIF District; tax increment; FY 2016–FY 2019, by striking out “fiscal year 2023” and inserting in lieu thereof June 30, 2022

Second: In Sec. 2, 16 V.S.A. § 4011, in subsection (d), in the second sentence, by striking out the words “General Assembly” and inserting in lieu thereof the words House Committees on Education and on Ways and Means and the Senate Committees on Education and on Finance

Third: In Sec. 3, 16 V.S.A. § 4025(b), in subdivision (6), after “as determined by the Secretary of Education” by inserting the words in consultation with the Commissioner of Taxes

Fourth: In Sec. 4, effective date, by striking out “July 1, 2022” and inserting in lieu thereof the word passage

And that when so amended the bill ought to pass.

Senator Kitchel, for the Committee on Appropriations, to which the bill was referred, reported that the bill be amended as follows:

First: By striking out Sec. 1, Education Fund refund; City of Barre TIF District; tax increment; FY 2016–FY 2019, in its entirety and inserting in lieu thereof a new Sec. 1 to read as follows:

Sec. 1. [Deleted.]

Second: In Sec. 4, effective date, by striking out “passage” and inserting in lieu thereof July 1, 2022

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the recommendation of the Committee on Finance was agreed to.

Thereupon, the bill was amended as recommended by the Committee on Appropriations.

Thereupon, third reading of the bill was ordered.

Joint Resolution Adopted in Concurrence

J.R.H. 15.

Joint House resolution entitled:

Joint resolution extending the application of temporary Joint Rule 22A through Tuesday, March 8, 2022.

Having been placed on the Calendar for action, was taken up and adopted in concurrence.

Message from the House No. 19

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has considered Senate proposal of amendment to House bill entitled:

H. 679. An act relating to fiscal year 2022 budget adjustments.

And has refused to concur therein and asks for a Committee of Conference upon the disagreeing votes of the two Houses;

The Speaker appointed as members of such Committee on the part of the House:

Rep. Hooper of Montpelier
Rep. Fagan of Rutland City
Rep. Jessup of Middlesex

The Governor has informed the House that on February 14, 2022, he approved and signed bills originating in the House of the following titles:

H. 454. An act relating to approval of an amendment to the charter of the City of Burlington.

H. 693. An act relating to the annual budget vote of the Northeast Kingdom Waste Management District.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Wednesday, February 16, 2022.

WEDNESDAY, FEBRUARY 16, 2022

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Committee Relieved of Further Consideration; Bill Committed

S. 266.

On motion of Senator Sears, the Committee on Judiciary was relieved of further consideration of Senate bill entitled:

An act relating to substance use disorder treatment and overdose prevention,

and the bill was committed to the Committee on Health and Welfare.

Bill Passed

S. 169.

Senate bill of the following title was read the third time and passed:

An act relating to education property tax overpayments by a municipality or school district.

Committee of Conference Appointed

H. 679.

An act relating to fiscal year 2022 budget adjustments.

Was taken up. Pursuant to the request of the House, the President announced the appointment of

Senator Kitchel
Senator Sears
Senator Westman

as members of the Committee of Conference on the part of the Senate to consider the disagreeing votes of the two Houses.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 17, 2022.

THURSDAY, FEBRUARY 17, 2022

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Bills Amended; Third Readings Ordered

S. 175.

Senator White, for the Committee on Government Operations, to which was referred Senate bill entitled:

An act relating to confidential information concerning the initial arrest and charge of a child.

Reported recommending that the bill be amended by striking out Sec. 1, 1 V.S.A. § 317, in its entirety and inserting in lieu thereof a new Sec. 1 to read as follows:

Sec. 1. 1 V.S.A. § 317 is amended to read:

§ 317. DEFINITIONS; PUBLIC AGENCY; PUBLIC RECORDS AND DOCUMENTS; EXEMPTIONS

* * *

(c) The following public records are exempt from public inspection and copying:

* * *

(5)(A) Records dealing with the detection and investigation of crime, but only to the extent that the production of such records:

* * *

(B)(i) Notwithstanding subdivision (A) of this subdivision (5), records relating to management and direction of a law enforcement agency; records reflecting the initial arrest of a person, including any ticket, citation, or complaint issued for a traffic violation, as that term is defined in 23 V.S.A. § 2302; and records reflecting the charge of a person shall be public.

(ii) A public agency shall not release any information within a record reflecting the initial arrest or charge of a person who is younger than the age identified in 33 V.S.A. § 5201(d) that would reveal the identity of the person. However, a public agency may disclose information that would reveal the identity of the person in order to protect the health and safety of any person.

* * *

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

S. 265.

Senator Sears, for the Committee on Judiciary, to which was referred Senate bill entitled:

An act relating to expanding criminal threatening to include threats to third persons.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 1702 is amended to read:

§ 1702. CRIMINAL THREATENING

(a) A person shall not by words or conduct knowingly:

(1) threaten another person or a group of particular persons; and

(2) as a result of the threat, place the other person in reasonable apprehension of death or serious bodily injury to the other person, a person in the group of particular persons, or any other person.

(b) A person who violates subsection (a) of this section shall be imprisoned not more than one year or fined not more than \$1,000.00, or both.

(c) A person who violates subsection (a) of this section with the intent to prevent another person from reporting to the Department for Children and Families the suspected abuse or neglect of a child shall be imprisoned not more than two years or fined not more than ~~\$1,000.00~~ \$2,000.00, or both.

(d) A person who violates subsection (a) of this section by making a threat that places any person in reasonable apprehension that death or serious bodily injury will occur at a public or private school; postsecondary education institution; place of worship; polling place during election activities; the Vermont State House; or any federal, State, or municipal building shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.

(e) A person who violates subsection (a) of this section with the intent to terrify, intimidate, or unlawfully influence a person to prevent that person from complying with State laws or rules, State court or administrative orders, or State executive orders shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.

(f) As used in this section:

(1) “Serious bodily injury” shall ~~have~~ has the same meaning as in section 1021 of this title.

(2) “Threat” and “threaten” shall do not include constitutionally protected activity.

(3) “Candidate” has the same meaning as in 17 V.S.A. § 2103.

(4) “Election official” has the same meaning as in 17 V.S.A. § 2455.

(5) “Public employee” means a classified employee within the Legislative, Executive, or Judicial Branch of the State and any of its political subdivisions and any employee within a county or local government and any of the county’s or local government’s political subdivisions.

(6) “Public servant” has the same meaning as in 17 V.S.A. § 2103.

(7) “Polling place” has the same meaning as in 17 V.S.A. chapter 51, subchapter 4.

~~(e)(g)~~ Any person charged under this section who ~~is under 18 years of age~~ meets the definition of “child” pursuant to 33 V.S.A. § 5102(2)(C) and is an age enumerated in 33 V.S.A. § 5103(c)(2) shall be ~~adjudicated as a juvenile delinquent~~ subject to a juvenile proceeding.

~~(f)(h) It shall be an affirmative defense to a charge under this section that the person did not have the ability to carry out the threat. The burden shall be on the defendant to prove the affirmative defense by a preponderance of the evidence. A person who violates subsection (a) of this section with the intent to terrify, intimidate, or unlawfully influence the conduct of a candidate for public office, public servant, election official, or public employee in any decision, opinion, recommendation, vote, or other exercise of discretion taken in capacity as a candidate for public office, public servant, election official, or public employee, or with the intent to retaliate against a candidate for public office, public servant, election official, or public employee for any previous action taken in capacity as a candidate for public office, public servant, election official, or public employee, shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.~~

Sec. 2. EFFECTIVE DATE

~~This act shall take effect on passage.~~

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered on a roll call, Yeas 28, Nays 2.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Hardy, Hooker, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Parent, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, Starr, Terenzini, Westman, White.

Those Senators who voted in the negative were: Benning, Ingalls.

Adjournment

On motion of Senator Balint, the Senate adjourned until eleven o'clock and thirty minutes in the morning.

FRIDAY, FEBRUARY 18, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Rabbi Tobi Weisman of Montpelier.

Message from the House No. 20

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 447. An act relating to approval of amendments to the charter of the Town of Springfield.

H. 628. An act relating to amending a birth certificate to reflect gender identity.

In the passage of which the concurrence of the Senate is requested.

The House has considered joint resolution originating in the Senate of the following title:

J.R.S. 42. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 447.

An act relating to approval of amendments to the charter of the Town of Springfield.

To the Committee on Government Operations.

H. 628.

An act relating to amending a birth certificate to reflect gender identity.

To the Committee on Government Operations.

Bills Passed

Senate bills of the following titles were severally read the third time and passed:

S.175. An act relating to confidential information concerning the initial arrest and charge of a child.

S. 265. An act relating to expanding criminal threatening to include threats to third persons.

Senate Concurrent Resolutions

The following joint concurrent resolutions, having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted on the part of the Senate:

By Senator Brock,

By Rep. Christie,

S.C.R. 15.

Senate concurrent resolution recognizing February 2022 as Black History Month in Vermont.

By Senators Campion and Sears,

By Reps. Corcoran and others,

S.C.R. 16.

Senate concurrent resolution commemorating the centennial of Robert Frost's poem "Stopping by Woods on a Snowy Evening".

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted in concurrence:

By Reps. Burke and others,

By Senators Balint and White,

H.C.R. 104.

House concurrent resolution commemorating the centennial anniversary of the Harris Hill Ski Jump in Brattleboro.

By Reps. Houghton and others,

H.C.R. 105.

House concurrent resolution in memory of former Representative Deborah G. Evans of Essex.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, February 22, 2022, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 42.

TUESDAY, FEBRUARY 22, 2022

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Message from the House No. 21

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 556. An act relating to exempting property owned by Vermont-recognized Native American tribes from property tax.

In the passage of which the concurrence of the Senate is requested.

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 104. House concurrent resolution commemorating the centennial anniversary of the Harris Hill Ski Jump in Brattleboro.

H.C.R. 105. House concurrent resolution in memory of former Representative Deborah G. Evans of Essex.

In the adoption of which the concurrence of the Senate is requested.

The House has considered concurrent resolutions originating in the Senate of the following titles:

S.C.R. 15. Senate concurrent resolution recognizing February 2022 as Black History Month in Vermont.

S.C.R. 16. Senate concurrent resolution commemorating the centennial of Robert Frost's poem "Stopping by Woods on a Snowy Evening".

And has adopted the same in concurrence.

Senate Resolution Placed on Calendar

S.R. 17.

Senate resolution of the following title was offered, read the first time and is as follows:

By the Committee on Rules,

S.R. 17. Senate resolution extending concurrently conducted electronic sessions and committee meetings.

Whereas, Permanent Senate Rule 9A permits the Rules Committee to authorize sessions of the Senate during a declared emergency be concurrently conducted electronically; and

Whereas, Permanent Senate Rule 32A permits the Rules Committee to authorize committee meetings during a declared emergency be concurrently conducted electronically; and

Whereas, the Governor of the State of Vermont issued a Declaration of State of Emergency in Response to COVID-19 which expired at midnight on June 15, 2021; and

Whereas, S.R.9 adopted by the Senate on April 14, 2021 permitted the Senate to continue Senate Sessions pursuant to Permanent Senate Rule 9A and committee meetings pursuant to Permanent Senate Rule 32A until January 7, 2022; and

Whereas, S.R.12 adopted by the Senate on January 4, 2022 permitted the Senate to continue Senate Sessions pursuant to Permanent Senate Rule 9A and committee meetings pursuant to Permanent Senate Rule 32A until February 25, 2022; and

Whereas, the Senate desires flexibility as it commences on March 8, 2022 the transition to in person Senate Sessions and committee meetings; and

Whereas, extending the authority of the Rules Committee under Permanent Senate Rules 9 and 32A provides flexibility during the transition to in person Senate Sessions and committee meetings; *now therefore be it*

Resolved by the Senate:

Notwithstanding the language in Permanent Senate Rules 9A and 32A regarding their applicability during Declarations of Emergency, the provisions of Permanent Senate Rules 9A and 32A regarding Senate Sessions and committee meetings shall remain in effect through March 18, 2022.

Thereupon, in the discretion of the President, under Rule 51, the resolution was placed on the Calendar for action the next legislative day.

Bill Referred

House bill of the following title was read the first time and referred:

H. 556.

An act relating to exempting property owned by Vermont-recognized Native American tribes from property tax.

To the Committee on Finance.

Message from the House No. 22

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 411. An act relating to the retrieval and use of covered animals.

In the passage of which the concurrence of the Senate is requested.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam President:

I am directed by the Governor to inform the Senate that on the twenty-second day of February, 2022 he returned without signature and *vetoed* a bill originating in the Senate of the following title:

S. 30. An act relating to prohibiting possession of firearms within hospital buildings.

Text of Communication from Governor

The text of the communication to the Senate from His Excellency, the Governor, whereby he vetoed and returned unsigned **Senate Bill No. S. 30** to the Senate is as follows:

“February 22, 2022

The Honorable John Bloomer, Jr.
Secretary of the Senate
115 State House
Montpelier, VT 05633-5401

Dear Mr. Bloomer:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I’m returning S. 30, *An act relating to prohibiting possession of firearms within hospital buildings* without my signature.

In 2018, I called for and signed the most comprehensive gun safety measures in our state’s history. We established universal background check requirements; authorized extreme risk protection orders (i.e., “red flag” laws), providing tools to prevent someone from having a gun if there is credible evidence they may harm themselves or others; strengthened the ability of law enforcement to seize firearms from those accused of domestic violence; enhanced age requirements; and prohibited the sale and possession of bump stocks and large capacity magazines. This was a comprehensive, and historic, set of policies that take reasonable steps to help keep firearms out of the hands of people who should not have them. It’s my belief that we need to give these new provisions more time to be fully understood and utilized, and that the Legislature should focus on educating Vermonters on these changes – and on addressing Vermont’s mental health crisis – before additional gun laws are passed.

However, as I’ve also said, I’m open to a discussion about improving existing law to address the so-called “Charleston Loophole” and I’m offering a path forward below. This refers to a provision in federal law that provides automatic approval to someone who is buying a gun if a federal background check through the National Instant Criminal Background Check System (also known as NICS) doesn’t produce a “red light” (i.e., reporting they are ineligible) within three business days.

S. 30 increases that timeframe from three days to an unlimited amount of time without acknowledging that an application expires in 30 days. So instead of holding the federal government accountable to complete the background check in a timely manner, it shifts all the burden away from government – where responsibility was intentionally placed in federal law – entirely onto the citizen. Law abiding citizens who become the victims of a government administrative error must themselves gather all applicable law enforcement and court records and try to understand and navigate a complex maze of federal bureaucratic process to try to rectify their “yellow” status.

For these reasons, I believe going from three to effectively 30 days is excessive and unreasonable for law-abiding citizens who wish to purchase a firearm for their own personal safety or for other lawful and constitutionally protected purposes.

However, I'm willing to work with the Legislature to find a path forward that gives the federal government more time to fulfill its obligations to complete background checks, without denying law-abiding citizens of their right to a fair and reasonable process.

A more reasonable standard would be to increase the current three-day waiting period to seven business days to allow the federal government additional time to resolve issues and make a final determination.

Given this bill's effective date of July 1, 2022, the Legislature has ample time to address my concerns and send me a bill I can sign.

Based on the objections outlined above I'm returning this legislation without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,

/s/Philip B. Scott

Philip B. Scott
Governor

PBS/kp”

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Wednesday, February 23, 2022.

WEDNESDAY, FEBRUARY 23, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Fredrick Little, Jr. of Huntington.

Senate Resolution Placed on Calendar

S.R. 18.

Senate resolution of the following title was offered, read the first time and is as follows:

By the Committee on Rules,

S.R. 18. Senate resolution relating to adoption of a temporary Rule 44A.

Resolved by the Senate:

That a temporary rule, to be designated Rule 44A, be adopted by the Senate, to read as follows:

Rule 44A. (a) Any bills failing to make the crossover dates of March 11, 2022 and March 18, 2022 shall be referred to the Committee on Rules. This provision shall not apply to the following measures:

- (1) The transportation capital bill;
- (2) The capital construction bill
- (3) The general appropriations bill (“The Big Bill”);
- (4) The pay bill;
- (5) The fee and revenue bills.

(b) The Rules Committee may report any bills referred to it for reference to another committee of jurisdiction pursuant to Senate Rule 24.

(c) The Temporary Rule 44A shall expire when the Legislature adjourns sine die.

Thereupon, in the discretion of the President, under Rule 51, the resolution was placed on the Calendar for action the next legislative day.

Joint Resolution Placed on Calendar

J.R.S. 43.

Joint Senate resolution of the following title was offered, read the first time and is as follows:

By Committee on Institutions,

J.R.S. 43. Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to exchange quit claim deeds with the Vermont Land Trust and the Nature Conservancy in order to confirm the boundary between the Long Trail State Forest and the land co-owned by the Vermont Land Trust and the Nature Conservancy in the Towns of Eden and Belvidere.

Whereas, the Department of Forests, Parks and Recreation (the Department) owns and manages certain lands in the Towns of Eden and Belvidere, known as the Long Trail State Forest, that abut lands co-owned by the Vermont Land Trust (VLT) and the Nature Conservancy (TNC), and

Whereas, approximately 3.5 miles of the common boundary between the Long Trail State Forest and the lands that VLT and TNC co-own is uncertain as to its location on the ground and in existing deeds, and

Whereas, the Department and VLT and TNC have reached an agreement to confirm and locate the shared common boundaries through the exchange of quitclaim deeds and a survey of the boundary to be recorded in the land records of the Towns of Eden and Belvidere, and

Whereas, 10 V.S.A. § 2606(b) authorizes the Commissioner of Forests, Parks and Recreation “to sell, convey, exchange or lease land, or interests in land, or to amend deeds, leases and easement interests, under his or her jurisdiction,” with the approval of the General Assembly, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly authorizes the Commissioner of Forests, Parks and Recreation to exchange quit claim deeds with the Vermont Land Trust and the Nature Conservancy in order to confirm the boundary between the Long Trail State Forest and the lands co-owned by the Vermont Land Trust and the Nature Conservancy in the Towns of Eden and Belvidere, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Commissioner of Forests, Parks and Recreation, the Vermont Land Trust, and the Nature Conservancy.

Thereupon, under Rule 34 and 51, the resolution was placed on the Calendar for notice.

Bill Referred

House bill of the following title was read the first time and referred:

H. 411.

An act relating to the retrieval and use of covered animals.

To the Committee on Natural Resources and Energy.

Proposal of Amendment; Third Reading Ordered

H. 367.

Senator Pearson, for the Committee on Finance, to which was referred House bill entitled:

An act relating to the management of perpetual care funds by cemetery associations.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 5384 is amended to read:

§ 5384. PAYMENT TO TREASURER; RECORD; INVESTMENT

(a) Unless otherwise directed by the donor, all monies received by a town for cemetery purposes shall be paid to the town treasurer, who shall give a receipt therefor, which shall be recorded in the office of the town clerk in a book kept for that purpose. ~~In such~~ The book shall also ~~be stated~~ state the amount received from each donor, the time when, and the specific purpose ~~to~~ for which the use thereof it is appropriated.

(b)(1) All monies so received by the town may be invested and reinvested by the treasurer, with the approval of the selectboard, by deposit in:

(A) ~~banks chartered by the State~~ certificates of deposit and other evidences of deposit at Vermont, national, or federal chartered banks, and savings and loan associations that are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor;

(B) ~~national banks~~ obligations of the United States, its agencies, and instrumentalities, which have a liquid market with readily determinable market value;

(C) ~~bonds of the United States or of municipalities whose bonds are legal investment for banks chartered by the State~~ investment-grade obligations of state or local governments, instrumentalities, and public authorities; and

(D) ~~bonds or notes legally issued in anticipation of taxes by a town, village, or city in this State, or first mortgages on real estate in Vermont;~~

(E) ~~the shares of an investment company or an investment trust, such as a mutual fund, closed-end fund, or unit investment trust, that is registered under the federal Investment Company Act of 1940, as amended, if such fund has been in operation for at least five years and has net assets of at least \$100,000,000.00; or~~

(F) ~~shares of a savings and loan association of this State, or share accounts of a federal savings and loan association with its principal office in this State, when and to the extent to which the withdrawal or repurchase value of such shares or accounts are insured by the Federal Savings and Loan Insurance Corporation.~~

* * *

Sec. 2. 18 V.S.A. § 5437 is amended to read:

§ 5437. INVESTMENT

A cemetery association shall invest such trust funds and shall expend the income therefrom in accordance with the provisions of in the same manner as town cemeteries pursuant to section 5309 5384 of this title and may delegate the management and investment of cemetery association funds pursuant to subdivision (b)(3) of that section.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

And that the bill ought to pass in concurrence with such proposal of amendment.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the proposal of amendment was agreed to, and third reading of the bill was ordered.

Joint Resolution Adopted on the Part of the Senate

S.R. 17.

Joint Senate resolution entitled:

Senate resolution extending concurrently conducted electronic sessions and committee meetings.

Having been placed on the Calendar for action, was taken up and adopted on the part of the Senate.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 24, 2022.

THURSDAY, FEBRUARY 24, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Mark D. Wilson of Waitsfield.

Message from the House No. 23

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 491. An act relating to the creation of the City of Essex Junction and the adoption of the City charter.

H. 515. An act relating to banking, insurance, and securities.

H. 708. An act relating to the approval of an amendment to the charter of the City of Burlington.

H. 709. An act relating to miscellaneous agricultural subjects.

In the passage of which the concurrence of the Senate is requested.

Bill Referred to Committee on Appropriations

S. 206.

Senate bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to planning for the care and treatment of patients with cognitive impairments.

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 491.

An act relating to the creation of the City of Essex Junction and the adoption of the City charter.

To the Committee on Government Operations.

H. 515.

An act relating to banking, insurance, and securities.

To the Committee on Finance.

H. 708.

An act relating to the approval of an amendment to the charter of the City of Burlington.

To the Committee on Government Operations.

H. 709.

An act relating to miscellaneous agricultural subjects.

To the Committee on Agriculture.

Bill Passed in Concurrence with Proposal of Amendment**H. 367.**

House bill of the following title was read the third time and passed in concurrence with proposal of amendment:

An act relating to the management of perpetual care funds by cemetery associations.

Third Reading Ordered**H. 654.**

Senator Lyons, for the Committee on Health and Welfare, to which was referred House bill entitled:

An act relating to extending COVID-19 health care regulatory flexibility.

Reported that the bill ought to pass in concurrence.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

Report of Committee of Conference Accepted and Adopted on the Part of the Senate**H. 679.**

Senator Kitchel, for the Committee of Conference, submitted the following report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House bill entitled:

H. 679. An act relating to fiscal year 2022 budget adjustments.

Respectfully reports that it has met and considered the same and recommends that the Senate recede from its proposal of amendment and that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 2021 Acts and Resolves No. 74, Sec. B.126 is amended to read:

Sec. B.126 Legislature

Personal services	5,033,474	5,138,474
Operating expenses	<u>3,768,163</u>	<u>3,768,163</u>
Total	8,801,637	8,906,637
Source of funds		
General fund	<u>8,801,637</u>	<u>8,906,637</u>
Total	8,801,637	8,906,637

Sec. 2. 2021 Acts and Resolves No. 74, Sec. B.127 is amended to read:

Sec. B.127 Joint fiscal committee

Personal services	2,288,387	2,478,387
Operating expenses	<u>158,873</u>	<u>158,873</u>
Total	2,447,260	2,637,260
Source of funds		
General fund	<u>2,322,260</u>	2,512,260
Interdepartmental transfers	<u>125,000</u>	<u>125,000</u>
Total	2,447,260	2,637,260

Sec. 3. 2021 Acts and Resolves No. 74, Sec. B.145 is amended to read:

Sec. B.145 Total general government

Source of funds		
General fund	98,982,912	99,277,912
Transportation fund	3,911,594	3,911,594
Special funds	16,446,601	16,446,601
Federal funds	1,150,041	1,150,041
Internal service funds	138,310,838	138,310,838
Interdepartmental transfers	7,551,641	7,551,641
Enterprise funds	6,840	6,840
Pension trust funds	7,169,079	7,169,079
Private purpose trust funds	<u>1,135,286</u>	<u>1,135,286</u>
Total	274,664,832	274,959,832

Sec. 4. 2021 Acts and Resolves No. 74, Sec. B.225.2 is amended to read:

Sec. B.225.2 Agriculture, Food and Markets - Clean Water

Personal services	3,249,011	3,249,011
Operating expenses	486,344	486,344
Grants	<u>4,060,891</u>	<u>5,503,348</u>
Total	7,796,246	9,238,703
Source of funds		

General fund	1,087,080	1,087,080
Special funds	6,089,920	7,532,377
Federal funds	133,534	133,534
Interdepartmental transfers	<u>485,712</u>	<u>485,712</u>
Total	<u>7,796,246</u>	<u>9,238,703</u>

Sec. 5. 2021 Acts and Resolves No. 74, Sec. B.240 is amended to read:

Sec. B.240 Cannabis Control Board

Personal services	<u>650,000</u>	<u>850,000</u>
Total	<u>650,000</u>	<u>850,000</u>
Source of funds		
Special funds	<u>650,000</u>	<u>850,000</u>
Total	<u>650,000</u>	<u>850,000</u>

Sec. 6. 2021 Acts and Resolves No. 74, Sec. B.241 is amended to read:

Sec. B.241 Total protection to persons and property

Source of funds		
General fund	171,360,524	171,360,524
Transportation fund	20,250,000	20,250,000
Special funds	91,319,879	92,962,336
Tobacco fund	561,843	561,843
Federal funds	70,315,412	70,315,412
ARRA funds	520,000	520,000
Interdepartmental transfers	14,457,347	14,457,347
Enterprise funds	<u>12,785,618</u>	<u>12,785,618</u>
Total	<u>381,570,623</u>	<u>383,213,080</u>

Sec. 7. 2021 Acts and Resolves No. 74, Sec. B.300 is amended to read:

Sec. B.300 Human services - agency of human services - secretary's office

Personal services	11,427,819	11,346,910
Operating expenses	5,214,621	5,214,621
Grants	<u>2,895,202</u>	<u>2,895,202</u>
Total	<u>19,537,642</u>	<u>19,456,733</u>
Source of funds		
General fund	8,430,401	8,802,492
Special funds	135,517	135,517
Federal funds	9,959,398	9,959,398
Global Commitment fund	453,000	0
Interdepartmental transfers	<u>559,326</u>	<u>559,326</u>
Total	<u>19,537,642</u>	<u>19,456,733</u>

Sec. 8. 2021 Acts and Resolves No. 74, Sec. B.301 is amended to read:

Sec. B.301 Secretary's office - global commitment

Grants	<u>1,680,637,999</u>	1,839,201,185
Total	<u>1,680,637,999</u>	1,839,201,185
Source of funds		
General fund	<u>559,592,034</u>	585,702,238
Special funds	<u>33,370,086</u>	33,228,937
Tobacco fund	<u>21,049,373</u>	21,049,373
State health care resources fund	<u>17,078,501</u>	16,023,501
Federal funds	<u>1,044,929,568</u>	1,179,162,966
Interdepartmental transfers	<u>4,618,437</u>	4,034,170
Total	<u>1,680,637,999</u>	1,839,201,185

Sec. 9. 2021 Acts and Resolves No. 74, Sec. B.306 is amended to read:

Sec. B.306 Department of Vermont health access - administration

Personal services	<u>130,163,425</u>	130,170,447
Operating expenses	<u>26,394,423</u>	26,444,423
Grants	<u>3,192,301</u>	2,912,301
Total	<u>159,750,149</u>	159,527,171
Source of funds		
General fund	<u>32,776,219</u>	33,116,885
Special funds	<u>3,363,758</u>	5,678,861
Federal funds	<u>114,469,002</u>	111,590,255
Global Commitment fund	<u>4,314,039</u>	4,314,039
Interdepartmental transfers	<u>4,827,131</u>	4,827,131
Total	<u>159,750,149</u>	159,527,171

Sec. 10. 2021 Acts and Resolves No. 74, Sec. B.307 is amended to read:

Sec. B.307 Department of Vermont health access - Medicaid program - global commitment

Personal services	547,983	547,983
Grants	<u>757,772,233</u>	855,581,847
Total	<u>758,320,216</u>	856,129,830
Source of funds		
Global Commitment fund	<u>758,320,216</u>	856,129,830
Total	<u>758,320,216</u>	856,129,830

Sec. 11. 2021 Acts and Resolves No. 74, Sec. B.309 is amended to read:

Sec. B.309 Department of Vermont health access - Medicaid program - state only

Grants	<u>42,367,754</u>	<u>50,029,823</u>
Total	42,367,754	50,029,823
Source of funds		
General fund	42,315,703	40,459,853
Global Commitment fund	<u>52,051</u>	<u>9,569,970</u>
Total	42,367,754	50,029,823

Sec. 12. 2021 Acts and Resolves No. 74, Sec. B.310 is amended to read:

Sec. B.310 Department of Vermont health access - Medicaid non-waiver matched

Grants	<u>32,842,006</u>	<u>34,768,604</u>
Total	32,842,006	34,768,604
Source of funds		
General fund	12,664,602	12,817,789
Federal funds	<u>20,177,404</u>	<u>21,950,815</u>
Total	32,842,006	34,768,604

Sec. 13. 2021 Acts and Resolves No. 74, Sec. B.311 is amended to read:

Sec. B.311 Health - administration and support

Personal services	5,753,602	5,753,602
Operating expenses	6,567,686	5,946,041
Grants	<u>6,313,608</u>	<u>6,313,608</u>
Total	18,634,896	18,013,251
Source of funds		
General fund	2,982,217	2,360,572
Special funds	2,061,857	2,061,857
Federal funds	7,777,658	7,777,658
Global Commitment fund	5,748,858	5,748,858
Interdepartmental transfers	<u>64,306</u>	<u>64,306</u>
Total	18,634,896	18,013,251

Sec. 14. 2021 Acts and Resolves No. 74, Sec. B.314 is amended to read:

Sec. B.314 Mental health - mental health

Personal services	32,985,332	34,712,990
Operating expenses	4,700,264	4,850,264
Grants	<u>246,498,959</u>	<u>234,392,478</u>
Total	284,184,555	273,955,732

Source of funds		
General fund	10,281,092	10,850,067
Special funds	1,685,284	1,685,284
Federal funds	9,398,134	9,377,108
Global Commitment fund	262,745,408	251,968,636
Interdepartmental transfers	<u>74,637</u>	<u>74,637</u>
Total	284,184,555	273,955,732

Sec. 15. 2021 Acts and Resolves No. 74, Sec. B.316 is amended to read:

Sec. B.316 Department for children and families - administration & support services

Personal services	38,362,798	39,823,024
Operating expenses	17,035,520	19,109,020
Grants	<u>3,819,106</u>	<u>3,819,106</u>
Total	59,217,424	62,751,150
Source of funds		
General fund	33,091,620	34,739,860
Special funds	2,711,682	2,761,682
Federal funds	21,062,298	23,494,784
Global Commitment fund	2,000,936	1,403,936
Interdepartmental transfers	<u>350,888</u>	<u>350,888</u>
Total	59,217,424	62,751,150

Sec. 16. 2021 Acts and Resolves No. 74, Sec. B.317 is amended to read:

Sec. B.317 Department for children and families - family services

Personal services	39,332,995	39,636,555
Operating expenses	4,997,338	4,997,338
Grants	<u>81,171,012</u>	<u>83,187,102</u>
Total	125,501,345	127,820,995
Source of funds		
General fund	49,047,462	49,543,086
Special funds	729,587	729,587
Federal funds	31,365,138	32,373,091
Global Commitment fund	44,344,158	45,137,731
Interdepartmental transfers	<u>15,000</u>	<u>37,500</u>
Total	125,501,345	127,820,995

Sec. 17. 2021 Acts and Resolves No. 74, Sec. B.318 is amended to read:

Sec. B.318 Department for children and families - child development

Personal services	5,020,429	5,624,306
Operating expenses	848,079	921,579

Grants	<u>100,111,841</u>	<u>97,958,128</u>
Total	<u>105,980,349</u>	<u>104,504,013</u>
Source of funds		
General fund	27,348,614	25,996,178
Special funds	16,820,000	16,820,000
Federal funds	50,874,814	50,623,626
Global Commitment fund	10,914,421	11,064,209
Interdepartmental transfers	<u>22,500</u>	<u>0</u>
Total	<u>105,980,349</u>	<u>104,504,013</u>

Sec. 18. 2021 Acts and Resolves No. 74, Sec. B.321 is amended to read:

Sec. B.321 Department for children and families - general assistance

Personal services	15,000	15,000
Grants	<u>2,823,574</u>	<u>2,823,574</u>
Total	<u>2,838,574</u>	<u>2,838,574</u>
Source of funds		
General fund	2,441,239	2,541,239
Federal funds	411,320	11,320
Global Commitment fund	<u>286,015</u>	<u>286,015</u>
Total	<u>2,838,574</u>	<u>2,838,574</u>

Sec. 19. 2021 Acts and Resolves No. 74, Sec. B.323 is amended to read:

Sec. B.323 Department for children and families - reach up

Operating expenses	29,119	29,119
Grants	<u>31,842,843</u>	<u>31,842,843</u>
Total	<u>31,871,962</u>	<u>31,871,962</u>
Source of funds		
General fund	19,904,694	19,704,694
Special funds	5,854,320	5,954,320
Federal funds	3,431,330	3,531,330
Global Commitment fund	<u>2,681,618</u>	<u>2,681,618</u>
Total	<u>31,871,962</u>	<u>31,871,962</u>

Sec. 20. 2021 Acts and Resolves No. 74, Sec. B.325 is amended to read:

Sec. B.325 Department for children and families - office of economic opportunity

Personal services	636,177	636,177
Operating expenses	43,488	43,488
Grants	<u>19,383,262</u>	<u>25,483,262</u>
Total	<u>20,062,927</u>	<u>26,162,927</u>
Source of funds		

General fund	14,225,798	20,325,798
Special funds	57,990	57,990
Federal funds	4,423,154	4,423,154
Global Commitment fund	<u>1,355,985</u>	<u>1,355,985</u>
Total	20,062,927	26,162,927

Sec. 21. 2021 Acts and Resolves No. 74, Sec. B.327 is amended to read:

Sec. B.327 Department for Children and Families - Secure Residential Treatment

Personal services	258,100	258,100
Operating expenses	650,463	650,463
Grants	<u>3,476,862</u>	<u>3,773,834</u>
Total	4,385,425	4,682,397
Source of funds		
General fund	4,355,425	4,652,397
Global Commitment fund	<u>30,000</u>	<u>30,000</u>
Total	4,385,425	4,682,397

Sec. 22. 2021 Acts and Resolves No. 74, Sec. B.328 is amended to read:

Sec. B.328 Department for children and families - disability determination services

Personal services	7,139,139	6,991,600
Operating expenses	<u>460,858</u>	<u>460,858</u>
Total	7,599,997	7,452,458
Source of funds		
General fund	111,120	111,120
Federal funds	<u>7,488,877</u>	<u>7,341,338</u>
Total	7,599,997	7,452,458

Sec. 23. 2021 Acts and Resolves No. 74, Sec. B.329 is amended to read:

Sec. B.329 Disabilities, aging, and independent living - administration & support

Personal services	33,906,585	35,498,760
Operating expenses	<u>5,953,426</u>	<u>5,953,426</u>
Total	39,860,011	41,452,186
Source of funds		
General fund	17,731,954	19,174,129
Special funds	1,390,457	1,390,457
Federal funds	19,671,316	19,821,316
Interdepartmental transfers	<u>1,066,284</u>	<u>1,066,284</u>
Total	39,860,011	41,452,186

Sec. 24. 2021 Acts and Resolves No. 74, Sec. B.330 is amended to read:

Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants

Grants	<u>19,352,893</u>	<u>19,921,075</u>
Total	<u>19,352,893</u>	<u>19,921,075</u>
Source of funds		
General fund	7,644,654	7,644,654
Federal funds	7,148,466	7,148,466
Global Commitment fund	<u>4,559,773</u>	<u>5,127,955</u>
Total	<u>19,352,893</u>	<u>19,921,075</u>

Sec. 25. 2021 Acts and Resolves No. 74, Sec. B.334 is amended to read:

Sec. B.334 Disabilities, aging, and independent living - Brain injury home and community based waiver

Grants	<u>5,564,689</u>	<u>5,714,689</u>
Total	<u>5,564,689</u>	<u>5,714,689</u>
Source of funds		
Global Commitment fund	<u>5,564,689</u>	<u>5,714,689</u>
Total	<u>5,564,689</u>	<u>5,714,689</u>

Sec. 26. 2021 Acts and Resolves No. 74, Sec. B.334.1 is amended to read:

Sec. B.334.1 Disabilities, aging and independent living - Long Term Care

Grants	<u>230,505,916</u>	<u>238,018,868</u>
Total	<u>230,505,916</u>	<u>238,018,868</u>
Source of funds		
General fund	498,579	498,579
Federal funds	2,083,333	2,083,333
Global Commitment fund	<u>227,924,004</u>	<u>235,436,956</u>
Total	<u>230,505,916</u>	<u>238,018,868</u>

Sec. 27. 2021 Acts and Resolves No. 74, Sec. B.339 is amended to read:

Sec. B.339 Corrections - Correctional services-out of state beds

Personal services	<u>5,640,604</u>	<u>5,223,574</u>
Total	<u>5,640,604</u>	<u>5,223,574</u>
Source of funds		
General fund	<u>5,640,604</u>	<u>5,223,574</u>
Total	<u>5,640,604</u>	<u>5,223,574</u>

Sec. 28. 2021 Acts and Resolves No. 74, Sec. B.342 is amended to read:

Sec. B.342 Vermont veterans' home - care and support services

Personal services	19,020,560	20,520,560
Operating expenses	<u>5,426,960</u>	<u>5,899,095</u>
Total	24,447,520	26,419,655
Source of funds		
General fund	2,843,321	4,025,456
Special funds	11,868,942	12,658,942
Federal funds	<u>9,735,257</u>	<u>9,735,257</u>
Total	24,447,520	26,419,655

Sec. 29. 2021 Acts and Resolves No. 74, Sec. B.346 is amended to read:

Sec. B.346 Total human services

Source of funds		
General fund	1,022,527,917	1,056,891,225
Special funds	116,659,874	119,773,828
Tobacco fund	23,088,208	23,088,208
State health care resources fund	17,078,501	16,023,501
Federal Coronavirus Relief Fund	15,000,000	15,000,000
Federal funds	1,497,837,906	1,634,136,654
Global Commitment fund	1,641,496,441	1,746,171,697
Internal service funds	1,951,982	1,951,982
Interdepartmental transfers	25,329,631	24,745,364
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	4,360,995,460	4,637,807,459

Sec. 30. [Deleted.]

Sec. 31. 2021 Acts and Resolves No. 74, Sec. B.400 is amended to read:

Sec. B.400 Labor - programs

Personal services	31,359,103	30,259,103
Operating expenses	7,701,210	7,701,210
Grants	<u>1,822,409</u>	<u>1,822,409</u>
Total	40,882,722	39,782,722
Source of funds		
General fund	5,394,154	5,394,154
Special funds	6,422,539	6,422,539
Federal funds	28,658,417	27,558,417
Interdepartmental transfers	<u>407,612</u>	<u>407,612</u>
Total	40,882,722	39,782,722

Sec. 32. 2021 Acts and Resolves No. 74, Sec. B.401 is amended to read:

Sec. B.401 Total labor

Source of funds

General fund	5,394,154	5,394,154
Special funds	6,422,539	6,422,539
Federal funds	28,658,417	27,558,417
Interdepartmental transfers	<u>407,612</u>	<u>407,612</u>
Total	40,882,722	39,782,722

Sec. 33. [Deleted.]

Sec. 34. [Deleted.]

Sec. 35. 2021 Acts and Resolves No. 74, Sec. B.605 is amended to read:

Sec. B.605 Vermont student assistance corporation

Grants	<u>22,251,315</u>	19,978,588
Total	22,251,315	19,978,588

Source of funds

General fund	19,978,588	19,978,588
Interdepartmental transfers	<u>2,272,727</u>	0
Total	22,251,315	19,978,588

Sec. 36. 2021 Acts and Resolves No. 74, Sec. B.608 is amended to read:

Sec. B.608 Total higher education

Source of funds

General fund	98,861,685	98,861,685
Education fund	41,225	41,225
Global Commitment fund	409,461	409,461
Interdepartmental transfers	<u>2,272,727</u>	0
Total	101,585,098	99,312,371

Sec. 37. 2021 Acts and Resolves No. 74, Sec. B.702 is amended to read:

Sec. B.702 Fish and wildlife - support and field services

Personal services	18,654,752	18,754,752
Operating expenses	6,717,480	7,617,480
Grants	<u>670,446</u>	<u>670,446</u>
Total	26,042,678	27,042,678

Source of funds

General fund	6,403,816	6,403,816
Special funds	<u>239,657</u>	1,239,657
Fish and wildlife fund	9,561,364	9,561,364

Federal funds	8,504,410	8,504,410
Interdepartmental transfers	1,322,431	1,322,431
Permanent trust funds	<u>11,000</u>	<u>11,000</u>
Total	26,042,678	27,042,678

Sec. 38. 2021 Acts and Resolves No. 74, Sec. B.711 is amended to read:

Sec. B.711 Environmental conservation - office of water programs

Personal services	28,652,311	28,652,311
Operating expenses	6,722,953	6,722,953
Grants	<u>31,819,350</u>	<u>29,319,350</u>
Total	67,194,614	64,694,614
Source of funds		
General fund	7,926,170	7,926,170
Special funds	<u>22,601,929</u>	20,101,929
Federal funds	36,003,082	36,003,082
Interdepartmental transfers	<u>663,433</u>	<u>663,433</u>
Total	67,194,614	64,694,614

Sec. 39. 2021 Acts and Resolves No. 74, Sec. B.713 is amended to read:

Sec. B.713 Natural resources board

Personal services	2,597,208	2,747,096
Operating expenses	<u>545,630</u>	<u>395,742</u>
Total	3,142,838	3,142,838
Source of funds		
General fund	631,629	631,629
Special funds	<u>2,511,209</u>	<u>2,511,209</u>
Total	3,142,838	3,142,838

Sec. 40. 2021 Acts and Resolves No. 74, Sec. B.714 is amended to read:

Sec. B.714 Total natural resources

Source of funds		
General fund	31,693,115	31,693,115
Special funds	<u>78,151,968</u>	76,651,968
Fish and wildlife fund	9,561,364	9,561,364
Federal funds	54,981,735	54,981,735
Interdepartmental transfers	11,534,344	11,534,344
Permanent trust funds	<u>11,000</u>	<u>11,000</u>
Total	185,933,526	184,433,526

Sec. 41. 2021 Acts and Resolves No. 74, Sec. B.900 is amended to read:

Sec. B.900 Transportation - finance and administration

Personal services	13,654,880	13,558,021
Operating expenses	2,507,103	2,507,103
Grants	<u>50,000</u>	<u>50,000</u>
Total	16,211,983	16,115,124
Source of funds		
Transportation fund	15,815,083	15,718,224
Federal funds	<u>396,900</u>	<u>396,900</u>
Total	16,211,983	16,115,124

Sec. 42. 2021 Acts and Resolves No. 74, Sec. B.903 is amended to read:

Sec. B.903 Transportation - program development

Personal services	58,611,534	58,092,913
Operating expenses	227,109,245	226,965,577
Grants	<u>28,813,660</u>	<u>28,813,660</u>
Total	314,534,439	313,872,150
Source of funds		
Transportation fund	48,717,849	48,055,560
TIB fund	10,597,637	10,597,637
Federal funds	254,737,875	254,737,875
Local match	<u>481,078</u>	<u>481,078</u>
Total	314,534,439	313,872,150

Sec. 43. 2021 Acts and Resolves No. 74, Sec. B.905 is amended to read:

Sec. B.905 Transportation - maintenance state system

Personal services	45,339,790	45,955,270
Operating expenses	57,902,709	58,046,377
Grants	<u>277,000</u>	<u>277,000</u>
Total	103,519,499	104,278,647
Source of funds		
Transportation fund	87,191,712	87,950,860
Federal funds	16,227,787	16,227,787
Interdepartmental transfers	<u>100,000</u>	<u>100,000</u>
Total	103,519,499	104,278,647

Sec. 44. 2021 Acts and Resolves No. 74, Sec. B.919 is amended to read:

Sec. B.919 Transportation - municipal mitigation assistance program

Operating expenses	265,000	265,000
Grants	<u>5,845,000</u>	<u>8,020,150</u>

Total	6,110,000	8,285,150
Source of funds		
Transportation fund	705,000	705,000
Special funds	3,977,000	6,152,150
Federal funds	<u>1,428,000</u>	<u>1,428,000</u>
Total	6,110,000	8,285,150

Sec. 45. 2021 Acts and Resolves No. 74, Sec. B.922 is amended to read:

Sec. B.922 Total transportation

Source of funds		
Transportation fund	271,865,668	271,865,668
TIB fund	11,397,637	11,397,637
Special funds	4,027,000	6,202,150
Federal funds	361,546,034	361,546,034
Internal service funds	22,202,720	22,202,720
Interdepartmental transfers	2,888,052	2,888,052
Local match	<u>1,833,316</u>	<u>1,833,316</u>
Total	675,760,427	677,935,577

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

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

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

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

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

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

* * *

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

* * *

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

(A) On or before March 1, 2022, the Agency of Human Services shall report to the House and Senate Committees on Appropriations on a plan to address costs associated with contract staffing for nursing homes. The plan shall include a methodology for addressing costs incurred for State fiscal year 2022, as well as a timeline for implementation. The plan shall include a timeline to address the rate setting process for future ongoing base costs starting in State fiscal year 2023.

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

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

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

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

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

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

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

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

(27) \$166,667 to the Department of Health, Public Health, to support four statewide syringe services programs.

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

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

(30) \$50,000 to the Agency of Education for the vaccine incentive program at the four historical academies of Burr and Burton Academy, Lyndon Institute, St. Johnsbury Academy, and Thetford Academy that are not eligible to receive Elementary and Secondary School Emergency Relief (ESSER) funds.

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

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

(33) \$500,000 to the Agency of Commerce of Community Development to provide state match for the Build to Scale proposal to be submitted to the U.S. Economic Development Administration for federal funding.

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

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

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

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

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

Sec. D.101 FUND TRANSFERS, REVERSIONS AND RESERVES

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

* * *

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

* * *

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

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

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

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

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

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

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

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

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

* * *

21500 Interdepartmental Transfer Fund – 7100000022 \$125,000.00

* * *

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

<u>2150010000</u>	<u>Military – administration</u>	<u>\$200,000.00</u>	<u>\$316,556.00</u>
<u>1210002000</u>	<u>Legislature</u>	<u>\$140,000.00</u>	<u>\$435,000.00</u>
<u>1215001000</u>	<u>Legislative Counsel</u>		<u>\$50,000.00</u>
<u>1220000000</u>	<u>Joint Fiscal Office</u>		<u>\$50,000.00</u>
<u>1225001000</u>	<u>Legislative IT</u>		<u>\$60,000.00</u>
<u>1100010000</u>	<u>Secretary of Administration</u>		<u>\$50,000.00</u>
<u>1110003000</u>	<u>Budget & Management</u>		<u>\$117,075.64</u>
<u>1110006000</u>	<u>University of Vermont</u>		<u>\$1.00</u>
<u>1110007000</u>	<u>UVM– Morgan Horse Farm</u>		<u>\$1.00</u>
<u>1110009100</u>	<u>Vermont State Colleges</u>		<u>\$3.00</u>
<u>1130030000</u>	<u>Libraries</u>		<u>\$26,000.38</u>
<u>1140010000</u>	<u>Tax Operation Costs</u>		<u>\$200,000.00</u>
<u>1140040000</u>	<u>Homeowner Rebates</u>		<u>\$333,503.02</u>
<u>1140330000</u>	<u>Renter Rebates</u>		<u>\$1,712,964.82</u>
<u>1240001000</u>	<u>Lieutenant Governor’s Office</u>		<u>\$20,672.89</u>
<u>2130200000</u>	<u>Sheriffs</u>		<u>\$542,914.55</u>
<u>2140010000</u>	<u>DPS – State Police</u>		<u>\$13,666,973.39</u>
<u>2170010000</u>	<u>Criminal Justice Trng Council</u>		<u>\$62,049.00</u>
<u>2280001000</u>	<u>Human Rights Commission</u>		<u>\$9,101.68</u>
<u>3150891901</u>	<u>Copeland Center</u>		<u>\$5,803.03</u>
<u>3330010000</u>	<u>Green Mountain Care Board</u>		<u>\$0.44</u>
<u>3400001000</u>	<u>Secretary’s Office Admin Costs</u>		<u>\$50,000.00</u>
<u>3400002000</u>	<u>RSVP Appropriation</u>		<u>\$1,035.00</u>
<u>3400891902</u>	<u>Elec Med/Health Records Syst</u>		<u>\$3,894.00</u>
<u>3410017000</u>	<u>DVHA-Programs-ST-Only Funded</u>		<u>\$76,450.02</u>

<u>3420010000</u>	<u>Administration</u>	<u>\$650,000.00</u>
<u>3420021000</u>	<u>Public Health</u>	<u>\$1,784,782.61</u>
<u>3420892110</u>	<u>VDH-Data Collection</u>	<u>\$134,000.00</u>
<u>3440060000</u>	<u>DCFS - General Assistance</u>	<u>\$4,374,450.77</u>
<u>3440891903</u>	<u>Parent Child Centers</u>	<u>\$18,089.40</u>
<u>3440891906</u>	<u>Incentivizing Child Care Profs</u>	<u>\$96,628.40</u>
<u>3440891908</u>	<u>Weatherization Assist Bridge</u>	<u>\$290,035.94</u>
<u>3460020000</u>	<u>Advocacy & Indep Living Grants</u>	<u>\$241,585.88</u>
<u>3480004000</u>	<u>Corrections-Correctional Services</u>	<u>\$6,361,238.22</u>
<u>5100010000</u>	<u>Administration</u>	<u>\$118,500.00</u>
<u>5100060000</u>	<u>Adult Basic Education</u>	<u>\$63,476.19</u>
<u>5100070000</u>	<u>Education Services</u>	<u>\$51,719.84</u>
<u>5100210000</u>	<u>Ed-Flexible Pathways</u>	<u>\$10,675.00</u>
<u>5100891807</u>	<u>Restorative Justice Grants</u>	<u>\$75,867.34</u>
<u>5100891901</u>	<u>AOE New Positions</u>	<u>\$214,729.59</u>
<u>6100040000</u>	<u>Property Tax Assessment Approp</u>	<u>\$0.93</u>
<u>6130010000</u>	<u>Administration</u>	<u>\$0.70</u>
<u>7100892107</u>	<u>ACCD-Public Access TV</u>	<u>\$30,450.10</u>
<u>7120892001</u>	<u>ThinkVermont Initiative</u>	<u>\$45,000.00</u>

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

<u>1140060000</u>	<u>Reappraisal & Listing Payments</u>	<u>\$0.13</u>
<u>5100010000</u>	<u>Administration</u>	<u>\$950,949.54</u>
<u>5100040000</u>	<u>Special Education Formula</u>	<u>\$5,824,528.53</u>
<u>5100050000</u>	<u>State-Placed Students</u>	<u>\$880,000.00</u>
<u>5100090000</u>	<u>Education Grant</u>	<u>\$0.69</u>
<u>5100110000</u>	<u>Small School Grant</u>	<u>\$614,965.00</u>
<u>5100190000</u>	<u>Essential Early Educ Grant</u>	<u>\$41,295.67</u>
<u>5100200000</u>	<u>Education-Technical Education</u>	<u>\$1,841,126.00</u>

5100210000 Ed-Flexible Pathways \$1,579,282.05

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

2140010000 DPS-State Police \$3,933,026.61

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

6140040000 Environmental Conservation – Office of Water Programs
Office of Water Programs \$675,149.73

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

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

(a) ~~\$3,740,000~~ \$4,770,000 from the General Fund shall be reserved in the 27/53 reserve in fiscal year 2022. This action is the fiscal year 2022 contribution to the reserve for the 53rd week of Medicaid as required by 32 V.S.A. § 308e and the 27th payroll reserve as required by 32 V.S.A. § 308e(b).

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

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

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

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

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

Sec. 51. CORONAVIRUS RELIEF FUND REALLOCATION

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

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

Sec. 52. [Deleted.]

Sec. 53. FISCAL YEAR 2022 UNALLOCATED RESERVE

(a) After satisfying the requirements of 32 V.S.A. § 308, and after other reserve requirements have been met, but prior to satisfying the requirements of 32 V.S.A. § 308c, the first \$86,000,000 of remaining unreserved and undesignated funds at the close of fiscal year 2022 shall remain in the General Fund and be carried forward to fiscal year 2023. These funds may be used to provide state match to the federal Infrastructure Investment and Jobs Act.

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

(1) \$850,000 shall be transferred to the to the Cannabis Regulation Fund (21998).

(2) \$1,700,000 to the State Liability Self-Insurance Fund (56200).

(3) \$1,877,092 to the Correctional Industries Internal Services Fund (59100).

(4) \$9,961,531 to the Agency of Human Services-Central Office-Global Commitment to offset one-time pressure related to the suspension of Medicaid eligibility redeterminations for fiscal year 2023. This appropriation is made to the extent the Global Commitment fiscal need is identified after analysis of the impact of continued enhanced pandemic related Federal Medical Assistance Percentage (FMAP) in tandem with the updated analysis on the fiscal impact related to caseload redetermination and cost per member per month. The Agency of Human Services, in consultation with the Joint Fiscal Office and the Department of Finance and Management shall provide this analysis as part of the Medicaid end-of-year report provided the Emergency Board in July 2022.

(5) \$25,000,000 is reserved and carried forward into fiscal year 2023 to improve the debt position of the State. This may include the redemption of general obligation bonds, reducing the amount of new debt to be issued or to

address negative internal fund balances.

(6) \$25,114,179 is appropriated to the extent available and, in fiscal year 2022, the Commissioner of Finance and Management is authorized to replace American Rescue Plan Act – Coronavirus State Fiscal Recovery Funds appropriated in 2021 Acts and Resolves No. 74, Sec. G.300, as amended by Sec. 68 of this act, with General Fund dollars in the following amounts:

(A) \$6,000,000 to replace the fund source in the appropriation in Sec. G.300(a)(23) (Vermont Foodbank);

(B) \$1,001,913 to replace the fund source in the appropriation in Sec. G.300(a)(26) (adult day services);

(C) \$4,934,590 to replace the fund source in the appropriation in Sec. G.300(a)(27) (Department of Corrections);

(D) \$12,803,996 to replace the fund source in the appropriation in Sec. G.300(a)(28) (Department of Labor); and

(E) \$373,680 to replace the fund source in the appropriation in Sec. G.300(a)(29) (Vermont Veterans' Home).

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

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

(b) The Adverse Weather Conditions policy in effect on November 22, 2021 shall continue in effect until March 31, 2022 using 100 percent FEMA funds and through the end of the fiscal year using either 100 percent FEMA funds or Emergency Rental Assistance Program (ERAP) funds.

(c)(1) The Commissioner for Children and Families shall reconvene the General Assistance working group described in 2021 Acts and Resolves No. 74, sections E.321 and E.321.2 for the purpose of assisting with the development of rules for a transitional housing program, which shall be funded by federal ERAP funds. The Department shall initiate emergency rulemaking as soon as practicable and shall be deemed to have met the emergency rulemaking criteria in 3 V.S.A. § 844. The Department shall file permanent rules pursuant to 3 V.S.A. chapter 25 concurrently with its emergency rule filing.

(2) Notwithstanding subsection (a) of this section, once emergency rules have been adopted for the ERAP-funded transitional housing program, and if

the Department has located housing through facilitated occupancy agreements with motels and hotels or other housing providers on behalf of program participants, the Department shall begin transitioning participating individuals and families from the General Assistance emergency housing program funded by 100 percent FEMA funds to the transitional housing program funded by ERAP funds prior to June 30, 2022.

(3) The Department is authorized to provide supplemental services as needed for the safety of program participants and providers to the extent that ERAP or 100 percent FEMA funds are available for this purpose.

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

§ 4452. EXCLUSIONS

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

* * *

(8) transient occupancy in a hotel, motel, or lodgings during the time the occupant is a recipient of General Assistance or Emergency Assistance temporary housing assistance, or occupancy in a hotel or motel funded by federal Emergency Rental Assistance administered by the Department for Children and Families through September 30, 2025, regardless of whether the occupancy is subject to a tax levied under 32 V.S.A. chapter 225;

* * *

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

Sec. E.126 TRANSFER OF FUNDS WITHIN LEGISLATIVE BRANCH

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

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

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

(a) On or before May 1, 2022, the Department of Buildings and General Services, in collaboration with the Sergeant at Arms, shall develop and issue a

request for proposal (RFP) for programming, schematic design, and the initial phase of design development documents for an expansion of the State House, including the infrastructure needs for any future phases of expansion.

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

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

Sec. E.215 Military – Administration

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

Sec. 58. [Deleted.]

Sec. 59. CANNABIS CONTROL BOARD

(a) The establishment of the following eight (8) new permanent classified positions are authorized in fiscal year 2022:

- (1) One (1) Licensing Director;
- (2) Two (2) Licensing Administrators;
- (3) One (1) Policy Enforcement Director;
- (4) Three (3) Compliance Officers; and
- (5) One (1) Financial Manager.

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

Sec. 15. IMPLEMENTATION OF MEDICAL CANNABIS REGISTRY

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

- (1) the authority to administer the Medical Cannabis Registry and the regulation of cannabis dispensaries pursuant to 18 V.S.A. chapter 86;
- (2) the cannabis registration fee fund established pursuant to 18 V.S.A. chapter 86; and
- (3) the positions dedicated to administering 18 V.S.A. chapter 86.

(b) The Registry shall continue to be governed by 18 V.S.A. chapter 86 and the rules adopted pursuant to that chapter until 7 V.S.A. chapters 35 and 37

and the rules adopted by the Board pursuant to those chapters take effect on ~~March 1, 2022~~ July 1, 2022 as provided in 2019 Acts and Resolves No. 164.

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

Sec. 33. EFFECTIVE DATES

* * *

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

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

* * *

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

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

* * *

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

* * *

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

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

Sec. 60a. MEDICAID; POSTPARTUM COVERAGE; STATE PLAN
AMENDMENT

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

Sec. 61. DEPARTMENT FOR CHILDREN AND FAMILIES

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

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

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

* * *

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

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

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

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

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

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

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

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

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

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

* * *

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

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

* * *

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

* * *

Sec. 65a. ONE-TIME FISCAL YEAR 2022 TECHNICAL EDUCATION SUPPLEMENTAL GRANT FUNDING

(a) In fiscal year 2022, \$1,725,000 is appropriated from the Education Fund to the Agency of Education to make supplemental grants to career technical education centers. The grants shall be made proportionally based on fiscal year 2019 through 2021 average headcount of attendees at each center.

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

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

* * *

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

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

(c) Vermont State College System (VSCS) shall use funds remaining with Vermont Technical College provided in 2019 Acts and Resolves No. 80 to

continue to study a model for course delivery at Career and Technical Education (CTE) centers in Vermont and pilot up to two programs that offer these degree programs in up to two CTE centers. On or before January 15, 2023, the VSCS shall submit a written supplemental report to the House and Senate Committees on Education and the State Board of Education with its findings and recommendations from the pilot programs.

Sec. 67a. REAFFIRMATION OF MULTIYEAR FUNDING PRIORITIES
FOR AMERICAN RESCUE PLAN ACT (ARPA) AND OTHER
FEDERAL AND STATE FUNDS

(a) In 2021 Acts and Resolves No. 74, Sec. G.100, the General Assembly recognized that ARPA State Fiscal Relief funds, along with other federal or State funds, offer the unprecedented opportunity to invest in Vermont's recovery and long-term future by supporting Vermonters' health and well-being and by strengthening Vermont's communities, businesses, environment, and climate.

(b) In November 2021, the federal Infrastructure Investment and Jobs Act (IIJA) was enacted. This federal law includes unprecedented levels of federal investments for broadband; water, transportation, and electricity infrastructure; environmental remediation; information technology including cybersecurity; and carbon reduction and climate resilience strategies. The law authorizes approximately \$1.2 trillion of funding over five years, of which approximately \$550 billion is newly authorized spending, for transformative investments in these critical infrastructure systems. The law provides for formula funding to states, as well as competitive grants that states may apply for to seek additional funding, with nearly 50 percent of the additional funding allocated for nontransportation investments. While match requirements vary by project and funding stream, the additional state match requirements necessary to draw down the nontransportation formula and competitive grant funding will be substantial.

(c) The General Assembly reaffirms the intention of 2021 Acts and Resolves No. 74, Sec. G.100 and will seek to make the budget and appropriations processes of the 2022 legislative session consistent with the need to create State fiscal capacity to maximize the federal funding opportunities in the IIJA for broadband; information technology including cybersecurity; water; energy; and climate initiatives.

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

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

(a) ~~\$109,200,000~~ \$187,114,176 in fiscal year 2022 is appropriated from the

American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

* * *

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

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

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

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

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

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

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

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

* * *

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

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

(24) [Deleted.]

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

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

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

(28) \$12,803,996 to the Department of Labor to cover pandemic related operating costs in the Unemployment system and other programs.

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

(30) \$6,000,000 to the Department for Children and Families to be granted to childcare providers to address emergent and exigent circumstances following the COVID-19 pandemic for workforce retention bonuses to retain early childhood staff and home-based providers. It is the intent of the General Assembly that the eligible employers awarded funds pursuant to this section shall use the funds to make retention payments to their employees. The employers shall be afforded flexibility in determining how best to provide the financial retention assistance to their employees and how best to encourage employment beyond the terms of this program.

(A) The Department is authorized to establish parameters related to minimum hours worked for an employee or home-based provider to be eligible for a bonus under this subdivision (30), and to design a program that does not

allow for duplication of bonuses to staff who work for more than one provider. Staff under a teacher contract shall not be eligible for this program.

(B) Notwithstanding any provision of Vermont law to the contrary and to the extent permitted under federal law, the amount of a recruitment or retention payment received by an employee under this section shall be disregarded for purposes of determining the employee's or employee's household's income eligibility for any benefit program.

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

(32) \$1,500,000 to the Department of Buildings and General Services to develop and issue the request for proposal for the State House expansion planning design, provided that any funds remaining unobligated by October 1, 2023 shall be reverted and made available for reallocation.

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

* * *

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

Sec. G.400 HOUSING AND HOMELESSNESS INVESTMENTS

(a) ~~\$99,000,000~~ \$124,000,000 in fiscal year 2022 is appropriated from the American Rescue Plan Act (ARPA) - Coronavirus State Fiscal Recovery Funds as follows:

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

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

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

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

* * *

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

(1) \$40,000,000 in fiscal year 2021 is appropriated from the General Fund to the Vermont Housing and Conservation Board (VHCB) for affordable housing initiatives. These funds shall carryforward into fiscal year 2022 and are in addition to funding provided to VHCB in 2021 Acts and Resolves No. 9 and \$30,000,000 in fiscal year 2022 is appropriated from the General Fund to the Vermont Housing and Conservation Board (VHCB) for affordable housing initiatives.

* * *

Sec. 69a. 2021 Acts and Resolves No. 74, Sec. G.600 is amended to read:

Sec. G.600 CLIMATE ACTION INVESTMENTS

(a) ~~\$50,000,000~~ \$41,000,000 in fiscal year 2022 is appropriated from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Funds as follows:

(1) \$4,000,000 to the Department for Children and Families, Office of Economic Opportunity, Home Weatherization Assistance Program to be used in fiscal years 2022 and 2023. Up to \$150,000 of these funds may be used for vermiculite remediation and home repair as part of home weatherization. These funds are in addition to the funds that are provided in Sec. B.324 of this act and the federal ARPA LIHEAP funding provided, as set forth in Sec. E.324.1 of this act.

~~(2) \$9,000,000 to the Agency of Administration to grant to the Vermont Housing Finance Agency for financial support of housing weatherization statewide. On or before January 31, 2022 and thereafter upon request from a legislative committee, the Vermont Housing Finance Agency shall issue a report to the General Assembly detailing the programs to which funds appropriated under this subdivision were provided. The report shall include the results of its investigations into on-bill to the meter billing and other methods to provide weatherization financing.~~

~~(3) \$5,000,000 to the Department of Public Service to grant to the Efficiency Vermont for the purpose of weatherization incentives. These funds shall be deposited in Electric Efficiency Fund established under 30 V.S.A.~~

§ 209(d)(3) and shall be available for use by Efficiency Vermont through December 31, 2023.

~~(4)~~(3) \$2,000,000 to the Department of Public Service to grant to Efficiency Vermont for the purpose of workforce development initiatives and to support the expansion of NeighborWorks of Western Vermont's Heat Squad program. These funds shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be available for use by Efficiency Vermont through December 31, 2023.

~~(5)~~(4) \$20,000,000 to the Department of Public Service of which \$10,000,000 is to be used on the Affordable Community-Scale Renewable Energy Program, consistent with parameters of the Clean Energy Development Fund, to support the creation of renewable energy projects for Vermonters with low-income. In fiscal year 2022, \$5,000,000 may be allocated by the Clean Energy Development Board. The Department shall submit a plan for use of the remaining \$5,000,000 funds for approval by the General Assembly during the 2022 legislative session.

~~(6)~~(5) \$10,000,000 to the Vermont Housing Conservation Board, which may be used for conservation projects and Farm and Forest Viability Program activities that support the rural economy. Up to \$100,000 shall be used to expand the Rural Economic Development Initiative (REDI).

(b) ~~\$4,500,000~~ \$13,500,000 in fiscal year 2022 is appropriated from the General Fund as follows:

* * *

(4) \$9,000,000 to the Agency of Administration to grant to the Vermont Housing Finance Agency for financial support of housing weatherization statewide. On or before January 31, 2022 and thereafter upon request from a legislative committee, the Vermont Housing Finance Agency shall issue a report to the General Assembly detailing the programs to which funds appropriated under this subdivision were provided. The report shall include the results of its investigations into on-bill to-the-meter billing and other methods to provide weatherization financing.

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

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

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

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

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

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

Sec. 71a. AMERICAN RESCUE PLAN ACT; PREVAILING WAGE REQUIREMENT

(a)(1) Except as provided in subsection (b) of this section, any contract awarded for a maintenance, construction, or improvement project that receives \$200,000.00 or more in American Rescue Plan Act (ARPA) funds shall provide that all construction employees working on the project shall be paid not less than the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey plus an additional fringe benefit of 42 and one-half percent of wage, as calculated by the current Vermont prevailing wage survey.

(2) As used in this subsection, “fringe benefits” has the same meaning as used in 29 V.S.A. § 161.

(b) The requirements of subsection (a) of this section shall not apply to any maintenance, construction, or improvement project that received \$200,000.00 or more in American Rescue Plan Act (ARPA) funds appropriated prior to the effective date of this act if any of the following apply as of the effective date of this act:

- (1) the project has been invited or advertised for bid;
- (2) the project is under contract; or
- (3) the funds are obligated.

(c) Subsection (a) of this section shall not apply to contracts awarded for maintenance, construction, or improvements projects that are required by law to comply with the requirements of the federal Davis-Bacon Act.

Sec. 72. WORKFORCE RECRUITMENT AND RETENTION INCENTIVE GRANT FUNDING FOR EMPLOYEES OF ELIGIBLE HEALTH CARE AND SOCIAL SERVICE EMPLOYERS

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

(2) The total grant award amount for each eligible employer shall be calculated at a rate of \$2,000 per full-time equivalent employee (FTE) based on the number of FTEs identified by the eligible employer in its grant application.

(3) In order to be eligible to receive a recruitment or retention incentive payment funded by a grant awarded pursuant to this section, an employee shall commit to continuing employment with the eligible employer for at least one calendar quarter following receipt of the payment.

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

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

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

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

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

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

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

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

(7) recovery centers;

(8) adult day service providers;

(9) area agencies on aging; and

(10) programs licensed by the Department for Children and Families as residential treatment programs.

(c) Independent direct support providers. For the purpose of administering recruitment and retention incentive payments to independent direct support providers, ARIS Solutions, as the fiscal agent for the employers of

independent direct support providers, is authorized to apply for a grant in the same manner as an eligible employer and to disburse incentive payments funded by the grant to eligible independent direct support providers in a manner consistent with ARIS Solutions' payroll practices, to the extent that making those awards is not inconsistent with the terms of the collective bargaining agreement between the Agency of Human Services and the independent direct support providers.

(d) Intent; flexibility; payment disregard.

(1) It is the intent of the General Assembly that the eligible employers awarded funds pursuant to this section shall use the funds to make recruitment and retention incentive payments to their employees and prospective employees. The employers shall be afforded flexibility in determining how best to provide these incentive payments and how best to encourage continued employment beyond the service commitment set forth in subdivision (a)(3) of this section.

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

(e) Available funds.

(1) The sum of \$60,000,000 shall be made available to the Agency of Human Services in fiscal year 2022 to fund the workforce recruitment and retention incentive grant program established in this act, from the following sources:

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

(B) \$5,000,000 is appropriated to the Agency of Human Services in fiscal year 2022 from the General Fund. These funds may be included among the Global Commitment appropriations referenced in 2021 Acts and Resolves No. 74, Sec. E.301.2 as available for transfers if it is determined that grants made under this provision can be included and matched in the Global Commitment waiver. These funds shall carry forward if not fully expended in fiscal year 2022.

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

(2) The Agency of Human Services may use up to 1.5 percent of funds allocated in subdivision (1) of this subsection to administer the program.

(f) Allocations. Of the funds made available in subsection (e) of this section, \$45,000,000 shall be allocated for a first round of funding, to be made available to the eligible employers identified in subsection (b) of this section. The remaining \$15,000,000 shall be reserved for a second round of funding pending identification of a set of additional health care and social service provider employers with a demonstrated need for the recruitment and retention incentive grant funding, as recommended by the Agency of Human Services and accepted by the General Assembly, or by the Joint Fiscal Committee if the General Assembly is not in session, except that the Agency is authorized to access all or a portion of the reserved funding to the extent that a funding deficiency is identified when meeting the needs of the first round of eligible employers.

(g) Reporting requirements.

(1) On or before April 15, 2022, the Secretary of Human Services shall report to the House Committees on Appropriations, on Health Care, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare regarding the status of implementation of the workforce recruitment and retention incentive grant program.

(2) On or before July 1, 2022, the Secretary shall provide an update on the program to the Joint Fiscal Committee, including the amount of funding distributed to date, the amount of funding remaining for distribution, and any anticipated funding deficiency for the first round of grants based on the remaining need.

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

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

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

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

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

(b) The Agency of Human Services (AHS) is authorized to transfer General Fund appropriations made in fiscal year 2022 in the Global Commitment line to a new, one-time General Fund HCBS appropriation departmental ID. The amount transferred shall be not greater than the amount accounted for in fiscal year 2022 as a result of the 10 percent match rate allowed under ARPA Sec. 9817. The estimate of this transfer is between \$65,000,000 and \$69,000,000. Up to \$7,540,128 of the funds transferred and appropriated in this subsection may be used in fiscal year 2022 as State matching funds in 2021 Acts and Resolves No. 74, Sec. B.301 for the \$17,136,654 HCBS Global Commitment rate increases provided in 2021 Acts and Resolves No. 74. AHS shall report to the Joint Fiscal Committee in July 2022 on the actual amount transferred pursuant to this authority and the amount expended as the state match for all the HCBS plan expenditures in fiscal year 2022. Funds transferred and appropriated under this subsection shall carry forward until expended and may only be used as state matching funds for the HCBS plan.

(c) In fiscal year 2022, a total of \$59,457,740 is appropriated from the Global Commitment Fund to AHS to meet the objectives of the HCBS plan. This appropriation consists of \$17,136,654 as appropriated in 2021 Acts and Resolves No. 74 for a three percent rate increase to HCBS providers, including the assistive community care rates and children integrated services rates, and the following appropriations in distinct one-time departmental IDs:

(1) \$25,000,000 is appropriated for the retention and recruitment grant program for HCBS providers as specified in Sec. 72 of this act.

(2) \$3,447,500 is appropriated to the Agency of Human Services – Secretary’s Office.

(3) \$2,370,000 is appropriated to the Department of Disabilities, Aging, and Independent Living.

(4) \$6,171,000 is appropriated to the Department of Mental Health.

(5) \$390,000 is appropriated to the Department of Vermont Health Access.

(6) \$4,942,586 is appropriated to the Department of Health.

(d) The Global Commitment Fund appropriated in subsection (c) of this section may be obligated in fiscal year 2022 for the purposes of bringing

HCBS plan spending authority forward into fiscal year 2023. The funds appropriated in subsections (b) and (c) of this section may be transferred on a net-neutral basis in fiscal year 2022 in the same manner as the Global Commitment appropriations referenced in 2021 Acts and Resolves No. 74, Sec. E.301.2. The Agency shall report to the Joint Fiscal Committee in September 2022 on transfers of appropriations made and final amounts expended by each department in fiscal year 2022 and any obligated funds carried forward to be expended in fiscal year 2023.

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

Sec. 7. AGENCY OF HUMAN SERVICES; HEALTH CARE PROVIDER STABILIZATION GRANT PROGRAM

* * *

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

* * *

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

* * *

Sec. 74. HEALTH CARE PROVIDER STABILIZATION GRANT PROGRAM; ALTERNATIVE FUND DISTRIBUTION PROCESS

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

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

Sec. 105. EFFECTIVE DATES

* * *

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

* * *

Sec. 76. CARRYFORWARD AUTHORITY

(a) Notwithstanding any other provisions of law and subject to the approval of the Secretary of Administration, General, Transportation, Transportation Infrastructure Bond, Education Fund, Clean Water Fund (21932), and Agricultural Water Quality Fund (21933) appropriations remaining unexpended on June 30, 2022 in the Executive Branch of State government shall be carried forward and shall be designated for expenditure.

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

Sec. 77. DAIRY MARGIN COVERAGE PROGRAM; PREMIUM ASSISTANCE

(a) As used in this section:

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

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

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

(A) does not have an active enforcement violation under any Agency of Agriculture, Food and Markets program that has reached a final order with the Secretary and is not subject to an ongoing enforcement action initiated by the Agency of Natural Resources; and

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

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

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

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

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

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

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

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

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

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

Notwithstanding 16 V.S.A. chapter 133 and any other provision of law to the contrary, the sum of \$20,962 shall be transferred from the Education Fund to the City of Barre not later than fiscal year 2023 to compensate the City for overpayments of education property taxes in fiscal years 2016 to 2019 due to insufficient retention of tax increment from the City’s Tax Increment Financing District Fund.

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

Sec. 20. MILEAGESMART

(a) The Agency is authorized to spend up to \$750,000.00 in one-time Transportation Fund monies in fiscal years 2021 and 2022 combined and up to \$500,000.00 in one-time General Fund monies in fiscal year 2022 on MileageSmart, which was established in 2019 Acts and Resolves No. 59, Sec. 34, as amended, with up to ~~10~~ 15 percent of the total amount that is distributed in incentives in fiscal year 2022, including incentive funding authorized by this section and incentive funding carried over from prior fiscal years pursuant

to 2019 Acts and Resolves No. 59, Sec. 34, as amended, available for costs associated with administering MileageSmart.

Sec. 80. [Deleted.]

Sec. 81. EFFECTIVE DATES

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

(1) Secs. 73 (designated and specialized service agencies; COVID-19-related expenses) shall take effect retroactively on January 1, 2021;

(2) Secs. 74 (Health Care Provider Stabilization Grant Program; alternative fund distribution process) shall take effect retroactively on July 1, 2020; and

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

And by renumbering all of the sections of the bill to be numerically correct (including internal references) and adjusting all of the totals to be arithmetically correct.

*M. JANE KITCHEL
RICHARD W. SEARS, JR.
RICHARD A. WESTMAN*

Committee on the part of the Senate

*MARY S. HOOPER
PETER J. FAGAN
KIMBERLY JESSUP*

Committee on the part of the House

Thereupon, the question, Shall the Senate accept and adopt the report of the Committee of Conference?, was decided in the affirmative on a roll call, Yeas 28, Nays 0.

Senator Sears having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Benning, Bray, Brock, Campion, Chittenden, Clarkson, Collamore, Cummings, Hardy, Hooker, Ingalls, Kitchel, Lyons, MacDonald, McCormack, Nitka, Parent, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, Starr, Terenzini, Westman, White.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: Baruth, Mazza.

Joint Resolution Adopted on the Part of the Senate

S.R. 18.

Joint Senate resolution entitled:

Senate resolution relating to adoption of a temporary Rule 44A.

Having been placed on the Calendar for action, was taken up and adopted on the part of the Senate.

Rules Suspended; Bill Messaged

On motion of Senator Balint, the rules were suspended, and the following bill was ordered messaged to the House forthwith:

H. 679.

Adjournment

On motion of Senator Balint, the Senate adjourned until eleven o'clock and thirty minutes in the morning.

FRIDAY, FEBRUARY 25, 2022

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the House No. 24

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 448. An act relating to approval of amendments to the charter of the City of Burlington.

H. 456. An act relating to establishing strategic goals and reporting requirements for the Vermont State Colleges.

In the passage of which the concurrence of the Senate is requested.

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 448.

An act relating to approval of amendments to the charter of the City of Burlington.

To the Committee on Government Operations.

H. 456.

An act relating to establishing strategic goals and reporting requirements for the Vermont State Colleges.

To the Committee on Education.

Bill Passed in Concurrence**H. 654.**

House bill of the following title was read the third time and passed in concurrence:

An act relating to extending COVID-19 health care regulatory flexibility.

Third Reading Ordered**J.R.S. 43.**

Joint Senate resolution entitled:

Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to exchange quit claim deeds with the Vermont Land Trust and the Nature Conservancy in order to confirm the boundary between the Long Trail State Forest and the land co-owned by the Vermont Land Trust and the Nature Conservancy in the Towns of Eden and Belvidere.

Having appeared on the Calendar for notice for one day, was taken up.

Thereupon, the joint resolution was read the second time by title only pursuant to Rule 43, and third reading of the resolution was ordered.

Bill Amended; Third Reading Ordered**S. 261.**

Senator MacDonald, for the Committee on Finance, to which was referred Senate bill entitled:

An act relating to municipal retention of property tax collections.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 32 V.S.A. § 5402(c) is amended to read:

(c)(1) The treasurer of each municipality shall by December 1 of the year in which the tax is levied and on June 1 of the following year pay to the State Treasurer for deposit in the ~~education fund~~ Education Fund one-half of the municipality's statewide nonhomestead tax and one-half of the municipality's homestead education tax, as determined under subdivision (b)(1) of this section.

(2) The Secretary of Education shall determine ~~the~~ each municipality's net nonhomestead education tax payment and its net homestead education tax payment to the State based on grand list information received by the Secretary ~~no~~ not later than the March 15 prior to the June 1 net payment. Payment shall be accompanied by a return prescribed by the Secretary of Education. ~~The~~ Each municipality may retain 0.225 of one percent of the total education tax collected, only upon timely remittance of net payment to the State Treasurer or to the applicable school district or districts. ~~The~~ Each municipality may also retain \$15.00 for each late property tax credit claim filed after April 15 and before September 2, as notified by the Department of Taxes, for the cost of issuing a new property tax bill.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted in concurrence:

By Rep. Nicoll,

By Senators Clarkson, McCormack and Nitka,

H.C.R. 106.

House concurrent resolution in memory of Robert William Kirkbride.

By Reps. Vyhovsky and others,

H.C.R. 107.

House concurrent resolution designating March 10, 2022, as Social Worker Advocacy Day at the State House.

By Rep. Pugh,

H.C.R. 108.

House concurrent resolution designating the legislative week of March 8–11, 2022 as Early Childhood Week at the General Assembly.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, March 8, 2022, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 33.

TUESDAY, MARCH 8, 2022

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the House No. 25

A message was received from the House of Representatives by Ms. Melissa Kucserik, its First Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has adopted joint resolution of the following title:

J.R.H. 17. Joint resolution authorizing remote participation in joint committees under restricted, COVID-19-related circumstances through the remainder in 2022.

In the adoption of which the concurrence of the Senate is requested.

Message from the House No. 26

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that: