

\* \* \* American Rescue Plan Act Appropriations \* \* \*

\* \* \* Intent and Other Funding \* \* \*

Sec. G.100 MULTIYEAR FUNDING PRIORITIES INTENT

(a) The appropriations of ARPA – Coronavirus State Fiscal Recovery Funds in made in Secs. G.300–G.700 of this act by categorical areas are made consistent with the intent expressed in Sec. G.100 of 2021 Acts and Resolves No. 74 (the Big Bill), and reiterated in 2022 Acts and Resolves No. 83, Sec. 67a. In some cases, other funding sources are included or are referenced for specific programs or projects providing comprehensive funding by category. All appropriations of ARPA funds in this act are made only to the extent permitted by federal law and guidance. Appropriations not expended in fiscal year 2023 shall carry forward.

Sec. G.200 AMERICAN RESCUE PLAN ACT (ARPA) - CORONAVIRUS

STATE FISCAL RECOVERY FUND (SFR)

APPROPRIATIONS; REVERSION AND REALLOCATION;

REPORTS

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

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

(a) of this section to the House and Senate Committees on Appropriations, including recommendations, if any, for reallocation of ARPA SLFR funds in the fiscal year 2023 budget adjustment act.

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

Sec. G.300 INVESTMENTS IN VERMONT'S ECONOMY,

WORKFORCE, AND COMMUNITIES

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

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

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

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

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

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

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

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

(6) \$150,000 to the Agency of Agriculture, Food and Markets to contract with an eligible consultant for the development of a State Food Security Action Plan that will include a strategy to improve the resilience of the statewide food system in order to better

meet the food needs of citizens of Vermont during times of disruption to the national food distribution chain caused by emergencies such as the COVID-19 pandemic.

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

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

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

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

(1) Other workforce initiatives are funded in H.703, this includes \$18,897,000 General Fund, \$15,000,000 Education Fund and a \$8,000,000 reallocation of previously appropriated ARPA-SFR funds. The programs in this bill include Work-based Learning and Training program, Vermont Trades Scholarship program, CTE Construction and Rehabilitation Experiential Learning Program, Emergency Grants to Support Nurse Educators, Nurse Preceptor Incentive grants, and Health Care Employer Nursing Pipeline and Apprenticeship program.

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

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

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

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

#### Sec. G.400 HOUSING AND HOMELESSNESS INVESTMENTS

(a) \$50,000,000 in fiscal year 2023 is appropriated from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Fund to the Vermont Housing and Conservation Board (VHCB) to provide affordable mixed-income rental housing and homeownership units, improvements to manufactured homes and communities, recovery residences and, if determined eligible, housing available to farm workers and refugees. VHCB shall also use the funds for shelter and permanent homes for those experiencing homelessness in consultation with the Secretary of Human Services. These funds shall carryforward into fiscal year 2024.

\* \* \* Broadband Connectivity and Technology  
Modernization Investments \* \* \*

#### Sec. G.500 BROADBAND CONNECTIVITY INVESTMENTS

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

Sec. G.501 STATE TECHNOLOGY MODERNIZATION INVESTMENTS

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

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

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

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

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

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

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

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

(2) For the amounts released in subdivisions (1)(B)–(D) of this subsection, the Joint Information Technology Oversight Committee shall consider the Project Schedule developed between the Department of Labor and the Agency of Digital Services, as approved by the Agency of Administration. The Joint Information Technology Oversight Committee shall also consider any actions proposed by the U.S. Department of Labor that may impact current or future plans developed by the State’s Department of Labor.

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

#### Sec. G.600 CLIMATE ACTION INVESTMENTS

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

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

(2) \$35,000,000 to the Department of Public Service to grant to Efficiency Vermont for the purpose of weatherization incentives to Vermonters with a moderate

income. These funds shall be deposited in the Electric Efficiency Fund established under 30 V.S.A. § 209(d)(3) and shall be available for use by Efficiency Vermont through December 31, 2024. Households approved for assistance in this section will also be offered services outlined in (a)(4) of this subdivision.

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

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

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

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

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

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

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

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

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

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

(1) \$10,000,000 to the Agency of Commerce and Community Development to subgrant to the Vermont Housing Authority, Vermont Housing and Conservation Board,

for-profit, nonprofit, municipal, and other governmental entities to install Level I and Level II public electric vehicle charging infrastructure for multifamily dwellings, workplaces, and community attractions.

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

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

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

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

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

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

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

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

(8) \$5,000,000 to the Department of Public Service to offer up to 50 percent reimbursement to municipal and cooperative electrical distribution utilities for the

implementation of one or more systems of Advanced Metering Infrastructure that has been approved by the Public Utility Commission.

\* \* \* Clean Water Investments \* \* \*

Sec. G.700 WATER AND SEWER INVESTMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARPA

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

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

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

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

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

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

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

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

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

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

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

\* \* \* Administration \* \* \*

Sec. G.800 ARPA FUNDED LIMITED-SERVICE POSITIONS

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

(1) Agency of Administration: one Grants Manager.

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

(3) Public Service Department:

(A) one Administrative Services Coordinator;

(B) one Outreach Coordinator;

(C) one Grants Manager;

(D) one Financial Manager; and

(E) one Program Coordinator.

(4) Natural Resources Board:

(A) two District Coordinators; and

(B) one Program Director.

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

(A) one Senior Energy Services Program Officer; and

(B) two Energy Services Program Officers.

(6) Department of Labor: three Program Technicians

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

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

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

(A) one Community Affairs Planning Coordinator;

(B) two Grants Management Specialist;

(C) one AOT Environmental Specialist 1; and

(D) one Historic Resource Specialist.

(10) Agency of Transportation:

(A) one Grants Management Specialist; and

(B) one Grants Manager.

#### Sec. G.801 APPROPRIATION FOR ADMINISTRATIVE COSTS

(a) \$10,500,000 in fiscal year 2023 is appropriated from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Funds to the Agency of Administration to be ~~transferred~~ distributed as needed to address the statewide costs of administering these funds, including the costs of related limited-service positions, and contracting for programs and services.

\* \* \* Effective Dates \* \* \*

Sec. H.100 EFFECTIVE DATES

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

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

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