

1 S.349

2 Representatives Brownell of Pownal, Colston of Winooski, Copeland  
3 Hanzas of Bradford, Gannon of Wilmington, Gardner of Richmond, Harrison  
4 of Chittenden, Hooper of Burlington, Kitzmiller of Montpelier, LaClair of  
5 Barre Town, Mrowicki of Putney, and Palasik of Milton move that the House  
6 propose to the Senate that the bill be amended by striking out all after the  
7 enacting clause and inserting in lieu thereof the following:

8 Sec. 1. COVID-19 EXPENSE REIMBURSEMENT; LOCAL  
9 GOVERNMENT

10 (a) In fiscal year 2020, \$5,200,000.00 shall be appropriated from the  
11 Coronavirus Relief Fund to the Agency of Administration for the purpose of  
12 issuing grants to units of local government to reimburse eligible COVID-19  
13 expenses incurred on or before December 30, 2020, including hazard pay,  
14 supplies and equipment, sanitation, facility alterations, overtime compensation,  
15 redirection of staff for first-response needs, and any other eligible COVID-19  
16 expenses not covered by other funding sources, including funding provided by  
17 the Federal Emergency Management Agency. To be eligible for  
18 reimbursement under this section, COVID-19 expenses shall be consistent with  
19 the uses authorized in section 5001 of the Coronavirus Aid, Relief, and  
20 Economic Security Act, Pub. L. No.116–136 (the CARES Act), as may be  
21 amended, and any guidance or regulations issued pursuant to that section.

1        (b) The Secretary of Administration or designee shall develop grant  
2        guidelines for determining eligibility of COVID-19 expenses and requirements  
3        for reimbursement for units of local government. In determining the allocation  
4        of reimbursements under this section, the Secretary may prioritize need,  
5        including the local unemployment rate and the percent of eligible COVID-19  
6        expenses relative to the total budget.

7        (c) From the amount appropriated to the Agency of Administration under  
8        this section, the Secretary or designee shall allocate:

9            (1) \$4,850,000.00 in grants that shall not exceed \$200,000.00 per  
10        recipient for reimbursement of eligible COVID-19 expenses to the following:

11            (A) Vermont counties in amounts that shall not exceed \$1.00 per  
12        person as determined from the 2019 town census data published by the U.S.  
13        Census Bureau; and

14            (B) Vermont cities, towns, unorganized towns or gores, and any of  
15        the unified towns and gores of Essex County including those incurred by  
16        incorporated villages, fire districts, consolidated water districts created under  
17        24 V.S.A. chapter 91, and consolidated sewer districts created under 24 V.S.A.  
18        chapter 105 therein. Grants allocated under this subdivision (c)(1)(B) shall not  
19        exceed \$20.00 per person as determined from the 2019 town census data  
20        published by the U.S. Census Bureau.

1           (2) \$200,000.00 to solid waste management districts organized under 24  
2           V.S.A. chapter 121 in grants for reimbursement of eligible COVID-19  
3           expenses. The Secretary or designee may determine any limitations to the  
4           amount of the grants allocated under this subdivision.

5           (3) An amount not to exceed \$150,000.00 may be used to contract with  
6           one or more regional planning commissions for technical assistance to be  
7           provided to units of local government in identifying and documenting eligible  
8           COVID-19 expenses. Notwithstanding any other contrary provision of law,  
9           the contract may be a sole source contract.

10           (4) In the event that applications for reimbursements exceed the amounts  
11           allocated, grants may be prorated and the Secretary or designee shall prioritize  
12           grants to municipalities with populations under 2,500.

13           (d) On or before September 15, 2020, the Secretary of Administration shall  
14           report to the Joint Fiscal Committee on program development and eligible  
15           COVID-19 expenses reimbursed pursuant to this section. The Secretary shall  
16           provide recommendations for any legislative action, including reallocation of  
17           funds for reimbursement of eligible local government COVID-19 expenses.

18           Sec. 2. DEFINITIONS

19           (1) “CARES Act” means the Coronavirus Aid, Relief, and Economic  
20           Security Act, Pub. L. No.116–136, as amended, and any guidance and  
21           regulations issued under that act.

1           (2) “Municipality” means a city, town, or incorporated village.

2           (3) “Eligible use” means a use of grant funds permitted under the  
3           CARES Act to assist a municipality in digitizing land records for online public  
4           access during municipal office closures due to the COVID-19 public health  
5           emergency.

6           Sec. 3. CORONAVIRUS MUNICIPAL RECORDS DIGITIZATION

7                         GRANTS; AGENCY OF ADMINISTRATION

8           (a) Authorization; appropriation. Of the funds available in the Coronavirus  
9           Relief Fund, the amount of \$5,000,000.00 is appropriated to the Agency of  
10           Administration to provide grants to eligible municipalities pursuant to this  
11           section.

12           (b) Requirements for grant applicants. A municipality may apply for a  
13           grant for an eligible use, provided that:

14                         (1) The municipality was compelled to close its municipal offices or  
15           limit access to land records due to the COVID-19 public health emergency  
16           response.

17                         (2) The municipality has established and maintained a Restoration and  
18           Preservation Reserve Fund pursuant to 32 V.S.A. § 1671.

19           (c) Grant amount; terms.

20                         (1) The Agency shall establish a formula for determining the amount of  
21           grant awards, which shall include a maximum grant amount. The amount of

1 each grant shall be sufficient to ensure that the preceding 40 years of a  
2 municipality's land records may be digitized and made available to the public  
3 online.

4 (2) The Agency shall consider whether and by how much grant awards  
5 should be adjusted based on:

6 (A) whether a municipality has received financial assistance from  
7 other sources;

8 (B) the funds available for digitization in a municipality's  
9 Restoration and Preservation Reserve Fund;

10 (C) the number of property transactions within a municipality based  
11 on property transfer tax data reported by the Department of Taxes; and

12 (D) whether a municipality closed or limited access to the municipal  
13 clerk's offices during the COVID-19 public health emergency.

14 Sec. 4. GUIDELINES; REPORTING

15 (a) Guidelines. Not later than ten days after the effective date of this act,  
16 the Agency of Administration shall publish guidelines governing the  
17 implementation of the grant program, which at minimum shall establish:

18 (1) application and award procedures;

19 (2) standards for eligible uses of grant funds;

20 (3) standards governing the amount of grant awards to ensure:

1           (A) the equitable distribution of funds among regions of the State;

2           and

3           (B) that grants are based on need and will have a meaningful impact  
4           on the ability of the public to access digitized land records online;

5           (4) procedures to ensure that grant awards comply with the requirements  
6           of the CARES Act and that the State maintains adequate records to  
7           demonstrate compliance with the Act; and

8           (5) procedures to prevent, detect, and mitigate fraud, waste, error, and  
9           abuse.

10          (b) Consultation. Before publishing guidelines pursuant to subsection (a) of  
11          this section, the Agency shall consult with representatives of the Vermont  
12          League of Cities and Towns, the Vermont Municipal Clerks and Treasurers  
13          Association, and the Vermont Bar Association.

14          (c) Reporting. The Agency shall:

15               (1) provide weekly updates and information concerning grant  
16               guidelines, awards, and implementation to the committees of jurisdiction of the  
17               General Assembly; and

18               (2) submit a report to the General Assembly on or before August 15,  
19               2020 detailing the implementation of this section, including specific  
20               information concerning the amount and identity of grant recipients, the amount

1 of grant funds expended for eligible uses, and the progress made to expend the  
2 grant program funds by December 20, 2020, which shall be publicly available.

3 (d) In the event that the federal Department of the Treasury determines that  
4 an expenditure of funds made available from the CARES Act was not  
5 necessary or was otherwise impermissible under the Act, the Agency shall hold  
6 harmless any grant recipient that accepted grant funds in good faith reliance on  
7 the State concerning the municipality’s application for, or use of, the grant  
8 award.

9 Sec. 5. EFFECTIVE DATE

10 This act shall take effect on passage.

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16 (Committee vote: \_\_\_\_\_)

17 \_\_\_\_\_ Representative \_\_\_\_\_ FOR THE

18 COMMITTEE