

1 TO THE HONORABLE SENATE:

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

8 Sec. A.100 SHORT TITLE

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

11 Sec. A.101 PURPOSE

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

21 Sec. A.102 APPROPRIATIONS

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

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

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

13 Sec. A.103 DEFINITIONS

14 (a) As used in this act:

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

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

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

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

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

10 Sec. A.104 RELATIONSHIP TO EXISTING LAWS

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

13 Sec. A.105 OFFSETTING APPROPRIATIONS

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

17 Sec. A.106 FEDERAL FUNDS

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

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

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

17 Sec. A.107 NEW POSITIONS

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

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

3 Sec. A.108 LEGEND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 opioid settlement funds, or both.

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

9 (A) \$500,000 for Child Nutrition Grants to school districts to

10 purchase local foods.

11 (B) \$15,860 to the Vermont Ethnic and Social Equity Standards

12 Advisory Working Group to cover per diem and reimbursement of expenses.

13 (C) \$700,000 to Adult Education and Literacy to provide grants to

14 the Adult Learning Centers.

15 (15) \$67,000 to the Attorney General for the Court Diversion program

16 to replace special fund shortfall.

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

18 (A) \$75,000 to the Central Office for contractual support to complete

19 work associated with implementing the Global Warming Solutions Act of

20 2020.

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

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

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

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

11 (19) \$1,500,000 to the Department of Disabilities, Aging, and
12 Independent Living (Westman Language).

13 (20) \$250,000 to the Agency of Commerce and Community
14 Development for a grant to the Vermont League of Cities and Towns to
15 provide technical assistance to towns related to seeking or expending federal
16 funds.

17 (21) \$267,364 to the Department of Taxes for appraisal and litigation
18 costs associated with the Sheldon Springs Hydroelectric Dam.

19 (22) \$600,000 to the Department of Public Service for Public Access,
20 Education, and Government Media to fund the 24 media centers.

21 (23) \$450,000 to the Vermont Historical Society for HVAC systems.

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

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

12 (1) State Employees fiscal year 2023 transitional employer contribution.
13 \$10,000,000 is appropriated to the Agency of Administration for distribution
14 as needed to departments and agencies if approved by the Commissioner of
15 Finance and Management to fund the fiscal year 2023 payroll assessment
16 necessary to meet the State-employees' pension and other post-employment
17 benefits resulting from any changes to these programs enacted in the 2022
18 legislative session. The Commissioner shall report to the Joint Fiscal
19 Committee at its November 2022 meeting on the status of this appropriation.

20 (2) Teachers' other post-employment benefits. \$5,500,000 is
21 appropriated to the Retired Teachers' Health and Medical Benefits Fund,

1 established in 16 V.S.A. § 1944b to meet the fiscal year 2023 Actuarial
2 Determined Employer Contribution (ADEC) consistent with system
3 prefunding changes enacted in the 2022 legislative session.

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

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

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

14 * * *

15 62100 Unclaimed Property Fund ~~\$3,027,750.00~~ \$4,106,300.00

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

17 Sec. E.602.2 VERMONT STATE COLLEGES

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

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

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

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

10 ~~(3)~~(4) Relevance.

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

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

14 (i) aligned with State workforce needs;

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

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

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

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

9 (2) The VSC Board of Trustees shall develop and implement a 10-year
10 strategic plan for managing its physical assets that is fiscally sustainable,
11 maintains reasonable net asset value, and meets the needs of Vermont learners.
12 ~~On or before March 1, 2022, the Chancellor shall present this Board approved~~
13 ~~plan~~ Updates to the plan and an annual report on its implementation shall be
14 presented to the House Committee on Corrections and Institutions and the
15 Senate Committee on Institutions.

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

20 (4) Beginning in fiscal year 2022 and through 2031, the VSC Board of
21 Trustees, acting through the Chancellor or designee, shall brief, as part of the

1 Chancellor’s annual budget proposal, the House and Senate Committees on
2 Education and Committees on Appropriations:

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

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

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

12 (D) retention statistics with corresponding trend lines and
13 benchmarks;

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

19 * * *

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

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

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

6 (5) \$25,000,000 is ~~reserved and~~ carried forward into fiscal year 2023 to
7 improve the debt position of the State and shall be allocated ~~This may include~~
8 ~~the redemption of general obligation bonds, reducing the amount of new debt~~
9 ~~to be issued or to address negative internal fund balances. To the extent funds~~
10 ~~are available they shall be applied~~ as follows:

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

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

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

1 (C) \$14,700,000 to provide free last dollar tuition for one year of
2 undergraduate studies for critical occupation careers, including bookkeeping
3 certificate, IT service desk specialist certificate, certified production
4 technician, graphic design certificate, software and web development program,
5 electrical and plumbing apprenticeships, dental hygiene, certificate in
6 accounting, small business management, radiologic science, and respiratory
7 therapy. \$540,000 of these funds shall be allocated for paramedic/EMS
8 programs and any unexpended amount of this allocation shall be available for
9 the broader purpose in this subdivision (C). Funds may be used for practical
10 nursing, ~~child care~~ child care, nursing, ~~and~~ mental health counseling, and
11 psychology and social work programs only after available federal and State
12 financial aid is applied to ensure no cost to the student. Of this amount,
13 \$7,350,000 shall be carried forward for the 2022–2023 school year. If demand
14 from undergraduates is met, then funds may be used to pay for tuition for the
15 following graduate programs:

- 16 (i) ~~Master~~ Master's in Education (all programs);
17 (ii) ~~Master~~ Master's in Educational Leadership;
18 (iii) ~~Master~~ Master's of Arts and ~~Certificate of Advanced~~
19 Graduate Studies in ~~School~~ Psychology;
20 (iv) ~~Masters~~ Master's in Counseling; ~~and~~

1 (v) ~~Masters~~ Master's in Clinical Mental Health Counseling;

2 and

3 (vi) Master's in Clinical Social Work.

4 Sec. C.104 FISCAL YEAR 2022 AND FISCAL YEAR 2023; OUT-OF-

5 STATE BEDS SAVINGS; APPROPRIATION

6 (a) In fiscal year 2022, \$360,140 of the amount appropriated in 2021 Acts

7 and Resolves No. 74, Sec. B.339 (correctional services for out-of-state beds)

8 shall be allocated as follows:

9 (1) \$300,000 to the Department of Corrections to expand and eliminate

10 participant fees for community-based domestic violence intervention

11 programming and to create domestic violence intervention programming and

12 curricula for lesbian, gay, bisexual, transgender, queer, or questioning

13 (LGBTQ) individuals; and

14 (2) \$60,140 for Offender Management System/data system

15 improvements.

16 (b) In fiscal year 2022, \$417,030 of the amount appropriated in 2021 Acts

17 and Resolves No. 74, Sec. B.338 (correctional services) shall be used for

18 community justice centers.

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

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

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

9 (1) ~~\$77,800,000~~ \$77,839,612 allocated to improve services;

10 (2) ~~\$25,000,000~~ \$20,258,042 allocated to promote a high-performing
11 and stable HCBS workforce; and

12 (3) ~~\$43,800,000~~ \$51,452,468 allocated to improve HCBS care through
13 data systems, value-based payment models, and oversight.

14 * * *

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

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

3 (2) \$10,500,000 is appropriated to the Department of Disabilities,
4 Aging, and Independent Living.

5 (3) \$1,500,000 is appropriated to the Department of Mental Health.

6 (4) \$17,000,000 is appropriated to the Department of Vermont Health
7 Access.

8 (5) \$1,500,000 is appropriated to the Department of Health.

9 (6) \$92,250 is appropriated to the Department for Children and
10 Families.

11 (f) The Global Commitment Fund appropriated in subsection (e) of this
12 section may be obligated in fiscal year 2023 for the purposes of bringing
13 HCBS plan spending authority forward into fiscal year 2024. The funds
14 appropriated in subsections (b), (c), and (e) of this section may be transferred
15 on a net-neutral basis in fiscal year 2023 in the same manner as the Global
16 Commitment appropriations in Sec. E.301 of this act. The Agency shall report
17 to the Joint Fiscal Committee in September 2023 on transfers of appropriations
18 made and final amounts expended by each department in fiscal year 2023 and
19 any obligated funds carried forward to be expended in fiscal year 2024.

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

1 ~~(I) a Vermont public school, including a Vermont career~~
2 ~~technical center;~~

3 ~~(II) a public school in another state or an approved independent~~
4 ~~school that is designated as the public secondary school for the student’s~~
5 ~~district of residence; or~~

6 ~~(III) an approved independent school in Vermont to which the~~
7 ~~student’s district of residence pays publicly funded tuition on behalf of the~~
8 ~~student;~~

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

11 ~~(iii) is a home study student; none of the payment to the accredited~~
12 ~~postsecondary institution will be used to support religious instruction, religious~~
13 ~~indoctrination (where “indoctrination” means to instruct in a body of doctrine~~
14 ~~or principles), as defined in section 820 of this title, religious worship, or the~~
15 ~~propagation of religious views, except for religious instruction that is designed~~
16 ~~to provide an overview of religious history and teachings and does not support~~
17 ~~religious instruction, religious indoctrination, religious worship, or the~~
18 ~~propagation of religious views of any one religion or theology over others; and~~

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

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

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

7 **Sec. C. 110 TOBACCO FUNDS; APPROPRIATION**

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

13 Sec. C.111 2021 Acts and Resolves No. 74, Sec. E.335 as amended by 2022
14 Acts and Resolves No. 83, Sec. 62 is further amended by adding a subsection
15 (c) to read:

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

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

2 Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

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

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

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

18 (A) The dedication of \$2,500,000 in revenue from the property
19 transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the
20 affordable housing bond, 10 V.S.A. § 314, is to be offset by the reduction of
21 \$1,500,000 in the appropriation to the Vermont Housing and Conservation

1 Board and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a.
2 The fiscal year 2023 appropriation of \$21,128,985 to VHCB reflects the
3 \$1,500,000 reduction. The affordable housing bond and related property
4 transfer tax and surcharge provisions are repealed after the life of the bond on
5 July 1, 2039. Once the bond is retired, the \$1,500,000 reduction in the
6 appropriation to VHCB is intended to be restored.

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

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

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

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

18 **Sec. D.101** FUND TRANSFERS, REVERSIONS, AND RESERVES

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

1 (1) From the General Fund to the All Other Insurance Fund (56300):

2 \$1,000,000.

3 (2) From the General Fund to the Workers' Compensation Fund

4 (56100): \$2,000,000.

5 (3) From the General Fund to the Enhanced 911 Special Fund (21711):

6 \$1,300,000.

7 (4) From the General Fund to the Technology Modernization Special

8 Fund created in Sec. E.105.1 of this act: \$16,760,000.

9 (5) From the Clean Water Fund (21932) established by 10 V.S.A.

10 § 1388 to the Agricultural Water Quality Special Fund (21933) created under

11 6 V.S.A. § 4803: \$5,816,111.

12 (6) From the Clean Water Fund established by 10 V.S.A. § 1388 to

13 the Lake in Crisis Response Program Special Fund (21938) created under

14 10 V.S.A. § 1315: \$50,000.

15 (7) From the Transportation Fund to the Downtown Transportation and

16 Related Capital Improvement Fund (21575) established by 24 V.S.A. § 2796 to

17 be used by the Vermont Downtown Development Board for the purposes of

18 the Fund: \$523,966.

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

20 2023:

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

3	<u>22005</u>	<u>AHS Central Office earned federal receipts</u>	<u>\$4,641,960</u>
4	<u>50300</u>	<u>Liquor Control Fund</u>	<u>\$20,400,000</u>
5		<u>Caledonia Fair</u>	<u>\$5,000</u>
6		<u>North Country Hospital Loan</u>	<u>\$24,047</u>
7		<u>Springfield Hospital promissory note repayment</u>	<u>\$121,416</u>

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

15	<u>21638</u>	<u>AG-Fees & reimbursement – Court order</u>	<u>\$2,000,000</u>
16	<u>21928</u>	<u>Secretary of State Services Funds</u>	<u>\$1,200,000</u>
17	<u>62100</u>	<u>Unclaimed Property Fund</u>	<u>\$1,773,425</u>
18	<u>21998</u>	<u>Cannabis Regulation Fund</u>	<u>\$3,059,478</u>

19 (3) Notwithstanding 2016 Acts and Resolves No. 172, Sec. E. 228,
20 \$45,664,476 of the unencumbered balances in the Insurance Regulatory and
21 Supervision Fund (21075), the Captive Insurance Regulatory and Supervision

1 Fund (21085), and the Securities Regulatory and Supervision Fund (21080)
2 shall be transferred to the General Fund.

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

6 1210002000 Legislature \$205,000

7 (c) Notwithstanding any provisions of law to the contrary, in fiscal year
8 2023 the following estimated General Fund reserves shall be made:

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

11 **Sec. D.102 27/53 RESERVE**

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

16 **Sec. D.103** [Deleted.]

17 * * * General Government * * *

18 **Sec. E.100 EXECUTIVE BRANCH POSITIONS**

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

21 (1) Permanent classified positions:

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

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

4 (i) one BGS Utility Mechanic;

5 (ii) three BGS Institutional Custodians; and

6 (iii) one BGS Maintenance Mechanic II.

7 (C) Department of Disabilities, Aging, and Independent Living’s
8 Administration and Support division:

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

10 (ii) three Nurse Surveyors;

11 (iii) one Administrative Assistant; and

12 (iv) one Office of Public Guardian Community Financial
13 Specialist.

14 (D) Department of Mental Health:

15 (i) one Suicide Prevention Director;

16 (ii) one Quality Control Specialist III;

17 (iii) one Staffing Office Manager;

18 (iv) five Mental Health Scheduling Coordinators;

19 (v) one DMH Psychologist;

20 (vi) one DMH Activity Therapist;

21 (vii) one Psychiatric Social Worker II;

1 (viii) two Food Service Workers;

2 (ix) two Cook Cs; and

3 (x) one Supervising Chef.

4 (E) Agency of Education:

5 (i) one School Facility Coordinator; and

6 (ii) one Communication Coordinator.

7 (F) Cannabis Control Board:

8 (i) two enforcement officers; and

9 (ii) one data analyst.

10 (G) State Treasurer: one Retirement Program Technician.

11 (H) Agency of Natural Resources Central Office:

12 (i) one Environmental Analyst VII; and

13 (ii) two Environmental Analyst V.

14 (2) Permanent Exempt Positions:

15 (A) Vermont Pension Investment Commission: one Principal

16 Assistant.

17 (b) The conversion of the following limited-service positions to classified

18 permanent status is authorized in fiscal year 2023 as follows:

19 (1) Department of Vermont Health Access:

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

- 1 (B) DVHA, Business Office Unit – one Grants Management
2 Specialist;
3 (C) DVHA, Contracts & Grants Unit – two Contracts & Grants
4 Administrators;
5 (D) DVHA, Contracts & Grants Unit – one Financial Manager I;
6 (E) DVHA, HAEEU – one Assister Program Manager;
7 (F) DVHA, HAEEU – seven Benefits Program Mentors;
8 (G) DVHA, HAEEU – two Business Analysts;
9 (H) DVHA, HAEEU – one Communications & Outreach
10 Coordinator;
11 (I) DVHA, HAEEU – one Health Care Training/Community
12 Manager;
13 (J) DVHA, HAEEU – seven Health Program Administrators;
14 (K) DVHA, HAEEU – three Healthcare Assistant Admin Is;
15 (L) DVHA, HAEEU – five Healthcare Assistant Admin IIs;
16 (M) DVHA, HAEEU – one VHC Business Process Coordinator;
17 (N) DVHA, HAEEU – one VHC Education & Outreach Coordinator;
18 (O) DVHA, HAEEU – five VHC Support Services Specialists;
19 (P) DVHA, HAEEU – 16 VT Healthcare Service Specialist Is;
20 (Q) DVHA, HAEEU – 25 VT Healthcare Service Specialist IIs;
21 (R) DVHA, HAEEU – five VT Healthcare Service Specialist IIIs;

1 (S) DVHA, Health Care Appeals Unit – five Fair Hearing Specialists;

2 (T) DVHA, Health Care Appeals Unit – one Program Technician I;

3 (U) DVHA, Legal Unit – one Staff Attorney II; and

4 (V) DVHA, Long Term Care Unit – three Long Term Care Specialist

5 Is.

6 (2) Department of Forests, Parks and Recreation – Forestry: one

7 Forester III.

8 (3) State Treasurer: one Financial Manager.

9 (c) The establishment of the following new classified limited-service
10 positions are authorized in fiscal year 2023 as follows:

11 (1) Department of Labor: three positions to assist with the UI
12 Modernization project.

13 (2) Agency of Education:

14 (A) one Grants Manager; and

15 (B) three Monitoring Coordinators.

16 (3) Department of Environmental Conservation:

17 (A) one Environmental Analyst V.

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

19 Modernization Phase II:

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

21

1 (B) two Direct Client Service Specialist I,

2 (C) one Financial Specialist III, and

3 (D) one Direct Customer Service Specialist I.

4 (d) The establishment of the following new classified limited-service
5 positions are authorized in fiscal year July 1, 2022 through December 31, 2024
6 as follows:

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

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

9 (B) two Administrative Assistants.

10 (e) The transfer of the following exempt position is authorized in fiscal
11 year 2023 as follows:

12 (1) From the Agency of Administration to the Office of the Attorney
13 General:

14 (A) one Staff Attorney III.

15 Sec. E.100.1 2014 Acts and Resolves No. 179, Sec. E.100(d), as amended by
16 2015 Acts and Resolves No. 4, Sec. 74; 2016 Acts and Resolves No. 172,
17 Sec. E.100.2; 2017 Acts and Resolves No. 85, Sec. E.100.1; 2018 (Sp. Sess.)
18 Acts and Resolves No. 11, Sec. E.100.1; 2020 Acts and Resolves No. 120,
19 Sec. A.7; 2020 Act and Resolves No. 154, Sec. E.100.2; and by 2021 Acts and
20 Resolves No. 74, Sec. E.100.1, is further amended to read:

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

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

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

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

17 (C) The Vermont Veterans’ Home is authorized to add direct care
18 positions, including part-time positions. Prior to authorizing positions under
19 subdivision (d)(2) of this section, the Secretary of Administration shall be
20 provided the financial analysis from the Vermont Veterans’ Home reviewed by
21 the Commissioner of Finance and Management which demonstrates reduction

1 in the cost of overtime expenses or other expenses equal to or greater than the
2 projected cost of the positions for the current and successive fiscal year of
3 operations.

4 * * *

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

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

15 Sec. E.100.2 CHIEF PREVENTION OFFICER

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

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

19 § 3303. REPORTING, RECORDS, AND REVIEW REQUIREMENTS

20 (a) Annual report and budget. The Secretary shall submit to the General
21 Assembly, concurrent with the Governor's annual budget request required

1 under 32 V.S.A. § 306, an annual report for information technology and
2 cybersecurity. The report shall reflect the priorities of the Agency and shall
3 include:

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

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

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

10 (4) an outline summary of information, including scope, schedule,
11 budget, and status for information technology projects with total costs of
12 \$500,000.00 or greater;

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

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

17 (7) the Agency budget submission; and

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

1

* * *

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

3 § 3305. TECHNOLOGY MODERNIZATION SPECIAL FUND

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

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

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

12 (2) any interest earned by the Fund.

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

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

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

1 Sec. E.105.2 FISCAL YEAR 2023; TECHNOLOGY MODERNIZATION
2 SPECIAL FUND; AUTHORIZATIONS

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

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

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

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

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

19 (b) The expenditures authorized in subdivision (a)(1) of this section shall
20 only be released following approval by the Joint Information Technology
21 Oversight Committee upon a review of the following documentation as

1 provided by the Agency of Digital Services, the Agency of Administration, and
2 the Joint Fiscal Office’s IT consultant:

- 3 (1) adequacy of departmental readiness;
4 (2) the responsiveness of requests for proposals; and
5 (3) results of the independent review.

6 **Sec. E.106** EXECUTIVE BRANCH FEES AND FUND DEFICITS;
7 PROPOSED INCREASES AND FOREGONE REVENUE;
8 REPORT

9 (a) According to the report submitted by the Commissioner of Finance and
10 Management pursuant to 2021 Acts and Resolves No. 74, Sec. E.106,
11 \$22,000,000 in revenue was foregone in one fiscal year due to lack of
12 inflationary increases in certain fees, including Agency of Transportation fees.

13 (b) On or before November 15, 2022, the Commissioner of Finance and
14 Management shall submit an inventory of all existing fees within State
15 government to the Joint Fiscal Committee in Excel format. This inventory
16 shall include all fees collected by the Executive Branch, the Attorney General,
17 and the State Treasurer, as well as fees collected by the Judicial Branch. For
18 fees within the Judicial Branch, the Commissioner shall have the assistance of
19 the State Court Administrator. The fee inventory shall contain the following
20 information for each fee in existence on the preceding July 1:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 § 1001b. CAPITAL EXPENDITURE CASH FUND

15 (a) Creation. There is hereby created the Capital Expenditure Cash Fund to
16 be administered by the Commissioner of Finance and Management, in
17 consultation with the State Treasurer, for the purpose of using general funds to
18 defray the costs of future capital expenditures that would otherwise be paid for
19 using the State’s general obligation bonding authority and debt service
20 obligations.

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

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

2 (2) any interest earned by the Fund.

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

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

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

8 (3) costs associated with the early redemption of general obligation
9 bonds; and

10 (4) other eligible capital projects receiving an appropriation from the
11 General Assembly.

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

14 (e) Early redemption transfer. If any expenditures are made from the Fund
15 or the General Assembly appropriates general funds to pay for the early
16 redemption of general obligation bonds pursuant to subdivision (c)(3) of this
17 section, then an amount equal to the reduction in debt service required in any
18 fiscal year resulting from that redemption shall be transferred to the Fund.

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

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

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

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

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

14 Sec. E.107 CORONAVIRUS RELIEF FUND APPROPRIATIONS;

15 REVERSION AND REALLOCATION; REPORTS

16 (a) From July 1, 2022 through September 30, 2022, the Commissioner of
17 Finance and Management is authorized to revert all unobligated Coronavirus
18 Relief Fund (CRF) appropriations and allocate the monies for expenditure
19 pursuant to 32 V.S.A. § 511 to any agency or department for CRF-eligible
20 costs incurred from March 1, 2020 through December 31, 2021.

1 plan, the Committee shall consider the feasibility of different decarbonization
2 strategies, including divestment to the fullest extent possible, and review
3 models used in New York and in other states for decarbonization.

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

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

10 Sec. E.128 [Deleted.]

11 Sec. E.128.1 FARMERS' NIGHT CONCERT SERIES APPROPRIATION

12 (a) The Office of the Sergeant at Arms is authorized to use not more than
13 \$10,000 from resources available within the General Assembly's budget to
14 provide honoraria to speakers and performing groups who are invited to
15 participate in the 2023 Farmers' Night Concert Series and who are not
16 otherwise sponsored or compensated for their participation.

17 Sec. E.134 VERMONT MUNICIPAL EMPLOYEES' RETIREMENT

18 SYSTEM; FISCAL YEARS 2023–2026; RATES

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

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

3 (2) Group B members at the rate of 5.875 percent of earnable
4 compensation;

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

7 (4) Group D members at the rate of 12.35 percent of earnable
8 compensation.

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

11 (1) Group A members at the rate of 3.75 percent of earnable
12 compensation;

13 (2) Group B members at the rate of 6.125 percent of earnable
14 compensation;

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

17 (4) Group D members at the rate of 12.6 percent of earnable
18 compensation.

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

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

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

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

8 (3)~~(2)~~ The Attorney General shall serve as legal advisor to the
9 Commission.

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

11 § 524. VERMONT PENSION INVESTMENT COMMISSION SPECIAL

12 FUND

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

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

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

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

3 (3) any interest earned by the Fund.

4 Sec. E.134.3 VERMONT PENSION INVESTMENT COMMISSION;

5 SOURCE OF FUNDS

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

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

15 Sec. E.136.1 2017 Acts and Resolves No. 79, Sec. 13, as amended by 2020
16 Acts and Resolves No. 120, Sec. A.8, and 2021 Acts and Resolves No. 44, Sec.
17 2, is further amended to read:

18 Sec. 13. STATE ETHICS COMMISSION FUNDING SOURCE

19 SURCHARGE; REPEAL

20 (a) Surcharge.

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

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

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

14 Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

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

1 expenses incurred to undertake complex commercial and utility property
2 appraisals conducted by the Department to aid town valuations.

3 Sec. E.142 PAYMENTS IN LIEU OF TAXES

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

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

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

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

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

18 FACILITIES

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

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

20 * * *

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

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

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

3 * * *

4 Sec. E.208 PUBLIC SAFETY – ADMINISTRATION

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

9 Sec. E.209 PUBLIC SAFETY – STATE POLICE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (d) Meetings.

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

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

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

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

1 Sec. E.212 PUBLIC SAFETY – FIRE SAFETY

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

5 Sec. E.215 MILITARY – ADMINISTRATION

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

9 Sec. E.219 MILITARY – VETERANS’ AFFAIRS

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

15 Sec. E. 222 NEW FARMER PROGRAM COORDINATION

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

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

3 Sec. E.232 OFFICE OF PROFESSIONAL REGULATION; REPORT

4 (a) On or before December 15, 2022, the Office of Professional Regulation
5 shall submit a report to the General Assembly outlining how to restore and
6 maintain the fiscal health of the Office of Professional Regulation Regulatory
7 Fee Fund. The report shall be submitted to the House Committees on
8 Government Operations, on Ways and Means, and on Appropriations as well
9 as the Senate Committees on Government Operations, on Finance, and on
10 Appropriations.

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

12 (6) upon approval by the General Assembly, up to \$1,500,000.00
13 annually to fund the operational expenses of the Board and the Department to
14 the extent the Department’s expenses support the work of the Board.

15 Sec. 233.1 VERMONT COMMUNITY BROADBAND BOARD;

16 OPERATIONAL EXPENSES; ANNUAL BUDGET

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

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

6 (c) In preparing a proposed budget for its operational expenses, the
7 Vermont Community Broadband Board shall maximize first the use of any
8 federal funds in the Vermont Community Broadband Fund that are available
9 for administrative costs, and then shall draw upon monies transferred to the
10 Vermont Community Broadband Fund pursuant to 30 V.S.A. § 7523(b).

11 Sec. E.233.2 VERMONT COMMUNITY BROADBAND BOARD

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

18 Sec. E.233.3 MUNICIPAL FUNDS FOR BROADBAND

19 (a) Notwithstanding any other provision of law to the contrary, a
20 municipality may accept and finance broadband projects with funds received

1 from the American Rescue Plan Act of 2021, Pub. L. 117-2, including funds
2 received as lost revenue.

3 Sec. E.240 CANNABIS CONTROL BOARD

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

7 * * * Cannabis Regulation Fund;

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

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

10 § 845. CANNABIS REGULATION FUND

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

14 (b) The Fund shall be composed of:

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

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

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

1 (c) Monies from the Fund shall only be appropriated for the purposes of
2 implementation, administration, and enforcement of this chapter and chapter
3 33 of this title.

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

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

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

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

11 § 7909. SUBSTANCE MISUSE PREVENTION FUNDING

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

18 * * *

19 Sec. E.240.3. REPEAL

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

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

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

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

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

6 § 845. CANNABIS REGULATION FUND

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

10 (b) The Fund shall be composed of:

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

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

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

18 (c) Monies from the Fund shall only be appropriated for the purposes of
19 implementation, administration, and enforcement of this chapter and chapter
20 33 of this title.

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

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

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

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

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

14 Sec. E. 240.7 TRANSFER IN JULY 2025

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

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

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

1

2

* * * Human Services * * *

3

Sec. E.300 FUNDING FOR THE OFFICE OF THE HEALTH CARE

4

ADVOCATE

5

(a) Of the funds appropriated in Sec. B.300 of this act, \$1,847,406 shall be

6

used for the contract with the Office of the Health Care Advocate.

7

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

8

(a) The Agency of Human Services (AHS) shall use the funds appropriated

9

in this section for payment of the actuarially certified premium required under

10

the intergovernmental agreement between the Agency of Human Services and

11

the managed care entity, the Department of Vermont Health Access, as

12

provided for in the Global Commitment for Health Waiver (Global

13

Commitment) approved by the Centers for Medicare and Medicaid Services

14

under Section 1115 of the Social Security Act.

15

(b) In addition to the State funds appropriated in this section, a total

16

estimated sum of \$25,231,644 is anticipated to be certified as State matching

17

funds under the Global Commitment as follows:

18

(1) \$22,230,100 certified State match available from local education

19

agencies for eligible special education school-based Medicaid services under

20

the Global Commitment. This amount combined with \$28,269,900 of federal

21

funds appropriated in Sec. B.301 of this act equals a total estimated

1 expenditure of \$50,500,000. An amount equal to the amount of the federal
2 matching funds for eligible special education school-based Medicaid services
3 under Global Commitment shall be transferred from the Global Commitment
4 Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A.
5 § 2959a.

6 (2) \$3,001,544 certified State match available from local designated
7 mental health and developmental services agencies for eligible mental health
8 services provided under Global Commitment.

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

13 Sec. E.301.1 GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER;
14 REPORT

15 (a) In order to facilitate the end-of-year closeout for fiscal year 2023, the
16 Secretary of Human Services, with approval from the Secretary of
17 Administration, may make transfers among the appropriations authorized for
18 Medicaid and Medicaid-waiver program expenses, including Global
19 Commitment appropriations outside the Agency of Human Services. At least
20 three business days prior to any transfer, the Agency shall submit to the Joint
21 Fiscal Office a proposal of transfers to be made pursuant to this section. A

1 final report on all transfers made under this section shall be made to the Joint
2 Fiscal Committee for review at the September 2023 meeting. The purpose of
3 this section is to provide the Agency with limited authority to modify the
4 appropriations to comply with the terms and conditions of the Global
5 Commitment for Health waiver approved by the Centers for Medicare and
6 Medicaid Services under Section 1115 of the Social Security Act.

7 Sec. E.301.2 GLOBAL COMMITMENT WAIVER AMENDMENT

8 (a) The Secretary of Human Services is authorized to seek to extend or
9 renew Vermont’s Global Commitment to Health Section 1115 Demonstration
10 Waiver, which is currently set to expire on June 30, 2022. The Agency of
11 Human Services shall strive to maintain or increase the State’s flexibility to
12 use Global Commitment investment dollars to increase access to care and
13 coverage, improve health outcomes, strengthen health care delivery, and
14 promote transformation to value-based and integrated models of care.

15 Sec. E.301.3 PROVIDER RATE INCREASES

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

21 Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

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

11 **Sec. E.306.1** [Deleted.]

12 Sec. E.312 HEALTH – PUBLIC HEALTH

13 (a) AIDS/HIV funding.

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

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

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

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

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

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

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

16 (B) As provided in this section, the Secretary of Human Services
17 shall work in collaboration with the VMAP Advisory Committee, which shall
18 be composed of not less than 50 percent of members who are living with
19 HIV/AIDS. If a modification to the program’s eligibility requirements or
20 benefit coverage is considered, the Committee shall make recommendations

1 regarding the program’s formulary of approved medication, related laboratory
2 testing, nutritional supplements, and eligibility for the program.

3 (4) In fiscal year 2023, the Department of Health shall provide grants in
4 the amount of \$100,000 in general funds to Vermont AIDS service
5 organizations and other Vermont HIV/AIDS prevention providers for
6 community-based HIV prevention programs and services. These funds shall
7 be used for HIV/AIDS prevention purposes, including syringe exchange
8 programs; improving the availability of confidential and anonymous HIV
9 testing; prevention work with at-risk groups such as women, intravenous drug
10 users, and people of color; and anti-stigma campaigns. Not more than
11 15 percent of the funds may be used for the administration of such services by
12 the recipients of these funds. The method by which these prevention funds are
13 distributed shall be determined by mutual agreement of the Department of
14 Health and the Vermont AIDS service organizations and other Vermont
15 HIV/AIDS prevention providers.

16 (5) In fiscal year 2023, the Department of Health shall provide grants in
17 the amount of \$150,000 in general funds to Vermont AIDS service
18 organizations and other Vermont HIV/AIDS prevention providers for syringe
19 exchange programs. The method by which these prevention funds are
20 distributed shall be determined by mutual agreement of the Department of
21 Health, the Vermont AIDS service organizations, and other Vermont

1 HIV/AIDS prevention providers. The performance period for these grants will
2 be State fiscal year 2023. Grant reporting shall include outcomes and results.

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

7 Sec. E.313 REPORT, PUBLIC INEBRIATE AND SOBER BED
8 PROGRAMMING

9 (a) The new alcohol and drug abuse program beds funded through Sec.
10 B.313 of this act shall be used to treat public inebriates instead of having these
11 individuals held by the Department of Corrections. On or before January 15,
12 2023, the Department of Health, in consultation with the Chief Prevention
13 Officer, Vermont Care Partners, the Vermont Association for Mental Health
14 and Addiction Recovery, and the Vermont Alliance for Recovery Residences,
15 shall submit a written report to the House Committees on Appropriations and
16 on Human Services and to the Senate Committees on Appropriations and on
17 Health and Welfare examining whether there is excess bed capacity among
18 those programs designated for use by public inebriates. If the Department
19 determines that there is excess capacity, the report shall include a plan to make

1 efficient use of the excess capacity, including possibly redesignating beds for
2 alternative purposes.

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

4 OUTREACH SERVICES

5 (a) The Department of Mental Health shall build an urgent care model for
6 mental health by expanding mobile outreach services based on the
7 Department’s analysis of statewide mobile crisis services and gaps pursuant to
8 its State Planning Grant from the Centers for Medicare and Medicaid Services.
9 The urgent care model shall address geographic gaps and the regions of the
10 State in which the lack of mobile outreach is most directly driving unnecessary
11 emergency department visits or unnecessary law enforcement responses.

12 (b) The new mobile outreach services shall:

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

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

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

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

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

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

12 (2) the status of expansion of the urgent care model for mental health by
13 expanding mobile outreach services funded in fiscal year 2023, including
14 grants issued to date, operating status of the programs provided funding, and
15 number of Vermonters served in 2022.

16 Sec. E.314.1 DEPARTMENT OF MENTAL HEALTH; EMERGENCY
17 DEPARTMENTS; PATIENT EXPERIENCE OF CARE;
18 REPORT

19 (a) On or before January 15, 2023, the Department of Mental Health shall
20 report to the House Committee on Health Care and the Senate Committee on
21 Health and Welfare regarding the progress of the health care system in

1 improving the patient experience of care for individuals encountering lengthy
2 emergency departments waits for admission for inpatient psychiatric treatment.
3 The report shall include an assessment of the services offered to these patients
4 in emergency departments and the extent to which stakeholder input is
5 included in decisions about services and patient care. The report shall include
6 the most recent data pertaining to patient length of stay in emergency
7 departments due to a lack of appropriate alternative mental health level 1 or
8 step-down bed placements, and any changes anticipated in the inventory of
9 level 1 or step-down beds system wide.

10 Sec. E.316 PARENT CHILD CENTER GRANT

11 (a) The Department for Children and Families shall, within the
12 administration of the grant for parent child centers and in consultation with the
13 parent child centers, seek to ensure that services are targeted to families most
14 at risk of having young children come into State custody. The shared goal of
15 preventing that outcome, and bringing Vermont's rate of young children
16 coming into State custody down to a level more consistent with other states
17 experience, shall be reflected in the grant agreement.

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

19 § 5126. PLACEMENT OF A CHILD INTO A QUALIFIED RESIDENTIAL
20 TREATMENT PROGRAM

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

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

19 (c) Nothing in this section shall be construed to limit the Commissioner’s
20 authority to place a child who is in the Commissioner’s legal custody in a

1 family home or a treatment, rehabilitative, detention, or educational facility or
2 institution as provided in subdivision 5106(4) of this title.

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

5 **Sec. E.318** REPEAL

6 2019 Acts and Resolves No. 72, Sec. E.138.7 is repealed.

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

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

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

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

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

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

16 (4) provide child care and early learning services for infants and
17 toddlers; and

18 (5) participate in the Step Ahead Recognition System (STARS).

19 (c) Center-based child care program or family child care homes receiving a
20 grant pursuant to this section shall remain in compliance with the Division's

1 rules, continue participation in STARS, and maintain enrollment of children
2 supported by CCFAP.

3 Sec. E.318.2 PRE-APPRENTICESHIP PROGRAM IN EARLY

4 CHILDHOOD EDUCATION: APPROPRIATION

5 (a) Of the federal funds appropriated in Sec. B.318 of this act to the
6 Department for Children and Families Division of Child Development,
7 \$100,000 shall be transferred to Vermont Department of Labor for the pre-
8 apprenticeship program in Early Childhood Education provided by Vermont
9 Career and Technical Education centers.

10 (2) \$125,000 shall be sugranted to the Vermont Association for the
11 Education of Young Children to provide grants to students to pursue early
12 childhood educator careers.

13 Sec. E. 318.3 CHILD DEVELOPMENT DIVISION; STEP AHEAD

14 RECOGNITION SYSTEM

15 As part of its fiscal year 2023 budget adjustment presentation to the General
16 Assembly, the Department for Children and Families shall present its proposed
17 policy changes to the Step Ahead Recognition System (STARS) to the House
18 Committee on Human Services and the Senate Committee on Health and
19 Welfare. The Division's presentation shall summarize its proposed changes to
20 STARS, including any anticipated impacts on child care providers and
21 families. Any requested policy changes to STARS and related appropriations

1 requests shall require legislative approval through the budget process pursuant
2 to 32 V.S.A. chapter 7, subchapter 3.

3 Sec. E.318.4 BRIGHT FUTURES INFORMATION SYSTEM;

4 MODERNIZATION; CHILD CARE FINANCIAL

5 ASSISTANCE PROGRAM

6 (a) On or before January 1, 2024, or six months after both the
7 modernization of the Bright Futures Information System (BFIS) pursuant to
8 2021 Acts and Resolves No. 45, Sec. 5 and the implementation of the
9 corresponding eligibility changes to the Child Care Financial Assistance
10 Program (CCFAP) pursuant to 2021 Acts and Resolves No. 45, Sec. 2 have
11 taken effect, whichever is first occurring, the Department for Children and
12 Families shall submit a written report to the House Committees on
13 Appropriations and on Human Services and to the Senate Committees on
14 Appropriations and on Health and Welfare evaluating the effectiveness of the
15 BFIS modernization project and the CCFAP eligibility changes. The report
16 shall address how implementation of BFIS and CCFAP changes impact the
17 availability and affordability of child care throughout Vermont.

18 Sec. E.321 [Deleted.]

19 Sec. E.321.1 [Deleted.]

20 Sec. E.324 EXPEDITED CRISIS FUEL ASSISTANCE

1 **Sec. E.334** ADULT DAY PAYMENT REFORM – ALTERNATIVE

2 PAYMENT METHODOLOGY – REPORT

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

10 Sec. E.335 CORRECTIONS APPROPRIATIONS; UNEXPENDED FUNDS

11 TRANSFER; REPORT

12 (a) In fiscal year 2023, the Secretary of Administration may, upon
13 recommendation of the Secretary of Human Services, transfer unexpended
14 funds between the respective appropriations for correctional services;
15 provided, however, that no transfer shall be made from correctional services
16 out-of-state beds. At least three days prior to any such transfer being made, the
17 Secretary of Administration shall report the intended transfer to the Joint Fiscal
18 Office and shall report any completed transfers to the Joint Fiscal Committee
19 at its next scheduled meeting.

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

1 reported to the Joint Legislative Justice Oversight Committee in September
2 2022, to support community-based service programs. Funds may only be
3 expended on community-based service programs upon approval of the Joint
4 Legislative Justice Oversight Committee.

5 (c) Any funds expended on community-based service programs pursuant to
6 subsection (b) of this section shall be included in the subsequent year

7 Sec. E.335.1 [Deleted]

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

9 § 125. JUSTICE REINVESTMENT II INITIATIVES; REPORT

10 (a) On or before January 15 each year, the Commissioner of Corrections
11 shall submit a report to the House Committees on Appropriations and on
12 Corrections and Institutions and the Senate Committees on Appropriations and
13 on Judiciary with:

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

16 (A) Department of Corrections funding for domestic violence
17 intervention programming;

18 (B) Department of Corrections funding for transitional housing
19 capacity;

20 (C) funding for the Department of Correction's data collection
21 Offender Management System;

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

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

7 (2) a description of any other General Fund expenditures for Justice
8 Reinvestment II initiatives not described in subdivision (1) of this subsection
9 to date.

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

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

15 Sec. E.338 CORRECTIONS – CORRECTIONAL SERVICES

16 (a) Notwithstanding 32 V.S.A. § 3709(a), the special funds appropriation of
17 \$152,000 for the supplemental facility payments to Newport and Springfield
18 shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

1 Sec. E.345 [Deleted.]

2 * * * Labor * * *

3 Sec. E.400 [Deleted.]

4 Sec. E.400.1 UNEMPLOYMENT INSURANCE; INFORMATION

5 TECHNOLOGY MODERNIZATION FUNDING; REPORTS

6 (a) On or before November 15, 2022, the Office of Legislative Counsel in
7 consultation with the Joint Fiscal Office shall submit a written report to the
8 House Committees on Commerce and Economic Development and on Ways
9 and Means; the Senate Committees on Economic Development, Housing and
10 General Affairs and on Finance; and the Commissioner of Labor regarding
11 statutes and mechanisms in other states that establish funding for
12 unemployment insurance information technology modernization. The Office
13 of Legislative Counsel may consult with the Department of Labor in relation to
14 the preparation of the report.

15 (b) On or before January 15, 2023, the Commissioner of Labor shall submit
16 a written report to the House Committees on Commerce and Economic
17 Development and on Ways and Means and the Senate Committees on
18 Economic Development, Housing and General Affairs and on Finance
19 evaluating the funding mechanisms for unemployment insurance information
20 technology modernization identified in the report prepared pursuant to
21 subsection (a) of this section. The report shall specifically address whether a

1 funding mechanism similar to those identified in the report prepared pursuant
2 to subsection (a) of this section could be implemented in Vermont and any
3 potential challenges or adverse impacts related to implementing a similar
4 funding mechanism in Vermont. The report may include an evaluation of one
5 or more potential funding mechanisms for unemployment insurance
6 information technology modernization that are not identified in the report
7 prepared pursuant to subsection (a) of this section and may include a proposal
8 for legislative action.

9 * * * K–12 Education * * *

10 Sec. E.500 EDUCATION – FINANCE AND ADMINISTRATION

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

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

17 Sec. 14. FINDINGS AND PURPOSE

18 (a) Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended,
19 requires that not later than July 1, 2022 all Vermont supervisory unions,
20 supervisory districts, school districts, and independent technical center districts
21 utilize the same ~~shared school district data management system~~ Shared School

1 District Data Management System (~~eFinancePlus~~) (SSDDMS), which shall be
2 selected by the Agency of Education per State procurement guidelines.

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

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

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

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

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

16 * * *

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

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

21 Sec. E.500.1. SHARED SCHOOL DISTRICT **FINANCIAL** DATA

1 MANAGEMENT SYSTEM

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

7 * * *

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

9 Sec. 16. PAUSE OF IMPLEMENTATION OF SHARED SCHOOL
10 DISTRICT FINANCIAL DATA MANAGEMENT SYSTEM

11 Notwithstanding Sec. E.500.1 of 2018 (Sp. Sess.) Acts and Resolves
12 No. 11, as amended, the implementation of the Shared School District Data
13 Management System (SSDDMS) shall be paused until ~~January 1, 2022~~ July 1,
14 2023, provided that:

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

18 (2) a supervisory union, supervisory district, school district, or
19 independent technical center district ~~that does not use the system~~ may ~~join an~~
20 ~~implementation round offered by the Agency of Education~~ implement or leave

1 SSDDMS during the pause period after consultation with the Agency of
2 Education and upon approval by its governing body.

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

4 Sec. 17. AGENCY OF EDUCATION; REPORTS

5 (a) On or before June 30, 2021 and quarterly thereafter until March 31,

6 ~~2023~~ 2025, the Agency of Education shall provide a written report to the

7 General Assembly and the Vermont Association of School Business Officials

8 on the status of improving and implementing the Shared School District Data

9 Management System, including the status of:

10 * * *

11 **Sec. E.500.5** AGENCIES OF EDUCATION AND OF DIGITAL SERVICES;

12 JOINT REPORT ON THE SHARED SCHOOL DISTRICT

13 DATA MANAGEMENT SYSTEM

14 (a) On or before December 15, 2022, the Agencies of Education and of

15 Digital Services shall jointly submit a report to the House and Senate

16 Committees on Education on the status of improving and implementing the

17 Shared School District Data Management System (SSDDMS) and a

18 recommendation on whether to continue, discontinue, suspend, or delay

19 implementation of SSDDMS and the reasons for their recommendation. In

20 preparing their report, the Agencies of Education and of Digital Services shall

21 solicit feedback from the Vermont Association of School Business Officials,

1 school business managers and users and nonusers of SSDDMS around the
2 State, the Vermont chapter of the American Association of School Personnel
3 Administrators, and school human resources managers around the State.

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

6 Sec. 1. ETHNIC AND SOCIAL EQUITY STANDARDS ADVISORY
7 WORKING GROUP

8 * * *

9 (d) Appointment and operation.

10 * * *

11 (D) The Working Group shall cease to exist on ~~July 1, 2022~~ July 1,
12 2023.

13 * * *

14 (g) Duties of the Working Group.

15 (1) The Working Group shall review standards for student performance
16 adopted by the State Board of Education under 16 V.S.A. § 164(9) and, on or
17 before December 31, ~~2021~~ 2022, recommend to the State Board updates and
18 additional standards to recognize fully the history, contributions, and
19 perspectives of ethnic groups and social groups. These recommended
20 additional standards shall be designed to:

21 * * *

1 (h) Reports.

2 * * *

3 (3) The Working Group shall, on or before ~~December 31, 2022~~ June 30,
4 2023, submit a report to the General Assembly that includes:

5 * * *

6 (i) Duties of the State Board of Education. The Board of Education shall,
7 on or before ~~December 31, 2022~~ June 30, 2023, consider adopting ethnic and
8 social equity studies standards into standards for student performance adopted
9 by the State Board under 16 V.S.A. § 164(9) for students in prekindergarten
10 through grade 12, taking into account the report submitted by the Working
11 Group under subdivision (g)(1) of this section.

12 **Sec. E. 500.7** 2021 Acts and Resolves No. 66, Sec. 13 is amended to read:

13 * * *

14 (c) Any unused portion of these appropriations shall, as of July 1, ~~2022~~
15 2023, revert to the General Fund.

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

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

20 (A) \$2,852,234 for Evidence-Based Summer Programming for the
21 implementation of evidence-based summer enrichment programs and to ensure

1 such programs respond to students’ academic, social, and emotional needs and
2 address the disproportionate impact of the coronavirus on the student
3 populations described in section 1111(b)(2)(B)(xi) of the Elementary and
4 Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students
5 experiencing homelessness, and children and youth in foster care.

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

13 (C) \$1,352,170 to address lost instructional time due to COVID-19 in
14 accordance with 2021 Acts and Resolves No. 28 to support literacy with a
15 specific prioritization for the implementation of 2018 Acts and Resolves No.
16 173.

17 (D) \$1,130,586 for meeting other needs as determined by the State
18 educational agency (AOE) to address issues in responding to COVID-19. This
19 may include the implementation of a facilities planning grant program per
20 2021 Acts and Resolves No. 72.

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

1 (a) Of the appropriation authorized in Sec. B.502 of this act, and
2 notwithstanding any other provision of law, an amount not to exceed
3 \$4,073,400 shall be used by the Agency of Education in fiscal year 2023 as
4 funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the
5 Secretary shall not be limited by the restrictions contained within 16 V.S.A.
6 § 2969(c) and (d).

7 Sec. E.504.1 EDUCATION – FLEXIBLE PATHWAYS

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

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

13 (1) \$996,500 is available for dual enrollment programs notwithstanding
14 16 V.S.A. § 944(f)(2);

15 (2) \$1,800,000 is available to support the Vermont Virtual High School;

16 (3) \$400,000 is available for secondary school reform grants; and

17 (4) \$3,000,000 is available for Early College pursuant to 16 V.S.A.
18 § 4011(e).

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

1 Sec. E.514 STATE TEACHERS' RETIREMENT SYSTEM

2 (a) In accordance with 16 V.S.A. § 1944(g)(2), and consistent with system
3 changes enacted for fiscal year 2023 in the 2022 session, the annual
4 contribution to the State Teachers' Retirement System (STRS) shall be
5 \$194,161,651 of which \$187,273,782 shall be the State's contribution and
6 \$6,887,869 shall be contributed from local school systems or educational
7 entities pursuant to 16 V.S.A. § 1944c.

8 (b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution,
9 \$34,342,965 is the "normal contribution," and \$159,818,686 is the "accrued
10 liability contribution."

11 Sec. E.515 RETIRED TEACHERS' HEALTH CARE AND MEDICAL
12 BENEFITS

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

18 (b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution,
19 \$15,100,000 is the "normal contribution," and \$35,106,128 is the "accrued
20 liability contribution."

1 need-based stipend purposes to fund a flat-rate, need-based stipend or voucher
2 program for financially needy students enrolled in a dual enrollment course
3 pursuant to 16 V.S.A. § 944 or in early college pursuant to 16 V.S.A. § 946 to
4 be used for the purchase of books, cost of transportation, and payment of fees.
5 VSAC shall establish the criteria for program eligibility. Funds shall be
6 granted to eligible students on a first-come, first-served basis until funds are
7 depleted.

8 (b) VSAC shall report on the program to the House Committees on
9 Appropriations and on Commerce and Economic Development and to the
10 Senate Committees on Appropriations and on Economic Development,
11 Housing and General Affairs on or before January 15, 2023.

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

13 (3) The Clean Water Board shall:

14 * * *

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

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

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

8 **Sec. E.700.1 PCB TESTING OF RELEASES FROM BUILDING**

9 **MATERIALS**

10 Sec. E.702 23 V.S.A. § 3513 is amended to read:

11 § 3513. LIABILITY INSURANCE; AUTHORITY TO CONTRACT FOR
12 LAW ENFORCEMENT SERVICES

13 (a) The amount of 85 percent of the fees and penalties collected under this
14 chapter, except interest, is allocated to the Agency of Natural Resources for
15 use by the Vermont ATV Sportsman’s Association (VASA) for development
16 and maintenance of a Statewide ATV Trail Program, for trail liability
17 insurance, and to contract for law enforcement services with any constable,
18 sheriff’s department, municipal police department, the Department of Public
19 Safety, and the Department of Fish and Wildlife for purposes of trail
20 compliance pursuant to this chapter. The Departments of Public Safety and of
21 Fish and Wildlife are authorized to contract with VASA to provide these law

1 enforcement services. The Agency of Natural Resources shall retain for its use
2 up to \$7,000 during each fiscal year to be used for administration of this
3 Program.

4 * * *

5 * * * Transportation * * *

6 **Sec. E.903** MULTI-AGENCY INVESTMENTS IN ELECTRIC VEHICLE
7 SUPPLY EQUIPMENT INFRASTRUCTURE

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

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

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

14 (3) “Level 1 charger” or “level 1 EVSE” means EVSE that plugs
15 directly into a standard 120-volt AC outlet and supplies an average output of
16 1.3 to 2.4 kilowatts.

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

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

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

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

8 (B) all units are affordable to households earning between 60 and
9 120 percent of area median income.

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

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

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

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

18 (A) one or more grant programs, which may build upon the existing
19 EVSE Grant Program, to support the continued buildout of level 1 and 2 EVSE
20 at multiunit dwellings, including multiunit affordable housing, with less than
21 20 units prioritized and not less than 30 percent of the total appropriation, less

1 the administration expenses allowed under subsection (c) of this section,
2 allocated to this purpose;

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

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

12 (D) the purchase and installation of level 1 and 2 EVSE that is
13 available to the public at State workplaces or to provide grants to persons for
14 the purchase and installation of level 1 and 2 EVSE that is available to the
15 public at State workplaces, or both.

16 (2) If the Agency of Commerce and Community Development, in
17 consultation with the EVSE Interagency Workgroup, determines that
18 programmatic funding remains available following the first round of grant
19 awards made under subdivision (1) of this subsection, then the balance of the
20 \$10,000,000 shall be awarded in grants that prioritize placing EVSE at

1 multiunit affordable housing and workplaces of employers with fewer than 100
2 employees.

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

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

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

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

18 (e) Outreach and marketing. The Agency of Commerce and Community
19 Development shall ensure that there is sufficient outreach and marketing,
20 including the use of translation and interpretation services, of the EVSE grant
21 programs implemented pursuant to subsection (b) of this section and such costs

1 shall be considered administrative costs for purposes of subsection (c) of this
2 section.

3 * * * Pay Act * * *

4 **Sec. F.100** APPROVAL OF FISCAL YEAR 2023 COMPENSATION

5 INCREASES

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

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

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

18 (b) Other permitted fiscal year 2023 increases. In fiscal year 2021, the
19 Executive, Judicial, and Legislative Branches may extend the fiscal year 2023
20 provisions of the collective bargaining agreements that are funded by this act
21 to employees not covered by the bargaining agreements as they determine to

1 be appropriate and in accordance with the appropriations provided to each
2 branch.

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

4 (a) Executive Branch. In fiscal year 2023, the fiscal year 2023 provisions
5 of the collective bargaining agreements between the State of Vermont and the
6 Vermont State Employees' Association for the Defender General, Non-
7 Management, Supervisory, and Corrections bargaining units, and, for the
8 purpose of appropriation, the State's Attorneys' offices bargaining unit, for the
9 period of July 1, 2022 through June 30, 2023; the collective bargaining
10 agreement with the Vermont Troopers' Association, for the period of July 1,
11 2022 through June 30, 2023; and salary increases for employees in the
12 Executive Branch not covered by the bargaining agreements shall be funded as
13 follows:

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

18 (2) Transportation Fund. The amount of \$1,502,420 is appropriated
19 from the Transportation Fund to the Secretary of Administration for
20 distribution to the Agency of Transportation and the Department of Public

1 Safety to fund the fiscal year 2023 compensation increases permitted by this
2 act.

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

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

14 (b) Judicial Branch. In fiscal year 2023, the amount of \$2,342,075 is
15 appropriated from the General Fund to the Judiciary to fund the fiscal year
16 2021 provisions of the collective bargaining agreement between the State of
17 Vermont and the Vermont State Employees' Association for the Judicial
18 bargaining unit for the period of July 1, 2022 through June 30, 2023 and salary
19 increases for employees in the Judicial Branch not covered by the bargaining
20 agreement.

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

4 * * * American Rescue Plan Act Appropriations * * *

5 * * * Intent and Other Funding * * *

6 Sec. G.100 MULTIYEAR FUNDING PRIORITIES INTENT

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

16 **Sec. G.200** AMERICAN RESCUE PLAN ACT (ARPA) - CORONAVIRUS
17 STATE FISCAL RECOVERY FUND (SFR)
18 APPROPRIATIONS; REVERSION AND REALLOCATION;
19 REPORTS

20 (a) On or before September 15, 2022 and annually thereafter until
21 September 15, 2026, the Commissioner of Finance and Management shall

1 submit a report to the Joint Fiscal Committee on the status of all appropriations
2 made from the Coronavirus State and Local Fiscal Recovery Fund (SLFR)
3 provided to the State from the American Rescue Plan Act of 2021, Pub. L.
4 No. 117-2 (ARPA). The report shall include updates on project eligibility,
5 obligated funds, actual expenditures, and any compliance or reporting issues.

6 (b) On or before January 15, 2023, the Commissioner of Finance and
7 Management shall provide an update to the September 15, 2022 ARPA report
8 described in subsection (a) of this section to the House and Senate Committees
9 on Appropriations, including recommendations, if any, for reallocation of
10 ARPA SLFR funds in the fiscal year 2023 budget adjustment act.

11 * * * Economy, Workforce, and Communities * * *

12 **Sec. G.300** INVESTMENTS IN VERMONT'S ECONOMY,
13 WORKFORCE, AND COMMUNITIES

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

17 (1) \$1,050,000 to the Natural Resources Board, to be used as needed to
18 prioritize and expedite permitting of ARPA-funded projects, including the
19 costs of three exempt limited-service positions.

20 (2) \$9,601,052 to the Judiciary as follows:

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

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

2 (3) \$750,000 to the Secretary of State for expenses related to telehealth.

3 (4) \$14,900,000 to the Vermont State Colleges for bridge funding to
4 transform the system. This includes offsets to continuing costs and impacts
5 from COVID-19 pandemic.

6 (5) \$2,000,000 to the Department for Children and Families' Economic
7 Services Division to grant to the Vermont Foodbank to support access to food
8 for Vermonters with low income.

9 (b) General Fund Workforce Appropriations: In fiscal year 2023,
10 \$1,500,000 is appropriated from the General Fund to Vermont Student
11 Assistance Corp (VSAC) 802 Opportunity Program for increasing the
12 household income eligibility limit from \$50,000 to \$75,000.

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

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

4 (1) \$5,000,000 to the Department of Forests, Parks and Recreation for
5 the Vermont Outdoor Recreation Economic Collaborative (VOREC)
6 Community Grant Program.

7 (2) \$6,000,000 to the Department of Economic Development for the
8 remediation and redevelopment of brownfield sites.

9 (3) \$800,000 to the Department of Motor Vehicles to grant to the
10 Vermont Association of Snow Travelers (VAST) as follows:

11 (A) \$50,000 for the VAST for the Law Enforcement and Safety
12 Program.

13 (B) \$750,000 for the VAST Equipment Grant-in-Aid Program.

14 (4) Other Economic Development initiatives are included in H.159,
15 which provides funding from the General Fund and ARPA sources totaling
16 \$84,500,000, and includes funding initiatives related to wage replacement for
17 COVID-impacted employers, supplemental unemployment funding, assistance
18 programs for businesses and arts and culture organizations that demonstrate
19 pandemic losses, and a time-limited increase in a downtown development tax
20 credit.

1 unit development and for program to reduce single-family housing costs for
2 middle-income families.

3 * * * Broadband Connectivity and Technology

4 Modernization Investments * * *

5 **Sec. G.500** BROADBAND CONNECTIVITY INVESTMENTS

6 (a) \$95,000,000 is appropriated in fiscal year 2023 to the Department of
7 Public Service, Vermont Community Broadband Board from the American
8 Rescue Plan Act - Coronavirus Capital Projects Fund in order to support the
9 State’s goal of achieving universal access to reliable, high-quality, affordable
10 broadband. This appropriation shall be transferred to the Vermont Community
11 Broadband Fund to make grants through the Broadband Construction Grant
12 Program. To the greatest extent possible and for the purpose of maximizing
13 the availability of federal funds for State broadband projects, the ARPA
14 monies appropriated in this subsection shall be used first to fund any match
15 requirements applicable to broadband grants funded by the Infrastructure
16 Investment and Jobs Act of 2021.

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

1 Sec. G.501 STATE TECHNOLOGY MODERNIZATION INVESTMENTS

2 (a) \$25,250,000 is appropriated in fiscal year 2023 from American Rescue

3 Plan Act - Coronavirus State Fiscal Recovery Funds as follows:

4 (1) \$20,250,000 to the Department of Motor Vehicles (DMV) Core

5 System Modernization Phase II

6 (2) \$5,000,000 to the Department of Labor Unemployment Insurance

7 modernization project.

8 (b) To the extent that American Rescue Plan Act (ARPA) - Coronavirus

9 State Fiscal Recovery Funds are available as a result of the provision specified

10 in 2022 Acts and Resolves No. 83, Sec. 53(b)(6), \$25,000,000 shall be

11 appropriated to the Department of Labor for the completion of the Department

12 of Labor Unemployment Insurance modernization project.

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

14 **Sec. G.600** CLIMATE ACTION INVESTMENTS

15 (a) In fiscal year 2023, \$129,760,000 is appropriated from the American

16 Rescue Plan Act - Coronavirus State Fiscal Recovery Funds for climate change

17 mitigation initiatives as follows:

18 (1) \$45,000,000 to the Department for Children and Families, Office of

19 Economic Opportunity, Home Weatherization Assistance Program to be used

20 in fiscal years 2023 and 2024. Households approved for assistance in this

1 section will also be offered services outlined in subdivision (4) of this
2 subsection.

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

10 (3) \$2,000,000 to the Agency of Transportation to support the continued
11 build-out of public electric vehicle charging infrastructure along highway
12 networks.

13 (4) \$25,000,000 to the Department of Public, of which \$20,000,000 is to
14 provide financial and technical assistance for Vermonters with low- and
15 moderate-income to upgrade home electrical systems to enable installation of
16 energy saving technologies, and \$5,000,000 is to establish a “Switch and Save”
17 program to provide financial and technical assistance for Vermonters with low-
18 and moderate-income to install, at low- or no-cost, heat pump water heaters,
19 with a focus on replacing water heaters near the end of their useful life and
20 servicing households participating in the electrical system upgrades described in
21 this subsection.

1 (5) \$2,000,000 to the Department of Public Service for load
2 management and storage efforts to assist Vermonters with low- and moderate-
3 income customers to purchase electric equipment for heating, cooling, and
4 vehicle charging. In addition, investments will be made in load control and
5 management platforms to enable smaller municipal and cooperative utilities to
6 capture and share benefits of load management and funding for municipal
7 back-up electricity storage installations.

8 (6) \$15,000,000 to improve landscape resilience and mitigate flood
9 hazards to be allocated as follows:

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

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

15 (7) \$4,760,000 to the Agency of Agriculture, Food and Markets to
16 provide farms in Vermont with financial assistance for the implementation of
17 soil-based practices that improve soil quality and nutrient retention, increase
18 crop production, minimize erosion potential, and reduce agricultural waste
19 discharges. Assistance may take the form of programs that provide education,
20 training, or instruction to farmers.

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

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

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

13 (2) \$12,000,000 to the Agency of Transportation for the Incentive
14 Program for New PEVs, established in 2019 Acts and Resolves No. 59,
15 Sec. 34, as amended.

16 (3) \$2,000,000 to the Agency of Transportation for the public-private
17 partnership with Drive Electric Vermont to support the expansion of the plug-
18 in electric vehicle market in the State.

19 (4) \$3,000,000 to the Agency of Transportation to grant to the
20 Community Action Agencies to support the MileageSmart Program,
21 established in 2019 Acts and Resolves No. 59, Sec. 34, as amended.

1 (5) \$3,000,000 to the Agency of Transportation for the Replace Your
2 Ride Program, established in 2021 Acts and Resolves No. 55, Sec. 27, as
3 amended.

4 (6) \$2,200,000 general funds and \$500,000 Transportation funds to the
5 Agency of Transportation for the following:

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

10 (B) \$1,000,000 general funds and \$500,000 Transportation funds to
11 continue administering the Mobility and Transportation Innovation (MTI)
12 Grant program to support projects that improve both mobility and access to
13 services for transit-dependent Vermonters, reduce the use of single-occupancy
14 vehicles, and reduce greenhouse gas emissions.

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

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

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

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

8 (3) \$20,000,000 to the Department of Environmental Conservation to
9 assist municipalities to design and construct projects to reduce or eliminate wet
10 weather sewer overflows.

11 (4) \$13,000,000 to make repairs or improvements to water and
12 wastewater systems in Vermont homes to be allocated as follows:

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

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

19 (C) \$1,500,000 to the Department of Housing and Community
20 Development to update leaking service lines, old plumbing, and replacing

1 outdated fixtures (sinks, toilets, dishwashers, laundry) with high-efficiency
2 devices.

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

4 PROJECTS BY SWAP TO ARPA

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

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

13 (1) \$600,000 to the Department of Buildings and General Services for
14 three-acre parcel stormwater planning, design, and implementation;

15 (2) \$300,000 to the Department of Forests, Parks and Recreation for
16 State parks major maintenance;

17 (3) \$585,000 to the Department of Environmental Conservation for
18 Municipal Pollution Control Grants;

19 (4) \$700,000 to the Department of Forests, Parks and Recreation for
20 forestry access road water quality improvements;

1 (2) Agency of Agriculture, Food and Markets: two Water Quality

2 Program Coordinators.

3 (3) Public Service Department:

4 (A) one Administrative Services Coordinator;

5 (B) one Outreach Coordinator;

6 (C) one Grants Manager;

7 (D) one Financial Manager; and

8 (E) one Program Coordinator.

9 (4) Vermont Community Broadband Board:

10 (A) one Fiscal and Federal Reporting Specialist;

11 (B) one Rural Broadband Technical Specialist;

12 (C) one Business Office Manager; and

13 (D) one Digital Equity Office Manager.

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

15 Engineer.

16 (5) Natural Resources Board:

17 (A) two District Coordinators; and

18 (B) one Executive Director.

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

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

21 (B) two Energy Services Program Officers.

1 to ARPA) and Sec. G.702 (amendment to 2021 Acts and Resolves No.74, Sec.
2 G.700(c)) shall take effect upon passage.

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

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

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