

**2021**  
**Legislative Session Report**  
**Representative Erin Brady**  
Chittenden 2 - Williston



*And that's a wrap! The 2021 session is certainly one for the record books, as we conducted the entire session on Zoom and managed the vast infusion of federal aid that has come to our Green Mountain State. It has been an honor to represent Williston in these difficult times. This report contains details about the FY2022 state budget and most of the major legislation that passed in 2021. If you have questions or would like more information, please reach out to me at [ebrady@leg.state.vt.us](mailto:ebrady@leg.state.vt.us)*

**We are creating an equitable recovery plan that invests in people and leaves no Vermonter behind with a focus on rebuilding the economy in all 14 counties.** Spring 2021 has brought Vermont \$1.052 billion in federal American Rescue Plan Act (ARPA) funds. It's a once-in-a-lifetime opportunity to make thoughtful, high-impact investments over several years that advance priorities for our future and accelerate recovery in every corner of the state. Our goal is to create a strong, vibrant Vermont where we all thrive.

**Our current FY22 budget (\$7.35 billion) and American Rescue Plan Act investments prioritize:**

- Strengthening systems and services that increase **mental/physical health and social well-being**.
- Expanding **broadband** and connectivity to facilitate remote work, telehealth, online learning, and small business creation.
- Investing in **child care** to increase access, affordability and quality for working families, and wages for early learning professionals.
- Increasing **affordable housing** stock for low- and middle-income Vermonters; transitioning homeless Vermonters to permanent housing with services.
- Addressing **climate change** by curbing emissions, electrifying transportation, and weatherizing more homes.
- Investing in **higher education** and **workforce development** to prepare Vermonters for 21st century jobs within the state.
- Advancing **clean water** and the health of our lakes, rivers, wetlands, groundwater, and drinking water systems; ensuring a toxics-free environment that protects our natural resources.
- Centering **racial and social equity** in our investments; dismantling structural inequities impacting BIPOC, LGBTQIA+, women, people with disabilities, New Americans, and vulnerable Vermonters that limit economic opportunity and mobility.

## **See How Federal Relief Dollars Are Being Spent in VT**

Two interactive dashboards show how the \$1.25 billion has been allocated and spent so far. Please take a look at [this link](#) provided by the Vermont Department of Finance and Management for a remarkable source of information about a remarkable amount of money.

## **Opportunity for all Vermonters to Weigh in on Federal Relief Funds**

Recognizing the unprecedented opportunity beyond FY2022 provided by these federal dollars, the state budget includes authorization for a statewide, community-based engagement process to solicit from Vermonters their thoughts for investing in the future of our state. Outreach this summer and fall will be facilitated and traditional barriers removed. Vermonters' recommendations will then be reported to the requisite legislative committees for budget and policy development beginning in January 2022. I look forward to sharing more about this opportunity this summer!

## **Legislative Highlights From Each Committee**

### ***AGRICULTURE & FORESTRY***

#### **Big Book of Ag Launches**

Eighteen months in the making with input from more than 1,500 Vermonters, the “Vermont Agriculture and Food System Strategic Plan 2021-2030” debuted this session. A collaboration between the Vermont Sustainable Jobs Fund and the Vermont Agency of Agriculture, Food & Markets, the “Big Book,” is made up of 54 product, market and issue briefs. Available online: [vtfarmtoplate.com/plan/](http://vtfarmtoplate.com/plan/) or in hard copy.

#### **New Agricultural Innovation Board Created**

On its way to the Governor, [H.434](#) is a bill that creates the Agricultural Innovation Board. It will take on the tasks of the Vermont Pesticide Advisory Council and the Vermont Seed Review Committee, as well as tackle areas of concern such as pesticide use and how to reduce it, and the use of agriculture plastic and how to transition to more biodegradable materials. Vermont is the only state that has a Seed Review Committee that allows for the review of the seed traits of a new genetically engineered seed proposed for sale, distribution, or use in the state.

### ***COMMERCE & ECONOMIC DEVELOPMENT***

#### **Stabilizing Workers & Employers Impacted by COVID**

The COVID-19 pandemic brought the most significant job-loss event ever experienced by Vermont's Unemployment Insurance (UI) system. Thousands of workers, including a higher-than-average percentage of women, lost jobs or were forced to stay home and care for loved ones or children learning remotely. The Legislature designed [S.62](#) in response to this economic crisis. It is a package of programs and benefits that will both support workers post-pandemic and shore up the UI system for the future. S.62:

- Adds a long-term supplemental benefit of \$25/week for UI recipients when the federal bump ends in September.



- Protects businesses from being unduly burdened with large tax increases caused by COVID-layoffs by removing the year 2020 from the employer calculation.
- Ensures the state's UI Trust Fund is replenished and ready for Vermonters in the event of another economic emergency.
- Appropriates \$100,000 in scholarships for adult students enrolled in workforce development programs at Adult Career and Tech Education Centers.
- Provides \$150,000 to tech centers for the purchase of new equipment; and \$150,000 for curriculum development related to high-growth, high-need sectors.

### **Business & Workforce Grant Programs Launched**

To get relief to Vermonters quickly, the legislature passed [H.315](#) in early April, a \$97.5 million pandemic-relief bill that invested federal funds before the end of session to jumpstart the state's recovery. This bill created \$10.5 million in [Economic Recovery Bridge Grants](#), targeting new and small businesses not eligible for assistance initially. H.315 also allocated \$500,000 to the [EMBRACE Grants for Micro Business](#) program, providing up to \$5,000 to low and moderate-income Vermonters with businesses under five employees and less than \$25,000 in annual revenue. **Finally, \$8.2 million was approved for the Vermont State Colleges, UVM and VSAC to provide up to two free classes to adult Vermonters looking to boost job skills or change careers, to provide one free class to all 2020 and 2021 high-school grads.**

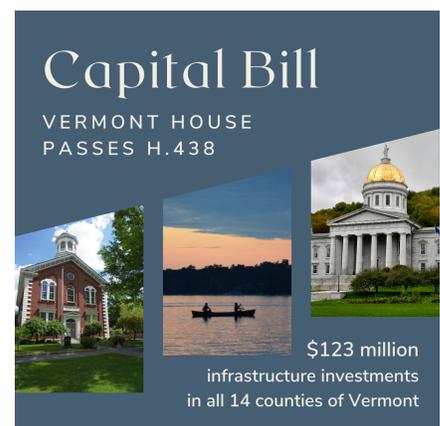
### **Promoting Economic Opportunity for BIPOC Businesses**

This session, legislators embraced their responsibility to address racial wealth disparities and begin course-correcting the historical impacts of economic exploitation and exclusion from economic opportunity. [H.159](#) invests \$150,000 in a process to be driven by BIPOC Vermonters and may include the creation of a minority business development center or authority. This legislation will also provide technical support for BIPOC businesses in procurement of state contracts, improve language access and cultural competency practices within state economic development programs, and strengthen state data collection to better serve the variety of identities represented within the BIPOC community.

## ***CORRECTIONS & INSTITUTIONS***

### **Building Back Better: Statewide Infrastructure**

House Corrections & Institutions crafts a two-year Capital Bill in the first year of each biennium. This is where long-term investments are made in buildings and infrastructure using money from state-issued bonds. This year's Capital Bill, [H.438](#), invests \$123 million in a range of projects critical both to pandemic recovery and to the future of Vermont, including courthouse renovations and HVAC, clean water, state park upgrades, state office building maintenance, mental health facilities, and affordable housing. The legislation also expands the [Building Communities Grant Program](#), which invests in local economies and helps communities preserve historic buildings, improve ADA accessibility, and address fire safety in recreational, educational, cultural and human service facilities.



### **Reforming Vermont's Correctional System**

Recognition of the need for reform and culture-level change in the criminal justice and corrections systems has been growing for years. "Warehousing" offenders does not help them prepare to reenter society successfully, as most of them will. Vermont is committed to building a criminal justice system

that is equitable and rehabilitative, where state employees and the incarcerated Vermonters in their care are safe and treated with dignity and respect.

This year, House Corrections & Institutions developed [H.435](#) to address sexual misconduct and systemic issues within the Department of Corrections (DOC) that came to light at the women's facility in South Burlington. H.435 establishes an independent Corrections Monitoring Commission and a Corrections Investigative Unit; expands state law to criminalize sexual contact between DOC employees and anyone under the department's supervision; and requires that DOC work with the Criminal Justice Council to develop a proposal for training standards, and a process for certification and decertification of correctional officers.

### **New Women's Correctional & Reentry Facility in Planning Stages**

Changing the culture of Corrections is not only a matter of programming, it is also a matter of facilities. Most of Vermont's six regional correctional facilities were designed with an outdated mindset and built decades ago. Most are in need of significant repair and maintenance. In particular, the women's [Chittenden Regional Correctional Facility](#) is in dire need of replacement to better serve women and their unique reentry needs. The Capital Bill includes an initial \$1.5 million investment in planning and program design for a new women's correctional and reentry facility or facilities.

## ***EDUCATION***

*(I am proud to serve on the House Education Committee)*

### **A Step Forward on School Buildings**

Built decades ago, it's no surprise that many of Vermont's school buildings are aging and in urgent need of repair. [H.426](#) uses federal relief money to update school facilities and improve health and safety conditions for students and staff. The work begins with an update of the school facility standards and a statewide conditions inventory and assessment for all school buildings. The bill also establishes a renewable and efficiency heating systems grant program administered by Efficiency Vermont and implements a requirement that each school in the state perform radon measurements by June 2023.

### **Improving Literacy; Addressing Learning Loss Post-Pandemic**

The widespread consensus around the need to improve literacy test scores for Vermont students guided the legislature's efforts to provide additional resources for literacy instruction across the state. [S.114](#) harnesses \$3 million in federal stimulus funds to improve reading proficiency among all Vermont students, and especially those in grades preK through 3. The Agency of Education will help supervisory unions to implement evidence-based literacy strategies that address learning loss due to the COVID-19 pandemic. The bill also creates an Advisory Council on Literacy to engage in innovative thinking around improvement in literacy outcomes on a statewide level.

### **Community Schools Pilot Program**

As schools across Vermont focus on pandemic recovery and re-engagement, [H.106](#) invests \$3.3 million in a demonstration grant program that will allow eligible districts to explore the innovative "community schools" model. Community schools serve as hubs that help kids and families access vital services such as health care, mental health counseling, or help with food or housing, often right in the building. The bill also kick-starts a grant program to help schools buy more food that's grown or produced in Vermont, and creates a task force with the goal of achieving universal school lunches by the 2026-2027 school year.



### **Task Force to Implement Pupil Weighting Factors**

In 2019, a team of UVM-led researchers delivered an extensive report on Vermont’s “weights,” the numeric factors used to account for the varying costs of educating different categories of students—for example, English language learners or children from economically deprived backgrounds. [S.13](#) establishes a task force that will work over the summer to develop an implementation plan, a specific roadmap the legislature will use next session in considering how to integrate the new recommended weights into our complex education funding formula.

## ***ENERGY & TECHNOLOGY***

### **Universal Access to Broadband**

The COVID-19 pandemic highlighted how high-speed internet is essential to daily life. [H.360](#) dedicates \$150 million of federal stimulus funds to the construction of broadband infrastructure in the most underserved parts of the state. (The legislature anticipates spending a total of \$250 million for broadband deployment over the next three years.) The bill includes funding for pre-construction planning and design costs, grants for building broadband infrastructure to unserved and underserved areas, and a new broadband workforce development program. The bill also creates the Vermont Community Broadband Board to coordinate and support Vermont’s nine Communication Union Districts and their partners with the technical, legal, and financial assistance to accelerate the deployment of universal broadband service across Vermont.

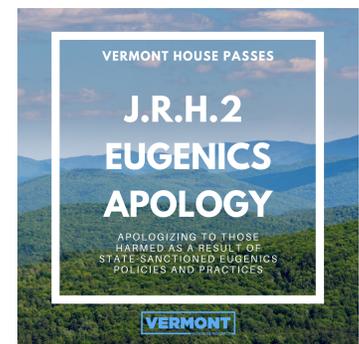
### **Modernizing State IT Systems**

[This year’s budget](#) includes \$66 million of investments for a dozen systems upgrades, including replacing the four-decades-old mainframe at the Department of Motor Vehicles, modernizing the Bright Futures Information System to serve childcare programs, addressing severe technology constraints at the Department of Labor’s Unemployment Insurance program, and making critical cybersecurity upgrades. By dedicating a significant down-payment to long-deferred IT projects this year, we can address an issue that affects all aspects of state government and serves Vermonters.

## ***GENERAL, HOUSING & MILITARY AFFAIRS***

### **Legislature Apologizes for Eugenics**

In [J.R.H.2](#), the Vermont Legislature acknowledges and apologizes for sanctioning and supporting eugenics policies and practices through legislation that led to forced family separation, sterilization, incarceration, and institutionalization for hundreds of Vermonters. These policies targeted the poor and persons with mental and physical disabilities, as well as individuals, families, and communities whose heritage was documented as French Canadian, French-Indian, or of other mixed ethnic or racial composition, and persons whose extended families’ successor generations now identify as Abenaki or as members of other indigenous bands or tribes. The resolution does not undo the harms of the past, but it marks an essential step towards a future of accountability and reconciliation for the generations of Vermonters who were harmed by state-sanctioned violence.



### **School Employee Gain Bargaining Rights**

In Act 11 of 2018, the General Assembly set up a mechanism for negotiating school employees’ health care benefits on a statewide basis. The first go-round convinced both sides that Act 11 needed statutory revisions. [H.81](#) (Act 7) allowed negotiation teams to bargain premium shares and out-of-pocket

expenses that are different for support staff members, teachers and administrators. If the parties are unable to reach agreement, the current law provides a dispute resolution process.

### **Miscellaneous Bill**

[H.313](#) amends alcoholic beverages laws to support businesses trying to rebound from the State of Emergency. In part, the bill authorizes delivery and curbside pickup of alcoholic beverages so long as the alcoholic beverages are accompanied by a food order and the alcohol is in a container that has a tamper evident seal, is labeled as alcohol, and lists the ingredients and serving size of the beverage. This would sunset after two years.

## ***GOVERNMENT OPERATIONS***

### **Preserving Public Pensions System for State Employees & Teachers**

The Legislature focused this session on putting the State of Vermont’s public pension system on a path towards long-term sustainability, so that teachers, troopers, and all state employees can rely on a well-funded, solvent system when they retire. The goal is to set a process in motion that preserves the defined benefit model, because when properly designed and managed, this is the most affordable way to provide secure income in retirement. Legislators are balancing multiple commitments - one made to state employees and teachers - and another to Vermont taxpayers - who now face a \$5.6 billion unfunded liability that will continue to grow exponentially without action.

[H.449](#) slowed down the process to engage more stakeholder voices. The legislation focused on governance changes that will amend the Vermont Pension Investment Commission to include more independent, financial expertise. It also established the Pension Benefits, Design & Funding Task Force to meet this summer with a “report-back” to the legislature for putting the retirement systems on a sustainable path. The Legislature has reserved \$150 million of General Fund dollars (freed up by ARPA dollars), along with the annual ADEC payment of \$316 million for a total investment this year of \$466 million, a massive commitment for the legislature in a single year.

### **Expanding Office of Racial Equity**

When this office was created and Xusana Davis hired as director, the legislature didn't know the extent of how widely these services would be used and requested. The workload has continued to grow, with the director being flooded by requests to sit on committees and boards, meet with Vermonters, review policies, and offer expertise to all three branches of state government. Therefore, two positions were added to the Office of Racial Equity, effective July 1, 2021.

### **Increasing Access for Voters**

Universal Vote-By-Mail was a great success during the 2020 General Election, contributing to record turnout even during a pandemic - a 74 percent participation rate! It expanded voter access and encouraged increased participation in our democratic process. [S.15](#) continues the Vote-By-Mail program and includes the important election measures to ensure access and security. :

The infographic features a red background with a white checkmark icon in the top left, three red stars, a blue box with 'S.15', and a 'VOTE' icon in the top right. The title 'Updating Vermont Election Laws' is in bold, with the subtitle 'expanding voter access & participation in democracy' below it. A numbered list of five items is presented in white boxes with red borders. At the bottom is the Vermont State Seal logo.

Item Number	Description
1	Universal vote-by-mail for all General Elections
2	New provisions to cure defective ballots
3	Accessible secure drop boxes for ballots statewide
4	Secretary of State maintenance of statewide voter checklist for accuracy
5	Report: best practices for increasing access for voters with limited English

## ***HEALTH CARE***

### **Progress on Healthcare Premiums**

Vermonters buying on the individual market should now pay no more than 8.5 percent of their income on health insurance as a result of important changes made this year. Both small businesses with less than 100 employees, and individuals purchasing health insurance outside of their workplaces, can save substantial dollars on healthcare premiums as a result of significantly increased federal funding for healthcare premium support, and a change in the health insurance structure in Vermont that's contained within the larger bill, [S.88](#). Many small businesses, nonprofits and municipalities will see reduced premiums. Individual increases will be offset by new federal funds which provide subsidies and tax credits to help pay for premiums. It's important that Vermonters who buy health insurance on the individual market review their options. Here's a [link to Vermont Health Connect](#), which offers an active assistance program, a plan comparison tool, and a customer support center. In addition, the [Office of the Health Care Advocate](#) is a valuable and free resource.

### **Promoting Healthcare Equity**

From access to health care, mental health and morbidity, statistics show significant disparities across the Green Mountain State based on race and ethnicity, sexual orientation, gender identity, and disability status. [H.210](#) begins the long-term process of breaking down these barriers. The bill creates a "Health Equity Advisory Commission," made up primarily of Vermonters whose lives have been impacted by historic inequitable treatment in accessing health care, while empowering their voices to develop an Office of Health Equity by January, 2023.

### **Healthcare for Undocumented Women & Children**

[H.430](#) provides immediate increased access to health care for income-eligible pregnant women and children, regardless of their immigration status, by establishing a Dr. Dynasaur-like healthcare program. These undocumented women and children often work or live with their families on the farms and dairies that are essential to our Vermont economy. Because of fear regarding immigration status being revealed, confidentiality is critical.

## ***HUMAN SERVICES***

### **Prohibiting "Forever Chemicals" from Consumer Products**

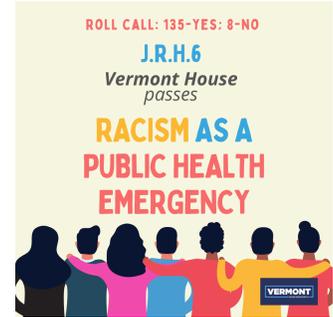
PFAS are known as "forever chemicals" because they do not biodegrade in the environment and accumulate within our bodies over time. This exposure leads to a number of adverse health effects, including an increased risk of cancer. Research is showing that you don't need to live in a contaminated area to be exposed to PFAS, because these chemicals are used in many consumer products. [S.20](#) prohibits manufacture and sale of PFAS from four products that pose the highest risks to Vermonters' well-being, including food packaging, fire extinguisher foam and firefighting PPE, rugs and carpets, and ski wax.

### **Childcare: Essential to Economic Recovery**

We know that child care is essential to supporting Vermont's children, families, communities, and economy. [H.171](#) takes monumental steps towards reforming our childcare system, investing in our future, and supporting the next generation of Vermont's citizens. Not only does H.171 make childcare more affordable, it removes barriers to access, ensures fair wages for providers, establishes workforce development programs, and creates a study to identify future revenue sources for a more deeply subsidized universal childcare system.

## **Racism as a Public Health Emergency**

Highlighting a strong body of evidence, [J.R.H.6](#) acknowledges systemic racism as a direct cause of the adverse health outcomes experienced by BIPOC communities in Vermont. It also commits our state to the “sustained and deep work of eradicating systemic racism throughout the State, actively fighting racist practices, and participating in the creation of more just and equitable systems.”



## ***JUDICIARY***

### **Addressing the Prevalence of Sexual Assault in Vermont**

One in five women have experienced sexual assault; one in three women have experienced sexual coercion; nine percent of high school girls in Vermont report having unwanted sex; students of color and LGBTQ students are statically more likely to be coerced to have sex. To address this crisis, the legislature passed [H.183](#). This bill revises and clarifies our laws addressing consent to sexual activity, including the impact of alcohol consumption, to eliminate any confusion as to when consent to sexual activity has not and cannot be given. The bill also creates a Campus Sexual Harm Task Force to tackle the high number of sexual assaults that take place on our college campuses.

### **Eliminating “Trans Panic Defense”**

While we like to envision our society as evolving and moving forward, the unfortunate truth is that 2020 was the deadliest year yet for transgender and gender non-conforming Americans. This violence is so prevalent that BIPOC trans women currently have a life expectancy of just 38 years. In response to this devastating information, the legislature passed [H.128](#). This bill prevents minimizing a crime in our court system because the victim is transgender. By passing H.128, the legislature sends a strong message that in Vermont every single one of us deserves equal protection under the law.

## ***NATURAL RESOURCES, FISH & WILDLIFE***

### **Updating Vermont’s Bottle Bill**

An update to Vermont’s 50-year-old bottle bill passed the House this session. [H.175](#) will expand the types of containers subject to deposits and will now include water bottles, wine bottles, hard cider and tea containers, and others. This bill will also increase the handling fees paid to vendors, which will encourage the opening of more redemption centers. Containers recycled via the deposit system are cleaner and more valuable than if they go through the general recycling stream, and a greater percentage of them will be made into new containers.

### **Vermont’s Water Quality Standards**

[H.108](#) - An act relating to Vermont standards for issuing a Clean Water Act section 401 certification, passed overwhelmingly in both bodies of the General Assembly. This bill puts in place evaluation tools that the state needs to assess large projects that require federal licensing or permits, such as proposed oil or gas pipeline projects. The bill also clarifies the long-time interpretation and practice that Vermont’s water quality standards apply to all of our surface waters: rivers, streams, lakes, ponds and wetlands.

## ***TRANSPORTATION***

### **Ensuring Safe, Affordable & Accessible Transportation for All Vermonters**

Having safe, affordable, accessible, timely transportation and connecting infrastructure underpins nearly every aspect of daily modern life. This year's Transportation Bill ([H.433](#)) and FY22 Budget ([H.439](#)) appropriate millions of dollars to maintain safety and improve critical infrastructure like federal, state and town-owned highways, bridges and culverts. Financial support is also set aside to facilitate the forthcoming New York City-Burlington rail service, to ensure the long-term maintenance of the Lamoille Valley Rail Trail, and to support more than 40 bike and pedestrian projects. And for those who can't drive, bike or walk their way from "point A to point B," various public transit initiatives have been set in place, including continuation of "Zero Fare" on buses through June 2022.

### **Steering Vermont Transportation Into the Future**

For a century, the word "transportation" in America has been virtually synonymous with the word "car." This year, the House Transportation Committee worked on several bills that recognize and embrace that change is here, driven by customer demand and environmental concerns. This year's Transportation Bill ([H.433](#)) and FY22 Budget ([H.439](#)) appropriated millions of dollars for incentives to help Vermonters shift to plug-in hybrid electric vehicles (PHEVs) and battery electric vehicles (BEV). To make sure Vermonters can "fill up" their new rides, support is also set aside for additional public charging stations.

## ***WAYS & MEANS***

### **A Favorable State Revenue Picture**

This has been an unpredictable year for the economy as many of us struggled with job loss, childcare woes, and health concerns. At the same time, unprecedented spending at the federal level, including expanded unemployment insurance and direct stimulus payments to households, has led to unprecedented levels of state revenue.

### **Supporting Working Families**

The House Ways and Means Committee took full advantage of federal tax changes this year. By "linking up" to the federal changes in both the Earned Income Tax and Child and Dependent Care Credits, we're significantly expanding a benefit that helps low-income individuals and families who are disproportionately headed by women or people of color.

### **Legislature Keeps Property Tax Rates Level**

Vermont's education spending is decided at the local level and then costs are equalized throughout the state via a complex formula designed to achieve equity of opportunity and taxation. Due to unprecedented federal spending, we were able to keep property tax rates level while continuing to invest in community schools throughout our state. However, Vermont's education finance system hasn't been significantly updated for 20 years, and many inequities have grown in that time. With [S.13](#), the pupil weighting study, we have begun a process to shift how we measure poverty, allocate resources, and levy taxes to pay for schools.