

ATTACHMENT:

Committee on Environment and Energy

Please review the provisions below that are included in the Governor's Fiscal Year 2023 proposed Budget Adjustment bill. The explanations highlighted in yellow were provided by the Department of Finance and Management. The notes in gray are from the House Appropriations Committee.

Sec. 1 2022 Acts and Resolves No. 185, Sec. B.1100 is amended to read:

a) In fiscal year 2023, funds are appropriated from the General Fund for new and ongoing initiatives as follows:

* * *

(26) \$1,734,000 to the Agency of Digital Services to be used as state match for a US Geological Survey (USGS) Light Detection and Ranging (LIDAR) grant.

EXPLANATION: Approximately every 8 years the USGS offers cooperative agreement opportunities for states to update their imagery and account for changes in landscape. This grant will support the state's LIDAR program which is essential to updating and maintaining the state's tax mapping efforts.

NOTE: The House committees on Government Operations and Military Affairs and on General and Housing are also reviewing this section.

(28) \$30,000,000 to the Public Service Department to be used as state match for the National Telecommunications and Information Administration (NTIA) broadband grant (Middle Mile).

EXPLANATION: \$30M represents the State match toward the \$114,164,581 NTIA grant application submitted on 9/30/22. Anticipated federal receipts are \$67,445,239 with additional cash and in-kind match provided by all VT fiber optic networks benefiting from the Middle Mile infrastructure (FirstLight, ECFiber and NEK Broadband). If received, monies will be used to expand access to reliable, high-speed, and affordable broadband throughout Vermont.

NOTE: The House Committee on Commerce and Economic Development is also reviewing this section.

Sec. 2 2022 Acts and Resolves No. 185, Sec. B.1101 is added to read:

Sec. B.1101 FISCAL YEAR 2023 ONE-TIME ENVIRONMENTAL

CONTINGENCY FUND APPROPRIATIONS

(a) In fiscal year 2023, funds are appropriated from the Environmental Contingency Fund (21275) for new and ongoing initiatives as follows:

(1) \$3,000,000 to the Department of Environmental Conservation for PFAS remediation.

EXPLANATION: The funding will support statewide groundwater PFAS remediation efforts.

Sec. 4 2022 Acts and Resolves No. 185, Sec. D.101 is amended to read:

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

* * *

(8) From the General Fund to the Emergency Relief and Assistance Fund (21555): \$2,100,000

(9) From the General Fund to the Environmental Contingency Fund (21275): \$3,000,000

Sec. 9 2022 Acts and Resolves No. 185, Sec. E.233.2(a) is amended to read:

(a) In fiscal year 2023 there is appropriated to the Vermont Community Broadband Board a total of ~~\$1,500,000~~ \$1,435,531 from special funds and \$684,127 from federal funds to operate the Board. ~~The intent of this section is to provide the necessary spending authority to the Board to operate in fiscal year~~

~~2023 until a new line item budget is included in the budget adjustment for fiscal year 2023 pursuant to Sec. 233.1. of this act.~~

EXPLANATION: Amends the appropriation provided to reflect actual funds and anticipated expenditures in SFY23.

Sec. 16 2022 Acts and Resolves No. 185, Sec. G.300(c)(2) is amended to read:

(2) \$6,000,000 to the Department of Economic Development for the remediation and redevelopment of brownfield sites to be used in the same manner as the Brownfields Revitalization Fund established by 10 V.S.A. § 6654, except notwithstanding the grant limitations in 10 V.S.A. § 6654, projects supported by this appropriation shall not be limited to \$200,000 grants per parcel. The Agency of Commerce and Community Development shall award the amount of \$1,000,000.00 in fiscal year 2023 to regional planning commissions for the purposes of brownfields assessment. In awarding funds under this section, the Secretary, in consultation with VAPDA, shall select one regional planning commission to administer these funds. To ensure statewide availability, the selected regional planning commission shall subgrant to regional planning commissions with brownfield programs, with not more than 5 percent of the funds being used for administrative purposes.

EXPLANATION: The language allows for a Regional Planning Commission to administer the \$1M brownfields grant program on ACCD's behalf and limits administrative costs to 5% of expenditures.

NOTE: The House Committee on Commerce and Economic Development is also reviewing this section.

Sec. 17 2022 Acts and Resolves No. 185, Sec. G. 500(a) is amended to read:

(a) \$95,000,000 is appropriated in fiscal year 2023 to the Department of Public Service, Vermont Community Broadband Board from the American Rescue Plan Act - Coronavirus Capital Projects Fund in order to support the State's goal of achieving universal access to reliable, high-quality, affordable broadband. This appropriation shall be ~~used~~ ~~transferred to the Vermont Community Broadband Fund~~ to make grants through the Broadband Construction Grant Program. The Board may use monies appropriated in this subsection to fund any match requirements applicable to broadband grants funded by the federal Infrastructure Investment and Jobs Act.

EXPLANATION: American Rescue Plan Act (ARPA) funds are federal funds subject to the requirements of 2 CFR 200. Expenditures must be itemized by their Catalog of Federal Domestic Assistance (CFDA) number for inclusion on the State's Schedule of Expenditure of Federal Awards (SEFA). This schedule is subject to the Single Audit provisions of 2 CFR 200. As such, the transfer mandate presents an unnecessary administrative burden and imposes undue accounting complexities to ensure that expenditures from the Vermont Community Broadband Fund (VCBF) are capable of being desegregated into their various sources. Direct expenditure of the ARPA funds from the currently established one-time Dept ID [2240892302] ensures compliance with all federal mandates and achieves the objectives required.

Sec. 18 2022 Acts and Resolves No. 185, Sec. G. 600(a)(2) is amended to read:

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

EXPLANATION: Provides clarification by substituting the technical term “obligation” for the general term “use” thereby avoiding misinterpretation of intent.

NOTE: The Committee on Human Services is also reviewing this section.