

No. XXX. An act relating to making appropriations for the support of government

(H. XXX)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. A.100 SHORT TITLE

This bill may be referred to as the BIG BILL – Fiscal Year 2025 Appropriations Act.

Sec. A.101 PURPOSE

The purpose of this act is to provide appropriations for the operations of State government during fiscal year 2025. It is the express intent of the General Assembly that activities of the various agencies, departments, divisions, boards, and commissions be limited to those which can be supported by funds appropriated in this act or other acts passed prior to June 30, 2024. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2025 so as to meet this condition unless otherwise directed by specific language in this act or other acts of the General Assembly.

Sec. A.102 APPROPRIATIONS

(a) It is the intent of the General Assembly that this act serves as the primary source and reference for appropriations for fiscal year 2025.

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

(c) Unless codified or otherwise specified, all narrative portions of this act apply only to the fiscal year ending on June 30, 2025.

Sec. A.103 DEFINITIONS

(a) As used in this act:

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

(2) “Grants” means subsidies, aid, or payments to local governments, to community and quasi-public agencies for providing local services, and to persons who are not wards of the State for services or supplies and means cash or other direct assistance, including pension contributions.

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

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

Sec. A.104 RELATIONSHIP TO EXISTING LAWS

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

Sec. A.105 OFFSETTING APPROPRIATIONS

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

Sec. A.106 FEDERAL FUNDS

(a) In fiscal year 2025, the Governor, with the approval of the General Assembly or the Joint Fiscal Committee if the General Assembly is not in session, may accept federal funds available to the State of Vermont, including block grants in lieu of, or in addition to, funds herein designated as federal. The Governor, with the approval of the General Assembly or the Joint Fiscal Committee if the General Assembly is not in session, may allocate all or any portion of such federal funds for any purpose consistent with the purposes for which the basic appropriations in this act have been made.

(b) If, during fiscal year 2025, federal funds available to the State of Vermont and designated as federal in this and other acts of the 2024 session of the Vermont General Assembly are converted into block grants or are abolished under their current title in federal law and reestablished under a new title in federal law, the Governor may continue to accept such federal funds for any purpose consistent with the purposes for which the federal funds were appropriated. The Governor may spend such funds for such purposes for no more than 45 days prior to General Assembly or Joint Fiscal Committee approval. Notice shall be given to the Joint Fiscal Committee without delay if the Governor intends to use the authority granted by this section, and the Joint Fiscal Committee shall meet in an expedited manner to review the Governor’s request for approval.

Sec. A.107 NEW POSITIONS

Notwithstanding any other provision of law, the total number of authorized State positions, both classified and exempt, excluding temporary positions as defined in 3 V.S.A. § 311(a)(11), shall not be increased during fiscal year 2025 except for new positions authorized by the 2024 session.

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

Sec. A.108 LEGEND

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

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

(b) The C sections contain any amendments to the current fiscal year and the D sections contain fund transfers and reserve allocations for the upcoming budget year.

Sec. B.1100 FISCAL YEAR 2025 ONE-TIME APPROPRIATIONS

(a) In fiscal year 2025, funds are appropriated to the following agencies and departments for the purposes specified:

(1) Department of Public Safety

(A) \$12,500,000 General Fund to be used as matching funds for Federal Emergency Management Agency (FEMA) Flood Hazard Mitigation grant receipts;

(2) Military Department

(A) \$10,000 General Fund for the USS Vermont Support Group;

(3) Public Service Department

(A) \$350,000 General Fund to support Renewable Energy Standard reform efforts. The work will include an analysis that examines the potential for the Renewable Energy Standard to account for renewable energy production and use at a more frequent rate, including seasonal, monthly, and hourly data, as well the benefits and costs of distribution and transmission infrastructure for increased renewable energy production.

The Public Service Department shall present a report on this analysis to the General Assembly by March 31st, 2025;

(4) Department of Mental Health

(A) \$1,000,000 General Fund for the start-up costs related to the psychiatric youth inpatient facility funded by 2023 Act 78 Sec. B.1105(b)(4);

(5) Agency of Human Services Secretary's Office

(A) \$3,913,200 General Fund to be used for the Global Commitment funds needed by the Department of Vermont Health Access's Medicaid Global Payment Program;

(B) \$5,366,383 Federal Funds to be used for the Global Commitment funds needed by the Department of Vermont Health Access's Medicaid Global Payment Program;

(6) Department of Vermont Health Access

(A) \$9,279,583 Global Commitment Funds for the Medicaid Global Payment Program;

(7) Vermont Department of Health

(A) \$4,903,962 Opioid Abatement Special Fund to implement the recommendations of the Opioid Settlement Advisory Committee;

(8) Department for Children and Families

(A) \$16,500,000 General Fund for the General Assistance Emergency Housing program;

(B) \$1,034,065 General Fund to extend 10 Economic Services Division limited service positions, including their associated operating costs, in support of the General Assistance Emergency Housing program;

(9) Vermont State University

(A) \$5,000,000 General Fund for deficit reduction and systems transformation bridge funding;

(B) \$1,000,000 General Fund for the Community College of Vermont Tuition Advantage Program;

(10) Department of Environmental Conservation

(A) \$500,000 General Fund to be used as state match for the federal Water Resources Development Act (WRDA) Winooski Study;

(B) \$4,000,000 General Fund to continue the Healthy Homes Initiative;

(11) Department of Economic Development

(A) \$350,000 General Fund for the Capital Investment Loan Pilot Program as referenced in H.708;

(B) \$150,000 General Fund for continued funding of the International Business Office previously funded by 2021 Act 74 Sec. G.300(b)(1);

(12) Department of Housing and Community Development

(A) \$2,000,000 General Fund for the Manufactured Home Improvement and Repair Program;

(B) \$6,000,000 General Fund for the Vermont Housing Improvement Program.

EXPLANATION:

One-time appropriations for the purposes described above.

* * * Fiscal Year 2024 Adjustments, Appropriations and Amendments * * *

Sec. C.100. 2023 Acts and Resolves No. 78, Sec. B.318 is amended to read:

Sec. B.318 Department for children and families - child development

Personal services	5,670,999	
Operating expenses	810,497	
Grants	95,860,842	<u>85,860,842</u>
Total	102,342,338	<u>92,342,338</u>

Source of funds

General fund	35,016,309	<u>25,016,309</u>
Special funds	16,745,000	
Federal funds	37,419,258	
Global Commitment fund	13,161,771	
Total	102,342,338	<u>92,342,338</u>

EXPLANATION:

Child Care Financial Assistance Program (CCFAP) reduction based on actual and projected utilization in FY 2024.

Sec. C.101. 2023 Acts and Resolves No. 78, Sec. B.338 is amended to read:

Sec. B.338 Corrections - correctional services

Personal services	139,473,576	<u>152,714,793</u>
Operating expenses	24,600,099	
Total	164,073,675	<u>177,314,892</u>

Source of funds

General fund	159,502,946	<u>167,744,163</u>
Special funds	935,963	
Federal funds	492,196	
ARPA SFR		<u>5,000,000</u>
Global Commitment fund	2,746,255	
Interdepartmental transfers	396,315	
Total	164,073,675	<u>177,314,892</u>

EXPLANATION:

This amendment adjusts the original amendment as put forth in the Governor's FY24 Budget Adjustment Act recommendation. The Personal Services GF increase due to \$11,000,000 side letter bonuses and \$2,241,217 Health Services contract is now accompanied by a \$5,000,000 reduction based on qualifying base payroll expenditures being funded by ARPA-SFR funds

reverted in Sec. C.103. The \$5,000,000 General Fund savings will be used to increase the transfer to the Emergency Relief and Assistance Fund in Sec. C.103.

Sec. C.102. 2023 Acts and Resolves No. 78, Sec. B.1100 is amended to read:

(a) Agency of Administration. In fiscal year 2024, funds are appropriated for the following:

(4) \$30,000,000 General Fund to be used as Federal Emergency Management Agency (FEMA) matching funds for costs incurred due to the July 2023 flooding emergency.

(5) \$3,000,000 General Fund for Enterprise Resource Planning (ERP) Modernization – Business Transformation.

(c) Department of Human Resources. In fiscal year 2024, funds are appropriated for the following:

(1) \$600,000 ~~\$725,000~~ General Fund to fund six ~~seven~~ new permanent full-time positions in the Operations division in fiscal year 2024. These position costs shall be funded through the Department of Human Resources – Internal Service Fund beginning in fiscal year 2025;

(2) \$200,000 ~~\$75,000~~ General Fund to fund two ~~one~~ new permanent full-time positions in the VTHR Operations division in fiscal year 2024. This position cost shall be funded through the Financial Management ~~Department of Human Resources~~ – Internal Service Fund beginning in fiscal year 2025; and

(d) ~~\$200,000 General Fund to the~~ Department of Libraries. In fiscal year 2024, funds are appropriated for the following:

(1) \$200,000 General Fund to support the FiberConnect project relating to Internet access in public libraries, and

(2) \$11,500 General Fund for contract costs incurred in support of the Working Group on the Status of Libraries in Vermont per 2021 Act 66.

(i) Agency of Agriculture, Food and Markets. In fiscal year 2024, funds are appropriated for the following:

(1) \$110,000 General Fund for electric vehicle charger inspections. Funds shall be used for the purchase of two testing units and related equipment to support the development and implementation of the Commercial Electric Vehicle Fueling Systems regulatory program;

(2) \$1,070,000 General Fund for replacement of the existing Food Safety Inspection Database; ~~and~~

(3) \$500,000 General Fund for a grant to Salvation Farms to expand access to locally grown food for all Vermonters; and

(4) \$6,000,000 American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Fund for water quality grants to partners and farmers, in accordance with the Clean Water Board’s fiscal year 2023 and fiscal year 2024 budget recommendations and 2021 Act 74, Sec. G.700(a)(6)(A).

(k) Green Mountain Care Board. In fiscal year 2024, funds are appropriated for the following:

(1) \$620,000 General Fund for costs associated with the implementation of the Vermont Health Care Uniform Reporting and Evaluation System (VHCURES) database; and

~~(2) \$120,500 General Fund for the implementation of a new financial database solution; and~~

~~(3) \$50,000 General Fund for the development of the statutorily required Health Resources Allocation Plan Tool.~~

(l) Agency of Human Services Central Office. In fiscal year 2024, funds are appropriated for the following:

(3) \$10,000,000 General Fund to continue to address the emergent and exigent circumstances impacting health care providers following the COVID-19 pandemic. All or a portion of these funds may also be used as matching funds to the Agency of Human Services Global Commitment Program to provide State match. If funds are used as matching funds to the Agency of Human Services Global Commitment Program to provide State match, the commensurate amount of Global Commitment Fund spending authority may be requested during the Global Commitment Transfer process pursuant to 2023 Act 78, Sec. E.301.1; and

(n) Department of Health. In fiscal year 2024, funds are appropriated for the following:

(7) \$5,000,000 General Fund for the purpose of supporting the Community Violence Prevention Program established by legislation enacted in 2023. An amount not to exceed 5 percent of this appropriation may be used for the administrative costs of the program, including the funding of an existing limited service position at the Department of Health. Unexpended appropriations shall carry forward into the subsequent fiscal year and remain available for use for this purpose. All or part of this appropriation may be transferred to the Department of Health for this Program if necessary;

(o) Department for Children and Families. In fiscal year 2024, funds are appropriated for the following:

(3) \$40,000 General Fund for the Youth Development Program to fund costs associated with supporting youth in foster care (or formerly in foster care) to learn to drive and to obtain their drivers' licenses and independent transportation the purchase of a driving school vehicle for the Youth Development Program to support foster and former foster youth access to driver's education;

(10) \$300,000 General Fund for a grant to Prevent Child Abuse Vermont to provide education regarding the prevention of unsafe infant sleep and to expand programming and support services regarding child abuse often related to parental substance misuse; and

(11) \$8,204,802 General Fund for emergency housing needs through the end of FY24.

(12) \$4,000,000 General Fund for standing up shelters in five communities.

(13) \$500,000 General Fund and \$500,000 Federal Funds for information technology implementation to support the Summer EBT nutritional benefit program.

(r) Agency of Education. In fiscal year 2024, funds are appropriated for the following:

(1) \$200,000 General Fund in fiscal year 2024 to the Agency of Education for the work of the School Construction Task Force;

(2) \$1,924,495 Education Fund to hold Local Education Agencies harmless for the Special Education Census Block Grant miscalculation.

(v) Public Service Department. In fiscal year 2024, funds are appropriated for the following:

(1) \$500,000 Regulation/Energy Efficiency Fund #21698 to upgrade and expand the ePSD case management system;

(2) \$400,000 Regulation/Energy Efficiency Fund #21698 to complete the Telecom Plan Update scheduled for June 2024; ~~and~~

(3) \$300,000 Regulation/Energy Efficiency Fund #21698 to craft policy proposals to reform and streamline electric sector policy; and

(4) \$20,000,000 General Fund #10000 for the appropriation established in 2022 Act 185, Sec. B.1100(a)(28) as amended by 2023 Act 3, Sec. 45 (existing Dept ID 2240892307) to replenish the \$20,000,000 of General Fund spending authority transferred by the Emergency Board on July

31, 2023, per 32 V.S.A. §§ 133(b), 706(2), as directed by order of the Emergency Board under Item 5(a) Business Emergency Gap Assistance Program.

(x) \$4,680,000 General Fund to the Judiciary, for the Judiciary network replacement project. In fiscal year 2024, funds are appropriated for the following:

(1) \$4,860,000 General Fund for the Judiciary network replacement project.

(2) \$300,000 General Fund for the Essex County Courthouse renovation planning.

EXPLANATION:

Adjusts the Governor's original FY24 Budget Adjustment Act Recommendation, repeated here, by adding Subsection (o)(13) which provides \$500,000 of General Fund and \$500,000 of Federal Funds for the Summer EBT program to the Department for Children and Families.

Adds subsection (x)(2) which provides \$300,000 General Fund for the Essex County Courthouse renovation planning by the Judiciary. The Judiciary appropriation is offset by a \$300,000 reversion from the County Courthouse HVAC appropriation in Sec. 48 of the original FY 2024 Governor's Recommended Budget Adjustment Act.

Sec. C.103. 2023 Acts and Resolves No. 78, Sec. D.101 is amended to read:

(a) Notwithstanding any other provision of law to the contrary, the following amounts shall be transferred from the funds indicated:

(1) From the General Fund to:

(G) the State Liability Insurance Fund (56200): \$9,500,000.00

(H) the Emergency Relief and Assistance Fund (21555): \$11,000,000.00

(I) the Act 250 Permit Fund (21260): \$120,300.00

(J) the General Government Projects Fund (31100): \$139.24

(K) the Protection Projects Fund (31200): \$1,180,584.31

(L) the Natural Resources Projects Fund (31500): \$2,127,949.51

(M) the Commerce and Community Development Projects Fund (31600): \$545,295.85

(N) the General Obligation Bonds Debt Service Fund (35100): \$71,202,993

2) From the Education Fund to:

(A) the Tax Computer System Modernization Fund (21909): \$1,300,000.

(B) the Afterschool and Summer Learning Fund: \$2,836,982.94

4) From the Transportation Fund to:

(A) the Downtown Transportation and Related Capital Improvement Fund (21575) established by 24 V.S.A. § 2796 to be used by the Vermont Downtown Development Board for the purposes of the Fund: \$523,966.

(B) the General Obligation Bonds Debt Service Fund (35100): \$327,405

(5) From the Waste Management Assistance Fund (21285) to:

(A) the Environmental Contingency Fund (21275): \$3,500,000

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2024:

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

22005	AHS Central Office Earned Federal Receipts	\$	4,641,960
50300	Liquor Control Fund	\$	21,200,000
<u>50250</u>	<u>Sports Wagering Fund</u>	<u>\$1,204,000</u>	<u>\$ 3,200,000</u>
	Caledonia Fair	\$	5,000
	North Country Hospital Loan Repayment	\$	24,047
	Springfield Hospital Promissory Note Repayment	\$	121,416
<u>21970</u>	<u>Registration Fees Fund</u>	<u>\$</u>	<u>605,273.01</u>
<u>21065</u>	<u>Financial Institutions Supervision Fund</u>	<u>\$</u>	<u>4,024,748</u>

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

21638	AG-Fees and reimbursement		
	– Court order	\$1,000,000	\$4,000,000
621000	Unclaimed Property Fund	\$3,270,225	\$4,806,692

(3) Notwithstanding 2016 Acts and Resolves No. 172, Sec. E.228, ~~\$60,044,000~~ \$57,667,840 of the unencumbered balances in the Insurance Regulatory and Supervision Fund (21075), the Captive Insurance Regulatory and Supervision Fund (21085), and the Securities Regulatory and Supervision Fund (21080) shall be transferred to the General Fund.

(c)(1)(a) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the General Fund from the ~~accounts indicated~~ the general funds appropriated in Sec. B.301 of this act for the Global Commitment Program:

3400004000 ~~Agency of Human Services—~~

~~Secretary's Office—~~ Global Commitment \$15,103,683

(1)(b) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the General Fund from the accounts indicated:

<u>1130892201</u>	<u>Lib-Working Group Per Diem</u>	<u>11,550.00</u>
<u>1140070000</u>	<u>Use Tax Reimbursement Program</u>	<u>120,096.98</u>
<u>1140330000</u>	<u>Renter Rebates</u>	<u>943,487.35</u>
<u>1150891901</u>	<u>Electric Vehicle Charge</u>	<u>4,412.78</u>
<u>1250010000</u>	<u>Auditor of Accounts</u>	<u>21,067.71</u>
<u>1260010000</u>	<u>Office of the Treasurer</u>	<u>110,821.00</u>
<u>2110010000</u>	<u>Assigned Counsel</u>	<u>3.37</u>
<u>2120892203</u>	<u>JUD – County Courthouse HVAC</u>	<u>300,000.00</u>
<u>2130200000</u>	<u>Sheriffs</u>	<u>29,880.53</u>
<u>2130400000</u>	<u>SIUS Parent Account</u>	<u>167,678.27</u>
<u>2130500000</u>	<u>Crime Victims Advocates</u>	<u>18,465.95</u>
<u>2150010000</u>	<u>Military – Administration</u>	<u>100,782.00</u>
<u>2160892102</u>	<u>CCVS-BCJC for St Jo's Orphan</u>	<u>88.00</u>
<u>2200010000</u>	<u>Administration Division</u>	<u>389,654.70</u>
<u>2230892202</u>	<u>SOS-One-Time FY22 Election Cost</u>	<u>171,400.78</u>
<u>2320020000</u>	<u>Liquor Enforcement & Licensing</u>	<u>15,000.00</u>
<u>3150070000</u>	<u>Mental Health</u>	<u>2,772,735.17</u>
<u>3310000000</u>	<u>Commission on Women</u>	<u>11,173.77</u>

<u>3330010000</u>	<u>Green Mountain Care Board</u>	<u>250,000.00</u>
<u>3400001000</u>	<u>Secretary's Office Admin Costs</u>	<u>475,775.00</u>
<u>3400004000</u>	<u>Global Commitment</u>	<u>11,676,230.24</u>
<u>3400010000</u>	<u>Human Services Board</u>	<u>110,000.00</u>
<u>3400892109</u>	<u>St Match-Act 155 4(a),5(a)</u>	<u>34,350.00</u>
<u>3400892203</u>	<u>AHSCO-COVID-19 Emergent/Exigen</u>	<u>4,868,985.74</u>
<u>3400892205</u>	<u>AHSCO-Workforce Recruitment</u>	<u>4,367,147.39</u>
<u>3400892312</u>	<u>AHSCO-VT Nursing Forgivable Loan</u>	<u>13,403.00</u>
<u>3410018000</u>	<u>DVHA-Medicaid-Non-Waiver Program</u>	<u>525,610.73</u>
<u>3420060000</u>	<u>Substance Use Programs</u>	<u>119,130.89</u>
<u>3440010000</u>	<u>DCFS Admin & Support Services</u>	<u>2,595,167.55</u>
<u>3440020000</u>	<u>DCFS-Family Services</u>	<u>2,864,970.25</u>
<u>3440030000</u>	<u>DCFS-Child Development</u>	<u>3,131,063.24</u>
<u>3440050000</u>	<u>DCFS-AABD</u>	<u>451,263.27</u>
<u>3440060000</u>	<u>DCFS-General Assistance</u>	<u>1,414,739.60</u>
<u>3440080000</u>	<u>DCFS-Reach Up</u>	<u>979,674.76</u>
<u>3440100000</u>	<u>DCFS-OEO Ofc of Economic Opp</u>	<u>273,038.00</u>
<u>3440120000</u>	<u>DCFS-Secure Res. Treatment</u>	<u>2,752,270.00</u>
<u>3440130000</u>	<u>DCFS-DDS</u>	<u>80,299.43</u>
<u>3440891908</u>	<u>Weatherization Assist Bridge</u>	<u>1,892.85</u>
<u>3440892214</u>	<u>DCF-Childcare Provider Workfor</u>	<u>3,879,549.25</u>
<u>3440892309</u>	<u>DCF-Worker Retention Grant</u>	<u>564,500.00</u>
<u>3480007000</u>	<u>Corrections-Justice Reinvest</u>	<u>1,331,964.28</u>
<u>4100500000</u>	<u>VT Department of Labor</u>	<u>2,400,000.00</u>
<u>5100010000</u>	<u>Administration</u>	<u>0.03</u>
<u>5100060000</u>	<u>Adult Basic Education</u>	<u>136.13</u>
<u>5100892214</u>	<u>AOA-School Food Program Admin</u>	<u>50,670.70</u>
<u>5100892301</u>	<u>AOE-Child Nutrition</u>	<u>244,648.60</u>

<u>5100892309</u>	<u>AOE-Staffing</u>	<u>146,649.08</u>
<u>6100040000</u>	<u>Property Tax Assessment Approp</u>	<u>9,542.14</u>
<u>6130030000</u>	<u>Parks</u>	<u>3.85</u>
<u>6130891903</u>	<u>Logger Safety, Value Added</u>	<u>108.51</u>
<u>6140040000</u>	<u>Water Programs Appropriation</u>	<u>0.20</u>
<u>7110010000</u>	<u>Housing & Community Development</u>	<u>1.86</u>
<u>7120010000</u>	<u>Economic Development</u>	<u>0.71</u>
<u>7130000000</u>	<u>Dept. of Tourism & Marketing</u>	<u>230.47</u>

(2) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Transportation Fund from the accounts indicated:

<u>1150400000</u>	<u>BGS-Information Centers</u>	<u>183,952.35</u>
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(3) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Transportation Infrastructure Bond Fund from the accounts indicated:

<u>8100001100</u>	<u>Program Development</u>	<u>3,239,445.00</u>
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(4) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Education Fund from the accounts indicated:

<u>5100010000</u>	<u>Administration</u>	<u>1,280,710.79</u>
<u>5100110000</u>	<u>Small School Grant</u>	<u>391,067.00</u>
<u>5100200000</u>	<u>Education-Technical Education</u>	<u>1,204,216.38</u>

(5) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Clean Water Fund from the accounts indicated:

<u>1100010000</u>	<u>Secretary of Administration</u>	<u>100,000.00</u>
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(6) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Fund from the accounts indicated:

6140892207	<u>Department of Environmental Conservation</u>	
	<u>– Clean Water Board</u>	<u>6,000,000.00</u>
1110892111	<u>University of Vermont – Workforce Upskill</u>	<u>131,670.00</u>
1110892112	<u>VSAC HS Grad Advancement</u>	<u>24,539.92</u>
1110892219	<u>University of Vermont – New Career</u>	<u>184,485.00</u>
2200892308	<u>AAFM – Soil Quality Practices</u>	<u>200,000.00</u>
3400892204	<u>AHSCO – Workforce Retention</u>	<u>2,000,000.00</u>
3440892205	<u>DCF – OEO – Community Action Agc</u>	<u>3,182.48</u>
4100892203	<u>DOL-COVID-19 Unemployment Syst</u>	<u>2,456,122.60</u>

(7) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Tobacco Fund from the accounts indicated:

3400891802	<u>Invest Substance Use Treat</u>	<u>\$1,500,000.00</u>
3400891803	<u>Finance Substance Use Treat</u>	<u>\$724,241.80</u>

EXPLANATION:

Adjusts the Governor’s original FY24 Budget Adjustment Act Recommendation, repeated here, by increasing the General Fund transfer to the Emergency Relief and Assistance Fund by \$5,000,000 (from \$6,000,000 to \$11,000,000), and by reverting an additional \$5,000,000 from the ARPA-SRF from the various appropriations provided.

Sec. C.104. GLOBAL COMMITMENT WAIVER AMENDMENT

(a) The Secretary of Human Services is authorized to request to amend Vermont’s Global Commitment to Health Section 1115 Demonstration Waiver to make changes necessary to comply with federal Home and Community-Based Services Conflict of Interest requirements, as well as to seek approval of Federal Medical Assistance Percentage (FMAP) federal funds for certain room and board payments and rental assistance not currently eligible for FMAP.

EXPLANATION:

AHS is requesting legislative authority to amend Vermont’s Global Commitment to Health 1115 Medicaid Demonstration waiver. AHS anticipates submitting a formal waiver request to the Centers for Medicare and Medicaid Services (CMS) in March 2024. As part of the amendment request, AHS is seeking the following:

1. Changes to Home and Community Based Service (HCBS) programs to comply with federal conflict of interest requirements;

2. Changes to the mental health waiver programs to remove them from a HCBS policy framework so that conflict of interest requirements do not apply. This will have no impact on what is a covered service, but rather will change policy authority from a 1915 framework to a 1905 framework within provisions of the Social Security Act.
3. Federal matching dollars for room and board payments for certain residential treatment (e.g. substance use disorder; eating disorder);
4. Federal matching dollars for up to six months rental assistance for recipients of Medicaid's planned Permanent Supportive housing program;

In addition to the request above, AHS also plans to begin negotiations with CMS on its pending request from 2022 for federal funding for up to 90 days medical treatment prior to release of an inmate into the community.

Sec. C.105 3 V.S.A. § 3091 is amended to read:

§ 3091 Hearings

(a) An applicant for or a recipient of assistance, benefits, or social services from the Department for Children and Families, of Vermont Health Access, of Disabilities, Aging, and Independent Living, ~~or of Mental Health, or of the Department of Health's Women, Infant, and Children program,~~ or an applicant for a license from one of those departments, except for the Department of Health, or a licensee may file a request for a fair hearing with the Human Services Board. An opportunity for a fair hearing will be granted to any individual requesting a hearing because his or her claim for assistance, benefits, or services is denied, or is not acted upon with reasonable promptness; or because the individual is aggrieved by any other Agency action affecting his or her receipt of assistance, benefits, or services, or license or license application; or because the individual is aggrieved by Agency policy as it affects his or her situation.

EXPLANATION:

2023 Act 53 disbanded the Board of Health. Consequently, appeals regarding the provision or denial of WIC services administered by VDH are now being heard by the applicant's county Superior Court. This technical proposal will instead direct those appeals to the Human Services Board, which is a more appropriate venue for this type of appeal. HSB hears appeals regarding services provided by DCF, DVHA, DAIL, and DMH.

Sec. C.106 2023 Acts and Resolves No. 78, Sec. E.104.1 is amended to read:

Sec. E.104.1 DEPARTMENT OF FINANCE AND MANAGEMENT; PENSION PLUS APPROPRIATION DIRECTIVE

(a) In fiscal year 2024, and in each applicable year thereafter, funds appropriated to the Department of Finance and Management and the Agency of Administration ~~in Sec. B.104.1 of this act~~ to fund additional payments to the Vermont State Retirement System made pursuant to 3 V.S.A. § 473(c)(8) shall be directly deposited in the Vermont State Retirement System.

(b) ~~Beginning in fiscal year 2025, and in each applicable year thereafter, additional contributions pursuant to 3 V.S.A. § 473 (c)(8) shall be made through the percentage of payroll rate process pursuant to 3 V.S.A. § 473 (d).~~

EXPLANATION:

Subsection (b), which would result in using federal funds to make retirement contributions exceeding the actuarially-determined employer contribution amount, is not permissible by Federal rules and is repealed. 2 CFR 200.431(g)(6)(iii) states that “Amounts funded by the non-Federal entity in excess of the actuarially determined amount for a fiscal year may be used as the non-Federal entity's contribution in future periods.” ASMB C-10 further states that this excess amount is unallowable in the year funded.

Sec. C.107 2023 Acts and Resolves No. 78, Sec. E.107 is amended to read:

(d) Contributions of State. As provided by law, the Retirement Board shall certify to the Governor or Governor-Elect a statement of the percentage of the payroll of all members sufficient to pay for all operating expenses of the Vermont State Retirement System and all contributions of the State that will become due and payable during the next biennium. The contributions of the State to pay the annual actuarially determined employer contribution ~~and any additional amounts pursuant to section (c)(8) of this section~~ shall be charged to the departmental appropriation from which members’ salaries are paid and shall be included in each departmental budgetary request. Annually, on or before January 15, the Commissioner of Finance and Management shall provide to the General Assembly a breakdown of the components of the payroll charge applied to each department’s budget in the current fiscal year and anticipated to apply in the upcoming fiscal year. This report shall itemize the percentages of payroll assessments to fund:

(1) the actuarially determined employer contribution to the Vermont State Retirement System;

(2) the cost of administrative support to the Vermont State Retirement System provided by the Vermont Pension Investment Commission and the Office of the State Treasurer in excess of the administrative support assumption included in the Actuarially Determined Employer Contribution (ADEC) ~~any additional payments made pursuant to subdivision (c)(8) of this section to the Vermont State Retirement System;~~ and

(3) the employer contribution to the State Employees’ Postemployment Benefits Trust Fund made pursuant to 3 V.S.A. § 479a (e)(3).

EXPLANATION:

The VSERS employer contribution rate charged to departments as a percentage of each employee’s payroll is applied across all funding sources, including federal funds, in accordance with the fund splits applied to each employee. Federal regulations (2 CFR 200.431(g)(6)(iii), ASMB C-10) do not permit the use of federal funds for pension liabilities beyond the Actuarially Determined Employer Contribution (ADEC), such as those required pursuant to 3 V.S.A. §473(c)(8). This amendment removes the obligation to report on the percentage of the payroll

assessment to fund additional payments beyond the ADEC, since such assessment is not permissible by federal regulations.

Included in the ADEC is an administrative support assumption, calculated as a percentage (in recent years, 0.4%) of overall actuarially estimated VSERS payroll. This amount is intended to cover the costs of administrative support provided to the system by the Treasurer's Office and VPIC. However, in recent years, following the addition of new positions and growth in Treasurer's Office and VPIC budgets, these administrative costs have exceeded the amount included in the ADEC, and it has been necessary to include the excess in the payroll charge distributed across all State entities. Subsection (d)(2) as amended adds the identification of this excess amount to the annual report.

Sec. C.108 2023 Acts and Resolves No. 78, Sec. E.900 is amended to read:

Sec. E.900 TRANSPORTATION FUND RESERVE – REVERSIONS EXCLUDED

(a) ~~To calculate~~ For the purpose of calculating the fiscal year 2024 Transportation Fund Stabilization Reserve requirement of five percent of prior year appropriations, Transportation Fund reversions of ~~\$20,727,012~~ are excluded from the fiscal year 2023 total appropriations amount.

EXPLANATION:

Provides more general language that ensures the Agency of Transportation has the flexibility to apply the actual year-end reversion amount.

Sec. C.109 CENTRAL GARAGE FUND

(a) Notwithstanding 19 V.S.A. § 13(c) the Transportation Fund transfer to the Central Garage fund in FY 24 shall be \$0.00.

EXPLANATION:

Due to the lowered consensus revenue forecast for the Transportation Fund, there will not be a transfer to the Central Garage Fund in FY 2024. The suspension of this transfer will not impact either programmatic operations or the Agency's ability to purchase heavy equipment in FY 2024, based on a surplus of net proceeds available in the Highway Garage Fund.

Sec. C.110 2023 Acts and Resolves No. 78, Sec B.1102 is amended to read:

(a) In fiscal year 2024, the amount of \$10,000,000 General Fund is appropriated to the Department of Housing and Community Development for the Vermont Rental Housing Improvement Program established in 10 V.S.A. § 699. The Department may use up to five percent for administrative costs to allow for the support of the grant program and technical assistance.

EXPLANATION:

Allows the Department to use up to 5% of the one-time appropriation to offset the administrative expenses of operating the program.

Sec. C.111 2023 Acts and Resolves No. 78, Sec E.100(c) is amended to read:

(c) The establishment of 9 12 new classified limited service positions is authorized in fiscal year 2024 as follows:

- (3) Department of Finance and Management:
 - (A) one VISION Reporting Analyst III; and
 - (B) two VISION Financial Analysts II.

EXPLANATION:

Limited service positions related to the amendment, in Sec. C.102 above, to 2023 Act 78 B.1100(a)(5) adding \$3 million for Enterprise Resource Planning (ERP) Modernization – Business Transformation.

Sec. C.112 EMERGENCY RENTAL ASSISTANCE PROGRAM; REVERSION AND REALLOCATION

(a) The Secretary of Administration is authorized to reallocate up to \$5,000,000 of federal funds appropriated through the Emergency Rental Assistance Program, as approved by the Joint Fiscal Committee pursuant to Grant Request #3034, to existing state programs which meet the eligibility criteria established by U.S. Treasury.

(b) To the extent the reallocations in subsection (a) above may offset General Fund expenditures already incurred, the Commissioner of Finance and Management is authorized to reallocate an equivalent amount of General Fund spending authority to support programs established through Grant Request #3034 and subsequent Emergency Rental Assistance Program grant approvals by the Joint Fiscal Committee.

EXPLANATION:

Provides authority required to maximize the state's use of federal ERAP funds prior to their expiration. Where ERAP funds are used to replace General Funds already expended, the General Fund spending authority may be reallocated to provide continued support for programs originally authorized to receive ERAP funding.

* * * Fiscal Year 2025 Fund Transfers and Reserve Allocations * * *

Sec. D.100 ALLOCATIONS; PROPERTY TRANSFER TAX

(a) This act contains the following amounts allocated to special funds that receive revenue from the property transfer tax. These allocations shall not exceed available revenues.

(1) The sum of \$575,662 is allocated from the Current Use Administration Special Fund to the Department of Taxes for administration of the Use Tax Reimbursement Program. Notwithstanding 32 V.S.A. § 9610(c), amounts in excess of \$575,662 from the property transfer tax deposited into the Current Use Administration Special Fund shall be transferred into the General Fund.

(2) Notwithstanding 10 V.S.A. § 312, amounts in excess of \$22,106,740 from the property transfer tax and surcharge established by 32 V.S.A. § 9602a deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.

(A) The dedication of \$2,500,000 in revenue from the property transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the affordable housing bond (10 V.S.A. § 314) shall be offset by the reduction of \$1,500,000 in the appropriation to the Vermont Housing and Conservation Board and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a. The fiscal year 2025 appropriation of \$22,106,740 to the Vermont Housing Conservation Board reflects the \$1,500,000 reduction. The affordable housing bond and related property transfer tax and surcharge provisions are repealed after the life of the bond on July 1, 2039. Once the bond is retired, the \$1,500,000 reduction in the appropriation to the Vermont Housing Conservation Board shall be restored.

(3) Notwithstanding 24 V.S.A. § 4306(a), amounts in excess of \$7,772,373 from the property transfer tax deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$7,772,377 shall be allocated as follows:

(A) \$6,404,540 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

(B) \$931,773 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b); and

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

EXPLANATION:

Language to determine the allocation of the property transfer tax. The appropriations to the Dept. of Taxes, VHCB, and the Municipal and Regional Planning Fund represent 3% increases from prior year.

Sec. D.101 FUND TRANSFERS

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

(1) From the General Fund to the:

(A) General Obligation Bonds Debt Service Fund (#35100): \$73,212,880.00

(B) Capital Infrastructure Subaccount in the Cash Fund for Capital and Essential Investments Fund (#21952): \$10,688,747.63

(C) Tax Computer System Modernization Fund (#21909): \$1,800,000.00

(D) Fire Prevention/Building Inspection Special Fund (#21901): \$1,400,000.00

(E) Enhanced 9-1-1 Board Fund (#21711): \$1,300,000.00

(F) Unsafe Dam Revolving Loan Fund (#21960): \$1,000,000.00

(G) Military – Sale of Burlington Armory & Other (#21661): \$890,000.00

(H) Act 250 Permit Fund (#21260): \$600,000.00

(I) Criminal History Records Check Fund (#21130): \$107,277.00

(2) From the Transportation Fund to the:

(A) Vermont Recreational Trails Fund (#21455): \$370,000.00

(B) Downtown Transportation and Related Capital Improvements Fund (#21575):
\$523,966

(C) General Obligation Bonds Debt Service Fund (#35100): \$316,745.00

(D) Notwithstanding 19 V.S.A. § 13(c) the Transportation Fund transfer to the Central
Garage fund in FY 25 shall be \$0.00.

(3) From the Education Fund to the:

(A) Tax Computer System Modernization Fund (#21909): \$1,400,000.00

(4) From the Clean Water Fund to the:

(A) Agricultural Water Quality Special Fund (#21933): \$9,010,000.00

(B) Lake in Crisis Response Program Special Fund (#21938): \$120,000.00

(5) From the Other Infrastructure, Essential Investments and Reserves Subaccount in the
Cash for Capital and Essential Investments Fund to the:

(A) Transportation Fund (#20105): \$25,000,000:

(6) From the Tax-Local Option Process Fees Fund (#21591), notwithstanding 24 V.S.A. §
138(c)(1), to the:

(A) Tax Computer System Modernization Fund (#21909): \$2,000,000.00

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2025:

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

(A) Cannabis Regulation Fund (#21998): \$10,000,000

(B) AHS Central Office Earned Federal Receipts (#22005): \$4,641,960.00

(C) Sports Wagering Enterprise Fund (#50250): \$7,000,000

(D) Liquor Control Fund (#50300): \$21,100,000

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

(A) AG-Fees & Reimbursements-Court Order Fund (#21638): \$2,000,000

(B) Unclaimed Property Fund (#62100): \$6,500,000

(3) Notwithstanding 2016 Acts and Resolves No. 172, Section E. 228, \$57,000,000 of the net unencumbered fund balances in the Insurance Regulatory and Supervision Fund (21075), the Captive Insurance Regulatory and Supervision Fund (21085), and the Securities Regulatory and Supervision Fund 21080) shall be transferred to the General Fund.

EXPLANATION:

(a)(1):

- (A) transfers the amount of General Fund necessary for the Treasurer to satisfy all required principal and interest payments on outstanding General Obligation debt.
- (B) transfers the maximum amount permitted per 32 V.S.A. 1001b.
- (C) transfers the amount requested by the Tax Department within the maximum permitted per 32 V.S.A. 3209(b).
- (D) transfers the amount necessary to mitigate projected deficits.
- (E) transfers the amount necessary to mitigate projected deficits.
- (F) transfer supports additional investments in dam infrastructure per 10 V.S.A. 1106
- (G) transfer capitalizes the deficit incurred by the acquisition of property for the siting of a regional readiness center
- (H) transfers the amount necessary to backfill the projected revenue losses from 2022 Act 47 housing and utility exemptions.
- (I) transfers the amount necessary to mitigate projected deficits.

(a)(2):

- (A) Annual transfer required per 10 V.S.A. 446.
- (B) Annual transfer
- (C) transfers the amount of Transportation Fund necessary for the Treasurer to satisfy all required principal and interest payments on outstanding General Obligation debt.
- (D) Transportation Fund is not being transferred to the Central Garage Fund in FY25 in response to the lowered consensus revenue forecast for the Transportation Fund. This will not impact either programmatic operations or the Agency's ability to purchase heavy equipment in FY25 as there remains a sufficient surplus of net proceeds in the Highway Garage Fund to absorb the suspension of the transfer.

(a)(3):

- (A) transfers the amount requested by the Tax Department within the maximum permitted per 32 V.S.A. 3209(b).

(a)(4):

- (A) transfers the amount recommended by the Clean Water Board in their FY25 budget.
- (B) transfers the amount recommended by the Clean Water Board in their FY25 budget.

(a)(5):

- (A) transfers the \$25M reserved per 2023 Acts and Resolves No. 78, Sec. C.108(a) to be used by the Agency of Transportation as federal Infrastructure Investment and Jobs Act (IIJA) match.

(b)(1):

- (A) Estimated available transfer per 7 V.S.A. 845(d)(1).

- (B) Estimated available transfer for FY25.
- (C) Estimated profits available for transfer in FY25.
- (D) Estimated profits available for transfer in FY25.

(b)(2)

- (A) FY 2025 estimated transfers to the General Fund.
- (B) FY 2025 estimated transfers to the General Fund.

(b)(3):

The annual estimated direct application of fiscal year-end fund balances provided by the Department of Financial Regulation (DFR) for fiscal year 2025.

Sec. D.102 REVERSIONS

Notwithstanding any provision of law to the contrary, in fiscal year 2025, the following amounts shall revert to the General Fund from the accounts indicated:

<u>1210002000</u>	<u>Legislature</u>	<u>\$ 211,576.00</u>
<u>1215001000</u>	<u>Legislative Counsel</u>	<u>\$ 301,089.00</u>
<u>1220000000</u>	<u>Joint Fiscal Committee/Office</u>	<u>\$ 301,010.46</u>
<u>1220890501</u>	<u>Budget System/Transfer to Tax Dept</u>	<u>\$ 39.54</u>
<u>1220891802</u>	<u>Decarbonization Mech Study</u>	<u>\$ 39.00</u>

EXPLANATION:

FY25 reversions requested by the Legislature’s Joint Fiscal Office.

Sec. D.103 RESERVATIONS

Notwithstanding any provisions of law to the contrary, in fiscal year 2025 the following reserve transactions shall be implemented for the funds provided:

(a) General Fund

(1) Pursuant to 32 V.S.A. § 308, an estimated amount of \$14,800,138.75 shall be added to the General Fund Budget Stabilization Reserve.

(2) \$5,480,000 shall be added to the 27/53 reserve in Fiscal Year 2025. This action is the fiscal year 2025 contribution to the reserve for the 53rd week of Medicaid as required by 32 V.S.A. Sec. 308e and the 27th payroll reserve as required by 32 V.S.A. 308e.

(b) Other Infrastructure, Essential Investments and Reserves Subaccount in the Cash for Capital and Essential Investments Fund

(1) \$25,000,000.00 is unreserved to be used by the Agency of Transportation in accordance with provisions for which the funds were originally reserved in 2023 Acts and Resolves No. 78, Sec. C.108(a).

(c) Transportation Fund

(1) For the purpose of calculating the fiscal year 2025 Transportation Fund stabilization requirement of five percent of prior year appropriations, Transportation Fund reversions are excluded from the fiscal year 2024 total appropriations amount.

EXPLANATION:

(a)(1): FY 2025 estimated annual Budget Stabilization Reserve increase based upon implementation of the Governor’s Recommended Budget Adjustment Act and additional changes provided in the C sections of this Act.

(a)(2): FY 2025 prorated annual contribution to the 27/53 reserve per 32 V.S.A Sec. 308e(b)

(b)(1): Funds are unreserved for transfer to the Transportation Fund to be used as IIJA match by the Agency of Transportation.

(c)(1): Transportation Fund reserve requirement is set net of reversions.

* * * General Government * * *

Sec. E.100 EXECUTIVE BRANCH POSITIONS

(a) The establishment of ten permanent positions is authorized in fiscal year 2025 for the following:

(1) Permanent classified positions:

(A) Department of Public Safety:

(i) one Criminal History Record Specialist I

(ii) one Regional Emergency Management Program Coordinator

(B) Dept. of Forests, Parks, and Recreation: four Field Park Manager IV’s

(C) Agency of Education – one CTE Education Programs Coordinator

(2) Permanent exempt positions:

(A) Agency of Administration – Secretary’s Office: one Chief Performance Officer

(B) Judiciary: two Superior Court Judges

(b) The conversion of three limited service positions to classified permanent status is authorized in fiscal year 2025 as follows:

(1) Department of Environmental Conservation:

(A) one Environmental Engineer V

(B) one Environmental Engineer III

(C) one Environmental Scientist IV

EXPLANATION:

Adding a Criminal History Record Specialist for VT Crime Information Center is budget neutral due to current massive overtime related to background checks; Regional Emergency Management Coordinator is 50% GF/50% FF and supports partitioning the current Southern region into Southwest and Southeast regions; new permanent Parks positions are budget neutral due to reduction of temporary positions; new CTE position aligns with intent of CTE reform bill (H.716); additional judges are to support reducing court backlog; DEC position conversions are for two Dam Safety Engineers and one Geologist.

Sec. E. 100.1 3 V.S.A. § 2310 is added to read:

§ 2310. Chief Performance Officer

(a) There is created the permanent, exempt position of Chief Performance Officer within the Agency of Administration for the purpose of better developing a culture of performance accountability and continuous improvement across state government. The Chief Performance Officer shall:

(1) provide advice, recommendations, and consultation to the Executive and Legislative branches of state government about performance improvement and management;

(2) lead the creation and implementation of a performance improvement and management strategy for state government to ensure effective and efficient government operations;

(3) assist agencies and departments as necessary in developing, monitoring, managing and improving performance measures as well as developing strategies that maximize results and return on investment;

(4) develop and offer trainings, professional development opportunities and resources for agencies and departments regarding performance improvement and management; and

(5) provide consultation on the design and implementation of systems that use data and metrics to measure and report performance.

EXPLANATION:

Statute defines the duties of the Chief Performance Officer within the Agency of Administration; however, neither statute nor session law ever created this position within the Agency.

Sec. E.106 CORONAVIRUS STATE FISCAL RECOVERY FUND APPROPRIATIONS;
REVERSION AND REALLOCATION

(a) The Agency of Administration shall structure any existing Coronavirus State Fiscal Recovery (SFR) program in accordance with the requirements of 31 C.F.R. Part 35 and in a manner designed to achieve the intent of the General Assembly and may reallocate unspent funds across governmental units in an overall net-neutral manner.

(b) The Commissioner of Finance and Management is authorized to revert all unobligated SFR monies prior to December 31, 2024. The total amount of SFR monies reverted in accordance with this subsection shall be allocated pursuant to 32 V.S.A. § 511 to the following purposes:

(1) up to the first \$40,000,000 in the following manner:

(A) for each dollar available, 90% to the Department of Public Safety Division of Emergency Management for FEMA match and municipal support for hazard mitigation.

(B) for each dollar available, 10% to the Agency of Administration for Administration costs including for anticipated audit response per Act 74 of 2021 Sec.G.801(a) and Act 185 of 2022 Sec. G.801 (A).

(2) any remaining funds shall be reallocated, with the express authorization of the Joint Fiscal Committee, to existing SFR programs established by the General Assembly.

(c) If previously obligated SFR monies become unobligated after December 31, 2024, the Commissioner of Finance and Management is authorized to revert the unobligated SFR monies and allocate the monies for expenditure pursuant to 32 V.S.A. § 511 to any existing SFR programs in accordance with the requirements of 31 C.F.R. Part 35.

EXPLANATION:

Establishes procedure for handling future ARPA SFR reversions and reallocations to facilitate the full utilization of the time-limited federal funds.

Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

(a) Of the appropriation in Sec. B.139 of this act, \$9,000 shall be transferred to the Attorney General and \$70,000 shall be transferred to the Department of Taxes, Division of Property Valuation and Review and reserved and used with any remaining funds from the amount previously transferred for final payment of expenses incurred by the Department or towns in defense of grand list appeals regarding the reappraisals of the hydroelectric plants and other property owned by TransCanada Hydro Northeast, Inc. and its successor Great River Hydro, LLC in the State of Vermont. Expenditures for this purpose shall be considered qualified expenditures under 16 V.S.A. § 4025(c).

EXPLANATION:

Annual language that appropriates funding to support towns' litigation cost for the "Great River Hydro, LLC" (formerly "TransCanada Northeast") project.

Sec. E.142 PAYMENTS IN LIEU OF TAXES

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

EXPLANATION:

Annual language clarifying that these payments are in addition to, and separate from, those appropriated elsewhere in the Act for the city of Montpelier and for corrections facilities.

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

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

EXPLANATION:

Standard language.

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

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

EXPLANATION:

Standard language.

Sec. E.200 ATTORNEY GENERAL

(a) Notwithstanding any other provisions of law, the Office of the Attorney General, Medicaid Fraud and Residential Abuse Unit, is authorized to retain, subject to appropriation, one-half of the State share of any recoveries from Medicaid fraud settlements, excluding interest, that exceed the State share of restitution to the Medicaid Program. All such designated additional recoveries retained shall be used to finance Medicaid Fraud and Residential Abuse Unit activities.

(b) Of the revenue available to the Attorney General under 9 V.S.A. § 2458(b)(4), \$1,749,700 is appropriated in Sec. B.200 of this act.

EXPLANATION:

Standard language.

Sec. E.208 PUBLIC SAFETY – ADMINISTRATION

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

EXPLANATION:

Standard Annual Language.

Sec. E.209 PUBLIC SAFETY – STATE POLICE

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

(b) Of the General Fund appropriation in Sec. B.209 of this Act, \$405,000 is allocated for grants in support of the Drug Task Force. Of this amount, \$190,000 shall be used by the Vermont Drug Task Force to fund three town task force officers. These town task force officers shall be

dedicated to enforcement efforts with respect to both regulated drugs as defined in 18 V.S.A. § 4201(29) and the diversion of legal prescription drugs. Any unobligated funds may be allocated by the Commissioner to fund the work of the Drug Task Force or carried forward.

EXPLANATION:

Standard Annual Language.

Sec. E.212 PUBLIC SAFETY – FIRE SAFETY

(a) Of the General Fund appropriation in Sec. B.212 of this Act, \$55,000 shall be granted to the Vermont Rural Fire Protection Task Force for the purpose of designing dry hydrants.

EXPLANATION:

Standard Annual Language.

Sec. E.215 MILITARY - ADMINISTRATION

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

EXPLANATION:

Standard Annual Language.

Sec. E.219 MILITARY – VETERANS’ AFFAIRS

(a) Of the funds appropriated in Sec. B.219 of this act, \$1,000 shall be used for continuation of the Vermont Medal Program; \$2,000 shall be used for the expenses of the Governor’s Veterans’ Advisory Council; \$7,500 shall be used for the Veterans’ Day parade; and \$10,000 shall be granted to the American Legion for the Boys’ State and Girls’ State programs.

EXPLANATION:

Standard Annual Language.

Sec. E.234 30 V.S.A. § 248c(d) is amended to read:

(d) Electric and natural gas facilities. This subsection sets fees for applications under section 248 of this title.

(1) There shall be a ~~registration~~ fee of \$100.00 for each electric generation facility less than or equal to 50 kW in plant capacity, or for a rooftop project, or for a hydroelectric project filing a net metering registration, or for an application filed under subsection 248(n) of this title, or for an energy storage facility less than or equal to 1 MW in nameplate capacity that is required to obtain a certificate of public good under Section 248 of this Title and is proposed to be located inside an existing building and that would not require any ground disturbance work or upgrades to the distribution system.

(2) There shall be a fee of \$25.00 for modifications for each electric generation facility less than or equal to 50 kW in plant capacity, or for a rooftop project, or for a hydroelectric project

filing a net metering registration, or for an application filed under subsection 248(n) of this title, or for an energy storage facility less than or equal to 1 MW in nameplate capacity that is required to obtain a certificate of public good under Section 248 of this Title and is proposed to be located inside an existing building and that would not require any ground disturbance work or upgrades to the distribution system.

(3) There shall be a fee for electric generation facilities and energy storage facilities that do not qualify for the lower fees in subdivisions (1) and (2) of this subsection, calculated as follows:
(A) \$5.00 per kW; and
(B) \$100.00 for modifications.

(4) For applications that include both a proposed electric generation facility and a proposed energy storage facility, the fee shall be the larger of either the fee for the electric generation facility or the energy storage facility as set out in subdivisions (1) and (3) of this subsection.

(5) For applications that propose to add an energy storage facility to a location that already has a certificate of public good for an electric generation facility, the fee shall be that for a proposed new energy storage facility as set out in subdivisions (1) and (3) of this subsection.

(6) For applications that propose to add an electric generation facility to a location that already has a certificate of public good for an energy storage facility, the fee shall be that for a proposed new electric generation facility as set out in subdivisions (1) and (3) of this subsection.

EXPLANATION:

Reduces the application fees for energy storage facilities that are eligible for the simplified application process that is being developed by the Public Utility Commission and clarifies the fees that would apply to applications that propose both electric generation and energy storage facilities, as well as to applications that propose to add one type of facility to a location that already has a certificate of public good for the other type of facility. These fee reductions and clarifications are necessary to better match the application fees to the anticipated workload of the Public Utility Commission in reviewing these applications.

Sec. E.300 FUNDING FOR THE OFFICE OF THE HEALTH CARE ADVOCATE, VERMONT LEGAL AID

(a) Of the funds appropriated in Sec. B.300 of this act:

- (1) \$1,847,406 shall be used for the contract with the Office of the Health Care Advocate.
- (2) \$1,717,994 for Vermont Legal Aid services, including the Poverty law project and mental health services; and
- (3) \$650,000 is for the purposes of maintaining current Vermont Legal Aid program capacity and addressing increased requests for services, including eviction prevention and protection from foreclosure and consumer debt.

EXPLANATION:

Annual language required pursuant to 2015 Act 54 Sec 53(c), with the addition of VT Legal Aid subsections added by the General Assembly in the 2023 session.

Sec. E.300.1 18 V.S.A. § 8915 is added to read:

§ 8915 Provision for agreements with case management entities

Notwithstanding any provision of law to the contrary, the Commissioner of Disabilities, Aging, and Independent Living may enter into agreements with case management entities to support local communities. The Commissioner may develop rules setting forth the standards and procedures for the case management entities it contracts with.

EXPLANATION:

This language provides DAIL with the authority to contract with an entity outside of the Designated Agencies to deliver case management. This is necessary to comply with a CMS corrective action plan for HCBS services which states that case management must be delivered independently from direct services.

Sec. E.300.2 2022 Acts and Resolves No. 83, Sec. 72a, as amended by 2022 Acts and Resolves No. 185, Sec. C.105, as amended by 2023 Acts and Resolves No. 78, Sec. E.301.2, is further amended to read:

(f) The Global Commitment Fund appropriated in subsection (e) of this section obligated in fiscal years 2023, and fiscal year 2024, and 2025 for the purposes of bringing HCBS plan spending authority forward into fiscal year 2024 and fiscal year 2025, respectively. The funds appropriated in subsections (b), (c), and (e) of this section may be transferred on a net-neutral basis in fiscal years 2023, and fiscal year 2024, and 2025 in the same manner as the Global Commitment appropriations in 2022 Acts and Resolves No. 185, Sec. E.301. The Agency shall report to the Joint Fiscal Committee in September 2023, ~~and~~ September 2024, and September 2025, respectively, on transfers of appropriations made and final amounts expended by each department in fiscal years 2023, and fiscal year 2024, and 2025, respectively, and any obligated funds carried forward to be expended in fiscal year 2024 and fiscal year 2025, respectively.

EXPLANATION:

The federal government has extended HCBS fund availability until March 2025. To make use of all funds to the fullest extent, AHS requires HCBS Global Commitment Fund transfer flexibility language to be extended into FY2025.

Sec. E.301 SECRETARY'S OFFICE – GLOBAL COMMITMENT

(a) The Agency of Human Services shall use the funds appropriated in section B.301 of this Act for payment required under the intergovernmental agreement between the Agency of Human Services and the managed care entity, the Department of Vermont Health Access, as provided for in the Global Commitment for Health Waiver (Global Commitment) approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

(b) In addition to the State funds appropriated in section B.301 of this Act, a total estimated sum of \$24,301,185 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) \$21,295,850 certified State match available from local education agencies for eligible special education school-based Medicaid services under Global Commitment. This amount, combined with \$29,204,150 of federal funds appropriated in section B.301 of this Act, equals a total estimated expenditure of \$50,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) \$3,005,335 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

(c) Up to \$4,487,210 is transferred from the AHS Federal Receipts Holding Account to the Interdepartmental Transfer Fund consistent with the amount appropriated in section B.301 Secretary's Office – Global Commitment of this Act.

EXPLANATION:

Annual language required to clarify the source of Inter-Departmental Transfer funds in the AHS Global Commitment appropriation, as well as to update estimated appropriations and available certified State match as proposed in the fiscal year 2025 budget.

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

(a) To facilitate the end-of-year closeout for fiscal year 2025, the Secretary of Human Services, with approval from the Secretary of Administration, may make transfers among the appropriations authorized for Medicaid and Medicaid-waiver program expenses, including Global Commitment appropriations outside the Agency of Human Services. At least three business days prior to any transfer, the Agency of Human Services shall submit to the Joint Fiscal Office a proposal of transfers to be made pursuant to this section. A final report on all transfers made under this section shall be made to the Joint Fiscal Committee for review at the Committee's September 2025 meeting. The purpose of this section is to provide the Agency of Human Services with limited authority to modify the appropriations to comply with the terms and conditions of the Global Commitment for Health section 1115 demonstration waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

EXPLANATION:

Medicaid services are included in numerous appropriations both within and outside of AHS. While best efforts are made accurately to project expenditures in each appropriation in the Big Bill, and these are further refined in the BAA, there is always a need at the end of the fiscal year to reconcile to actual expenditures and activities. The JFC reporting requirement ensures that the legislature is aware of these adjustments.

Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

(a) The Agency of Human Services may adopt rules pursuant to 3 V.S.A. chapter 25 to conform Vermont's rules regarding health care eligibility and enrollment and the operation of the Vermont Health Benefit Exchange to state and federal law and guidance. The Agency may use the emergency rules process pursuant to 3 V.S.A. § 844 prior to June 30, 2025, but only if new state or federal law or guidance requires Vermont to amend or adopt its rules in a time frame that cannot be accomplished under the traditional rulemaking process. An emergency rule adopted under these exigent circumstances shall be deemed to meet the standard for the adoption of emergency rules required pursuant to 3 V.S.A. § 844(a).

EXPLANATION:

Annual language requirement to appropriately position DVHA to adapt its rules relative to changes in federal and/or state laws governing the Vermont Health Benefits Exchange.

Sec. E.306.1 HEALTH INFORMATION TECHNOLOGY FUND

2013 Acts and Resolves No. 73, Sec. 60(10), as amended by 2017 Acts and Resolves No. 73, Sec. 14, as amended by 2018 Acts and Resolves No. 187, Sec. 5, as amended by 2019 Acts and Resolves No. 71, Sec. 21, as amended by 2021 Acts and Resolves No. 73, Sec. 14, as amended by 2023 Acts and Resolves No. 78, Sec. E.306.1, is further amended to read:

(10) Secs. 48–51 (health claims tax) shall take effect on July 1, 2013 and Sec. 52 (Health IT-Fund; sunset) shall take effect on July 1, ~~2025~~ 2026.

EXPLANATION:

Extension of the sunset of the Health IT fund.

Sec. E.306.2 HEALTH CARE CLAIMS TAX

2019 Acts and Resolves No. 6, Sec. 105 as amended by 2019 Acts and Resolves No. 71, Sec. 19, as amended by 2022 Acts and Resolves No. 83, Sec. 75, as amended by 2023 Acts and Resolves No. 78, Sec. E.306.2, is further amended to read:

Sec. 105. EFFECTIVE DATES

(b) Sec. 73 (further amending 32 V.S.A. Sec. 10402) shall take effect on July 1, ~~2025~~ 2026.

EXPLANATION:

Extension of the 0.199% Health Care Claims tax to fund the HIT Fund through 2026, in alignment with Sec. E.306.1 above.

Sec. E.307.1 14 V.S.A. § 931 is amended to read:

§ 931 Limitations on claims of creditors

All claims against the decedent's estate that arose before the death of the decedent, including claims of the State and any subdivision thereof except claims filed by the State on behalf of Vermont Medicaid, absolute or contingent, liquidated or unliquidated, founded on contract, tort, or other legal basis, if not barred earlier by other state of limitations, are barred against the estate, the legal representative of the estate, and the heirs and devisees of the decedent, unless presented within one year after the decedent's death. Nothing in this section affects or prevents any proceeding to enforce any mortgage, pledge, or other lien upon the property of the estate. Claims filed by the State on behalf of Vermont Medicaid must be filed in accordance with 14 V.S.A. § 1203(d).

Sec. E.307.2 14 V.S.A. § 1203 is amended to read:

§ 1203 Limitations on presentation of claims

- (a) All claims against a decedent's estate that arose before the death of the decedent, including claims of the State and any subdivision thereof except claims filed by the State on behalf of Vermont Medicaid, whether due or to become due, absolute or contingent, liquidated or unliquidated, founded on contract, tort, or other legal basis, except claims for the possession of or title to real estate and claims for injury to the person and damage to property suffered by the act or default of the deceased, if not barred earlier by other state of limitations, are barred against the estate, the executor or administrator, and the heirs and devisees of the decedent, unless presented as follows:
- (1) within four months after the date of the first publication of notice to creditors if notice is given in compliance with the Rules of Probate Procedure; provided, however, that claims barred by the nonclaim statute of the decedent's domicile before the first publication for claims in the State are also barred in this State;
 - (2) within one year after the decedent's death, if notice to creditors has not been published or otherwise given as provided by the Rules of Probate Procedure.

- (d) Claims filed by the State on behalf of Vermont Medicaid must be presented within four months after the date of the first publication of notice to creditors if notice is given in compliance with the Rules of Probate Procedure regardless of when a decedent's executor or administrator opens the estate.

EXPLANATION:

This language exempts the Vermont Medicaid program from estate time bars. Current statute poses both a fiscal risk and a federal compliance risk. Vermont Medicaid is required to collect from estates; however, if an estate is not opened within a year of death, Vermont Medicaid is not able to file a timely claim. Probate judges have recently ruled against Vermont Medicaid in some such instances.

Sec. E.312 HEALTH – PUBLIC HEALTH

(a) AIDS/HIV funding:

(1) In fiscal year 2025 and as provided in this section, the Department of Health shall provide grants in the amount of \$475,000 in AIDS Medication Rebates special funds to the Vermont AIDS service and peer-support organizations for client-based support services. The Department of Health AIDS Program shall meet at least quarterly with the Community Advisory Group (CAG) with current information and data relating to service initiatives. The funds shall be allocated according to an RFP process.

(2) In fiscal year 2025 and as provided in this section, the Department of Health shall provide grants in the amount of \$295,000 to the following organizations:

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

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

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

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

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

(B) As provided in this section, the Secretary of Human Services shall work in collaboration with the VMAP Advisory Committee, which shall be composed of not less than 50 percent of members who are living with HIV/AIDS. If a modification to the program's eligibility requirements or benefit coverage is considered, the Committee shall make recommendations regarding the program's formulary of approved medication, related laboratory testing, nutritional supplements, and eligibility for the program.

(4) In fiscal year 2025, the Department of Health shall provide grants in the amount of \$100,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for community-based HIV prevention programs and services. These funds shall be used for HIV/AIDS prevention purposes, including syringe exchange programs; improving the availability of confidential and anonymous HIV testing; prevention work with at-risk groups such as women, intravenous drug users, and people of color; and anti-stigma campaigns. Not more than 15 percent of the funds may be used for the administration of such services by the recipients of these funds. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health and the Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers.

(5) In fiscal year 2025, the Department of Health shall provide grants in the amount of \$300,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for syringe exchange programs. The method by which these

prevention funds are distributed shall be determined by mutual agreement of the Department of Health, the Vermont AIDS service organizations, and other Vermont HIV/AIDS prevention providers. The performance period for these grants will be State fiscal year 2025. Grant reporting shall include outcomes and results.

(6) In fiscal year 2025, the Department of Health shall not reduce any grants to the Vermont AIDS service and peer-support organizations or syringe service programs from funds appropriated for AIDS/HIV services to levels below those in fiscal year 2024 without receiving prior approval from the Joint Fiscal Committee.

EXPLANATION:

Annual language that provides guidance to the Department of Health and Agency of Human Services about the allocation and administration of funds for HIV/AIDS prevention and services.

Sec. E.312.1 18 V.S.A. § 32 is amended to read:

~~§ 32 Loan repayment for health care providers and Health Care Educational Loan Repayment Fund~~

~~(a) There is hereby established a special fund to be known as the Vermont Health Care Educational Loan Repayment Fund, that shall be used for the purpose of ensuring a stable and adequate supply of health care providers and health care educators to meet the health care needs of Vermonters, with a focus on recruiting and retaining providers and health care educators in underserved geographic and specialty areas.~~

~~(b) The fund shall be established and held separate and apart from any other funds or monies of the State and shall be used and administered exclusively for the purpose of this section. The money in the Fund shall be invested in the same manner as permitted for investment of funds belonging to the State of held in the Treasury. The Fund shall consist of the following:~~

- ~~(1) such sums as may be appropriated or transferred from time to time by the General Assembly, the state Emergency Board, or the Joint Fiscal Committee during such times as the General Assembly is not in session;~~
- ~~(2) interest earned from the investment of fund balances;~~
- ~~(3) any other money from any other source accepted for the benefit of the Fund.~~

~~(c) The Fund shall be administered by the Department of Health, which shall make funds available to the University of Vermont College of Medicine area health education centers (AHEC) program for loan repayment awards. The Commissioner may require certification of compliance with this section prior to the making of an award.~~

EXPLANATION:

This section repeals the Educational Loan Repayment Fund. The loan repayment program for health care providers has been funded with appropriations from the Global Commitment Fund since fiscal year 2008.

Sec. E.316 SUMMER EBT BENEFIT

(a) An amount not to exceed \$40,000 of the General Fund appropriated in Sec. B.316 of this Act shall be used to provide benefits for non-citizen students who would otherwise be eligible for nutritional benefit programs funded by federal grants.

EXPLANATION:

Authorize the use of State funds to ensure that non-citizen students may receive the same level of summer nutritional benefits as citizen students.

Sec. E.321 GENERAL ASSISTANCE HOUSING; ADVERSE WEATHER CONDITIONS

(a) The Commissioner for Children and Families may, by policy, provide temporary housing for a limited duration in adverse weather conditions when appropriate shelter space is not available.

EXPLANATION:

This language is needed for DCF to carry out the exception to General Assistance Housing rules due to adverse weather conditions.

Sec. E.324 EXPEDITED CRISIS FUEL ASSISTANCE

(a) The Commissioner for Children and Families or designee may authorize crisis fuel assistance to those income-eligible households that have applied for an expedited seasonal fuel benefit but have not yet received it if the benefit cannot be executed in time to prevent them from running out of fuel. The crisis fuel grants authorized pursuant to this section count toward the one crisis fuel grant allowed per household for the winter heating season pursuant to 33 V.S.A. § 2609(b).

EXPLANATION:

Annual language which ensures that eligible families can receive assistance on an expedited basis so that they do not run out of fuel.

Sec. E.324.1 33 V.S.A. § 2503 is amended to read:

§ 2503 Fuel tax

(d) No tax under this section shall be imposed for any month ending after June 30, ~~2024~~ 2029.

EXPLANATION:

The Fuel Tax provides critical core funding for the Home Weatherization Assistance Program and it will otherwise sunset in 2024. Historically, it has been reauthorized in 5-year increments.

Sec. E.325 DEPARTMENT FOR CHILDREN AND FAMILIES – OFFICE OF ECONOMIC OPPORTUNITY

(a) Of the General Fund appropriation in Sec. B.325 of this act, \$18,675,228 shall be granted to community agencies to assist individuals experiencing homelessness by preserving existing services, increasing services, or increasing resources available statewide. These

funds may be granted alone or in conjunction with federal Emergency Solutions Grants funds. Grant decisions and the administration of funds shall be done in consultation with the HUD-recognized Continua of Care.

EXPLANATION:

Annual language which authorizes spending on the Housing Opportunity Grant Program (HOP). Slight language change as compared to last year, to reference both Continua of Care organizations in Vermont.

Sec. E.326 DEPARTMENT FOR CHILDREN AND FAMILIES – OFFICE OF ECONOMIC OPPORTUNITY – WEATHERIZATION ASSISTANCE

(a) Of the Special Fund appropriation in Sec. B.326 of this act, \$750,000 is for the replacement and repair of home heating equipment.

EXPLANATION:

Annual language that authorizes spending on the replacement and repair of home heating equipment.

Sec. E.326.1 33 V.S.A. § 2502 is amended to read:

§ 2502 Home Weatherization Assistance Program

(a) In addition, the Director shall supplement or supplant any federal program with the State Home Weatherization Assistance Program.

(1) The state program shall provide an enhanced weatherization assistance amount exceeding the federal per-unit limit allowing amounts up to an average of ~~\$8,500.00~~ \$15,300.00 per unit allocated on a cost-effective basis. The allowable average ~~per unit may be adjusted to account for the lower cost~~ per unit will be \$4,500.00. In units where costs exceed the allowable average by more than 25 percent, prior approval of the Director of the State Economic Opportunity Office shall be required before work commences. This amount shall be adjusted annually to account for inflation of materials and labor.

(b) ~~The Secretary of Human Services~~ Director shall ~~by rule establish~~ require landlords that are not income eligible to enter into a rent stabilization agreements and provisions to recapture amounts expended for weatherization of a rental unit that exceed the amount of which takes into account the energy cost reductions projected to be obtained by eligible tenants of the unit. The time periods established for rent stabilization ~~and recapture~~ shall be set taking into account the size of benefits received by tenants and landlords as well as the effect on Program participation. ~~Funds recaptured under this section shall be deposited into the Home Weatherization Assistance Fund established under section 2501 of this title.~~

EXPLANATION:

The change proposed in (b)(1) is an important technical change which reflects the current inflation adjusted allowable average and notes a specific separate average for multifamily buildings. By specifying the allowable cost per multifamily building unit, the program becomes easier to administer. The change proposed in (c) reflects current practice. The Home Weatherization Assistance Program does not otherwise administer the program through rule, but instead has developed a rent stabilization policy where landlords and weatherization service providers enter into an agreement.

Sec. E.338 CORRECTIONS - CORRECTIONAL SERVICES

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

EXPLANATION:

Annual language providing DOC with specific funding from the PILOT fund for payments to municipalities.

Sec. E.345 18 V.S.A. § 9374(h) is amended to read:

~~(h)(1) The Board may assess and collect from each regulated entity the actual costs incurred by the Board, including staff time and contracts for professional services, in carrying out its regulatory duties for health insurance rate review under 8 V.S.A. § 4062; hospital budget review under chapter 221, subchapter 7 of this title; and accountable care organization certification and budget review under section 9382 of this title. The Board may also assess and collect from general hospitals licensed under chapter 43 of this title expenses incurred by the Commissioner of Health in administering hospital community reports under section 9405b of this title.~~

~~(h)(1)(A) (2)(A) In addition to the assessment and collection of actual costs pursuant to subdivision (1) of this subsection and except Except as otherwise provided in subdivisions (2)(C) and (3) (1)(C) and (2) of this subsection, all other expenses of the Board shall be borne as follows:~~

~~(i) 40 percent by the State from State monies;~~

~~(ii) 30 percent by the hospitals;~~

~~(iii) 24 percent by nonprofit hospital and medical service corporations licensed under 8 V.S.A. chapter 123 or 125, health insurance companies licensed under 8 V.S.A. chapter 101, and health maintenance organizations licensed under 8 V.S.A. chapter 139; and~~

~~(iv) six percent by accountable care organizations certified under section 9382 of this title.~~

(B) Expenses under subdivision (A)(iii) of this subdivision ~~(2)~~ (1) shall be allocated to persons licensed under Title 8 based on premiums paid for health care coverage, which for the purposes of this subdivision (1) ~~(2)~~ shall include major medical, comprehensive medical, hospital or surgical coverage, and comprehensive health care services plans, but shall not include long-term care, limited benefits, disability, credit or stop loss, or excess loss insurance coverage.

(C) Expenses ~~incurred by the Board for regulatory duties associated with certificates of need shall be~~ assessed pursuant to the provisions of section 9441 of this title ~~and shall~~ not be assessed in accordance with the formula set forth in subdivision (A) of this subdivision ~~(2)~~ (1).

(3) The Board may determine the scope of the incurred expenses to be allocated pursuant to the formula set forth in subdivision ~~(2)~~ (1) of this subsection if, in the Board's discretion, the expenses to be allocated are in the best interests of the regulated entities and of the State.

(4) If the amount of the proportional assessment to any entity calculated in accordance with the formula set forth in subdivision (1)(A) ~~(2)(A)~~ of this subsection would be less than \$150.00, the Board shall assess the entity a minimum fee of \$150.00. The Board shall apply the amounts collected based on the difference between each applicable entity's proportional assessment amount and \$150.00 to reduce the total amount assessed to the regulated entities pursuant to subdivisions ~~(2)(A)(ii)-(iv)~~ (1)(A)(ii)-(iv) of this subsection.

(5)(A) Annually on or before September 15, the Board shall report to the House and Senate Committees on Appropriations the total amount of all expenses eligible for allocation pursuant to this subsection (h) during the preceding State fiscal year and the total amount actually billed back to the regulated entities during the same period. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subdivision.

(B) The Board ~~and the Department~~ shall also present the information required by this subsection (h) to the Joint Fiscal Committee annually at its September meeting.

EXPLANATION:

Clarifies and simplifies assessment methodology. Allows increased transparency for assessment calculation. Allows Medicare-only Accountable Care Organizations to be included in this assessment. Language codifies historical practice by clarifying assessments in this statute and section 9441 of this title. Technical amendment to remove "the Department" (Department of Financial Regulation) from this statute as they no longer are involved with this assessment.

Sec. E.500 EDUCATION – FINANCE AND ADMINISTRATION

(a) The Global Commitment funds appropriated in this section will be used for physician claims for determining medical necessity of Individualized Education Programs (IEPs). These services

are intended to increase access to quality health care for uninsured persons, underinsured persons, and Medicaid beneficiaries.

EXPLANATION:

Annual language that makes clear that Global Commitment funds will be used for appropriate Global Commitment purposes. This language reflects allowable uses under the new 1115 Global Commitment Waiver.

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

(a) Of the appropriation authorized in section B.502 of this act, and notwithstanding any other provision of law, an amount not to exceed \$4,329,959 shall be used by the Agency of Education in fiscal year 2025 as funding for 16 V.S.A. § 2967(b)(2)-(6). In distributing such funds, the Secretary shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d).

(b) Of the appropriation authorized in section B.502 of this act, and notwithstanding any other provision of law, an amount not to exceed \$500,000 shall be used by the Agency of Education in fiscal year 2025 as funding for 16 V.S.A. § 2975. In distributing such funds, the Secretary shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d).

EXPLANATION:

The language establishes how much of the special education funding formula shall be used for 16 V.S.A. Sec 2967(b)(2)-(6) and 16 V.S.A. 2975.

Sec. E.503 EDUCATION – STATE-PLACED STUDENTS

(a) The Independence Place Program of the Lund Family Center shall be considered a 24-hour residential program for the purposes of reimbursement of education costs.

EXPLANATION:

Annual language.

Sec. E.504 EDUCATION – FLEXIBLE PATHWAYS

(a) Of the appropriation in Sec. B.504 of this act, \$1,900,000 from the Education Fund shall be distributed to school districts for reimbursement of high school completion services pursuant to 16 V.S.A. § 943(c).

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

(1) \$921,500 is available for dual enrollment programs notwithstanding 16 V.S.A. § 944(f)(2);

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

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

(4) \$4,600,000 is available for Early College pursuant to 16 V.S.A. § 4011(e).

(c) Of the appropriation in Sec. B.504 of this act, \$921,500 from the General Fund is available for dual enrollment programs.

EXPLANATION:

Annual language ensures that education funds are paid directly to school districts to fund the high school completion program, to help fund the dual enrollment program created in 16 V.S.A. Sec 944, and to support distance learning in Vermont schools.

Sec. E.514 STATE TEACHERS' RETIREMENT SYSTEM

(a) In accordance with 16 V.S.A. § 1944(g)(2), the annual contribution to the State Teachers' Retirement System (STRS) shall be \$201,182,703 of which \$191,382,703 shall be the State's contribution and \$9,800,000 shall be contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944c.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$37,842,027 is the "normal contribution," and \$163,340,676 is the "accrued liability contribution."

EXPLANATION:

Same language as prior years. Allows the normal contribution to be funded with Education funds. The \$9,800,000 local contribution mentioned in subsection (a) reduces the Education Fund component of the normal contribution by \$1,843,359 and the General fund component of the accrued liability contribution by \$7,956,641.

Sec. E.514.1 VERMONT STATE TEACHERS' RETIREMENT SYSTEM AND VERMONT PENSION INVESTMENT COMMISSION; OPERATING BUDGET, SOURCE OF FUNDS

(a) Of the \$3,559,000 appropriated in Sec. B.514.1 of this act, \$2,502,257 constitutes the Vermont State Teachers' Retirement System operating budget, and \$1,056,743 constitutes the portion of the Vermont Pension Investment Commission's budget attributable to the Vermont State Teachers' Retirement System.

EXPLANATION:

Annual language to disaggregate the pension funds used to support administrative costs provided by the State Treasurer's Office and VPIC.

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

(a) In accordance with 16 V.S.A. § 1944b(b)(2), and 16 V.S.A. § 1944b(h)(1), the annual contribution to the Retired Teachers' Health and Medical Benefits plan shall be \$70,482,644, of which \$62,107,644 shall be the State's contribution and \$8,375,000 shall be from the annual charge for teacher health care contributed by employers pursuant to 16 V.S.A. §1944d. Of the annual contribution, \$21,648,946 is the "normal contribution," and \$48,833,698 is the "accrued liability contribution.

EXPLANATION:

Standard annual language to reflect RTHMB pre-funding in accordance with 2022 Act 114. Allows the normal contribution to be funded with Education funds. The \$8,375,000 new teacher health care annual charge contribution reduces the Education fund component of the normal contribution by \$2,572,405 and the General fund component of the accrued liability contribution by \$5,802,595.

Sec. E.600 UNIVERSITY OF VERMONT

(a) The Commissioner of Finance and Management shall issue warrants to pay 1/12 of the appropriation in Sec. B.600 of this act to the University of Vermont on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$380,362 shall be transferred to the Experimental Program to Stimulate Competitive Research (EPSCoR) to comply with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

EXPLANATION:

Standard annual language

Sec. E.602 VERMONT STATE COLLEGES

(a) The Commissioner of Finance and Management shall issue warrants to pay 1/12 of the appropriation in Sec. B.602 of this act to the Vermont State Colleges on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$427,898 shall be transferred to the Vermont Manufacturing Extension Center to comply with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

EXPLANATION:

Standard annual language

Sec. E.603 VERMONT STATE COLLEGES – ALLIED HEALTH

(a) If Global Commitment fund monies are unavailable, the total grant funding for the Vermont State Colleges shall be maintained through the General Fund or other State funding sources.

(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in Sec. B.603 of this act to support the dental hygiene, respiratory therapy, and nursing programs that graduate approximately 315 health care providers annually. These graduates deliver direct, high-quality health care services to Medicaid beneficiaries or uninsured or underinsured persons.

EXPLANATION:

Standard annual language

Sec. E.605 VERMONT STUDENT ASSISTANCE CORPORATION

(a) Of the appropriation in Sec. B.605 of this act, \$25,000 is appropriated from the General Fund to the Vermont Student Assistance Corporation (VSAC) to be deposited into the Trust Fund established in 16 V.S.A. § 2845.

(b) Of this appropriation, not more than \$300,000 may be used by the Vermont Student Assistance Corporation for a student aspirational initiative to serve one or more high schools.

(c) Of the appropriated amount remaining after accounting for subsection (a) and (b) of this section, not less than 93 percent of this appropriation shall be used for direct student aid.

(d) Up to seven percent of the funds appropriated to the Vermont Student Assistance Corporation in this act or otherwise currently or previously appropriated to the Vermont Student Assistance Corporation or provided to the Vermont Student Assistance Corporation by an agency or department of the State for the administration of a program or initiative may be used by the Vermont Student Assistance Corporation for its costs of administration. The Vermont Student Assistance Corporation may recoup its reasonable costs of collecting the forgivable loans in repayment. Funds shall not be used for indirect costs. To the extent these are federal funds, allocation for expenses associated with administering the funds shall be consistent with federal grant requirements.

(e) \$1,000,000 of the General Fund appropriated amount remaining after accounting for subsection (a) and (b) of this section, not less than appropriation in Sec. B.605 of this act shall be used to continue the Vermont Trades Scholarship Program in accordance with 2022 Act and Resolves No. 183, Sec. 14.

EXPLANATION:

Standard annual language

Sec. E.605.1 NEED-BASED STIPEND FOR DUAL ENROLLMENT AND EARLY COLLEGE STUDENTS

(a) Notwithstanding 16 V.S.A. § 4025(b), the sum of \$41,225 in education funds and \$41,225 in general funds is appropriated to the Vermont Student Assistance Corporation (VSAC) for dual enrollment and need-based stipend purposes to fund a flat-rate, need-based stipend or voucher program for financially disadvantaged students enrolled in a dual enrollment course pursuant to 16 V.S.A. § 944 or in early college pursuant to 16 V.S.A. § 946 to be used for the purchase of books, cost of transportation, and payment of fees. The Vermont Student Assistance Corporation shall establish the criteria for program eligibility. Funds shall be granted to eligible students on a first-come, first-served basis until funds are depleted.

(b) On or before January 15, 2025, the Vermont Student Assistance Corporation shall report on the program to the House Committees on Appropriations and on Commerce and Economic Development and to the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs.

EXPLANATION:

Standard annual language

Sec. F.100 EFFECTIVE DATES

(a) This section and Secs. C.100, C.101, C.102, C.103, C.105, C.106, C.107, C.108, C.110, and C.111 shall be effective upon passage of this Act.

(b) Section C.104 shall be effective retroactively on March 1, 2024.

(c) Sections C.109 and C.112 shall be effective retroactively on July 1, 2023.

(d) All remaining sections of this Act shall take effect July 1, 2024.