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APPROPRIATIONS

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MEMORANDUM

To: Rep. Head, Chair, House Committee on General, Housing and Military Affairs
From: Rep. Heath, Chair, House Committee on Appropriations
Date: January 24, 2014
Subject: Review of Provisions in Governor's Fiscal year 2015 Recommended Budget

The House Appropriations Committee is in the process of taking testimony on the Governor's fiscal year 2015 proposed budget. There are several new provisions that fall under the jurisdiction of the Committee on General, Housing and Military Affairs. It would be helpful if your committee could review the provisions and provide recommendations by March 15th.

Please find below the items that I would like your committee to review. Thank you very much for your consideration.

New Positions Requested in the Budget:

Sec. E.100 EXECUTIVE BRANCH – POSITION AUTHORIZATIONS

(a) The establishment of the following new permanent positions is authorized in fiscal year 2015 as follows:

(3) In the Department of Public Safety – classified positions – one (1) Fire Prevention Safety Officer and one (1) Electrical Inspector.

EXPLANATION: The Fire Prevention Safety Officer and Electrical Inspector are needed because of an increase in commercial building projects.

Comment [LA1]: Appropriations plans to take this up during week Feb. 13.

Language Sections:

Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

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

(2) The sum of \$15,275,260 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board. Notwithstanding 10 V.S.A. § 312, amounts above \$15,275,260 from the property transfer tax that are deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.

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EXPLANATION: The 7/23/2013 consensus FY 2015 revenue forecast of \$36.2 for the Property Transfer Tax (PTT) is being allocated as follows: The HCT will receive \$15,275,260 in PTT revenue, representing a nine percent increase over FY2014.

Sec. E.321 HOUSING ASSISTANCE BENEFITS; FLEXIBILITY PROGRAM

(a) For state fiscal year 2015, the Agency of Human Services may continue a housing assistance program within the General Assistance program to create flexibility to provide these General Assistance benefits. The purpose of the program is to mitigate poverty and serve applicants more effectively than they are currently being served with General Assistance funds. The program shall operate in a consistent manner within existing statutes and rules and policies effective on July 1, 2013, and any succeeding amendments thereto, and may create programs and provide services consistent with these policies. Eligible activities shall include, among others, the provision of shelter, overflow shelter, case management, transitional housing, deposits, down payments, rental assistance, upstream prevention, and related services that ensure that all Vermonters have access to shelter, housing, and the services they need to become safely housed. The assistance provided under this section is not an entitlement and may be discontinued when the appropriation has been fully spent.

(b) The program may operate in up to 12 districts designated by the Secretary of Human Services. The Agency shall establish outcomes and procedures for evaluating the program overall, and for each district in which the Agency operates the program, it shall establish procedures for evaluating the district program and its effects.

(c) The Agency shall continue to engage interested parties, including both statewide organizations and local agencies, in the design, implementation, and evaluation of the General Assistance flexibility program.

EXPLANATION: Clarifies that the housing assistance program will operate according to statutes, rules and policies in effect from July 1, 2013 forward.

Comment [LA2]: Appropriations plans to take this up on Feb. 20.

Comment [LA3]: Commissioner Yacovone is scheduled to present his budget on February 5th

Sec. E.321.1 GENERAL ASSISTANCE EMERGENCY HOUSING

(a) Funds appropriated to the Agency of Human Services in the General Assistance program in fiscal year 2015 may be used for emergency housing in catastrophic situations, for the cold weather exemption, and, with supervisory approval, for vulnerable populations without a catastrophic need as defined in rules adopted by the Agency July 1, 2013 and thereafter, except in instances when:

(A) appropriate shelter space, as defined in rules promulgated by the Agency pursuant to subsection (c), is available; and

(B) the applicant household has caused its own loss of housing, as defined in rules promulgated by the Agency pursuant to subsection (c).

(b) Except as described in subsection (a) of this section, the Agency may only provide General Assistance emergency housing benefits in catastrophic situations as defined in rules adopted pursuant to 3 V.S.A. chapter 25. The cold weather exemption issued by the Department for Children and Families' Economic Services Division dated October 25, 2012, and any succeeding amendments to it, shall remain in effect.

(c) The Agency shall adopt rules pursuant to 3 V.S.A. § 836 that implement the eligibility system for emergency housing to vulnerable populations that do not have a catastrophic need established by emergency rules adopted July 1, 2013 and thereafter. Until the Agency adopts permanent rules incorporating the eligibility system for emergency housing to vulnerable populations described above, the Agency shall continue to adopt emergency rules pursuant to 3 V.S.A. § 844 implementing such an eligibility system. Eligibility for vulnerable populations shall be limited to 28 calendar days and subject to available funds, supervisory review, and approval.

EXPLANATION: Removes the \$1.5M limit in the FY 2014 language for funding GA emergency housing. Clarifies FY 2014 language prohibiting the provision of emergency housing to vulnerable populations when shelter space is available or the applicant household is responsible for its own loss of housing. Removes reference in FY 2014 language to rescind policies and guidelines effective June 30, 2013. Requires the Agency to adopt permanent rules implementing the eligibility system for vulnerable populations established by the emergency rules adopted on July 1, 2013, and thereafter, and authorizes the Agency to adopt emergency rules implementing an eligibility system for vulnerable populations until permanent rules are adopted. Removes the definition of vulnerable populations in the FY 2014 language because that definition would only have gone into effect had the Agency not adopted emergency rules defining vulnerable populations.

Comment [LA4]: Theresa Utton's opinion is that this was essentially introduced as part of the Joint Hearing, and that House General can take it up whenever it's ready.