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APPROPRIATIONS

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MEMORANDUM

To: Rep. Alice Emmons, Chair, House Committee on Corrections and Institutions

From: Rep. Mitzi Johnson, Chair, House Committee on Appropriations

Date: February 2, 2016

Subject: Provisions in the Governor's Proposed FY 2017 Budget

The House Appropriations Committee has started work on the Governor's proposed FY 2017 Budget and would like to inform you about proposals that fall under the jurisdiction of the Committee on Corrections and Institutions.

The House Appropriations Committee welcomes and appreciates your input and would like to give you the opportunity to comment on the proposals below. If you would like to respond it would be helpful if you could do so by the end of the day on February 24th.

Sec. B.1105 FISCAL YEAR 2017 ONE-TIME VIDEO ARRAIGNMENT FUNDING

(a) In fiscal year 2017, \$101,000 of general funds is appropriated to the Judiciary for the state-wide implementation of video arraignments.

EXPLANATION: One-time appropriation to the Judiciary to continue the implementation of the Video Arraignment program.

Sec. E.100.3 2015 Act 179 Sec. E.100(d)(1) is amended to read:

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

(1) Notwithstanding Sec. A.107 of this act, the Department for Children and Families, the ~~Department of Environmental Conservation~~ Agency of Natural Resources, and the Department of Buildings and General Services, and the Department of Corrections shall not be subject to the cap on positions for the duration of the Pilot. The Department of Corrections is authorized to add only Correctional Officer I and II positions.

EXPLANATION: Expansion of the position pilot to include the Agency of Natural Resources and the Department of Corrections. The Agency of Natural Resources and the Department of Corrections are being added as a result of a change in temp hours allowed under the Affordable Care Act. The ACA change limits an individual's temp hours to 1280 per 12 consecutive months. After the temp hours have been exceeded the employer incurs a penalty. To avoid the penalty and maintain continuity of the work force, ANR and DOC are requesting the flexibility to convert and hire temps as funding permits.

The Department of Corrections currently uses a significant amount of overtime and temporary correctional officers to staff the correctional facilities across the state. Giving the DOC the flexibility to hire permanent position through the pilot would reduce the amount of overtime and temporary positions utilized in the department.

Sec. E.113 Buildings and general services – engineering

(a) The \$3,553,061 interdepartmental transfer in this appropriation shall be from the General Bond Fund appropriation in the Capital Bill of the 2015 legislative session.

EXPLANATION: Funds appropriated to BGS engineering appropriated in 2015 Act 26 Sec. 2(c)(6) as amended by the Governor's proposed 2016 capital bill adjustment

Sec. E.113.1 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts and Resolves No. 179, Sec. E.113.1, is further amended to read:

(c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1, 2015~~ July 1, 2017.

EXPLANATION: Use of Capital funds to support certain engineering activities will be proscribed starting with the FY 2018 budget.

Sec. E.142.1 PAYMENTS IN LIEU OF TAXES; WATERBURY

(a) For fiscal year 2017, notwithstanding the formula for calculating PILOT payments set forth in 32 V.S.A. § 3703, PILOT payments for the Town of Waterbury and the Village of Waterbury shall not be lower than those received for fiscal year 2015.

EXPLANATION: The Legislature added this language last year. The towns PILOT payment would have been significantly reduced in FY16 due to the level of state facility they were hosting. The Legislature decided to exempt them from the usual PILOT requirements.