

**PRIMARY DIFFERENCES BETWEEN HOUSE AND SENATE FIRST PHASE
FY 2021 BILL (H.961) As of 6/23/20**

Sec. A.2.(a)(4)(b) FISCAL CAPACITY (changes to policies or program structure) – Made a technical amendment by adding the word “substantive” before “changes to policies or program structure...”

Sec. A.3. PHASE I -DIRECT APPROPRIATIONS FISCAL YEAR 2021 FIRST QUARTER

(a) The following appropriations are made for the first quarter of fiscal year 2021 as follows:

- (1) **The Vermont Veterans’ Home**: The Senate appropriated \$684,446 General Fund. The House appropriated \$598,000. Upon the request of the Administration, the Senate number clarifies that the appropriation for the Vermont Veteran’s Home includes an *addition* of \$598,000 and 25% of their FY 2020 appropriation of \$345,783 ($\$345,783/4 = \$86,446$). This technical amendment adds \$598,000 additional funds and \$86,446 for a total of \$684,446.

The additional funds of \$598,000 were added because in FY 2020 the General Fund base was reduced due to a one-time Medicaid rate settlement payment.

Senate Removed House language re: (6), (7) and (8) - State Teacher’s, State Employees, and Municipal Employees’ Retirement System Administration: The House appropriated 100% of the cost of administering the retirement funds. The Senate removed these three appropriations and put the costs of administering the retirement funds in Sec, A.4 at 30%, per the Treasurer estimating the prorated amount needed for the first quarter.

NEW Sec. (7) The Senate added \$16,600,600 General Funds to support the Homeowner rebate program at 100%, per technical memo from the Administration that confirmed that it is needed in the first quarter of the fiscal year.

Sec. A.4 Phase 1 – Prorated Appropriations Fiscal year 2021 First Quarter

NEW Senate added a new subsection (8) Treasurer, Teacher, State Employee and Municipal Pension Systems administration: 30%. This is mentioned above in the context of retirement systems administration that was moved from 100% funding to this section where it is funded at 30%.

NEW Sec. A.9 – The Senate added language re; Budget Report. “(a) Notwithstanding 32 V.S.A. §306, for fiscal year 2021 the Governor shall submit to the General Assembly, not later than the August 18,2020. A budget which shall embody estimates, requests, and recommendations for appropriations or other

authorizations for expenditures from the State Treasury for the remainder of fiscal year 2021. The budget shall be based upon the official State revenue estimates, including the Medicaid estimated caseloads and per-member per-month expenditures, adopted by the Emergency Board pursuant to section 305a of this title.”

NEW Sec. 10 SELECT COMMITTEE ON THE FUTURE OF THE VERMONT STATE COLLEGE SYSTEM; REPORT. The Senate added language regarding the creation of a select committee to study the future of the VSC, identify membership of the committee, appointment of a steering group, authorize the Joint Fiscal office, in collaboration with the New England Board of Higher Education (NEBHE) to issue a request for proposal to hire a consultant to assist the select committee, appropriate funds for per diems and expenses, transfer funds to support the RFP, and detail report due dates.

NEW: Sec. 12 STATE EMPLOYEES’ POSTEMPLOYMENT BENEFITS TRUST FUND

NEW: Sec. 13 VERMONT PENSION INVESTMENT COMMITTEE; DUTIES

NEW: Sec. 14 INVESTMENT IN VERMONT COMMUNITY LOAN FUND. The Senate amended the statute to change the amount that the Treasurer may invest in the VT Community Loan Fund from \$1.5M to \$2M.

NEW: Sec. A.18. SOFTWARE VENDOR CONTRACT AND USER AGREEMENTS COMPLIANCE WITH STATE LAW. The Senate added language requiring the Agency of Digital Services, the Judiciary and the Legislative Information Technology department to report to the Joint Information Technology Oversight Committee and the Joint Legislative Justice Oversight Committee on whether software vendors that contract with the State are bringing contracts and user agreements into compliance with Vermont law.

NEW: Sec. A.20 JUDICIAL SYSTEM ROLLOUT AND E-FILING FEES
(a) The Judiciary shall meet with representatives of the Vermont Bar Association and other court users to listen to and respond to court users’ experience with the Odyssey File and Serve system and to examine alternatives to the current e-filing charges. The Judiciary shall report its efforts and recommendations for improving the rollout of the program and for improving court users’ experience with the system, including costs, to the Joint Fiscal Committee and Joint Legislative Justice Oversight Committee not later than October 30, 2020.

NEW: Sec. A.21 by adding a new subsection (b) – FLOOR AMENDMENT – The Senate added language directing the Commissioner of Public Safety and Mental Health to present a plan by August 18, 2020 that will create the capacity for each State Police barrack to have embedded mental health clinicians from a designated agency or contracted provider to more appropriately respond to situations involving

individuals experiencing a mental health emergency.

NEW: Sec. A.28. REDUCTION IN FORCE OF WOODSIDE JUVENILE REHABILITATION CENTER EMPLOYEES. Senate added language re: collective bargaining regarding whether and how to modify any terms of the applicable collective bargaining agreement in relation to permanent status classified employees who are subject to a reduction in force from their positions at the Woodside Juvenile Rehabilitation Center facility.

NEW: Sec. A.29 POPULATION FUNDING COMMITMENT; AGENCY OF HUMAN SERVICES; WOODSIDE JUVENILE REHABILITATION CENTER; PLAN FOR JUSTICE-INVOLVED YOUTHS.

The Senate added this section directing the Administration to plan and report on the closure of Woodside and the placement of justice-involved youths and youths in the custody of the Department for Children and Families. The appropriate committees as set forth in subsection (b) of this section shall authorize the closure of the facility upon approving the Agency's plan to adequately fund alternative programs and placements for youths served by Woodside, and provide placements for all youths under 18 years of age who are in the custody of the Department of Corrections, and who have historically been placed at Woodside Juvenile Rehabilitation.

NEW: Sec. A.30. AGENCY OF HUMAN SERVICES; PLAN FOR YOUTHS WITH MENTAL HEALTH DISORDERS

Senate added this section stating that during the FY 2020 legislative session the Agency of Human Services shall develop a plan to provide comprehensive mental health treatment services to youths, including justice-involved youths, with severe mental health disorders. The plan shall include recommendations for repurposing of the Woodside facility.

NEW: Sec. A.31 FUNDING INTENT: JUSTICE-INVOLVED YOUTH

Senate added language stating that it is the intent of the General Assembly to appropriate funds in fiscal year 2021 to the Agency of Human Services in the amount necessary to fund short-and long-term residential placements and treatment services for justice-involved youth and youth in the custody of the Department for Children and Families.

New Sec.'s A.32, A.33, and A.34 are technical amendments included in the Administrations technical letter of 6/9/20 correcting the funding sources in Global Commitment, Medicaid, and the AHS function totals.

NEW: Sec. A.38. 16 V.S.A. §1944b is amended to read: 16 V.S.A. § 1944b. RETIRED TEACHERS' HEALTH AND MEDICAL BENEFITS FUND

Senate added this section to be consistent with the Committee's investment of retirement system monies.

NEW: Sec. A.45 through A.48 provide detailed stipulations regarding the appropriations and use of Coronavirus Relief Funds (CRF), including compliance, the changing context, statutory authority and regulations, and the reversion of any unspent funds by December 20, 2020. CRF grant recipients who use funds in good faith based on guidance from the issuing agency are exempt from liability.

Sec. A.49. ONE-TIME CORONAVIRUSRELIEF FUND (CRF)APPROPRIATIONS

CRF IN BUDGET BILLS	H.961 FY21 Qtr1	
	Sec. A. 49	
	CRF Appropriations	Notes
UVM	19,355,000	\$4.0m added in Senate proposal
VSC	22,758,000	\$7.5m added in Senate proposal
VSAC	5,000,000	no change
Judiciary	2,608,500	no change
Dept. of Corrections	2,500,000	added in Senate proposal
State's Attorney	1,977,000	no change
Defender General	753,000	no change
VT Ctr for Crime Victims Services	742,500	\$240k added in Senate proposal
Vermont Legal Aid	300,000	\$150k added in Senate proposal
OEO - MicroBusiness	1,400,000	added in Senate proposal
DDAIL - Blind & Visually Impaired	100,000	no change
DDAIL - Adult Day Providers	2,450,000	added in Senate proposal
Agency of Natural Resources	500,000	no change
Agriculture -Working Lands	1,000,000	no change
SOA - Business Portal	2,000,000	no change
Legislature and Auditor	2,100,000	no change
EMS/Ambulance Services	-	no change
Director of Racial Equity	50,000	added in Senate proposal
AoE- School Covid Costs & HVAC	50,000,000	added in Senate proposal
Total	115,594,000	

NEW: Sec. A.50. PRE-K–12 EDUCATION PANDEMIC COSTS: CORONAVIRUS RELIEF FUND APPROPRIATIONS

The Senate appropriated \$50,000,000 in fiscal year 2020 to the Agency of Education to fund eligible fiscal years 2020 and 2021 expenditures of Vermont prekindergarten–grade 12 public schools and approved independent schools.

NEW: Sec. A.51. SCHOOL INDOOR AIR QUALITY GRANT PROGRAM;
CORONAVIRUS RELIEF FUND; APPROPRIATION

The Senate added language regarding the appropriation of \$6,500,000 CRF funds in n Sec.A.50(b)of this act for Efficiency Vermont in fiscal year2021 for purposes of providing grants to Vermont K–12 covered schools to upgrade heating, ventilation, and air conditioning (HVAC) systems, and filtration and other methods of air treatment, in response to the COVID-19 emergency.

NEW: Sec. A.53 authorizes \$4.7 million of CRF already allocated by the Joint Fiscal Committee to be used by VDOL for Unemployment Insurance administration costs.

STRIKE: Sec. B.1 Fiscal Year 2021 Pay Act Appropriations

The Senate struck this section.