

1 H.679

2 Senator Kitchel moves that the Senate propose to the House that the bill be
3 amended as follows:

4 First: By striking out Sec. 53, fiscal year 2022 unallocated reserve, in its
5 entirety and inserting in lieu thereof a new Sec. 53 to read as follows:

6 Sec. 53. FISCAL YEAR 2022 UNALLOCATED RESERVE

7 (a) After satisfying the requirements of 32 V.S.A. § 308, and after other
8 reserve requirements have been met, but prior to satisfying the requirements of
9 32 V.S.A. § 308c, the first \$81,000,000 of remaining unreserved and
10 undesignated funds at the close of fiscal year 2022 shall remain in the General
11 Fund and be carried forward to fiscal year 2023. These funds may be used to
12 provide state match to the federal Infrastructure Investment and Jobs Act.

13 (b) After meeting the requirements of subsection (a) of this section, but
14 prior to satisfying the requirements of 32 V.S.A. § 308c, the remaining
15 unreserved and undesignated funds at the close of fiscal year 2022 shall be
16 allocated as follows:

17 (1) \$5,000,000 shall be transferred to the Property Management Fund
18 (58700) established by 29 V.S.A. § 160.

19 (2) \$20,000,000 is appropriated to the State Treasurer's Office to be
20 used to redeem, prior to maturity, State of Vermont general obligation bonds
21 that may become eligible for redemption in fiscal years 2022 and 2023. These

1 funds shall carry forward into fiscal year 2023 and be used only for the
2 purpose of redeeming State of Vermont general obligation bonds prior to
3 maturity.

4 (3) \$25,114,179 is appropriated to the extent available and, in fiscal year
5 2022, the Commissioner of Finance and Management is authorized to replace
6 American Rescue Plan Act – Coronavirus State Fiscal Recovery Funds
7 appropriated in 2021 Acts and Resolves No. 74, Sec. G.300, as amended by
8 Sec. 68 of this act, with General Fund dollars in the following amounts:

9 (A) \$6,000,000 to replace the fund source in the appropriation in Sec.
10 G.300(a)(23) (Vermont Foodbank);

11 (B) \$1,001,913 to replace the fund source in the appropriation in Sec.
12 G.300(a)(26) (adult day services);

13 (C) \$4,934,590 to replace the fund source in the appropriation in Sec.
14 G.300(a)(27) (Department of Corrections);

15 (D) \$12,803,996 to replace the fund source in the appropriation in
16 Sec. G.300(a)(28) (Department of Labor); and

17 (E) \$373,680 to replace the fund source in the appropriation in Sec.
18 G.300(a)(29) (Vermont Veterans' Home).

19 (c) After meeting the requirements of subsections (a) and (b) of this
20 section, but prior to satisfying the requirements of 32 V.S.A. § 308c, the

1 remaining unreserved and undesignated funds at the close of fiscal year 2022
2 shall remain in the General Fund and be carried forward to fiscal year 2023.

3 Second: By adding a new section to be Sec. 67a to read as follows:

4 Sec. 67a. REAFFIRMATION OF MULTIYEAR FUNDING PRIORITIES
5 FOR AMERICAN RESCUE PLAN ACT (ARPA) AND OTHER
6 FEDERAL AND STATE FUNDS

7 (a) In 2021 Acts and Resolves No. 74, Sec. G.100, the General Assembly
8 recognized that ARPA State Fiscal Relief funds, along with other federal or
9 State funds, offer the unprecedented opportunity to invest in Vermont’s
10 recovery and long-term future by supporting Vermonters’ health and well-
11 being and by strengthening Vermont’s communities, businesses, environment,
12 and climate.

13 (b) In November 2021, the federal Infrastructure Investment and Jobs Act
14 (IIJA) was enacted. This federal law includes unprecedented levels of federal
15 investments for broadband; water, transportation, and electricity infrastructure;
16 environmental remediation; cybersecurity; and carbon reduction and climate
17 resilience strategies. The law authorizes approximately \$1.2 trillion of funding
18 over five years, of which approximately \$550 billion is newly authorized
19 spending, for transformative investments in these critical infrastructure
20 systems. The law provides for formula funding to states, as well as
21 competitive grants that states may apply for to seek additional funding, with

1 nearly 50 percent of the additional funding allocated for nontransportation
2 investments. While match requirements vary by project and funding stream,
3 the additional state match requirements necessary to draw down the
4 nontransportation formula and competitive grant funding will be substantial.

5 (c) The General Assembly reaffirms the intention of 2021 Acts and
6 Resolves No. 74, Sec. G.100 and will seek to make the budget and
7 appropriations processes of the 2022 legislative session consistent with the
8 need to create state fiscal capacity to maximize the federal funding
9 opportunities in the IJJA for broadband, cybersecurity, water, energy, and
10 climate initiatives.

11 Third: In Sec. 68, which amends 2021 Acts and Resolves No. 74, Sec.
12 G.300, by striking out subdivision (a)(32) in its entirety and inserting in lieu
13 thereof a new subdivision (32) to read as follows:

14 (32) \$1,500,000 to the Department of Buildings and General Services to
15 develop and issue the request for proposal for the State House expansion
16 planning design, provided that any funds remaining unobligated by October 1,
17 2023 shall be reverted and made available for reallocation.

18 Fourth: In Sec. 72, workforce recruitment and retention funding for
19 employees of eligible health care and social service employers, in subsection
20 (b), by striking out subdivision (8) in its entirety and inserting in lieu thereof a
21 new subdivision (8) to read as follows:

1 (8) organizations recognized by the Agency of Human Services through
2 their status as provider grant recipients providing health support services,
3 including the area agencies on aging; organizations providing peer support
4 services; organizations providing peer outreach services to individuals with
5 intellectual disabilities; organizations providing children’s integrated services;
6 shared living providers; recovery centers; children, youth, and family-based
7 support providers; and programs licensed by the Department for Children and
8 Families as residential treatment programs.

9 Fifth: By striking out Sec. 72a, Medicaid home- and community-based
10 services (HCBS) plan, in its entirety and inserting in lieu thereof a new Sec.
11 72a to read as follows:

12 Sec. 72a. MEDICAID HOME- AND COMMUNITY-BASED SERVICES
13 (HCBS) PLAN

14 (a) Pursuant to Sec. 9817 of the American Rescue Plan Act (ARPA), in
15 October 2021, the State submitted a home- and community-based services
16 (HCBS) spending plan to the Centers for Medicare and Medicaid Services.
17 This plan currently totals \$146,600,000, consisting of the following major
18 components:

19 (1) \$77,800,000 allocated to improve services;

20 (2) \$25,000,000 allocated to promote a high-performing and stable

21 HCBS workforce; and

1 (3) \$43,800,000 allocated to improve HCBS care through data systems,
2 value-based payment models, and oversight.

3 (b) The Agency of Human Services (AHS) is authorized to transfer General
4 Fund appropriations made in fiscal year 2022 in the Global Commitment line
5 to a new, one-time General Fund HCBS appropriation departmental ID. The
6 amount transferred shall be not greater than the amount accounted for in fiscal
7 year 2022 as a result of the 10 percent match rate allowed under ARPA Sec.
8 9817. The estimate of this transfer is between \$65,000,000 and \$69,000,000.
9 Up to \$7,540,128 of the funds transferred and appropriated in this subsection
10 may be used in fiscal year 2022 as State matching funds in 2021 Acts and
11 Resolves No. 74, Sec. B.301 for the \$17,136,654 HCBS Global Commitment
12 rate increases provided in 2021 Acts and Resolves No. 74. AHS shall report to
13 the Joint Fiscal Committee in July 2022 on the actual amount transferred
14 pursuant to this authority and the amount expended as the State match for all
15 the HCBS plan expenditures in fiscal year 2022. Funds transferred and
16 appropriated under this subsection shall carry forward until expended and may
17 only be used as State matching funds for the HCBS plan.

18 (c) In fiscal year 2022, a total of \$59,457,740 is appropriated from the
19 Global Commitment Fund to AHS to meet the objectives of the HCBS plan.
20 This appropriation consists of \$17,136,654 as appropriated in 2021 Acts and
21 Resolves No. 74 for a three percent rate increase to HCBS providers, including

1 the assistive community care rates and children integrated services rates, and
2 the following appropriations in distinct one-time departmental IDs:

3 (1) \$25,000,000 is appropriated for the retention and recruitment grant
4 program for HCBS providers as specified in Sec. 72 of this act.

5 (2) \$3,447,500 is appropriated to the Agency of Human Services –
6 Secretary’s Office.

7 (3) \$2,370,000 is appropriated to the Department of Disabilities, Aging,
8 and Independent Living.

9 (4) \$6,171,000 is appropriated to the Department of Mental Health.

10 (5) \$390,000 is appropriated to the Department of Vermont Health
11 Access.

12 (6) \$4,942,586 is appropriated to the Department of Health.

13 (d) The Global Commitment Fund appropriated in subsection (c) of this
14 section may be obligated in fiscal year 2022 for the purposes of bringing
15 HCBS plan spending authority forward into fiscal year 2023. The funds
16 appropriated in subsections (b) and (c) of this section may be transferred on a
17 net-neutral basis in fiscal year 2022 in the same manner as the Global
18 Commitment appropriations referenced in 2021 Acts and Resolves No. 74,
19 Sec. E.301.2. The Agency shall report to the Joint Fiscal Committee in
20 September 2022 on transfers of appropriations made and final amounts

- 1 expended by each department in fiscal year 2022 and any obligated funds
- 2 carried forward to be expended in fiscal year 2023.