

Human Services – new GA language

Sec. XX. TEMPORARY EMERGENCY HOUSING

(a) The Commissioner for Children and Families shall ensure that temporary emergency housing is provided through June 30, 2024 to individuals participating in the General Assistance Emergency Housing Program, including individuals participating under the Adverse Weather Conditions Policy, and beneficiaries of the emergency housing transition benefit that is set to conclude on April 1, 2024 pursuant to 2023 Acts and Resolves No. 81.

(b) Temporary emergency housing required pursuant subsection (a) of this section may be provided through the use of approved shelters, new unit generation, open units, or other appropriate shelter space.

(c) On or before the last day of each month from April 2024 through June 2024, the Agency of Human Services, or other relevant agency or department, shall continue submitting a substantially similar report to that due pursuant to 2023 Acts and Resolves No. 81, Sec. 6(b).

(d) Beginning on March 1, 2024, the Agency of Human Services shall not reimburse any licensed hotel or motel establishment more than \$75 a day to shelter an individual experiencing homelessness and shall strictly enforce the following rules:

(1) Section 2650.1 of the Department for Children and Families, General Assistance (CVR 13-170-260);

(2) Department of Health, Licensed Lodging Establishment Rule (CVR 13-140-023);

3) Department of Public Safety, Vermont Fire and Building Safety Code (CVR 28-070-001).

(e)(1) Prior to June 1, 2024, the Agency of Human Services may provide a hotel or motel operator with an incentive payment to work with the Agency of Human Services and either a shelter provider or a community housing agency to enter into a full facility lease or sales agreement. Any facility conversion under this section shall comply with the Office of Economic Opportunity's shelter standards.

(2) If the Agency determines that a contractual arrangement with a licensed hotel or motel operator to secure temporary emergency housing capacity is beneficial to improve the quality, cleanliness, and access to services for those individuals temporarily housed in the facility, the Agency shall be authorized to enter into such an agreement. In no event shall an agreement under this subsection exceed a rate of \$75 per day.

Sec. 36 of the Governor's recommended BAA language amends Sec. B.1100 of Act 78 to include a one-time \$3,000,000 appropriation to the Agency of Administration for Enterprise Resource Planning (ERP) Modernization – Business Transformation. Per the Committee's request JFO has struck this amendment in Sec. 36. The following sections amend an Act 185 appropriation so that previously appropriated funds may be used for this purpose and amend statute to include business process transformation.

Sec. 36. 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.~~

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Sec. XX. 2022 Acts and Resolves No. 185, Sec. E. 105.2 is amended to read:

Sec. E.105.2 FISCAL YEAR 2023; TECHNOLOGY MODERNIZATION SPECIAL FUND; AUTHORIZATIONS

(a) In fiscal year 2023, the following expenditures are authorized from the Technology Modernization Special Fund to the projects described in this section:

(1) the sum of \$11,800,000 for Enterprise Resource Planning (ERP) system upgrade of core statewide financial accounting system and integration with the Vermont Department of Labor and the Agency of Transportation financial systems. Up to \$3,000,000 of these funds may be transferred to other agencies and departments for other Enterprise Resource Planning modernization related projects including business process transformation;

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Sec. XX. 3 V.S.A. § 3306 is amended to read:

§ 3306. TECHNOLOGY MODERNIZATION SPECIAL FUND

(a) Creation. There is created the Technology Modernization Special Fund, to be administered by the Agency of Digital Services. Monies in the Fund shall be used to fund business process transformation and to purchase, implement, and upgrade technology platforms, systems, and cybersecurity services used by State agencies and departments to carry out their statutory functions.

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Sec. XX. AGENCY OF ADMINISTRATION; ENTERPRISE RESOURCE PLANNING

(a) In fiscal year 2024, the Agency of Administration shall report to the Joint Information Technology Oversight Committee if the status of any contract relating to the Enterprise Resource Planning (ERP) – Modernization Business Transportation project changes.

Language requested from House Appropriations to address potentially unobligated ARPA funds and created a “waterfall” for the reappropriation of said funds while the General Assembly is not in session, due to the obligation deadline of ARPA funds.

Sec. XX. AMERICAN RESCUE PLAN ACT UNOBLIGATED FUNDS

(a) It is the intent of the General Assembly that all American Rescue Plan Act funds be obligated on or before December 31, 2024. To the extent to which American Rescue Plan Act funds remain unobligated by November 15, 2024, the funds shall revert to the American Rescue Plan Act Fund and be reappropriated in the following order:

(1) \$5,000,000 to the Agency of Commerce and Community Development for the Vermont Community Development Program. It is the intent of the General Assembly that grants from these funds be made to municipalities in counties that were impacted by the July 2023 flooding event and are eligible for Federal Emergency Management Agency (FEMA) Public Assistance funds under federal disaster declaration DR-4720-VT.

(2) \$30,000,000 to the Vermont Housing and Conservation Board (VHCB) to provide support and enhance capacity for the production and preservation of affordable mixed-income rental housing and homeownership units, including improvements to manufactured homes and communities, permanent homes for those experiencing homelessness, recovery residences, and housing available to farm workers and refugees.

(b) As part of the fiscal year 2025 budget process, the Commissioner of Finance and Management shall report to the House and Senate Committees on Appropriations on the first Tuesday of March, April, and May of calendar year 2024 on the extent to which American Rescue Plan Act funds are unobligated.

(c) At the November 2024 meeting of the Joint Fiscal Committee, the Commissioner of Finance and Management shall report on the extent to which there are unobligated American Rescue Plan Act funds beyond \$35,000,000. The Commissioner of Finance and Management shall submit any recommendations on how these funds should be transferred so that they may be obligated on or before December 31, 2024. The Joint Fiscal Committee shall review the Commissioner's recommendations and may approve the transfer of any unobligated American Rescue Plan Act funds.

Human Services – allows home-delivered meals to qualify as Medicaid-covered services.

Sec. XX. HOME-DELIVERED MEALS

(a) The Secretary of Human Services shall request approval from the Centers for Medicare and Medicaid Services for an amendment to Vermont’s Global Commitment to Health Section 1115 demonstration that allows home-delivered meals to be a Medicaid covered service when the meals:

(1) are part of a participant’s service plan of care; and

(2) meet Vermont’s area agencies on aging’s nutrition requirements in accordance with the Older Americans Act, 42 U.S.C. §§ 3001–3058ff.

Removes obligated funds from the savings calculation made for Choices for Care. Intent is to prevent these funds from being obligated elsewhere.

Sec. XX. 33 V.S.A. § 7601 is amended to read:

§ 7601. DEFINITIONS

As used in this chapter:

* * *

(3) “Savings” means the difference remaining at the conclusion of each fiscal year between the amount of funds appropriated for Choices for Care and the sum of expended ~~and obligated~~ funds, less an amount equal to one percent of that fiscal year’s total Choices for Care expenditure. The one percent shall function as a reserve to avoid implementing a High Needs wait list due to unplanned Choices for Care budget pressures throughout the fiscal year.

\$500,000 adjustment

Sec. XX. 2023 Acts and Resolves No. 78, Sec. E.312 is amended to read:

Sec. E.312 HEALTH – PUBLIC HEALTH

(a) HIV/AIDS funding:

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(5) In fiscal year 2024, the Department of Health shall provide grants in the amount of ~~\$300,000~~ \$800,000 in ~~General Funds~~ general funds to the current syringe exchange programs in 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 shall be State fiscal year 2024. Grant reporting shall include outcomes and results.

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Excludes facilities that prescribe, distribute, or administrate opioid use disorder as their primary activity from the certificate of need process.

Sec. XX. 18 V.S.A. § 9435 is amended to read:

§ 9435. EXCLUSIONS

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(g) With the approval of the Commissioner of Health, excluded from this subchapter is a facility in which the prescription, distribution, or administration of medication for opioid use disorder is a principal activity.

Human Services – changes number of meetings

Sec. XX. 18 V.S.A. § 4772 is amended to read:

§ 4772. OPIOID SETTLEMENT ADVISORY COMMITTEE

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(f) Meetings.

(1) The Commissioner of Health shall call the first meeting of the Advisory Committee to occur on or before June 30, 2022.

(2) The Advisory Committee shall meet at least quarterly but not more than ~~six~~ 12 times per calendar year.

(3) The Advisory Committee shall adopt procedures to govern its proceedings and organization, including voting procedures and how the staggered terms shall be apportioned among members.

(4) All meetings of the Advisory Committee shall be consistent with Vermont's Open Meeting Law pursuant to 1 V.S.A. chapter 5, subchapter 2.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Advisory Committee serving in the member's capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than ~~six~~ 12 meetings per year. These payments shall be appropriated from the Opioid Abatement Special Fund.

(2) Other members of the Advisory Committee shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than ~~six~~ 12 meetings per year. These payments shall be appropriated from the Opioid Abatement Special Fund.

Treasurer – increases emergency personnel payment by \$30,000

Sec. XX. 3173. 20 V.S.A. chapter 181 is amended to read:

§ 3173. Monetary benefit

(a) The survivors of emergency personnel who dies while in the line of duty or from an occupation-related illness may apply for a payment of ~~\$50,000.00~~ 80,000.00 from the State.

(b) The State Treasurer shall disburse from the Special Fund established in section 3175 of this title the monetary benefit described in subsection (a) of this section and shall adopt necessary procedures for the disbursement of such funds.

Allow some of the balance of this \$3M (\$160k) to be used to pay for the change of the teacher COLA law.

Sec. XX. 2023 Acts and Resolves No. 78, Sec. B.1104 is amended to read:

Sec. B.1104 FISCAL YEAR 2024 ONE-TIME APPROPRIATION;

RETIRED TEACHERS' COST OF LIVING PAYMENT

(a) In fiscal year 2024, notwithstanding any provision of 16 V.S.A. § 4025 to the contrary, the amount of \$3,000,000 is appropriated to the Vermont State Teachers' Retirement System from the Education Fund for Calendar Year 2023 supplemental payments made in Sec. E.514.2(b) of this act and associated costs and to fund the present value of the postretirement adjustments allowance set forth in 16 V.S.A. § 1949.

Unreserve the \$9.1 M in Ed Fund, appropriate \$9.34M to VSTRS to pay for the teacher COLA change. The total cost is \$9.5M. Using \$160K left over from the \$3M in Sec 1 creates a net need of \$9.34M that must go into the EF to fully pay the cost.

Sec. XX. UNRESERVED EDUCATION FUNDS; VERMONT STATE TEACHERS'

RETIREMENT SYSTEM APPROPRIATION

(a) In fiscal year 2024, notwithstanding any provision of 16 V.S.A. § 4025 to the contrary, the amount of \$9,100,000.00 in Education Funds reserved in 2023 Acts and Resolves No. 78, Sec. D.104(a) is unreserved and the sum of \$9,340,000.00 in Education Funds is appropriated to the Vermont Teachers' Retirement Fund, established in 16 V.S.A. § 1944, to fund the present value of the postretirement adjustments allowance set forth in 16 V.S.A. § 1949 pursuant.

Tasks Treasurer, F&M, and JFO with writing a report on State Reserves

Sec. XX. 2023 Acts and Resolves No. 78, Sec. E.131.2 is added to read:

Sec. E.131.2 TREASURER; STATE RESERVES STUDY

(a) Report. On or before January 15, 2025, the Treasurer shall, in consultation with the Department of Finance and Management and the Joint Fiscal Office, submit a written report to the House Committees Appropriations and on Ways and Means and the Senate Committees on Appropriations and on Finance on the State's fiscal reserve practices and the fiscal reserve practices of other states. The report shall include a review of:

(1) the current fiscal reserve practices of the State, including a review of what funds have statutory reserves and what funds do not;

(2) the fiscal reserve practices of other states and best practices;

(3) how Vermont's fiscal reserve practices compare to those of other states and to best practices;

(4) the cash reserve policies of the State as it compares to reserve requirements.

(b) The report shall include the Treasurer's findings and any recommendations for changes in the fiscal reserve practices of the State.

Tasks Treasurer, F&M, and JFO with writing a report on fiscal stress-testing.

Sec. XX. 2023 Acts and Resolves No. 78, Sec. E.131.2 is added to read:

Sec. E.131.3 TREASURER; STRESS-TESTING REPORT

(a) Report. On or before November 15, 2024, the Treasurer, in consultation with the Department of Finance and Management and the Joint Fiscal Office, shall submit a written report to the Joint Fiscal Committee on fiscal stress-testing practices and methodologies in other states. The report should address the extent to which such practices may be useful or beneficial and include any recommendations for the of implementation stress-testing practices in State government.