

April 2, 2025

TO: House Government Operations and Military Affairs
FROM: Agency of Natural Resources
Kim McKee, Department of Environmental Conservation
Elizabeth Stratton, Department of Fish and Wildlife
RE: H.233

Committee members,

Regarding H.233 as introduced, ANR has the following comments:

- Execution of grant agreements –
 - Regarding Sec. 2(a)(1)(A), when funds are appropriated in the budget for a grant agreement between the agency and an organization, additional communication is often necessary to gather the details required to effectively implement the proposed project or program. This process ensures the development of a scope of work and reporting framework that aligns with legislative intent.
 - Note that legislation is not always clear that a given grantee is the specific beneficiary of a particular grant program. Alternately, statute may name multiple grantee organizations sans assigning an allocation of award to each. When statute is not clearly directing sole source awards to specific subrecipients, then discretionary grant awards are made following an RFP process in accordance with Bulletin 5.0. When multiple grantees are named in statute, an RFP is not needed but an allocation process must be undertaken. All this takes time, but not doing so creates inequity among prospective recipients. Thirty days is an unreasonable timeframe for award issuance post appropriation in these instances.
 - Regarding Sec. 2(a)(1)(B), the timeline for developing an agreement can be influenced by numerous factors, many of which are beyond the granting agency's control and may extend execution beyond 30 days. In addition to the agency's workload and the seasonal nature of funding cycles, these factors include:
 - The time required for the grantee organization's internal review and approval.
 - The need to wait for selectboard or equivalent approval body meetings.
 - Misaligned application cycles when the award is co-funded with another program that may affect key award details.
 - Additional layers of review when the award is passed through a municipality to a private partner subgrantee.
 - Proposed modifications to State of VT required grant terms and conditions (boilerplate language) that necessitate legal review.
 - Cross-program or cross-agency coordination required for certain funding programs.
 - Regarding Sec. 2(a)(1)(B), including verbal notice in this provision introduces ambiguity, increases the risk of misinterpretation, and complicates tracking and accountability. Without a clear, documented record, multiple parties may have differing understandings of when notice was given, triggering compliance timelines without certainty. Managing verbal notices would require expanded communication protocols to ensure that all relevant staff are informed of the grant execution timeline and its implications.

- Prompt payment –

- Regarding Sec. 2(b)(1), several factors beyond the granting agency's control can affect payment timeframes, including the Purchase Order blackout period before the fiscal year ends, delays in Capital Fund availability at the start of a new fiscal year, and the wait time for prior fiscal year carryforward approval. Given the high volume of grant payments, tracking and reporting delays caused by these statewide processes could also become overly complex and burdensome.
- Reporting –
 - Regarding Sec. 2(c), a new reporting requirement will create an administrative burden on grant and financial staff.