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STATE OF VERMONT
GENERAL ASSEMBLY

June 28, 2024

STATEMENT OF LEGISLATIVE INTENT

Act 113 (H.883) of the 2024 Legislative Session

The attached statement of legislative intent for Act 113 (H.883) of the 2024 legislative session (the fiscal year 2025 appropriations act) is designed to guide decision-makers in the Executive, Judicial, and Legislative Branches. It was prepared by the staff of the Joint Fiscal Office and is based on deliberations by the House and Senate Committees on Appropriations, on testimony presented to those committees, on floor debate in both chambers, and on the conclusions reached by the Committee of Conference on Act 113. This document does not include sections in which the legislative intent is consistent with the Governor’s proposed budget or sections in which the language of the provision is sufficiently clear to obviate the need for further clarification.

Also included in this document are statements of intent related to fiscal sections in other legislation, such as appropriations or positions that directly impact the budget or a fund of the State or fiscal issues that indirectly impact the budget or a fund of the State.

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Jane Kitchel
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Sen. Jane Kitchel, Chair
Senate Committee on Appropriations

DocuSigned by:
Diane Lanpher
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Rep. Diane Lanpher, Chair
House Committee on Appropriations

Date: 6/28/2024

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Sec. B.105**Agency of digital services - communications and information**

The Administration requested a reduction of \$873,856 to the Internal Service Fund appropriated in Sec. B.105 in the budget as passed by the Senate. It was the intent of the Committee of Conference to accept this request and reduce the Internal Service Fund by that amount. Due to an entry error the Internal Service Fund amount reduced in Sec. B.105 of Act 113 as enacted was \$87,856. It is the intent of the General Assembly this section be amended to reflect the intended amount in the fiscal year 2025 Budget Adjustment Act.

Sec. B.1102(b)**Unobligated General Fund Contingent Appropriations**

It is the intent of the General Assembly that the maximum number of transactions referenced in this section include partial funding of items listed on the contingent appropriations list. The appropriations should be made utilizing all funds available up to \$114,023,200 in the order listed in the Act.

Sec. E.204**Superior Court Judge Position**

Sec. E.204 states that one of the Superior Court Judge positions established in Sec. E.100(a)(2)(B)(i) be funded with Tobacco Litigation Settlement Fund appropriated to the Judiciary in Sec. C.106(a) of Act 11 (2018 Sp. Sess.). It is the intent of the General Assembly that this appropriation be the funding source for the position until funds from the appropriation are exhausted. It is the intent of the General Assembly that as part of its budget process for the fiscal year in which the funds from the appropriation shall be exhausted, the Judicial Branch recommend an ongoing funding source for the position.

Sec. E.300.3**Agency of Human Services; Fiscal Year 2024 Closeout Contingent Appropriation; Comprehensive Child Welfare Information System**

Sec. E.300.3 reverts up to \$3,000,000 in fiscal year 2024 of unobligated and unexpended General Fund appropriated to the Agency of Human Services in Secs. B.300 through B.341 of Act 78 (2023) to the General Fund. It is the intent of the General Assembly that an amount equal to this reversion be immediately appropriated to the Department for Children and Families' Family Services Division for the Comprehensive Child Welfare Information System in fiscal year 2025.

Sec. E.314**Rate Increase; Designated Agencies and Specialized Service Agencies**

It is the intent of the General Assembly that the three percent increase for designated and specialized service agencies reflect inflationary increases for developmental disability services and mental health services be made by the Agency of Human Services to increase the base funding of the designated and specialized service agencies, not to specifically increase employee compensation by three percent. It is the intent of the General Assembly to allow for maximum flexibility for the agencies to deploy the rate increase while also providing increases to the rates for delivery of impacted services (e.g., services provided by Shared Living Providers and contracted workers paid through ARIS).

OTHER FISCAL INTENT

H.687 An act relating to community resilience and biodiversity protection through land use

Sec. 73. Property Transfer Tax

Sec. 73 makes numerous amendments to the Property Transfer Tax, and there is anticipated increase in State revenue. These changes were not taken into account in the appropriations authorized in Secs. B.105, B.802 and Sec. B.811 of Act 113, nor were additional appropriations included in H.687. The fiscal year 2025 budget adjustment should increase the Act 113 appropriations in the respective sections to fully allocate the new revenue, based on what is outlined in H.687.

Sec. 78. Transfers; Property Transfer Tax

Sec. 78 transfers \$6,106,335 of General Fund to the Vermont Housing and Conservation Trust Fund. This was a typographical error. The amount that should have been transferred is \$6,131,310, based on consensus estimates at the time of the passage of H.687. It is the intent of the General Assembly that this be reconciled as part of the fiscal year 2025 budget adjustment. Should funds be less than the transfers in Sec. 78, it is the intent of the General Assembly that transfers be made in sequential order to the extent that funds are available, including if the level of available funds results in transfers that are less than those in H.687.

Sec. 96. Appropriation; Rent Arrears Assistance Fund

Sec. 96 appropriates \$2,500,000 to the Vermont State Housing Authority. Direct appropriations to the Vermont State Housing Authority cannot be made, appropriations must pass through a State Agency or Department. It is the intent of the General Assembly that an equal amount of funds be appropriated to the Department of Housing and Community Development in fiscal year 2025 and be granted to the Vermont State Housing authority and that this be reconciled in the fiscal year 2025 budget adjustment.

Sec. 106. Manufactured Home Improvement and Repair Program

Sec. 106 strikes a \$4,000,000 appropriation to the Department of Housing and Community Development made in Sec. 3 of Act 182 (2022), as amended by Act 3 (2023) and Act 78 (2023). It was the intent of the General Assembly that the language added to Sec. 3 of Act 182 increase future program flexibility, not to remove prior appropriations. It is the intent of the General Assembly to further amend this section in the fiscal year 2025 budget adjustment to reinstate the erroneously struck appropriation.

Sec. 114. Effective Dates

Per Sec. 114, Sec. 78 is effective on passage. Sec. 78 includes transfers that the General Assembly intends to occur in fiscal year 2025. It is the intent of

the General Assembly that Sec. 78 be effective on July 1, 2024, and that the transfers in Sec. 78 occur in fiscal year 2025.

H.887

An act relating to homestead property tax yields, nonhomestead rates, and policy changes to education finance and taxation

Sec. 24a. Compensation for Overpayment

Sec. 24a of H.887 makes numerous transfers to towns in the Canaan School District and the Northeast Kingdom Choice School District that overpaid Education property taxes in fiscal year 2024 due to erroneous accounting of certain students for the purposes of calculating average daily membership. It is the intent of the General Assembly that the Canaan School District and Northeast Kingdom Choice School District be reimbursed the overpayment through the most efficient administrative means necessary, and that the Administration provide any necessary retroactive corrective language as part of the fiscal year 2025 budget adjustment.