

No. XX. An act related to fiscal year 2024 budget adjustments.

Sec. 1. 2023 Acts and Resolves No. 78, Sec. A.101 is amended to read:

Sec. A.101 PURPOSE

(a) The purpose of this act is to provide appropriations for the operations of State government ~~and for capital appropriations not funded with bond proceeds~~ during fiscal year 2024. It is the express intent of the General Assembly that activities of the various agencies, departments, divisions, boards, and commissions be limited to those that can be supported by funds appropriated in this act or other acts passed on or prior to June 30, 2023. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2024 to meet this condition unless otherwise directed by specific language in this act or other acts of the General Assembly.

EXPLANATION:

The administration has consolidated all capital appropriations in the Capital bill.

Sec. 2. 2023 Acts and Resolves No. 78, Sec. A.102 is amended to read:

Sec. A.102 APPROPRIATIONS

(a) It is the intent of the General Assembly that this act serves as the primary source and reference for appropriations for the operation of State government ~~and for capital appropriations not funded with bond proceeds~~ during fiscal year 2024.

EXPLANATION:

The administration has consolidated all capital appropriations in the Capital bill.

Sec. 3. 2023 Acts and Resolves No. 78, Sec. A.103 is amended to read:

Sec. A.103 DEFINITIONS

(a) As used in this act:

~~(5) "Capital appropriation" means an appropriation for tangible capital investments or expenses that are eligible to be funded from general obligation debt financing and are allowed under federal laws governing the use of State bond proceeds as described in 32 V.S.A. § 309.~~

EXPLANATION:

The administration has consolidated all capital appropriations in the Capital bill.

Sec. 4. 2023 Acts and Resolves No. 78, Sec. B.209 is amended to read:

Sec. B.209 Public safety - state police

Personal services 67,754,321	<u>69,564,321</u>
Operating expenses 13,861,460	
Grants 1,591,501	
Total 83,207,282	<u>85,017,282</u>

Source of funds

General fund 53,896,213	<u>55,706,213</u>
Transportation fund 20,250,000	
Special funds 3,166,387	
Federal funds 4,311,304	
Interdepartmental transfers 1,583,378	
Total 83,207,282	<u>85,017,282</u>

EXPLANATION:

\$1,810,000 of overtime due to a significant increase in criminal investigations, homicide investigations and the need to cover shifts due to lack of personnel.

Sec. 5. 2023 Acts and Resolves No. 78, Sec. B.216 is amended to read:

Sec. B.216 Military - air service contract

Personal services 9,124,240	<u>9,224,240</u>
Operating expenses 1,396,315	
Total 10,520,555	<u>10,620,555</u>

Source of funds

General fund 665,922	<u>765,922</u>
Federal funds 9,854,633	
Total 10,520,555	<u>10,620,555</u>

EXPLANATION:

State match rate under the Air Service Cooperative Agreement returning to pre-pandemic amount of 25% from 20%. Request is for \$100,000 of the estimated \$140,000 increase.

Sec. 6. 2023 Acts and Resolves No. 78, Sec. B.240 is amended to read:

Sec. B.240 Cannabis Control Board

Personal services 4,829,061	<u>4,884,181</u>
Operating expenses 341,631	<u>764,181</u>
Total 5,170,692	<u>5,648,362</u>

Source of funds

Special funds 5,170,692	<u>5,648,362</u>
Total 5,170,692	<u>5,648,362</u>

EXPLANATION:

The Cannabis Control Board has assumed management of the Visual Vault medical registry software from the Department of Public Safety with a \$55,120 payment due May 2024. \$43,800 increase for new space costs with \$3,750 for electricity not included in the lease. \$250,000 for Phase II of the licensing software development, and \$125,000 for bids for laboratory equipment that came in higher than forecasted.

Sec. 7. 2023 Acts and Resolves No. 78, Sec. B.300 is amended to read:

Sec. B.300 Human Services – agency of human services – secretary’s office

Personal services 14,083,686	<u>15,401,686</u>
Operating expenses 5,402,086	
Grants 2,895,202	
Total 22,380,974	<u>23,698,974</u>

Source of funds

General fund 9,767,874	<u>10,226,874</u>
Special funds 135,517	
Federal funds 11,678,441	<u>12,537,441</u>
Interdepartmental transfers 799,142	

Total ~~22,380,974~~ 23,698,974

EXPLANATION:

\$318,000 for the 1115 Waiver Evaluation Contract [50% State, 50% Federal], and \$1,000,000 for the All-Payer Model Technical Assistance Contract [30% State, 70% Federal].

Sec. 8. 2023 Acts and Resolves No. 78, Sec. B.301 is amended to read:

Sec. B.301 Secretary's office – global commitment

Grants ~~1,990,896,293~~ 2,039,037,932

Total ~~1,990,896,293~~ 2,039,037,932

Source of funds

General fund ~~648,528,785~~ 657,710,193

Special funds 32,994,384

Tobacco fund 21,049,373

State health care resources fund ~~25,265,312~~ 25,438,836

Federal funds ~~1,259,024,269~~ 1,298,107,936

Interdepartmental transfers ~~4,034,170~~ 3,737,210

Total ~~1,990,896,293~~ 2,039,037,932

EXPLANATION:

\$31,947,417 [\$12,737,201 General Fund + \$19,210,216 Federal Fund] for AHS departmental Global Commitment fund increases, \$1,090,539 [\$474,166 General Fund + \$616,373 Federal Fund] for Vermont State University Allied Health increase.

Sec. 9. 2023 Acts and Resolves No. 78, Sec. B.306 is amended to read:

Sec. B.306 Department of Vermont health access - administration

Personal services ~~136,568,959~~ 127,889,514

Operating expenses 44,391,640

Grants 2,912,301

Total ~~183,872,900~~ 175,193,455

Source of funds

General fund 35,605,917	<u>39,109,628</u>
Special funds 4,753,011	
Federal funds 134,621,243	<u>122,016,027</u>
Global Commitment fund 4,220,337	
Interdepartmental transfers 4,672,392	<u>5,094,452</u>
Total 183,872,900	<u>175,193,455</u>

EXPLANATION:

Technical adjustments to existing contracts were a net (\$9,279,445) reduction offset by a \$600,000 increase for the Medicaid Data Warehouse (MDWAS).

Sec. 10. 2023 Acts and Resolves No. 78, Sec. B.307 is amended to read:

Sec. B.307 Department of Vermont health access – Medicaid program – global commitment

Personal services 547,983	
Grants 932,542,238	<u>936,811,294</u>
Total 933,090,221	<u>937,359,277</u>

Source of funds

Global Commitment fund 933,090,221	<u>937,359,277</u>
Total 933,090,221	<u>937,359,277</u>

EXPLANATION:

Caseload and utilization reduction (\$6,275,172); Safety net investments to State-Only (\$240,000); Brattleboro Retreat case mix adjustment including CRT non-eligible (\$4,396,308); updated Buy-In estimate \$2,244,214; Accountable Care Organization calendar year 2022 reconciliation \$11,887,655; MEI adjustment at 4.5% for Federally Qualified Health Centers \$941,667; breast pump supplies \$82,000; federally required hospice rate increase \$25,000.

Sec. 11. 2023 Acts and Resolves No. 78, Sec. B.309 is amended to read:

Sec. B.309 Department of Vermont health access – Medicaid program – state only

Grants 53,067,318	<u>55,742,931</u>
Total 53,067,318	<u>55,742,931</u>

Source of funds

General Fund	53,062,626	<u>54,861,587</u>
Global Commitment fund	4,692	<u>881,344</u>
Total	53,067,318	<u>55,742,931</u>

EXPLANATION:

VPharm caseload and utilization \$917,632; Vermont Cost Sharing Reduction caseload and utilization \$296,845; Dr. Dynasaur expansion caseload and utilization (\$348,800); Clawback \$957,655; Brattleboro Retreat case mix adjustment including CRT non-eligible \$4,396,308; Buy-In Global Commitment Investment Program \$1,210; Safety net investments from Global Commitment Program \$240,000; Family Planning Investment transfer from the Vermont Department of Health \$635,442; (\$4,420,679) FY23 carryforward used to offset the gross increase.

Sec. 12. 2023 Acts and Resolves No. 78, Sec. B.310 is amended to read:

Sec. B.310 Department of Vermont health access – Medicaid non-waiver matched

Grants	34,621,472	<u>34,672,534</u>
Total	34,621,472	<u>34,672,534</u>

Source of funds

General Fund	12,634,069	<u>12,493,853</u>
Federal funds	21,987,403	<u>22,178,681</u>
Total	34,621,472	<u>34,672,534</u>

EXPLANATION:

CHIP caseload and utilization (\$460,633) and federally funded Buy-In program \$511,695.

Sec. 13. 2023 Acts and Resolves No. 78, Sec. B.312 is amended to read:

Sec. B.312 Health - public health

Personal services	64,592,946	
Operating expenses	13,047,530	
Grants	45,946,724	<u>53,124,870</u>
Total	123,587,200	<u>130,765,346</u>

Source of funds

General fund	12,408,429	
Special funds	25,017,725	<u>31,148,098</u>
Tobacco fund	1,088,918	
Federal funds	66,753,896	
Global Commitment fund	16,582,951	<u>17,630,724</u>
Interdepartmental transfers	1,710,281	
Permanent trust funds	25,000	
Total	123,587,200	<u>130,765,346</u>

EXPLANATION:

Family Planning Investment transfer to DVHA (\$635,442) and Vermont Vaccine Purchasing Program COVID-19 vaccine coverage \$7,813,588.

Sec. 14. 2023 Acts and Resolves No. 78, Sec. B.314 is amended to read:

Sec. B.314 Mental health - mental health

Personal services	47,716,644	<u>50,489,379</u>
Operating expenses	5,272,240	
Grants	264,539,814	<u>264,343,558</u>
Total	317,528,698	<u>320,105,177</u>

Source of funds

General fund	25,282,556	<u>26,278,924</u>
Special funds	1,708,155	
Federal funds	10,999,654	
Global Commitment fund	279,524,193	<u>281,104,304</u>
Interdepartmental transfers	14,140	
Total	317,528,698	<u>320,105,177</u>

EXPLANATION:

Private Non-Medical Institutions savings (\$196,256); Institutions of Mental Disease attributed costs including contracted nurses \$2,772,735; and \$1,776,367 conversion from General Fund to Global Commitment Investment for the Mobile Crisis for Uninsured and Underinsured program.

Sec. 15. 2023 Acts and Resolves No. 78, Sec. B.316 is amended to read:

Sec. B.316 Department for children and families - administration & support services

Personal services	44,446,942	<u>46,323,033</u>
Operating expenses	17,162,151	
Grants	3,919,106	
Total	65,528,199	<u>67,404,290</u>

Source of funds

General fund	37,090,554	<u>38,841,112</u>
Special funds	2,781,912	
Federal funds	23,540,549	
Global Commitment fund	1,659,321	<u>1,784,854</u>
Interdepartmental transfers	455,863	
Total	65,528,199	<u>67,404,290</u>

EXPLANATION:

\$98,161 funding switch from Global Commitment to General Fund for a Targeted Case Management technical adjustment; \$603 funding switch from General Fund to Global Commitment for a technical revenue correction, \$126,091 211 revenue adjustment; and \$1,750,000 housing call center contract increase.

Sec. 16. 2023 Acts and Resolves No. 78, Sec. B.317 is amended to read:

Sec. B.317 Department for children and families - family services

Personal services	43,987,652	
Operating expenses	5,180,385	
Grants	93,421,639	<u>93,703,581</u>

Total	142,589,676	<u>142,871,618</u>
Source of funds		
General fund	59,707,017	<u>59,046,300</u>
Special funds	729,587	
Federal funds	33,937,204	<u>34,378,330</u>
Global Commitment fund	48,178,131	<u>48,679,664</u>
Interdepartmental transfers	37,737	
Total	142,589,676	<u>142,871,618</u>

EXPLANATION:

\$98,161 TCM technical adjustment from General Fund to Global Commitment; \$2,417,155 Random Moment Time Study Matrix revenue adjustment to General Fund from Federal and Global Commitment funds; \$725,000 TANF State Plan adjustment from General Fund to Federal Funds; (\$874,914) Private Non-Medical Institutions (PNMI) inflation factor; PNMI SFY23 Extraordinary Financial Relief \$318,224; (\$2,000,000) PNMI revenue adjustment yielding \$4,676,175 Global Commitment increase; (\$1,837,543) Sub-Care caseload pressures exclusive of PNMI changes.

Sec. 17. 2023 Acts and Resolves No. 78, Sec. B.318 is amended to read:

Sec. B.318 Department for children and families - child development

Personal services	5,670,999	
Operating expenses	810,497	
Grants	95,860,842	<u>99,707,882</u>
Total	102,342,338	<u>106,189,378</u>
Source of funds		
General fund	35,016,309	
Special funds	16,745,000	
Federal funds	37,419,258	<u>41,266,298</u>
Global Commitment fund	13,161,771	
Total	102,342,338	<u>106,189,378</u>

EXPLANATION:

(\$25,000) reduction to Community Based Child Abuse Prevention program; \$3,872,040 for half-year Preschool Development Grant program.

Sec. 18. 2023 Acts and Resolves No. 78, Sec. B.320 is amended to read:

Sec. B.320 Department for children and families - aid to aged, blind and disabled

Personal services	2,252,206	
Grants	10,431,118	<u>11,181,118</u>
Total	12,683,324	<u>13,433,324</u>

Source of funds

General fund	7,533,333	
Global Commitment fund	5,149,991	<u>5,899,991</u>
Total	12,683,324	<u>13,433,324</u>

EXPLANATION:

\$750,000 Personal Needs increase per 2022 Act 138 one-time funding.

Sec. 19. 2023 Acts and Resolves No. 78, Sec. B.323 is amended to read:

Sec. B.323 Department for children and families - reach up

Operating expenses	30,633	
Grants	35,536,413	<u>36,683,099</u>
Total	35,567,046	<u>36,713,732</u>

Source of funds

General fund	23,233,869	<u>24,114,082</u>
Special funds	5,970,229	
Federal funds	3,531,330	<u>2,806,330</u>
Global Commitment fund	2,831,618	<u>3,823,091</u>
Total	35,567,046	<u>36,713,732</u>

EXPLANATION:

\$725,000 funding switch to General Fund from Federal funds for TANF State Plan Adjustment; \$82,484 PNMI SFY23 EFR; \$225,018 PNMI Inflation Adjustment Baseline; \$839,184 PNMI rate increase.

Sec. 20. 2023 Acts and Resolves No. 78, Sec. B.330 is amended to read:

Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants

Grants 22,380,328	<u>22,922,275</u>
Total 22,380,328	<u>22,922,275</u>

Source of funds

General fund 9,220,695	
Federal funds 7,321,114	
Global Commitment fund 5,838,519	<u>6,380,466</u>
Total 22,380,328	<u>22,922,275</u>

EXPLANATION:

\$541,947 Support and Services at Home.

Sec. 21. 2023 Acts and Resolves No. 78, Sec. B.334 is amended to read:

Sec. B.334 Disabilities, aging, and independent living - TBI home and community based waiver

Grants 6,638,028	<u>6,938,028</u>
Total 6,638,028	<u>6,938,028</u>

Source of funds

Global Commitment fund 6,638,028	<u>6,938,028</u>
Total 6,638,028	<u>6,938,028</u>

EXPLANATION:

\$300,000 Caseload and utilization increase.

Sec. 22. 2023 Acts and Resolves No. 78, Sec. B.334.1 is amended to read:

Sec. B.334.1 Disabilities, aging and independent living - Long Term Care

Grants 268,715,683	<u>289,878,189</u>
Total 268,715,683	<u>289,878,189</u>

Source of funds

General fund 498,579	
Federal funds 2,450,000	
Global Commitment fund 265,767,104	<u>286,929,610</u>
Total 268,715,683	<u>289,878,189</u>

EXPLANATION:

\$917,500 supports a 5% rate increase in Case Management, Flex Choices (Transition II), Adult Family Care (AFC) and Moderate Needs Flexible Funding (required initiative); \$410,006 CFC carryforward plan from SFY23 to SFY24 following the CFC statute. This includes 1% reserve of \$2,313,179. (AHS net-neutral); \$17,000,000 estimated nursing homes Emergency Financial Relief (EFR) requests for SFY24; \$2,835,000 Veterans' Home cost settlement (FY22 costs paid in FY24).

Sec. 23. 2023 Acts and Resolves No. 78, Sec. B.338 is amended to read:

Sec. B.338 Corrections - correctional services

Personal services 139,473,576	<u>152,714,793</u>
Operating expenses 24,600,099	
Total 164,073,675	<u>177,314,892</u>

Source of funds

General fund 159,502,946	<u>172,744,163</u>
Special funds 935,963	
Federal funds 492,196	
Global Commitment fund 2,746,255	
Interdepartmental transfers 396,315	
Total 164,073,675	<u>177,314,892</u>

EXPLANATION:

\$11,000,000 side letter bonuses and \$2,241,217 Health Services contract.

Sec. 24. 2023 Acts and Resolves No. 78, Sec. B.338.1 is amended to read:

Sec. B.338.1 Corrections - Justice Reinvestment II

Grants 10,659,519	<u>11,206,413</u>
Total 10,659,519	<u>11,206,413</u>
Source of funds	
General fund 8,081,831	
Federal funds 13,147	
Global Commitment fund 2,564,541	<u>3,111,435</u>
Total 10,659,519	<u>11,206,413</u>

EXPLANATION:

Justice Reinvestment II grants SFY23 carryforward (AHS net-neutral)

Sec. 25. 2023 Acts and Resolves No. 78, Sec. B.342 is amended to read:

Sec. B.342 Vermont veterans' home - care and support services

Personal services 18,187,631	<u>24,284,571</u>
Operating expenses 5,978,873	<u>6,813,344</u>
Total 24,166,504	<u>31,097,915</u>
Source of funds	
General fund 4,199,478	<u>9,579,745</u>
Special funds 11,655,797	<u>13,627,301</u>
Federal funds 8,311,229	<u>7,890,869</u>
Total 24,166,504	<u>31,097,915</u>

EXPLANATION:

\$5,700,324 agency staff; \$200,000 physician coverage; \$1,283,856 General Fund increase for payor mix adjustments offset by (\$896,496) reduction in special funds and (\$420,360) reduction in Federal funds; (\$2,835,000) General Fund reduction offset by \$2,835,000 special fund increase for Vermont Medicaid FY22 settlement to be received in FY24; \$183,502 Nurse Call System; \$31,189 maintenance projects C wing and B wing; \$275,000 Maintenance Building repairs (e.g. Commandants, guest bathrooms, etc.); \$126,468 computer software (FCC/Kronos); \$196,616 benefits; \$99,988 drugs; \$118,324 resident equipment rental beds.

Sec. 26. 2023 Acts and Resolves No. 78, Sec. B.500 is amended to read:

Sec. B.500 Education - finance and administration

Personal services	17,683,192	<u>16,733,192</u>
Operating expenses	4,387,522	<u>4,407,522</u>
Grants	15,270,700	
Total	37,341,414	<u>36,411,414</u>

Source of funds

General fund	7,415,742	<u>7,465,742</u>
Special funds	16,575,926	<u>16,595,926</u>
Education fund	3,486,447	
Federal funds	9,220,942	<u>8,220,942</u>
Global Commitment fund	260,000	
Interdepartmental transfers	382,357	
Total	37,341,414	<u>36,411,414</u>

EXPLANATION:

\$50,000 Act 29 contract; (\$1,000,000) SSDDMS contract reduction in Education Fund; \$1,000,000 Education Fund increase offset by reduction to Federal funds for state assessment contract; \$20,000 for the Agency of Education’s portion of the school safety program increase.

Sec. 27. 2023 Acts and Resolves No. 78, Sec. B.502 is amended to read:

Sec. B.502 Education - special education: formula grants

Grants	226,195,600	<u>229,821,806</u>
Total	226,195,600	<u>229,821,806</u>

Source of funds

Education fund	226,195,600	<u>229,821,806</u>
Total	226,195,600	<u>229,821,806</u>

EXPLANATION:

\$500,000 16 V.S.A. 2975 Unusual Special Education costs; \$5,050,701 Extraordinary Special Education reimbursement; (\$1,924,495) net neutral reduction to hold Local Education Agencies harmless for Census Block Grant miscalculation.

Sec. 28. 2023 Acts and Resolves No. 78, Sec. B.505 is amended to read:

Sec. B.505 Education - adjusted education payment

Grants 1,703,317,103	<u>1,711,148,481</u>
Total 1,703,317,103	<u>1,711,148,481</u>

Source of funds

Education fund 1,703,317,103	<u>1,711,148,481</u>
Total 1,703,317,103	<u>1,711,148,481</u>

EXPLANATION:

\$500,000 increase due to FY23 payment made in FY24; \$7,331,378 increase represents the difference between Act 78 Adjusted Education Spending appropriation and the actual estimated FY24 education spending from district voter-approved budgets, plus drivers ed, plus Tech FTEs not enrolled.

Sec. 29. 2023 Acts and Resolves No. 78, Sec. B.505 is amended to read:

Sec. B.509 Education - Afterschool Grant Program

Grants 4,000,000
Total 4,000,000

Source of funds

Education fund <u>Special funds</u> 4,000,000
Total 4,000,000

EXPLANATION:

Afterschool learning programs are to be funded by the proposed Afterschool and Summer Learning special fund instead of the Education Fund.

Sec. 30. 2023 Acts and Resolves No. 78, Sec. B.603 is amended to read:

Sec. B.603 Vermont state colleges - allied health

Grants 1,157,775	<u>1,774,148</u>
Total 1,157,775	<u>1,774,148</u>

Source of funds

General fund 748,314	<u>274,148</u>
Global Commitment fund 409,461	<u>1,500,000</u>
Total 1,157,775	<u>1,774,148</u>

EXPLANATION:

Request to increase the Allied Health base Global Commitment appropriation with VSU backfilling the General Fund reduction through its operating revenues.

Sec. 31. 2023 Acts and Resolves No. 78, Sec. B.702 is amended to read:

Sec. B.702 Fish and wildlife - support and field services

Personal services 21,567,730	<u>22,223,023</u>
Operating expenses 7,140,027	
Grants 936,232	
Total 29,643,989	<u>30,299,282</u>

Source of funds

General fund 7,173,206	<u>7,603,314</u>
Special funds 370,644	<u>385,694</u>
Fish and wildlife fund 10,921,090	
Federal funds 9,793,589	<u>10,003,724</u>
Interdepartmental transfers 1,385,460	
Total 29,643,989	<u>30,299,282</u>

EXPLANATION:

Department of Fish & Wildlife Pay Class RFR

Sec. 32. 2023 Acts and Resolves No. 78, Sec. B.710 is amended to read:

Sec. B.710 Environmental conservation - air and waste management

Personal services 26,006,961	<u>29,506,961</u>
Operating expenses 10,026,393	
Grants 4,905,988	
Total 40,939,342	<u>44,439,342</u>

Source of funds

General fund 193,565	
Special funds 26,236,633	<u>29,736,633</u>
Federal funds 14,342,090	
Interdepartmental transfers 167,054	
Total 40,939,342	<u>44,439,342</u>

EXPLANATION:

Transfer of \$3,500,000 from the Solid Waste Management Assistance Account of the Waste Management Assistance Fund (21285) to the Environmental Contingency Fund (21275) for the PCB testing program.

The initial budget for testing PCBs in schools was provided to the legislature as an estimate before the total number of schools was determined or the parameters of the sampling program were fully identified. An increase to the number of schools above the original estimate, and the addition of a building materials survey which is used to define the number of indoor air samples that need to be collected, have resulted in an increase to the overall budget. This transfer represents the additional amount needed to ensure testing in schools scheduled for sampling through July 2025. A failure to provide these funds will result in schools being responsible for testing, per Act 74 (2021), without State financial support.

Sec. 33. 2023 Acts and Resolves No. 78, Sec. B.800 is amended to read:

Sec. B.800 Commerce and community development - agency of commerce and community development - administration

Personal services 2,610,304	<u>2,510,304</u>
Operating expenses 982,307	
Grants 539,820	
Total 4,132,431	<u>4,032,431</u>

Source of funds

General fund	3,666,442	<u>3,566,442</u>
Federal funds	351,000	
Interdepartmental transfers	114,989	
Total	4,132,431	<u>4,032,431</u>

EXPLANATION:

\$100,000 of General Fund was provided to the Agency of Commerce and Community Development to fund the Vermont Commission on Native American Affairs executive director position per 2023 Act 78 Sec. E.100(a)(2)(B). This program resides within the Housing and Community Development appropriation. This amendment moves spending authority to the correct appropriation.

Sec. 34. 2023 Acts and Resolves No. 78, Sec. B.802 is amended to read:

Sec. B.802 Housing and community development

Personal services	6,428,334	<u>6,528,334</u>
Operating expenses	705,584	
Grants	23,739,005	<u>25,967,039</u>
Total	30,872,923	<u>33,200,957</u>

Source of funds

General fund	5,031,943	<u>5,131,943</u>
Special funds	6,937,054	<u>9,165,088</u>
Federal funds	15,854,615	
Interdepartmental transfers	3,049,311	
Total	30,872,923	<u>33,200,957</u>

EXPLANATION:

\$100,000 of General Fund was provided to the Agency of Commerce and Community Development to fund the Vermont Commission on Native American Affairs Executive Director position per 2023 Act 78 Sec. E.100(a)(2)(B). This program resides within the Housing and Community Development appropriation. This amendment moves the spending authority to the correct appropriation.

\$2,228,034 is a technical amendment to align the B.802 appropriation with the \$7,109,933 of property transfer tax revenue allocated by Act 78 Sec. D.100 to Housing and Community Development.

Sec. 35. 2023 Acts and Resolves No. 78, Sec. B.1000 is amended to read:

Sec. B.1000 Debt service – Bond Issuance Costs

Operating expenses 75,705,398	<u>675,000</u>
Total 75,705,398	<u>675,000</u>
Source of funds	
General fund 75,377,993	<u>675,000</u>
Transportation fund 327,405	<u>0</u>
Total 75,705,398	<u>675,000</u>

EXPLANATION:

Eliminates the components of the Debt Service appropriation for General Obligation Bond principal and interest payments and converts them to a direct General Fund and Transportation Fund transfer to the Debt Service Fund. The remaining \$675,000 covers the bond issuance costs which must remain separate per Governmental Accounting Standards Board requirements.

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

(c) Department of Human Resources. In fiscal year 2024, funds are appropriated for the following:

(1) ~~\$600,000~~ ~~\$725,000~~ General Fund to fund ~~six~~ ~~seven~~ new permanent full-time positions in the Operations division in fiscal year 2024. These position costs shall be funded through the Department of Human Resources – Internal Service Fund beginning in fiscal year 2025;

(2) ~~\$200,000~~ ~~\$75,000~~ General Fund to fund ~~two~~ ~~one~~ new permanent full-time positions in the VTHR Operations division in fiscal year 2024. This position cost shall be funded through the Financial Management Department of Human Resources – Internal Service Fund beginning in fiscal year 2025; and

(d) ~~\$200,000 General Fund to the~~ Department of Libraries. ~~in~~ In fiscal year 2024, funds are appropriated for the following:

(1) \$200,000 General Fund to support the FiberConnect project relating to Internet access in public libraries, and

(2) \$11,500 General Fund for contract costs incurred in support of the Working Group on the Status of Libraries in Vermont per 2021 Act 66.

(i) Agency of Agriculture, Food and Markets. In fiscal year 2024, funds are appropriated for the following:

(1) \$110,000 General Fund for electric vehicle charger inspections. Funds shall be used for the purchase of two testing units and related equipment to support the development and implementation of the Commercial Electric Vehicle Fueling Systems regulatory program;

(2) \$1,070,000 General Fund for replacement of the existing Food Safety Inspection Database; ~~and~~

(3) \$500,000 General Fund for a grant to Salvation Farms to expand access to locally grown food for all Vermonters; and

(4) \$6,000,000 American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Fund for water quality grants to partners and farmers, in accordance with the Clean Water Board’s fiscal year 2023 and fiscal year 2024 budget recommendations and 2021 Act 74, Sec. G.700(a)(6)(A).

(k) Green Mountain Care Board. In fiscal year 2024, funds are appropriated for the following:

(1) \$620,000 General Fund for costs associated with the implementation of the Vermont Health Care Uniform Reporting and Evaluation System (VHCURES) database; and

(2) ~~\$120,500 General Fund for the implementation of a new financial database solution; and~~

(3) \$50,000 General Fund for the development of the statutorily required Health Resources Allocation Plan Tool.

(l) Agency of Human Services Central Office. In fiscal year 2024, funds are appropriated for the following:

(3) \$10,000,000 General Fund to continue to address the emergent and exigent circumstances impacting health care providers following the COVID-19 pandemic. All or a portion of these funds may also be used as matching funds to the Agency of Human Services Global Commitment Program to provide State match. If funds are used as matching funds to the Agency of Human Services Global Commitment Program to provide State match, the commensurate amount of Global Commitment Fund spending authority may be requested during the Global Commitment Transfer process pursuant to 2023 Act 78, Sec. E.301.1; and

(n) Department of Health. In fiscal year 2024, funds are appropriated for the following:

(7) \$5,000,000 General Fund for the purpose of supporting the Community Violence Prevention Program established by legislation enacted in 2023. An amount not to exceed 5 percent of this appropriation may be used for the administrative costs of the program, including the funding of an existing limited service position at the Department of Health. Unexpended appropriations shall carry forward into the subsequent fiscal year and remain available for use for this purpose. All or part of this appropriation may be transferred to the Department of Health for this Program if necessary;

(o) Department for Children and Families. In fiscal year 2024, funds are appropriated for the following:

(3) \$40,000 General Fund for the Youth Development Program to fund costs associated with supporting youth in foster care (or formerly in foster care) to learn to drive and to obtain their drivers' licenses and independent transportation the purchase of a driving school vehicle for the Youth Development Program to support foster and former foster youth access to driver's education;

(10) \$300,000 General Fund for a grant to Prevent Child Abuse Vermont to provide education regarding the prevention of unsafe infant sleep and to expand programming and support services regarding child abuse often related to parental substance misuse; and

(11) \$8,204,802 General Fund for emergency housing needs through the end of FY24.

(12) \$4,000,000 General Fund for standing up shelters in five communities.

(r) Agency of Education. In fiscal year 2024, funds are appropriated for the following:

(1) \$200,000 General Fund in fiscal year 2024 to the Agency of Education for the work of the School Construction Task Force;

(2) \$1,924,495 Education Fund to hold Local Education Agencies harmless for the Special Education Census Block Grant miscalculation.

(v) Public Service Department. In fiscal year 2024, funds are appropriated for the following:

(1) \$500,000 Regulation/Energy Efficiency Fund #21698 to upgrade and expand the ePSD case management system;

(2) \$400,000 Regulation/Energy Efficiency Fund #21698 to complete the Telecom Plan Update scheduled for June 2024; ~~and~~

(3) \$300,000 Regulation/Energy Efficiency Fund #21698 to craft policy proposals to reform and streamline electric sector policy; and

(4) \$20,000,000 General Fund #10000 for the appropriation established in 2022 Act 185, Sec. B.1100(a)(28) as amended by 2023 Act 3, Sec. 45 (existing Dept ID 2240892307) to replenish the \$20,000,000 of General Fund spending authority transferred by the Emergency Board on July 31, 2023, per 32 V.S.A. §§ 133(b), 706(2), as directed by order of the Emergency Board under Item 5(a) Business Emergency Gap Assistance Program.

EXPLANATION:

(a) \$30,000,000 to be used as FEMA match for costs incurred due to the July flooding disaster. \$3,000,000 to be used by the Agency of Administration to address the resource needs of transferring financial system operations to the new Workday platform.

(c) One of the eight new permanent classified positions in DHR created in 2023 Act 78 Sec. E.100(a)(1)(E) was erroneously characterized as falling within the DHR Operations (Dept ID 1120010000 / Sec. B.108), instead of within VTHR Operations (Dept ID 1120080000 / Sec. B.108.1). This amendment corrects the position count in each Dept ID. In addition, all positions in VTHR Operations are funded by the Financial Management Internal Service Fund (59300), not the Department of Human Resources Internal Service Fund (59600). This amendment corrects the reference to reflect the appropriate fund source for the two VTHR positions beginning in FY25.

(d) 2021 Act 66, Sec. 1(k) appropriated \$12,000 General Fund to the Department of Libraries for the Working Group on the Status of Libraries in Vermont member per diems and expense reimbursements. \$11,550 is being reverted in this act and a new one-time appropriation is requested, in the same amount, to cover the contract costs associated with this working group.

(i) 2021 Act 74 Sec. G.700(a)(6)(A) established a \$20,000,000 placeholder for ARPA funds to be allocated by the Clean Water Board in FY23 and FY24. The Board's FY23 and FY24

recommended budgets each allocated \$3,000,000 to AAFM for water quality grants to partners and farmers, but the spending authority to carry out the recommendations was not transferred to AAFM in the FY23 or FY24 budgets. This section, when combined with the reversion in Sec. 48 of this act, grants AAFM the spending authority necessary to implement the Clean Water Board's recommendations.

(k) ADS and AOA approved a waiver to extend GMCB's Workday contract for two additional years. The \$120,500 is no longer necessary.

(l) Subsection (1)(3) language provides AHSCO with the flexibility to utilize the \$10M GF one-time appropriation for COVID-19 needs as GC match.

(n) Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher regarding the Big Bill (Act 78), the language provided allows the executive branch to execute the law in accordance with legislative intent.

(o) Subsection (o)(3) language allows DCF flexibility to use funds to support private drivers' education courses, supplemental driving lessons, permit/license/registration fees, and car insurance costs for youth in foster care. DCF believes this is a more effective use of funds to meet the need. Subsection (o)(11) provides funding for emergency housing and Subsection (o)(12) provides funding for shelters in five communities.

(r) Holds Local Education Agencies harmless for the Special Education Census Block Grant miscalculation.

(v) The Emergency Board, at its July 31, 2023 meeting, transferred \$20 million of General Fund spending authority from the Public Service Department to ACCD to implement the BEGAP program in response to the July 2023 flood event. The Emergency Board required the Commissioner of Finance and Management to present a plan to replenish the spending authority for the Public Service Department in the FY24 Budget Adjustment Act. The spending authority was transferred from the one-time Dept ID 2240892307 authorized per 2023 Act 3, Sec. 45.

Sec. 37. 2023 Acts and Resolves No. 78, Sec. B.1101 is amended to read:

(d) Healthcare and social services workforce.

(1) In fiscal year 2024, the amount of \$1,000,000 is appropriated from the General Fund to the Department of Health to be ~~transferred~~ granted as needed to the Vermont Student Assistance Corporation for the Vermont Psychiatric Mental Health Nurse Practitioner Forgivable Loan Incentive Program created in 18 V.S.A. § 39.

(4) In fiscal year 2024, the amount of \$3,000,000 is appropriated from the General Fund to the ~~Department of Mental Health~~ Agency of Human Services to address workforce needs at the

designated and specialized services agencies. These funds shall not be released until a plan to meet training and retention is mutually agreed upon by the Department of Disabilities, Aging, and Independent Living and the designated and specialized services agencies and approved by the General Assembly or the Joint Fiscal Committee if the legislature is not in session. All or a portion of these funds may be used as matching funds to the Agency of Human Services Global Commitment program to provide State match if any part of the plan is eligible to draw federal funds. It is the intent of the General Assembly to maximize the value of this one-time funding through eligible Global Commitment investment.

(5) In fiscal year 2024, the amount of \$6,899,724 is appropriated from the Global Commitment Fund to the Department of Mental Health for purposes of leveraging the appropriation in subsection (4) of this section for Global Commitment investment, per the intent of the General Assembly.

EXPLANATION:

(1) State agencies and departments can only transfer funds to other state agencies and departments. External organizations, including component units of the state, must receive funds via a grant or contract. The VISION system can only perform transfers between entities that perform their financial operations within the VISION system. This was addressed in the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78).

(4) To leverage the appropriation in (d)(4) for Global Commitment investment, per the intent of the General Assembly, the appropriation in (d)(4) must be changed from DMH to AHS.

(5) DMH appropriation (Dept ID 3150892402) is converted from General Fund to Global Commitment Fund.

Sec. 38. 2023 Acts and Resolves No. 78, Sec. B.1103 is amended to read:

(h) In fiscal year 2024, the amount of \$2,500,000 General Fund is appropriated to the Department of Environmental Conservation for the Brownfields Reuse and Environmental Liability Limitation Act as codified in 10 V.S.A. chapter 159. Funds shall be used for the assessment and cleanup planning for a maximum of 25 brownfields sites.

(n) In fiscal year 2024, the amount of \$165,000 General Fund is appropriated to the Department of Environmental Conservation to complete the engineering assessment for the Green River Reservoir Dam.

EXPLANATION:

(h) Removes the cap on the number of brownfields for consideration.

(n) \$165,000 is for an analysis to evaluate structural stability, hydraulic adequacy, risk valuation of the infrastructure and alternative uses.

Sec. 39. 2023 Acts and Resolves No. 78, Sec. B.1105 is amended to read:

Sec. B.1105 CASH FUND FOR CAPITAL AND ESSENTIAL INVESTMENTS – FISCAL YEAR 2024 ONE-TIME APPROPRIATIONS

(a) ~~In fiscal year 2024, \$17,685,000 is appropriated from the Capital Infrastructure sub account in the Cash Fund for Capital and Essential Investments for the following projects:~~

~~(1) \$400,000 is appropriated to the Department of Buildings and General Services for planning, reuse, and contingency;~~

~~(2) \$1,700,000 is appropriated to the Department of Buildings and General Services for roof replacement and brick façade repairs at the McFarland State Office Building in Barre;~~

~~(3) \$135,000 is appropriated to the Department of Buildings and General Services for 32 Cherry Street, parking garage repairs;~~

~~(4) \$1,000,000 is appropriated to the Department of Buildings and General Services for roof replacement at the Central Services complex in Middlesex;~~

~~(5) \$150,000 is appropriated to the Department of Buildings and General Services for design documents for the State House expansion in Montpelier;~~

~~(6) \$1,000,000 is appropriated to the Department of Buildings and General Services for the renovation of the interior HVAC steam lines at 120 State Street;~~

~~(7) \$600,000 is appropriated to the Department of Buildings and General Services for planning for the boiler replacement at the Northern State Correctional Facility in Newport;~~

~~(8) \$750,000 is appropriated to the Department of Buildings and General Services for planning for renovations to the administration building, West Cottage, at the Criminal Justice Training Council in Pittsford;~~

~~(9) \$600,000 is appropriated to the Department of Buildings and General Services for the Agency of Human Services for the planning and design of the booking expansion at the Northwest State Correctional Facility;~~

~~(10) \$1,000,000 is appropriated to the Department of Buildings and General Services for the Agency of Human Services for the planning and design of the Department for Children and Families' short term stabilization facility;~~

~~(11) \$750,000 is appropriated to the Department of Buildings and General Services for the Judiciary for renovations at the Washington County Superior Courthouse in Barre;~~

~~(12) \$250,000 is appropriated to the Department of Buildings and General Services for the Department of Public Safety for the planning and design of the Special Teams Facility and Storage;~~

~~(13) \$250,000 is appropriated to the Department of Buildings and General Services for the Department of Public Safety for the planning and design of the Rutland Field Station;~~

~~(14) \$300,000 is appropriated to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for the planning and design of the Vermont Agriculture and Environmental Laboratory Heat Plant;~~

~~(15) \$1,000,000 is appropriated to the Department of Buildings and General Services for electric vehicle charging stations at State buildings;~~

~~(16) \$4,000,000 is appropriated to the Agency of Natural Resources for the Department of Environmental Conservation for the Municipal Pollution Control Grants for pollution control projects and planning advances for feasibility studies;~~

~~(17) \$3,000,000 is appropriated to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the maintenance facilities at the Gifford Woods State Park and Groton State Forest; and~~

~~(18) \$800,000 is appropriated to the Agency of Natural Resources for the Department of Fish and Wildlife for infrastructure maintenance and improvements of the Department's buildings, including conservation camps.~~

~~(b) In fiscal year 2024, \$31,025,000 \$9,800,000 is appropriated from the Other Infrastructure, Essential Investments, and Reserves subaccount in the Cash Fund for Capital and Essential Investments for the following projects. This funding is provided by the General Fund transfer in Sec. D.101 of this act.~~

~~(1) \$9,800,000 is appropriated to the Agency of Natural Resources for the Department of Environmental Conservation for the State match to the Infrastructure Investment and Jobs Act for the Drinking Water State Revolving Fund and the Clean Water State Revolving Fund;~~

~~(2) \$4,500,000 is appropriated to the Agency of Natural Resources for the Department of Environmental Conservation for the Waterbury Dam rehabilitation;~~

~~(3) \$7,500,000 is appropriated to the Vermont State Colleges for construction, renovation, and major maintenance at any facility owned or operated in the State by the Vermont State Colleges; infrastructure transformation planning; and the planning, design, and construction of Green Hall and Vail Hall; and~~

~~(4) \$9,225,000 is appropriated to the Department of Mental Health for construction of a psychiatric youth inpatient facility in the State.~~

(e) In fiscal year 2024, \$3,000,000 as appropriated in Sec. B.903 –Transportation – program development of this act from the Cash Fund for Capital and Essential Investments is for projects as specified in the State transportation plan.

(~~b~~) In fiscal year 2024, to the extent funds are available from transfers made in Sec. C.109 of this act, and before the appropriation identified in 2023 Act 81 sec. 7(a) the projects in this subsection shall receive an appropriation from the Other Infrastructure, Essential Investments, and Reserves subaccount in the Cash Fund for Capital and Essential Investments in the following order:

(1) \$1,000,000 is appropriated to the Department of Mental Health for a grant to Pathways Vermont for the purchase and renovation of a building to serve as a permanent home for the Soteria House program.

(A) Prior to issuing the grant, the Commissioner of Mental Health, with the assistance of the Secretary of Human Services and Commissioner of Buildings and General Services, shall review the accuracy and comprehensiveness of the financial analysis of the Pathways Vermont proposal to purchase specified property and operate the Soteria House program.

(B) An accounting of the respective State and Pathways Vermont shares of investment in this property shall be maintained in order to refund to the State an appropriate share of any net proceeds resulting from future divestiture of the property.

(2) \$1,000,000 is appropriated to the Department of Housing and Community Development for a grant to the Vermont Housing Finance Agency for its first generation homebuyer program.

(3) \$10,000,000 is appropriated to the Department of Housing and Community Development for a grant to the Vermont Housing Finance Agency to provide capitalization of revolving loan fund for the development of ‘missing middle’ rental housing.

(4) \$1,000,000 is appropriated to the Agency of Transportation for rail trail grants.

(5) \$5,000,000 is appropriated to the Department of Economic Development for the Rural Industry Development Grant Program as established in this act.

~~(6) \$3,500,000 is appropriated to the Agency of Transportation for the Saint Albans garage replacement project.~~

~~(e) If a project described in this section has received an appropriation prior to the effective date of this act and is not in compliance with the requirements of 29 V.S.A. § 161, then the project shall not be subject to the requirements of 29 V.S.A. § 161 if any of the following apply as of the effective date of this act:~~

~~(1) the project has been invited or advertised for bid;~~

~~(2) the project is under contract; or~~

~~(3) the funds are obligated.~~

EXPLANATION:

The administration has consolidated all capital appropriations in the Capital bill.

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the reference to H.171(Act 81), the language provided allows the executive branch to execute the law in accordance with the legislative intent and provides the amended language requested.

Sec. 40. 2023 Acts and Resolves No. 78, Sec. C.106 is amended to read:

Sec. C.106 29 V.S.A. § 161 is amended to read:

§ 161. REQUIREMENTS ON STATE CONSTRUCTION PROJECTS

* * *

(b) Each contract awarded under this section for any State project with a construction cost exceeding \$100,000.00 or, a construction project with a construction cost exceeding \$200,000.00 which that is authorized and is at least 50 percent funded by a capital construction act pursuant to 32 V.S.A. § 701a, or a construction project with a construction cost exceeding \$200,000.00 that is at least 50 percent funded by the Cash Fund for Capital Infrastructure and Other Essential Investments established in 32 V.S.A. § 1001b shall provide that all construction employees working on the project shall be paid no not less than the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey plus an additional fringe benefit of 42 and one-half percent of wage, as calculated by the current Vermont prevailing wage survey. As used in this section, “fringe benefits” means benefits, including paid vacations and holidays, sick leave, employer contributions and reimbursements to health insurance and retirement benefits, and similar benefits that are incidents of employment.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided provides the appropriate codified law citation and correct fund name as requested.

Sec. 41. 2023 Acts and Resolves No. 78, Sec. C.108 is amended to read:

Sec. C.108 RESERVES FOR INFRASTRUCTURE INVESTMENT AND JOBS ACT (IJA)
MATCH

(b) To the extent available in fiscal years 2023 and 2024, the amount of \$14,500,000 is reserved in the Other Infrastructure, Essential Investments, and Reserves subaccount of the Cash Fund for Capital and Essential Investments, from the transfer provided in Section D.101(a)(10(D)(ii), to provide the State match in fiscal years 2025 and 2026 needed for federal funding for water and wastewater related projects under the IJA. These funds shall only be expended if authorized by the General Assembly.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided documents the legislative intent.

Sec. 42. 2023 Acts and Resolves No. 78, Sec. C.109 is amended to read:

Sec. C.109 SUPPLEMENTAL CONTINGENT TRANSFERS TO CASH FUND FOR CAPITAL AND ESSENTIAL INVESTMENTS:

(a) Notwithstanding any other law to the contrary, to the extent any fund specified in 2022 Acts and Resolves No. 185, Sec. D.101(b)(2) as amended by 2023 Acts and Resolves No. 3, Sec. 48 has an remaining unobligated fund balance in fiscal year 2023 after the transfers to the General Fund are made, the Commissioner of Finance and Management shall transfer to the subaccount created under 32 V.S.A. 1001b(b)(2) the respective fiscal year 2023 unobligated special fund balances. The Commissioner shall report the amounts transferred pursuant to this provision to the Joint Fiscal Committee in July 2023.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided allows the executive branch to execute the law in accordance with the legislative intent.

Sec. 43. 2023 Acts and Resolves No. 78, Sec. C.115 is amended to read:

2022 Acts and Resolves No. 185, Sec. B.1100 is amended to read: Sec. B.1100 FISCAL YEAR 2023 ONE-TIME GENERAL FUND APPROPRIATIONS

* * *

(b) \$11,000,000 is appropriated from the General Fund to the Department of Public Safety for regional dispatch funding. The funds are subject to the following conditions:

- (1) Up to \$1,000,000 shall be available for the retention of technical experts to assist the Task Force with the analysis and planning required by ~~Sec. C.112 of this act~~ a future Act or Acts of the General Assembly and to fund the administrative expenses incurred by the Public Safety Communications Task Force. If the Task Force determines in calendar year

2023 that additional funding is necessary to achieve its purposes, it may submit a request to the Joint Fiscal Committee. The Joint Fiscal Committee is authorized to approve up to an additional \$1,000,000.

(2) Up to \$4,500,000 shall be available to provide funding for pilot projects pursuant to ~~Sec. C.112(f) a future Act or Acts of the General Assembly, of this act.~~

(3) Any remaining amounts not obligated pursuant to subdivisions (1) and (2) of this subsection (b) shall ~~be held in reserve~~ remain unobligated and unexpended until approval to expend the funds is authorized by further enactment of the General Assembly.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided allows the executive branch to execute the law in accordance with the legislative intent. 2023 Act 78, Sec. C.114 is the “future Act of the General Assembly” that provides the authorization to implement the General Assembly’s intent. “a future Act or Act of the General Assembly” was used instead of the actual citation because the citation references an Act that could not have been known at the time the original language was enacted.

Sec. 44. 2023 Acts and Resolves No. 78, Sec. C.120 is repealed:

~~Sec. C.120 BALANCE RESERVE UNRESERVED; RESERVED FOR VCBB~~

~~(a) In fiscal year 2024, \$20,000,000 is unreserved from the General Fund Balance Reserve established by 32 V.S.A. § 308e.~~

~~(b) In fiscal year 2024, \$20,000,000 is reserved in the General Fund for the exclusive benefit of the Vermont Community Broadband Board and for the sole purpose of securing federal funding under the National Telecommunications and Information Administration’s Enabling Middle Mile Broadband Infrastructure Program. The State’s pending application requires a commitment to provide contingency reserve funding equal to 25 percent of the total award amount if the application is approved and the award is accepted by the State.~~

~~(1) In the fiscal year 2024 budget adjustment act, any funds reserved, but not required, for the purpose described in Sec. C.120(b) of this act shall be unreserved and reserved within the General Fund Balance Reserve established by 32 V.S.A. § 308e.~~

EXPLANATION:

The application was not approved and, as such, the reservation of funds is unnecessary.

Sec. 45. 2023 Acts and Resolves No. 78, Sec. C.123 is amended to read:

Sec. C.123 HOUSING TRANSITION; RESOURCES FOR COMPREHENSIVE
COMMUNITY RESPONSE

(d) \$9,400,000 of the funds described in subsection (c) of this section shall be transferred to the Department for Children and Families as set forth in this subsection. The Agency of Administration shall structure the program in accordance with the requirements of 31 C.F.R. Part 35 and in a manner designed to achieve rapid deployment and administrative efficiency, and may reallocate funds across governmental units in a net-neutral manner as follows for a total of \$9,400,000:

(1) The Commissioner of Finance and Management is authorized to reallocate General Fund appropriations made to the Department of Corrections in 2022 Act 185 Sec. B 338. Vermont Housing and Conservation Board in 2023 Acts and Resolves No. 3, Sec. 45. In exchange, the Secretary of Administration shall provide an amount equal to the reallocation amount to the Department of Corrections from American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds appropriated to the Agency of Human Services in 2021 Act 74, Sec. G.300(a)(31), as amended by 2022 Act 83, Sec. 68. ~~Vermont Housing and Conservation Board from the federal funds appropriated through the Emergency Rental Assistance Program, which was originally approved by the Joint Fiscal Committee pursuant to Grant Request #3034.~~

(2) ~~The Commissioner of Finance and Management is authorized to reallocate American Reseue Plan Act (ARPA)– Coronavirus State Fiscal Recovery Funds appropriated to the Agency of Human Services in 2021 Acts and Resolves No. 74, Sec. G.300(a)(31), as amended by 2022 Acts and Resolves No. 83, Sec. 68.~~

EXPLANATION:

Retroactive approval for funding adjustments made in accordance with legislative intent.

Sec. 46. 2023 Acts and Resolves No. 78, Sec. D.100 is amended to read:

Sec. D.100 ~~APPROPRIATIONS~~ALLOCATIONS; PROPERTY TRANSFER TAX

(a) This act contains the following amounts ~~appropriated from~~ allocated to special funds that receive revenue from the property transfer tax. ~~Expenditures from these appropriations. These allocations~~ shall not exceed available revenues.

(1) The sum of \$560,000 is ~~appropriated~~ allocated from the Current Use Administration Special Fund to the Department of Taxes for administration of the Use Tax Reimbursement Program. Notwithstanding 32 V.S.A. § 9610(c), amounts in excess of \$560,000 from the property transfer tax deposited into the Current Use Administration Special Fund shall be transferred into the General Fund.

~~(2) The sum of \$21,462,855 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board (VHCB). Notwithstanding 10 V.S.A. § 312, amounts in excess of \$21,462,855 from the property transfer tax and surcharge established by 32 V.S.A. § 9602a that are deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.~~

(A) The dedication of \$2,500,000 in revenue from the property transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the affordable housing bond (10 V.S.A. § 314) shall be offset by the reduction of \$1,500,000 in the appropriation to the Vermont Housing and Conservation Board and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a. The fiscal year 2024 appropriation of \$21,462,855 to the Vermont Housing and Conservation Board reflects the \$1,500,000 reduction. The affordable housing bond and related property transfer tax and surcharge provisions are repealed after the life of the bond on July 1, 2039. Once the bond is retired, it is the intent of the General Assembly that the \$1,500,000 reduction in the appropriation to the Vermont Housing and Conservation Board should be restored.

~~(3) The sum of \$7,545,993 is appropriated from the Municipal and Regional Planning Fund. Notwithstanding 24 V.S.A. § 4306(a), amounts in excess of \$7,545,993 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$7,545,993 shall be allocated for the following:~~

(A) \$6,211,650 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

(B) \$898,283 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b); and

(C) \$436,060 to the Agency of Digital Services for the Vermont Center for Geographic Information.

EXPLANATION:

Language provides the property transfer tax allocation. This is a technical amendment to correct language that double-appropriates, once in D.100 and again in the respective departments' B sections.

Sec. 47. 2023 Acts and Resolves No. 78, Sec. D.100.1 is amended to read:

Sec. D.100.1 LEGISLATIVE INTENT FOR FISCAL YEAR 2024 PLANNING FUNDS

(a) ~~It is the intent of the General Assembly that an amount not to exceed \$500,000 of the planning funds provided in Sec. D.100 of this act~~ shall be used for municipal bylaw modernization.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided allows the executive branch to execute the law in accordance with the legislative intent.

Sec. 48. 2023 Acts and Resolves No. 78, Sec. D.101 is amended to read:

(a) Notwithstanding any other provision of law to the contrary, the following amounts shall be transferred from the funds indicated:

(1) From the General Fund to:

(G) the State Liability Insurance Fund (56200): \$9,500,000.00

(H) the Emergency Relief and Assistance Fund (21555): \$6,000,000.00

(I) the Act 250 Permit Fund (21260): \$120,300.00

(J) the General Government Projects Fund (31100): \$139.24

(K) the Protection Projects Fund (31200): \$1,180,584.31

(L) the Natural Resources Projects Fund (31500): \$2,127,949.51

(M) the Commerce and Community Development Projects Fund (31600): \$545,295.85

(N) the General Obligation Bonds Debt Service Fund (35100): \$71,202,993

2) From the Education Fund to:

(A) the Tax Computer System Modernization Fund (21909): \$1,300,000.

(B) the Afterschool and Summer Learning Fund (TBD): \$2,836,982.94

4) From the Transportation Fund to:

(A) the Downtown Transportation and Related Capital Improvement Fund (21575) established by 24 V.S.A. § 2796 to be used by the Vermont Downtown Development Board for the purposes of the Fund: \$523,966.

(B) the General Obligation Bonds Debt Service Fund (35100): \$327,405

(5) From the Waste Management Assistance Fund (21285) to:

(A) the Environmental Contingency Fund (21275): \$3,500,000

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2024:

(1) The following amounts shall be transferred to the General Fund from the funds indicated:

22005 AHS Central Office Earned Federal Receipts		\$4,641,960
50300 Liquor Control Fund		\$21,200,000
<u>50250 Sports Wagering Fund</u>	<u>\$1,204,000</u>	<u>\$3,200,000</u>
Caledonia Fair		\$5,000
North Country Hospital Loan Repayment		\$24,047
Springfield Hospital Promissory Note Repayment		\$121,416
<u>21970 Registration Fees Fund</u>		<u>\$605,273.01</u>

(2) The following estimated amounts, which may be all or a portion of unencumbered fund balances, shall be transferred to the General Fund. The Commissioner of Finance and Management shall report to the Joint Fiscal Committee at its July meeting the final amounts transferred from each fund and certify that such transfers will not impair the agency, office, or department reliant upon each fund from meeting its statutory requirements.

21638 AG-Fees and reimbursement		
– Court order	\$1,000,000	<u>\$4,000,000</u>
621000 Unclaimed Property Fund	<u>\$3,270,225</u>	<u>\$4,806,692</u>

(3) Notwithstanding 2016 Acts and Resolves No. 172, Sec. E.228, ~~\$60,044,000~~\$61,692,588 of the unencumbered balances in the Insurance Regulatory and Supervision Fund (21075), the Captive Insurance Regulatory and Supervision Fund (21085), and the Securities Regulatory and Supervision Fund (21080) shall be transferred to the General Fund.

(c)(1)(a) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the General Fund from the ~~accounts indicated~~ the general funds appropriated in Sec. B.301 of this act for the Global Commitment Program:

3400004000 Agency of Human Services —		
Secretary's Office — Global Commitment		\$15,103,683

(1)(b) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the General Fund from the accounts indicated:

<u>1130892201</u>	<u>Lib-Working Group Per Diem</u>	<u>11,550</u>
<u>1140070000</u>	<u>Use Tax Reimbursement Program</u>	<u>120,096.98</u>
<u>1140330000</u>	<u>Renter Rebates</u>	<u>943,487.35</u>
<u>1150891901</u>	<u>Electric Vehicle Charge</u>	<u>4,412.78</u>
<u>1250010000</u>	<u>Auditor of Accounts</u>	<u>21,067.71</u>
<u>1260010000</u>	<u>Office of the Treasurer</u>	<u>110,821.00</u>
<u>2110010000</u>	<u>Assigned Counsel</u>	<u>3.37</u>
<u>2120892203</u>	<u>JUD – County Courthouse HVAC</u>	<u>300,000.00</u>
<u>2130200000</u>	<u>Sheriffs</u>	<u>29,880.53</u>
<u>2130400000</u>	<u>SIUS Parent Account</u>	<u>167,678.27</u>
<u>2130500000</u>	<u>Crime Victims Advocates</u>	<u>18,465.95</u>
<u>2150010000</u>	<u>Military – Administration</u>	<u>100,782.00</u>
<u>2160892102</u>	<u>CCVS-BCJC for St Jo’s Orphan</u>	<u>88.00</u>
<u>2200010000</u>	<u>Administration Division</u>	<u>389,654.70</u>
<u>2230892202</u>	<u>SOS-One-Time FY22 Election Cost</u>	<u>171,400.78</u>
<u>2320020000</u>	<u>Liquor Enforcement & Licensing</u>	<u>15,000.00</u>
<u>3150070000</u>	<u>Mental Health</u>	<u>2,772,735.17</u>
<u>3310000000</u>	<u>Commission on Women</u>	<u>11,173.77</u>
<u>3330010000</u>	<u>Green Mountain Care Board</u>	<u>250,000.00</u>
<u>3400001000</u>	<u>Secretary’s Office Admin Costs</u>	<u>475,775.00</u>
<u>3400004000</u>	<u>Global Commitment</u>	<u>11,676,230.24</u>
<u>3400010000</u>	<u>Human Services Board</u>	<u>110,000.00</u>
<u>3400892109</u>	<u>St Match-Act 155 4(a),5(a)</u>	<u>34,350.00</u>
<u>3400892203</u>	<u>AHSCO-COVID-19 Emergent/Exigen</u>	<u>4,868,985.74</u>
<u>3400892205</u>	<u>AHSCO-Workforce Recruitment</u>	<u>4,367,147.39</u>
<u>3400892312</u>	<u>AHSCO-VT Nursing Forgivable Loan</u>	<u>13,403.00</u>
<u>3410018000</u>	<u>DVHA-Medicaid-Non-Waiver Program</u>	<u>525,610.73</u>
<u>3420060000</u>	<u>Substance Use Programs</u>	<u>119,130.89</u>

<u>3440010000</u>	<u>DCFS Admin & Support Services</u>	<u>2,595,167.55</u>
<u>3440020000</u>	<u>DCFS-Family Services</u>	<u>2,864,970.25</u>
<u>3440030000</u>	<u>DCFS-Child Development</u>	<u>3,131,063.24</u>
<u>3440050000</u>	<u>DCFS-AABD</u>	<u>451,263.27</u>
<u>3440060000</u>	<u>DCFS-General Assistance</u>	<u>1,414,739.60</u>
<u>3440080000</u>	<u>DCFS-Reach Up</u>	<u>979,674.76</u>
<u>3440100000</u>	<u>DCFS-OEO Ofc of Economic Opp</u>	<u>273,038.00</u>
<u>3440120000</u>	<u>DCFS-Secure Res. Treatment</u>	<u>2,752,270.00</u>
<u>3440130000</u>	<u>DCFS-DDS</u>	<u>80,299.43</u>
<u>3440891908</u>	<u>Weatherization Assist Bridge</u>	<u>1,892.85</u>
<u>3440892214</u>	<u>DCF-Childcare Provider Workfor</u>	<u>3,879,549.25</u>
<u>3440892309</u>	<u>DCF-Worker Retention Grant</u>	<u>564,500.00</u>
<u>3480007000</u>	<u>Corrections-Justice Reinvest</u>	<u>1,331,964.28</u>
<u>4100500000</u>	<u>VT Department of Labor</u>	<u>2,400,000.00</u>
<u>5100010000</u>	<u>Administration</u>	<u>0.03</u>
<u>5100060000</u>	<u>Adult Basic Education</u>	<u>136.13</u>
<u>5100892214</u>	<u>AOA-School Food Program Admin</u>	<u>50,670.70</u>
<u>5100892301</u>	<u>AOE-Child Nutrition</u>	<u>244,648.60</u>
<u>5100892309</u>	<u>AOE-Staffing</u>	<u>146,649.08</u>
<u>6100040000</u>	<u>Property Tax Assessment Approp</u>	<u>9,542.14</u>
<u>6130030000</u>	<u>Parks</u>	<u>3.85</u>
<u>6130891903</u>	<u>Logger Safety, Value Added</u>	<u>108.51</u>
<u>6140040000</u>	<u>Water Programs Appropriation</u>	<u>0.20</u>
<u>7110010000</u>	<u>Housing & Community Development</u>	<u>1.86</u>
<u>7120010000</u>	<u>Economic Development</u>	<u>0.71</u>
<u>7130000000</u>	<u>Dept. of Tourism & Marketing</u>	<u>230.47</u>

(2) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Transportation Fund from the accounts indicated:

1150400000 BGS-Information Centers 183,952.35

(3) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Transportation Infrastructure Bond Fund from the accounts indicated:

8100001100 Program Development 3,239,445.00

(4) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Education Fund from the accounts indicated:

5100010000 Administration 1,280,710.79

5100110000 Small School Grant 391,067.00

5100200000 Education-Technical Education 1,204,216.38

(5) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Clean Water Fund from the accounts indicated:

1100010000 Secretary of Administration 100,000.00

(6) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Fund from the accounts indicated:

6140892207 Department of Environmental Conservation
– Clean Water Board 6,000,000.00

(7) Notwithstanding any provision of law to the contrary, in fiscal year 2024, the following amounts shall revert to the Tobacco Fund from the accounts indicated:

3400891802 Invest Substance Use Treat \$1,500,000

3400891803 Finance Substance Use Treat \$724,241.80

EXPLANATION:

Subsection (a)(1)(G) \$9,500,000 settlement reached by the Attorney General to be paid from the State General Liability Insurance Fund. The transfer covers the costs of the settlement and capitalizes the resulting fund deficit.

Subsection (a)(1)(H) provides a \$6,000,000 transfer to the Emergency Relief and Assistance Fund as resources for those seeking federal grants in response to the July flooding emergency.

Subsection (a)(1)(I) provides a \$120,300 transfer to the Act 250 Permit Fund to backfill the projected revenue losses from 2022 Act 47 housing and utility exemptions.

Subsection (a)(1)(J) – Subsection (a)(1)(M) provides \$3,853,968.91 of transfers to various capital funds for projects that have incurred costs but were too old to qualify for reimbursement through tax-exempt bonds under federal IRS regulations.

Subsection (a)(1)(N) provides a \$71,202,993 transfer to the General Obligation Bonds Debt Service Fund for annual principal and interest payments on outstanding debt.

Subsection (a)(2)(B) transfers an amount of Education Funds to the Afterschool and Summer Learning fund equal to proceeds deposited into the Education Fund, in fiscal year 2023, from the sales and use tax levied upon cannabis and cannabis products.

Subsection (a)(4)(B) provides a direct \$327,405 transfer to the General Obligation Bonds Debt Service Fund for annual principal and interest payments on outstanding debt.

Subsection (a)(5)(A) transfers \$3,500,000 from the Waste Management Assistance Fund to the Environmental Contingency Fund to provide the proceeds necessary for the Section B.710 special fund increase. Funds will be used for PCB remediation in schools.

Subsection (b)(1) The amounts being repealed are directly deposited into the General Fund as revenues, not transferred, and are included in the consensus revenue forecast. This language represents a double counting of the same proceeds. Adds the appropriate fund number to the Sports Wagering Enterprise Fund and updates the transfer for improved 6-month estimate. Transfers the balance of the Registration Fees Fund (21970) to the General Fund given it was repealed per 2019 Acts and Resolves No. 164, Sec. 11.

Subsection (b)(2) provides an updated estimate from the State Treasurer's Office based upon average deposits over the past 14 years. Provides an updated transfer estimate for the Attorney General Fees and Reimbursement fund.

Subsection (c) is annual language reverting spending authority from prior fiscal years that is no longer necessary.

Sec. 49. 2023 Acts and Resolves No. 78, Sec. E.100.(a)(1) is amended to read:

Sec. E.100 EXECUTIVE BRANCH POSITIONS

(a) The establishment of ~~68~~73 permanent positions is authorized in fiscal year 2024 for the following:

(1) Permanent classified positions:

(R) Department for Children and Families

(i) Five Family Service Workers

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the legislature intended to but inadvertently left out of Act 78 the establishment of 5 permanent classified Family Service Worker positions in the Family Services Division of DCF that were requested by the Administration.

Sec. 50. 2023 Acts and Resolves No. 78, Sec. E.111.2 is amended to read:

Sec. E.111.2 TAX COMPUTER SYSTEM MODERNIZATION FUND TRANSFER

(a) Any remaining funds on June 30, 2023 in the Tax Computer System Modernization Fund established by 2007 Acts and Resolves No. 65, Sec. 282, and amended from time to time, shall ~~be deposited into~~ remain in the fund ~~established~~ as codified by 32 V.S.A. § 3209.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided clarifies and allows the executive branch to execute the law in accordance with the legislative intent.

Sec. 51. 2023 Acts and Resolves No. 78, Sec. E. 301 is amended to read:

(b) In addition to the State funds appropriated in this section, a total estimated sum of ~~\$25,231,144~~ \$25,050,921 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(c) Up to ~~\$4,034,170~~ \$3,737,210 is transferred from the AHS Federal Receipts Holding Account to the Interdepartmental Transfer Fund consistent with the amount appropriated in Sec. B.301, Secretary's Office – Global Commitment, of this act.

EXPLANATION:

Subsection (b) is amended to correct mathematical calculation error currently in the BAA (amounts in subsections 1 and 2 do not match the total sum in subsection b). Subsection (c) is amended to reflect current estimates.

Sec. 52. 2023 Acts and Resolves No. 78, Sec. E.500.1 is amended to read:

Sec. E.500.1 16 V.S.A. § 4018 is added to read:

§ 4018. AFTERSCHOOL AND SUMMER LEARNING PROGRAMS

(a) ~~Education Fund grants in an amount equal to the receipts from the sales and use tax imposed by 32 V.S.A. chapter 233 on retail sales of cannabis or cannabis products in this State, net of any administrative costs per subsection (b)(4) of this section, shall be used~~ The Afterschool and Summer Learning Fund is created pursuant to 32 V.S.A. Chapter 7, subchapter 5 to be administered by the Secretary of Education to fund grant programs for the expansion of summer and afterschool programs with an emphasis on increasing access in underserved areas of the State. Monies in the fund shall be comprised of the following:

(1) All receipts from the sales and use tax imposed pursuant to 32 V.S.A. Chapter 233 on retail sales of cannabis or cannabis products in Vermont; and

(2) Any proceeds transferred from another State fund as directed by the General Assembly

(b) The Secretary of Education shall administer the grant programs, as follows:

(1) Grants shall be used to support a mixed delivery system for afterschool and summer programming. Eligible recipients can be public, private, or nonprofit organizations.

(2) Grants may be used for technical assistance, program implementation, program expansion, program sustainability, and related costs.

(3) Grants may be used to directly target communities with low existing capacity to serve youth in afterschool and summer settings.

(4) The Agency may use up to \$500,000 each fiscal year from the Afterschool and Summer Learning Fund for administrative costs to allow for the support of the grant program and technical assistance to communities. This could include subcontracts to support the grant programs.

(c) An Advisory Committee is created to support the Secretary of Education in administering funds pursuant to this section. The Agency shall provide administrative and technical support to the Committee. The Committee is to be composed of:

(1) the State's Chief Prevention Officer;

(2) the Commissioner for Children and Families or designee;

(3) the Commissioner of Health or designee;

(4) the Commissioner of Mental Health or designee;

(5) the Secretary of Natural Resources or designee;

(6) the Secretary of Commerce and Community Development or designee;

(7) the Vermont Afterschool Executive Director or designee; and

(8) a representative from the Governor's Office.

(d) On or before each November 15, the Agency of Education shall submit to the General Assembly a plan to fund grants in furtherance of the purposes of subsection (a) of this section

and report outcomes data on the grants made during the previous year. The Agency shall also report on the number of programs, slots, weeks, or hours; geographic distribution; and what is known about costs to families. The report should be inclusive of 21C programming. ~~The amount of grant funds awarded shall be in alignment with the actual revenue collected from the sales and use tax imposed by 32 V.S.A. § 233 on cannabis or cannabis products in this State. Discrepancies between the amount of grant funds awarded and actual revenue shall be reconciled through the budget adjustment process.~~ The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the plan to be made under this subsection 209.

EXPLANATION:

The original language deposited cannabis sales and use taxes into the Education Fund. Grants from the Education Fund are restricted to Local Education Agencies (LEA), which eliminates the Secretary of Education’s flexibility to provide funding to programs not operated by LEAs. This language establishes a special fund and directs the cannabis sales and use tax to this fund, which provides the Secretary the flexibility to support a greater portfolio of afterschool learning programs.

Sec. 53. 2023 Acts and Resolves No. 3, Sec. 41 is amended to read:

Sec. 41. 2022 Acts and Resolves No. 185, Sec. B.802 is further amended to read:

Sec. B.802 Housing and community development

Personal services	5,321,306	<u>5,212,164</u>
Operating expenses	673,807	<u>671,358</u>
Grants	76,513,512	<u>27,259,532</u>
Total	82,508,625	<u>33,143,054</u>

Source of funds

General fund	4,065,708	4,065,708
Special funds	7,204,966	7,747,606
Federal funds	68,364,457	<u>18,456,246</u>
Interdepartmental transfers	<u>2,873,494</u>	<u>2,873,494</u>
Total	82,508,625	<u>33,143,054</u>

EXPLANATION:

2022 Act 185, Sec. B.802 mistakenly appropriated \$49,908,211 in ARPA Homeowner Assistance Fund (22042) which, as ARPA funds, also automatically carried forward from FY2022. This created a double-count. This change reduces the ARPA HAF by \$49,908,211 and reduces Personal Services by \$109,142; Operating Expenses by \$2,449; and Grants by \$49,796,620. Technical correction to make the appropriation comply with actual action taken.

Sec. 54. 2023 Acts and Resolves No. 3, Sec. 45(a) is amended to read:

(38) \$30,000 to the Department of Health ~~for a grant to~~ enter into an agreement with the American Heart Association for CPR and First Aid Training kits to facilitate training in schools.

EXPLANATION:

The American Heart Association has informed the Health Department that it is unable to accept funds in the form of a state grant. The Association has asked that the funding be provided via a state contract. This language strikes the requirement that funds be provided in the form of grant.

Sec. 55. 2023 Acts and Resolves No. 3, Sec. 81 is amended to read:

Sec. 81. 2022 Acts and Resolves No. 183, Sec. 53(a) is amended to read:

(a) Reversion. In fiscal year 2023, of the amounts appropriated in 2021 Acts and Resolves No. 74, Sec. G.300(a)(13) and 2021 Acts and Resolves No. 9 Sec.3(b)(1), from the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds to the Agency of Commerce and Community Development for the Economic Recovery Grant Program, ~~\$25,042,000.00~~ \$24,980,84.93 shall revert to the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided adjusts the reversion amount to the actual year-end balance available among the two appropriations impacted, adds the missing citation that corresponds to the reversion total and allows the executive branch to execute the law in accordance with the legislative intent.

Sec. 56. 2023 Acts and Resolves No. 22, Sec. 3 is amended to read:

Sec. 3. APPROPRIATION; COMMUNITY NEEDLE AND SYRINGE DISPOSAL PROGRAMS

~~In~~ Notwithstanding any provision of law to the contrary, in fiscal year 2024, \$150,000.00 is ~~authorized~~ appropriated from the Evidence-Based Education and Advertising Fund ~~established~~ by 33 V.S.A. 2004a to the Department of Health’s Division of Substance Use Programs to provide grants and consultations for municipalities, hospitals, community health centers, and other publicly available community needle and syringe disposal programs that participated in a stakeholder meeting pursuant to Sec. 2 of this act.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided clarifies and allows the executive branch to execute the law in accordance with the legislative intent. The purpose of the one-time appropriation, for syringe service programs, is not an allowable use of the Evidence-Based Education and Advertising Fund per 33 V.S.A § 2004a. This language confirms the intent of the General Assembly to make an appropriation, while also adding notwithstanding language which maintains the appropriation while not contradicting 33 V.S.A § 2004a.

Sec. 57. 2023 Acts and Resolves No. 22, Sec. 14 is amended to read:

Sec. 14. APPROPRIATION; OPIOID ABATEMENT SPECIAL FUND

In fiscal year 2023, the following monies shall be appropriated from the Opioid Abatement Special Fund pursuant to 18 V.S.A. § 4774

* * *

(9) All appropriations made in this section shall carry forward into fiscal year 2024 unless reverted as part of the fiscal year 2024 Budget Adjustment Act.

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided allows the executive branch to execute the law in accordance with legislative intent.

Sec. 58. 2023 Acts and Resolves No. 62, Sec. 26 is amended to read:

Sec. 26. 2022 Acts and Resolves No. 185, Sec. G.600(b)(~~5~~), as amended by 2023 Acts and Resolves No. 3, Sec. 85, is further amended to read:

(5) ~~\$2,900,000.00~~ \$2,350,000.00 to the Agency of Transportation for the Replace Your Ride Program, established in 2021 Acts and Resolves No. 55, Sec. 27, as amended.

(6) ~~\$2,200,000~~ \$2,350,000 general funds and \$550,000 Transportation funds to the Agency of Transportation for the following:

(C) \$50,000 Transportation funds and ~~\$100,000~~\$150,000 general funds to the Agency of Transportation for electric bicycle incentives.

(7) \$500,000 General Fund to the Agency of Transportation for the Electrify Your Fleet program.

EXPLANATION:

2023 Act 62, Sec. 26 reduced the existing \$2,900,000 General Fund appropriation for the Replace Your Ride program by \$550,00 to provide the funding necessary for an additional \$50,000 of electric bicycle incentives and the newly established Electrify Your Fleet program. The bill, however, failed to amend the existing electric bicycle incentives appropriation and never established an appropriation for the Electrify Your Fleet program.

Sec. 59. 2023 Acts and Resolves No. 81, Sec. 8 is amended to read:

Sec. 8. EMERGENCY HOUSING TRANSITION; FUNDING; FISCAL YEAR 2024 BUDGET ADJUSTMENT

(a) The Agency of Human Services shall ~~hold in reserve~~ revert as much ~~funding spending authority~~ as possible ~~from during~~ the Agency's fiscal year 2023 closeout process pursuant to the Secretary of Administration's discretion under 2023 Act 3, Sec. 109. ~~as carry forward for potential investment in assisting households with transitioning out of the pandemic era General Assistance Emergency Housing Program. The reserved funds shall not be used unless~~ If the amounts appropriated pursuant to Sec. 7 of this act are not sufficient to fully implement the phase-out of the pandemic-era General Assistance Emergency Housing Program as set forth in this act then the General Assembly may provide additional spending authority as needed.

* * *

EXPLANATION:

Per the June 28, 2023, Statement of Legislative Intent from Senator Kitchel and Representative Lanpher, regarding the Big Bill (Act 78), the language provided allows the executive branch to execute the law in accordance with legislative intent and provide the General Assembly the flexibility to appropriate any additional funding it deems necessary for the General Assistance Emergency Housing Program.

Sec. 60. 2021 Acts and Resolves No. 9, Sec. 17 is amended to read:

Sec. 17. PRACTICAL NURSE; WORKFORCE FUNDING

(a) Due to the increasing challenge of the pandemic on the health professions, the sum of \$1,400,000.00 is appropriated from the American Rescue Plan Act of 2021 - Coronavirus State

Fiscal Recovery Fund to the Vermont State Colleges to purchase nursing simulation equipment to expand nursing student enrollment capacity and address the critical nursing shortage facing Vermont. open 40 to 45 seats in the Practical Nurse Program in partnership with skilled nursing facilities across the State to upskill existing staff to achieve certification as a practical nurse. These funds shall be used as follows:

- (1) Up to \$500,000.00 for administrative and start-up costs for Vermont Technical College.
 - (2) Up to \$260,000.00 in incentive payments in the amount of \$6,000.00 per student to offset lost income during enrollment in the Program.
 - (3) All remaining funds shall be allocated for tuition and fees payments for required prerequisite courses at Community College of Vermont and for the Practical Nurse Program at Vermont Technical College after available federal and State financial aid is applied to ensure no cost to the student.
- (b) To be eligible to participate in the program, a skilled nursing facility shall provide an incentive match in the amount of \$4,000.00 per student during enrollment in the Program.

EXPLANATION:

Vermont State University has not seen growth in the long-term nursing care cohort to utilize these funds to address the critical workforce crisis facing nursing in Vermont. In identifying ways to expand enrollment capacity within the nursing program, additional purchasing of simulation equipment to increase the availability of clinical simulation experiences for students would allow the University to further serve students and increase program capacity to address the shortage of clinical placements across Vermont. Vermont State University requests the authority to purchase nursing simulation equipment in this program.

Sec. 61. 10 V.S.A. § 6083a is amended to read:

§ 6083a. Act 250 fees

(a) All applicants for a land use permit under section 6086 of this title shall be directly responsible for the costs involved in the publication of notice in a newspaper of general circulation in the area of the proposed development or subdivision and the costs incurred in recording any permit or permit amendment in the land records. In addition, applicants shall be subject to each of the following fees for each individual permit or permit application for the purpose of compensating the State of Vermont for the direct and indirect costs incurred with respect to the administration of the Act 250 program:

- (1) For applications for projects involving construction, \$6.65 for each \$1,000.00 of the first \$15,000,000.00 of construction costs, and \$3.12 for each \$1,000.00 of construction costs above \$15,000,000.00. An additional \$0.75 for each \$1,000.00 of the first \$15,000,000.00 of construction costs shall be paid to the Agency of ~~National~~Natural Resources to account for the Agency of Natural Resources' review of Act 250 applications;

- (2) For applications for projects involving the creation of lots, \$125.00 for each lot;
- (3) For applications for projects involving exploration for or removal of oil, gas, and fissionable source materials, a fee as determined under subdivision (1) of this subsection or \$1,000.00 for each day of Commission hearings required for such projects, whichever is greater;
- (4) For applications for projects involving the extraction of earth resources, including sand, gravel, peat, topsoil, crushed stone, or quarried material, the greater of: a fee as determined under subdivision (1) of this subsection; or a fee equivalent to the rate of \$0.02 per cubic yard of the first million cubic yards of the total volume of earth resources to be extracted over the life of the permit, and \$.01 per cubic yard of any such earth resource extraction above one million cubic yards. Extracted material that is not sold or does not otherwise enter the commercial marketplace shall not be subject to the fee. The fee assessed under this subdivision for an amendment to a permit shall be based solely upon any additional volume of earth resources to be extracted under the amendment; and
- (5) For applications for projects involving the review of a master plan, a fee equivalent to \$0.10 per \$1,000.00 of total estimated construction costs in current dollars in addition to the fee established in subdivision (1) of this subsection for any portion of the project seeking construction approval.

~~(6) In no event shall a permit application fee exceed \$165,000.00.~~

(b) Notwithstanding the provisions of subsection (a) of this section, there shall be a minimum fee of \$187.50 for original applications and \$62.50 for amendment applications, in addition to publication and recording costs. These costs shall be in addition to any other fee established by statute, unless otherwise expressly stated. In addition, in no event shall the fee for an individual permit or permit amendment application, including each individual permit or permit amendment application seeking approval for any portion of a project involving a master plan, exceed \$165,000.00.

EXPLANATION:

- 1) Addresses the fact that the \$165,000 statutory cap is on a per application basis and clarifies that each application triggers the fee categories. The language codifies the Environmental Division's recent decision.
- 2) Language codifies longstanding practice by clarifying that each application fee category may apply depending on the project type.
- 3) Technical amendment to correct Agency of *National* Resources to Agency of *Natural* Resources.

Sec. 62. 16 V.S.A. § 4025(a)(6) is amended to read:

(6) revenues raised from the sales and use tax imposed by 32 V.S.A. chapter 233 except those proceeds deposited in accordance with 16 V.S.A. § 4018(a)(1); and

EXPLANATION:

Redirects proceeds from the Sales and Use Tax imposed upon cannabis and cannabis products from the Education Fund to the Afterschool and Summer Learning special fund.

Sec. 63. 16 V.S.A. § 4025(b)(2) is amended to read:

(2) To cover the cost of fund auditing, accounting, revenue collection, and of short-term borrowing to meet fund cash flow requirements.

EXPLANATION:

Technical correction to support the codification of the Tax Computer Modernization Fund (CMF). It does not change any allocation to the CMF nor divert any additional funds away from the Education Fund. It clarifies that the Tax Department does accounting *and* revenue collection.

Sec. 64. 18 V.S.A. § 1001 is amended to read:

§ 1001 Reports to Commissioner of Health

(b) Public health records developed or acquired by State or local public health agencies that relate to HIV or AIDS and that contain either personally identifying information or information that may indirectly identify a person shall be confidential and only disclosed following notice to and written authorization from the individual subject of the public health record or the individual's legal representative. Notice otherwise required pursuant to this section shall not be required for disclosures to the federal government; other departments, agencies, or programs of the State; or other states' infectious disease surveillance programs if the disclosure is for the purpose of comparing the details of potentially duplicative case reports, public health surveillance, or epidemiological follow-up, provided the information shall be shared using the least identifying information first so that the individual's name shall be used only as a last resort.

EXPLANATION:

This proposal modifies statute to allow VDH to continue to share HIV-related data with the CDC for the purposes of public health surveillance and epidemiological follow-up. Without this amendment, VDH will be unable to comply with the CDC's new reporting requirements (effective 1/1/2024) and may risk losing federal funding from the CDC for HIV surveillance.

Sec. 65. 32 V.S.A. § Chapter 207 is amended to read:

CHAPTER 207. CANNABIS EXCISE TAX AND SALES TAX REVENUE

§ 7910. Cannabis Sales Tax Revenue; Afterschool and Summer Learning Program

(a) Revenue from the sales and use tax imposed by Chapter 233 of this title on retail sales of cannabis or cannabis products in Vermont shall be deposited into the Afterschool and Summer Learning special fund established pursuant to 16 V.S.A. § 4018(a).

EXPLANATION:

Requires sales and use tax proceeds levied on cannabis and cannabis products to be deposited into the Afterschool and Summer Learning special fund.

Sec. 66. 33 V.S.A. § 3511 is amended to read:

§ 3511 Definitions

As used in this chapter:

~~(7) “Family child care home” means a child care facility that provides care on a regular basis in the caregiver’s own residence, for not more than 10 children at any one time. Of this number, up to six children may be provided care on a full-time basis and the remainder on a part-time basis. As used in this subdivision, care of a child on a part-time basis shall mean care of a school-age child for not more than four hours a day. These limits shall not include children who reside in the residence of the caregiver, except:~~

~~(A) These part-time, school-age children may be cared for on a full-day basis during school closing days, snow days, and vacation days that occur during the school year.~~

~~(B) During the school summer vacation, up to 12 children may be cared for provided that at least six of these children are of school age and a second staff person is present and on duty when the number of children in attendance exceeds six. These limits shall not include children who are required by law to attend school (seven years of age and older) and who reside I the residence of the caregiver.~~

EXPLANATION:

This language eliminates prescriptive, duplicative guidance for Family Child Care Homes (FCCs) better addressed in DCF regulation to meet a wider variety of scenarios.

Sec. 67. CARRYFOWARD AUTHORITY

(a) Notwithstanding any other provisions of law and subject to the approval of the Secretary of Administration, General, Transportation, Transportation Infrastructure Bond, Education Fund, Clean Water Fund (21932), and Agricultural Water Quality Fund (21933) appropriations remaining unexpended on June 30, 2024 in the Executive Branch shall be carried forward and shall be designated for expenditure.

(b) Notwithstanding any other provisions of law, General Fund appropriations remaining unexpended on June 30, 2024 in the Legislative and Judicial Branches shall be carried forward and shall be designated for expenditure.

EXPLANATION:

Standard annual language authorizing the Secretary of Administration to approve prior year spending authority to carry forward for use in the current fiscal year for the designated funds.

Sec. 68. EFFECTIVE DATES

(a) Sections 52 (E.500.1 amendment), 62 (16 V.S.A. 4025(a) amendment), 63 (16 V.S.A. 4025(b) amendment), and 65 (32 V.S.A 7910 amendment) are effective retroactively to July 01, 2023.

(b) All other sections of this Act are effective upon passage.