

JOINT FISCAL COMMITTEE

GRANT ACCEPTANCE POLICIES

Effective Date: November [•], 2019

Joint Fiscal Committee
Grant Acceptance Policies
("Policies")

1. Introduction; Purpose and Scope

These Policies are designed to implement the grant acceptance process set forth in 32 V.S.A. § 5. Pursuant to 32 V.S.A. § 5(g), the Joint Fiscal Committee is authorized to adopt these Policies. The goal of the Policies is to provide clarity on the required Legislative process for the State of Vermont ("State") to accept grants. These Policies also seek to increase transparency to the public, and address and reduce risks associated with the State accepting grants.

2. Definitions

Unless otherwise provided in these Policies, the terms below shall have the following meanings:

2.1. **Grant** means the original of any grant, gift, loan, or any sum of money, or thing of value.

2.2. **Loan** means a loan that is interest free or below market value.

2.3. **Small grants** means a grant with a value of at least \$1,500.00 but no more than \$15,000.00.

2.4. **State agency** means an Executive Branch agency, department, commission, or board.

3. Roles and Responsibilities

It is the role of the Joint Fiscal Office, as staff of the Joint Fiscal Committee, to receive grant acceptances, rejections, and notifications from the Governor, and to receive grant materials and notifications from the Legislative and Judicial Branches.

Any grant materials or information should be directed to designated Joint Fiscal Office staff.

As soon as practicable after receiving completed grant materials or information, Joint Fiscal Office staff shall send copies of the materials or information to the Joint Fiscal Committee.

4. Submission of Grant Materials from the Judicial and Legislative Branches

Under 32 V.S.A. § 5(d), the Joint Fiscal Committee is required to approve the original of any grant to the Legislative and Judicial Branches valued at more than \$15,000.00.

In order to receive approval for a grant, the Legislative and Judicial Branches should submit a copy of the grant materials to the Joint Fiscal Office.

5. Expedited Grant Review

Under 32 V.S.A. § 5, the Joint Fiscal Committee has 30 days to review any grant to the Executive, Judicial, or Legislative branches. Unless the Joint Fiscal Committee acts to place an item on its agenda, the grant is considered approved. When a grant is placed on the Joint Fiscal Committee agenda, approval is subject to a vote of the Joint Fiscal Committee.

The Joint Fiscal Committee is authorized under limited circumstances to expedite review of a grant to the Executive, Judicial, or Legislative branches in advance of the expiration of the 30-day period. For the Executive branch, the Joint Fiscal Committee may waive the statutory 30-day review period without a formal committee meeting if: (1) the Governor's approval is considered final, and (2) a majority of the members of the Joint Fiscal Committee agree to waive the balance of the review period. For the Judicial and Legislative branches, the Joint Fiscal Committee may waive the statutory 30-day review period without a formal committee meeting if a majority of the members of the Joint Fiscal Committee agree to waive the balance of the review period.

The process for waiving the balance of the review period is as follows:

- 5.1. An agency of department, or a member of the General Assembly, must make a request for expedited review of grant to the Chair of the Joint Fiscal Committee. If the Chair is unavailable, then the request may be made to the Vice-Chair of the Committee.
- 5.2. The Chair of the Joint Fiscal Committee (or Vice-Chair) decides whether to authorize the expedited review process. If the request for the expedited review process is granted, Joint Fiscal Office staff are authorized to conduct a canvass of the remaining members of the Committee for the purpose of waiving the balance of the review period.
- 5.3. Joint Fiscal Office staff may canvass members via email, telephone, or mail, and maintain a record of all responses.
- 5.4. At least six (6) affirmative responses to the request to waive the balance of the review period must be received. The review period shall not be waived in the event of an objection by any member of the Joint Fiscal Committee.
- 5.5. The Joint Fiscal Office shall notify the requesting agency or department of the result of this action.

5.6. A memorandum recording the waiving of a review period shall be placed on file at the Joint Fiscal Office.

6. Small Grant Notification

32 V.S.A. § 5(b)(4) provides that grants from a State agency with a value of \$15,000.000 or less are not required to go through the grant review or approval process if the acceptance of the grant will not incur additional expense to the State or create an ongoing requirement for funds or services. In addition, the review and approval process does not apply to legal settlements. For the Legislative and Judicial Branches, grants with a value of \$15,000.00 or less are also not required to obtain Joint Fiscal Committee approval.

32 V.S.A. § 5(b)(4) does require that the Joint Fiscal Committee receive notification of small grants. This notification requirement applies to small grants to a State agency and to the Legislative and Judicial Branches.

The Joint Fiscal Committee requires that small grant notifications from the Executive, Legislative, and Judicial Branches are sent to the Joint Fiscal Office. The Joint Fiscal office shall submit a list of notifications received to the Joint Fiscal Office on a quarterly basis.

7. Approval of Limited Service Positions

Under 32 V.S.A. § 5(d), the Joint Fiscal Committee is authorized to approve a limited service position request in conjunction with a grant if the position is explicitly stated for a specific purpose in the grant, and the position request is approved pursuant to the same acceptance process as the grant.

For purposes of approving limited service positions, the Joint Fiscal Committee shall use the definition of a limited service position set forth in the Vermont Department of Human Resources, Personnel Policies and Procedures Manual, Section 5.1:

“A limited service position is a non-tenured position in the classified service which, when initially established, is reasonably expected to exist for a limited duration of less than three (3) years but more than one (1) year. Such positions have a definite termination date and are usually associated with a specially funded project or program.”