



STATE OF VERMONT
GENERAL ASSEMBLY
LEGISLATIVE JOINT FISCAL COMMITTEE

Agenda

Wednesday, September 25, 2024

Room 10 and Zoom

[Meeting available by LIVE Stream](#)

Updated on 9/25/2024 12:12 PM

- 9:00 a.m. Call to order and approve minutes from July 30, 2024 [**Approved**]
- 9:05 a.m. A. Administration's Fiscal Updates
Adam Greshin, Commissioner, Department of Finance and Management
1. [General Fund and Transportation Fund Balance Reserves Report](#)
 2. [27/53 Reserve Report](#)
 3. [FY 2026 Budget Instructions](#) and Submission Guidelines ([Technical Supplement](#))
 4. [ARPA-Coronavirus State Fiscal Recovery Fund Appropriation Status](#)
- 9:20 a.m. B. ARPA Update ([Memo](#)) ([Presentation](#))
Douglas Farnham, Chief Recovery Officer, State of Vermont
- 9:45 a.m. C. Housing Update
1. Progress on Transitioning from the Pandemic-era GA Emergency Housing Program [Cite: Sec. 6(b) of Act 81 of 2023] ([Presentation](#))
Miranda Gray, Deputy Commissioner, Department for Children and Families
Chris Winters, Commissioner, Department for Children and Families
 2. Status of Initiatives to Make Additional Housing Units Available, Expand Emergency Shelter [Cite: Sec 9 of Act 81 of 2023] ([MHIR](#)) ([VHIP](#))
Alex Farrell, Deputy Commissioner, Department of Housing and Community Development
 3. Status of Initiatives to Make Additional Housing Units Available, Expand Emergency Shelter [Cite: Sec. 6(c) of Act 81 of 2023] ([Presentation](#)) ([Act 81 Report](#))
Gus Seelig, Executive Director, Vermont Housing and Conservation Board
 4. General Assistance Emergency Housing Task Force
Rep. Jubilee McGill, Co-chair, GA Emergency Housing Task Force
Sarah Russell, Co-chair, GA Emergency Housing Task Force

10:25 a.m. 5. Rapid Response Mobile Home Infill Program ([Presentation](#)) ([Emergency Board Minutes](#))

Alex Farrell, Deputy Commissioner, Department of Housing & Community Development

10:35 a.m. D. Program Updates ([Emergency Board Minutes](#))

1. Business Emergency Gap Assistance Program (BEGAP) ([Memo](#))

Joan Goldstein, Commissioner, Department of Economic Development

2. Emergency Financial Assistance Program for Flood Impacted Vermonters ([Memo](#))

Melissa Bailey, Director of State Energy Office, Department of Public Service

10:55 a.m. E. Grants

[JFO #3214](#): \$150,000 to the Department of Public Safety, Division of Fire Safety from the U.S. Department of Labor. The funds will be used to support the administration and operation of the Vermont State Firefighters' Association (VSFA) Cadet Academy. The Cadet Academy provides entry-level firefighter training for 14-17 year olds and is run by volunteer staff. This will be a pass-through grant to the VSFA with oversight provided by the Vermont Fire Academy.

[Received September 3, 2024] [**Approved**]

Michael Skaza, Chief of Training, Division of Fire Safety – Vermont Fire Academy, Department of Public Safety

[JFO #3215](#): One (1) limited-service position to the Department of Public Safety: Public Safety Accounting and Audit Analyst I. Due to recent natural disasters, Federal Emergency Management Agency (FEMA) funding to Vermont has increased. This new position will assist in FEMA grant administration including reviews of subgrantees receiving federal funds. The position is funded through previously approved FEMA grants through 7/14/2027. [Received 9/9/2024] [**Approved**]

Richard Hallenbeck, Director of Finance and Administration, Department of Public Safety

[JFO #3216](#): One (1) limited-service position to the Agency of Human Services, Department of Aging and Independent Living: Communications Coordinator II. This position will be dedicated outreach to increase participation in the Money Follows the Person program which provides home-based health services in Vermont. Position is funded through previously approved JFO# 2510 through 7/1/2027. [Received 9/9/2024] [**Approved**]

Sarah Lipton, Program Director, Department of Disabilities, Aging & Independent Living

[JFO #3217](#): One (1) limited-service position to the Agency of Human Services (AHS), Department for Children and Families: Community Services Specialist. This position will focus

on the reporting and family outreach required for the *Grants for Infants and Families with Disabilities* program, including a yearly survey that runs from December through June each year involving hundreds of recipients. The position is funded through ongoing federal AHS grants and is funded through 9/30/2025. The intent is to renew the position yearly as long as the grant funds continue to be available. [Received 9/9/2024] [Approved]

Keith Williams, Director of Children's Integrated Services, Child Development Division, Vermont Department for Children and Families

JFO #3218: \$1,936,734 to the Department of Public Safety from the Federal Emergency Management Agency (FEMA) for the repair and replacement of disaster damaged facilities during the January 9-13, 2024 storm event in Chittenden, Essex, Franklin, Lamoille and Orleans counties. State match will be met with a combination of Emergency Relief and Assistance Fund (ERAF) and local grant recipients. [NOTE: *The match requirement necessitates an estimated \$186,000 increase in the General Fund transfer to ERAF for the FY25 BAA.*] [Received 9/9/2024] [Approved]

Eric Forand, Director, Vermont Emergency Management

JFO #3219: \$1,000,000.00 to the Agency of Human Services, Department of Health from the U.S. Environmental Protection Agency. These funds will be used to improve the health and well-being of low-income immigrants, refugees, and asylum seekers/asylee households in Burlington and Winooski, Vermont by creating an ambassador-led Healthy and Energy-Efficient Homes program. [Received 9/20/2024] [Approved]

Jared Ulmer, Climate & Health Program Manager, Environmental Health Division, Vermont Department of Health

Megan Hoke, Financial Director, Vermont Department of Health

JFO #3220: \$50,772.00 to the Department of Public Safety, Fire Safety from the U.S. Consumer Product Safety Commission, to prevent carbon monoxide poisoning of children and the elderly in dwelling units and other facilities. Funds will be used to enhance existing statewide initiatives, utilize existing partnerships and established volunteer teams to increase installation of carbon monoxide detectors in vulnerable residential homes and other buildings. [Received 9/20/2024] [Approved]

Michael Desrochers, Director of the Division of Fire Safety, Department of Public Safety

- 11:15 a.m. F. Fiscal Officers Report
Catherine Benham, Chief Fiscal Officer, Joint Fiscal Office
1. [Fiscal Officers Report](#)
 2. Revenue Contract Update ([Memo](#)) [Approved]
 3. Tentative December Meeting Date

11:30 a.m. Adjourn

Statutory References to Agenda Items

Emergency Housing Transition; Agency of Human Services; Joint Fiscal Committee Oversight; Reports

[Cite: Sec. 6\(b\) of Act 81 of 2023](#)

(b) On or before the last day of each month from July 2023 through March 2024, the Agency of Human Services, or other relevant agency or department, shall report to the House Committee on Human Services, the Senate Committee on Health and Welfare, and the Joint Fiscal Committee on its progress in assisting households housed in hotels and motels with transitioning from the pandemic-era General Assistance Emergency Housing Program to alternative housing placements and on the creation of new, alternative housing solutions. Each update shall include:

[Cite: Sec. 6\(c\) of Act 81 of 2023](#)

(c) On or before the last day of each month from July 2023 through March 2024, the Vermont Housing and Conservation Board shall report to the House Committees on Human Services and on General and Housing; the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs; and the Joint Fiscal Committee on:

(1) the status of the Board's initiatives to make additional housing units available and how those initiatives support the Agency of Human Services' efforts to assist households with transitioning out of the pandemic-era General Assistance Emergency Housing Program; and

(2) the status of the Board's efforts to expand emergency shelter capacity, including the number of new beds available since the previous report, the number of additional beds planned, and when the additional planned beds are likely to become available.

Affordable Housing Development; Fiscal Year 2024 Funding

[Cite: Sec. 9 of Act 81 of 2023](#)

(a) Of the \$40,000,000.00 appropriated to the Vermont Housing and Conservation Board (VHCB) in the fiscal year 2024 budget act to provide support and enhance capacity for the production and preservation of affordable mixed-income rental housing and homeownership units:

(1) \$10,000,000.00 shall be used to provide support and enhance the capacity, availability, and utilization of manufactured homes in cooperatively owned, nonprofit, and privately owned manufactured home parks with vacant and available lots. VHCB shall consult with the Department of Housing and Community Development to ensure that new investments prioritize individuals and families exiting from hotels and motels in accordance with this act.

(2) VHCB shall grant \$4,000,000.00 to the Vermont State Housing Authority for the Manufactured Home Improvement and Repair Program to prevent vulnerable mobile home park

residents from becoming homeless.

(3) Notwithstanding 32 V.S.A. § 5(b), VHCB shall grant \$5,000,000.00 to the Department of Housing and Community Development to support the Vermont Housing Improvement Program.

(b) For fiscal year 2024, the VHCB shall increase its “Homeless Unit” set aside for housing projects seeking VHCB funding from 15 percent to 30 percent, with priority given to households exiting hotels and motels in accordance with this act.

Acceptance of Grants

Cite: 32 V.S.A. § 5

(3) Legislative review.

(A) The Governor's approval in subdivision (b)(2) of this section shall be final, except as follows:

(i) When the General Assembly is not in session, within 30 days of receipt of the copy of an approval and related information required under subdivision (b)(2) of this section, a member of the Committee requests such grant, gift, loan, sum of money, or thing of value be placed on the Committee's agenda; or

(ii) When the General Assembly is in session, within 30 days of receipt of the copy of an approval and related information required under subdivision (b)(2) of this section, a member of the Committee requests that such grant, gift, loan, sum of money, or thing of value be held for legislative approval. If a copy of an approval and related information is received when the General Assembly is in session, but before the members of the Joint Fiscal Committee are appointed, one of the statutorily appointed members of the Committee may request to hold a grant for legislative approval. Legislative approval under this subdivision may be granted by legislation or resolution.

(B) In the event of a request to hold a grant made pursuant to subdivision (3) of this subsection (b), the grant shall not be accepted until approved by the Joint Fiscal Committee or the General Assembly

Reports

ARPA SFR Appropriations Report

Cite: Act 185 of 2022, Sec. G.200

(a) On or before September 15, 2022 and annually thereafter until September 15, 2026, the Commissioner of Finance and Management shall submit a report to the Joint Fiscal Committee on the status of all appropriations made from the Coronavirus State and Local Fiscal Recovery Fund (SLFR) provided to the State from the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (ARPA). The report shall include updates on project eligibility, obligated funds, actual expenditures, and any compliance or reporting issues.

(b) On or before January 15, 2023, the Commissioner of Finance and Management shall provide an update to the September 15, 2022 ARPA report described in subsection (a) of this section to the House and Senate Committees on Appropriations, including recommendations, if any, for reallocation of ARPA SLFR funds in the fiscal year 2023 budget adjustment act.

ARPA SFR Appropriations Report

Cite: Act 78 of 2023, Sec. D.105

(a) The Joint Fiscal Committee shall ensure the American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds report received in September 2023 per 2022 Acts and Resolves No. 185 Sec. G.200(a) is sent to the Chairs and Vice Chairs of the legislative standing committees. At the Committee’s November 2023 meeting, the Committee shall identify any American Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery appropriations that are available for reallocation to ensure these funds are utilized within the required time frame.

Act 78

[Report Link](#)

Cite: Sec. E.301.2 2022 Acts and Resolves No. 83, Sec. 72a, as amended by 2022 Acts and Resolves No. 185, Sec. C.105 is further amended to read:

Sec. 72a. MEDICAID HOME- AND COMMUNITY-BASED SERVICES (HCBS) PLAN

(f) The Global Commitment Fund appropriated in subsection (e) of this section may be obligated in fiscal year 2023 and fiscal year 2024 for the purposes of bringing HCBS plan spending authority forward into fiscal year 2024 and fiscal year 2025, respectively. The funds appropriated in subsections (b), (c), and (e) of this section may be transferred on a net-neutral basis in fiscal year 2023 and fiscal year 2024 in the same manner as the Global Commitment appropriations in Sec. E.301 of H.740 of 2022 2022 Acts and Resolves No. 185, Sec. E.301. The Agency shall report to the Joint Fiscal Committee in September 2023 and September 2024, respectively, on transfers of appropriations made and final amounts expended by each department in fiscal year 2023 and fiscal year 2024, respectively, and any obligated funds carried forward to be expended in fiscal year 2024 and fiscal year 2025, respectively.

CLEAN WATER INVESTMENT REPORT

Cite: 10 V.S.A. § 1389a as amended by Sec. 3 of Act 170 of 2022

[Report Link](#)

(a) Beginning on January 15, 2017, and annually thereafter, the Secretary of Administration shall publish a Clean Water Investment Report. The Report shall summarize all investments, including their cost-effectiveness, made by the Clean Water Fund Board and other State agencies for clean water restoration over the prior calendar year. The Report shall include expenditures from the Clean Water Fund, the General Fund, the Transportation Fund, and any other State expenditures for clean water restoration, regardless of funding source.

(b) The Report shall include:

(5) A summary of available federal funding related to or for water quality improvement efforts in the State. [repealed]

(6) Beginning on January 2023, a summary of the administration of the grant programs established under sections 925–928 of this title, including whether these grant programs are adequately funding implementation of the Clean Water Initiative and whether the funding limits

for the Water Quality Enhancement Grants under subdivision 1389(e)(1)(D) of this title should be amended to improve State implementation of the Clean Water Initiative.

(d)(1) The Secretary of Administration shall develop and use a results-based accountability process in publishing the annual report required by subsection (a) of this section.

(3) On or before September 1 of each year, the Secretary of Administration shall submit to the Joint Fiscal Committee an interim report regarding the information required under subdivision (b)(5) of this section relating to available federal funding a summary of available federal funding related to or for water quality efforts in the State.

GREEN MOUNTAIN CARE BOARD BILL-BACK REPORT

[Cite: 18 V.S.A. § 9374](#)

[Report Link](#)

(h)(1) The Board may assess and collect from each regulated entity the actual costs incurred by the Board, including staff time and contracts for professional services, in carrying out its regulatory duties for health insurance rate review under 8 V.S.A. § 4062; hospital budget review under chapter 221, subchapter 7 of this title; and accountable care organization certification and budget review under section 9382 of this title.

(5)(A) Annually on or before September 15, the Board and the Department of Financial Regulation shall report to the House and Senate Committees on Appropriations the total amount of all expenses eligible for allocation pursuant to this subsection (h) during the preceding State fiscal year and the total amount actually billed back to the regulated entities during the same period. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subdivision.

(B) The Board and the Department shall also present the information required by this subsection (h) to the Joint Fiscal Committee annually at its September meeting.

VEGI ANNUAL REPORTING

[Cite: 32 V.S.A. § 3340](#)

[Report Link](#)

(a) On or before September 1 of each year, the Vermont Economic Progress Council and the Department of Taxes shall submit a joint report on the incentives authorized in this subchapter to the House Committees on Ways and Means, on Commerce and Economic Development, and on Appropriations, to the Senate Committees on Finance, on Economic Development, Housing and General Affairs, and on Appropriations, and to the Joint Fiscal Committee.

HEALTH IT-FUND

[Cite: 32 V.S.A. § 10301](#)

[Report Link](#)

(a) The Vermont Health IT-Fund is established in the State Treasury as a special fund to be a source of funding for Medical Health Care Information Technology Programs and initiatives such as those outlined in the Vermont Health Information Technology Plan administered by the Secretary of Administration or designee. One hundred percent of the Fund shall be disbursed for the advancement of health information technology adoption and utilization in Vermont as appropriated by the General Assembly, less any disbursements relating to the administration of the Fund. The Fund shall be used for loans and grants to health care providers pursuant to section

10302 of this chapter and for the development of programs and initiatives sponsored by VITL and State entities designed to promote and improve health care information technology, including:

(g) The Secretary of Administration or his or her designee shall submit an annual report on the receipts, expenditures, and balances in the Health IT-Fund to the Joint Fiscal Committee at its September meeting and to the Green Mountain Care Board. The report shall include information on the results of an annual independent study of the effectiveness of programs and initiatives funded through the Health IT-Fund, with reference to a baseline, benchmarks, and other measures for monitoring progress and including data on return on investments made.

CALCULATING AND ALLOCATING SAVINGS – CHOICES FOR CARE

Cite: 33 V.S.A. § 7602

[Report Link](#)

(a)(1) The Department shall calculate savings and investments in Choices for Care and report the amount of savings to the Joint Fiscal Committee, the House Committees on Appropriations and on Human Services and the Senate Committees on Appropriations and on Health and Welfare on or before September 15 of each year. The Department shall not reduce the base funding needed in a subsequent fiscal year prior to calculating savings for the current fiscal year.

DEVELOPMENT OF EMERGENCY SHELTER AND PERMANENT SUPPORTIVE HOUSING CAPACITY

Cite: Act 113 of 2024 (H.883)

[Report Link](#)

(2) On or before July 15, 2024, the Department shall submit to the Joint Fiscal Committee a plan for the development of emergency shelters required pursuant to this subsection. On or before September 1, 2024 and November 1, 2024, the Department shall submit to the Joint Fiscal Committee progress reports addressing the Department's efforts to develop sufficient emergency shelter beds, including updates on work to provide overnight shelter and daytime solutions in advance of December 1, 2024.

COMPLEX LITIGATION SPECIAL FUND ANNUAL REPORT

Cite: 3 V.S.A. § 167a. COMPLEX LITIGATION SPECIAL FUND

[Report Link](#)

(a) There is established the Complex Litigation Special Fund pursuant to 32 V.S.A. chapter 7, subchapter 5 to be available for expenditure by the Attorney General, as annually appropriated or authorized pursuant to 32 V.S.A. § 511, to pay nonroutine expenses, not otherwise budgeted, incurred in the investigation, prosecution, and defense of complex civil and criminal litigation. These expenses may include, for example, costs incurred for expert witnesses and for support staff and technology needed to review and manage voluminous documents in discovery and at trial in complex cases.

(d) The Attorney General shall submit a report of the amount and purpose of expenditures from the Fund at the close of each fiscal year to the Joint Fiscal Committee annually on or before September 1. As part of the annual budget submission, the Attorney General shall include a

projection of the Fund balance for the current fiscal year and upcoming fiscal year and may recommend appropriations as needed consistent with the purpose of the Fund.

GENERAL ASSISTANCE PROGRAM REPORT

[Cite: 33 V.S.A § 2115](#)

[Report Link](#)

On or before September 1 of each year, the Commissioner for Children and Families shall submit a written report to the Joint Fiscal Committee; the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Human Services; and the Senate Committees on Appropriations and on Health and Welfare. The report shall contain the following:

- (1) an evaluation of the General Assistance program during the previous fiscal year;
- (2) any recommendations for changes to the program;
- (3) a plan for continued implementation of the program;
- (4) statewide statistics using deidentified data related to the use of emergency housing vouchers during the preceding State fiscal year, including demographic information, client data, shelter and motel usage rates, clients' primary stated cause of homelessness, and average lengths of stay in emergency housing by demographic group and by type of housing; and
- (5) other information the Commissioner deems appropriate.

AUGUST 31ST HOUSING REPORT (DCF)

[Cite: Act 113 of 2024, Sec. E321\(g\)](#)

[Report Link](#)

(g) On or before the last day of each month from July 2024 through June 2025, the Department for Children and Families, or other relevant agency or department, shall continue submitting a similar report to that due pursuant to 2023 Acts and Resolves No. 81, Sec. 6(b) to the Joint Fiscal Committee, House Committee on Human Services, and Senate Committee on Health and Welfare. Additionally, this report shall include the Department's monthly expenditure on General Assistance Emergency Housing.