


## MEMORANDUM

**TO:** Joint Fiscal Committee  
**FROM:** Andrew Pallito, Commissioner of Finance & Management  
**DATE:** October 18, 2016  
**RE:** Excess Receipts Report – 32 VSA Sec 511



In accordance with 32 VSA Sec 511, please find attached the report on Excess Receipts approved for expenditure through the first quarter of FY 2017 (7/1/2016 through 9/30/16). The full text of the governing statute is provided at the end of this memo.

### Review Process

The Administration goes through an extensive application and approval process for allowing expenditure of excess receipts. The form required of departments can be found at: [http://finance.vermont.gov/sites/finance/files/pdf/forms/budget/Excess\\_Receipts\\_Form.doc](http://finance.vermont.gov/sites/finance/files/pdf/forms/budget/Excess_Receipts_Form.doc) (at <http://finance.vermont.gov/forms> under the “Budget” category). The form requires information to ensure that the approval does not overstep statutory guidelines. Requests that overstep the statutory guidelines are denied, and/or where appropriate are held for the legislative budget process.

Departments are required to provide written answers to the following questions (although only the response to the first question is entered into the VISION database):

- Reason funds are available?
- Do you anticipate additional funds from the same source available in this fiscal year and above current appropriation?
- Is this increase one-time or at an ongoing level?
- Why were funds not fully budgeted during budget development?
  - What is the current year appropriation or grant amount approved by the Joint Fiscal Committee for this fiscal year, from this source of funds for this purpose?
- If these are ongoing funds, will funds from this source be fully budgeted and appropriated next fiscal year?
- Were excess receipts requested from this source in the preceding two fiscal years? If so, explain why they were not budgeted?
- Are these excess receipts being received from another department (i.e., interdepartmental transfers)? If so, are they appropriated in that department or will excess receipts be required there as well?



- Relationship, if any, to the Budget Adjustment Act?
- Can excess receipts be used to reduce the expenditure of State funds?
- **Will excess receipts establish or increase the scope of a program, committing the State at any time to expend State funds?** [The form notes that in such instances, legislative approval is required.]
- What specifically will excess receipts be used for? What is the impact on programs if this excess receipt request is not approved?
- Are any of the excess receipts to be used for your department's administrative, staff or operating expenses? If so, explain.
- Is there any matching fund requirement due to excess receipts? If so, where is the match found in your budget?
- If excess receipts are earned federal receipts, is excess receipt being spent in the same (federal) program where the excess receipts are earned? If not, explain.
- Has the excess receipt been received and deposited? If no, what date are funds expected?
- If approved, when will the expenditure of this excess receipt first occur?

The VISION entry normally includes only the response to the first question – why are additional receipts available? However, for any individual Excess Receipt Request, we can provide the full paper copy of the form, listing all the department's responses.

### **Broad Categories of Excess Receipt Requests**

Requests for expenditure of excess receipts generally fall into several broad categories:

**Interdepartmental Transfers:** It is not uncommon for one State department (“Department A”) to purchase services from another State department (“Department B”). In that instance, Department A budgets these expenditures just as they would any other type of expenditure: by type of expenditure and by the source of revenue that will fund these expenditures. Department B also budgets these expenditures, and identifies the source of revenue as “interdepartmental transfers.” This process results in a small amount of “double-booking” of spending authority but ensures that both departments have the necessary spending authority. In many cases, at the time of budget development, Department A has not yet decided from where to purchase the services in question, so Department B does not budget the interdepartmental transfer revenues. When Department A moves forward to contract for services with Department B after the budget has closed, then Department B must request an Excess Receipts approval for the additional spending authority to perform the services.

**Federal Funds:** Departments estimate their likely federal receipts in the fall for the upcoming budget year, meaning the estimate is as much as nine-months old at the start of the budget year, and another 12 months older by the end of the budgeted fiscal year. As a result, more recent developments may mean that the budgeted federal spending authority is insufficient, either because the current federal award for an existing grant has been increased, or there is spending authority from grants from earlier federal fiscal years that can be used in the current year. Additionally, extraordinary events – such as the federal American Recovery and Reinvestment Act (ARRA) or federal aid to Vermont due to Tropical Storm Irene – may cause large – and unanticipated -- spikes in federal receipts.

**Other:** There are over 200 different special funds created under State law, in which are deposited fees, user charges, penalties, specified taxes, etc. Departments estimate how much they will collect each year for each of these special funds, and base their spending plans accordingly. However, for the same reasons noted above, the actual collections for these revenues may be higher than the original budget. Excess receipts may also be used in an instance where prior-year special fund spending authority was not utilized and needs to be created again in the subsequent year (similar to a carry-forward). It should be noted that in addition to the restrictions in the excess receipts statute, each special fund has its own statutory restrictions that prevent the funds being used for other than their intended purposes and programs.

**Attached Report:**

The attached report is a cumulative list of approved excess receipt requests for the current fiscal year. It includes ALL the data entered in VISION for that transaction, including:

- Agency/Department name
- Appropriation name and “DeptID”
- Transaction date
- Fund source – name and fund number
- Amount
- Comments in response to question: “Why are funds available?” (VISION allows for a limited number of characters per cell entry.)

The data are sorted into the three broad categories of requests discussed above.

**Governing Statute:**

***32 V.S.A. § 511. EXCESS RECEIPTS***

*If any receipts including federal receipts exceed the appropriated amounts, the receipts may be allocated and expended on the approval of the commissioner of finance and management. If, however, the expenditure of those receipts will establish or increase the scope of the program, which establishment or increase will at any time commit the state to the expenditure of state funds, they may only be expended upon the approval of the legislature. Excess federal receipts, whenever possible, shall be utilized to reduce the expenditure of state funds. The commissioner of finance and management shall report to the joint fiscal committee quarterly with a cumulative list and explanation of the allocation and expenditure of such excess receipts.*

**FY 2017 Excess Receipts Report - Q1 Cumulative - Run 10-18-2016**

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Agency/Dept Name	Appropriation Name	Deptid	Date	Fund	Fund Name	Amount	Comments
<b>Federal Funds (including "Regular" ARRA) Excess Receipts:</b>							
Forests, Parks & Recreation	Lands Administration	6130040000	8/2/2016	22005	Federal Revenue Fund	1,300,000.00	Federal funds from Forest Legacy program for the acquisition of the Backus and Bullard properties
Human Services Agency	Secretary's Office Admin Costs	3400001000	9/14/2016	22005	Federal Revenue Fund	2,650,000.00	AA-1 JFC# 2668 dated 3/24/14 approved during SFY14 in March for the Race to the Top Early Learning Challenge Grant
Human Services Agency	Secretary's Office Admin Costs	3400001000	9/14/2016	22005	Federal Revenue Fund	4,250,000.00	AA-1 JFC #2622 dated 5/9/2013 approved during SFY13 for the State Innovation Model grant.
Women's Commission	Commission on Women	3310000000	7/28/2016	22005	Federal Revenue Fund	173,794.00	Federal grant from US Dept of Labor to conduct a comprehensive Paid Family & Medical Leave Feasibility Study for the State of VT.
Military	MIL Vet Affairs Office	2150050000	7/19/2016	22005	Federal Revenue Fund	2,328,130.27	Re-establishment of federal funds allotted to VT for multi-year federally funded Veterans Cemetary Expansion.
<b>Subtotal Federal Funds (Including "Regular" ARRA) Excess Receipts</b>						<b>10,701,924.27</b>	
<b>Interdepartmental Transfer Excess Receipts:</b>							
Transportation Agency	Department of Motor Vehicles	8100002100	9/13/2016	21500	Inter-Unit Transfers Fund	50,000.00	Funds available from Grant #NH16405C-710, 2016 E-Citation Printers.
Transportation Agency	Policy and Planning	8100002200	8/11/2016	21500	Inter-Unit Transfers Fund	232,994.00	Fund from Grant #02140-34000-118B, State Hazard Mitigation Plan Update.
Tourism & Marketing	Dept. of Tourism & Marketing	7130000000	9/15/2016	21500	Inter-Unit Transfers Fund	135,107.00	FY16 Remaining Cash Balance of: Act 51, 2015 session Sec.G.10.(a)(3) Economic Marketing Development Fund
Commerce & Community Dev Agency	Administration Division	7100000000	9/13/2016	21500	Inter-Unit Transfers Fund	205,442.29	FY13 and FY15 Capital Bill for Orthophoto program appropriated to tax dept, program moved under ACCD/VCGI admin in FY16.
Forests, Parks & Recreation	Lands Administration	6130040000	8/2/2016	21500	Inter-Unit Transfers Fund	50,000.00	Funds from VHCB for long-range management projects.
Forests, Parks & Recreation	Forestry	6130020000	8/2/2016	21500	Inter-Unit Transfers Fund	40,000.00	IDT funds from DEC and PSD
Forests, Parks & Recreation	Forestry	6130020000	8/2/2016	21500	Inter-Unit Transfers Fund	15,000.00	IDT funds from DEC and PSD
Forests, Parks & Recreation	Forestry	6130020000	8/2/2016	21500	Inter-Unit Transfers Fund	22,000.00	IDT funds from DEC and PSD
Forests, Parks & Recreation	Forestry	6130020000	8/2/2016	21500	Inter-Unit Transfers Fund	29,445.00	IDT funds from DEC and PSD
Forests, Parks & Recreation	Administration	6130010000	8/2/2016	21500	Inter-Unit Transfers Fund	300,000.00	Funds from FEMA disaster assistance received through VTrans.

**FY 2017 Excess Receipts Report - Q1 Cumulative - Run 10-18-2016**

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Agency/Dept Name	Appropriation Name	Deptid	Date	Fund	Fund Name	Amount	Comments
Agriculture, Food&Mrkts Agency	Plant Industry, Labs & CA Div	2200040000	9/27/2016	21500	Inter-Unit Transfers Fund	26,664.00	Funding from the CDC provided through Vt Dept of Health in support of arbovirus surveillance.
Attorney General's Office	Attorney General's Office	2100001000	9/22/2016	21500	Inter-Unit Transfers Fund	100,000.00	Funds available per Emergency Board meeting on 7/21/16 and 2016 Act 172, Sec. B.139
Sergeant at Arms' Office	Sergeant at Arms	1230001000	8/5/2016	21500	Inter-Unit Transfers Fund	10,000.00	Room rentals
Joint Fiscal Office	Joint Fiscal Committee/Office	1220000000	8/24/2016	21500	Inter-Unit Transfers Fund	173,437.50	Act 26 of 2015, Sec. 36(d): Funds moved to 21500 by F&M in FY16 and additional funds to 21500 by AHS in FY17
<b>Subtotal Interdepartmental Transfer Excess Receipts</b>						<b>1,390,089.79</b>	
<b>Special Fund Excess Receipts:</b>							
Transportation Agency	Policy and Planning	8100002200	9/13/2016	20155	Transportation-FRA Fund	20,000.00	Funds from a MOA between Vt Agency of Transportation and Mass Dept of Transportation
Transportation Agency	Rail	8100002300	8/24/2016	20165	Transportation Other Fed Funds	163,717.25	Funds are the FY16 remaining balance from a Northern Border Regional Commission Grant
Treasurer's Office	Office of the Treasurer	1260010000	7/12/2016	21003	Financial Literacy Commission	12,000.00	Pursuant to 9 V.S.A. Chapter 151 Section 6004 Financial Literacy Commission Fund
Human Resources-Gov'tal	DHR - VTHR Operations	1120080000	9/27/2016	21005	FMS System Development Fund	307,903.00	Funds in the FMS Development fund to support the requirements gathering and documentation of a contract with KPMG.
Environmental Conservation	Water Programs Appropriaion	6140040000	8/3/2016	21313	Ecosystem Rest & Water Quality	175,000.00	New fund created by statute
Commerce & Communtiy Dev Agency	Administration Division	7100000000	9/13/2016	21330	Municipal & Regional Planning	85,787.47	Several significant multi-agency projects are in the planning and requirements gathering phases for Property Parcel Mapping Program.
Forests, Parks & Recreation	Forestry	6130020000	8/2/2016	21475	Natural Resources Mgmt	4,233.57	Reestablish spending authority from JFO 2734 to accept grant funds from The Nature Conservancy to create the Forster I limited service position.
Agriculture, Food&Mrkts Agency	Ag Development Division	2200030000	9/27/2016	21493	VT Working Lands Enterprise	175,000.00	Donations made in FY2016 and approved via JFO's 2807-2809
Forests, Parks & Recreation	Forestry	6130020000	8/2/2016	21525	Conference Fees & Donations	8,000.00	Funds available from Waterbury Area Trail Alliance, American Forest Foundation, and anticipated from Urban & Community Forestry workshop fees.

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Agency/Dept Name	Appropriation Name	Deptid	Date	Fund	Fund Name	Amount	Comments
Forests, Parks & Recreation	Administration	6130010000	8/2/2016	21525	Conference Fees & Donations	5,000.00	Funds available from Waterbury Area Trail Alliance, American Forest Foundation, and anticipated from Urban & Community Forestry workshop fees.
Forests, Parks & Recreation	Administration	6130010000	8/2/2016	21525	Conference Fees & Donations	14,869.00	Funds available from Waterbury Area Trail Alliance, American Forest Foundation, and anticipated from Urban & Community Forestry workshop fees.
Buildings & Gen Serv-Gov'tal	BGS-Administrative Services	1150100000	8/9/2016	21526	Governor's Portrait & Frame	20,000.00	Funds for Governor's Portrait & Frame Fund
Forests, Parks & Recreation	Administration	6130010000	8/2/2016	21550	Lands and Facilities Trust Fd	150,000.00	Funds from the receipts in the lands and facilities trust funds that FPR has authority to use per statute.
Transportation Agency	Public Assistance Program	8100005500	9/22/2016	21555	Emergency Relief & Assist Fd	1,500,000.00	FEMA disaster declaration FEMA-4022-DR-VT. ERAF funds provide state match for the FEMA funds.
Transportation Agency	Public Assistance Program	8100005500	9/13/2016	21555	Emergency Relief & Assist Fd	400,000.00	FEMA disaster declaration FEMA-4022-DR-VT.
Public Safety	DPS-Emergency Management	2140030000	8/4/2016	21555	Emergency Relief & Assist Fd	173,324.00	This funding is granted to locals for completing Public Assistance projects.
Forests, Parks & Recreation	Forestry	6130020000	8/2/2016	21584	Surplus Property	3,662.72	Funds were received from the sale of assets
Veterans' Home	VERMONT VETERANS' HOME	3300010000	7/8/2016	21584	Surplus Property	(10,452.00)	Payor mix change during the year
Veterans' Home	VERMONT VETERANS' HOME	3300010000	7/8/2016	21584	Surplus Property	10,452.00	Payor mix change during the year
Military	MIL BLDG Maint&Armory Caretrk	2150040000	8/24/2016	21584	Surplus Property	24,212.13	Proceeds from the sale of vehicles
Attorney General's Office	Attorney General's Office	2100001000	8/29/2016	21584	Surplus Property	2,659.31	Proceeds from the sale of vehicle at AOT spring auction
Buildings & Gen Serv-Gov'tal	BGS-Information Centers	1150400000	8/5/2016	21603	Motorist Aid Refreshment Prog	130,000.00	Funds from donations made by motorists at Info Centers.
Buildings & Gen Serv-Capital	BGS-Various Property Sales	904300250	8/2/2016	21613	BGS-Sale of State Land	9,403.51	Replenish spending authority as of 6/30/16
Agriculture, Food&Mrkts Agency	VT Ag & Environmental Lab	2200150000	7/19/2016	21667	AF&M-Laboratory Testing	50,415.57	To reestablish funding originally approved on ER255 on 4/12/16. Funding to cover PO from FY16 was not able to be rolled to FY17.
Buildings & Gen Serv-Capital	VT Expo major Maint 51/14(a)	1305100141	8/2/2016	21682	AF&M-Eastern States Building	46,628.04	Replenish spending authority as of 6/30/16
Veterans' Home	VERMONT VETERANS' HOME	3300010000	7/8/2016	21767	Vets Home-Private Pay	(907,320.00)	Payor mix change during the year
Veterans' Home	VERMONT VETERANS' HOME	3300010000	7/8/2016	21767	Vets Home-Private Pay	907,320.00	Payor mix change during the year
Veterans' Home	VERMONT VETERANS' HOME	3300010000	7/8/2016	21768	Vets Home-Dom Applied Income	(104,788.00)	Payor mix change during the year
Veterans' Home	VERMONT VETERANS' HOME	3300010000	7/8/2016	21768	Vets Home-Dom Applied Income	104,788.00	Payor mix change during the year

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Agency/Dept Name	Appropriation Name	Deptid	Date	Fund	Fund Name	Amount	Comments
Forests, Parks & Recreation	Vt Youth Conservation Corps	6130080000	8/2/2016	21779	FPR-Youth Conservation Corps	300,000.00	Funds from a cash assistance MOA between FPR and VYCC.
Veterans' Home	VERMONT VETERANS' HOME	3300010000	7/8/2016	21785	New York Medicaid	(870,389.00)	Payor mix change during the year
Veterans' Home	VERMONT VETERANS' HOME	3300010000	7/8/2016	21785	New York Medicaid	870,389.00	Payor mix change during the year
Education Agency	Education Services	5100070000	8/24/2016	21848	ED-Private Sector Grants	30,300.00	Carryover funds and new awards approved by JFO before the end of FY16, but were not known at FY17 budget development time.
Education Agency	Education Services	5100070000	8/24/2016	21848	ED-Private Sector Grants	27,372.00	Carryover funds and new awards approved by JFO before the end of FY16, but were not known at FY17 budget development time.
Education Agency	Education Services	5100070000	8/24/2016	21848	ED-Private Sector Grants	90,000.00	Carryover funds and new awards approved by JFO before the end of FY16, but were not known at FY17 budget development time.
Sergeant at Arms' Office	Sergeant at Arms	1230001000	8/5/2016	21870	Misc Special Revenue	10,000.00	Room rentals
Libraries	Department of Libraries	1130030000	9/29/2016	21870	Misc Special Revenue	6,000.00	Funds from billings to CCV for their portion of Learning Express Library Database
Agriculture, Food&Mrkts Agency	Ag Development Division	2200030000	8/5/2016	21889	Risk Manage Ag Producers	59,964.00	Grant from VT Low Income Trust for electricity accepted through JFO via #2688
Public Service Department	Regulation & Energy Efficiency	2240000000	7/28/2016	21899	Connectivity Fund	2,552,153.36	VT Telecommunications Authority
Agriculture, Food&Mrkts Agency	Ag Development Division	2200030000	7/19/2016	21908	Misc Grants Fund	9,750.00	Grant from Agricultural Safety & Health Council of America: JFO #2825 approved 6/20/16
Administration Agency	Secretary of Administration	1100010000	7/28/2016	21908	Misc Grants Fund	194,723.16	Grant award from the Permanent Fund for VT's Children. To provide staff and consulting support of the Blue Ribbon Commission on Child Care.
Military	MIL Vet Affairs Office	2150050000	9/1/2016	21924	Vermont Veterans Fund	71,500.00	Proceeds from tax return donations
Agriculture, Food&Mrkts Agency	Water Quality Programs	2200891602	7/19/2016	21933	Agricultural Water Quality	873,384.33	Remaining funds from 2015 Act 64 Section 42
Buildings & Gen Serv-Gov'tal	BGS-Information Centers	1150400000	8/10/2016	21936	Information Center Revenues	102.72	Receipts come from advertisement marketing panels placed in Info Centers around the state
Economic Development	STEM Incentive	7120891602	8/5/2016	21992	Next Generation Initiative Fnd	129,000.00	One-time appropriations for FY2016 carry forward
Economic Development	STEM Incentive	7120891502	8/5/2016	21992	Next Generation Initiative Fnd	63,600.00	One-time appropriations for FY2016 carry forward
Agriculture, Food&Mrkts Agency	Lg Animal Vet Loan Forgive	2200891601	7/19/2016	21992	Next Generation Initiative Fnd	18,593.02	Remaining one-time appropriation - grant agreement exists fully obligating funds

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<b>Agency/Dept Name</b>	<b>Appropriation Name</b>	<b>Deptid</b>	<b>Date</b>	<b>Fund</b>	<b>Fund Name</b>	<b>Amount</b>	<b>Comments</b>
Transportation Agency-Prop	Central Garage	8110000200	8/24/2016	57100	Highway Garage Fund	70,692.17	Funds are the unexpended balance in the equipment replacement account at the end of FY16. Funds will be used for equipment purchases per Title 19, Sec. 13 (c)
<b>Subtotal Federal Funds (Including "Regular" ARRA) Excess Receipts</b>						<b>7,988,950.33</b>	
<b>TOTAL:</b>						<b>20,080,964.39</b>	