

H.232

An act relating to fiscal year 2009 budget adjustment

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. Sec. 2.001 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.001. Secretary of administration - secretary's office

Personal services	<del>848,494</del>	803,917
Operating expenses	59,918	59,918
Grants	<u>150,000</u>	<u>150,000</u>
Total	<del>1,058,412</del>	1,013,835

Source of funds

General fund	<del>829,122</del>	872,208
Global Commitment fund	<del>76,613</del>	70,316
Interdepartmental transfer	<u><del>152,677</del></u>	<u>71,311</u>
Total	<del>1,058,412</del>	1,013,835

Sec. 2. Sec. 2.024 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.024. Buildings and general services - fee for space

Personal services	<del>11,993,881</del>	12,332,498
Operating expenses	<u>12,126,545</u>	<u>13,854,846</u>
Total	24,120,426	26,187,344

Source of funds

Internal service funds	24,120,426	26,187,344
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Sec. 3. Sec. 2.027 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.027 Executive office - national and community service

Personal services	<del>202,006</del>	151,504
Operating expenses	<del>122,923</del>	92,378
Grants	<u>1,835,463</u>	<u>1,377,300</u>
Total	2,160,392	1,621,182

Source of funds

General fund	<del>56,528</del>	43,284
Federal funds	<u>2,103,864</u>	<u>1,577,898</u>
Total	2,160,392	1,621,182

Sec. 4. Sec. 2.034 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.034. Auditor of accounts

Personal services	<del>2,805,929</del>	2,785,632
Operating expenses	<u>142,283</u>	<u>142,283</u>
Total	<del>2,948,212</del>	2,927,915

Source of funds

General fund	526,254	526,254
Special funds	54,431	54,431
Internal service funds	<u><del>2,367,527</del></u>	<u>2,347,230</u>
Total	<del>2,948,212</del>	2,927,915

Sec. 5. Sec. 2.040 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.040. VOSHA review board

Personal services	40,414	40,414
Operating expenses	<u>9,680</u>	<u>9,680</u>
Total	50,094	50,094

Source of funds

General fund	25,047	25,047
<del>Federal funds</del>	<del>25,047</del>	
<u>Interdepartmental transfer</u>		<u>25,047</u>
Total	50,094	50,094

Sec. 6. Sec. 2.043 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.043. Tax department - reappraisal and listing payments

Grants	3,240,112	3,250,112
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Source of funds

Education fund	3,240,112	3,250,112
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Sec. 7. Sec. 2.049 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.049. Total general government	<del>177,473,806</del>	178,946,640
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Source of funds

General fund	<del>70,712,700</del>	70,742,542
Education fund	<del>8,809,208</del>	8,819,208
Special funds	8,436,938	8,436,938
Tobacco fund	58,000	58,000
Global Commitment fund	<del>416,113</del>	409,816

Federal funds	<del>2,952,640</del>	2,401,627
Enterprise funds	2,762,854	2,762,854
Internal service funds	<del>49,185,637</del>	51,232,258
Pension trust funds	29,204,037	29,204,037
Private purpose trust funds	1,018,536	1,018,536
Interdepartmental transfer	<u><del>3,917,143</del></u>	<u>3,860,824</u>
Total	<del>177,473,806</del>	178,946,640

Sec. 8. Sec 2.101 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.101. Attorney general

Personal services	<del>7,245,495</del>	7,315,495
Operating expenses	<u>1,066,918</u>	<u>1,066,918</u>
Total	<del>8,312,413</del>	8,382,413

Source of funds

General fund	4,594,248	4,594,248
Special funds	1,295,235	1,295,235
Tobacco fund	<del>290,000</del>	360,000
Federal funds	643,000	643,000
Interdepartmental transfer	<u>1,489,930</u>	<u>1,489,930</u>

Total	<del>8,312,413</del>	8,382,413
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Sec. 9. Sec. 2.110 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.110. Public safety - state police

Personal services	<del>38,966,689</del>	42,378,789
Operating expenses	<del>8,200,082</del>	7,190,140
Grants	<u>582,087</u>	<u>582,087</u>
Total	<del>47,748,858</del>	50,151,016

Source of funds

General fund	<del>12,281,795</del>	14,681,216
Transportation fund	28,231,384	28,231,384
Special funds	<del>2,073,265</del>	2,076,002
Federal funds	2,777,985	2,777,985
Interdepartmental transfer	<u>2,384,429</u>	<u>2,384,429</u>
Total	<del>47,748,858</del>	50,151,016

Sec. 10. Sec. 2.111 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.111. Public safety - criminal justice services

Personal services	<del>5,708,438</del>	6,008,538
Operating expenses	3,129,222	3,129,222
Grants	<u>3,046,453</u>	<u>3,046,453</u>
Total	<del>11,884,113</del>	12,184,213

Source of funds

General fund	<del>759,697</del>	1,059,797
Transportation fund	4,429,971	4,429,971
Special funds	<del>1,393,043</del>	1,896,043
Federal funds	4,677,888	4,677,888
Interdepartmental transfer	<u><del>623,514</del></u>	<u>120,514</u>
Total	<del>11,884,113</del>	12,184,213

Sec. 11. Sec. 2.121 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.121. Center for crime victims services

Personal services	1,404,168	1,404,168
Operating expenses	318,275	318,275
Grants	<u><del>9,624,834</del></u>	<u>9,091,834</u>

Total	<del>11,347,277</del>	10,814,277
Source of funds		
General fund	49,809	49,809
Special funds	<del>7,432,390</del>	6,899,390
Federal funds	<u>3,865,078</u>	<u>3,865,078</u>
Total	<del>11,347,277</del>	10,814,277

Sec. 12. Sec. 2.142 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.142. Liquor control - administration

Personal services	1,476,488	1,476,488
Operating expenses	<u>422,089</u>	<u>428,750</u>
Total	<del>1,898,577</del>	1,905,238
Source of funds		
Enterprise funds	1,694,577	1,694,577
<u>Tobacco fund</u>		6,661
Interdepartmental transfer	<u>204,000</u>	<u>204,000</u>
Total	<del>1,898,577</del>	1,905,238

Sec. 13. Sec. 2.145 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.145. Total protection to persons and property



~~256,999,660~~ 259,245,579

Source of funds

General fund	<del>90,404,831</del>	93,104,352
Transportation fund	32,725,324	32,725,324
Special funds	<del>66,951,903</del>	66,924,640
Tobacco fund	<del>619,645</del>	696,306
Global Commitment fund	1,898,824	1,898,824
Federal funds	49,775,682	49,775,682
Enterprise funds	4,735,317	4,735,317
Interdepartmental transfer	<u>9,888,134</u>	<u>9,385,134</u>
Total	<del>256,999,660</del>	259,245,579

Sec. 14. Sec. 2.201 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.201. Agency of human services - secretary's office

Personal services	<del>6,977,471</del>	7,174,248
Operating expenses	<del>3,004,134</del>	3,023,587
Grants	<u>3,671,153</u>	<u>4,142,977</u>
Total	<del>13,652,758</del>	14,340,812

Source of funds

General fund	<del>4,360,112</del>	4,554,264
Special funds	7,517	7,517
<u>Global Commitment fund</u>		415,000
Tobacco funds	397,021	397,021
Federal funds	<del>5,183,280</del>	5,443,891
Interdepartmental transfer	<del>3,704,828</del>	<u>3,523,119</u>
Total	<del>13,652,758</del>	14,340,812

Sec. 15. Sec. 2.202 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.202. Secretary's office - Global Commitment

Grants	<del>909,022,731</del>	917,330,704
Source of funds		
General fund	<del>132,807,629</del>	76,506,839
Special fund	<del>16,261,307</del>	16,045,307
Tobacco fund	39,487,801	39,487,801
State health care resources fund	<del>147,623,246</del>	148,300,113
Catamount fund	<del>8,186,672</del>	7,592,625
Federal funds	<del>564,293,422</del>	629,035,365
Interdepartmental transfer	<u>362,654</u>	<u>362,654</u>

Total	<del>909,022,731</del>	917,330,704
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Sec. 16. Sec. 2.205 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.205. Human services board

Personal services	284,719	284,719
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Operating expenses	<u>65,106</u>	<u>65,106</u>
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Total	349,825	349,825
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Source of funds

General fund	50,030	50,030
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Federal funds	<del>12,254</del>	149,897
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Interdepartmental transfer	<u><del>287,541</del></u>	<u>149,898</u>
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Total	349,825	349,825
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Sec. 17. Sec. 2.206 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.206. Office of Vermont health access - administration

Personal services	<del>32,033,668</del>	36,514,151
Operating expenses	2,724,407	2,724,407
Grants	<u>1,196,000</u>	<u>1,010,700</u>
Total	<del>35,954,075</del>	40,249,258

Source of funds

General fund	<del>75,246</del>	228,241
Global Commitment fund	<del>34,428,247</del>	38,597,284
Catamount fund	<del>750,582</del>	351,627
Federal funds	<u><del>700,000</del></u>	<u>1,072,106</u>
Total	<del>35,954,075</del>	40,249,258

Sec. 18. Sec. 2.207 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.207. Office of Vermont health access - Medicaid program - Global  
Commitment

Grants	<del>461,385,056</del>	467,778,316
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Source of funds

Global Commitment fund	<del>461,385,056</del>	467,778,316
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Sec. 19. Sec. 2.208 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.208. Office of Vermont health access - Medicaid program - long-term  
care waiver

Grants	<del>194,755,729</del>	200,956,746
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Source of funds

General fund	<del>79,168,224</del>	68,589,966
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Federal funds	<del>115,587,505</del>	<u>132,366,780</u>
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Total	<del>194,755,729</del>	200,956,746
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Sec. 20. Sec. 2.209 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.209. Office of Vermont health access - Medicaid program - state only

Grants	<del>55,086,870</del>	39,357,551
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Source of funds

General funds	<del>35,376,640</del>	28,509,473
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Global Commitment fund	<del>1,383,714</del>	1,316,718
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Catamount fund	<del>18,326,516</del>	<u>9,531,360</u>
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Total	<del>55,086,870</del>	39,357,551
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Sec. 21. Sec. 2.210 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.210. Office of Vermont health access - Medicaid non-waiver matched

Grants	44,448,317	44,176,458
Source of funds		
General funds	16,068,046	15,970,521
Federal funds	<u>28,380,271</u>	<u>28,205,937</u>
Total	44,448,317	44,176,458

Sec. 22. Sec. 2.211 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.211. Health - administration and support

Personal services	6,409,341	6,447,115
Operating expenses	2,582,888	2,582,888
Grants	<u>2,902,000</u>	<u>2,877,000</u>
Total	11,894,229	11,907,003

Source of funds

General funds	651,479	651,479
Special funds	24,743	24,743
Global Commitment fund	4,860,720	4,873,494
Federal funds	6,285,287	6,285,287

Interdepartmental transfer	<u>72,000</u>	<u>72,000</u>
Total	<del>11,894,229</del>	11,907,003

Sec. 23. Sec. 2.211.1 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.211.1. Health - public health

Personal services	<del>36,310,118</del>	37,855,081
Operating expenses	7,326,174	7,326,174
Grants	<u><del>34,895,747</del></u>	<u>35,073,747</u>
Total	<del>78,532,039</del>	80,255,002

Source of funds

General fund	<del>5,090,652</del>	5,479,402
Special funds	<del>6,362,319</del>	4,515,606
Tobacco fund	2,780,225	2,780,225
Global Commitment fund	<del>24,048,864</del>	25,383,077
Catamount fund	<del>3,250,000</del>	5,096,713
Federal funds	36,397,848	36,397,848
Permanent trust funds	10,000	10,000
Interdepartmental transfer	<u>592,131</u>	<u>592,131</u>
Total	<del>78,532,039</del>	80,255,002

Sec. 24. Sec. 2.217 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.217. Health - alcohol and drug abuse programs

Personal services	<del>3,372,335</del>	3,385,862
Operating expenses	<del>811,106</del>	708,263
Grants	<u>27,528,671</u>	<u>27,528,671</u>
Total	<del>31,712,112</del>	31,622,796

Source of funds

General fund	<del>3,413,874</del>	3,311,031
Special funds	236,210	236,210
Tobacco funds	2,382,834	2,382,834
Global Commitment fund	<del>16,840,983</del>	16,854,510
Federal funds	8,688,211	8,688,211
Interdepartmental transfer	<u>150,000</u>	<u>150,000</u>
Total	<del>31,712,112</del>	31,622,796

Sec. 25. Sec. 2.219 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.219. Mental health - mental health

Personal services	<del>4,963,769</del>	4,753,680
Operating expenses	614,618	614,618



Grants	<del>132,073,344</del>	<u>131,967,443</u>
Total	<del>137,651,731</del>	137,335,741

Source of funds

General fund	703,540	703,540
Global Commitment fund	<del>132,849,352</del>	132,533,362
Federal funds	4,078,839	4,078,839
Interdepartmental transfer	<u>20,000</u>	<u>20,000</u>
Total	<del>137,651,731</del>	137,335,741

Sec. 26. Sec. 2.220 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.220. Mental health - Vermont state hospital

Personal services	<del>19,922,915</del>	20,285,503
Operating expenses	1,821,721	1,821,721
Grants	<u>3,000</u>	<u>3,000</u>
Total	<del>21,747,636</del>	22,110,224

Source of funds

General fund	<del>14,227,636</del>	21,140,224
Special funds	170,000	170,000
Global Commitment fund	<del>7,000,000</del>	450,000

Federal funds	50,000	50,000
Interdepartmental transfer	<u>300,000</u>	<u>300,000</u>
Total	<u>21,747,636</u>	22,110,224

Sec. 27. Sec. 2.221 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.221. Department for children and families - administration & support  
services

Personal services	<del>33,227,280</del>	34,954,219
Operating expenses	<del>6,655,247</del>	7,066,826
Grants	<u>1,450,215</u>	<u>1,450,215</u>
Total	<del>41,332,742</del>	43,471,260

Source of funds

General fund	<del>12,422,107</del>	13,627,359
Global Commitment fund	<del>14,698,891</del>	14,799,359
Catamount fund	560,036	560,036
Federal funds	<u>13,651,708</u>	<u>14,484,506</u>
Total	<del>41,332,742</del>	43,471,260

Sec. 28. Sec. 2.222 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.222. Department for children and families - family services

Personal services	<del>21,476,718</del>	21,618,703
Operating expenses	<del>3,330,327</del>	3,162,879
Grants	<u><del>64,337,283</del></u>	<u>65,678,018</u>
Total	<del>89,144,328</del>	90,459,600

Source of funds

General fund	<del>17,308,746</del>	18,273,249
Special funds	1,938,367	1,938,367
Tobacco funds	275,000	275,000
Global Commitment fund	<del>43,690,692</del>	43,224,231
Federal funds	<del>25,669,650</del>	26,486,880
Interdepartmental transfer	<u>261,873</u>	<u>261,873</u>
Total	<del>89,144,328</del>	90,459,600

Sec. 29. Sec. 2.223 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.223. Department for children and families - child development

Personal services	3,338,891	3,338,891
Operating expenses	<del>843,660</del>	520,557
Grants	<u><del>51,064,583</del></u>	<u>54,940,903</u>
Total	<del>55,247,134</del>	58,800,351

Source of funds

General fund	<del>23,228,747</del>	25,621,964
Special funds	865,000	865,000
Global Commitment fund	<del>4,289,469</del>	5,365,469
Federal funds	<del>26,724,411</del>	26,808,411
Interdepartmental transfer	<u>139,507</u>	<u>139,507</u>
Total	<del>55,247,134</del>	58,800,351

Sec. 30. Sec. 2.224 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.224. Department for children and families - office of child support

Personal services	8,768,046	8,558,676
Operating expenses	<u>3,890,320</u>	<u>3,711,838</u>
Total	<del>12,658,366</del>	12,270,514

Source of funds

General fund	<del>2,690,872</del>	2,559,002
Special funds	455,718	455,718
Federal funds	9,124,176	8,868,194
Interdepartmental transfer	<u>387,600</u>	<u>387,600</u>
Total	<del>12,658,366</del>	12,270,514

Sec. 31. Sec. 2.225 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.225. Department for children and families - aid to aged, blind and  
disabled

Personal services	1,801,009	1,801,009
Grants	<u>9,989,580</u>	<u>10,145,700</u>
Total	<del>11,790,589</del>	11,946,709

Source of funds

General fund	<del>8,040,589</del>	8,196,709
Global Commitment fund	<u>3,750,000</u>	<u>3,750,000</u>
Total	<del>11,790,589</del>	11,946,709

Sec. 32. Sec. 2.226 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.226. Department for children and families - general assistance

Grants	<del>4,401,516</del>	6,301,516
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Source of funds

General fund	<del>2,950,196</del>	4,850,196
Global Commitment fund	340,000	340,000
Federal funds	<u>1,111,320</u>	<u>1,111,320</u>
Total	<del>4,401,516</del>	6,301,516

Sec. 33. Sec. 2.227 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.227. Department for children and families - food stamp cash out

Grants	<del>10,710,133</del>	15,285,013
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Source of funds

Federal funds	<del>10,710,133</del>	15,285,013
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Sec. 34. Sec. 2.228 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.228. Department for children and families - reach up

Grants	<del>40,298,530</del>	45,437,952
Source of funds		
General fund	<del>13,815,723</del>	15,950,049
<u>Global Commitment fund</u>		390,000
Special funds	18,200,000	18,200,000
Federal funds	<u><del>8,282,807</del></u>	<u>10,897,903</u>
Total	<del>40,298,530</del>	45,437,952

Sec. 35. Sec. 2.230 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.230. Department for children and families - office of economic  
opportunity

Personal services	235,441	235,441
Operating expenses	<del>81,555</del>	77,055
Grants	<u><del>4,952,562</del></u>	<u>5,202,562</u>
Total	<del>5,269,558</del>	5,515,058

Source of funds

General fund	1,372,103	1,372,103
Special funds	<del>57,340</del>	307,340
Federal funds	<del>3,797,615</del>	3,793,115
Interdepartmental transfer	<u>42,500</u>	<u>42,500</u>
Total	<del>5,269,558</del>	5,515,058

Sec. 36. Sec. 2.232 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.232. Department for children and families - Woodside rehabilitation  
center

Personal services	<del>2,899,574</del>	3,132,974
Operating expenses	<u><del>649,151</del></u>	<u>599,151</u>
Total	<del>3,548,725</del>	3,732,125

Source of funds

General fund	<del>3,493,833</del>	3,677,233
Interdepartmental transfer	<u>54,892</u>	<u>54,892</u>
Total	<del>3,548,725</del>	3,732,125



Sec. 37. Sec. 2.235 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.235. Disabilities, aging, and independent living - administration &  
support

Personal services	<del>24,187,650</del>	24,096,125
Operating expenses	<u>3,732,463</u>	<u>3,732,463</u>
Total	<del>27,920,113</del>	27,828,588

Source of funds

General fund	<del>6,709,033</del>	6,557,508
Special funds	941,685	941,685
Global Commitment fund	<del>6,254,872</del>	6,314,872
Federal funds	11,524,001	11,524,001
Interdepartmental transfer	<u>2,490,522</u>	<u>2,490,522</u>
Total	<del>27,920,113</del>	27,828,588

Sec. 38. Sec. 2.236 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.236. Disabilities, aging, and independent living - advocacy and  
independent living

Grants	<del>21,455,103</del>	21,779,103
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Source of funds

General fund	<del>10,006,493</del>	10,330,493
Global Commitment fund	3,355,319	3,355,319
Federal funds	7,655,791	7,655,791
Interdepartmental transfer	<u>437,500</u>	<u>437,500</u>
Total	<del>21,455,103</del>	21,779,103

Sec. 39. Sec. 2.238 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.238. Disabilities, aging, and independent living - vocational  
rehabilitation

Grants	<del>5,921,471</del>	5,968,971
Source of funds		
General fund	<del>1,495,695</del>	1,535,695
<u>Global Commitment fund</u>		7,500
Federal funds	4,132,389	4,132,389
Interdepartmental transfer	<u>293,387</u>	<u>293,387</u>
Total	<del>5,921,471</del>	5,968,971

Sec. 40. Sec. 2.239 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.239. Disabilities, aging and independent living - developmental services

Grants	<del>138,705,970</del>	139,846,155
Source of funds		
General fund	185,693	185,693
Special funds	185,463	185,463
Global Commitment fund	<del>137,964,074</del>	139,104,259
Federal funds	<u>370,740</u>	<u>370,740</u>
Total	<del>138,705,970</del>	139,846,155

Sec. 41. Sec. 2.241 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.241. Corrections - administration

Personal services	<del>2,022,147</del>	2,126,692
Operating expenses	<u>315,394</u>	<u>315,394</u>
Total	<del>2,337,541</del>	2,442,086
Source of funds		
General fund	<del>2,337,541</del>	2,442,086

Sec. 42. Sec. 2.242 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.242. Corrections - parole board

Personal services	<del>317,373</del>	319,240
Operating expenses	<u>62,076</u>	<u>62,076</u>
Total	<del>379,449</del>	381,316

Source of funds

General fund	<del>379,449</del>	381,316
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Sec. 43. Sec. 2.243 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.243. Corrections - correctional education

Personal services	<del>4,032,390</del>	3,915,100
Operating expenses	<u>342,079</u>	<u>342,079</u>
Total	<del>4,374,469</del>	4,257,179

Source of funds

General fund	<del>3,476,001</del>	3,358,711
Special funds	500,000	500,000
Interdepartmental transfer	<u>398,468</u>	<u>398,468</u>
Total	<del>4,374,469</del>	4,257,179

Sec. 44. Sec. 2.244 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.244. Corrections - correctional services

Personal services	<del>77,382,681</del>	77,922,980
Operating expenses	<del>32,273,859</del>	32,637,551
Grants	<u>1,695,800</u>	<u>1,895,800</u>
Total	<del>111,352,340</del>	112,456,331

Source of funds

General fund	<del>106,870,826</del>	108,024,817
Special funds	<del>633,963</del>	583,963
Tobacco fund	87,500	87,500
Global Commitment fund	3,094,144	3,094,144
Federal funds	584,861	584,861
Interdepartmental transfer	<u>81,046</u>	<u>81,046</u>
Total	<del>111,352,340</del>	112,456,331

Sec. 45. Sec. 2.245 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.245. Corrections - correctional services - out-of-state beds

Operating expenses	<del>12,158,493</del>	11,457,276
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Source of funds

General fund	<del>12,158,493</del>	11,457,276
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Sec. 46. Sec. 2.251 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.251. Total human services	<del>2,649,379,658</del>	2,685,150,738
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Source of funds

General fund	<del>521,931,597</del>	465,265,683
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Special funds	<del>66,707,178</del>	64,844,465
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Tobacco fund	45,410,381	45,410,381
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Global Commitment fund	<del>906,593,258</del>	914,305,775
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State health care resources fund	<del>147,623,246</del>	148,300,113
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Catamount fund	<del>31,073,806</del>	23,063,620
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Federal funds	<del>916,671,195</del>	1,010,911,056
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Permanent trust funds	10,000	10,000
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Internal service funds	3,282,548	3,282,548
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Interdepartmental transfer	<del>10,076,449</del>	<u>9,757,097</u>
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Total	<del>2,649,379,658</del>	2,685,150,738
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Sec. 47. Sec. 2.303 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.303. Labor - domestic and sexual violence survivors' transitional  
employment program

Grants	<del>15,000</del>	30,000
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Source of funds

Special fund	<del>15,000</del>	30,000
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Sec. 48. Sec. 2.304 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.304. Total labor	<del>29,020,561</del>	29,035,561
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Source of funds

General fund	2,307,673	2,307,673
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Special funds	<del>3,301,108</del>	3,316,108
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Catamount fund	394,072	394,072
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Federal funds	20,613,870	20,613,870
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Interdepartmental transfer	<u>2,403,838</u>	<u>2,403,838</u>
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Total	<del>29,020,561</del>	29,035,561
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Sec. 49. Sec. 2.305 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.305. Education - finance and administration

Personal services	5,161,711	5,161,711
Operating expenses	<del>1,713,880</del>	1,813,880
Grants	<u>10,757,117</u>	<u>10,757,117</u>
Total	<del>17,632,708</del>	17,732,708

Source of funds

General fund	<del>3,506,583</del>	3,606,583
Special funds	11,383,118	11,383,118
Global Commitment fund	845,143	845,143
Federal funds	1,890,747	1,890,747
Interdepartmental transfer	<u>7,117</u>	<u>7,117</u>
Total	<del>17,632,708</del>	17,732,708

Sec. 50. Sec. 2.306 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.306. Education - education services

Personal services	12,608,878	12,608,878
Operating expenses	1,889,869	1,889,869
Grants	<del><u>111,549,873</u></del>	<u>111,437,175</u>



Total	<del>126,048,620</del>	125,935,922
Source of funds		
General fund	<del>7,766,318</del>	7,781,103
Transportation fund	<del>127,483</del>	
Special funds	1,985,599	1,985,599
Federal funds	116,144,125	116,144,125
Interdepartmental transfer	<u>25,095</u>	<u>25,095</u>
Total	<del>126,048,620</del>	125,935,922

Sec. 51. Sec. 2.308 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.308. Education - state-placed students

Grants	<del>15,767,500</del>	16,367,500
Source of funds		
Education fund	<del>15,767,500</del>	16,367,500

Sec. 52. Sec. 2.309 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.309. Education - adult education and literacy

Grants	<del>5,315,885</del>	5,821,268
Source of funds		
General fund	2,690,224	2,690,224

Education fund	<del>1,750,000</del>	2,250,000
Federal funds	<u>875,661</u>	<u>881,044</u>
Total	<del>5,315,885</del>	5,821,268

Sec. 53. Sec. 2.310 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.310. Education - adjusted education payment

Grants	<del>1,115,355,604</del>	1,111,968,302
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Source of funds

Education fund	<del>1,115,355,604</del>	1,111,968,302
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Sec. 54. Sec. 2.314 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.314. Education - tobacco litigation

Personal services	142,152	142,152
Operating expenses	<del>18,114</del>	11,453
Grants	<u>835,402</u>	<u>835,402</u>
Total	<del>995,668</del>	989,007

Source of funds

Tobacco fund	<del>995,668</del>	989,007
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Sec. 55. Sec. 2.320 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.320. Total general education	<del>1,814,547,027</del>	1,812,245,749
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Source of funds

General fund	<del>338,640,022</del>	338,754,807
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Transportation fund	<del>127,483</del>	
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Education fund	<del>1,315,047,726</del>	1,312,760,424
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Special funds	14,699,439	14,699,439
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Tobacco fund	<del>995,668</del>	989,007
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Global Commitment fund	1,075,143	1,075,143
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Federal funds	<del>118,910,533</del>	118,915,916
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Pension trust funds	25,018,801	25,018,801
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Interdepartmental transfer	<u>32,212</u>	<u>32,212</u>
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Total	<del>1,814,547,027</del>	1,812,245,749
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Sec. 56. Sec. 2.327 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.327. Vermont student assistance corporation

Grants	<del>19,153,758</del>	19,129,758
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Source of funds

General fund	<del>19,153,758</del>	19,129,758
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Sec. 57. Sec. 2.329 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.329. Total higher education and other	<del>88,256,776</del>	88,232,776
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Source of funds

General fund	<del>83,845,213</del>	83,821,213
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Global Commitment fund	<u>4,411,563</u>	<u>4,411,563</u>
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Total	<del>88,256,776</del>	88,232,776
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Sec. 58. Sec. 2.601 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.601. Transportation - finance and administration

Personal services	<del>9,314,503</del>	9,194,503
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Operating expenses	<u>2,560,917</u>	<u>2,560,917</u>
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Total	<del>11,875,420</del>	11,755,420
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Source of funds

Transportation fund	<del>11,375,420</del>	11,255,420
Federal funds	<u>500,000</u>	<u>500,000</u>
Total	<del>11,875,420</del>	11,755,420

Sec. 59. Sec. 2.604 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.604. Transportation - program development

Personal services	35,192,941	35,192,941
Operating expenses	<del>106,514,171</del>	106,754,171
Grants	<u>23,370,050</u>	<u>23,370,050</u>
Total	<del>165,077,162</del>	165,317,162

Source of funds

Transportation fund	<del>28,465,101</del>	27,499,067
Local match	1,476,992	1,476,992
Federal funds	131,223,819	132,429,853
Interdepartmental transfer	<u>3,911,250</u>	<u>3,911,250</u>
Total	<del>165,077,162</del>	165,317,162

Sec. 60. Sec. 2.609 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.609. Transportation - bridge maintenance

Operating expenses	<del>12,448,348</del>	10,798,348
Source of funds		
Transportation fund	<del>3,008,456</del>	1,358,456
Federal funds	<u>9,439,892</u>	<u>9,439,892</u>
Total	<del>12,448,348</del>	10,798,348

Sec. 61. Sec. 2.611 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.611. Transportation - central garage

Personal services	3,305,508	3,305,508
Operating expenses	<u><del>11,625,266</del></u>	<u>10,922,675</u>
Total	<del>14,930,774</del>	14,228,183

Source of funds

Internal service funds	<del>14,930,774</del>	14,228,183
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Sec. 62. Sec. 2.612 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.612. Department of motor vehicles

Personal services	<del>17,549,186</del>	16,549,186
Operating expenses	8,037,725	8,037,725

Grants	<u>339,000</u>	<u>339,000</u>
Total	<del>25,925,911</del>	24,925,911

Source of funds

Transportation fund	<del>23,854,657</del>	22,854,657
Federal funds	<u>2,071,254</u>	<u>2,071,254</u>
Total	<del>25,925,911</del>	24,925,911

Sec. 63. Sec. 2.618.1 of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.618.1. Transportation - town highway emergency fund

Grants	<del>250,000</del>	880,000
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Source of funds

Transportation fund	<del>250,000</del>	880,000
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Sec. 64. Sec. 2.622. of No. 192 of the Acts of 2008 is amended to read:

Sec. 2.622. Total transportation	<del>412,801,007</del>	410,198,416
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Source of funds

Transportation fund	<del>187,152,506</del>	184,046,472
Local match	2,553,311	2,553,311
Federal funds	<del>203,753,166</del>	204,959,200
Internal service funds	<del>14,930,774</del>	14,228,183

Interdepartmental transfer	<u>4,411,250</u>	<u>4,411,250</u>
Total	<del>412,801,007</del>	410,198,416

Sec. 65. APPROPRIATION ADJUSTMENTS

(a) To reflect adjustments to budgets due to savings in budgeted benefit rates (dental plan, medical plan, and employee assistance plan), personal service appropriations are reduced by \$1,260,463 in general funds in accordance with the schedule entitled “FY 2009 Appropriation Reductions Due to Budgeted Benefit Rate Savings,” filed with the joint fiscal committee.

(b) In addition to the pay act appropriations made to the secretary of administration in Sec. 3(a)(1) of No. 206 of the Acts of the 2007 Adj. Sess. (2008), there is hereby appropriated from the general fund to the secretary of administration in fiscal year 2009 \$54,624 for transfer to the department for children and families, \$616,912 for transfer to the department of corrections, and \$588,927 for transfer to the department of human resources for the non-salary items entailed by the VSEA/state bargaining agreement in effect for FY 2009.



Sec. 66. Sec. 3(a)(1)(B) of No. 206 of the Acts of 2008 is amended to read:

(B) Transportation fund. The amount of ~~\$1,210,258.00~~ \$841,078.00 is appropriated from the transportation fund to the secretary of administration for distribution to the agency of transportation and the department of public safety to fund the fiscal year 2009 collective bargaining agreement and the requirements of this act.

Sec. 67. FUND TRANSFERS

(a) Notwithstanding any other provisions of law, in fiscal year 2009:

(1) The following amounts shall be transferred to the general fund from the funds indicated:

<u>21005 FMS System Development Fund</u>	<u>600,000</u>
<u>21030 Exxon Settlement Fund</u>	<u>3,631</u> Approx.
<u>21045 Getty Oil Company Settlement</u>	<u>63,343</u> Approx.
<u>21170 EO School Interest Program</u>	<u>15,634</u> Approx.
<u>21705 PSD-HydroQuebec Power</u>	<u>64,426</u>
<u>21405 Fidelity\interest earnings</u>	<u>450,000</u> Approx.
<u>62100 Abandoned property</u>	<u>2,055,517</u> Approx.
<u>Amortization of W.R. Grace</u>	<u>5,452</u>
<u>Caledonia Fair</u>	<u>5,000</u>

<u>North Country Hospital Loan</u>	<u>24,250</u>
<u>50300 Liquor Control</u>	<u>836,519</u>
<u>22005 AHS Central Office earned federal receipts</u>	<u>1,400,000</u>
<u>21782 Vermont Veterans' Home</u>	<u>1,090,000</u>
<u>21110 Employee Leasing Companies</u>	<u>3,303</u>
<u>21520 Treasurer's Retirement Admin. Cost</u>	<u>440</u>
<u>21585 Pers-Human Resource Development</u>	<u>42,000</u>
<u>21638 Attny. Gen. Fees- Reimbursements</u>	<u>1,659,234</u>
<u>21669 AF&amp;M Pesticide Monitoring</u>	<u>50,000</u>
<u>21686 AF&amp;M Pesticide Control</u>	<u>75,000</u>
<u>21844 PERS - Recruitment Services</u>	<u>33,152</u>
<u>21845 Chittenden COPS Grant</u>	<u>19,492</u>
<u>21848 ED-Private Sector Grants</u>	<u>3,889</u>
<u>21870 Misc. Special Revenue Fund- Liquor</u>	
<u>Control (Bus Unit #2300)</u>	<u>1,420</u>
<u>21884 Emergency Personnel Survivors' Benefit Fund</u>	<u>50,000</u>
<u>Bond Premium</u>	<u>388,239</u>
<u>59500 Single Audit Internal Service Fund</u>	<u>20,297</u>

<u>21260 Act 250 Permit Fund</u>	<u>100,000</u>
<u>21698 PSD Regulation/Energy Efficiency</u>	<u>345,000</u>
<u>21709 PSB Special Fund</u>	<u>328,000</u>
<u>21991 VEDA - Food &amp; Fuel</u>	<u>100,000</u>

(2) All or a portion of the unencumbered balances in the insurance regulatory and supervision fund (Fund Number 21075), the captive insurance regulatory and supervision fund (Fund Number 21085), and the securities regulatory and supervision fund (Fund Number 21080), expected to be approximately \$16,035,260, shall be transferred to the general fund, provided that on or before July 1, 2009, the commissioner of banking, insurance, securities, and health care administration certifies to the joint fiscal committee that the transfer of such balances, or any smaller portion deemed proper by the commissioner, will not impair the ability of the department in fiscal year 2010 to provide thorough, competent, fair, and effective regulatory services, or maintain accreditation by the National Association of Insurance Commissioners; and that the joint fiscal committee does not reject such certification.

(3) The following amounts shall be transferred from the general fund to the funds indicated:

<u>58800 Facilities Operations Fund</u>	<u>2,318,763</u>
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21035 Stripper Well Settlement

<u>Special Fund</u>	<u>6,511 Approx.</u>
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<u>21175 Palo Pinto Special Fund</u>	<u>661 Approx.</u>
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<u>21714 VT Racing Commission Special Fund</u>	<u>5,206</u>
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<u>21911 Sarcoidosis Fund</u>	<u>419,688</u>
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21555 Emergency Relief and Assistance

<u>Fund (ERAF)</u>	<u>1,692,096</u>
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(4) The following amount shall be transferred between special funds as indicated:

From the Unemployment Compensation Administration fund # 21360 to the Workers' Compensation Administration fund # 21105 703,171

(5)(A) The following amount shall be transferred to the transportation fund from the fund indicated:

<u>57100 Central Garage Fund</u>	<u>1,485,111</u>
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Sec. 68. REVERSIONS

(a) Notwithstanding any other provisions of law, in fiscal year 2009:

(1) The following amounts shall revert to the general fund from the accounts indicated:

<u>2270001000 Vermont Racing Commission</u>	<u>477</u>
<u>3440090000 LIHEAP</u>	<u>1,383,336</u>
<u>1100010000 Secretary of Admin.</u>	<u>27,065</u>
<u>1120060000 Human Resources - Workforce Planning</u>	<u>45,493</u>
<u>1140040000 Homeowner Rebates</u>	<u>45,104</u>
<u>1140070000 Use Tax Reimbursement Program</u>	<u>58,171</u>
<u>1140330000 Renter Rebates</u>	<u>40,333</u>
<u>1210890505 Dairy Policy Cont Consult Services</u>	<u>226</u>
<u>1210890803 Leg. Council - Current Use Tax Study</u>	<u>712</u>
<u>1250010000 Auditor of Accounts</u>	<u>23,606</u>
<u>2100890802 Legal Costs Comp. Legal Actions –</u>	
<u>Attny. Gen.</u>	<u>5,000</u>
<u>2130100000 State's Attorneys</u>	<u>66,788</u>
<u>2230010000 Secretary of State</u>	<u>11,288</u>

<u>3420890508 Health - Pilot Program</u>	<u>15,000</u>
<u>3420890701 Methamphetamine Precursor Program</u>	<u>20,000</u>
<u>6140880005 152/00 St. Asst. Munic. Poll Cont.</u>	<u>381</u>
<u>1110890901 VEDA FY 2009 One-Time Appropriation: Targeted Emergency</u>	
<u>Financing Assistance</u>	<u>500,000</u>

(2) The following amounts shall revert to the education fund from the accounts indicated:

<u>1140050000 Homestead Prop. Tax Assistance</u>	<u>970,497</u>
<u>1140330000 Renter Rebates</u>	<u>856,574</u>
<u>5100090000 Education Grant</u>	<u>1,083,408</u>
<u>5100190000 Essential Early Educ. Grant</u>	<u>104,082</u>
<u>5100200000 Education-Technical Education</u>	<u>570,327</u>
<u>5100890601 Cncl. on Ed. Governance Grants</u>	<u>4,823</u>

Sec. 69. SECRETARY OF ADMINISTRATION; CARRY FORWARD

AUTHORITY

(a) Notwithstanding any other provisions of law and subject to the approval of the secretary of administration, general, transportation, and education fund appropriations remaining unexpended at June 30, 2009 shall be carried forward and shall be reserved for expenditure.

Sec. 70. FY 2009 RESCISSIONS; JOINT FISCAL COMMITTEE ACTIONS

PURSUANT TO 32 V.S.A. § 704(f)

(a) The fiscal year 2009 appropriations passed in No. 192 of the Acts of the 2007 Adj. Sess. (2008) have been adjusted by actions of the joint fiscal committee on August 27, 2008 and December 19, 2008, pursuant to 32 V.S.A. § 704(f). In order to provide public access to the fiscal year 2009 expenditure reduction plans duly adopted by the joint fiscal committee, the approved plans and schedules of specific appropriation reductions are on file with the clerk of the house and the secretary of the senate, and posted on the legislative website. The appropriation changes and other actions in the fiscal year 2009 budget adjustment act and other acts of the 2009 legislative session are separate from and in addition to the actions of the joint fiscal committee pursuant to 32 V.S.A. § 704(f).

Sec. 71. Sec. 4.001 of No. 192 of the Acts of 2008 is amended to read:

Sec. 4.001. APPROPRIATIONS; PROPERTY TRANSFER TAX

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

266(a)(4) of No. 65 of the Acts of 2007:

(1) The sum of \$314,503 is appropriated from the property valuation and review administration special fund to the department of taxes for administration

of the use tax reimbursement program. Notwithstanding 32 V.S.A. § 9610(c), amounts above \$314,503 from the property transfer tax that are deposited into the property valuation and review administration special fund shall be transferred into the general fund.

(2) The sum of ~~\$13,383,258~~ \$12,464,095 is appropriated from the Vermont housing and conservation trust fund to the Vermont housing and conservation trust board. Notwithstanding 10 V.S.A. § 312, amounts above ~~\$13,383,258~~ \$12,464,095 from the property transfer tax that are deposited into the Vermont housing and conservation trust fund shall be transferred into the general fund.

(3) The sum of ~~\$4,302,105~~ \$3,449,427 is appropriated from the municipal and regional planning fund. Notwithstanding 24 V.S.A. § 4306(a), amounts above ~~\$4,302,105~~ \$3,449,427 from the property transfer tax that are deposited into the municipal and regional planning fund shall be transferred into the general fund. The ~~\$4,302,105~~ \$3,449,427 shall be allocated as follows:

(A) ~~\$3,011,473~~ \$2,632,027 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

(B) ~~\$860,421~~ \$408,700 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b);

(C) ~~\$430,210~~ \$408,700 to the Vermont center for geographic information.



(4) It is the intent of the general assembly that in fiscal year 2010, the appropriations in this subsection shall increase by at least 4.5 percent.

Sec. 72. Sec. 5.006(a) of No. 192 of the Acts of 2008 is amended to read:

(a) Of this appropriation, ~~\$150,000~~ \$75,000 is made available for grants to be awarded on a competitive basis among the 11 existing regional marketing programs (RMP). In addition to these funds, any prior fiscal year RMP grant funds not awarded shall carry forward into the current fiscal year unrestricted by prior year requirements and shall be used to meet current year obligations. Any unobligated balance residing in the crossroads regional marketing program grant, as appropriated in Sec. 233a(a)(9) of No. 65 of the Acts of 2007, is hereby relieved of any prior year restrictions and may be used to meet the current year obligations of the RMP as appropriated in this section.

Sec. 73. Sec. 5.013(a) of No. 192 of the Acts of 2008 is amended to read:

(a) Of this general fund appropriation, ~~\$30,000~~ \$6,484 shall be deposited into the armed services scholarship fund established in 16 V.S.A. § 2541.

Sec. 74. Sec. 5.101.1(b) of No. 192 of the Acts of 2008 is amended to read:

~~(b) \$30,000 of this appropriation shall be used for the Vermont sentencing commission recidivism rate analysis by the center for justice research.~~

Sec. 75. Sec. 111b of No. 65 of the Acts of 2007, as amended by Sec. 5.203.1 of

No. 192 of the Acts of 2008, is further amended to read:

Sec. 111b. CHIROPRACTIC COVERAGE UNDER MEDICAID AND  
VHAP

(a) Effective on July 1, 2008 through January 31, 2009, the agency of human services shall reinstate chiropractic coverage for adults in the Medicaid and VHAP programs consistent with section 4088a of Title 8 and at rates comparable to payments for care or services by other health care providers not to exceed Medicare rates. ~~The fiscal year 2009 Medicaid expenditure forecast adopted by the emergency board shall include the reinstatement of chiropractic coverage.~~

Sec. 76. Sec. 5.310(b) of No. 192 of the Acts of 2008 is amended to read:

(b) Of this appropriation, ~~\$396,445~~ \$380,326 shall be transferred to EPSCoR (Experimental Program To Stimulate Competitive Research) for the purpose of complying with state matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. 77. Sec. 5.311(b) of No. 192 of the Acts of 2008 is amended to read:

(b) Of this appropriation, ~~\$446,652~~ \$428,786 shall be transferred to the Vermont manufacturing extension center for the purpose of complying with state matching fund requirements necessary for the receipt of available federal or private funds or both.

Sec. 78. Sec. 5.313(c) of No. 192 of the Acts of 2008 is amended to read:

(c) ~~\$350,000~~ \$342,500 of state funds available to the Vermont student assistance corporation pursuant to Sec. 5.107(a) and 5.801(a)(3)(B) of this act shall be used for the purposes of 16 V.S.A. § 2856. Any unexpended funds from these allocations shall carry forward for this purpose.

Sec. 79. Sec. 5.801 of No. 192 of the Acts of 2008 is amended to read:

Sec. 5.801. FISCAL YEAR 2009 NEXT GENERATION FUND

ALLOCATIONS (Sec. 2.801)

(a) The ~~\$8,000,000~~ \$7,293,000 appropriated in Sec. 2.801(a)(1) of this act from the next generation initiative fund, created in 16 V.S.A. § 2887, shall be as follows:

(1) Workforce development ~~\$3,450,000~~ \$3,220,500 as follows:

(A) Workforce Education Training Fund (WETF). The sum of ~~\$1,550,000~~ \$1,472,500 is appropriated to the Vermont workforce education and training fund, which is administered by the department of labor, for workforce development. Up to seven percent (7%) of the funds may be used for administration of the program.

(B) Vermont Training Program. The sum of ~~\$750,000~~ \$712,500 is appropriated to the agency of commerce and community development. This appropriation is for the Vermont training program for the issuance of grants pursuant to 10 V.S.A. § 531.

(C) Career and Alternative Workforce Education. The amount of ~~\$450,000~~ \$387,500 is appropriated to the department of labor. This appropriation shall be to support out-of-school youth, youth at risk, and youth at risk of remaining unemployed with outcomes that lead to employment or continued education as follows:

(i) ~~Forty-five~~ Fifty-two and three-tenths percent (45%) (52.3%) shall be for grants to regional technical centers, comprehensive high schools, and other programs for career exploration programs for students entering grades 7 through 12.

(ii) ~~Fifty-five~~ Forty-seven and seven-tenths percent (55%) (47.7%) shall be for grants to regional technical centers, comprehensive high schools, the community high school of Vermont, and ~~non-profit~~ nonprofit organizations, designated by the workforce development council, for alternative and intensive vocational/academic programs for secondary students in order to earn necessary credits toward graduation.

(D) Adult Technical Education Programs. The amount of ~~\$450,000~~ \$410,500 is appropriated to the department of labor, working with the workforce development council. This appropriation is for the purpose of awarding grants to regional technical centers and comprehensive high schools to provide adult technical education, as that term is defined in 16 V.S.A. § 1522, to unemployed and underemployed Vermont adults.

(E) UVM Technology Transfer Program. The amount of ~~\$250,000~~ \$237,500 is appropriated to the University of Vermont. This appropriation is for patent development and commercialization of technology created at the university for the purpose of creating employment opportunities for Vermont residents.

(2) Loan repayment ~~\$500,000~~ \$475,000 as follows:

(A) The sum of ~~\$500,000~~ \$475,000 is appropriated to the agency of human services Global Commitment for the department of health to use for health care loan repayment. The department shall use these funds for a grant to the area health education centers (AHEC) for repayment of commercial or governmental loans for postsecondary health care-related education or training owed by persons living and working in Vermont in the health care field.

(3) Scholarships and grants ~~\$4,050,000~~ \$3,597,500 as follows:

(A) Non-degree VSAC Grants. The amount of ~~\$750,000~~ \$712,500 is appropriated to the Vermont student assistance corporation. This appropriation shall be for the purpose of providing non-degree grants to Vermonters to improve job skills and increase overall employability enabling them to enroll in a post-secondary education or training program, including adult-technical education that is not part of a degree or accredited certificate program. A portion of this appropriation shall be used for grants for indirect educational expenses to students enrolled in training programs. The grants shall not exceed

\$3,000 per student. None of this appropriation shall be used for administrative overhead.

(B) The sum of ~~\$3,000,000~~ \$2,600,000 is appropriated for awarding need-based scholarships to Vermont residents. The first ~~\$150,000~~ \$142,500 shall be distributed to the Vermont student assistance corporation to fund the national guard educational assistance program established in 16 V.S.A. § 2856. ~~\$950,000~~ \$819,166 shall be distributed to the University of Vermont, ~~\$950,000~~ \$819,166 to the Vermont state colleges, and ~~\$950,000~~ \$819,166 to the Vermont student assistance corporation. The Vermont student assistance corporation shall reserve these funds for students attending institutions other than the University of Vermont or the Vermont state colleges. None of the ~~\$3,000,000~~ \$2,600,000 appropriation shall be used for administrative overhead.

(C) Dual Enrollment Programs. The sum of ~~\$300,000~~ \$285,000 is appropriated to the Vermont state colleges for dual enrollment programs. The state colleges shall develop a voucher program that will allow Vermont students to attend programs at a postsecondary institution other than the state college system when programs at the other institution are better academically or geographically suited to student need.

Sec. 80. Sec. 5.802 of No. 192 of the Acts of 2008 is amended to read:

Sec. 5.802. SETTLEMENT CONTINGENT APPROPRIATIONS (Sec. 2.803)

(a) The first ~~\$5,566,045~~ \$2,300,000 of any amount of bank franchise tax, and associated penalty and interest, due to the general fund resulting from a court decision and received ~~after May 1, 2008 in fiscal year 2008 or in fiscal year 2009~~ shall be reserved and is hereby appropriated ~~or transferred as follows:~~

(1) ~~First, \$1,000,000 is appropriated to the Vermont housing and conservation board;~~

(2) ~~Second, \$2,266,045 is appropriated to the higher education entities as follows:~~

(A) ~~\$1,056,796 to the University of Vermont.~~

(B) ~~\$730,405 to the Vermont state colleges of which \$100,000 is for use as the state's fiscal year 2009 contribution toward the growth of the endowment fund for the Vermont state colleges. The state's funds are to serve as a challenge match to enhance the state colleges' ability to secure endowment contributions from alumni and other interested parties. The intent is that the fiscal year 2009 appropriation will be the first of five annual appropriations through fiscal year 2013 totaling \$500,000. The conditions of this challenge match are that the state colleges are required to raise three dollars for each dollar appropriated by the state. A method for accounting for~~

~~the state colleges' share has been agreed to between the state colleges and the commissioner of finance and management. Transfers to the state colleges' endowment fund shall be under the condition that only the interest accruing to the fund will be available for purposes as designated by the board of trustees of the state colleges. By June 30, 2014, any remaining state appropriations designated for the state colleges' endowment fund that have not been matched by the state colleges shall revert to the general fund.~~

~~(C) \$478,844 to the Vermont student assistance corporation.~~

~~(3) Third, \$2,300,000 is appropriated to the teachers' retirement fund.~~

~~(b) In the event that settlement funds as specified in subsection (a) are not received by January 1, 2009, the administration shall consider funding the above appropriations and transfers in the fiscal year 2009 adjustment process.~~

Sec. 81. 16 V.S.A. § 4011 is amended to read:

§ 4011. EDUCATION PAYMENTS

\* \* \*

(h) The commissioner shall make all payments required by subchapter 5 of chapter 23 of this title.

(i) Annually, by October 1, the commissioner shall send to school boards for inclusion in town reports and publish on the department website the following information:

(1) the statewide average district spending per equalized pupil for the



current fiscal year; and 125 percent of that average spending; and

(2) a statewide comparison of student-teacher ratios among schools which are similar in number of students and number of grades.

Sec. 82. SALARY REDUCTIONS; EXEMPT EXECUTIVE BRANCH  
EMPLOYEES

(a) Notwithstanding statutory salaries to the contrary, in fiscal years 2009 and 2010, exempt executive branch employees may decline to accept their full statutory salaries.

Sec. 83. Sec. 5.003 of No. 192 of the Acts of 2008 is amended to read:

Sec. 5.003. FEDERAL FUNDS

\* \* \*

(c) During fiscal year 2009, any federal funds received and to be expended in the fiscal year from the American Recovery and Reinvestment Act of 2009 shall be accepted in accordance with the provisions of subsection (a) of this section. Federal funds from the American Recovery and Reinvestment Act of 2009, other than competitive grants, for expenditure in the following fiscal years shall be appropriated through the budget process including grants under Title V – State Fiscal Relief. Receipts from competitive grants shall be accepted through the statutory grant process in accordance with 32 V.S.A. § 5.

Sec. 84. Sec. 5.009 of No. 192 of the Acts of 2008 is amended to read:

Sec. 5.009. Finance and management – financial operations (Sec. 2.005,  
~~#1115001000~~)

(a) Pursuant to 32 V.S.A. § 307(e), financial management fund charges not to exceed ~~\$5,853,981~~ \$6,042,587, plus the costs of fiscal year 2009 salary increases bargained as part of the state/VSEA agreement, are hereby approved. Of this amount, \$1,305,490, plus the costs of fiscal year 2009 salary increases bargained as part of the state/VSEA agreement, will be used to support the HCM system that is operated by the department of human resources technical services division.

Sec. 85. Sec. 5.110 of No. 192 of the Acts of 2008 is amended to read:

Sec. 5.110. Criminal justice training council (Sec. 2.122. ~~#2170010000~~)

\* \* \*

(a) The establishment of one (1) classified position – Domestic Violence Trainer – is authorized in fiscal year 2009. This position shall be transferred and converted from existing vacant positions in the executive branch of state government.

Sec. 86. 16 V.S.A. § 2856(a) and (b) are amended to read:

(a) ~~An active~~ A member of the Vermont army national guard or the air national guard may be eligible for an interest-free loan in an academic year for financial assistance to pay for tuition and fees for courses taken at a Vermont

colleges, university, or regional technical center or other programs approved pursuant to rules adopted in accordance with subsection (f) of this section.

Academic year awards may be up to the in-state tuition rate at the University of Vermont for that year. ~~Traditional airmen may receive academic year awards up to \$9,500.00 per year.~~

(b) To be eligible for an educational loan under this section, a person shall:

(1) be ~~an active~~ a member in good standing of a federally-recognized unit of the Vermont army national guard or air national guard;

\* \* \*

Sec. 87. 16 V.S.A. § 2179 is amended to read:

§ 2179. NONAPPLICABILITY OF CERTAIN STATUTES

Except as expressly provided in this chapter, the corporation, its officers and employees shall not be governed by: (1) chapter 9 of Title 3, dealing with administrative departments; (2) chapter 13 of Title 3, dealing with classification of state personnel; (3) chapter 16 of Title 3, dealing with state employees retirement system except as may be otherwise agreed by the board of trustees of the system and the board of trustees of the corporation with respect to those officers and employees of the corporation transferred to the corporation from the state institutions replaced by the corporation; (4) chapter 55 of this title, dealing with the state teachers retirement system except as may be otherwise agreed by the board of trustees of the system and the board of

trustees of the corporation with respect to those officers and employees of the corporation transferred to the corporation from the state institutions replaced by the corporation; (5) chapter 7 of Title 32, dealing with public moneys; (6) chapters 3 and 5 of this title, dealing with the state board of education and the commissioner of education; (7) chapter 49 of Title 29, dealing with supplies, duties of commissioner of buildings and general services as to purchases of material, supplies or equipment except upon request of the corporation; ~~or~~ (8) chapter 5 of Title 29, dealing with the department of buildings and general services, except that any contracts awarded for the construction of buildings by the corporation shall continue to be subject to the provisions of 29 V.S.A. § 161(b); or (9) subsection 342(d) of Title 21, dealing with required written employee authorization before an employer may pay wages through electronic funds transfer or other direct deposit systems to a checking, savings, or other deposit account maintained by the employee within or outside the state.

Sec. 88. Sec. 5.005(d) of No. 192 of the Acts of 2008 is amended to read:

(d) The secretary of administration is directed to reduce ~~travel~~ budgets throughout the executive branch of state government, thereby reducing operating expense, including travel, appropriations by \$998,627 in general funds and \$222,724 in Global Commitment funds. This shall be accomplished through a combination of general fund reductions and direct applications to the general fund from alternative fund reductions. The secretary shall provide an update to

the joint fiscal committee in November 2008 on these reductions.

Sec. 89. Sec. 6(b)(1) of No. 206 of the Acts of 2008 is amended to read:

(1) The allocation by department and section from the fiscal year ~~2008~~ 2009 pay act appropriation and the appropriations for pay act needs of this act and any other offsets to meet pay act needs;

Sec. 90. REPEAL

(a) Secs. 21 and 28(2) of No. 164 of the Acts of the 2007 Adj. Sess. (2008) (transfers from the transportation fund to the central garage fund) are repealed.

Sec. 91. Sec. 5.600(a) of No. 192 of the Acts of 2008 is amended to read:

(a) Of this appropriation, ~~\$5,657,375~~ \$2,959,855 is appropriated from the transportation equipment replacement account within the central garage fund for the purchase of equipment as authorized in 19 V.S.A. § 13(b).

Sec. 92. REPEAL

(a) Sec. 406(c) of No. 65 of the Acts of 2007 (sunset on \$5,000 grant review threshold) is repealed.

Sec. 93. 32 V.S.A. § 305a(c) is amended to read:

(c) The January estimates shall include estimated caseloads and estimated per member per month expenditures for the current and next succeeding fiscal years for each Medicaid enrollment group as defined by the agency and the joint fiscal office for state health care assistance programs or premium assistance programs supported by the state health care resources and Global

Commitment funds, for VermontRx, and for the programs under the Choices for Care Medicaid Section 1115 waiver. For VPharm, the estimates shall include estimated caseloads and estimated per-member per-month expenditures for the current and next succeeding fiscal years by income category. The estimates shall include the expenditures for the current and next succeeding fiscal years for the Medicare Part D phased-down state contribution payment and for the disproportionate share hospital payments.

Sec. 94. Sec. 5.112(b) of No. 192 of the Acts of 2008 is amended to read:

(b) The secretary of state is authorized to spend, in addition to its appropriation in this ~~act~~ section, up to \$450,000 for the purpose of conducting the 2008 primary and general elections, and it is the intent of the general assembly to provide an additional appropriation in this amount in the fiscal year 2009 budget adjustment act if funding is not available through Sec. 5.803 of this act.

Sec. 95. Sec. 26(a) of No. 174 of the Acts of 2008 is amended to read:

(a) The amount of ~~\$883,000.00~~ \$500,000 from the victims' compensation fund created by 13 V.S.A. § 5359 ~~shall be available~~ is appropriated in FY 2009 for the center for crime victim services for the Vermont network against domestic and sexual violence. This amount shall be used to fund domestic violence prevention programs and services in order to break the generational cycle of domestic violence and to support the victims of domestic and sexual violence. Additional expenditures may be authorized pursuant to 32 V.S.A.

§ 511 if the revenues collected in fiscal year 2009 from the \$10 increase authorized by Sec. 20 of No. 174 of the Acts of the 2007 Adj. Sess. (2008) applied to the assessment in 13 V.S.A. § 7282(a)(8)(B), and from the \$20 authorized by Sec. 21 of No. 174 of 2008 applied to the fee in 32 V.S.A. § 1712(1), exceed the \$500,000 appropriation.

Sec. 96. 32 V.S.A. § 308c is amended to read:

§ 308c. GENERAL FUND AND TRANSPORTATION FUND SURPLUS  
RESERVES

(a) There is hereby created within the general fund a general fund surplus reserve. After satisfying the requirements of section 308 of this title, and after other reserve requirements have been met, any remaining unreserved and undesignated end of fiscal year general fund surplus not to exceed one percent of the appropriations from the general fund for the prior fiscal year shall be reserved in the general fund surplus reserve. Monies from this reserve shall be available for appropriation by the general assembly.

(b) There is hereby created within the transportation fund a transportation fund surplus reserve. After satisfying the requirements of section 308a of this title, and after other reserve requirements have been met, any remaining unreserved and undesignated end of fiscal year transportation fund surplus shall be reserved in the transportation fund surplus reserve. Monies from this reserve shall be available for appropriation by the general assembly.

~~(e) The general fund surplus reserve created in subsection (a) of this section shall supersede and replace the general fund surplus reserve established in Sec. 277(5) of No. 147 of the Acts of the 1997 Adj. Sess. (1998), as amended by Sec. 88 of No. 1 of the Acts of 1999.~~

Sec. 97. 32 V.S.A. § 308d is amended to read:

§ 308d. REVENUE SHORTFALL RESERVE; CREATION AND PURPOSE

(a) It is the purpose of this section to create a revenue shortfall reserve to be used in times of economic or fiscal stress.

(b) There is hereby created a revenue shortfall reserve administered by the commissioner of finance and management. Any budgetary basis unreserved and undesignated general fund surplus ~~in excess of one percent~~ occurring at the close of a fiscal year after the general fund budget stabilization reserve established by ~~Sec. section~~ 308 of this title has been brought to its authorized level and after any deposits to the general fund surplus reserve established by subsection 308c(a) of this title, and any additional amounts as may be authorized by the general assembly, shall be reserved in the revenue shortfall reserve created by this section.

(c) In any fiscal year, if the general assembly determines there are insufficient revenues to fund expenditures for the operation of state government at a level the general assembly finds prudent and required, it may specifically appropriate the use of the revenue shortfall reserve to compensate



for a reduction of revenues or fund such needs as the general assembly may determine.

(d) Determination of the amount of the revenue shortfall reserve shall be made by the commissioner of finance and management ~~with the approval of~~ and reported to the legislative joint fiscal committee at its first meeting following September 1 of each year.

Sec. 98. Sec. 23(e) of No. 203 of the Acts of 2008 is amended to read:

(e) The sum of \$100,000.00 is appropriated from the general fund to the UVM College of Medicine in fiscal year 2009 to support the Vermont academic detailing program, ~~provided that such appropriation shall expire upon collection of the first dollar of the manufacturer fee established in section 2004 of Title 33 and all funds remaining from this appropriation shall be redeposited in the general fund.~~

Sec. 99. 30 V.S.A. § 7052 is amended to read:

§ 7052. VERMONT ENHANCED 911 BOARD

\* \* \*

(b) The board shall consist of nine members: one county law enforcement officer elected by the membership of the Vermont state sheriff's association; one municipal law enforcement officer elected by the chiefs of police association of Vermont; one official of a municipality ~~not currently receiving 911 service~~; a firefighter; an emergency medical services provider; a

department of public safety representative; and three members of the public.

Board members shall be appointed by the governor to three-year terms, except that the governor shall stagger initial appointments so that the terms of no more than four members expire during a calendar year. In appointing board members, the governor shall give due consideration to the different geographical regions of the state, and the need for balance between rural and urban areas. Board members shall serve at the pleasure of the governor.

\* \* \*

Sec. 100. 32 V.S.A. § 464 is amended to read:

§ 464. ITEMIZED STATEMENTS AND RECEIPTS REQUIRED

When required by the commissioner of finance and management and before payment therefor is made by the state, all claimants for compensation for services rendered or expense incurred for the state shall furnish the commissioner of finance and management itemized statements in such form as the commissioner of finance and management may from time to time prescribe and shall be verified by written declarations or, if specifically authorized by the commissioner of finance and management, by electronic signature as defined at 9 V.S.A. § 271(9) that they are made under the pains and penalties of perjury, and a person who wilfully makes a false statement shall be guilty of perjury and be punished accordingly.

Sec. 101. Sec. 5.005(k) of No. 192 of the Acts of 2008 is amended to read:

(k) ~~The secretary of administration is directed to initiate a program by September 30, 2008 which requires all state employees to receive paperless notification of their direct deposit payroll advice. The secretary and representatives of the Vermont state employees' association are encouraged to meet to determine the most expeditious and efficient means of implementing this section~~ Beginning in fiscal year 2009, all persons who are paid through the state payroll system must be paid by direct deposit and receive electronic notification of pay information unless excused for good cause by the commissioner of finance and management or designee, or in the legislative and judicial branches, the presiding officers or the chief justice of the supreme court or their designees. Their decisions on excusal should be final.

Sec. 101a. STATE EMPLOYEE POSITIONS; CURRENT COLLECTIVE  
BARGAINING AGREEMENT

The general assembly urges the administration and the Vermont State Employees' Association to explore options for achieving savings for fiscal year 2010, including a limited reopener of the current collective bargaining agreement as soon as possible. The general assembly also urges the administration to wait until the completion of the fiscal year 2010 budget process before implementing further layoffs, reductions in force, or the elimination of state employee positions or programs.

Sec. 102. OFFICE OF VERMONT HEALTH ACCESS; DEPUTY  
DIRECTOR

(a) An exempt position – deputy director for health care reform - is authorized in the office of Vermont health access in fiscal year 2009. This position shall be transferred and converted from existing positions in the executive branch.

Sec. 103. Sec. 2(c) of No. 71 of the Acts of 2007 as amended by Sec. 5.903 of No. 192 of the Acts of 2008 is further amended to read:

(c) After submission of the application, the agency shall determine if the applicant meets full eligibility requirements. Beginning October 1, ~~2009~~ 2011, if the individual is found eligible for the Vermont health access plan, the agency shall, subject to approval from the center for Medicare and Medicaid services, provide payment for any services received by the individual beginning with the date the application was received by the agency.

Sec. 104. NO. 80 OF THE ACTS OF 2007; DELAYED

IMPLEMENTATION OF CERTAIN PROVISIONS

(a) Notwithstanding the provisions of No. 80 of the Acts of 2007, the secretary of human services, the director of the office of Vermont access, and the commissioner of the department of health are authorized to delay

implementation of the following statutory provisions consistent with the resolution of the pending related litigation:

(1) 33 V.S.A. § 1998(a)(7), and (c)(1), (f)(6), and (g) (joint pharmaceuticals purchasing consortium).

(2) 18 V.S.A. § 4622 (evidence-based education program; generic drug voucher program) and the related requirements of No. 80 of the Acts of 2007 found in Sec. 15 (generic drug voucher pilot program); Sec. 15a (generic drug voucher pilot; report); and Sec. 16 (prescription drug pricing; federally qualified health centers).

(3) 18 V.S.A. § 4631 (confidentiality of prescription information), except that the department of health and the office of professional regulation may take any necessary rulemaking, revision of forms, or other administrative actions necessary to implement the program established in 18 V.S.A. chapter 91, subchapter 3 on July 1, 2009 or as consistent with the resolution of the pending related litigation, whichever is later.

(4) 33 V.S.A. § 2004 (manufacturer fee).

(5) 33 V.S.A. § 2004a (evidence-based education and advertising fund).

Sec. 105. REACH AHEAD IMPLEMENTATION STATUS REPORT

No later than February 1, 2010, the department for, children and families shall provide a status report on the Reach Ahead post-employment program to the house committees on appropriations and on human services and the senate

committees on appropriations and on health and welfare. The status report shall include:

(1) information by month on caseloads, spending, and cost estimates,

including:

(A) actual caseload data and trends since implementation;

(B) actual spending for the program; and

(C) a revised cost estimate for maintaining the program based on actual caseload and the take-up rate for the program;

(2) an analysis of improved employment stability and child well-being of families in Reach Ahead, including:

(A) the impact of the food assistance in providing additional financial resources to the family;

(B) the number of families in Reach Ahead who are employed as of December 31, 2009 and the length of time each family was employed; and

(C) an estimate of the reduction in the number of individuals who return to the Reach Up program after participating in Reach Ahead and an estimate of the resulting savings to the Reach Up program; and

(3) the impact on the state's work participation rate in federal fiscal years 2009 and 2010, including the impact on avoiding federal fiscal sanctions.

Sec. 106. REACH AHEAD SUNSET

(a) 33 V.S.A. chapter 12 (Reach Ahead) shall expire on June 30, 2010, and sections of chapters 10 and 11 of Title 33 shall be amended to strike references to the Reach Ahead program.

Sec. 107. HOME WEATHERIZATION TRUST FUND; HOMELESSNESS

(a) Notwithstanding the provisions of chapter 25 (home weatherization assistance program) of Title 33 of the Vermont Statutes Annotated, in fiscal year 2009 the agency of human services may use up to \$250,000 of state funds from the home weatherization assistance trust fund for the purpose of reducing homelessness. Funds unspent for this purpose in fiscal year 2009 may be carried forward into fiscal year 2010 and spent for the same purpose.

Sec. 108. 33 V.S.A. § 2604(a) is amended to read:

(a) Household income eligibility requirements. The secretary, by rule, shall establish household income and asset eligibility requirements of beneficiaries in the seasonal fuel assistance program including the income and assets of all residents of the household.

(1) The income eligibility requirements shall require that households have a net household income no greater than 125 percent of the federal poverty level in order to be potentially eligible for benefits. Net income shall be derived by making the following deductions from gross income: 20 percent of household members' gross earned income; 100 percent of federal or state

earned income credits received by household members; dependent care expenses that are within an allowable maximum, paid by a household member, and necessary to support a household member's employment or training for employment, according to criteria established by the secretary by rule; child support or alimony payments made by a household member on behalf of a nonhousehold member that meet criteria established by the secretary by rule; ~~\$150.00~~ \$250.00 for each household member who is 60 years of age or older or disabled according to criteria established by the secretary by rule; any deductions or exclusions required by federal law or regulations; and any other deduction or exclusion established by the secretary by rule.

(2) In order to be eligible, a household shall have net household assets no greater than \$5,000.00, or \$10,000.00 one member of the household is 60 years of age or older. The secretary shall establish exclusions from the asset limit by rule.

Sec. 109. 33 V.S.A. § 2603 is amended to read:

§ 2603. HOME HEATING FUEL ASSISTANCE ~~TRUST~~ FUND

(a) There is created in the state treasury a fund to be known as the home heating fuel assistance ~~trust fund to be expended by the director in accordance with this chapter and other federal laws and rules adopted pursuant thereto.~~

(b) The fund shall ~~be composed of~~ consist of the receipts from any taxes dedicated to the fund; and such other state funds as may be appropriated to it



by the general assembly, ~~including funds from the federal Low Income Home Energy Assistance Program (LIHEAP).~~ Funds from the home heating fuel assistance fund and the federal Low Income Home Energy Assistance Program (LIHEAP) shall be expended by the director in accordance with this chapter and other federal laws and rules adopted pursuant thereto.

(c) All balances in the home heating fuel assistance fund at the end of any fiscal year shall ~~be carried forward and remain part of the fund. Interest earned by the fund shall be deposited into the fund. Disbursements from the fund shall be made by the state treasurer on warrants drawn by the commissioner of finance and management~~ remain in the fund for future disbursements.

(d) The secretary may spend, in anticipation of federal receipts into the home heating fuel assistance ~~trust~~ fund established under this section, a sum no greater than 75 percent of the federal block grant funds allocated to Vermont for the current federal fiscal year under the Low Income Home Energy Assistance Program (LIHEAP), for the purpose of permitting preseason purchases of fuel and other cost-effective purchasing practices authorized by subsection 2602(c) of this title, in accordance with rules adopted by the secretary.

Sec. 110. Sec. 5.224(f) of No. 192 of the Acts of 2008 is added to read:

(f) In fiscal year 2009, upon approval of the joint fiscal committee, the secretary of human services and the commissioner of finance and management,

the commissioner of corrections may transfer unexpended funds between the respective appropriations for correctional services and for correctional services – out-of-state beds.

Sec. 111. VERMONT COMMISSION ON NATIONAL AND COMMUNITY  
SERVICE; POSITIONS

(a) The exempt positions in the Vermont Commission on National and Community Service shall be transferred to the agency of human services.

Sec. 112. GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER;  
REPORT

(a) In order to facilitate the end-of-year closeout for fiscal year 2009, the secretary of the agency of human services, with approval from the secretary of administration, may make transfers among the appropriations authorized for Medicaid and Medicaid-waiver program expenses, including Global Commitment appropriations outside of the agency of human services. At least three business days prior to any transfer, the agency shall submit to the joint fiscal office a proposal of transfers to be made pursuant to this section. A final report on all transfers made under this section shall be made to the joint fiscal committee for review at the September 2009 meeting. The purpose of this section is to provide the agency with limited authority to modify the appropriations to comply with the terms and conditions of the Global

Commitment for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

Sec. 113. Sec. 5.206(c) of No. 192 of the Acts of 2008 is added to read:

(c) The agency of human services secretary's office – Global Commitment appropriation (Section 2.202) shall be reduced by \$813,000 in general funds and by \$1,187,000 federal funds and the office of Vermont health access – Medicaid program – long-term care waiver (Section 2.208) shall be increased by the same amounts to accomplish the intent of using \$2,000,000 of Global Commitment funds specified in Section 5.206(b)(2)(E).

Sec. 114. Sec. 5.202(b)(6) of No. 192 of the Acts of 2008 is added to read:

(6) Notwithstanding 16 V.S.A. § 2959a, any additional federal funds received as a result of an enhanced FMAP that are associated with the certified expenditures specified in subdivisions (1) through (5) of this subsection shall be retained in the Global Commitment fund and shall not be transferred to the certifying entity.

Sec. 115. 32 V.S.A. § 5932 is amended to read:

§ 5932. DEFINITIONS

As used in this chapter:

(1) "Claimant agency" means any unit of state government, including agencies, departments, boards, commissions, authorities or public corporations, including the Vermont student assistance corporation and a collection agency

under contract with the court administrator pursuant to 4 V.S.A. § 1109(d) or 13 V.S.A. § 7171. Notwithstanding the foregoing, the department of taxes shall not be considered a claimant agency and shall not be subject to the limitations contained in this chapter when it applies a refund to the outstanding Vermont state tax liability of a taxpayer, including a taxpayer's liability for interest, penalties and fees.

\* \* \*

Sec. 116. 32 V.S.A. § 5941 is amended to read:

§ 5941. PROCEDURE FOR SETOFF OF COURT JUDGMENTS

\* \* \*

(e) The court administrator may contract with one or more collection agencies to serve as a claimant agency on behalf of a court for purposes of this subchapter.

Sec. 117. 13 V.S.A. § 7171 is amended to read:

§ 7171. COLLECTION BY COMPLAINT, INFORMATION, OR  
INDICTMENT

\* \* \*

(b) The court administrator is authorized to contract with private collection agencies for collection of penalties, fines, surcharges, court costs, and any other assessment authorized by law incurred or imposed by statute on persons who ~~have failed~~ fail to pay, at or after ~~reasonable notification of the debt, and~~

~~the risk that the debt may be~~ time of judgment, after notice that failure to pay  
the debt will result in the debt being referred to a collection agency and that the debtor will be liable for the collection agency's fee. The court administrator may agree to pay collection agencies a fee based on a fixed rate for services rendered or a percentage of the amount actually collected by such agencies and remitted to the state. The debtor shall be liable for the collection agency's fee, in addition to the judgment amount. The collection agency shall deduct its fee from the collected amount and remit the balance to the judiciary. All collection agency fees shall be governed by the contract with the court administrator and shall be clearly disclosed in all notices sent by the collection agency to the debtor.

Sec. 118. 4 V.S.A. § 271 is amended to read:

§ 271. SINGLE DISTRICT COUNTIES

(a) The counties of Addison, Bennington, Caledonia, Chittenden, Essex, Franklin, Grand Isle, Lamoille, Orange, Orleans, and Washington shall each constitute a probate district, which shall be designated by the name of the county.

(b) If a judicial position becomes vacant in the probate districts of Fair Haven, Hartford, Marlboro, Rutland, Westminster, or Windsor prior to February 1, 2011, the county containing the district with the vacant judge position shall become a single probate district county effective upon the date of

the vacancy. The remaining probate judge in the county shall become the probate judge of the single district probate court for the remainder of the current term. Upon consolidation, the judge of probate shall be paid \$59,321.00 for the Windham probate district and \$75,859.00 for the Rutland and Windsor probate districts.

Sec. 119. 32 V.S.A. § 1142 is amended to read:

§ 1142. JUDGES OF PROBATE

(a) The annual salaries of the judges of probate in the several probate districts, which shall be paid by the state in lieu of all fees or other compensation, shall be as follows:

		Annual Salary as of July 8, 2007
(1)	Addison	\$59,321
(2)	Bennington	<del>51,559</del> <u>59,321</u>
(3)	Caledonia	59,321
(4)	Chittenden	91,402
(5)	Essex	28,853
(6)	Fair Haven	43,594
(7)	Franklin	59,321
(8)	Grand Isle	28,853
(9)	Hartford	59,321

(10)	Lamoille	43,594
(11)	<del>Manchester</del>	<del>43,594</del>
<del>(12)</del>	Marlboro	51,559
<del>(13)</del> <u>(12)</u>	Orange	51,559
<del>(14)</del> <u>(13)</u>	Orleans	51,559
<del>(15)</del> <u>(14)</u>	Rutland	75,859
<del>(16)</del> <u>(15)</u>	Washington	75,859
<del>(17)</del> <u>(16)</u>	Westminster	43,594
<del>(18)</del> <u>(17)</u>	Windsor	51,559

(b) Judges of probate shall be paid by the state their actual and necessary expenses under the rules and regulations pertaining to classified state employees.

Sec. 120. REPEAL

(a) 4 V.S.A. § 273 (Bennington and Manchester probate districts) is repealed.

Sec. 121. TRANSITIONAL PROVISIONS

(a) The probate courts of the probate districts of Bennington and Manchester are consolidated as of the effective date of this act to form the probate court of the probate district of Bennington, which is deemed to be a continuation of the probate courts of the probate districts of Bennington and Manchester. The current probate judge for the probate court of the probate

district of Manchester shall become the probate judge for the probate court of the probate district of Bennington. The current probate registers of the probate districts of Bennington and Manchester shall become the registers for the probate district of Bennington and shall be allowed to maintain their employment status that was in effect on January 31, 2009 until January 31, 2011, at which time the probate judge taking office February 1, 2011 shall appoint a single probate register for the district. The records of the probate courts of the probate districts of Bennington and Manchester shall become the records of the probate court of the probate district of Bennington. The newly consolidated probate court of the probate district of Bennington shall have jurisdiction over all proceedings, records, orders, decrees, judgments and other acts of the probate courts of the probate districts of Bennington and Manchester, including all pending matters and appeals. The probate court of the probate district of Bennington shall have full authority to do all acts concerning all such proceedings and other matters as if they had originated in that court.

Sec. 122. 4 V.S.A. § 271 is amended to read:

§ 271. SINGLE DISTRICT COUNTIES

~~(a) The counties of Addison, Bennington, Caledonia, Chittenden, Essex, Franklin, Grand Isle, Lamoille, Orange, Orleans and Washington shall each~~



~~constitute a probate district, which shall be designated by the name of the county.~~

~~(b) If a judicial position becomes vacant in the probate districts of Fair Haven, Hartford, Marlboro, Rutland, Westminster or Windsor prior to February 1, 2011, the county containing the district with the vacant judge position shall become a single probate district county effective upon the date of the vacancy. The remaining probate judge in the county shall become the probate judge of the single district probate court for the remainder of the current term. Upon consolidation, the judge of probate shall be paid \$59,321 for the Windham probate district and \$75,859 for the Rutland and Windsor probate districts.~~

There shall be one probate district in each county, which shall be designated by the name of the county.

Sec. 123. 32 V.S.A. § 1142 is amended to read:

§ 1142. JUDGES OF PROBATE

(a) The annual salaries of the judges of probate in the several probate districts, which shall be paid by the state in lieu of all fees or other compensation, shall be as follows:

Annual Salary as of July 8, 2007	
(1) Addison	\$59,321
(2) Bennington	59,321

(3) Caledonia	59,321	
(4) Chittenden	91,402	
(5) Essex	28,853	
(6) <del>Fair Haven</del>	<del>43,594</del>	
<del>(7)</del> Franklin	59,321	
<del>(8)</del> <u>(7)</u> Grand Isle	28,853	
<del>(9)</del> <del>Hartford</del>	<del>59,321</del>	
<del>(10)</del> <u>(8)</u> Lamoille	43,594	
<del>(11)</del> <del>Marlboro</del>	<del>51,559</del>	
<del>(12)</del> <u>(9)</u> Orange	51,559	
<del>(13)</del> <u>(10)</u> Orleans	51,559	
<del>(14)</del> <u>(11)</u> Rutland	75,859	
<del>(15)</del> <u>(12)</u> Washington	75,859	
<del>(16)</del> <u>(13)</u> <del>Westminster</del> <u>Windham</u>	43,594	<u>59,321</u>
<del>(17)</del> <u>(14)</u> Windsor	<del>51,559</del>	<u>75,859</u>

(b) Judges of probate shall be paid by the state their actual and necessary expenses under the rules and regulations pertaining to classified state employees.

Sec. 124. REPEALS

(a) 4 V.S.A. §§ 275 (Fair Haven and Rutland probate districts), 276 (Hartford and Windsor probate districts), and 277 (Marlboro and Westminster probate districts) are repealed.

Sec. 125. TRANSITIONAL PROVISIONS

(a) On the effective date of this section, the newly consolidated probate court district within each county is deemed to be a continuation of the prior probate court districts within the county. The newly consolidated court shall have jurisdiction over all proceedings, records, orders, decrees, judgments and other acts of the probate courts of the prior probate districts within the county, including all pending matters and appeals. The records of the prior probate court districts shall become the records of the probate court of the newly consolidated probate district. The newly consolidated probate court district shall have full authority to do all acts concerning all such proceedings and other matters as if they had originated in that court. The probate judge for the newly consolidated district shall be elected on the first Tuesday of November of 2010. The current probate registers of the prior probate districts shall be allowed to maintain their employment status that was in effect on January 31, 2011 for six months, at which time the probate judge taking office February 1, 2011 shall appoint a single probate register for the district.

Sec. 126. MUNICIPAL TICKET REPAYMENT REVOLVING FUND

(a) Notwithstanding the provisions of 4 V.S.A. § 28(a)(2), the Town of Rutland may receive additional loans from the Municipal Ticket Repayment Revolving Fund for payments received from the Judicial Bureau between June 30, 2001 and June 30, 2004 in an amount not to exceed \$97,687.48.

Sec. 127. 10 V.S.A. § 1942(a) and (b) is amended to read:

(a) There is hereby established a licensing fee of one cent per gallon of motor fuel sold by a distributor or dealer or used by a user in this state, which will be assessed against every distributor, dealer or user as defined in 23 V.S.A. chapters 27 and 28, and which will be deposited into the petroleum cleanup fund. After analysis of the projected unencumbered fund balance, ~~The~~ secretary, in consultation with the Vermont Petroleum Association and the Vermont Fuel Dealers Association, Inc. ~~shall~~ may make a recommendation to the legislature as to annually determine whether or not to assess the one-cent licensing fee for the upcoming year . ~~If the unencumbered balance of the motor fuel account of the fund established under subsection 1941(a) of this title is equal to or greater than \$7,000,000.00, then the one-cent licensing assessment for the upcoming year shall not be assessed. If the unencumbered balance in the fund is less than \$7,000,000, then the annual fee may be assessed. The secretary shall notify all sellers assessing this fee of the status of the fee for the upcoming year.~~ This fee will be paid in the same manner, at the

same time, and subject to the same restrictions or limitations as the tax on motor fuels. The fee will be collected by the commissioner of motor vehicles and deposited into the petroleum cleanup fund. This fee requirement shall terminate on April 1, 2011.

(b) There is assessed against every seller receiving more than \$10,000.00 annually for the retail sale of heating oil or kerosene, sold in this state and not used to propel a motor vehicle, a licensing fee of one-half cent per gallon of such heating oil or kerosene. This fee shall be subject to the collection, administration, and enforcement provisions of chapter 233 of Title 32, and the fees collected under this subsection by the commissioner of taxes shall be deposited into the petroleum cleanup fund. After analysis of the projected unencumbered fund balance, ~~the~~ secretary, in consultation with the Vermont Petroleum Association and the Vermont Fuel Dealers Association, Inc. ~~shall~~ may make a recommendation to the legislature as to annually determine whether or not to assess the one-half cent licensing fee for the upcoming year. ~~If the unencumbered balance of heating fuel account of the fund established under subsection 1941(a) of this title is equal to or greater than \$3,000,000.00, then the one half cent licensing assessment for the upcoming year shall not be assessed. If the unencumbered balance in the fund is less than \$3,000,000, then the annual fee may be assessed. The secretary shall notify all sellers assessing~~

~~this fee of the status of the fee for the upcoming year.~~ This fee provision shall terminate April 1, 2011.

Sec. 128. EFFECTIVE DATES

(a) This act shall take effect upon passage, except Sec. 75 (Medicaid chiropractic coverage) of this act shall apply retroactively beginning February 1, 2009.

(b) Sec. 87 of this act (Vermont State Colleges payment of employee wages through direct deposit) shall take effect May 1, 2009.

(c) Secs. 122, 123, 124, and 125 shall take effect on February 1, 2011.

(d) Sec. 101b shall take effect upon passage.