

1 H.65

2 Introduced by Committee on Appropriations

3 Date:

4 Subject: Appropriations; budget adjustment act; fiscal year 2011

5 Statement of purpose: This bill proposes to make adjustments in the fiscal year
6 2011 omnibus appropriations act.

7 An act relating to fiscal year 2011 budget adjustment

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

9 Sec. 1. Sec. B.101 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
10 amended to read:

11 Sec. B.101 Information and innovation - communications and information
12 technology

13	Personal services	6,842,098	6,842,098
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14	Operating expenses	2,505,878	2,505,878
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15	Grants	<u>700,000</u>	<u>300,000</u>
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16	Total	10,047,976	9,647,976
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17 Source of funds

18	General fund	20,911	20,911
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19	Internal service funds	<u>10,027,065</u>	<u>9,627,065</u>
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20	Total	10,047,976	9,647,976
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1 Sec. 2. Sec. B.104 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
2 amended to read:

3 Sec. B.104 Human resources - operations

4 Personal services	2,543,406	2,684,796
5 Operating expenses	<u>414,786</u>	<u>414,786</u>
6 Total	2,958,192	3,099,582

7 Source of funds

8 General fund	1,689,278	1,830,668
9 Special funds	280,835	280,835
10 Interdepartmental transfers	<u>988,079</u>	<u>988,079</u>
11 Total	2,958,192	3,099,582

12 Sec. 3. Sec. B.137 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
13 amended to read:

14 Sec. B.137 Homeowner rebate

15 Grants	16,720,000	<u>13,750,000</u>
16 Total	16,720,000	13,750,000

17 Source of funds

18 General fund	16,720,000	<u>13,750,000</u>
19 Total	16,720,000	13,750,000

3 Sec. B.145 Total general government

5 Source of funds

7	Education fund	9,043,196	9,043,196
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9	Tobacco fund	58,000	58,000
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11	Enterprise funds	2,891,578	2,891,578
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13	Pension trust funds	36,759,238	36,759,238
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14	Private purpose trust funds	913,995	913,995
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15	Interdepartmental transfers	<u>5,991,990</u>	<u>5,991,990</u>
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16	Total	190,068,094	186,839,484
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17 Sec. 5. Sec. B.210 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is

18 amended to read:

19 Sec. B.210 Public safety - criminal justice services

20	Personal services	6,625,882	6,661,642
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21	Operating expenses	3,291,327	3,303,327
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1	Grants	<u>5,977,000</u>	<u>5,977,000</u>
2	Total	15,894,209	15,941,969
3	Source of funds		
4	ARRA funds	640,956	640,956
5	General fund	5,546,732	5,594,492
6	Special funds	1,972,320	1,972,320
7	Federal funds	7,645,784	7,645,784
8	Interdepartmental transfers	<u>88,417</u>	<u>88,417</u>
9	Total	15,894,209	15,941,969
10	Sec. 6. Sec. B.221 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
11	amended to read:		
12	Sec. B.221 Criminal justice training council		
13	Personal services	1,222,580	1,222,580
14	Operating expenses	<u>1,265,675</u>	<u>1,265,675</u>
15	Total	2,488,255	2,488,255
16	Source of funds		
17	General fund	1,592,462	1,677,462
18	Special funds	531,285	446,285
19	Interdepartmental transfers	<u>364,508</u>	<u>364,508</u>
20	Total	2,488,255	2,488,255

1 Sec. 7. Sec. B.240 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
2 amended to read:

3 Sec. B.240 Total protection to persons and property

4 ~~290,020,924~~ 290,068,684

5 Source of funds

6 General fund ~~101,547,048~~ 101,679,808

7 Transportation fund 27,635,057 27,635,057

8 Special funds ~~68,479,128~~ 68,394,128

9 Tobacco fund 961,177 961,177

10 Global Commitment fund 1,898,824 1,898,824

11 Federal funds 57,153,489 57,153,489

12 ARRA funds 18,539,819 18,539,819

13 Enterprise funds 4,972,629 4,972,629

14 Interdepartmental transfers 8,833,753 8,833,753

15 Total ~~290,020,924~~ 290,068,684

16 Sec. 8. Sec. B.300 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
17 amended to read:

18 Sec. B.300 Human services - agency of human services - secretary's office

19 Personal services ~~8,997,483~~ 9,377,026

20 Operating expenses ~~2,427,168~~ 2,421,348

21 Grants 5,195,241 5,195,241

1	Total	16,619,892	16,993,615
2	Source of funds		
3	Tobacco fund	423,330	423,330
4	General fund	4,911,040	5,163,948
5	Special funds	7,517	7,517
6	Global Commitment fund	415,000	415,000
7	Federal funds	7,444,102	7,545,317
8	Interdepartmental transfers	<u>3,418,903</u>	<u>3,438,503</u>
9	Total	16,619,892	16,993,615
10	Sec. 9. Sec. B.301 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
11	amended to read:		
12	Sec. B.301 Secretary's office - global commitment		
13	Grants	<u>1,069,564,058</u>	<u>1,079,313,192</u>
14	Total	1,069,564,058	1,079,313,192
15	Source of funds		
16	ARRA funds	114,748,181	113,589,207
17	Tobacco fund	35,848,873	35,848,873
18	General fund	66,312,737	63,661,109
19	Special funds	11,398,028	13,090,209
20	State health care resources fund	176,395,700	181,036,508
21	Catamount fund	19,076,195	19,076,195

1	Federal funds	645,426,677	652,653,424
2	Interdepartmental transfers	<u>357,667</u>	<u>357,667</u>
3	Total	1,069,564,058	1,079,313,192
4	Sec. 10. Sec. B.304 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
5	amended to read:		
6	Sec. B.304 Human services board		
7	Personal services	282,894	282,894
8	Operating expenses	<u>67,804</u>	<u>67,804</u>
9	Total	350,698	350,698
10	Source of funds		
11	General fund	49,713	114,713
12	Federal funds	150,493	150,493
13	Interdepartmental transfers	<u>150,492</u>	<u>85,492</u>
14	Total	350,698	350,698
15	Sec. 11. Sec. B.306 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
16	amended to read:		
17	Sec. B.306 Department of Vermont health access - administration		
18	Personal services	44,647,574	45,332,574
19	Operating expenses	2,593,853	2,593,853
20	Grants	<u>7,625,573</u>	<u>9,941,586</u>
21	Total	54,867,000	57,868,013

1	Source of funds		
2	<u>ARRA funds</u>		802,748
3	General fund	1,549,943	1,549,943
4	Special funds	3,016,174	1,564,861
5	Global Commitment fund	37,417,425	41,067,003
6	Federal funds	<u>12,883,458</u>	<u>12,883,458</u>
7	Total	54,867,000	57,868,013

8 Sec. 12. Sec. B.307 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
9 amended to read:

10 Sec. B.307 Department of Vermont health access - Medicaid program -
11 global commitment

12	Grants	<u>632,073,546</u>	<u>606,441,917</u>
13	Total	632,073,546	606,441,917

14	Source of funds		
15	Global Commitment fund	<u>632,073,546</u>	<u>606,441,917</u>
16	Total	632,073,546	606,441,917

17 Sec. 13. Sec. B.308 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
18 amended to read:

19 Sec. B.308 Department of Vermont health access - Medicaid program - long
20 term care waiver

21	Grants	<u>206,544,910</u>	<u>209,658,019</u>
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1	Total	206,544,910	209,658,019
2	Source of funds		
3	ARRA funds	<u>22,351,327</u>	<u>22,624,036</u>
4	General fund	62,936,176	63,948,559
5	Federal funds	<u>121,257,407</u>	<u>123,085,424</u>
6	Total	206,544,910	209,658,019

7 Sec. 14. Sec. B.309 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
8 amended to read:

9	Sec. B.309 Department of Vermont health access - Medicaid program -		
10	state only		
11	Grants	<u>18,026,949</u>	<u>19,587,130</u>
12	Total	18,026,949	19,587,130
13	Source of funds		
14	General fund	16,296,293	18,587,153
15	Global Commitment fund	<u>1,730,656</u>	<u>999,977</u>
16	Total	18,026,949	19,587,130

17 Sec. 15. Sec. B.310 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
18 amended to read:

19	Sec. B.310 Department of Vermont health access - Medicaid non-waiver		
20	matched		
21	Grants	<u>48,367,662</u>	<u>41,433,241</u>

1	Total	48,367,662	41,433,241
2	Source of funds		
3	General fund	17,328,535	17,211,479
4	Federal funds	<u>31,039,127</u>	<u>24,221,762</u>
5	Total	48,367,662	41,433,241
6	Sec. 16. Sec. B.312 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
7	amended to read:		
8	Sec. B.312 Health - public health		
9	Personal services	31,006,247	31,159,939
10	Operating expenses	7,030,217	7,030,217
11	Grants	<u>30,531,561</u>	<u>31,702,444</u>
12	Total	68,568,025	69,892,600
13	Source of funds		
14	Tobacco fund	1,166,803	1,166,803
15	General fund	7,737,787	7,737,787
16	Special funds	4,783,956	6,372,668
17	Global Commitment fund	20,959,163	20,638,258
18	Catamount fund	2,510,319	2,510,319
19	Federal funds	30,795,573	30,795,573
20	Permanent trusts funds	10,000	10,000
21	Interdepartmental transfers	<u>604,424</u>	<u>661,192</u>

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1	Grants	<u>128,312,179</u>	<u>131,992,367</u>
2	Total	134,580,638	138,171,127
3	Source of funds		
4	General fund	792,412	792,412
5	Special funds	6,836	6,836
6	Global Commitment fund	127,939,561	131,536,296
7	Federal funds	5,821,829	5,815,583
8	Interdepartmental transfers	<u>20,000</u>	<u>20,000</u>
9	Total	134,580,638	138,171,127
10	Sec. 19. Sec. B.316 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
11	amended to read:		
12	Sec. B.316 Department for children and families - administration & support		
13	services		
14	Personal services	37,767,592	38,702,032
15	Operating expenses	7,451,074	7,538,383
16	Grants	<u>842,829</u>	<u>1,206,996</u>
17	Total	46,061,495	47,447,411
18	Source of funds		
19	General fund	15,044,158	15,386,569
20	Global Commitment fund	17,233,385	16,320,023
21	Federal funds	13,783,952	15,528,319

1	<u>Interdepartmental transfers</u>		<u>212,500</u>
2	Total	46,061,495	47,447,411
3	Sec. 20. Sec. B.317 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
4	amended to read:		
5	Sec. B.317 Department for children and families - family services		
6	Personal services	22,899,710	24,267,710
7	Operating expenses	3,344,491	3,344,491
8	Grants	63,133,025	<u>63,297,597</u>
9	Total	89,377,226	90,909,798
10	Source of funds		
11	ARRA funds	705,724	935,361
12	Tobacco fund	275,000	275,000
13	General fund	21,230,731	20,882,857
14	Special funds	1,691,637	1,691,637
15	Global Commitment fund	37,870,954	39,123,688
16	Federal funds	27,503,180	27,901,255
17	Interdepartmental transfers	<u>100,000</u>	<u>100,000</u>
18	Total	89,377,226	90,909,798

1 Sec. 21. Sec. B.318 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
2 amended to read:

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

4 Personal services	3,265,859	3,123,106
5 Operating expenses	498,925	498,925
6 Grants	56,136,434	<u>56,215,568</u>
7 Total	59,901,218	59,837,599

8 Source of funds

9 ARRA funds	2,282,687	2,297,223
10 General fund	23,198,997	23,117,141
11 Special funds	1,820,000	1,820,000
12 Global Commitment fund	5,448,940	5,569,641
13 Federal funds	27,011,087	26,894,087
14 Interdepartmental transfers	<u>139,507</u>	<u>139,507</u>
15 Total	59,901,218	59,837,599

16 Sec. 22. Sec. B.319 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
17 amended to read:

18 Sec. B.319 Department for children and families - office of child support

19 Personal services	9,071,791	9,071,791
20 Operating expenses	<u>4,122,248</u>	<u>4,122,248</u>
21 Total	13,194,039	13,194,039

1	Source of funds		
2	ARRA funds	431,230	431,230
3	General fund	2,690,672	2,590,672
4	Special funds	455,718	555,718
5	Federal funds	9,228,819	9,228,819
6	Interdepartmental transfers	<u>387,600</u>	<u>387,600</u>
7	Total	13,194,039	13,194,039
8	Sec. 23. Sec. B.320 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
9	amended to read:		
10	Sec. B.320 Department for children and families - aid to aged, blind and		
11	disabled		
12	Personal services	1,801,009	1,801,009
13	Grants	<u>10,738,080</u>	<u>11,025,705</u>
14	Total	12,539,089	12,826,714
15	Source of funds		
16	General fund	8,789,089	9,076,714
17	Global Commitment fund	<u>3,750,000</u>	<u>3,750,000</u>
18	Total	12,539,089	12,826,714

1 Sec. 24. Sec. B.321 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
2 amended to read:

3 Sec. B.321 Department for children and families - general assistance

4 Grants	<u>5,850,928</u>	<u>6,850,928</u>
5 Total	<u>5,850,928</u>	6,850,928

6 Source of funds

7 ARRA funds	1,699,412	1,699,412
8 General fund	<u>2,700,196</u>	3,343,538
9 Global Commitment fund	<u>340,000</u>	500,000
10 Federal funds	1,111,320	1,111,320
11 <u>Interdepartmental transfers</u>		<u>196,658</u>
12 Total	<u>5,850,928</u>	6,850,928

13 Sec. 25. Sec. B.323 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
14 amended to read:

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

16 Grants	<u>49,229,159</u>	<u>52,434,699</u>
17 Total	<u>49,229,159</u>	52,434,699

18 Source of funds

19 ARRA funds	<u>1,127,346</u>	2,068,053
20 General fund	<u>19,927,750</u>	20,558,083
21 Special funds	<u>19,916,856</u>	20,051,356

1	Global Commitment fund	374,400	1,874,400
2	Federal funds	<u>7,882,807</u>	<u>7,882,807</u>
3	Total	<u>49,229,159</u>	52,434,699
4	Sec. 26. Sec. B.325 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
5	amended to read:		
6	Sec. B.325 Department for children and families - office of economic		
7	opportunity		
8	Personal services	266,289	266,289
9	Operating expenses	78,339	78,339
10	Grants	<u>4,747,762</u>	<u>5,047,762</u>
11	Total	<u>5,092,390</u>	5,392,390
12	Source of funds		
13	General fund	<u>1,241,285</u>	1,541,285
14	Special funds	57,990	57,990
15	Federal funds	<u>3,793,115</u>	<u>3,793,115</u>
16	Total	<u>5,092,390</u>	5,392,390
17	Sec. 27. Sec. B.327 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
18	amended to read:		
19	Sec. B.327 Department for children and families - Woodside rehabilitation		
20	center		
21	Personal services	<u>3,453,113</u>	3,137,392

1	Operating expenses	<u>578,399</u>	<u>653,399</u>
2	Total	<u>4,031,512</u>	3,790,791
3	Source of funds		
4	General fund	<u>3,976,620</u>	3,900,139
5	<u>Global Commitment fund</u>		(164,240)
6	Interdepartmental transfers	<u>54,892</u>	<u>54,892</u>
7	Total	<u>4,031,512</u>	3,790,791
8	Sec. 28. Sec. B.328 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
9	amended to read:		
10	Sec. B.328 Department for children and families - disability determination		
11	services		
12	Personal services	<u>4,353,948</u>	4,516,851
13	Operating expenses	<u>1,133,361</u>	<u>1,133,361</u>
14	Total	<u>5,487,309</u>	5,650,212
15	Source of funds		
16	Global Commitment fund	<u>246,517</u>	409,420
17	Federal funds	<u>5,240,792</u>	<u>5,240,792</u>
18	Total	<u>5,487,309</u>	5,650,212

1 Sec. 29. Sec. B.329 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
2 amended to read:

3 Sec. B.329 Disabilities, aging and independent living - administration &
4 support

5 Personal services	24,109,012	24,169,012
6 Operating expenses	<u>3,661,592</u>	<u>3,661,592</u>
7 Total	27,770,604	27,830,604

8 Source of funds

9 General fund	7,131,010	7,191,010
10 Special funds	889,246	889,246
11 Global Commitment fund	6,014,470	6,014,470
12 Federal funds	11,246,096	11,246,096
13 Interdepartmental transfers	<u>2,489,782</u>	<u>2,489,782</u>
14 Total	27,770,604	27,830,604

15 Sec. 30. Sec. B.330 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
16 amended to read:

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

19 Grants	22,233,616	<u>22,173,616</u>
20 Total	22,233,616	22,173,616

1	Source of funds		
2	ARRA funds	404,000	404,000
3	General fund	9,908,037	9,848,037
4	Global Commitment fund	3,638,762	3,638,762
5	Federal funds	7,645,317	7,645,317
6	Interdepartmental transfers	<u>637,500</u>	<u>637,500</u>
7	Total	22,233,616	22,173,616
8	Sec. 31. Sec. B.333 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
9	amended to read:		
10	Sec. B.333 Disabilities, aging and independent living - developmental services		
11	Grants	149,922,473	<u>151,144,452</u>
12	Total	149,922,473	151,144,452
13	Source of funds		
14	General fund	155,125	155,125
15	Special funds	15,463	15,463
16	Global Commitment fund	149,392,028	150,614,007
17	Federal funds	<u>359,857</u>	<u>359,857</u>
18	Total	149,922,473	151,144,452

1 Sec. 32. Sec. B.334 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
2 amended to read:

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

5	Grants	<u>4,044,899</u>	<u>4,744,899</u>
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6	Total	<u>4,044,899</u>	4,744,899
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7 Source of funds

8	Global Commitment fund	<u>4,044,899</u>	<u>4,744,899</u>
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9	Total	<u>4,044,899</u>	4,744,899
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10 Sec. 33. Sec. B.338 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
11 amended to read:

12 Sec. B.338 Corrections - correctional services

13	Personal services	80,054,352	80,346,297
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14	Operating expenses	33,761,401	33,761,401
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15	Grants	<u>3,722,953</u>	<u>3,722,953</u>
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16	Total	117,538,706	117,830,651
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17 Source of funds

18	Tobacco fund	87,500	87,500
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19	General fund	113,305,822	113,597,767
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20	Special funds	483,963	483,963
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21	Global Commitment fund	3,094,144	3,094,144
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1	Federal funds	170,962	170,962
2	Interdepartmental transfers	<u>396,315</u>	<u>396,315</u>
3	Total	117,538,706	117,830,651
4	Sec. 34. Sec. B.339 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
5	amended to read:		
6	Sec. B.339 Correctional services - out of state beds		
7	Personal services	<u>17,008,240</u>	<u>20,741,262</u>
8	Total	17,008,240	20,741,262
9	Source of funds		
10	General fund	<u>17,008,240</u>	<u>20,741,262</u>
11	Total	17,008,240	20,741,262
12	Sec. 35. Sec. B.340 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
13	amended to read:		
14	Sec. B.340 Corrections - correctional facilities - recreation		
15	Personal services	475,506	475,506
16	Operating expenses	<u>342,362</u>	<u>342,362</u>
17	Total	817,868	817,868
18	Source of funds		
19	General fund	125,000	
20	Special funds	<u>692,868</u>	<u>817,868</u>
21	Total	817,868	817,868

3 Sec. B.345 Total human services

5 Source of funds

17	Total	3,038,198,507	3,041,870,283
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20 Sec. B.500 Education - finance and administration

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1	Operating expenses	1,715,341	1,943,115
2	Grants	<u>11,384,730</u>	<u>11,384,730</u>
3	Total	18,766,525	18,994,299
4	Source of funds		
5	General fund	3,103,135	3,330,909
6	Education fund	427,526	427,526
7	Special funds	12,395,755	12,395,755
8	Global Commitment fund	823,092	823,092
9	Federal funds	2,012,287	2,012,287
10	Interdepartmental transfers	<u>4,730</u>	<u>4,730</u>
11	Total	18,766,525	18,994,299
12	Sec. 38. Sec. B.505 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
13	amended to read:		
14	Sec. B.505 Education - adjusted education payment		
15	Grants	1,138,075,036	<u>1,138,325,036</u>
16	Total	1,138,075,036	<u>1,138,325,036</u>
17	Source of funds		
18	ARRA Interdepartmental transfer	38,575,036	38,575,036
19	Education fund	1,099,500,000	<u>1,099,750,000</u>
20	Total	1,138,075,036	<u>1,138,325,036</u>

1 Sec. 39. Sec. B.511 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
2 amended to read:

3 Sec. B.511 Education - technical education

4	Grants	<u>12,784,382</u>	<u>12,938,382</u>
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5	Total	<u>12,784,382</u>	12,938,382
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6 Source of funds

7	Education fund	<u>12,784,382</u>	<u>12,938,382</u>
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8	Total	<u>12,784,382</u>	12,938,382
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9 Sec. 40. Sec. B.515 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
10 amended to read:

11 Sec. B.515 Total general education

12		1,861,516,435	1,862,148,209
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13 Source of funds

14	General fund	296,413,882	296,641,656
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15	Education fund	1,305,042,881	1,305,446,881
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16	Special funds	15,739,988	15,739,988
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17	Tobacco fund	988,917	988,917
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18	Global Commitment fund	1,053,092	1,053,092
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19	Federal funds	128,720,522	128,720,522
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20	ARRA funds	46,719,169	46,719,169
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21	Pension trust funds	28,233,387	28,233,387
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1	Interdepartmental transfers	29,561	29,561
2	ARRA interdepartmental transfer	<u>38,575,036</u>	<u>38,575,036</u>
3	Total	1,861,516,435	1,862,148,209
4	Sec. 41. Sec. B.902 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
5	amended to read:		
6	Sec. B.902 Transportation - buildings		
7	Operating expenses	<u>2,467,500</u>	<u>2,966,556</u>
8	Total	2,467,500	2,966,556
9	Source of funds		
10	TIB fund	190,000	689,056
11	Transportation fund	1,517,500	1,517,500
12	Federal funds	<u>760,000</u>	<u>760,000</u>
13	Total	2,467,500	2,966,556
14	Sec. 42. Sec. B.903 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
15	amended to read:		
16	Sec. B.903 Transportation - program development		
17	Personal services	36,339,478	36,339,478
18	Operating expenses	220,453,550	220,162,203
19	Grants	<u>26,819,421</u>	<u>26,819,421</u>
20	Total	283,612,449	283,321,102

1	Source of funds		
2	ARRA funds	45,034,600	45,034,600
3	TIB fund	14,856,273	14,856,273
4	Transportation fund	18,937,922	18,646,575
5	Local match	1,434,254	1,434,254
6	Federal funds	199,707,420	199,707,420
7	Interdepartmental transfers	<u>3,641,980</u>	<u>3,641,980</u>
8	Total	283,612,449	283,321,102
9	Sec. 43. Sec. B.921 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is		
10	amended to read:		
11	Sec. B.921 Total transportation		
12		582,498,267	582,705,976
13	Source of funds		
14	Transportation fund	183,382,849	183,091,502
15	TIB fund	18,555,087	19,054,143
16	Local match	2,450,885	2,450,885
17	Federal funds	275,885,087	275,885,087
18	ARRA funds	80,756,516	80,756,516
19	Internal service funds	17,477,863	17,477,863
20	Interdepartmental transfers	<u>3,989,980</u>	<u>3,989,980</u>
21	Total	582,498,267	582,705,976

Sec. 44. FUND TRANSFERS

(a) Notwithstanding any other provisions of law, in fiscal year 2011:

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

<u>21405</u>	<u>Fidelity interest earnings</u>	<u>22,000.00 Approx.</u>
<u>21525</u>	<u>Conference Fee Special funds (Bus Unit #05100) - Education</u>	<u>8,657.10</u>
<u>21585</u>	<u>Pers-Human Resources Development</u>	<u>51,325.09</u>
<u>21764</u>	<u>ED-Medicaid Reimb-Admin</u>	<u>1,984,701.00</u>
<u>21639</u>	<u>AG-Court Diversion</u>	<u>527.90</u>
<u>21847</u>	<u>Windsor-Armory Square Project</u>	<u>10,000.00</u>
<u>22005</u>	<u>AHS Central Office earned federal receipts</u>	<u>6,196,734.00</u>
<u>50300</u>	<u>Liquor Control</u>	<u>836,516.00</u>
<u>58800</u>	<u>Facilities Operations Fund</u>	<u>580,000.00</u>
<u>62100</u>	<u>Abandoned Property</u>	<u>2,603,135.00</u>
	<u>Caledonia Fair</u>	<u>5,000.00</u>
	<u>North Country Hospital Loan</u>	<u>24,250.00</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

1 approximately \$20,389,195 shall be transferred to the general fund, provided
2 that on or before July 1, 2011, the commissioner of banking, insurance,
3 securities, and health care administration certifies to the joint fiscal committee
4 that the transfer of such balances, or any smaller portion deemed proper by the
5 commissioner, will not impair the ability of the department in fiscal year 2012
6 to provide thorough, competent, fair, and effective regulatory services, or
7 maintain accreditation by the National Association of Insurance
8 Commissioners; and that the joint fiscal committee does not reject such
9 certification.

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

12	<u>21911</u>	<u>Sarcoidosis Benefit Trust Fund</u>	<u>46,000.00</u>
13	<u>21884</u>	<u>Emergency Personnel Survivors Benefit Special Fund</u>	<u>70,000.00</u>
14	<u>21115</u>	<u>Criminal Justice Training Council</u>	<u>100,834.87</u>
15	<u>21500</u>	<u>Criminal Justice Training Council (BU 2170)</u>	<u>66,214.38</u>
16	<u>21255</u>	<u>Petroleum Cleanup Fund</u>	<u>300,000.00</u>
17	<u>50700</u>	<u>Federal Surplus Property Fund</u>	<u>250,000.00</u>
18	<u>21335</u>	<u>Insurance Reserve Fund</u>	<u>69,204.00</u>

19 (4) The following amounts shall be transferred between special funds as
20 indicated:

1 From the Transportation Infrastructure Bond Fund #20191 to the
2 Transportation Revenue Bond Debt Service Fund #35200 991,563.00

3 From the Employee Leasing Companies Fund #21110 to the Passenger
4 Tramways Fund # 21095 14,115.64

5 Sec. 45. REVERSIONS

6 (a) Notwithstanding any other provisions of law, in fiscal year 2011:

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

9	<u>1100020000</u>	<u>Secretary of Administration</u>	<u>16,662.51</u>
10	<u>1100030000</u>	<u>Pay Plan Adjustment</u>	<u>184,031.00</u>
11	<u>1120020000</u>	<u>Tuition Assistance Program</u>	<u>27,819.97</u>
12	<u>1140040000</u>	<u>Homeowner Rebates</u>	<u>262,550.17</u>
13	<u>1140070000</u>	<u>Use Tax Reimbursement Program</u>	<u>288,508.57</u>
14	<u>1140330000</u>	<u>Renter Rebates</u>	<u>2,069.27</u>
15	<u>1140891001</u>	<u>IT Reprogram-Sales Tax Holiday</u>	<u>10,000.00</u>
16	<u>1260080000</u>	<u>Interest-Temp Borrowing</u>	<u>550,000.00</u>
17	<u>1260890901</u>	<u>FY 2009 Short Term Borrowing</u>	<u>100,000.00</u>
18	<u>1260891001</u>	<u>Retirement Plan Study</u>	<u>19,838.49</u>
19	<u>2130100000</u>	<u>State's Attorneys</u>	<u>1,226.68</u>
20	<u>2130200000</u>	<u>Sheriffs</u>	<u>194,641.82</u>
21	<u>1260891003</u>	<u>Benefits Survivors Emergency Personnel</u>	<u>70,000.00</u>

3	<u>1230001000</u>	<u>Sergeant at Arms</u>	<u>639.07</u>
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6	<u>1140060000</u>	<u>Grand List Assistance</u>	<u>41,526.80</u>
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7	<u>1140330000</u>	<u>Renter Rebates</u>	<u>737,591.61</u>
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8	<u>5100070000</u>	<u>Education Services</u>	<u>95,030.41</u>
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9	<u>5100050000</u>	<u>State-Placed Students</u>	<u>1,149,010.76</u>
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10	<u>5100090000</u>	<u>Education Grant</u>	<u>736,893.55</u>
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11	5100110000	Small School Grant	119,638.00
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12	<u>5100120000</u>	<u>Debt Service Aid</u>	<u>25,903.00</u>
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13	<u>5100190000</u>	<u>Essential Early Educ Grant</u>	<u>179,528.45</u>
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14	<u>5100200000</u>	<u>Education-Technical Education</u>	<u>190,272.12</u>
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(a) Notwithstanding any other provisions of law and subject to the approval of the secretary of administration, general, transportation, transportation infrastructure bond, and education fund appropriations remaining unexpended on June 30, 2011, in the executive branch of state government shall be carried forward and shall be designated for expenditure.

1 (b) Notwithstanding any other provisions of law, general fund
2 appropriations remaining unexpended on June 30, 2011, in the legislative and
3 judicial branches of state government shall be carried forward and shall be
4 designated for expenditure.

5 Sec. 47. GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER;
6 REPORT

7 (a) In order to facilitate the end-of-year closeout for fiscal year 2011, the
8 secretary of the agency of human services, with approval from the secretary of
9 administration, may make transfers among the appropriations authorized for
10 Medicaid and Medicaid-waiver program expenses, including Global
11 Commitment appropriations outside the agency of human services. At least
12 three business days prior to any transfer, the agency shall submit to the joint
13 fiscal office a proposal of transfers to be made pursuant to this section. A final
14 report on all transfers made under this section shall be made to the joint fiscal
15 committee for review at the September 2011 meeting. The purpose of this
16 section is to provide the agency with limited authority to modify the
17 appropriations to comply with the terms and conditions of the Global
18 Commitment for Health waiver approved by the Centers for Medicare and
19 Medicaid Services under Section 1115 of the Social Security Act.

1 Sec. 48. FISCAL YEAR 2011 APPROPRIATION REDUCTIONS DUE TO
2 BENEFIT PLAN PREMIUM ADJUSTMENTS

3 (a) To reflect adjustments to budgets due to benefit plan premium
4 adjustments, personal services appropriations are reduced by \$1,254,880
5 general funds in accordance with the schedule, entitled "FY 2011
6 Appropriation Reductions Due To Benefit Plan Premium Adjustments," filed
7 with the joint fiscal committee.

8 Sec. 49. SALARY REDUCTIONS; EXEMPT EXECUTIVE BRANCH
9 EMPLOYEES

10 (a) Notwithstanding statutory salaries to the contrary, in fiscal years 2011
11 and 2012, exempt executive branch employees may decline to accept their full
12 statutory salaries.

13 Sec. 50. FISCAL YEAR 2011 GENERAL FUND BALANCE

14 (a) Notwithstanding 32 V.S.A. §§ 308c and 308d, after the general fund
15 budget stabilization reserve attains its statutory maximum, any additional
16 unreserved and undesignated general fund balance shall be deposited into the
17 human services caseload reserve established in 32 V.S.A. § 308b in fiscal year
18 2011 to be used for caseload costs, offsets to federal funding changes, or
19 related human service expenditures in fiscal year 2012.

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1 ~~\$3,966,375.00 plus the amount of the reinvested funds will result in lower~~
2 ~~property taxes.~~

3 (6) Special Education Incentives. In fiscal year 2011, the secretary shall
4 reduce the general fund appropriation and transfer to the education fund by
5 \$2,100,000.00. ~~It is expected that as part of the implementation plan~~
6 ~~developed in this act, total special education spending will be reduced by~~
7 ~~\$7,000,000.00, and of this total, \$1,000,000.00 of education funds will be~~
8 ~~allocated for reinvestment to meet the challenge, and the remainder will result~~
9 ~~in lower property taxes. It is anticipated that \$4,200,000.00 of this reduction~~
10 ~~will have an impact on the special education grant.~~

11 * * *

12 Sec. 52. Sec. D12 of No. 146 of the Acts of the 2009 Adj. Sess. (2010), as
13 amended by Sec. F.9 of No. 156 of the Acts of the 2009 Adj. Sess. (2010), is
14 further amended to read:

15 Sec. D12. COMMISSIONER OF CORRECTIONS; AID TO
16 COMMUNITIES WITH A HIGH PERCENTAGE PER
17 CAPITA OF PEOPLE UNDER THE CUSTODY OF THE
18 COMMISSIONER

19 The commissioner of corrections shall work with communities, in which a
20 high number of people are under his or her custody, including those living in
21 the community and those who are incarcerated residents of the community, to

1 help the community to reduce the number of people entering into custody. For
2 expenditures from funds reinvested pursuant to Sec. D9 of this act and ~~Sec.~~
3 ~~338~~ Sec. B.338 of H.789 of 2010 (Appropriations Act), in community level
4 services, the commissioner shall give priority to projects located in
5 communities which have the highest percentage per capita of people under his
6 or her custody, including those living in the community and residents who are
7 incarcerated.

8 Sec. 53. Sec. G7(d)(2) of No. 146 of the Acts of the 2009 Adj. Sess. (2010) is
9 amended to read:

10 (2) Each existing regional planning commission or regional
11 development corporation shall, by August 1, 2010, notify the secretary whether
12 it intends to submit a proposal for a regional economic development
13 performance contract ~~by~~ and shall indicate whether it intends to submit a
14 proposal individually or jointly with another service provider.

15 Sec. 54. Sec. 4 of No. 148 of the Acts of the 2009 Adj. Sess. (2010) is
16 amended to read:

17 Sec. 4. REPEAL

18 ~~Sec. 1(b)~~ Sec 4(b) of No. 50 of the Acts of 2007, as amended by Sec. 1 of
19 No. 157 of the Acts of the 2007 Adj. Sess. (2008) is repealed.

1 Sec. 55. Sec. B.1101(a) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
2 amended to read:

3 (a) In fiscal year 2011, the secretary of administration is authorized to
4 reduce the following amounts from appropriations and shall provide a report to
5 the joint fiscal committee by November 15, 2010 on these reductions:

6 (1) Labor contract savings due to negotiated contract. The secretary of
7 administration is authorized to reduce fiscal year 2011 appropriations
8 consistent with these contract savings:

9	General fund	\$5,548,030 <u>\$4,784,600</u>
10	<u>Special funds</u>	<u>\$284,302</u>
11	<u>Tobacco fund</u>	<u>\$11,056</u>
12	<u>Global Commitment fund</u>	<u>\$118,907</u>

13 The secretary of administration is authorized to transfer these amounts of
14 special and tobacco funds to the general fund.

15 (2) Adjustment to state employees' retirement.

16	General fund	\$1,768,800 <u>\$789,966</u>
17	Transportation fund	\$686,400 <u>\$96,559</u>

18 Sec. 56. Sec. B.1103 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
19 amended to read:

20 Sec. B.1103 FISCAL YEAR 2011 ONE-TIME APPROPRIATIONS

21 (a) In fiscal year 2011, the following amounts are appropriated:

(1) ~~To the secretary of administration for the 27th payday in fiscal year 2011, to be transferred to departments as the secretary may determine to be necessary:~~

General fund	\$9,485,885
Transportation fund	\$2,288,340

(1) For the 27th payday in fiscal 2011:

(A) To the secretary of administration to be transferred to departments as the secretary may determine to be necessary:

<u>General fund</u>	<u>\$9,485,885</u>	<u>\$8,350,954</u>
<u>Transportation fund</u>	<u>\$2,288,340</u>	<u>\$2,067,946</u>

(B) To the Legislature

<u>General fund</u>	<u>\$164,481</u>
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(C) To the Judiciary

<u>General fund</u>	<u>\$771,092</u>
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* * *

(5) To the department of environmental conservation for ~~transition~~ continuation of the geological survey program ~~to the University of Vermont through fiscal year 2011:~~

General fund	\$125,000
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(6) To the military department, division of veterans' affairs for Supplemental Assistance to Survivors (~~DeptID-2150890501~~) to be used in

1 and expended by the department of education in accordance with federal law

2 (Dept ID 5100891101): \$19,304,177

3 Sec. 57. Sec. C.102 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
4 amended to read:

5 Sec. C.102 FISCAL YEAR 2010 CONTINGENT RESERVES,
6 TRANSFERS, AND APPROPRIATIONS

7 (a) Notwithstanding 32 V.S.A. § 308c and 32 V.S.A. § 308d, after the
8 general fund budget stabilization reserve attains its statutory maximum, up to
9 \$15,110,000 of any additional unreserved and undesignated general fund
10 balance shall be retained in the general fund for expenditure during fiscal year
11 2011 consistent with the enacted budget. The amount of \$15,110,000 shall be
12 adjusted by any expenditure of general funds authorized in subsection (d) of
13 Sec. 9 of No. 68 of the Acts of the 2009 Adj. Sess. (2010) and any funds
14 expended under Sec. 9(d) of No. 68 of the Acts of the 2009 Adj. Sess. (2010)
15 shall not be included for the purposes of 32 V.S.A. § 308.

16 (b) Notwithstanding 32 V.S.A. § 308d, after satisfying subsection (a) of
17 this section, any additional unreserved and undesignated general fund balance
18 shall be reserved in accordance with 32 V.S.A. § 308c. Of the funds reserved
19 in accordance with 32 V.S.A. § 308c:

20 (1) To the extent that said funds are reserved, up to \$6,890,000 shall be
21 unreserved and ~~a like amount of funds which would otherwise be deposited~~

1 into the general fund in accordance with Sec. D.104 of this act shall not be
2 deposited into the general fund but shall be deposited transferred into the
3 education fund.

4 (2) ~~If the provisions of Sec. D.106(a) of this act result in the preclusion~~
5 ~~of the provisions of Sec.D.106(c)(2)(B) of this act, then in fiscal year 2011 To~~
6 the extent available, the next \$6,400,000 shall be unreserved and appropriated
7 for expenditure as follows:

8 (A) \$3,000,000 to implement the computer server and e-mail
9 consolidation project;

10 (B) \$3,000,000 for the financial and human resource system
11 development project; and

12 (C) \$400,000 for a case management system in the department of the
13 attorney general.

14 Sec. 58. Sec. D.103 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
15 amended to read:

16 Sec. D.103. TRANSFER OF TOBACCO TRUST FUNDS

17 (a) Notwithstanding 18 V.S.A. § 9502(a)(3) and (4), the actual amount of
18 investment earnings of the tobacco trust fund at the end of fiscal year 2011 and
19 any additional amount necessary to ensure the balance in the tobacco litigation
20 settlement fund at the close of fiscal year 2011 is not negative, shall be

1 transferred from the tobacco trust fund to the tobacco litigation settlement fund
2 in fiscal year 2011.

3 Sec. 59. Sec. D.106 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
4 amended to read:

5 Sec. D.106 HUMAN SERVICES CASELOAD RESERVE

6 (a) ~~If~~ To the extent that the commissioner of finance and management
7 determines that state funding needed to support the Medicaid program
8 including the “Part D Clawback” payment is not adequate as a result of the
9 federal government not extending the ARRA Enhanced Federal Medical
10 Assistance Percentage (EFMAP) to June 30, 2011, or as a result of extending
11 the ARRA EFMAP at a fiscal impact of less than \$62,264,000, then the
12 amount determined to be inadequate by the commissioner shall be appropriated
13 from the human services caseload reserve established in 32 V.S.A. § 308b in
14 fiscal year 2011 and the commissioner shall report such action to the joint
15 fiscal committee.

16 (b) Of the reserve balance remaining after the requirements of subsection
17 (a) of this section have been met, the secretary of administration in fiscal year
18 2011 shall authorize the secretary of human services to include up to
19 \$13,500,000 of funds available in the reserve, which are hereby appropriated
20 as an available state match when setting the per-member per-month actuarial
21 rates for Medicaid eligibility groups in the Global Commitment program for

1 federal fiscal year 2011 and submitting these rates for approval by the Centers
2 for Medicare and Medicaid Services.

3 (c) Any balance remaining after the requirements of subsections (a) and (b)
4 of this section have been met shall be unreserved and allocated to the extent
5 available as follows:

6 (1) \$10,000,000 is appropriated to the department of buildings and
7 general services for planning and construction of replacement for Vermont
8 State Hospital beds.

9 (2) \$12,035,000 shall be appropriated to the secretary of administration
10 for use as follows:

11 (A) ~~In addition to any amount provided as a result of Sec. C.102~~
12 ~~(b)(2)(A), up to a total of \$3,000,000 shall be used to implement the computer~~
13 ~~server and e-mail consolidation and virtualization project, less the amount~~
14 ~~provided as a result of Sec. C.102(b)(2)(A) of this act.~~ The commissioner of
15 the department of information and innovation is authorized to implement the
16 server consolidation and virtualization plan for state government. All units of
17 the executive branch shall participate in this initiative. Any proposal for the
18 purchases and implementation of servers shall be approved by the
19 commissioner to ensure that projects are aligned. The commissioner of finance
20 and management is authorized to capture savings of departments related to this
21 project of \$1,636,574 consistent with the authority in Sec. B.1101(b) of this act

1 in fiscal year 2011 and \$2,000,000 in fiscal year 2012. The fiscal year 2012
2 assessment shall be used to fund the fiscal year 2012 implementation costs of
3 this project.

4 (B) \$3,635,000 shall be used for expenditures related to the Vermont
5 Integrated Eligibility Workflow System (VIEWS). These funds, in addition to
6 funds appropriated in the capital bill process shall be available to cover fiscal
7 year 2011 and 2012 project expenditures;

8 (C) ~~In addition to any amount provided as a result of Sec.~~
9 ~~C.102(b)(2)(B), up to a total of 5,000,000~~ \$5,000,000 shall be used for
10 expenditures related to the VISION Financial and Human Resource System,
11 less the amount provided as a result of Sec. C.102(b)(2)(B) of this act. ~~The~~
12 ~~commissioner of information and innovation is authorized to enter into a~~
13 ~~contract for up to \$7,000,000 for full implementation of this project. In~~
14 Beginning in fiscal year 2013, the commissioner of finance and management is
15 authorized to assess up to \$2,000,000 to all units of ~~the executive branch~~ state
16 government for project costs from savings that the project will produce.

17 (D) ~~In addition to any amount provided as a result of Sec.~~
18 ~~C.102(b)(2)(C), up to a total of \$400,000~~ shall be used for expenditures related
19 to the Attorney General's case management system development costs, less the
20 amount provided as a result of Sec. C.102(b)(2)(C) of this act. It is the intent
21 of the general assembly to the extent possible to create a unified

1 multidepartment case management system built on the same system platform.
2 The commissioner of the department of information and innovation with the
3 approval of the secretary of administration is authorized to ensure that all
4 appropriations and investments in new case management software by the
5 executive branch be done in a manner that shall promote a unified case
6 management system. A report on this effort shall be submitted to the house
7 and senate committees on appropriations and on government operations by
8 January 15, 2011.

9 (3) \$2,000,000 shall be appropriated for investments consistent with
10 Sec. C.35 of H.792 of 2010 which will result in a reduction in the number of
11 people entering the criminal justice system and decrease the recidivism of
12 those who enter the system; and

13 (4) \$3,164,500 shall be appropriated to lower long-term expenses within
14 the correctional system consistent with Sec. D.9 of H.792 of 2010.

15 (5) \$1,000,000 shall be appropriated to the department of Vermont
16 health access to be used to provide payment amounts for outpatient hospital
17 services closer to levels paid by Medicare. The department of Vermont health
18 access shall increase payment rates to hospitals by an amount estimated to
19 equal a total of \$2,800,000 for outpatient hospital services. The department of
20 Vermont health access shall provide quarterly reports to hospitals indicating
21 the additional amounts paid for outpatient hospital services.

1 (6) Contingent Appropriations and Transfers:

2 (A) \$2,100,000 shall be appropriated to the department of Vermont
3 health access to fund a 53rd week of claims in the long-term care program in
4 fiscal year 2011 if funding is not available within the appropriation provided.

5 (B) ~~In the event that provisions of Sec. C.102(b)(1) do occur, then~~
6 ~~\$6,890,000 is unreserved and a like amount of funds which would otherwise be~~
7 ~~deposited into the general fund in accordance with Sec. D.104 of this act shall~~
8 ~~not be deposited into the general fund but shall be deposited into the education~~
9 ~~fund.~~

10 (C) ~~\$3,000,000 is transferred to the education fund to the extent that~~
11 ~~it is needed to bring the reserve to 3.5 percent. This transfer shall be repaid to~~
12 ~~the general fund in fiscal year 2012.~~

13 (d) Any remaining funds shall be reserved for expenditure or transfer
14 during the fiscal year 2011 budget adjustment process.

15 Sec. 60. Sec. E.114(a) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
16 amended to read:

17 (a) The commissioner of the department of buildings and general services
18 shall submit a report to the house and senate committees on appropriations by
19 January 15th of each year detailing the number of state employees, by
20 department, that ~~exceed~~ exceeded a \$14,000 mileage reimbursement amount
21 for use of their private vehicle during the previous fiscal year.

1 Sec. 61. Sec. E.200(a) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
2 amended to read:

3 (a) Notwithstanding any other provisions of law, the office of the attorney
4 general, Medicaid fraud ~~control~~ and residential abuse unit, is authorized to
5 retain, subject to appropriation, one-half of ~~any civil monetary penalty~~
6 ~~proceeds~~ the state share of any recoveries from ~~global~~ Medicaid fraud
7 settlements, excluding interest, that exceed the state share of restitution to the
8 Medicaid program. All ~~penalty funds~~ such designated additional recoveries
9 retained shall be used to finance Medicaid fraud and residential abuse unit
10 activities.

11 Sec. 62. Sec. E.300 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
12 amended to read:

13 Sec. E.300 ~~DEPARTMENT FOR CHILDREN AND FAMILY GRANT~~
14 ~~REDUCTIONS~~ HUMAN SERVICES – AGENCY OF
15 HUMAN SERVICES – SECRETARY’S OFFICE

16 (a) ~~The department for children and families shall not reduce the following~~
17 ~~grants or programs: financial assistance provided by the division of family~~
18 ~~services to families who have adopted a child, financial assistance provided by~~
19 ~~the division of family services to foster families, grants to substitute care~~
20 ~~programs, and grants to emergency housing shelters.~~

1 ~~(b)~~(a) Of the funds appropriated, \$100,000 is to be granted to Vermont
2 Legal Aid for a pilot project through the Vermont parent representation center
3 for participation in pre-petition hearings.

4 Sec. 63. Sec. E.301(b) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
5 amended to read:

6 (b) In addition to the state funds appropriated in this section, a total
7 estimated sum of ~~\$30,608,548~~ \$26,895,898 is anticipated to be certified as
8 state matching funds under the Global Commitment as follows:

9 (1) ~~\$12,395,683~~ \$13,314,438 certified state match available from local
10 education agencies for eligible special education school-based Medicaid
11 services under the Global Commitment. This amount combined with
12 ~~\$28,104,317~~ \$27,185,562 of federal funds appropriated in Sec. B.301 equals a
13 total estimated expenditure of \$40,500,000. An amount equal to the amount of
14 the federal matching funds for eligible special education school-based
15 Medicaid services under Global Commitment shall be transferred from the
16 Global Commitment fund to the Medicaid reimbursement special fund created
17 in 16 V.S.A. § 2959a.

18 (2) ~~\$8,956,247~~ \$6,019,045 certified state match available from local
19 education agencies for direct school-based health services, including school
20 nurse services, that increases the access of quality health care to uninsured
21 persons, underinsured persons, and Medicaid beneficiaries.

(4) ~~\$1,913,490~~ \$1,886,603 certified state match available via the University of Vermont's child health improvement program for quality improvement initiatives for the Medicaid program.

(6) ~~\$5,020,198~~ \$3,373,824 certified state match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

Sec. E.309.3 SUSPENSION OF AUTOMATIC PREMIUM INCREASES;
MAINTENANCE OF ELIGIBILITY REQUIREMENTS

VT LEG 263718.1

1 benefit plans or premium assistance funded by Medicaid. By maintaining the
2 premiums and eligibility for programs included in Global Commitment to
3 Health and Choices for Care, the state will remain eligible for funds available
4 for Medicaid and Medicaid-waiver programs.

5 (b) Notwithstanding 33 V.S.A. §§ 1974(j) and 1984(b), individuals
6 receiving Catamount Health premium assistance or employer-sponsored
7 premium assistance shall not have the premiums automatically indexed.

8 (c) This section of this act shall supersede any agency rules establishing
9 premium amounts above the amounts ~~due on June 15, 2008~~ in effect on
10 April 1, 2010.

11 * * *

12 Sec. 65. Sec. E.309.19 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
13 added to read:

14 Sec. E.309.19 STATE CHILDREN'S HEALTH INSURANCE

15 PROGRAM (SCHIP) PREMIUM GRACE PERIOD

16 (a) The commissioner shall make such changes in the billing and collection
17 process as are necessary to achieve state compliance with the premium grace
18 period and notice requirements of section 504 of the Children's Health
19 Insurance Program Reauthorization Act of 2009 (CHIPRA) (42 U.S.C.
20 § 1397cc(e)(3)(C)). These changes shall:

1 (1) Afford individuals enrolled in the state's SCHIP program a grace
2 period of at least 30 days from the beginning of a new coverage period to make
3 premium payments before coverage may be terminated. The new coverage
4 period will begin the month immediately following the last month for which a
5 premium was paid.

6 (2) Inform SCHIP enrollees not later than seven days after the first day
7 of the grace period provided under subdivision (1) of this subsection:

8 (A) that failure to make a required premium payment within the
9 grace period will result in termination of coverage; and

10 (B) of the individual's right to challenge the proposed termination
11 pursuant to applicable rules.

12 (3) Provide the same grace period and notice as provided under this
13 subsection for each coverage period for which a premium has not been
14 received.

15 Sec. 66. Sec. E.314.1 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
16 amended to read:

17 Sec. E.314.1 VERMONT STATE HOSPITAL; CANTEEN

18 * * *

19 (b) From any appropriation contained in any act of the general assembly to
20 the department of buildings and general services, the sum of up to \$25,000
21 shall be used to make necessary repairs and upgrades to bring up to code the

1 premises used as the canteen, ~~which repairs and upgrades shall be completed~~
2 ~~by October 30, 2010.~~

3 (c) On or before ~~November 1, 2010~~ March 1, 2011, the secretary of human
4 services shall cause the canteen to reopen for no fewer than five days per week
5 for a reasonable number of hours per day, for use by state hospital patients,
6 their guests, staff, and members of the public. Notwithstanding any other
7 provisions of law, the cafeteria service shall be provided either by state
8 employees or a contracted vendor, so long as the operation is cost-neutral to
9 the general fund. If the cafeteria service is offered by a vendor, the premises
10 used by the vendor shall be leased at an annual cost of \$1.00, and the leased
11 premises shall otherwise be offered to the vendor on the same terms and
12 conditions as those offered to the vendor who operates the state house
13 cafeteria.

14 * * *

15 Sec. 67. Sec. E.317 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
16 amended to read:

17 Sec. E.317 Department for children and families – family services

18 * * *

19 (b) The department for children and families shall not reduce the following
20 grants or programs: financial assistance provided by the division of family
21 services to families who have adopted a child; financial assistance provided by

1 the division of family services to foster families; grants to substitute care
2 programs; and grants to emergency housing shelters.

3 Sec. 68. Sec. E.338(b) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
4 added to read:

5 (b) In fiscal year 2011, the secretary of administration may, upon
6 recommendation of the commissioner of corrections, transfer unexpended
7 funds between the respective appropriations for correctional services and for
8 correctional services – out-of-state beds. At least three days prior to any such
9 transfer being made, the secretary shall report the intended transfer to the joint
10 fiscal office and shall report any completed transfers to the joint fiscal
11 committee at its next scheduled meeting.

12 Sec. 69. Sec. E.505(b) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
13 added to read:

14 (b) \$250,000 of this appropriation to the department of education from the
15 education fund is for the reimbursement of grants authorized in Secs 4(e) and
16 9a of Act 153 of 2010.

17 Sec. 70. Sec. E.600(b) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
18 amended to read:

19 (b) Of this appropriation, ~~\$407,113~~ \$380,326 shall be transferred to
20 EPSCoR (Experimental Program to Stimulate Competitive Research) for the

1 purpose of complying with state matching fund requirements necessary for the
2 receipt of available federal or private funds or both.

3 Sec. 71. Sec. E.602(b) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
4 amended to read:

5 (b) Of this appropriation, ~~\$459,801~~ \$427,898 shall be transferred to the
6 Vermont manufacturing extension center for the purpose of complying with
7 state matching fund requirements necessary for the receipt of available federal
8 or private funds or both.

9 Sec. 72. Sec. E.810.3 of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
10 amended to read:

11 Sec. E.810.3 VERMONT HOUSING AND CONSERVATION BOARD –
12 PRIVATE USE BOND CAP

13 (a) Sec. 22 of H.790 of 2010, An Act Relating to Capital Construction and
14 State Bonding, appropriates funds to the Vermont housing and conservation
15 board (VHCB) and establishes a percentage allocation between affordable
16 housing and conservation investments it may make with such funds. However,
17 if less than ~~\$4,000,000~~ \$3,590,000 of the state's private use bond cap is made
18 available to the VHCB for eligible affordable housing investments, VHCB
19 may increase the amount it allocates to conservation grant awards from its
20 capital appropriation notwithstanding Sec. 22 of H.790, provided that VHCB
21 increases its affordable housing investments in the same amount from the

1 funds appropriated in Sec.B.810 as result of the allocation in Sec. D.100(a)(2)
2 of this act.

3 Sec. 73. Sec. G.100(a) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) is
4 amended to read:

5 (a) This section and Secs. C.100, C.100.1, C.100.2, C.101, C.102, C.103,
6 D.102, E.100.4, E.127.2, E.220.1, E.230, E.230.1, E.309.11 (Medicare One-
7 Time Payment), E.309.14 (Emergency Rules for DVHA), E.309.15-E.309.17
8 (Rx Rebates), E.309.18 (Palliative Care), E.321.4 (Emergency Rules for DCF),
9 E.323 (Repeal Reach Ahead sunset), E.401.1-E.401.4, E.500.1, E.501.1, E.800,
10 E.800.1, E.801.1, E.803.1, E.803.2, E.810, E.810.3, F.7, F.10-F.13, and F.15 of
11 this act shall take effect upon passage.

12 Sec. 74. Sec. 10(d) of No. 157 of the Acts of the 2009 Adj. Sess. (2010) is
13 amended to read:

14 (d) Consistent with subdivisions ~~(1) and (3) of Sec. 29~~ D9(c)(1) and (3) of
15 H.792 of 2010, a portion of the money saved through implementation of this
16 section shall be used to provide grants to community justice centers and similar
17 programs to support offenders who are released pursuant to subsection (c) of
18 this section to reintegrate into the community and to community providers for
19 transitional beds, support services, and residential treatment services for
20 offenders reentering the community. It is the intent of the general assembly
21 that these grants shall be paid for from the amounts appropriated to the

1 department of corrections and prior to actually realizing the savings from the
2 provisions of this section. Support for offenders released pursuant to
3 subsection (c) of this section may include helping them to seek employment,
4 pursue an education, or engage in community service while they are on
5 furlough. As appropriate, the department shall facilitate the offenders'
6 engagement in such meaningful endeavors by removing barriers that impede
7 offenders' participation in these activities. This may include removing
8 unnecessary driving restrictions and changing workday-timed probation
9 appointments and programs that inhibit regular employment.

10 Sec. 75. Sec. 21 of No. 157 of the Acts of the 2009 Adj. Sess. (2010) is
11 amended to read:

12 Sec. 21. COMMISSIONER OF CORRECTIONS; AID TO
13 COMMUNITIES WITH A HIGH PERCENTAGE PER CAPITA
14 OF PEOPLE UNDER THE CUSTODY OF THE
15 COMMISSIONER

16 Notwithstanding Sec. D.12 of H.792 of 2010, for expenditures from funds
17 reinvested in community level services pursuant to Sec. D9 of H.792 of 2010
18 (Challenges Bill) and Sec. ~~338~~ B.338 of H.789 of 2010 (Appropriations Act),
19 the commissioner shall give priority to projects located in communities which
20 have a high percentage per capita of people under his or her custody, including
21 those living in the community and residents who are incarcerated, and not

1 limited to those four communities that have the highest number of people
2 under his or her custody.

3 Sec. 76. Sec. 56 of No. 160 of the Acts of the 2009 Adj. Sess. (2010) is
4 amended to read:

5 Sec. 56. ADAMANT FLOOD SUPPORT

6 ~~The commissioner of finance and management shall disburse~~ In fiscal year
7 2011, \$5,000.00 is appropriated from the fund established pursuant to
8 17 V.S.A. § 2856 to the East Montpelier fire department to be used to assist
9 any individuals who were displaced by the flood in the Village of Adamant on
10 May 3–4, 2010.

11 Sec. 77. Sec. 1 of No. 161 of the Acts of the 2009 Adj. Sess. (2010) is
12 amended to read:

13 Sec. 1. STATE BUILDINGS

14 The following sums are appropriated in total to the department of buildings
15 and general services, and the commissioner is authorized to direct funds
16 appropriated in this section to the projects contained in this section; however,
17 no project shall be canceled unless the chairs of the senate committee on
18 institutions and the house committee on corrections and institutions are
19 notified before that action is taken. The individual allocations in this section
20 are estimates only.

21 * * *

(6) Statewide, major maintenance. Of this amount, up to 400,000 may
be expended for window replacement at the Waterbury complex:

~~8,025,579~~ 7,983,657

* * *

Total Appropriation – Section 1 ~~\$26,774,704~~ \$26,732,782

Sec. 78. Sec. 23 of No. 161 of the Acts of the 2009 Adj. Sess. (2010) is
amended to read:

Sec. 23. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

The following sums are reallocated to the department of buildings and
general services to defray expenditures authorized in Sec. 1 of this act:

* * *

~~(2) of the amount realized from the sale of land on Swift Street in
Burlington pursuant to Sec. 27 of No. 43 of the Acts of 2005:~~

~~-30,000.00~~

* * *

~~(18) of the amount appropriated by Sec. 10(d) of No. 121 of the Acts of
the 2003 Adj. Sess. (2004) for forestry planning:~~

~~11,922.00~~

* * *

Total Reallocations and Transfers – Section 23 ~~\$2,355,032.80~~ \$2,313,110.80

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1 Sec. 81. 3 V.S.A. § 2283a is amended to read:

2 § 2283a. DEPARTMENT OF BUILDINGS AND GENERAL SERVICES

3 The department of buildings and general services is created in the agency of
4 administration as the successor to and continuation of the department of
5 buildings and the department of general services. In addition to all other
6 responsibilities assigned to it by law, the department is responsible for all
7 matters relating to the development, design, construction, management, and
8 disposal of state-owned and leased buildings under its jurisdiction and for the
9 provision of support services to state government, ~~including purchasing~~
10 ~~services and central data processing.~~

11 Sec. 82. 3 V.S.A. § 2283b is amended to read:

12 § 2283b. DEPARTMENT OF INFORMATION AND INNOVATION

13 The department of information and innovation is created within the agency
14 of administration ~~and is charged with all of the responsibilities assigned to it by~~
15 ~~law.~~ The department shall administer the programs and perform the functions
16 assigned to it in Chapter 15 of Title 22 and is charged with other
17 responsibilities assigned to it by law.

1 Sec. 83. 8 V.S.A. § 4089k is amended to read:

2 § 4089k. HEALTH CARE INFORMATION TECHNOLOGY

3 REINVESTMENT FEE

4 (a)(1) Beginning October 1, 2009 and annually thereafter, each health
5 insurer shall pay a fee into the health IT fund established in 32 V.S.A. § 10301
6 in the amount of 0.199 of one percent of all health insurance claims paid by the
7 health insurer for its Vermont members in the previous fiscal year ending June
8 30. The annual fee shall be paid in quarterly installments ~~on October~~ due by
9 November 1, January 1, April 1, and July 1.

10 * * *

11 Sec. 84. 13 V.S.A. § 5363(h) is amended to read:

12 (h) Notwithstanding anything in this section or any other provision of law
13 to the contrary, revenue from the surcharge fees deposited into the crime
14 victims' restitution special fund shall be used ~~exclusively~~ to support the
15 restitution unit and restitution for crime victims, and ~~for no other purpose as~~
16 otherwise authorized by the general assembly.

17 Sec. 85. 20 V.S.A. § 3173(b) is amended to read:

18 (b) The state treasurer shall disburse from the trust fund established in
19 section 3175 of this title the monetary benefit described in subsection (a) of
20 this section, and shall adopt necessary procedures for the disbursement of such
21 funds. ~~The state treasurer shall not disburse money from the fund without the~~

1 ~~approval of the joint fiscal committee if the disbursement would create a~~
2 ~~negative balance in the fund.~~

3 Sec. 86. 20 VSA § 3816(b)(1) is amended to read:

4 (1) The ~~\$2.00~~ surcharge payment paid to a municipality pursuant to
5 subdivision 3581(c)(1) of this title.

6 Sec. 87. 22 V.S.A. § 901 is amended to read:

7 § 901. DEPARTMENT OF INFORMATION AND INNOVATION

8 The department of information and innovation, created in 3 V.S.A. § 2283b,
9 shall have all the responsibilities assigned to it by law, including the following:

10 (1) to provide direction and oversight for all activities directly related to
11 information technology, including telecommunications services, information
12 technology equipment, software, accessibility, and networks in state
13 government;

14 (2) ~~to manage an agencywide coordinated information technology~~
15 ~~budget;~~

16 ~~(3) to manage GOVnet and K-12net;~~

17 ~~(4)(3) to review all information technology requests for proposal in~~
18 ~~accordance with agency of administration policies;~~

19 ~~(5) to review and approve computer systems or computer system~~
20 ~~upgrades in all departments with a cost in excess of \$100,000.00, and annually~~

1 ~~submit to the general assembly a strategic plan for information technology as~~
2 ~~required of the secretary of administration by 3 V.S.A. § 2222(a)(9);~~

3 ~~(6)(4)~~ to review and approve information technology activities in all
4 departments with a cost in excess of \$100,000.00, and annually submit to the
5 general assembly a strategic plan and a budget for information technology as
6 required of the secretary of administration by 3 V.S.A. § 2222(a)(9). For
7 purposes of this section, “information technology activities” is defined in
8 3 V.S.A. § 2222(a)(10);

9 ~~(7)(5)~~ to administer the independent review responsibilities of the
10 secretary of administration described in 3 V.S.A. § 2222(g);

11 ~~(8)(6)~~ to perform the responsibilities of the secretary of administration
12 under 30 V.S.A. § 227b;

13 ~~(9)(7)~~ to administer communication, information, and technology
14 services, which are transferred from the department of buildings and general
15 services;

16 ~~(10)(8)~~ to inventory technology assets within state government;

17 ~~(11)(9)~~ to coordinate information technology training within state
18 government;

19 ~~(12)(10)~~ to support the statewide development of broadband
20 telecommunications infrastructure and services, in a manner consistent with
21 the telecommunications plan prepared pursuant to 30 V.S.A. § 202d and

1 community development objectives established by the agency of commerce
2 and community development, by:

3 (A) purchasing telecommunications services or facilities at rates
4 competitive within the national marketplace;

5 (B) sharing bandwidth with service providers or other users;

6 (C) establishing equipment colocation arrangements with service
7 providers; or

8 (D) making other reasonable arrangements;

9 ~~(13)~~(11) to provide technical support and services to the departments of
10 human resources and of finance and management for the statewide central
11 accounting and encumbrance system, the statewide budget development
12 system, the statewide human resources management system, and other agency
13 of administration systems as may be assigned by the secretary.

14 Sec. 88. 32 V.S.A. § 305a(a) is amended to read:

15 (a) On or about January 15 and again by July 31 of each year, and at such
16 other times as the emergency board or the governor deems proper, the joint
17 fiscal office and the secretary of administration shall provide to the emergency
18 board their respective estimates of state revenues in the general, transportation,
19 transportation infrastructure bond, education, Catamount, and state health care
20 resources, ~~and Global Commitment~~ funds, and revenues from the gross
21 receipts tax under 33 V.S.A. § 2503. The January revenue estimate shall be for

1 the current and next two succeeding fiscal years, and the July revenue estimate
2 shall be for the current and immediately succeeding fiscal years. Federal fund
3 estimates shall be provided at the same times for the current fiscal year. Global
4 Commitment fund estimates shall be provided in January for the current and
5 immediately succeeding fiscal year and in July for the current fiscal year.

6 Sec. 89. 32 V.S.A. § 705(c) is amended to read:

7 (c) The authority conferred by this section is granted solely for the
8 ministerial purpose of managing the state's financial accounts. Nothing
9 contained in this section shall authorize any decrease in any such
10 appropriation. ~~The~~ If allotments have been made, the secretary shall report to
11 the joint fiscal committee on or before the 15th day of each quarter, identifying
12 and describing the allotments made pursuant to the authority granted by this
13 section during the preceding quarter.

14 Sec. 90. 32 V.S.A. § 706(1) is amended to read:

15 (1) With the approval of the governor, the ~~secretary of administration~~
16 commissioner of finance and management may transfer balances of
17 appropriations not to exceed \$50,000.00 made under any appropriation act for
18 the support of the government from one component of an agency, department,
19 or other unit of state government, to any component of the same agency,
20 department, or unit.

1 Sec. 91. 32 V.S.A. § 1002(a) is amended to read:

2 (a) The person receiving the major number of votes for governor as
3 determined by the certificates transmitted to the secretary of state under
4 provisions of section ~~1222 of Title 17~~ V.S.A. § 2592 shall be designated the
5 governor-elect.

6 Sec. 92. REPEAL

7 (a) 32 V.S.A. § 1051(b) (speaker of the house succeeding to governorship;
8 salary and allowances) is repealed.

9 Sec. 93. 32 V.S.A. § 1715(a) is amended to read:

10 (a) Upon payment of a \$10.00 fee, the commissioner of health or the
11 Vermont state archives and records administration shall provide certified
12 copies of vital records or shall ascertain and certify what the vital records
13 available to the ~~commissioners~~ commissioner and the Vermont state archivist
14 show, except that the ~~commissioners~~ commissioner and the Vermont state
15 archivist shall not copy the word “illegitimate” from any birth certificate
16 furnished. The fee for the search of the vital records is \$3.00 which is credited
17 toward the fee for the first certified copy based upon the search.

1 Sec. 94. 33 V.S.A. § 5266 is amended to read:

2 § 5266. SUMMONS, APPREHENSION, AND ~~DETENTION~~

3 PREHEARING PLACEMENT OF JUVENILE PROBATIONER

4 At any time before the discharge of a juvenile probationer or the
5 termination of the period of probation:

6 (1) The court may summon the juvenile to appear before it or may issue
7 an order for the juvenile's ~~detention~~ apprehension and placement in a detention
8 or treatment facility.

9 (2) Any juvenile probation officer may ~~detain~~ apprehend a juvenile
10 probationer or may authorize any officer to do so by giving the officer a
11 written statement setting forth that the juvenile has, in the judgment of the
12 juvenile probation officer, violated a condition of probation. The written
13 statement delivered with the juvenile by the ~~detaining~~ apprehending officer to
14 the supervisor of the juvenile detention or treatment facility or residential
15 program to which the juvenile is brought for ~~detention~~ prehearing placement
16 shall be sufficient authority for ~~detaining~~ maintaining the juvenile in the
17 facility or residential program.

18 (3) Any juvenile probationer apprehended or ~~detained~~ placed in
19 accordance with the provisions of this chapter shall have no right of action
20 against the juvenile probation officer or any other person because of such
21 apprehension or ~~detention~~ placement.

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1 Sec. 96. 33 V.S.A. § 5291 is amended to read:

2 § 5291. DETENTION OR TREATMENT OF MINORS CHARGED AS
3 DELINQUENTS IN A SECURE ~~FACILITY~~ FACILITIES FOR THE
4 DETENTION OR TREATMENT OF DELINQUENT CHILDREN

5 (a) Unless ordered otherwise at or after a temporary care hearing, the
6 commissioner shall have sole authority to place the child who is in the custody
7 of the department in a secure facility for the detention or treatment of minors.

8 (b) Upon a finding at the temporary care hearing that no other suitable
9 placement is available and the child presents a risk of injury to him- or herself,
10 to others, or to property, the court may order that the child be placed in a
11 secure facility used for the detention or treatment of delinquent children until
12 the commissioner determines that a suitable placement is available for the
13 child. Alternatively, the court may order that the child be placed in a secure
14 facility used for the detention or treatment of delinquent children for up to
15 seven days. Any order for placement at a secure facility shall expire at the end
16 of the seventh day following its issuance unless, after hearing, the court
17 extends the order for a time period not to exceed seven days.

18 ~~Sec. 97. 33 V.S.A. § 5801 is amended to read:~~

19 ~~§ 5801. WOODSIDE JUVENILE REHABILITATION CENTER~~

20 ~~(a) The Woodside juvenile rehabilitation center in the town of Essex shall~~
21 ~~be operated by the department for children and families solely as a secure~~

1 ~~detention and treatment facility for juvenile offenders as established by Acts~~
2 ~~No. 233 of the Acts of 1982 and No. 94 of the Acts of 1983 as an inpatient~~
3 ~~psychiatric residential facility that serves adolescents with behavioral health~~
4 ~~needs.~~

5 * * *

6 (d) No person who has reached his or her 18th birthday shall be placed at
7 Woodside. Notwithstanding any other provision of law, a person under the age
8 of 18 at the time of the offense charged may be detained at the facility if the
9 offense charged is a misdemeanor as defined in 13 V.S.A. § 1, provided the
10 person is adjudicated a youthful offender under section 5505 of this title, and
11 no person over the age of 18 may be detained at the facility. A person under
12 the age of 18 at the time of the offense charged who has not been adjudicated a
13 youthful offender under section 5505 of this title may be detained at the facility
14 at the discretion of the secretary if the offense charged is a misdemeanor as
15 defined in 13 V.S.A. § 1 may be placed at Woodside provided that he or she
16 meets the admissions criteria for treatment as established by the department for
17 children and families.

Sec. 97. 33 V.S.A. § 5801 is amended to read:

§ 5801. WOODSIDE JUVENILE REHABILITATION CENTER

(a) The Woodside juvenile rehabilitation center in the town of Essex shall be operated by the department for children and families solely as a secure detention and treatment facility for juvenile offenders as established by Acts No. 233 of the Acts of 1982 and No. 94 of the Acts of 1983 as a residential treatment facility that provides in-patient psychiatric, mental health, and

substance abuse services in a secure setting for adolescents who have been adjudicated or charged with a delinquency.

(b) *The total capacity of the facility shall not exceed 30 beds.*

(c) *The purpose or capacity of the Woodside juvenile rehabilitation center shall not be altered except by act of the general assembly following a study recommending any change of use by the agency of human services.*

(d) *No person who has reached his or her 18th birthday may be placed at Woodside. Notwithstanding any other provision of law, a person under the age of 18 at the time of the offense charged may be detained at the facility if the offense charged is a misdemeanor as defined in 13 V.S.A. § 1, provided the person is adjudicated a youthful offender under section 5505 of this title, and no person over the age of 18 may be detained at the facility. A person under the age of 18 at the time of the offense charged who has not been adjudicated a youthful offender under section 5505 of this title may be detained at the facility at the discretion of the secretary if the offense charged is a misdemeanor as defined in 13 V.S.A. § 1 may be placed at Woodside, provided that he or she meets the admissions criteria for treatment as established by the department for children and families. The commissioner shall ensure that a child placed at Woodside has the same or equivalent due process rights as a child placed at Woodside prior to the enactment of this act.*

1 Sec. 98. EFFECTIVE DATE

2 This act shall take effect on passage.