

**No. 162. An act relating to making appropriations for the support of government.**

(H.781)

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

Sec. A.100 SHORT TITLE

(a) This bill may be referred to as the BIG BILL – Fiscal Year 2013

Appropriations Act.

Sec. A.101 PURPOSE

(a) The purpose of this act is to provide appropriations for the operations of state government during fiscal year 2013. It is the express intent of the general assembly that activities of the various agencies, departments, divisions, boards, and commissions be limited to those which can be supported by funds appropriated in this act or other acts passed prior to June 30, 2012. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2013 so as to meet this condition unless otherwise directed by specific language in this act or other acts of the general assembly.

Sec. A.102 APPROPRIATIONS

(a) It is the intent of the general assembly that this act serve as the primary source and reference for appropriations for fiscal year 2013.

(b) The sums herein stated are appropriated for the purposes specified in the following sections of this act. When no time is expressly stated during which any of the appropriations are to continue, the appropriations are

single-year appropriations and only for the purpose indicated and shall be paid from funds shown as the source of funds. If in this act there is an error in either addition or subtraction, the totals shall be adjusted accordingly. Apparent errors in referring to section numbers of statutory titles within this act may be disregarded by the commissioner of finance and management.

(c) Unless codified or otherwise specified, all narrative portions of this act apply only to the fiscal year ending June 30, 2013.

#### Sec. A.103 DEFINITIONS

(a) For the purposes of this act:

(1) “Encumbrances” means a portion of an appropriation reserved for the subsequent payment of existing purchase orders or contracts. The commissioner of finance and management shall make final decisions on the appropriateness of encumbrances.

(2) “Grants” means subsidies, aid, or payments to local governments, to community and quasi-public agencies for providing local services, and to persons who are not wards of the state for services or supplies and means cash or other direct assistance, including pension contributions.

(3) “Operating expenses” means property management, repair and maintenance, rental expenses, insurance, postage, travel, energy and utilities, office and other supplies, equipment, including motor vehicles, highway

materials, and construction, expenditures for the purchase of land, and construction of new buildings and permanent improvements, and similar items.

(4) "Personal services" means wages and salaries, fringe benefits, per diems, and contracted third party services, and similar items.

#### Sec. A.104 RELATIONSHIP TO EXISTING LAWS

(a) Except as specifically provided, this act shall not be construed in any way to negate or impair the full force and effect of existing laws.

#### Sec. A.105 OFFSETTING APPROPRIATIONS

(a) In the absence of specific provisions to the contrary in this act, when total appropriations are offset by estimated receipts, the state appropriations shall control, notwithstanding receipts being greater or less than anticipated.

#### Sec. A.106 FEDERAL FUNDS

(a) In fiscal year 2013, the governor, with the approval of the legislature or the joint fiscal committee if the legislature is not in session, may accept federal funds available to the state of Vermont, including block grants in lieu of or in addition to funds herein designated as federal. The governor, with the approval of the legislature or the joint fiscal committee if the legislature is not in session, may allocate all or any portion of such federal funds for any purpose consistent with the purposes for which the basic appropriations in this act have been made.

(b) If, during fiscal year 2013, federal funds available to the state of Vermont and designated as federal in this and other acts of the 2012 session of the Vermont general assembly are converted into block grants or are abolished under their current title in federal law and reestablished under a new title in federal law, the governor may continue to accept such federal funds for any purpose consistent with the purposes for which the federal funds were appropriated. The governor may spend such funds for such purposes for no more than 45 days prior to legislative or joint fiscal committee approval. Notice shall be given to the joint fiscal committee without delay if the governor intends to use the authority granted by this section, and the joint fiscal committee shall meet in an expedited manner to review the governor's request for approval.

Sec. A.107 NEW POSITIONS

(a) Notwithstanding any other provision of law, the total number of authorized state positions, both classified and exempt, excluding temporary positions as defined in 3 V.S.A. § 311(11), shall not be increased during fiscal year 2013 except for new positions authorized by the 2012 session. Limited service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to this restriction.

## Sec. A.108 LEGEND

(a) The bill is organized by functions of government. The sections between B.100 and B.9999 contain appropriation of funds for the upcoming budget year. The sections between E.100 and E.9999 contain language that relates to specific appropriations and/or government functions. The function areas by section numbers are as follows:

<u>B.100–B.199 and E.100–E.199</u>	<u>General Government</u>
<u>B.200–B.299 and E.200–E.299</u>	<u>Protection to Persons and Property</u>
<u>B.300–B.399 and E.300–E.399</u>	<u>Human Services</u>
<u>B.400–B.499 and E.400–E.499</u>	<u>Labor</u>
<u>B.500–B.599 and E.500–E.599</u>	<u>General Education</u>
<u>B.600–B.699 and E.600–E.699</u>	<u>Higher Education</u>
<u>B.700–B.799 and E.700–E.799</u>	<u>Natural Resources</u>
<u>B.800–B.899 and E.800–E.899</u>	<u>Commerce and Community</u>
	<u>Development</u>
<u>B.900–B.999 and E.900–E.999</u>	<u>Transportation</u>
<u>B.1000–B.1099 and E.1000–E.1099</u>	<u>Debt Service</u>
<u>B.1100–B.1199 and E.1100–E.1199</u>	<u>One-time and other appropriation</u>
	<u>actions</u>

(b) The C sections contain any amendments to the current fiscal year and the D sections contain fund transfers and reserve allocations for the upcoming budget year.

Sec. B.100 Secretary of administration - secretary's office

Personal services	781,049
Operating expenses	<u>98,019</u>
Total	879,068
Source of funds	
General fund	<u>879,068</u>
Total	879,068

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

Personal services	7,277,590
Operating expenses	6,142,373
Grants	<u>900,000</u>
Total	14,319,963
Source of funds	
Internal service funds	14,090,577
Interdepartmental transfers	<u>229,386</u>
Total	14,319,963

## Sec. B.102 Finance and management - budget and management

Personal services	1,051,469
Operating expenses	<u>237,448</u>
Total	1,288,917
Source of funds	
General fund	1,055,204
Interdepartmental transfers	<u>233,713</u>
Total	1,288,917

## Sec. B.103 Finance and management - financial operations

Personal services	2,530,508
Operating expenses	<u>291,793</u>
Total	2,822,301
Source of funds	
Internal service funds	<u>2,822,301</u>
Total	2,822,301

## Sec. B.104 Human resources - operations

Personal services	5,544,850
Operating expenses	<u>635,826</u>
Total	6,180,676
Source of funds	
General fund	1,520,545

Special funds	213,814
Internal service funds	3,443,391
Interdepartmental transfers	<u>1,002,926</u>
Total	6,180,676

## Sec. B.105 Human resources - employee benefits &amp; wellness

Personal services	1,038,445
Operating expenses	<u>720,645</u>
Total	1,759,090

## Source of funds

Internal service funds	1,745,417
Interdepartmental transfers	<u>13,673</u>
Total	1,759,090

## Sec. B.106 Libraries

Personal services	1,887,486
Operating expenses	1,479,724
Grants	<u>69,118</u>
Total	3,436,328

## Source of funds

General fund	2,391,244
Special funds	126,425
Federal funds	815,264

Interdepartmental transfers	<u>103,395</u>
Total	3,436,328

## Sec. B.107 Tax - administration/collection

Personal services	12,420,214
Operating expenses	<u>3,056,262</u>
Total	15,476,476

## Source of funds

General fund	13,973,154
Special funds	1,390,600
Interdepartmental transfers	<u>112,722</u>
Total	15,476,476

## Sec. B.108 Buildings and general services - administration

Personal services	1,647,902
Operating expenses	<u>208,339</u>
Total	1,856,241

## Source of funds

Interdepartmental transfers	<u>1,856,241</u>
Total	1,856,241

## Sec. B.109 Buildings and general services - engineering

Personal services	2,089,763
Operating expenses	<u>343,727</u>

Total	2,433,490
Source of funds	
Interdepartmental transfers	<u>2,433,490</u>
Total	2,433,490
Sec. B.110 Buildings and general services - information centers	
Personal services	3,057,602
Operating expenses	1,164,759
Grants	<u>33,000</u>
Total	4,255,361
Source of funds	
General fund	592,251
Transportation fund	3,638,110
Special funds	<u>25,000</u>
Total	4,255,361
Sec. B.111 Buildings and general services - purchasing	
Personal services	761,351
Operating expenses	<u>134,005</u>
Total	895,356
Source of funds	
General fund	<u>895,356</u>
Total	895,356

## Sec. B.112 Buildings and general services - postal services

Personal services	619,080
Operating expenses	<u>121,154</u>
Total	740,234
Source of funds	
General fund	35,716
Internal service funds	<u>704,518</u>
Total	740,234

## Sec. B.113 Buildings and general services - copy center

Personal services	634,249
Operating expenses	<u>128,012</u>
Total	762,261
Source of funds	
Internal service funds	<u>762,261</u>
Total	762,261

## Sec. B.114 Buildings and general services - fleet management services

Personal services	542,830
Operating expenses	<u>126,436</u>
Total	669,266
Source of funds	
Internal service funds	<u>669,266</u>

Total	669,266
Sec. B.115 Buildings and general services - federal surplus property	
Personal services	72,596
Operating expenses	<u>19,196</u>
Total	91,792
Source of funds	
Enterprise funds	<u>91,792</u>
Total	91,792
Sec. B.116 Buildings and general services - state surplus property	
Personal services	71,437
Operating expenses	<u>96,094</u>
Total	167,531
Source of funds	
Internal service funds	<u>167,531</u>
Total	167,531
Sec. B.117 Buildings and general services - property management	
Personal services	1,240,875
Operating expenses	<u>1,099,421</u>
Total	2,340,296
Source of funds	
Internal service funds	<u>2,340,296</u>

Total	2,340,296
Sec. B.118 Buildings and general services - workers' compensation insurance	
Personal services	1,226,115
Operating expenses	<u>306,347</u>
Total	1,532,462
Source of funds	
Internal service funds	<u>1,532,462</u>
Total	1,532,462
Sec. B.119 Buildings and general services - general liability insurance	
Personal services	275,346
Operating expenses	<u>59,879</u>
Total	335,225
Source of funds	
Internal service funds	<u>335,225</u>
Total	335,225
Sec. B.120 Buildings and general services - all other insurance	
Personal services	24,132
Operating expenses	<u>20,823</u>
Total	44,955
Source of funds	
Internal service funds	<u>44,955</u>

Total	44,955
Sec. B.121 Buildings and general services - fee for space	
Personal services	11,852,272
Operating expenses	<u>13,747,132</u>
Total	25,599,404
Source of funds	
Internal service funds	<u>25,599,404</u>
Total	25,599,404
Sec. B.122 Geographic information system	
Grants	<u>378,700</u>
Total	378,700
Source of funds	
Special funds	<u>378,700</u>
Total	378,700
Sec. B.123 Executive office - governor's office	
Personal services	1,204,827
Operating expenses	<u>404,987</u>
Total	1,609,814
Source of funds	
General fund	1,416,314
Interdepartmental transfers	<u>193,500</u>

Total	1,609,814
Sec. B.124 Legislative council	
Personal services	2,061,578
Operating expenses	<u>214,458</u>
Total	2,276,036
Source of funds	
General fund	<u>2,276,036</u>
Total	2,276,036
Sec. B.125 Legislature	
Personal services	3,585,526
Operating expenses	<u>3,289,626</u>
Total	6,875,152
Source of funds	
General fund	<u>6,875,152</u>
Total	6,875,152
Sec. B.126 Legislative information technology	
Personal services	394,911
Operating expenses	<u>550,361</u>
Total	945,272
Source of funds	
General fund	<u>945,272</u>

Total	945,272
Sec. B.127 Joint fiscal committee	
Personal services	1,277,145
Operating expenses	<u>131,624</u>
Total	1,408,769
Source of funds	
General fund	<u>1,408,769</u>
Total	1,408,769
Sec. B.128 Sergeant at arms	
Personal services	469,253
Operating expenses	<u>68,280</u>
Total	537,533
Source of funds	
General fund	<u>537,533</u>
Total	537,533
Sec. B.129 Lieutenant governor	
Personal services	141,223
Operating expenses	<u>31,849</u>
Total	173,072
Source of funds	
General fund	<u>173,072</u>

Total	173,072
Sec. B.130 Auditor of accounts	
Personal services	3,435,521
Operating expenses	<u>142,405</u>
Total	3,577,926
Source of funds	
General fund	379,580
Special funds	53,099
Internal service funds	<u>3,145,247</u>
Total	3,577,926
Sec. B.131 State treasurer	
Personal services	2,588,617
Operating expenses	347,133
Grants	<u>16,484</u>
Total	2,952,234
Source of funds	
General fund	988,481
Special funds	1,874,673
Interdepartmental transfers	<u>89,080</u>
Total	2,952,234

## Sec. B.132 State treasurer - unclaimed property

Personal services	793,619
Operating expenses	<u>238,102</u>
Total	1,031,721
Source of funds	
Private purpose trust funds	<u>1,031,721</u>
Total	1,031,721

## Sec. B.133 Vermont state retirement system

Personal services	7,053,372
Operating expenses	<u>30,257,342</u>
Total	37,310,714
Source of funds	
Pension trust funds	<u>37,310,714</u>
Total	37,310,714

## Sec. B.134 Municipal employees' retirement system

Personal services	2,271,444
Operating expenses	<u>526,796</u>
Total	2,798,240
Source of funds	
Pension trust funds	<u>2,798,240</u>
Total	2,798,240

## Sec. B.135 State labor relations board

Personal services	171,850
Operating expenses	<u>42,114</u>
Total	213,964
Source of funds	
General fund	198,620
Special funds	2,788
Interdepartmental transfers	<u>12,556</u>
Total	213,964

## Sec. B.136 VOSHA review board

Personal services	25,760
Operating expenses	<u>20,770</u>
Total	46,530
Source of funds	
General fund	23,265
Interdepartmental transfers	<u>23,265</u>
Total	46,530

## Sec. B.137 Homeowner rebate

Grants	<u>14,545,808</u>
Total	14,545,808

Source of funds	
General fund	<u>14,545,808</u>
Total	14,545,808
Sec. B.138 Renter rebate	
Grants	<u>9,623,000</u>
Total	9,623,000
Source of funds	
General fund	2,886,900
Education fund	<u>6,736,100</u>
Total	9,623,000
Sec. B.139 Tax department - reappraisal and listing payments	
Grants	<u>3,243,196</u>
Total	3,243,196
Source of funds	
Education fund	<u>3,243,196</u>
Total	3,243,196
Sec. B.140 Municipal current use	
Grants	<u>12,640,000</u>
Total	12,640,000
Source of funds	
General fund	<u>12,640,000</u>

Total	12,640,000
Sec. B.141 Lottery commission	
Personal services	1,649,942
Operating expenses	<u>1,387,667</u>
Total	3,037,609
Source of funds	
Enterprise funds	<u>3,037,609</u>
Total	3,037,609
Sec. B.142 Payments in lieu of taxes	
Grants	<u>5,800,000</u>
Total	5,800,000
Source of funds	
Special funds	<u>5,800,000</u>
Total	5,800,000
Sec. B.143 Payments in lieu of taxes - Montpelier	
Grants	<u>184,000</u>
Total	184,000
Source of funds	
Special funds	<u>184,000</u>
Total	184,000

## Sec. B.144 Payments in lieu of taxes - correctional facilities

Grants	<u>40,000</u>
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Total	40,000
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## Source of funds

Special funds	<u>40,000</u>
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Total	40,000
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## Sec. B.145 Total general government

## Source of funds

General fund	66,637,340
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Transportation fund	3,638,110
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Special funds	10,089,099
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Education fund	9,979,296
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Federal funds	815,264
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Internal service funds	57,402,851
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Interdepartmental transfers	6,303,947
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Enterprise funds	3,129,401
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Pension trust funds	40,108,954
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Private purpose trust funds	<u>1,031,721</u>
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Total	199,135,983
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## Sec. B.200 Attorney general

Personal services	7,518,981
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Operating expenses	<u>977,285</u>
Total	8,496,266
Source of funds	
General fund	3,801,997
Special funds	1,278,455
Tobacco fund	459,000
Federal funds	745,364
Interdepartmental transfers	<u>2,211,450</u>
Total	8,496,266
Sec. B.201 Vermont court diversion	
Grants	<u>1,830,866</u>
Total	1,830,866
Source of funds	
General fund	1,310,869
Special funds	<u>519,997</u>
Total	1,830,866
Sec. B.202 Defender general - public defense	
Personal services	8,335,000
Operating expenses	<u>892,734</u>
Total	9,227,734

## Source of funds

General fund	8,714,446
Special funds	<u>513,288</u>
Total	9,227,734

## Sec. B.203 Defender general - assigned counsel

Personal services	3,663,580
Operating expenses	<u>48,909</u>
Total	3,712,489

## Source of funds

General fund	3,587,225
Special funds	<u>125,264</u>
Total	3,712,489

## Sec. B.204 Judiciary

Personal services	28,807,441
Operating expenses	8,192,875
Grants	<u>70,000</u>
Total	37,070,316

## Source of funds

General fund	31,030,271
Special funds	2,967,507
Tobacco fund	39,871

Federal funds	888,205
Interdepartmental transfers	<u>2,144,462</u>
Total	37,070,316
Sec. B.205 State's attorneys	
Personal services	9,365,417
Operating expenses	<u>1,413,992</u>
Total	10,779,409
Source of funds	
General fund	8,382,669
Special funds	16,884
Federal funds	31,000
Interdepartmental transfers	<u>2,348,856</u>
Total	10,779,409
Sec. B.206 Special investigative unit	
Grants	<u>1,252,650</u>
Total	1,252,650
Source of funds	
General fund	1,152,650
Federal funds	<u>100,000</u>
Total	1,252,650

## Sec. B.207 Sheriffs

Personal services	3,339,862
Operating expenses	<u>274,773</u>
Total	3,614,635

## Source of funds

General fund	<u>3,614,635</u>
Total	3,614,635

## Sec. B.208 Public safety - administration

Personal services	1,788,617
Operating expenses	<u>469,509</u>
Total	2,258,126

## Source of funds

General fund	1,706,775
Federal funds	<u>551,351</u>
Total	2,258,126

## Sec. B.209 Public safety - state police

Personal services	44,109,260
Operating expenses	
Grants	<u>6,860,000</u>
Total	58,012,353

## Source of funds

General fund	20,087,245
Transportation fund	25,238,498
Special funds	2,585,518
Federal funds	9,011,627
Interdepartmental transfers	<u>1,089,465</u>
Total	58,012,353

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

Personal services	7,234,576
Operating expenses	2,496,734
Grants	<u>33,600</u>
Total	9,764,910

## Source of funds

General fund	6,948,145
Special funds	1,685,406
Federal funds	<u>1,131,359</u>
Total	9,764,910

## Sec. B.211 Public safety - emergency management

Personal services	1,324,091
Operating expenses	693,266
Grants	<u>1,515,892</u>

Total	3,533,249
Source of funds	
Federal funds	<u>3,533,249</u>
Total	3,533,249
Sec. B.212 Public safety - fire safety	
Personal services	4,927,464
Operating expenses	1,435,551
Grants	<u>206,000</u>
Total	6,569,015
Source of funds	
General fund	600,735
Special funds	5,591,200
Federal funds	332,080
Interdepartmental transfers	<u>45,000</u>
Total	6,569,015
Sec. B.213 Public safety - homeland security	
Personal services	9,514,027
Operating expenses	222,337
Grants	<u>3,000,000</u>
Total	12,736,364

Source of funds	
General fund	427,007
Federal funds	<u>12,309,357</u>
Total	12,736,364
Sec. B.214 Radiological emergency response plan	
Personal services	662,736
Operating expenses	374,180
Grants	<u>1,284,594</u>
Total	2,321,510
Source of funds	
Special funds	<u>2,321,510</u>
Total	2,321,510
Sec. B.215 Military - administration	
Personal services	472,318
Operating expenses	405,416
Grants	<u>100,000</u>
Total	977,734
Source of funds	
General fund	<u>977,734</u>
Total	977,734

## Sec. B.216 Military - air service contract

Personal services	5,206,919
Operating expenses	<u>1,214,629</u>
Total	6,421,548
Source of funds	
General fund	471,703
Federal funds	<u>5,949,845</u>
Total	6,421,548

## Sec. B.217 Military - army service contract

Personal services	3,762,000
Operating expenses	<u>9,185,720</u>
Total	12,947,720
Source of funds	
General fund	125,876
Federal funds	<u>12,821,844</u>
Total	12,947,720

## Sec. B.218 Military - building maintenance

Personal services	938,770
Operating expenses	<u>437,499</u>
Total	1,376,269

Source of funds	
General fund	<u>1,376,269</u>
Total	1,376,269
Sec. B.219 Military - veterans' affairs	
Personal services	501,009
Operating expenses	125,246
Grants	<u>205,000</u>
Total	831,255
Source of funds	
General fund	677,808
Special funds	71,041
Federal funds	<u>82,406</u>
Total	831,255
Sec. B.220 Center for crime victims' services	
Personal services	1,590,567
Operating expenses	321,278
Grants	<u>9,289,817</u>
Total	11,201,662
Source of funds	
General fund	1,164,892
Special funds	5,996,342

Federal funds	<u>4,040,428</u>
Total	11,201,662
Sec. B.221 Criminal justice training council	
Personal services	1,277,366
Operating expenses	<u>1,195,505</u>
Total	2,472,871
Source of funds	
General fund	2,221,393
Interdepartmental transfers	<u>251,478</u>
Total	2,472,871
Sec. B.222 Agriculture, food and markets - administration	
Personal services	876,873
Operating expenses	378,386
Grants	<u>388,910</u>
Total	1,644,169
Source of funds	
General fund	1,130,085
Special funds	254,851
Federal funds	160,961
Global Commitment fund	56,272
Interdepartmental transfers	<u>42,000</u>

Total	1,644,169
Sec. B.223 Agriculture, food and markets - food safety and consumer protection	
Personal services	2,733,957
Operating expenses	567,250
Grants	<u>2,400,000</u>
Total	5,701,207
Source of funds	
General fund	2,173,755
Special funds	2,912,594
Federal funds	573,852
Global Commitment fund	34,006
Interdepartmental transfers	<u>7,000</u>
Total	5,701,207
Sec. B.224 Agriculture, food and markets - agricultural development	
Personal services	1,090,891
Operating expenses	534,548
Grants	<u>1,361,000</u>
Total	2,986,439
Source of funds	
General fund	756,937

Special funds	1,438,908
Federal funds	745,143
Interdepartmental transfers	<u>45,451</u>
Total	2,986,439

Sec. B.225 Agriculture, food and markets - laboratories, agricultural resource management and environmental stewardship

Personal services	3,114,267
Operating expenses	751,280
Grants	<u>933,674</u>
Total	4,799,221

Source of funds

General fund	1,844,046
Special funds	1,947,242
Federal funds	754,469
Interdepartmental transfers	<u>253,464</u>
Total	4,799,221

Sec. B.226 Financial regulation - administration

Personal services	1,700,967
Operating expenses	<u>192,064</u>
Total	1,893,031

Source of funds	
Special funds	<u>1,893,031</u>
Total	1,893,031
Sec. B.227 Financial regulation - banking	
Personal services	1,344,820
Operating expenses	<u>252,764</u>
Total	1,597,584
Source of funds	
Special funds	<u>1,597,584</u>
Total	1,597,584
Sec. B.228 Financial regulation - insurance	
Personal services	5,663,896
Operating expenses	<u>446,457</u>
Total	6,110,353
Source of funds	
Special funds	4,101,506
Federal funds	1,268,147
Global Commitment fund	615,700
Interdepartmental transfers	<u>125,000</u>
Total	6,110,353

## Sec. B.229 Financial regulation - captive insurance

Personal services	3,600,947
Operating expenses	<u>429,555</u>
Total	4,030,502
Source of funds	
Special funds	<u>4,030,502</u>
Total	4,030,502

## Sec. B.230 Financial regulation - securities

Personal services	529,156
Operating expenses	<u>153,631</u>
Total	682,787
Source of funds	
Special funds	<u>682,787</u>
Total	682,787

## Sec. B.231 Financial regulation - health care administration

Personal services	2,695,600
Operating expenses	<u>102,964</u>
Total	2,798,564
Source of funds	
Special funds	2,029,462
Federal funds	236,136

Global Commitment fund	432,966
Interdepartmental transfers	<u>100,000</u>
Total	2,798,564

## Sec. B.232 Secretary of state

Personal services	6,029,934
Operating expenses	1,857,787
Grants	<u>945,114</u>
Total	8,832,835

## Source of funds

General fund	1,518,552
Special funds	5,239,283
Federal funds	2,000,000
Interdepartmental transfers	<u>75,000</u>
Total	8,832,835

## Sec. B.233 Public service - regulation and energy

Personal services	9,693,417
Operating expenses	2,041,069
Grants	<u>4,428,959</u>
Total	16,163,445

## Source of funds

Special funds	10,345,714
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Federal funds	843,755
ARRA funds	4,909,080
Interdepartmental transfers	27,200
Enterprise funds	<u>37,696</u>
Total	16,163,445

## Sec. B.234 Public service board

Personal services	2,682,650
Operating expenses	<u>392,931</u>
Total	3,075,581

## Source of funds

Special funds	2,823,980
ARRA funds	<u>251,601</u>
Total	3,075,581

## Sec. B.235 Enhanced 9-1-1 Board

Personal services	3,668,108
Operating expenses	509,310
Grants	<u>810,000</u>
Total	4,987,418

## Source of funds

Special funds	<u>4,987,418</u>
Total	4,987,418

## Sec. B.236 Human rights commission

Personal services	408,510
Operating expenses	<u>63,794</u>
Total	472,304
Source of funds	
General fund	391,093
Federal funds	<u>81,211</u>
Total	472,304

## Sec. B.237 Liquor control - administration

Personal services	2,606,023
Operating expenses	<u>519,774</u>
Total	3,125,797
Source of funds	
Tobacco fund	6,661
Enterprise funds	<u>3,119,136</u>
Total	3,125,797

## Sec. B.238 Liquor control - enforcement and licensing

Personal services	1,968,858
Operating expenses	<u>408,275</u>
Total	2,377,133

## Source of funds

Tobacco fund	285,284
Enterprise funds	<u>2,091,849</u>
Total	2,377,133

## Sec. B.239 Liquor control - warehousing and distribution

Personal services	804,429
Operating expenses	<u>362,234</u>
Total	1,166,663

## Source of funds

Enterprise funds	<u>1,166,663</u>
Total	1,166,663

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

## Source of funds

General fund	106,194,812
Transportation fund	25,238,498
Special funds	67,957,274
Tobacco fund	790,816
Federal funds	58,191,789
ARRA funds	5,160,681
Global Commitment fund	1,138,944
Interdepartmental transfers	8,765,826

Enterprise funds	<u>6,415,344</u>
Total	279,853,984

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

Personal services	8,968,380
Operating expenses	3,216,136
Grants	<u>5,235,805</u>
Total	17,420,321

## Source of funds

General fund	5,048,148
Special funds	7,517
Tobacco fund	291,330
Federal funds	9,307,818
Global Commitment fund	415,000
Interdepartmental transfers	<u>2,350,508</u>
Total	17,420,321

## Sec. B.301 Secretary's office - global commitment

Grants	<u>1,170,904,293</u>
Total	1,170,904,293

## Source of funds

General fund	176,116,234
Special funds	19,753,040

Tobacco fund	31,343,693
State health care resources fund	266,423,947
Federal funds	676,579,244
Interdepartmental transfers	<u>688,135</u>
Total	1,170,904,293

## Sec. B.302 Rate setting

Personal services	819,376
Operating expenses	<u>82,162</u>
Total	901,538

## Source of funds

Global Commitment fund	<u>901,538</u>
Total	901,538

## Sec. B.303 Developmental disabilities council

Personal services	235,696
Operating expenses	58,633
Grants	<u>248,388</u>
Total	542,717

## Source of funds

Federal funds	<u>542,717</u>
Total	542,717

## Sec. B.304 Human services board

Personal services	301,131
Operating expenses	<u>47,907</u>
Total	349,038
Source of funds	
General fund	113,997
Federal funds	149,715
Interdepartmental transfers	<u>85,326</u>
Total	349,038

## Sec. B.305 AHS - administrative fund

Personal services	350,000
Operating expenses	<u>4,650,000</u>
Total	5,000,000
Source of funds	
Interdepartmental transfers	<u>5,000,000</u>
Total	5,000,000

## Sec. B.306 Department of Vermont health access - administration

Personal services	104,339,779
Operating expenses	3,063,851
Grants	<u>24,260,263</u>
Total	131,663,893

## Source of funds

General fund	941,059
Special funds	1,552,963
Federal funds	79,787,828
ARRA funds	76,790
Global Commitment fund	45,228,136
Interdepartmental transfers	<u>4,077,117</u>
Total	131,663,893

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

Grants	<u>672,639,153</u>
Total	672,639,153

## Source of funds

Global Commitment fund	<u>672,639,153</u>
Total	672,639,153

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

Grants	<u>201,240,298</u>
Total	201,240,298

## Source of funds

General fund	87,683,279
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Federal funds	<u>113,557,019</u>
Total	201,240,298

Sec. B.309 Department of Vermont health access - Medicaid program - state only

Grants	<u>29,191,562</u>
Total	29,191,562

Source of funds

General fund	27,776,633
Global Commitment fund	<u>1,414,929</u>
Total	29,191,562

Sec. B.310 Department of Vermont health access - Medicaid non-waiver matched

Grants	<u>44,440,781</u>
Total	44,440,781

Source of funds

General fund	18,573,485
Federal funds	<u>25,867,296</u>
Total	44,440,781

Sec. B.311 Health - administration and support

Personal services	5,668,858
Operating expenses	1,946,031

Grants	<u>3,370,200</u>
Total	10,985,089

## Source of funds

General fund	1,039,062
Special funds	579,063
Federal funds	5,642,395
ARRA funds	35,000
Global Commitment fund	<u>3,689,569</u>
Total	10,985,089

## Sec. B.312 Health - public health

Personal services	31,255,732
Operating expenses	5,670,400
Grants	<u>33,940,880</u>
Total	70,867,012

## Source of funds

General fund	6,851,240
Special funds	10,345,713
Tobacco fund	1,594,000
Federal funds	34,079,848
ARRA funds	110,000
Global Commitment fund	16,771,971

Interdepartmental transfers	1,104,240
Permanent trust funds	<u>10,000</u>
Total	70,867,012

## Sec. B.313 Health - alcohol and drug abuse programs

Personal services	2,791,666
Operating expenses	327,258
Grants	<u>27,804,134</u>
Total	30,923,058

## Source of funds

General fund	3,296,756
Special funds	363,884
Tobacco fund	1,386,234
Federal funds	5,858,397
Global Commitment fund	19,667,787
Interdepartmental transfers	<u>350,000</u>
Total	30,923,058

## Sec. B.314 Mental health - mental health

Personal services	7,560,273
Operating expenses	1,028,785
Grants	<u>165,312,253</u>
Total	173,901,311

## Source of funds

General fund	1,477,732
Special funds	6,836
Federal funds	6,713,296
Global Commitment fund	165,683,447
Interdepartmental transfers	<u>20,000</u>
Total	173,901,311

Sec. B.316 Department for children and families - administration & support  
services

Personal services	37,308,143
Operating expenses	6,637,625
Grants	<u>1,506,996</u>
Total	45,452,764

## Source of funds

General fund	15,331,675
Special funds	250,000
Federal funds	14,167,492
Global Commitment fund	15,442,598
Interdepartmental transfers	<u>260,999</u>
Total	45,452,764

## Sec. B.317 Department for children and families - family services

Personal services	23,343,490
Operating expenses	3,251,569
Grants	<u>60,440,303</u>
Total	87,035,362
Source of funds	
General fund	21,282,433
Special funds	1,691,637
Federal funds	26,652,367
Global Commitment fund	37,244,871
Interdepartmental transfers	<u>164,054</u>
Total	87,035,362

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

Personal services	3,292,420
Operating expenses	367,946
Grants	<u>61,380,763</u>
Total	65,041,129
Source of funds	
General fund	26,506,976
Special funds	1,820,000
Federal funds	27,902,282

Global Commitment fund	8,805,419
Interdepartmental transfers	<u>6,452</u>
Total	65,041,129

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

Personal services	8,769,222
Operating expenses	<u>3,990,861</u>
Total	12,760,083

## Source of funds

General fund	2,992,459
Special funds	455,718
Federal funds	8,924,306
Interdepartmental transfers	<u>387,600</u>
Total	12,760,083

## Sec. B.320 Department for children and families - aid to aged, blind and disabled

Personal services	1,827,113
Grants	<u>11,382,054</u>
Total	13,209,167

## Source of funds

General fund	9,459,167
Global Commitment fund	<u>3,750,000</u>

Total	13,209,167
Sec. B.321 Department for children and families - general assistance	
Grants	<u>6,649,371</u>
Total	6,649,371
Source of funds	
General fund	4,845,580
Federal funds	1,111,320
Global Commitment fund	<u>692,471</u>
Total	6,649,371
Sec. B.322 Department for children and families - 3SquaresVT	
Grants	<u>24,860,290</u>
Total	24,860,290
Source of funds	
Federal funds	<u>24,860,290</u>
Total	24,860,290
Sec. B.323 Department for children and families - reach up	
Grants	<u>47,930,572</u>
Total	47,930,572
Source of funds	
General fund	18,256,509
Special funds	19,916,856

Federal funds	7,882,807
Global Commitment fund	<u>1,874,400</u>
Total	47,930,572

Sec. B.324 Department for children and families - home heating fuel  
assistance/LIHEAP

Personal services	20,000
Operating expenses	90,000
Grants	<u>11,547,664</u>
Total	11,657,664

Source of funds

Federal funds	<u>11,657,664</u>
Total	11,657,664

Sec. B.325 Department for children and families - office of economic  
opportunity

Personal services	268,987
Operating expenses	66,265
Grants	<u>4,976,859</u>
Total	5,312,111

Source of funds

General fund	1,304,908
Special funds	57,990

Federal funds	3,746,725
Global Commitment fund	<u>202,488</u>
Total	5,312,111

Sec. B.326 Department for children and families - OEO - weatherization  
assistance

Personal services	160,534
Operating expenses	130,839
Grants	<u>7,682,112</u>
Total	7,973,485

Source of funds

Special funds	<u>7,973,485</u>
Total	7,973,485

Sec. B.327 Department for children and families - Woodside rehabilitation  
center

Personal services	3,695,668
Operating expenses	<u>575,294</u>
Total	4,270,962

Source of funds

General fund	791,852
Global Commitment fund	3,424,218
Interdepartmental transfers	<u>54,892</u>

Total	4,270,962
Sec. B.328 Department for children and families - disability determination services	
Personal services	4,506,460
Operating expenses	<u>1,138,408</u>
Total	5,644,868
Source of funds	
Federal funds	5,398,351
Global Commitment fund	<u>246,517</u>
Total	5,644,868
Sec. B.329 Disabilities, aging, and independent living - administration & support	
Personal services	24,854,382
Operating expenses	<u>3,344,406</u>
Total	28,198,788
Source of funds	
General fund	6,808,267
Special funds	1,281,646
Federal funds	11,735,745
Global Commitment fund	5,887,278
Interdepartmental transfers	<u>2,485,852</u>

Total	28,198,788
Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants	
Grants	<u>21,051,422</u>
Total	21,051,422
Source of funds	
General fund	8,361,703
Federal funds	7,640,264
Global Commitment fund	4,411,955
Interdepartmental transfers	<u>637,500</u>
Total	21,051,422
Sec. B.331 Disabilities, aging, and independent living - blind and visually impaired	
Grants	<u>1,481,457</u>
Total	1,481,457
Source of funds	
General fund	364,064
Special funds	223,450
Federal funds	648,943
Global Commitment fund	<u>245,000</u>
Total	1,481,457

Sec. B.332 Disabilities, aging, and independent living - vocational  
rehabilitation

Grants	<u>8,795,971</u>
Total	8,795,971
Source of funds	
General fund	1,535,695
Special funds	70,000
Federal funds	4,062,389
Global Commitment fund	7,500
Interdepartmental transfers	<u>3,120,387</u>
Total	8,795,971

Sec. B.333 Disabilities, aging, and independent living - developmental services

Grants	<u>157,203,376</u>
Total	157,203,376
Source of funds	
General fund	155,125
Special funds	15,463
Federal funds	359,857
Global Commitment fund	<u>156,672,931</u>
Total	157,203,376

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

Grants	<u>4,772,899</u>
Total	4,772,899

Source of funds

Global Commitment fund	<u>4,772,899</u>
Total	4,772,899

Sec. B.335 Corrections - administration

Personal services	1,992,190
Operating expenses	<u>226,070</u>
Total	2,218,260

Source of funds

General fund	<u>2,218,260</u>
Total	2,218,260

Sec. B.336 Corrections - parole board

Personal services	251,226
Operating expenses	<u>70,819</u>
Total	322,045

Source of funds

General fund	<u>322,045</u>
Total	322,045

## Sec. B.337 Corrections - correctional education

Personal services	4,072,336
Operating expenses	<u>640,774</u>
Total	4,713,110
Source of funds	
Education fund	4,337,051
Interdepartmental transfers	<u>376,059</u>
Total	4,713,110

## Sec. B.338 Corrections - correctional services

Personal services	98,971,228
Operating expenses	17,406,483
Grants	<u>7,445,709</u>
Total	123,823,420
Source of funds	
General fund	118,338,441
Special funds	483,963
Federal funds	470,962
Global Commitment fund	4,133,739
Interdepartmental transfers	<u>396,315</u>
Total	123,823,420

## Sec. B.339 Corrections - Correctional services-out of state beds

Personal services	<u>10,149,922</u>
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Total	10,149,922
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## Source of funds

General fund	<u>10,149,922</u>
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Total	10,149,922
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## Sec. B.340 Corrections - correctional facilities - recreation

Personal services	447,238
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Operating expenses	<u>345,501</u>
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Total	792,739
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## Source of funds

Special funds	<u>792,739</u>
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Total	792,739
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## Sec. B.341 Corrections - Vermont offender work program

Personal services	912,386
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Operating expenses	<u>548,231</u>
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Total	1,460,617
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## Source of funds

Internal service funds	<u>1,460,617</u>
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Total	1,460,617
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## Sec. B.342 Vermont veterans' home - care and support services

Personal services	15,077,958
Operating expenses	<u>4,024,056</u>
Total	19,102,014
Source of funds	
Special funds	10,606,072
Federal funds	7,084,986
Global Commitment fund	<u>1,410,956</u>
Total	19,102,014

## Sec. B.343 Commission on women

Personal services	253,203
Operating expenses	<u>63,368</u>
Total	316,571
Source of funds	
General fund	311,571
Special funds	<u>5,000</u>
Total	316,571

## Sec. B.344 Retired senior volunteer program

Grants	<u>131,096</u>
Total	131,096

## Source of funds

General fund	<u>131,096</u>
Total	131,096

## Sec. B.345 Green Mountain Care Board

Personal services	2,199,217
Operating expenses	<u>276,798</u>
Total	2,476,015

## Source of funds

General fund	467,038
Special funds	392,351
Global Commitment fund	1,477,740
Interdepartmental transfers	<u>138,886</u>
Total	2,476,015

## Sec. B.346 Total human services

## Source of funds

General fund	578,852,411
Special funds	78,645,386
Tobacco fund	34,615,257
State health care resources fund	266,423,947
Education fund	4,337,051
Federal funds	1,122,392,323

ARRA funds	221,790
Global Commitment fund	1,177,114,510
Internal service funds	1,460,617
Interdepartmental transfers	21,704,322
Permanent trust funds	<u>10,000</u>
Total	3,285,777,614

## Sec. B.401 Labor - programs

Personal services	24,050,596
Operating expenses	5,544,657
Grants	<u>1,873,000</u>
Total	31,468,253

## Source of funds

General fund	2,894,425
Special funds	3,363,869
Federal funds	23,751,533
Interdepartmental transfers	<u>1,458,426</u>
Total	31,468,253

## Sec. B.402 Total labor

## Source of funds

General fund	2,894,425
Special funds	3,363,869

Federal funds	23,751,533
Interdepartmental transfers	<u>1,458,426</u>
Total	31,468,253

## Sec. B.500 Education - finance and administration

Personal services	5,276,764
Operating expenses	1,864,917
Grants	<u>12,333,500</u>
Total	19,475,181

## Source of funds

General fund	2,905,528
Special funds	13,204,648
Education fund	795,372
Federal funds	1,732,359
Global Commitment fund	829,274
Interdepartmental transfers	<u>8,000</u>
Total	19,475,181

## Sec. B.501 Education - education services

Personal services	12,258,423
Operating expenses	1,596,567
Grants	<u>124,528,547</u>
Total	138,383,537

Source of funds	
General fund	5,715,014
Special funds	2,532,427
Federal funds	<u>130,136,096</u>
Total	138,383,537
Sec. B.502 Education - special education: formula grants	
Grants	<u>155,177,546</u>
Total	155,177,546
Source of funds	
Education fund	154,947,546
Global Commitment fund	<u>230,000</u>
Total	155,177,546
Sec. B.503 Education - state-placed students	
Grants	<u>15,500,000</u>
Total	15,500,000
Source of funds	
Education fund	<u>15,500,000</u>
Total	15,500,000
Sec. B.504 Education - adult education and literacy	
Grants	<u>7,463,656</u>
Total	7,463,656

## Source of funds

General fund	787,995
Education fund	5,800,000
Federal funds	<u>875,661</u>
Total	7,463,656

## Sec. B.505 Education - adjusted education payment

Grants	<u>1,160,482,149</u>
Total	1,160,482,149

## Source of funds

Education fund	<u>1,160,482,149</u>
Total	1,160,482,149

## Sec. B.506 Education - transportation

Grants	<u>16,366,435</u>
Total	16,366,435

## Source of funds

Education fund	<u>16,366,435</u>
Total	16,366,435

## Sec. B.507 Education - small school grants

Grants	<u>7,585,338</u>
Total	7,585,338

Source of funds	
Education fund	<u>7,585,338</u>
Total	7,585,338
Sec. B.508 Education - capital debt service aid	
Grants	<u>84,801</u>
Total	84,801
Source of funds	
Education fund	<u>84,801</u>
Total	84,801
Sec. B.509 Education - tobacco litigation	
Personal services	140,405
Operating expenses	47,015
Grants	<u>804,511</u>
Total	991,931
Source of funds	
Tobacco fund	<u>991,931</u>
Total	991,931
Sec. B.510 Education - essential early education grant	
Grants	<u>5,966,869</u>
Total	5,966,869

Source of funds	
Education fund	<u>5,966,869</u>
Total	5,966,869
Sec. B.511 Education - technical education	
Grants	<u>13,018,754</u>
Total	13,018,754
Source of funds	
Education fund	<u>13,018,754</u>
Total	13,018,754
Sec. B.512 Education - Act 117 cost containment	
Personal services	1,093,827
Operating expenses	130,269
Grants	<u>91,000</u>
Total	1,315,096
Source of funds	
Special funds	<u>1,315,096</u>
Total	1,315,096
Sec. B.513 Appropriation and transfer to education fund	
Grants	<u>282,317,280</u>
Total	282,317,280

Source of funds	
General fund	<u>282,317,280</u>
Total	282,317,280
Sec. B.514 State teachers' retirement system	
Personal services	7,974,488
Operating expenses	25,138,141
Grants	<u>63,613,130</u>
Total	96,725,759
Source of funds	
General fund	63,613,130
Pension trust funds	<u>33,112,629</u>
Total	96,725,759
Sec. B.515 Total general education	
Source of funds	
General fund	355,338,947
Special funds	17,052,171
Tobacco fund	991,931
Education fund	1,380,547,264
Federal funds	132,744,116
Global Commitment fund	1,059,274
Interdepartmental transfers	8,000

Pension trust funds	<u>33,112,629</u>
Total	1,920,854,332
Sec. B.600 University of Vermont	
Grants	<u>40,746,633</u>
Total	40,746,633
Source of funds	
General fund	36,740,477
Global Commitment fund	<u>4,006,156</u>
Total	40,746,633
Sec. B.601 Vermont Public Television	
Grants	<u>547,683</u>
Total	547,683
Source of funds	
General fund	<u>547,683</u>
Total	547,683
Sec. B.602 Vermont state colleges	
Grants	<u>23,107,247</u>
Total	23,107,247
Source of funds	
General fund	<u>23,107,247</u>
Total	23,107,247

## Sec. B.603 Vermont state colleges - allied health

Grants	<u>1,116,503</u>
Total	1,116,503
Source of funds	
General fund	711,096
Global Commitment fund	<u>405,407</u>
Total	1,116,503

## Sec. B.604 Vermont interactive technology

Grants	<u>785,679</u>
Total	785,679
Source of funds	
General fund	<u>785,679</u>
Total	785,679

## Sec. B.605 Vermont student assistance corporation

Grants	<u>18,363,607</u>
Total	18,363,607
Source of funds	
General fund	<u>18,363,607</u>
Total	18,363,607

## Sec. B.606 New England higher education compact

Grants	<u>84,000</u>
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Total	84,000
Source of funds	
General fund	<u>84,000</u>
Total	84,000
Sec. B.607 University of Vermont - Morgan Horse Farm	
Grants	<u>1</u>
Total	1
Source of funds	
General fund	<u>1</u>
Total	1
Sec. B.608 Total higher education	
Source of funds	
General fund	80,339,790
Global Commitment fund	<u>4,411,563</u>
Total	84,751,353
Sec. B.700 Natural resources - agency of natural resources - administration	
Personal services	2,750,386
Operating expenses	834,016
Grants	<u>45,510</u>
Total	3,629,912

Source of funds	
General fund	3,423,982
Special funds	54,484
Federal funds	25,000
Interdepartmental transfers	<u>126,446</u>
Total	3,629,912

Sec. B.701 Natural resources - state land local property tax assessment

Operating expenses	<u>2,128,733</u>
Total	2,128,733

Source of funds	
General fund	1,707,233
Interdepartmental transfers	<u>421,500</u>
Total	2,128,733

Sec. B.702 Fish and wildlife - support and field services

Personal services	13,553,595
Operating expenses	5,095,830
Grants	<u>731,517</u>
Total	19,380,942

Source of funds	
General fund	2,301,129
Special funds	20,000

Fish and wildlife fund	16,877,322
Interdepartmental transfers	<u>182,491</u>
Total	19,380,942

## Sec. B.703 Forests, parks and recreation - administration

Personal services	975,288
Operating expenses	593,461
Grants	<u>1,815,492</u>
Total	3,384,241

## Source of funds

General fund	1,113,363
Special funds	1,307,878
Federal funds	<u>963,000</u>
Total	3,384,241

## Sec. B.704 Forests, parks and recreation - forestry

Personal services	4,550,319
Operating expenses	562,277
Grants	<u>501,000</u>
Total	5,613,596

## Source of funds

General fund	3,096,073
Special funds	975,069

Federal funds	1,412,454
Interdepartmental transfers	<u>130,000</u>
Total	5,613,596

## Sec. B.705 Forests, parks and recreation - state parks

Personal services	5,781,254
Operating expenses	<u>2,165,473</u>
Total	7,946,727

## Source of funds

General fund	333,431
Special funds	<u>7,613,296</u>
Total	7,946,727

## Sec. B.706 Forests, parks and recreation - lands administration

Personal services	450,740
Operating expenses	<u>1,208,771</u>
Total	1,659,511

## Source of funds

General fund	385,306
Special funds	179,205
Federal funds	1,050,000
Interdepartmental transfers	<u>45,000</u>
Total	1,659,511

## Sec. B.707 Forests, parks and recreation - youth conservation corps

Grants	<u>574,702</u>
Total	574,702
Source of funds	
General fund	42,320
Special funds	188,382
Federal funds	94,000
Interdepartmental transfers	<u>250,000</u>
Total	574,702

## Sec. B.708 Forests, parks and recreation - forest highway maintenance

Personal services	20,000
Operating expenses	<u>159,925</u>
Total	179,925
Source of funds	
General fund	<u>179,925</u>
Total	179,925

## Sec. B.709 Environmental conservation - management and support services

Personal services	4,163,151
Operating expenses	884,656
Grants	<u>137,426</u>
Total	5,185,233

## Source of funds

General fund	1,104,692
Special funds	1,960,991
Federal funds	1,633,669
Interdepartmental transfers	<u>485,881</u>
Total	5,185,233

## Sec. B.710 Environmental conservation - air and waste management

Personal services	9,671,663
Operating expenses	6,666,655
Grants	<u>2,419,500</u>
Total	18,757,818

## Source of funds

General fund	646,287
Special funds	14,493,478
Federal funds	3,313,053
Interdepartmental transfers	<u>305,000</u>
Total	18,757,818

## Sec. B.711 Environmental conservation - office of water programs

Personal services	13,686,115
Operating expenses	1,786,364
Grants	<u>2,637,546</u>

Total	18,110,025
Source of funds	
General fund	5,361,698
Special funds	5,565,217
Federal funds	6,518,985
Interdepartmental transfers	<u>664,125</u>
Total	18,110,025

Sec. B.712 Environmental conservation - tax-loss-Connecticut river flood control

Operating expenses	<u>34,700</u>
Total	34,700
Source of funds	
General fund	3,470
Special funds	<u>31,230</u>
Total	34,700

Sec. B.713 Natural resources board

Personal services	2,365,799
Operating expenses	<u>351,832</u>
Total	2,717,631
Source of funds	
General fund	751,745

Special funds	<u>1,965,886</u>
Total	2,717,631

## Sec. B.714 Total natural resources

## Source of funds

General fund	20,450,654
Special funds	34,355,116
Fish and wildlife fund	16,877,322
Federal funds	15,010,161
Interdepartmental transfers	<u>2,610,443</u>
Total	89,303,696

Sec. B.800 Commerce and community development - agency of commerce and  
community development - administration

Personal services	1,952,092
Operating expenses	602,833
Grants	<u>1,404,570</u>
Total	3,959,495

## Source of funds

General fund	2,834,495
Federal funds	1,100,000
Interdepartmental transfers	<u>25,000</u>
Total	3,959,495

## Sec. B.801 Economic, housing, and community development

Personal services	7,994,679
Operating expenses	1,480,643
Grants	<u>6,994,833</u>
Total	16,470,155
Source of funds	
General fund	6,046,558
Special funds	3,971,206
Federal funds	6,422,391
Interdepartmental transfers	<u>30,000</u>
Total	16,470,155

## Sec. B.802 Historic sites - special improvements

Operating expenses	<u>13,000</u>
Total	13,000
Source of funds	
Special funds	<u>13,000</u>
Total	13,000

## Sec. B.803 Community development block grants

Grants	<u>11,210,494</u>
Total	11,210,494

## Source of funds

Federal funds	<u>11,210,494</u>
Total	11,210,494

## Sec. B.804 Downtown transportation and capital improvement fund

Personal services	79,041
Grants	<u>304,925</u>
Total	383,966

## Source of funds

Special funds	<u>383,966</u>
Total	383,966

## Sec. B.805 Tourism and marketing

Personal services	1,194,596
Operating expenses	1,657,545
Grants	<u>143,500</u>
Total	2,995,641

## Source of funds

General fund	<u>2,995,641</u>
Total	2,995,641

## Sec. B.806 Vermont life

Personal services	720,000
Operating expenses	<u>53,053</u>

Total	773,053
Source of funds	
Enterprise funds	<u>773,053</u>
Total	773,053
Sec. B.807 Vermont council on the arts	
Grants	<u>507,607</u>
Total	507,607
Source of funds	
General fund	<u>507,607</u>
Total	507,607
Sec. B.808 Vermont symphony orchestra	
Grants	<u>113,821</u>
Total	113,821
Source of funds	
General fund	<u>113,821</u>
Total	113,821
Sec. B.809 Vermont historical society	
Grants	<u>807,694</u>
Total	807,694
Source of funds	
General fund	<u>807,694</u>

Total	807,694
Sec. B.810 Vermont housing and conservation board	
Grants	<u>28,407,233</u>
Total	28,407,233
Source of funds	
Special funds	13,993,588
Federal funds	<u>14,413,645</u>
Total	28,407,233
Sec. B.811 Vermont humanities council	
Grants	<u>172,670</u>
Total	172,670
Source of funds	
General fund	<u>172,670</u>
Total	172,670
Sec. B.812 Total commerce and community development	
Source of funds	
General fund	13,478,486
Special funds	18,361,760
Federal funds	33,146,530
Interdepartmental transfers	55,000
Enterprise funds	<u>773,053</u>

Total	65,814,829
Sec. B.900 Transportation - finance and administration	
Personal services	9,524,960
Operating expenses	1,931,538
Grants	<u>310,000</u>
Total	11,766,498
Source of funds	
Transportation fund	10,882,996
Federal funds	<u>883,502</u>
Total	11,766,498
Sec. B.901 Transportation - aviation	
Personal services	1,724,402
Operating expenses	4,079,395
Grants	<u>376,500</u>
Total	6,180,297
Source of funds	
Transportation fund	2,983,547
Federal funds	<u>3,196,750</u>
Total	6,180,297
Sec. B.902 Transportation - buildings	
Operating expenses	<u>2,661,000</u>

Total	2,661,000
Source of funds	
Transportation fund	1,556,000
TIB fund	<u>1,105,000</u>
Total	2,661,000
Sec. B.903 Transportation - program development	
Personal services	36,309,069
Operating expenses	247,244,191
Grants	<u>37,369,326</u>
Total	320,922,586
Source of funds	
Transportation fund	32,466,313
TIB fund	16,673,911
Federal funds	257,640,181
Interdepartmental transfers	3,770,000
Local match	1,372,181
TIB proceeds fund	<u>9,000,000</u>
Total	320,922,586
Sec. B.904 Transportation - rest areas construction	
Personal services	170,000
Operating expenses	<u>5,973,000</u>

Total	6,143,000
Source of funds	
Transportation fund	116,628
TIB fund	1,041,168
Federal funds	<u>4,985,204</u>
Total	6,143,000
Sec. B.905 Transportation - maintenance state system	
Personal services	34,893,490
Operating expenses	34,458,501
Grants	<u>50,000</u>
Total	69,401,991
Source of funds	
Transportation fund	68,615,000
Federal funds	686,991
Interdepartmental transfers	<u>100,000</u>
Total	69,401,991
Sec. B.906 Transportation - policy and planning	
Personal services	3,823,747
Operating expenses	1,289,488
Grants	<u>4,985,709</u>
Total	10,098,944

## Source of funds

Transportation fund	1,878,444
Federal funds	7,773,303
Interdepartmental transfers	<u>447,197</u>
Total	10,098,944

## Sec. B.907 Transportation - rail

Personal services	3,695,897
Operating expenses	<u>23,648,091</u>
Total	27,343,988

## Source of funds

Transportation fund	9,508,058
TIB fund	1,509,000
Federal funds	10,024,977
ARRA funds	<u>6,301,953</u>
Total	27,343,988

## Sec. B.908 Transportation - public transit

Personal services	724,629
Operating expenses	168,280
Grants	<u>24,745,887</u>
Total	25,638,796

## Source of funds

Transportation fund	7,482,900
Federal funds	<u>18,155,896</u>
Total	25,638,796

## Sec. B.909 Transportation - central garage

Personal services	3,729,034
Operating expenses	<u>14,924,210</u>
Total	18,653,244

## Source of funds

Internal service funds	<u>18,653,244</u>
Total	18,653,244

## Sec. B.910 Department of motor vehicles

Personal services	16,717,817
Operating expenses	8,960,544
Grants	<u>50,000</u>
Total	25,728,361

## Source of funds

Transportation fund	22,630,649
Federal funds	<u>3,097,712</u>
Total	25,728,361

## Sec. B.911 Transportation - town highway structures

Grants	<u>6,333,500</u>
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Total	6,333,500
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## Source of funds

Transportation fund	<u>6,333,500</u>
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Total	6,333,500
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## Sec. B.912 Transportation - town highway Vermont local roads

Grants	<u>400,000</u>
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Total	400,000
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## Source of funds

Transportation fund	235,000
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Federal funds	<u>165,000</u>
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Total	400,000
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## Sec. B.913 Transportation - town highway class 2 roadway

Grants	<u>7,248,750</u>
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Total	7,248,750
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## Source of funds

Transportation fund	<u>7,248,750</u>
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Total	7,248,750
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## Sec. B.914 Transportation - town highway bridges

Personal services	4,200,000
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Operating expenses	<u>16,646,405</u>
Total	20,846,405

## Source of funds

Transportation fund	624,804
TIB fund	962,303
Federal funds	16,712,123
Local match	1,547,175
TIB proceeds fund	<u>1,000,000</u>
Total	20,846,405

## Sec. B.915 Transportation - town highway aid program

Grants	<u>25,982,744</u>
Total	25,982,744

## Source of funds

Transportation fund	<u>25,982,744</u>
Total	25,982,744

## Sec. B.916 Transportation - town highway class 1 supplemental grants

Grants	<u>128,750</u>
Total	128,750

## Source of funds

Transportation fund	<u>128,750</u>
Total	128,750

## Sec. B.917 Transportation - town highway: state aid for nonfederal disasters

Grants	<u>1,150,000</u>
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Total	1,150,000
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## Source of funds

Transportation fund	<u>1,150,000</u>
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Total	1,150,000
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## Sec. B.917.1 Transportation - town highway: state aid for federal disasters

Grants	<u>3,600,000</u>
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Total	3,600,000
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## Source of funds

Transportation fund	400,000
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Federal funds	<u>3,200,000</u>
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Total	3,600,000
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## Sec. B.918 Transportation - municipal mitigation grant program

Grants	<u>1,262,998</u>
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Total	1,262,998
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## Source of funds

Transportation fund	247,998
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Federal funds	<u>1,015,000</u>
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Total	1,262,998
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## Sec. B.919 Transportation - public assistance grant program

Grants	<u>66,500,000</u>
Total	66,500,000
Source of funds	
Special funds	3,500,000
Federal funds	<u>63,000,000</u>
Total	66,500,000

## Sec. B.920 Transportation board

Personal services	70,496
Operating expenses	<u>12,504</u>
Total	83,000
Source of funds	
Transportation fund	<u>83,000</u>
Total	83,000

## Sec. B.921 Total transportation

Source of funds	
Transportation fund	200,555,081
TIB fund	21,291,382
Special funds	3,500,000
Federal funds	390,536,639
ARRA funds	6,301,953

Internal service funds	18,653,244
Interdepartmental transfers	4,317,197
Local match	2,919,356
TIB proceeds fund	<u>10,000,000</u>
Total	658,074,852

## Sec. B.1000 Debt service

Operating expenses	<u>72,111,263</u>
Total	72,111,263

## Source of funds

General fund	63,667,340
General obligation bonds debt service fund	2,321,565
Transportation fund	2,482,442
TIB debt service fund	1,758,486
Special funds	628,150
ARRA funds	<u>1,253,280</u>
Total	72,111,263

## Sec. B.1001 Total debt service

## Source of funds

General fund	63,667,340
General obligation bonds debt service fund	2,321,565
Transportation fund	2,482,442

TIB debt service fund	1,758,486
Special funds	628,150
ARRA funds	<u>1,253,280</u>
Total	72,111,263

Sec. B.1100 NEXT GENERATION; APPROPRIATIONS AND  
TRANSFERS

(a) In fiscal year 2013, \$4,793,000 is appropriated or transferred from the next generation initiative fund created in 16 V.S.A. § 2887 as prescribed below:

(1) Workforce development. The amount of \$1,863,400 as follows:

(A) Workforce Education and Training Fund (WETF). The amount of \$1,303,400 is transferred to the Vermont workforce education and training fund created in 10 V.S.A. § 543 and subsequently appropriated to the department of labor for workforce development. Up to seven percent of the funds may be used for administration of the program. Of this amount, \$350,000 shall be allocated for the Vermont career internship program pursuant to 10 V.S.A. § 544.

(B) Adult Technical Education Programs. The amount of \$360,000 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.

(C) The amount of \$200,000 is appropriated to the agency of commerce and community development to issue performance grants to the University of Vermont and the Vermont center for emerging technologies for patent development and commercialization of technology and to enhance the development of high technology businesses and next generation employment opportunities throughout Vermont.

(2) Loan repayment. The amount of \$330,000 as follows:

(A) Health care loan repayment. The amount of \$300,000 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.

(B) Large animal veterinarians' loan forgiveness. The amount of \$30,000 is appropriated to the agency of agriculture, food and markets for a loan forgiveness program for large animal veterinarians pursuant to 6 V.S.A. § 20.

(3) Scholarships and grants. The amount of \$2,544,500 as follows:

(A) Nondegree VSAC grants. The amount of \$494,500 is appropriated to the Vermont Student Assistance Corporation. These funds shall be for the purpose of providing nondegree grants to Vermonters to improve job skills and increase overall employability, enabling them to enroll in a postsecondary education or training program, including adult technical education that is not part of a degree or accredited certificate program. A portion of these funds 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 these funds shall be used for administrative overhead.

(B) National Guard Educational Assistance. The amount of \$150,000 is appropriated to Military – administration to be transferred to the Vermont Student Assistance Corporation for the national guard educational assistance program established in 16 V.S.A. § 2856.

(C) Scholarships. The amount of \$1,500,000 is appropriated to the University of Vermont, the Vermont State Colleges, and the Vermont Student Assistance Corporation for need-based scholarships to Vermont residents. These funds shall be divided equally among the University of Vermont, the Vermont State Colleges, and 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 these funds shall be used for administrative

overhead. Each entity will target these funds in a manner that brings to bear the maximum benefits of its unique missions and constituencies to further the workforce and economic development objectives of the state, participation in postsecondary education by underrepresented groups, and support for promising economic sectors in Vermont. By July 1, 2012, each entity will present a plan to the workforce development council (WDC) for deploying the scholarships along with proposed measurable short- and long-term outcomes. This will form the basis for a recommendation for funding in fiscal year 2014.

(D) Dual enrollment programs. The amount of \$400,000 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 institutions are better academically or geographically suited to student need.

(4) Science Technology Engineering and Math (STEM) Incentive. The amount of \$55,100 is appropriated to the agency of commerce and community development for an incentive payment pursuant to Sec. 6 of No. 52 of the Acts of 2011.

Sec. B.1100.1 DEPARTMENT OF LABOR RECOMMENDATION FOR  
 FISCAL YEAR 2014 NEXT GENERATION FUND  
 DISTRIBUTION

(a) The department of labor, in coordination with the agency of commerce and community development, the agency of human services, and the department of education, and in consultation with the workforce development council, shall recommend to the governor no later than November 1, 2012 how \$4,793,000 from the next generation fund should be allocated or appropriated in fiscal year 2014 to provide maximum benefit to workforce development, participation in postsecondary education by underrepresented groups, and support for promising economic sectors in Vermont. The department of labor shall actively and publically promote the availability of these funds to eligible entities that have not previously been funded.

Sec. B.1101 ONE-TIME ELECTIONS EXPENSE APPROPRIATION

(a) In fiscal year 2013, there is appropriated to the secretary of state for 2012 primary and general elections:

<u>General fund</u>	<u>\$135,000</u>
<u>Special fund</u>	<u>\$375,000</u>

Sec. B.1102 ONE-TIME UNEMPLOYMENT INSURANCE INTEREST

(a) The amount of \$1,888,385 in general funds is appropriated in fiscal year 2013 to the department of labor for unemployment insurance interest payments to the federal government.

Sec. B.1103 ONE-TIME SERGEANT AT ARMS SECURITY

APPROPRIATION

(a) The amount of \$20,000 in general funds is appropriated in fiscal year 2013 to the sergeant at arms for use in the event that unforeseen security is needed in the state house. Any unused portion shall carry forward for use in subsequent years until expended.

Sec. B.1104 ONE-TIME LEGAL AID HOMEOWNER ASSISTANCE

APPROPRIATION

(a) The amount of \$200,000 in general funds is appropriated in fiscal year 2013 to the department of financial regulation – banking to be used to provide a grant to Vermont Legal Aid to fund legal services for homeowners facing foreclosure.

Sec. B.1105 [DELETED]

Sec. B.1106 ONE-TIME WORKING LANDSCAPE APPROPRIATION

(a) The amount of \$1,175,000 in general funds is appropriated in fiscal year 2013 to the agency of agriculture, food and markets for direct grants and investments in food and forest systems pursuant to 6 V.S.A. § 4607, including

grants that enable farmers' markets to accept electronic benefit transfer funds and \$175,000 of this amount is to fund two (2) limited service working landscape staff positions in the agency.

Sec. B.1107 ONE-TIME MOBILE HOME AFFORDABILITY AND  
TECHNICAL ASSISTANCE

(a) The amount of \$450,000 in general funds is appropriated in fiscal year 2013 to the department of economic, housing and community development for purposes described in Sec. 12 of S.99 of the 2012 legislative session.

Sec. B.1200 FISCAL YEAR 2013 PAY ACT APPROPRIATIONS

(a) Executive Branch. The two-year agreements between the state of Vermont and the Vermont State Employees' Association for the defender general, nonmanagement, supervisory, and corrections bargaining units for the period of July 1, 2012 through June 30, 2014; the collective bargaining agreement with the Vermont Troopers' Association for the period of July 1, 2012 through June 30, 2013; and salary increases for employees in the executive branch not covered by the bargaining agreement shall be funded in fiscal year 2013 as follows:

(1) Fiscal Year 2013.

(A) General Fund. The amount of \$11,729,056 is appropriated from the general fund to the secretary of administration for distribution to

departments to fund the collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$3,400,000 is appropriated from the transportation fund to the secretary of administration for distribution to the agency of transportation, the transportation board, and the department of public safety to fund collective bargaining agreements and the requirements of this act.

(C) Other funds. The administration shall provide additional spending authority to departments through the existing process of excess receipts to fund collective bargaining agreements and the requirements of this act. The estimated amounts are \$16,236,181 from special fund, federal, and other sources.

(D) With due regard to the possible availability of other funds, for fiscal year 2013, the secretary of administration may transfer from the various appropriations and various funds and from the receipts of the liquor control board such sums as the secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by state funds.

(E) The appropriations authorized by this subsection shall include sufficient funding to ensure the administration of exempt pay plans authorized under 32 V.S.A. § 1020(c).

(b) Judicial Branch.

(1) The chief justice of the Vermont supreme court may extend the provisions of the judiciary's collective bargaining agreement to judiciary employees who are not covered by the bargaining agreement.

(2) The two-year agreements between the state of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period of July 1, 2012 through June 30, 2014 and salary increases for employees not covered by the bargaining agreement shall be funded in fiscal year 2013 as follows:

(A) Fiscal Year 2013: General Fund. The amount of \$1,720,000 is appropriated from the general fund to the judiciary to fund the collective bargaining agreement and the requirements of this act.

(c) Legislative Branch. For the period of July 1, 2012 through June 30, 2013, the legislature shall be funded as follows:

(1) Fiscal Year 2013: The amount of \$285,000 is appropriated from the general fund to the legislature.

Sec. BB.1200 FISCAL YEAR 2014 PAY ACT APPROPRIATIONS

(a) Executive Branch. The two-year agreements between the state of Vermont and the Vermont State Employees' Association for the defender general, nonmanagement, supervisory, and corrections bargaining units for the period of July 1, 2012 through June 30, 2014; and salary increases for

employees in the executive branch not covered by the bargaining agreement shall be funded in fiscal year 2014 as follows:

(1) Fiscal Year 2014.

(A) General Fund. The amount of \$7,171,193 is appropriated from the general fund to the secretary of administration for distribution to departments to fund the collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$2,200,000 is appropriated from the transportation fund to the secretary of administration for distribution to the agency of transportation, the transportation board, and the department of public safety to fund the collective bargaining agreements and the requirements of this act.

(C) Other funds. The administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the collective bargaining agreements and the requirements of this act. The estimated amounts are \$11,591,844 from special fund, federal, and other sources.

(D) With due regard to the possible availability of other funds, for fiscal year 2014, the secretary of administration may transfer from the various appropriations and various funds and from the receipts of the liquor control

board such sums as the secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by state funds.

(E) The appropriations authorized by this subsection shall include sufficient funding to ensure the administration of exempt pay plans authorized under 32 V.S.A. § 1020(c).

(b) Judicial Branch.

(1) The chief justice of the Vermont supreme court may extend the provisions of the judiciary's collective bargaining agreement to judiciary employees who are not covered by the bargaining agreement.

(2) The two-year agreements between the state of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period of July 1, 2012 through June 30, 2014 and salary increases for employees not covered by the bargaining agreement shall be funded in fiscal year 2014 as follows:

(A) Fiscal Year 2014: General Fund. The amount of \$893,972 is appropriated from the general fund to the judiciary to fund the collective bargaining agreement and the requirements of this act.

(c) Legislative Branch. For the period of July 1, 2013 through June 30, 2014, the legislature shall be funded as follows:

(1) Fiscal Year 2014. The amount of \$180,000 is appropriated from the general fund to the legislature.

Sec. C.100 Sec. B.306 of No. 63 of the Acts of 2011, as amended by Sec. 16 of No. 75 of the Acts of the 2011 Adj. Sess. (2012), is further amended to read:

Sec. B.306 Department of Vermont health access - administration

Personal services	<del>86,056,056</del>	81,496,056
Operating expenses	<del>(1,759,604)</del>	2,800,396
Grants	<u>7,604,073</u>	<u>7,604,073</u>
Total	91,900,525	91,900,525

Source of funds

General fund	489,014	489,014
Special funds	1,579,123	1,579,123
Federal funds	39,064,279	39,064,279
ARRA funds	2,505,044	2,505,044
Global Commitment fund	44,185,948	44,185,948
Interdepartmental transfers	<u>4,077,117</u>	<u>4,077,117</u>
Total	91,900,525	91,900,525

Sec. C.101 Sec. B.307 of No. 63 of the Acts of 2011, as amended by Sec. 17 of No. 75 of the Acts of the 2011 Adj. Sess. (2012), is further amended to read:

Sec. B.307 Department of Vermont health access - Medicaid program -

global commitment

Grants	<del>638,970,335</del>	<u>631,851,208</u>
Total	<del>638,970,335</del>	631,851,208

## Source of funds

Global Commitment fund	<del>638,970,335</del>	<u>631,851,208</u>
Total	<del>638,970,335</del>	631,851,208

Sec. C.102 Sec. B.345 of No. 63 of the Acts of 2011, as amended by Sec. 46 of No. 75 of the Acts of the 2011 Adj. Sess. (2012), is further amended to read:

Sec. B.345 Total human services ~~3,099,050,587~~ 3,091,931,460

## Source of funds

General fund	537,608,844	537,608,844
Special funds	77,476,829	77,476,829
Tobacco fund	40,609,204	40,609,204
State health care resources fund	234,205,524	234,205,524
Catamount fund	25,226,979	25,226,979
Education fund	4,307,984	4,307,984
Federal funds	1,052,684,505	1,052,684,505
ARRA funds	6,592,649	6,592,649
Global Commitment fund	<del>1,100,160,788</del>	1,093,041,661
Internal service funds	1,463,890	1,463,890
Interdepartmental transfers	18,703,391	18,703,391
Permanent trust funds	<u>10,000</u>	<u>10,000</u>
Total	<del>3,099,050,587</del>	3,091,931,460

Sec. C.103 Sec. 68 of No. 75 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. 68. REVERSIONS

(a) Notwithstanding any other provisions of law, in fiscal year 2012:

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

\* \* \*

1150400000 Buildings and general services - information centers 80,000.00

Sec. C.200 18 V.S.A. § 1130(b)(1) is amended to read:

(b)(1) The department of health shall establish an immunization pilot program with the ultimate goal of ensuring universal access to vaccines for all Vermonters at no charge to the individual and to reduce the cost at which the state may purchase vaccines. The pilot program shall be in effect from January 1, 2010, through December 31, ~~2012~~ 2014. During the term of the pilot program, the department shall purchase, provide for the distribution of, and monitor the use of vaccines as provided for in this subsection and subsection (c) of this section. The cost of the vaccines and an administrative surcharge shall be reimbursed by health insurers as provided for in subsections (e) and (f) of this section.

Sec. C.201 POTENTIAL PROPERTY VALUATION LOSS; CURRENT  
HOMEOWNERS

(a) Due to the extreme emergency circumstances created by Tropical Storm Irene and the emergency need for additional hospital beds, the department of mental health is developing a temporary hospital in Morrisville. Any current homeowner as of May 1, 2012, whose property abuts the temporary Morrisville facility, identified by the commissioner of mental health and licensed by the department of health to provide acute inpatient services, who sells at a loss his or her principal residence, as defined in 32 V.S.A. § 10002a(a), as a result of the temporary facility's operations shall be compensated for that loss. The valuation of the loss shall be determined by an independent assessor paid for by the department and cannot exceed 25 percent of the appraised value. Any compensation under this section shall be paid for from the budget of the department of mental health. The department of mental health shall inform the general assembly of any costs incurred and shall present any offsetting budgetary need as part of the budget adjustment process. The department shall explore utilization of Federal Emergency Management Agency (FEMA) funds, Global Commitment, or other matching resources in making these payments.

(b) This section shall apply to any current homeowner as of May 1, 2012, as defined in subsection (a) of this section, and shall sunset September 1, 2015.

Sec. C.202 ONE-TIME APPROPRIATION FOR FEDERAL FUNDS

REDUCTION

(a) The amount of \$5,100,000 in general funds is appropriated in fiscal year 2012 to the secretary of administration, to be reserved pending emergency board action to allocate these funds to offset reduced federal funding. Pursuant to 32 V.S.A. § 706, the emergency board is authorized to allocate and transfer, to the extent necessary, this appropriation to offset the loss of federal funds.

Sec. C.203 Sec. D.101(b) of No. 63 of the Acts of 2011, as amended by Sec. 72a of No. 75 of the Acts of the 2011 Adj. Sess. (2012), is further amended to read:

(b) The amount of ~~\$37,983,264~~ \$43,003,264 is unreserved and made available for expenditure in fiscal year 2012 from the human services caseload reserve created by 32 V.S.A. § 308b.

Sec. C.204 GRANTS FROM FISCAL YEAR 2012 WORKFORCE

EDUCATION AND TRAINING FUNDS

(a) Any amounts remaining in the workforce education and training fund allocated to the department of labor in fiscal year 2012 shall be carried forward to fiscal year 2013.

Sec. C.205 Sec. 73 of No. 75 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. 73. FISCAL YEAR 2012 GENERAL FUND REVENUE ESTIMATE  
AND GENERAL FUND BALANCE

~~(a) Any increase in the January 2012 emergency board fiscal year 2012 general fund revenue estimate above the July 21, 2011 estimate shall be reserved in the human services caseload reserve, and any decrease in the estimate shall be unreserved from the human services caseload reserve established in 32 V.S.A. § 308b.~~

~~(b) At the end of fiscal year 2012, notwithstanding subsection (a) of this section and notwithstanding 32 V.S.A. §§ 308c and 308d, after the general fund budget stabilization reserve attains its statutory maximum, up to \$15,000,000 of any additional unreserved and undesignated general fund balance shall be appropriated to the secretary of administration to be reserved for transfer upon approval of the emergency board to the department of buildings and general services for pending state building projects in central Vermont that are a direct result of the impact of damage to state properties at the Waterbury complex from Tropical Storm Irene. The secretary shall provide a quarterly report to the house and senate committees on appropriations and to the house committee on corrections and institutions and the senate committee on institutions on any funds that are available under this~~

provision and on funds obligated and expended from the available funds. Any remaining balance shall be deposited into the human services caseload reserve established in 32 V.S.A. § 308b to be used for caseload costs, offsets to federal funding changes, or related human service expenditures in fiscal year 2013.

Sec. C.206 CONTINGENT TRANSFER OF TRANSPORTATION OR  
TRANSPORTATION INFRASTRUCTURE BOND FUNDS

(a)(1) At the end of fiscal year 2012, if there is a surplus in the transportation infrastructure bond fund, the amount of the surplus or \$255,595, whichever is less, shall be transferred to the transportation infrastructure bonds debt service fund for the purpose of funding 2014 debt service obligations.

(2) At the end of fiscal year 2012, if the amount transferred under subdivision (1) of this subsection is less than \$255,595, to the extent the transportation fund surplus reserve has a positive balance, the following amount from the reserve shall be transferred to the transportation infrastructure bonds debt service fund: \$255,595 or the amount of the positive balance in the transportation fund surplus reserve, whichever is less, minus any amount transferred under subdivision (1) of this subsection.

(b) If a positive balance remains in the transportation fund surplus reserve following any transfer required under subdivision (a)(2) of this section, the amount of the positive balance or \$300,000, whichever is less, shall be transferred to the central garage fund and allocated to the transportation

equipment replacement account and is hereby appropriated in fiscal year 2013 to the agency of transportation – central garage fund referenced in Sec. B.909 of this act (Transportation – central garage (8110000200)) for the purchase of equipment as authorized in 19 V.S.A. § 13(b).

Sec. C.207 FISCAL YEAR 2012 APPROPRIATION TRANSFER

(a) Notwithstanding 32 V.S.A. § 706, in fiscal year 2012 the commissioner of finance and management is authorized to transfer \$25,000 of the general fund appropriation from the department of buildings and general services – information centers to the department of tourism and marketing.

Sec. D.100 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.

(1) The sum of \$582,000 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 \$582,000 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 \$13,688,640 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 \$13,688,640 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 \$3,295,476 is appropriated from the municipal and regional planning fund. Notwithstanding 24 V.S.A. § 4306(a), amounts above \$3,295,476 from the property transfer tax that are deposited into the municipal and regional planning fund shall be transferred into the general fund. The \$3,295,476 shall be allocated as follows:

(A) \$2,508,076 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

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

(C) \$378,700 to the Vermont center for geographic information.

#### Sec. D.101 FUND TRANSFERS AND RESERVES

(a) Notwithstanding any other provision of law, the following amounts are transferred from the funds indicated:

(1) from the general fund to the:

(A) communications and information technology internal service fund established by 22 V.S.A. § 902a: \$900,000.

(B) next generation initiative fund established by 16 V.S.A. § 2887: \$4,793,000.

(C) facilities operations fund established in 29 V.S.A. § 160a:

\$3,024,189.

(2) from the transportation fund to the downtown transportation and related capital improvement fund established by 24 V.S.A. § 2796 to be used by the Vermont downtown development board for the purposes of the fund:  
\$383,966.

(3) from the transportation infrastructure bond fund established by 19 V.S.A. § 11f to the transportation infrastructure bonds debt service fund for the purpose of funding fiscal year 2014 transportation infrastructure bonds debt service: \$1,764,213.

Sec. D.102 32 V.S.A. § 308c is amended to read:

§ 308c. GENERAL FUND AND TRANSPORTATION FUND ~~SURPLUS~~  
BALANCE RESERVES

(a) There is hereby created within the general fund a general fund ~~surplus~~ balance reserve, also known as the “rainy day 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~~ balance reserve. The general fund balance reserve shall not exceed five percent of the appropriations from the general fund for the prior fiscal year

without legislative authorization. Monies from this reserve shall be available for appropriation by the general assembly.

(1) The emergency board shall, at the end of fiscal year 2013, determine at its July meeting the amount of available general funds that is greater than the amount of forecasted available general funds most recently adopted by the board for fiscal year 2013.

(2) Of the amount added to the general fund balance in fiscal year 2013, to the extent available, one-half of the amount identified in subdivision (1) of this subsection is hereby appropriated in the fiscal year just concluded for deposit in the supplemental property tax relief fund established by section 6075 of this title. If the amount added to the general fund balance reserve is insufficient to support both the appropriation in this subdivision and the appropriation in subdivision (3) of this subsection, the appropriation in this subdivision shall take precedence.

(3) Of the amount added to the general fund balance reserve, to the extent available, one-quarter of the amount identified in subdivision (1) of this subsection is hereby appropriated in the fiscal year just concluded to the secretary of administration to be used only upon emergency board action to transfer these funds to appropriations to offset reduced federal funding.

(b) There is hereby created within the transportation fund a transportation fund ~~surplus~~ balance 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~~ balance reserve. Monies from this reserve shall be available for appropriation by the general assembly.

(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 general fund and transportation fund balance reserves to compensate for a reduction of revenues or fund such unforeseen or emergency needs as the general assembly may determine.

(d) Determination of the amounts of the general fund and transportation fund balance reserves shall be made by the commissioner of finance and management and reported, along with the amounts appropriated pursuant to subsection (a) of this section, to the legislative joint fiscal committee at its first meeting following September 1 of each year.

Sec. D.103 32 V.S.A. § 6075 is added to read:

§ 6075. SUPPLEMENTAL PROPERTY TAX RELIEF FUND

(a) There is created a special fund to be called the “supplemental property tax relief fund.” The purpose of the fund is to provide education property tax relief as determined by this section and further action of the legislature. The

fund shall be administered by the commissioner of taxes. The fund shall consist of receipts from subdivision 308c(a)(2) of this title.

(b) Of the deposit made in the fund pursuant to subdivision 308c(a)(2) of this title, an amount not to exceed 50 percent of the increase in the forecasted available general fund projected for fiscal year 2014, shall be transferred and appropriated to the education fund. For the purposes of this calculation, any increase in the forecasted available general fund shall be reduced by the total of any legislative action projected to increase general fund taxes that result in additional revenue in excess of \$1,000,000 over the revenue raised without legislative action in fiscal year 2014.

(c) Notwithstanding any other provision of law, an amount equal to the amount transferred to the education fund under subsection (b) of this section shall be added to the base amount used to calculate the general fund transfer under 16 V.S.A. § 4025(a)(2) for fiscal year 2015.

(d) The remaining balance in the supplemental property tax relief fund shall be available for the development of proposals for property tax relief. Uses that could be considered are: incentives or rewards to promote or control education spending while improving quality, ways to reduce the base percentage of income used to determine income sensitivity, options to increase the base education payment, and additional deposits into the education fund to reduce tax rates.

(e) By January 15, 2014, the joint fiscal office shall prepare a review and projection of revenues in the education fund which shall include identifying the historical trends in both the share of property tax and nonproperty tax revenues, and in the general fund transfer to the education fund.

Sec. D.103.1 REPEAL

(a) 32 V.S.A. § 308c(a)(1),(2), and (3) (calculation, appropriation, and deposit in the supplemental property tax relief fund) are repealed on June 30, 2014.

(b) 32 V.S.A. § 6075 (supplemental property tax relief fund) is repealed on June 30, 2014.

(c) 32 V.S.A. § 308d (revenue shortfall reserve; creation and purpose) is repealed.

Sec. D.103.2 TRANSITIONAL PROVISIONS

(a) Upon repeal of 32 V.S.A. § 308d, the balance in the revenue shortfall reserve shall be transferred to the general fund balance (“rainy day”) reserve created in 32 V.S.A. § 308c(a).

(b) The additions to the general fund balance reserve in fiscal year 2013 due to Sec. D.109(b) of this act and subsection (a) of this section shall not be considered as part of “the amount added to the general fund balance reserve” for purposes of 32 V.S.A. § 308c(a).

Sec. D.104 TOBACCO LITIGATION SETTLEMENT FUND BALANCE

(a) Notwithstanding 18 V.S.A. § 9502(b), the actual balances at the end of fiscal year 2012 in the tobacco litigation settlement fund shall remain for appropriation in fiscal year 2013.

Sec. D.105 TRANSFER OF TOBACCO TRUST FUNDS

(a) Notwithstanding 18 V.S.A. § 9502(a)(3) and (4), the actual amount of investment earnings of the tobacco trust fund at the end of fiscal year 2013 and any additional amount necessary to ensure the balance in the tobacco litigation settlement fund at the close of fiscal year 2013 is not negative shall be transferred from the tobacco trust fund to the tobacco litigation settlement fund in fiscal year 2013.

Sec. D.106 FISCAL YEAR 2012 CONTINGENT TOBACCO PROGRAMS  
APPROPRIATION

(a) To the extent that the revenue received from the Master Settlement Agreement exceeds \$31,000,000 in fiscal year 2012, up to \$500,000 from the Tobacco Settlement Fund is appropriated to the department of health for use by the tobacco evaluation and review board in fiscal year 2013.

Sec. D.107 TRANSFER OF NATIONAL MORTGAGE FORECLOSURE  
SETTLEMENT FUNDS

(a) Any funds received in fiscal year 2012 or 2013 from the national mortgage foreclosure settlement that are deposited into the fees and

reimbursement special fund (#21638) in the office of the attorney general shall be transferred to the general fund except for any amount the settlement may require to be directed to the department of financial regulation.

(b) Receipt of these funds enables the state to fund \$1,100,000 in affordable housing initiatives, including grants for foreclosure and homeownership counseling, financing mobile homes, increasing the state's affordable housing tax credit, capacity building among state and nonprofit agencies to assist mobile home owners, and exemption from several taxes to replace homes destroyed by recent flooding and natural disasters.

Sec. D.108 FISCAL YEAR 2013 TRANSFERS AND APPROPRIATIONS

(a) The following general fund transfers and appropriations are authorized, effective May 1, 2013. Prior to these transfers and appropriations, the secretary of administration and the commissioner of finance and management shall make findings that the transfers do not create a projected negative balance in the general fund and reduce the reserve position anticipated for the close of fiscal year 2013.

(1) Transferred and appropriated to the education fund: \$2,100,000.

(2) Transferred to the clean energy development fund: \$3,000,000.

(3) Appropriated to the Vermont State Colleges, subject to the approval of the secretary of administration to provide funding for a Brattleboro community college facility. To the extent this appropriation is made, the bond

proceeds dedicated for this purpose in H.785 of the 2012 legislative session will be reduced: \$1,475,000.

(b) The transfers in subsection (a) of this section can be made prior to May 1, 2013 upon a vote and a determination by the emergency board established under 32 V.S.A. § 131 that sufficient revenues will be available to authorize the transfers.

Sec. D.108.1 [DELETED]

Sec. D.109 FISCAL YEAR 2013 CASELOAD RESERVE UTILIZATION

(a) The amount of \$16,240,000 is unreserved and made available for expenditure in fiscal year 2013 from the human services caseload reserve created by 32 V.S.A. § 308b.

(b) In fiscal year 2013, any remaining balance in the human service caseload reserve shall be transferred to the general fund balance (“rainy day”) reserve established in 32 V.S.A. § 308c(a).

\* \* \* GENERAL GOVERNMENT \* \* \*

Sec. E.100 FEDERAL EMERGENCY MANAGEMENT AGENCY

REPORTING AND OVERSIGHT

(a) The secretary of administration shall report to the joint fiscal committee at each of its scheduled meetings in fiscal year 2013 on funding received from the Federal Emergency Management Agency (FEMA) Public Assistance

Program and associated emergency relief and assistance funds match for the damages due to Tropical Storm Irene. The report shall include:

(1) a projection of the total funding needs for the FEMA Public Assistance Program and to the extent possible, details about the projected funding by state agency or municipality;

(2) spending authority (appropriated and excess receipts) granted to date for the FEMA Public Assistance Program and the associated emergency relief and assistance funds match; and

(3) actual expenditures to date made from the spending authority granted and to the extent possible, details about the expended funds by state agency or municipality.

(b) Reports shall be posted on the legislative and administration websites after submission.

Sec. E.100.1 32 V.S.A. § 306a is added to read:

§ 306a. PURPOSE OF THE STATE BUDGET

(a) Purpose of the state budget. The state budget, consistent with Chapter I, Article 7 of Vermont's constitution, should "be instituted for the common benefit, protection, and security of the people, nation, or community..." The state budget should be designed to address the needs of the people of Vermont in a way that advances human dignity and equity.

(b) Spending and revenue policies will seek to promote economic well-being among the people of Vermont, and foster a vibrant economy. Integral to achieving the purpose of the state budget is continuous evaluation of the raising and spending of public funds by systems of outcome measurement based on indicators that measure success in accomplishing the purposes of the state budget.

(c) Spending and revenue policies will reflect the public policy goals established in state law and recognize every person's need for health, housing, dignified work, education, food, social security, and a healthy environment.

(d) As consistent with state law and in conjunction with the federal government, the budget will reflect support for economic development, public safety, transportation, and other infrastructure needs.

(e) Revenue measures shall also be based on the principles of sustainability and stability. The administration shall develop budget and revenue proposals as part of a transparent and accountable process with direct and meaningful participation from Vermont residents.

#### Sec. E.100.2 PURPOSE OF THE STATE BUDGET

(a) Public participation. The administration will develop a process for public participation in the development of budget goals, as well as general prioritization and evaluation of spending and revenue initiatives. This process shall begin by October 1, 2012.

(b) Current services. The administration shall develop and publish annually for public review as part of the budget submission process a current services budget, providing the public with an estimate of what the current level of services is projected to cost in the next fiscal year. The initial current services budget shall be submitted with the administration's fiscal year 2014 budget proposal.

Sec. E.101 Information and innovation – communications and information technology

(a) Of this appropriation, \$700,000 is for a grant to the Vermont telecommunications authority established in 30 V.S.A. § 8061, and \$200,000 is for a grant from the department of information and innovation to the secretary of administration's office to support the telecommunications infrastructure.

(b) The commissioner shall work with relevant departments of state government on the server consolidation project, as described in the January 9, 2010 "State of Vermont IT Assessment Recommendations" report by TPI, Inc. Although no appreciable savings were realized in fiscal year 2012, the pursuit of server consolidation should continue with the objective of reducing the cost of providing information technology services.

Sec. E.101.1 3 V.S.A. § 2222 is amended to read:

§ 2222. POWERS AND DUTIES; BUDGET AND REPORT

(a) In addition to the duties expressly set forth elsewhere by law the secretary shall:

\* \* \*

(9) Submit to the general assembly concurrent with the governor's annual budget request required under 32 V.S.A. § 306, a strategic plan for information technology which outlines the significant deviations from the previous year's information technology plan, and which details the plans for information technology activities of state government for the following fiscal year as well as the administration's financing recommendations for these activities. All such plans shall be reviewed and approved by the ~~commissioner of information and innovation~~ state chief information officer prior to being included in the governor's annual budget request. The plan shall identify the proposed sources of funds for each project identified. The plan shall also contain a review of the state's information technology and an identification of priority projects by agency. The plan shall include, for any proposed information technology activity with a cost in excess of \$100,000.00:

\* \* \*

(B) the cost savings ~~and/or~~ and any service delivery improvements which will accrue to the public or to state government;

\* \* \*

(10) The secretary shall annually submit to the general assembly a five-year information technology plan which indicates the anticipated information technology activities of the legislative, executive, and judicial branches of state government. For purposes of this section, “information technology activities” shall mean:

\* \* \*

(B) the design, construction, purchase, installation, maintenance, or operation of systems, including ~~both hardware and~~ software, and services which perform or are contracted under Administrative Bulletin 3.5 to perform these activities.

\* \* \*

(g)(1) The secretary of administration shall obtain independent expert review of any recommendation for any information technology activity initiated after July 1, 1996, as information technology activity is defined by subdivision (a)(10) of this section, when its total cost is \$500,000.00 or greater or when required by the state chief information officer. Documentation of ~~such~~ this independent review shall be included when plans are submitted for review pursuant to subdivisions (a)(9) and (10) of this section. The independent review shall include:

(A) an acquisition cost assessment;

- (B) a technology architecture review;
- (C) an implementation plan assessment;
- (D) a cost analysis and a model for benefit analysis; and
- (E) a procurement negotiation advisory services contract.

(2) The secretary of administration may assess the costs of ~~such reviews~~ any review to the ~~departments~~ entity making the information technology recommendations.

\* \* \*

Sec. E.101.2 22 V.S.A. § 901 is amended to read:

§ 901. DEPARTMENT OF INFORMATION AND INNOVATION

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

\* \* \*

(2) to manage ~~GOVnet~~ wide-area network connectivity within state government;

\* \* \*

(4)(A) to review and approve information technology activities ~~in all departments~~ within state government with a cost in excess of \$100,000.00, and annually submit to the general assembly a strategic plan and a budget for information technology as required of the secretary of administration by

3 V.S.A. § 2222(a)(9). For purposes of this section, “information technology activities” is defined in 3 V.S.A. § 2222(a)(10);

(B) to provide oversight, monitoring, and control of information technology activities within state government with a cost in excess of \$100,000.00. The cost of the oversight, monitoring, and control shall be assessed to the entity requesting the activity;

(C) to review and approve in accordance with agency of administration policies the assignment of appropriate project managers for information technology activities within state government with a cost in excess of \$100,000.00; and

(D) to provide standards for the management, organization, and tracking of information technology activities within state government with a cost in excess of \$100,000.00;

\* \* \*

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

(12) to review and approve in accordance with agency of administration policies all new information technology position requests and new information technology classifications within state government.

Sec. E.102 32 V.S.A. § 6(b) is amended to read:

(b) Requests for federal funds shall include a specific request for reimbursement of indirect costs. Awards of statewide indirect costs will be deposited into the general fund except statewide indirect costs will be deposited into the transportation fund for costs recovered by the agency of transportation. The commissioner of finance and management may authorize departments to retain recovered indirect cost receipts.

Sec. E.109 Buildings and general services – engineering

(a) The \$2,433,490 interdepartmental transfer in this appropriation shall be from the general bond fund appropriation in the Capital Appropriations Act of the 2012 session.

Sec. E.110 REPEAL

(a) 19 V.S.A. § 41 (funding for rest areas, information centers, and welcome centers from the general fund) is repealed.

Sec. E.124 Legislative council

(a) Notwithstanding any other provision of law, from the fiscal year 2012 funds appropriated to the legislative council and carried forward into fiscal year 2013, the amount of \$55,000 shall revert to the general fund.

## Sec. E.125 Legislature

(a) Notwithstanding any other provision of law, from the fiscal year 2012 funds appropriated to the legislature and carried forward into fiscal year 2013, the amount of \$503,000 shall revert to the general fund.

Sec. E.125.1 4 V.S.A. § 601(c) is amended to read:

~~(c) The members of the judicial nominating board shall be entitled to compensation of \$30.00 a day for the time spent in the performance of their duties, and reimbursement for their actual and necessary expenses incurred in the performance of their duties~~ Legislative members of the board shall be entitled to per diem compensation and reimbursement for expenses in accordance with 2 V.S.A. § 406. Members of the board who are not otherwise compensated by their employer shall be entitled to per diem compensation and reimbursement for expenses in the same manner as board members are compensated under 32 V.S.A. § 1010. All compensation and reimbursement shall be paid from the legislative appropriation.

## Sec. E.125.2 REPEAL

(a) 4 V.S.A. § 606 (expenses of board; payment) is repealed.

## Sec. E.126 Legislative information technology

(a) Notwithstanding any other provision of law, from the fiscal year 2012 funds appropriated for legislative information technology and carried forward into fiscal year 2013, the amount of \$5,000 shall revert to the general fund.

## Sec. E.127 Joint fiscal committee

(a) Notwithstanding any other provision of law, from the fiscal year 2012 funds appropriated to the joint fiscal committee and carried forward into fiscal year 2013, the amount of \$10,000 shall revert to the general fund.

## Sec. E.128 Sergeant at arms

(a) Notwithstanding any other provision of law, from the fiscal year 2012 funds appropriated to the sergeant at arms and carried forward into fiscal year 2013, the amount of \$95,000 shall revert to the general fund.

## Sec. E.132 27 V.S.A. § 1253(a) is amended to read:

(a) All funds received under this chapter, including the proceeds from the sale of unclaimed property under section 1252 of this title, shall forthwith be received by the treasurer, except that the treasurer shall retain in a separate fund an amount not exceeding \$100,000.00 or ~~50~~ 55 percent of the funds received during the previous year, whichever is greater, from which he or she shall make prompt payment of claims duly allowed by him or her as provided in this section. The treasurer shall record the name and last known address of each owner appearing on the holder's reports and the names and last known address of each insured person or annuitant and beneficiary, and with respect to each policy or annuity listed in the report of an insurance company its number, the name of the company, and the amount due. The record shall be available for public inspection at all reasonable hours.

Sec. E.133 Vermont state retirement system

(a) Notwithstanding 3 V.S.A. § 473(d), in fiscal year 2013, investment fees shall be paid from the corpus of the fund.

Sec. E.134 MUNICIPAL EMPLOYEES RETIREMENT

(a) Notwithstanding the provisions of 24 V.S.A. § 5064(b), for the period July 1, 2012 through June 30, 2013, contributions shall be made by group A members at the rate of 2.5 percent of earnable compensation, by group B members at the rate of 4.5 percent of earnable compensation, and by group C members at the rate of 9.25 percent of earnable compensation.

Sec. E.141 Lottery commission

(a) Of this appropriation, the lottery commission shall transfer \$150,000 to the department of health, office of alcohol and drug abuse programs, to support the gambling addiction program.

(b) The Vermont state lottery shall provide assistance and work with the Vermont council on problem gambling on systems and program development.

(c) The lottery commission shall study the option of allowing the sale of lottery tickets online. The study shall examine how the online system would be administered, the fiscal impact of allowing lottery tickets to be sold online, and any other relevant issues. The commission shall report its findings and any recommendations to the house committee on general, housing and military

affairs and the senate committee on economic development, housing and general affairs by January 15, 2013.

Sec. E.142 Payments in lieu of taxes

(a) This appropriation is for state payments in lieu of property taxes under 32 V.S.A. chapter 123, subchapter 4, and the payments shall be calculated in addition to and without regard to the appropriations for PILOT for Montpelier and for correctional facilities elsewhere in this act.

Sec. E.142.1 32 V.S.A. § 4967 is amended to read:

§ 4967. TRANSMISSION OF TAXES TO DIRECTOR AND CREDIT TO SPECIAL FUND

(a) All moneys received by supervisors in the collection of taxes or otherwise in the performance of their official duties, except fees, shall be paid by them to the director quarterly, on the first Tuesday in February, May, August, and November. Such director shall keep separate accounts of the moneys so received by him or her from the respective supervisors department of finance and management to be credited to special fund accounts, which are hereby established.

(b) Revenues collected pursuant to this section shall be disbursed based on warrants authorized by the commissioner of finance and management under the authority granted by section 461 of this title, and shall be expended

consistent with the budgets adopted pursuant to subsections 4961(b) and (c) of this title.

Sec. E.143 Payments in lieu of taxes – Montpelier

(a) Payments in lieu of taxes under this section shall be paid from the PILOT special fund under 32 V.S.A. § 3709.

Sec. E.144 Payments in lieu of taxes – correctional facilities

(a) Payments in lieu of taxes under this section shall be paid from the PILOT special fund under 32 V.S.A. § 3709.

\* \* \* PROTECTION TO PERSONS AND PROPERTY \* \* \*

Sec. E.200 Attorney general

(a) Notwithstanding any other provisions of law, the office of the attorney general, Medicaid fraud and residential abuse unit, is authorized to retain, subject to appropriation, one-half of the state share of any recoveries from Medicaid fraud settlements, excluding interest, that exceed the state share of restitution to the Medicaid program. All such designated additional recoveries retained shall be used to finance Medicaid fraud and residential abuse unit activities.

(b) Of the revenue available to the attorney general under 9 V.S.A. § 2458(b)(4), \$725,000 is appropriated in Sec. B.200 of this act.

Sec. E.202 Defender general – public defense

(a) The establishment of one (1) new exempt position – Staff Attorney I – is authorized in fiscal year 2013.

Sec. E.205 State’s attorneys

(a) Notwithstanding any provision of law to the contrary, within the appropriations to the state’s attorneys contained in this act, the executive director of the department of state’s attorneys shall allocate funds so that as soon as possible but not later than June 30, 2013, deputy state’s attorneys are at the correct step for length of service, in accordance with the state’s attorney addendum to the attorney pay plan.

Sec. E.205.1 EXPANSION OF RAPID RESPONSE TEAM; REPORT

(a) On or before November 15, 2012, the department of sheriffs and state’s attorneys shall report to the nonviolent misdemeanor sentence review committee on the advisability and feasibility of expanding the Chittenden County Rapid Intervention Community Court (RICC) program model on a statewide basis or to particular additional counties. The report shall consider how the RICC program would translate to other jurisdictions in light of its purpose of diverting low-level criminal cases to community social service providers rather than the criminal division of the superior court if the crime is driven by a readily identifiable social issue such as substance abuse or mental illness. For purposes of preparing the report, the department shall consult with

the department of public safety, the Vermont police association, the Vermont sheriffs' association, the court administrator, and the defender general.

Sec. E.208 Public safety – administration

(a) Of the funds appropriated to the department of public safety, \$25,000 shall be used to make a grant to the Essex County sheriff's department for a performance-based contract to provide law enforcement service activities agreed upon by both the commissioner of public safety and the sheriff.

Sec. E.209 Public safety – state police

(a) Of this appropriation, \$35,000 in special funds shall be available for snowmobile law enforcement activities and \$35,000 in general funds shall be available to the southern Vermont wilderness search and rescue team, which comprises state police, the department of fish and wildlife, county sheriffs, and local law enforcement personnel in Bennington, Windham, and Windsor Counties, for snowmobile enforcement.

(b) Of the \$255,000 allocated for grants funded in this section, \$190,000 shall be used by the Vermont drug task force to fund three town task force officers. These town task force officers shall be dedicated to enforcement efforts with respect to both regulated drugs as defined in 18 V.S.A. § 4201(29) and the diversion of legal prescription drugs. Any unobligated funds may be allocated by the commissioner to fund the work of the drug task force and to

support the efforts of the mobile enforcement team (gang task force) or carried forward.

Sec. E.210 Public safety – criminal justice services

(a) Of this appropriation, \$126,000 is to support the costs of two (2) civilian computer forensics analyst positions.

Sec. E.212 Public safety – fire safety

(a) Of this general fund appropriation, \$55,000 shall be granted to the Vermont rural fire protection task force for the purpose of designing dry hydrants.

Sec. E.214 Public safety – emergency management – radiological emergency response plan

(a) Of this special fund appropriation, up to \$30,000 shall be available to contract with any radio station serving the emergency planning zone for the emergency alert system.

Sec. E.215 Military – administration

(a) The amount of \$250,000 shall be disbursed to the Vermont Student Assistance Corporation for the national guard educational assistance program established in 16 V.S.A. § 2856. Of this amount, \$100,000 shall be general funds from this appropriation, and \$150,000 shall be Next Generation special funds, as appropriated in Sec. B.1100(a)(3)(B) of this act.

## Sec. E.219 Military – veterans’ affairs

(a) Of this appropriation, \$5,000 shall be used for continuation of the Vermont medal program, \$4,800 shall be used for the expenses of the governor’s veterans’ advisory council, \$7,500 shall be used for the Veterans’ Day parade, \$5,000 shall be granted to the Vermont state council of the Vietnam Veterans of America to fund the service officer program, and \$5,000 shall be used for the military, family, and community network.

## Sec. E.220 Center for crime victims’ services

(a) Of this appropriation, the amount of \$806,195 from the domestic and sexual violence special fund created by 13 V.S.A. § 5360 is appropriated for the Vermont network against domestic and sexual violence. Expenditures from the domestic and sexual violence special fund shall not exceed revenues.

(b) The unexpended amounts derived from the \$10 and \$20 increases as specified in Sec. E.220(a) of No. 63 of the Acts of 2011 shall be transferred to the domestic and sexual violence special fund created by 13 V.S.A. § 5360.

Sec. E.220.1 13 V.S.A. § 5360 is added to read:

§ 5360. DOMESTIC AND SEXUAL VIOLENCE SPECIAL FUND

A domestic and sexual violence special fund is established, to be managed in accordance with 32 V.S.A. chapter 7, subchapter 5 and administered by the center for crime victims services created in section 5361 of this title. The revenues of the fund shall consist of that portion of the additional surcharge on

penalties and fines imposed by section 7282 of this title deposited in the domestic and sexual violence special fund and that portion of the town clerks' fee for issuing and recording civil marriage or civil union licenses in 32 V.S.A. § 1712(1) deposited in the domestic and sexual violence special fund. The fund may be expended by the center for crime victims services for budgeted grants to the Vermont network against domestic and sexual violence and for the criminal justice training council position dedicated to domestic violence training, pursuant to 20 V.S.A. § 2365(c).

Sec. E.220.2 13 V.S.A. § 7282(a) is amended to read:

(a) In addition to any penalty or fine imposed by the court or judicial bureau for a criminal offense or any civil penalty imposed for a traffic violation, including any violation of a fish and wildlife statute or regulation, violation of a motor vehicle statute, or violation of any local ordinance relating to the operation of a motor vehicle, except violations relating to seat belts and child restraints and ordinances relating to parking violations, the clerk of the court or judicial bureau shall levy an additional surcharge of:

\* \* \*

(8)(A) For any offense or violation committed after June 30, 2006, but before July 1, 2008, \$26.00, of which \$18.75 shall be deposited in the victims' compensation special fund.

(B) For any offense or violation committed after June 30, 2008, \$36.00, of which \$28.75 shall be deposited in the victims' compensation special fund.

(C) For any offense or violation committed after June 30, 2009, \$41.00, of which ~~\$33.75~~ \$23.75 shall be deposited in the victims' compensation special fund created by section 5359 of this title, and of which \$10.00 shall be deposited in the domestic and sexual violence special fund created by section 5360 of this title.

Sec. E.220.3 32 V.S.A. § 1712 is amended to read:

§ 1712. TOWN CLERKS

Town clerks shall receive the following fees in the matter of vital registration:

(1) For issuing and recording a civil marriage or civil union license, \$45.00 to be paid by the applicant, \$10.00 of which sum shall be retained by the town clerk as a fee, \$20.00 of which shall be deposited in the ~~victims' compensation~~ domestic and sexual violence special fund created by 13 V.S.A. § 5360, and \$15.00 of which sum shall be paid by the town clerk to the state treasurer in a return filed quarterly upon forms furnished by the state treasurer and specifying all fees received by him or her during the quarter. Such quarterly period shall be as of the first day of January, April, July, and October.

\* \* \*

Sec. E.220.4 20 V.S.A. § 2365(c) is amended to read:

(c) The Vermont police academy shall employ a domestic violence trainer for the sole purpose of training Vermont law enforcement and related practitioners on issues related to domestic violence. Funding for this position shall be transferred by the center for crime victims services from the ~~victims<sup>2</sup> compensation~~ domestic and sexual violence special fund created by 13 V.S.A. § ~~5359~~ 5360.

Sec. E.222 Agriculture, food and markets – administration

(a) The establishment of two (2) new classified positions – one (1) Program Services Clerk and one (1) Systems Developer I – is authorized in fiscal year 2013.

(b) Notwithstanding any other provision of law, from the fiscal year 2012 funds appropriated to the agency of agriculture, food and markets for the Two Plus Two Program and carried forward into fiscal year 2013, the amount of \$25,000 shall revert to the general fund.

Sec. E.223 Agriculture, food and markets – food safety and consumer protection

(a) The establishment of one (1) classified position – Dairy Product Specialist II – is authorized in fiscal year 2013.

Sec. E.224 Agriculture, food and markets – agricultural development

(a) The establishment of one (1) limited service classified position – Senior Agricultural Development Specialist – is authorized in fiscal year 2013.

Sec. E.228 Financial regulation – insurance

(a) The department of financial regulation shall use the Global Commitment funds appropriated in this section for the insurance division for the purpose of funding certain health-care-insurance-related department of financial regulation programs, projects, and activities to increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.231 Financial regulation – health care administration

(a) The department of financial regulation shall use the Global Commitment funds appropriated in this section for the health care administration division for the purpose of funding certain health-care-related department of financial regulation programs, projects, and activities to increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.232 Secretary of state

(a) Of this special fund appropriation, \$492,991 represents the corporation division of the secretary of state's office, and these funds shall be from the

securities regulation and supervision fund in accordance with 9 V.S.A. § 5613(b).

Sec. E.233 30 V.S.A. § 211(c) is added to read:

(c) An enterprise fund is established in the department of public service to consist of revenues from the resale of power and to support the activities authorized in this section and sections 212 and 212a of this title. Balances shall remain in the fund at the end of each fiscal year, and the fund shall be appropriated and expended in accordance with 32 V.S.A. § 462(b). These monies shall not be available to meet the general obligations of the state.

\* \* \* HUMAN SERVICES \* \* \*

Sec. E.300 Agency of human services – secretary’s office

(a) The establishment of seven (7) new classified positions – two (2) Systems Developer II, one (1) Senior Systems Developer, one (1) Enterprise Business Analyst, two (2) Systems Developer III, and one (1) Project Manager – is authorized in fiscal year 2013.

Sec. E.300.1 REIMBURSEMENT RATES FOR SERVICE PROVIDERS

(a) The agency shall provide an inventory of the payment rates for various community service providers in the area of child welfare, including PNMI, child development, substance abuse, and long-term care services. The inventory shall list the types of programs, including residential programs and methods of reimbursement, including those subject to rate setting by provider

type, as well as the most recent base year utilized for market or cost-based reimbursement methodologies. A list of rates paid to out-of-state residential providers and the methodology used to determine the rates shall also be included. This inventory shall be reported to the house and senate committees on appropriations by February 1, 2013 and shall include any recommendations to change reimbursement rates, methods, or basis.

Sec. E.301 Secretary's office – Global Commitment

(a) The agency of human services shall use the funds appropriated in this section for payment of the actuarially certified premium required under the intergovernmental agreement between the agency of human services and the managed care organization in the department of Vermont health access as provided for in the Global Commitment for Health Waiver (“Global Commitment”) approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

(b) In addition to the state funds appropriated in this section, a total estimated sum of \$28,308,986 is anticipated to be certified as state matching funds under the Global Commitment as follows:

(1) \$17,645,850 certified state match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with \$22,854,150 of federal funds appropriated in Sec. B.301 of this act equals a total estimated

expenditure of \$40,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment fund to the Medicaid reimbursement special fund created in 16 V.S.A. § 2959a.

(2) \$3,902,237 certified state match available from local education agencies for direct school-based health services, including school nurse services, that increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

(3) \$2,180,067 certified state match available from local education agencies for eligible services as allowed by federal regulation for early periodic screening, diagnosis, and treatment programs for school-aged children.

(4) \$2,393,532 certified state match available via the University of Vermont's child health improvement program for quality improvement initiatives for the Medicaid program.

(5) \$2,187,300 certified state match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

Sec. E.301.1 CONTIGUOUS BODY PARTS ULTRASOUND

(a) Beginning July 1, 2012 and thereafter, the department of Vermont health access shall reduce spending on ultrasound services by implementing a payment reduction on contiguous body parts.

Sec. E.301.2 SPECIAL FUND APPLIED IN GLOBAL COMMITMENT  
WAIVER

(a) Notwithstanding any law to the contrary, \$350,000 of the special fund appropriation shall be from the evidence based practice fund.

Sec. E.302 PAYMENT RATES FOR PRIVATE NONMEDICAL  
INSTITUTIONS PROVIDING RESIDENTIAL CHILD CARE  
SERVICES

(a) Notwithstanding any other provision of law, for state fiscal year 2013, the division of rate setting shall calculate payment rates for private nonmedical institutions (PNMI) providing residential child care services as follows:

(1) General rule. The division of rate setting shall calculate PNMI per diem rates for state fiscal year 2013 as 100 percent of each program's final per diem rate in effect on June 30, 2012. These rates shall be issued as final.

(2) Reporting requirements.

(A) Providers are required to submit annual audited financial statements to the division within 30 days of receipt from their certified public

accountant, but no later than four months following the end of each provider's fiscal year.

(B) Providers are not required to submit funding applications pursuant to section 3 of the PNMI rate setting rules for state fiscal year 2013.

(3) Exception to the general rule. For programs categorized by the placement authorizing departments (PADs) as crisis/stabilization programs with typical lengths of stay from 0 to 10 days, final rates for state fiscal year 2013 are set retroactively as follows:

(A) The allowable budget is 100 percent of the final approved budget for the rate year which includes June 30, 2012. The monthly allowable budget is the allowable budget divided by 12.

(B) Within five days of the end of each month in state fiscal year 2013, the program shall submit the prior month's census to the division of rate setting. The per diem rate shall be set for the prior month by dividing the monthly allowable budget amount by the total number of resident days for the month just ended.

(4) Adjustments to rates. Rate adjustment applications may not be used as a tool to circumvent the rate setting process for state fiscal year 2013 in order to submit a new budget for the entire program or for the sole reason that actual costs incurred by the facility exceed the rate of payment.

(A) The following provisions amend section 8 of the PNMI rules regarding adjustments to rates for state fiscal year 2013:

(i) The three-month waiting period of section 8.1(b) for the submission of a rate adjustment application is waived.

(ii) In rate adjustment applications, the division shall only consider budget information specific to the program change and limited to direct program costs. Providers may not apply for increases to costs that are part of the current program and rate structure before the program change.

(iii) In its findings and order, the division may elect to use financial information from prior approved budget submissions to determine allowable costs related to the program change.

(iv) The materiality test in section 8.1(c) is waived.

(B) Adjustments to rates based on changes in licensed capacity. Programs that increase or decrease licensed capacity in state fiscal year 2013 shall provide prior written notification to the division of the change in licensed capacity.

(i) Decreased licensed capacity. In the case of programs that decrease licensed capacity in state fiscal year 2013, programs must have prior written approval from the PADs before applying to the division for an adjustment to the state fiscal year 2013 per diem rate.

(I) The allowable budget amount for state fiscal year 2013 may be no more than the final approved budget for the rate year which includes June 30, 2012.

(II) In its application for a rate adjustment, a program shall provide to the division financial and staffing information directly related to the decrease in licensed capacity.

(III) In its findings and order, the division shall reduce the allowable budget amount by any decreased costs directly related to the change in licensed capacity.

(IV) The division shall divide the final allowable budget amount by the estimated occupancy level at the new licensed capacity to calculate the per diem rate.

(ii) Increased licensed capacity. In the case of programs that increase licensed capacity in state fiscal year 2013, the division shall automatically adjust the program's rate as follows:

(I) The initial allowable budget is 100 percent of the final approved budget amount for the rate year that includes June 30, 2012.

(II) With prior written approval from the PADs, programs may apply to the division for an adjustment to the allowable budget for costs directly related to the program change.

(III) The division shall divide the final allowable budget amount by the estimated occupancy level at the new licensed capacity to calculate the per diem rate.

Sec. E.306 Department of Vermont health access – administration

(a) The establishment of six (6) new classified positions – Nurse Case Manager – is authorized in fiscal year 2013.

Sec. E.306.1 8 V.S.A. § 4089k is amended to read:

§ 4089k. HEALTH CARE INFORMATION TECHNOLOGY  
REINVESTMENT FEE

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

\* \* \*

(d)(2) If any health insurer fails to pay the fee established in subsection (a) of this section within 45 days after ~~notice from the secretary of administration of the amount due~~ the installment due date, the secretary of administration, or his or her designee, shall notify the commissioner of ~~banking, insurance, securities, and health care administration~~ financial regulation of the failure to

pay. In addition to any other remedy or sanction provided for by law, if the commissioner finds, after notice and an opportunity to be heard, that the health insurer has violated this section or any rule or order adopted or issued pursuant to this section, the commissioner may take any one or more of the following actions:

\* \* \*

Sec. E.306.2 8 V.S.A. § 4089I is amended to read:

§ 4089I. HEALTH CARE CLAIMS ASSESSMENT

(a)(1) ~~Beginning October 1, 2011 and annually thereafter, each~~ Each health insurer shall pay an assessment into the state health care resources fund established in 33 V.S.A. § 1901d in the amount of 0.80 of one percent of all health insurance claims paid by the health insurer for its Vermont members in the previous fiscal year ending June 30. The annual fee shall be paid in ~~installments on November 1, one installment due by January 1, April 1, and June 1.~~

\* \* \*

(c) As used in this section:

(1) "Health insurance" means any group or individual health care benefit policy, contract, or other health benefit plan offered, issued, renewed, or administered by any health insurer, including any health care benefit plan offered, issued, renewed, or administered by any health insurance company,

any nonprofit hospital and medical service corporation, any dental service corporation, or any managed care organization as defined in 18 V.S.A. § 9402. The term includes comprehensive major medical policies, contracts, or plans and Medicare supplemental policies, contracts, or plans, but does not include Medicaid, VHAP, or any other state health care assistance program financed in whole or in part through a federal program, unless authorized by federal law and approved by the general assembly. The term does not include policies issued for specified disease, accident, injury, hospital indemnity, long-term care, disability income, or other limited benefit health insurance policies, except that any policy providing coverage for dental services shall be included.

\* \* \*

(d) If any health insurer fails to pay the fee established in subsection (a) of this section within 45 days after ~~notice from the secretary of administration of the amount due~~ the installment due date, the secretary of administration or his or her designee shall notify the commissioner of ~~banking, insurance, securities, and health care administration~~ financial regulation of the failure to pay. In addition to any other remedy or sanction provided for by law, if the commissioner finds, after notice and an opportunity to be heard, that the health insurer has violated this section or any rule or order adopted or issued pursuant to this section, the commissioner may take any one or more of the following actions:

\* \* \*

Sec. E.307 33 V.S.A. § 2073 is amended to read:

§ 2073. VPHARM ASSISTANCE PROGRAM

\* \* \*

(d)(1) An individual shall contribute a co-payment of \$1.00 for prescriptions where the cost-sharing amount required by Medicare Part D is ~~\$29.99~~ or less than \$30.00, and a co-payment of \$2.00 for prescriptions where the cost-sharing amount required by Medicare Part D is \$30.00 or more. A pharmacy may not refuse to dispense a prescription to an individual who does not provide the co-payment.

\* \* \*

Sec. E.307.1 33 V.S.A. § 2074(c) is amended to read:

(c) Benefits under VermontRx shall be subject to payment of a premium and co-payment amounts by the recipient in accordance with the provisions of this section.

\* \* \*

(4) A recipient shall contribute a co-payment of \$1.00 for prescriptions costing ~~\$29.99~~ or less than \$30.00, and a co-payment of \$2.00 for prescriptions costing \$30.00 or more. A pharmacy may not refuse to dispense a prescription to an individual who does not provide the co-payment.

## Sec. E.307.2 VHAP AND MEDICAID CO-PAYS

(a) The following co-payments for individuals enrolled in the VHAP and Medicaid programs are hereby authorized and set by the general assembly, pursuant to 33 V.S.A. § 1901(b), and may be promulgated in rules by the secretary of human services or designee, in accordance with 33 V.S.A. § 1901(a)(1), and are effective upon adoption of rules pursuant to Sec. E.307.10 of this act:

(1) co-payments that apply to prescriptions and durable medical equipment/supplies: enrolled individuals shall contribute a co-payment of not more than \$1.00 for prescriptions or durable medical equipment/supplies costing less than \$30.00, a co-payment of \$2.00 for prescriptions or durable medical equipment/supplies costing \$30.00 or more but less than \$50.00, and a co-payment of \$3.00 for prescriptions or durable medical equipment/supplies costing \$50.00 or more;

(2) co-payments that apply to hospital outpatient services: not more than \$3.00 per hospital visit;

(3) co-payments that apply to hospital emergency room services: for individuals enrolled in VHAP, \$25.00 per hospital visit;

(4) co-payments that apply to hospital inpatient stays: for individuals enrolled in Medicaid, the \$75.00 co-payment for inpatient hospital stays is eliminated.

Sec. E.307.3 33 V.S.A. § 1910 is amended to read:

§ 1910. LIABILITY OF THIRD PARTIES; LIENS

\* \* \*

(b)~~(1)~~ The agency shall have a lien against the insurer, to the extent of the amount paid by the agency for past medical expenses, on any recovery from the insurer, whenever:

~~(1)~~ the agency pays medical expenses or renders medical services on behalf of a recipient who has been injured or has suffered an injury, illness, or disease; and

~~(2)~~ the recipient asserts a claim against an insurer as a result of the injury, illness, or disease.

(2) Effective July 1, 2013, the recipient's insurer or alleged liable party's insurer, if any, shall take reasonable steps to discover the existence of the agency's medical assistance. Payment to the recipient instead of the agency does not discharge the insurer from payment of the agency's claim.

\* \* \*

Sec. E.307.3.1 IMPLEMENTATION OF INSURERS' OBLIGATIONS

(a) The department of Vermont health access shall prepare and distribute an outreach document reminding insurers of their obligations under Sec. E.307.3 of this act. At a minimum, the outreach document will reinforce insurers' obligation to seek out Medicaid liens, and outline reporting requirements.

including savings amount achieved. The outreach document may provide examples of areas of concern and department contact information.

Sec. E.307.4 DENTAL COVERAGE FOR PREGNANT AND  
POSTPARTUM WOMEN

(a) The secretary of human services shall apply to the Centers for Medicare and Medicaid Services for an amendment to the state Medicaid plan pursuant to 42 C.F.R. Section 430.12 to eliminate the adult dental benefit maximum as applied to pregnant women receiving benefits under the Dr. Dynasaur/Medicaid program and to enable pregnant women to receive the same dental benefits that are available for children on Dr. Dynasaur/Medicaid for the duration of the pregnancy and through the end of the calendar month during which the 60th day following the end of pregnancy occurs.

(b) Upon approval of the state plan amendment pursuant to subsection (a) of this section, the secretary of human services shall adopt rules pursuant to 3 V.S.A. chapter 25 to implement the expansion of dental coverage for pregnant women.

Sec. E.307.5 PRIMARY CARE CASE MANAGEMENT  
REIMBURSEMENT METHODOLOGY

(a) The department of Vermont health access shall conduct an analysis of the impact of revising the primary care case management reimbursement methodology. The analysis shall include the methodologies considered, the

impact on providers, and delivery system implications. The department shall provide its analysis to the health access oversight committee at its December 2012 meeting.

Sec. E.307.6 33 V.S.A. § 1901 is amended to read:

§ 1901. ADMINISTRATION OF PROGRAM

\* \* \*

(a)(4) A manufacturer of pharmaceuticals purchased by individuals receiving state pharmaceutical assistance in programs administered under this chapter shall pay to the department of Vermont health access, as the secretary's designee, a rebate on all ~~pharmaceuticals~~ pharmaceutical claims for which state-only funds are expended in an amount ~~at least as favorable as the rebates provided under 42 U.S.C. section 1396r-8 paid to the department in connection with Medicaid and programs funded under the Global Commitment to Health Medicaid Section 1115 waiver~~ that is in proportion to the state share of the total cost of the claim, as calculated annually on an aggregate basis, and based on the full Medicaid rebate amount as provided for in Section 1927(a) through (c) of the federal Social Security Act, 42 U.S.C. Section 1396r-8.

\* \* \*

Sec. E.307.7 33 V.S.A. § 2073 is amended to read:

§ 2073. VPHARM ASSISTANCE PROGRAM

\* \* \*

(f) A manufacturer of pharmaceuticals purchased by individuals receiving assistance from VPharm established under this section shall pay to DVHA, as required by section 1901 of this title, a rebate on all ~~pharmaceuticals~~ pharmaceutical claims for which state-only funds are expended in an amount ~~at least as favorable as the rebate paid to DVHA in connection with the Medicaid program~~ that is in proportion to the state share of the total cost of the claim, as calculated annually on an aggregate basis, and based on the full Medicaid rebate amount as provided for in Section 1927(a) through (c) of the federal Social Security Act, 42 U.S.C. Section 1396r-8.

Sec. E.307.8 33 V.S.A. § 2074 is amended to read:

§ 2074. VERMONTRX PROGRAM

\* \* \*

(d) ~~Any manufacturer of pharmaceuticals purchased by individuals receiving assistance from VermontRx established under this section shall pay to DVHA, as required by section 1901 of this title, a rebate on all pharmaceuticals for which state-only funds are expended in an amount at least as favorable as the rebate paid to DVHA in connection with the Medicaid program.~~ [REPEALED]

\* \* \*

## Sec. E.307.9 VPHARM REVIEW

(a) The commissioner of Vermont health access shall review the VPHARM program beneficiary premium and co-payment structure as well as the current and anticipated pharmaceutical manufacturing rebate compliance and payments levels. The commissioner shall make recommendations to the house and senate committees on appropriations, the house committee on health care, and the senate committee on health and welfare by January 15, 2013 regarding changes to the VPHARM program premium or co-payment structure.

## Sec. E.307.10 EXPEDITED RULES

(a) Notwithstanding any contrary provision in 3 V.S.A. chapter 25, and in order to implement Sec. E.307.2(a) (VHAP and Medicaid co-pays) of this act, the agency of human services may adopt expedited rules in accordance with this section. Expedited rules under this section shall have the full force and effect of rules adopted under 3 V.S.A. chapter 25.

(b) Notwithstanding 3 V.S.A. chapter 25 and Sec. F4 of No. 146 of the Acts of the 2009 Adj. Sess. (2010), the agency shall:

(1) Adopt the expedited rule without prefiling or filing in proposed or final proposed form, and adopt the expedited rule after whatever notice and hearing that the agency finds to be practicable under the circumstances. The agency shall make reasonable efforts to ensure that expedited rules are known

to persons who may be affected by them. These efforts may occur prior to passage of this act and also shall occur on adoption of the rules by the agency.

(2) File expedited rules adopted under this section with the secretary of state and with the legislative committee on administrative rules. The legislative committee on administrative rules shall distribute copies of expedited rules to the appropriate standing committees.

(3) Ensure that expedited rules adopted under this section shall include as much of the information required for the filing of a proposed rule as is practicable under the circumstances.

(c) On a majority vote of the entire committee, the committee may object under this subsection if an expedited rule is:

- (1) beyond the authority of the agency;
- (2) contrary to the intent of the legislature; or
- (3) arbitrary.

(d) When objection is made under subsection (c) of this section, on majority vote of the entire committee, the committee may file the objection in certified form with the secretary of state. The objection shall contain a concise statement of the committee's reasons for its action. The secretary shall affix to each objection a certification of its filing and as soon as practicable transmit a copy to the agency. After a committee objection is filed with the secretary under this subsection, to the extent that the objection covers a rule or portion of

a rule, the burden of proof thereafter shall be on the agency in any action for judicial review or for enforcement of the rule to establish that the part objected to is within the authority delegated to the agency, is consistent with the intent of the legislature, and is not arbitrary. If the agency fails to meet its burden of proof, the court shall declare the whole or portion of the rule objected to invalid. The failure of the committee to object to a rule is not an implied legislative authorization of its substantive or procedural lawfulness.

#### Sec. E.307.11 ELIGIBILITY RESTORATION

(a) To the extent allowable under federal law and provided the commissioner determines that an operational approach can be developed, notwithstanding any other provision of law, the commissioner of Vermont health access may restore eligibility for those individuals who have lost their eligibility for Medicare Savings Plan coverage due to COLA increases in their Social Security benefits effective January 1, 2012. Such restoration should be limited to cases where the commissioner determines a substantial hardship for an individual has been created and potential additional costs would otherwise be incurred by the state.

#### Sec. E.308 FISCAL YEAR 2013 NURSING HOME RATE SETTING

(a) Beginning July 1, 2012, notwithstanding any other provisions of law, the division of rate setting shall maintain the decrease by one-half in the case-mix weights for the following Vermont RUG-III resource utilization

groups: Impaired Cognition A (IA1), Challenging Behavior A (BA1), Reduced Physical Functioning A 2 (PA2), and Reduced Physical Functioning A 1 (PA1). The decrease by one-half in these case-mix weights shall be maintained in each facility's average case-mix score for Medicaid residents from picture dates in the January 2010, April 2010, and July 2010 quarters, which were used to set the July 2010, October 2010, and January 2011 rates.

Sec. E.308.1 DVHA – MEDICAID LONG TERM CARE

(a) The funding for the Choices for Care program in fiscal year 2013 includes the appropriations in this section and anticipates at least \$4,400,000 of fiscal year 2012 unexpended appropriations. The administration anticipates making new investments of at least \$1,100,000. Prior to the implementation of these or alternate investments, the secretary of human services and the commissioner of disabilities, aging, and independent living shall work with providers and stakeholders to assure that the impact of changes in funding and proposed methods of delivery by the providers is clear and practical and ensure that the expected outcomes for clients are achieved and shall present their suggested investments for review and comment by the health access oversight committee.

(b) The agency of human services and department of disabilities, aging, and independent living shall report to the joint fiscal committee any submission made to CMS to change the Choices for Care waiver rate

reimbursement structure. Before implementation of any CMS approved changes to the Choices for Care waiver rate reimbursement structure, notification shall be made to the house and senate committees on appropriations or to the joint fiscal committee if the general assembly is not in session.

Sec. E.308.2 LONG-TERM CARE CONTINUUM OF RESIDENTIAL  
SERVICES

(a) The agency of human services and department of disabilities, aging, and independent living shall prepare a report in consultation with consumer and provider groups on the continuum of residential options for long-term care services that are currently available to moderate and low income seniors. The report shall identify the appropriate range of residential options that will be needed to meet the needs of moderate and low income seniors over the next 10, 15, and 20 years. The report shall also include the reimbursement rates across the continuum of residential options identified and the potential sources of funding for such options.

Sec. E.309 HEALTH CARE COVERAGE; LEGAL IMMIGRANT  
CHILDREN AND PREGNANT WOMEN

(a) Beginning July 1, 2012 and thereafter, in accordance with the provisions of the federal Children's Health Insurance Program Reauthorization Act of 2009, Public Law 111-3, Section 214, the agency of human services

shall provide coverage under Medicaid and CHIP to legal immigrant children and pregnant women who are residing lawfully in Vermont and who have not met the five-year waiting period required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Sec. E.309.1 Sec. E.309.2(a) of No. 63 of the Acts of 2011, as amended by Sec. 99 of No. 75 of the Acts of the 2011 Adj. Sess. (2012), is further amended to read:

(a) Beginning July 1, 2012, the commissioner of Vermont health access shall implement interim measures comparable to the family planning option of section 2303 of the Affordable Care Act of 2010 until such time as the state is able to modify necessary rules and procedures related to eligibility and services to implement the family planning option of section 2303 of the Affordable Care Act of 2010, Public Law 111-148.

Sec. E.311 33 V.S.A. § 2004(b) is amended to read:

(b) Fees collected under this section shall fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633, analysis of prescription drug data needed by the attorney general's office for enforcement activities, the Vermont prescription monitoring system established in 18 V.S.A. chapter 84A, and the evidence-based education program established in 18 V.S.A. chapter 91, subchapter 2 ~~of chapter 91 of~~

~~Title 18.~~ The fees shall be collected in the evidence-based education and advertising fund established in section 2004a of this title.

Sec. E.311.1 33 V.S.A. § 2004a(a) is amended to read:

(a) The evidence-based education and advertising fund is established in the treasury as a special fund to be a source of financing for activities relating to fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633, analysis of prescription drug data needed by the attorney general's office for enforcement activities, the Vermont prescription monitoring system established in 18 V.S.A. chapter 84A, and for the evidence-based education program established in 18 V.S.A. chapter 91, subchapter 2 of Title 18. Monies deposited into the fund shall be used for the purposes described in this section.

Sec. E.311.2 Health – administration and support (FQHC Look-Alike Clinics)

(a) Of these Global Commitment funds, up to \$310,200 shall be used to support the costs of developing three federally qualified health center (FQHC) Look-Alike clinics. The Gifford Medical Center in Randolph shall receive up to \$100,000, the Five Town Health Alliance in Bristol shall receive up to \$110,000, and the Battenkill Valley Health Center in Arlington shall receive up to \$100,200 for the purpose of meeting all of the FQHC Program requirements enabling each clinic to submit an application certifying its program to the

Health Resources and Services Administration (HRSA) and, if approved, to the Centers for Medicare and Medicaid Services (CMS).

Sec. E.312 Health – public health

(a) AIDS/HIV funding:

(1) In fiscal year 2013 and as provided in this section, the department of health shall provide grants in the amount of \$475,000, of which \$135,000 is state general funds and \$340,000 is AIDS Medication Rebates special funds to the Vermont AIDS service and peer-support organizations for client-based support services. It is the intent of the general assembly that if the AIDS Medication Rebates special funds appropriated in this subsection are unavailable, the funding for Vermont AIDS service and peer-support organizations for client-based support services shall be maintained through the general fund or other state-funding sources. The department of health AIDS program shall meet at least quarterly with the community advisory group (CAG) with current information and data relating to service initiatives. The funds shall be allocated as follows:

(A) AIDS Project of Southern Vermont, \$120,768;

(B) HIV/HCV Resource Center, \$36,689;

(C) VT CARES, \$220,133;

(D) Twin States Network, \$45,160;

(E) People with AIDS Coalition, \$52,250.

(2) Ryan White Title II funds for AIDS services and the AIDS Medication Assistance Program (AMAP) shall be distributed in accordance with federal guidelines. The federal guidelines shall not apply to programs or services funded solely by state general funds.

(3)(A) The secretary of human services shall immediately notify the joint fiscal committee if at any time there are insufficient funds in AMAP to assist all eligible individuals. The secretary shall work in collaboration with persons living with HIV/AIDS to develop a plan to continue access to AMAP medications until such time as the general assembly can take action.

(B) As provided in this section, the secretary of human services shall work in collaboration with the AMAP advisory committee, which shall be composed of no less than 50 percent of members who are living with HIV/AIDS. If a modification to the program's eligibility requirements or benefit coverage is considered, the committee shall make recommendations regarding the program's formulary of approved medication, related laboratory testing, nutritional supplements, and eligibility for the program.

(4) In fiscal year 2013, the department of health shall provide grants in the amount of \$100,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for community-based HIV prevention programs and services. These funds shall be used for HIV/AIDS prevention purposes, including improving the

availability of confidential and anonymous HIV testing; prevention work with at-risk groups such as women, intravenous drug users, and people of color; anti-stigma campaigns; and promotion of needle exchange programs. No more than 15 percent of the funds may be used for the administration of such services by the recipients of these funds. The method by which these prevention funds are distributed shall be determined by mutual agreement of the department of health and the Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers.

(b) Funding for the tobacco programs in fiscal year 2013 shall consist of the \$1,594,000 in tobacco funds and \$302,507 in Global Commitment funds appropriated in Sec. B.312 of this act. The tobacco evaluation and review board shall determine how these funds are allocated to tobacco cessation, community-based, media, public education, surveillance, and evaluation activities. This allocation shall include funding for tobacco cessation programs that serve pregnant women.

#### Sec. E.312.1 SUSTAINABILITY OF TOBACCO PROGRAMS

(a) The secretary of administration, the tobacco evaluation and review board, the department of health, and the blueprint for health shall develop a plan for tobacco program funding for fiscal years 2014 through 2016 at a level necessary to maintain the gains made in preventing and reducing tobacco use that have been accomplished since their inception. The plan shall consider the

inclusion of monies that have been withheld by manufacturers in prior years under the master settlement but may be received by the state in the future. The plan shall be presented to the general assembly on or before January 15, 2013.

Sec. E.312.2 [DELETED]

Sec. E.313 Health – alcohol and drug abuse programs

(a) For the purpose of meeting the need for outpatient substance abuse services when the preferred provider system has a waiting list of five days or more or there is a lack of qualified clinicians to provide services in a region of the state, a state-qualified alcohol and drug abuse counselor may apply to the department of health, division of alcohol and drug abuse programs, for time-limited authorization to participate as a Medicaid provider to deliver clinical and case coordination services, as authorized.

(b)(1) In accordance with federal law, the division of alcohol and drug abuse programs may use the following criteria to determine whether to enroll a state-supported Medicaid and uninsured population substance abuse program in the division's network of designated providers, as described in the state plan:

(A) The program is able to provide the quality, quantity, and levels of care required under the division's standards, licensure standards, and accreditation standards established by the commission on accreditation of

rehabilitation facilities, the joint commission on accreditation of health care organizations, or the commission on accreditation for family services.

(B) Any program that is currently being funded in the existing network shall continue to be a designated program until further standards are developed, provided the standards identified in subdivision (b)(1) of this section are satisfied.

(C) All programs shall continue to fulfill grant or contract agreements.

(2) The provisions of subdivision (1) of this subsection shall not preclude the division's "request for bids" process.

(c) Prior to the issuance of grants to the recovery centers in fiscal year 2013 and thereafter, the recovery network advisory board shall recommend to the department of health how such funds should be allocated by center.

(d) The advisory board shall research national standards of peer supports and core services to be provided by recovery centers. By September 15, 2012, the board shall develop a set of standards, core services, and monthly performance measures to be submitted for approval to the department of health – alcohol and drug abuse programs and the department of mental health. The board may collaborate with the department of health, the department of mental health, and the designated agencies regarding standards, core services, and performance measures as well as optional additional services. To the extent

possible, adoption of the standards, core services, and performance measures shall be a condition of state grant funding in fiscal year 2013 and shall be a requirement for grant funding in subsequent fiscal years.

(e) Notwithstanding 32 V.S.A. § 706, in fiscal year 2012 or fiscal year 2013 or both, transfers of funds from funds appropriated within the agency of human services are authorized to the department of health – alcohol and drug abuse programs as necessary to provide \$100,000 of additional grant funding to recovery centers in fiscal year 2013.

Sec. E.318 Department for children and families – child development

(a) The commissioner for children and families shall reserve up to one-half of one percent of the child care family assistance program funds to assist child care facilities that are at risk of closing due to financial hardship. The commissioner shall develop guidelines for providing assistance and shall prioritize relief to child care programs in areas of the state with high poverty and low access to high quality child care. If the commissioner determines that the child care center is at risk of closure because operations of a child care program are not fiscally sustainable, he or she may provide assistance to transition children served by the child care operator in an orderly fashion to help secure other child care opportunities for children served by the program in an effort to minimize a disruption of services. The commissioner has the authority to request tax returns and other financial documents to verify the

financial hardship and ability to sustain operations. The commissioner shall report to the joint fiscal committee at its November 2012 meeting on the distribution of reserved funds.

Sec. E.318.1 ACCESS TO HIGH-QUALITY EARLY EDUCATION

(a) In consultation with appropriate state agencies, community partners, and stakeholder groups, the building bright futures state council shall develop recommendations to increase access to high-quality early care and education for Vermont children as follows:

(1) In order to increase access to high-quality early care and education for three- and four-year-old children, the council shall develop recommendations designed to:

(A) Promote equitable opportunities throughout the state, including the availability of publicly supported programs to similarly situated families in different communities;

(B) Determine the best way to use community-based child care and education programs and review the interaction between developing publicly funded school-based pre-kindergarten and kindergarten programs and the infrastructure and financial health of existing child care programs in the private and nonprofit sector and how that interaction affects programs serving infants through age two;

(C) The council shall present its recommendations concerning subdivision (1) of this subsection to the house and senate committees on education on or before January 15, 2013.

(2) The council shall develop recommendations for a long-term financial sustainability plan for funding a comprehensive system of early childhood services that shall include early care and education, prevention and early intervention, nutrition, mental health and physical health, and include new ways to leverage federal funds.

(A) The council shall present an initial report concerning subdivision (2) of this subsection to the house committee on human services, the senate committee on health and welfare, and the house and senate committees on appropriations on or before January 15, 2013.

Sec. E.318.2 [DELETED]

Sec. E.321 GENERAL ASSISTANCE BENEFITS; FLEXIBILITY  
PROGRAM

(a) Commencing with state fiscal year 2007, the agency of human services may establish a housing assistance program within the general assistance program to create flexibility to provide these general assistance benefits. The purpose of the program is to mitigate poverty and serve applicants more effectively than they are currently served with the same amount of general assistance funds. The program shall operate in a consistent manner within

existing statutes and rules except that it may grant exceptions to this program's eligibility rules and may create programs and services as alternatives to these rules. Eligible activities shall include, among others, the provision of shelter, overflow shelter, case management, transitional housing, deposits, down payments, rental assistance, and related services that assure that all Vermonters have access to shelter, housing, and the services they need to become safely housed. The assistance provided under this section is not an entitlement and may be discontinued when the appropriation has been fully spent.

(b) The program may operate in up to 12 districts designated by the secretary of human services. This program will be budget neutral. For each district in which the agency operates the program, it shall establish procedures for evaluating the pilot and its effects. The agency shall report annually to the general assembly on its findings from the programs, its recommendations for changes in the general assistance program, and a plan for further implementation of the program.

(c) The agency shall continue to engage interested parties, including both statewide organizations and local agencies, in the design, implementation, and evaluation of the general assistance flexibility program.

(d) In fiscal year 2013, the agency of human service shall make its annual report to the general assembly by December 15, 2012. The report shall specifically:

(1) Provide data on the number of persons and families served in fiscal years 2010, 2011, and 2012 by the general assistance housing assistance program and any other state-funded housing assistance programs.

(2) Provide data on the causes and circumstances that result in individuals or families requiring housing assistance.

(3) Identify the primary drivers of the need for such services and the primary barriers individuals and families have in maintaining safe and stable housing.

(4) Include an inventory of existing programs and program funding available for emergency, low income, and transitional housing.

(5) Include the outcome measures currently used to evaluate the effectiveness and accountability of emergency, low income, and transitional housing and make recommendations for any additional or alternative outcome measures.

(6) Make recommendations regarding reallocation of current funding for these programs if such reallocation would result in better outcomes, particularly regarding eviction prevention and accessing and maintaining safe stable housing for the populations in need or at risk of needing housing assistance and the option of providing direct vendor payments of benefits for habitually homeless individuals.

(7) Identify the outcome-based priority for any additional investment in housing assistance programs.

Sec. E.321.1 33 V.S.A. § 2301 is amended to read:

§ 2301. BURIAL RESPONSIBILITY

\* \* \*

~~(c) When a person other than one described in subsection (a) or (b) of this section dies in the town of domicile without sufficient known assets to pay for burial, the burial shall be arranged and paid for by the town. The department shall reimburse the town up to \$250.00 for expenses incurred.~~

~~(d)~~ In all other cases the department shall arrange for and pay up to the maximum amount established by rule for the burial of eligible persons who die in this state or residents of this state who die within the state or elsewhere when the persons are without sufficient known assets to pay for their burial.

~~(e)~~~~(d)~~ For the purpose of this chapter, “burial” means the final disposition of human remains including interring or cremating a decedent and the ceremonies directly related to that cremation or interment at the gravesite; and “funeral” means the ceremonies prior to burial by interment, cremation, or other method.

Sec. E.323 [DELETED]

## Sec. E.324 HOME HEATING FUEL ASSISTANCE/LIHEAP

(a) For the purpose of a crisis set-aside, for seasonal home heating fuel assistance through December 31, 2012, and for program administration, the commissioner of finance and management shall transfer \$2,550,000 from the home weatherization assistance trust fund to the home heating fuel assistance fund to the extent that federal LIHEAP or similar federal funds are not available. An equivalent amount shall be returned to the home weatherization trust fund from the home heating fuel assistance fund to the extent that federal LIHEAP or similar federal funds are received. Should a transfer of funds from the home weatherization assistance trust fund be necessary for the 2012–2013 crisis set-aside and for seasonal home heating fuel assistance through December 31, 2012 and if LIHEAP funds awarded as of December 31, 2012 for fiscal year 2013 do not exceed \$2,550,000, subsequent payments under the home heating fuel assistance program shall not be made prior to January 30, 2013. Notwithstanding any other provision of law, payments authorized by the office of home heating fuel assistance shall not exceed funds available, except that for fuel assistance payments made through December 31, 2012, the commissioner of finance and management may anticipate receipts into the home weatherization assistance trust fund.

Sec. E.325 Department for children and families – office of economic opportunity

(a) Of the general fund appropriation in this section, \$792,000 shall be granted to community agencies for homeless assistance by preserving existing services, increasing services, or increasing resources available statewide. These funds may be granted alone or in conjunction with federal McKinney emergency shelter funds. Grant decisions shall be made with assistance from the coalition of homeless Vermonters.

Sec. E.326 Department for children and families – OEO – weatherization assistance

(a) Of the special fund appropriation in this section, \$750,000 is for the replacement and repair of home heating equipment.

(b) Appropriations from the weatherization trust fund may be limited based on the revenue forecast for the fund from the gross receipts tax as adopted pursuant to 32 V.S.A. § 305a.

Sec. E.329 VERMONT VETERANS' HOME; REGIONAL BED

CAPACITY

(a) The agency of human services shall not include the bed count at the Vermont veterans' home when recommending and implementing policies that are based on or intended to impact regional nursing home bed capacity in the state.

Sec. E.329.1 [DELETED]

Sec. E.338 Corrections – correctional services

(a) The establishment of seventeen (17) new classified positions – sixteen (16) Correctional Officer I and one (1) Corrections Housing Program Coordinator – is authorized in fiscal year 2013. The Correctional Officer I positions will accommodate the conversion of temporary Correctional Officer I positions to full-time classified status.

Sec. E.342 Vermont veterans' home – care and support services

(a) If Global Commitment fund monies are unavailable, the total funding for the Vermont veterans' home shall be maintained through the general fund or other state funding sources.

(b) The Vermont veterans' home will use the Global Commitment funds appropriated in this section for the purpose of increasing the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

\* \* \* LABOR \* \* \*

Sec. E.400 REPEAL

(a) 16 V.S.A. § 2887(c) (allocations of next generation initiative funds to regional technical centers) is repealed.

## Sec. E.401 Labor – programs

(a) A three-year continuation is authorized beginning in fiscal year 2013 for three (3) existing limited service workers' compensation investigator positions.

(b) One (1) classified adjudicator position (position # 820176) is authorized to be converted to one (1) permanent workers' compensation investigator position in fiscal year 2013.

Sec. E.401.1 21 V.S.A. § 1101 is amended to read:

§ 1101. APPRENTICESHIP DIVISION AND COUNCIL

The apprenticeship division and state apprenticeship council, hereinafter referred to as the “council,” shall be located within the department of labor. The commissioner of labor shall supervise the work of the division, and shall be the chair of the council. The council shall consist of ~~40~~ 12 members, four ex officio members and ~~six~~ eight members who shall be appointed by the governor. Of the ex officio members, one shall be the commissioner of labor; or designee, one shall be the commissioner of public safety; or designee, one shall be the commissioner of education or designee, and one shall be the director of the apprenticeship division who shall act as secretary of the council without vote. The council shall be composed of persons familiar with apprenticeable occupations. Of the ~~appointive~~ appointed members, three shall be individuals who ~~on account of previous vocation, employment, occupation,~~

~~or affiliation can be classed as represent employers and three, three~~ shall be individuals who ~~on account of previous vocation, employment, occupation, or affiliation can be classed as employees~~ represent employee organizations, and two shall be members of the public. Appointment of the employer and the employee members shall be made for the term of three years except the employer and employee members first appointed shall be appointed for the term of one, two, and three years respectively. The governor shall annually designate one member of the council as chair. Each member of the council who is not a salaried official or employee of the state shall be entitled to compensation and expenses as provided in 32 V.S.A. § 1010.

Sec. E.401.2 21 V.S.A. § 1347 is amended to read:

§ 1347. NONDISCLOSURE OR MISREPRESENTATION

\* \* \*

(c) The person liable under this section shall repay such amount to the commissioner for the fund. In addition to the repayment, if the commissioner finds that a person intentionally misrepresented or failed to disclose a material fact with respect to his or her claim for benefits, the person shall pay an additional penalty of 15 percent of the amount of the overpaid benefits. Such amount may be collectible by civil action in a Vermont district or superior court, in the name of the commissioner. ~~No action shall be commenced for the collection of such amount more than five years after the date of such~~

~~determination under this section or the final decision confirming the liability of such person on an appeal from such determination.~~

(d) In any case in which under this section a person is liable to repay any amount to the commissioner for the fund, the commissioner may withhold, in whole or in part, any future benefits payable to such person, and credit such withheld benefits against the amount due from such person until it is repaid in full, less any penalties assessed under subsection (c) of this section. ~~No benefits shall be withheld after five years from the date of such determination or the date of the final decision confirming the liability of such person on an appeal from such determination.~~

(e) In addition to the foregoing, when it is found by the commissioner that a person intentionally misrepresented or failed to disclose a material fact with respect to his or her claim for benefits and in the event the person is not prosecuted under section 1368 of this title and penalty provided in section 1373 of this title is not imposed, the person shall be disqualified and shall not be entitled to receive benefits to which he or she would otherwise be entitled after the determination for such number of weeks not exceeding 26 as the commissioner shall deem just, ~~provided, however, that no benefits shall be denied to a claimant because of such determination after three years from the date thereof or the date of final decision on an appeal from such determination.~~

The notice of determination shall also specify the period of disqualification imposed hereunder.

\* \* \*

Sec. E.401.3 21 V.S.A. § 1451 is amended to read:

§ 1451. DEFINITIONS

For the purpose of this subchapter:

\* \* \*

(4) “Short-time compensation employer” means an employer who has one or more employees covered by an approved “Short-Time Compensation Plan.” ~~Both employers with experience rating records and employers who make payments in lieu of tax contributions to the UI Trust Fund may become short time compensation employers.~~ “Short-time compensation employer” includes an employer with experience-rating records and an employer who makes payments in lieu of tax contributions to the unemployment compensation trust fund and that meets the following:

(A) Has five or more employees covered by an approved short-time compensation plan.

(B) Is not delinquent in the payment of contributions or reimbursement, or in the reporting of wages.

(C) Is not a negative balance employer. For the purposes of this section, a negative balance employer is an employer who has for three or more

consecutive calendar years prior to applying for the STC plan paid more in unemployment benefits to its employees than it has contributed to its unemployment insurance account. In the event that an employer has been a negative balance employer for three consecutive years, the employer shall be ineligible for participation unless the commissioner grants a waiver based upon extenuating economic conditions or other good cause.

\* \* \*

(7) “Fringe benefits” means benefits, including health insurance, retirement benefits, paid vacations and holidays, sick leave, and similar benefits that are incidents of employment.

(8) “Intermittent employment” means employment that is not continuous but may consist of intervals of weekly work and intervals of no weekly work.

(9) “Seasonal employment” means employment with an employer who experiences at least a 20-percent difference between its highest level of employment during a particular season and its lowest level of employment during the off-season in each of the previous three years as reported to the department, or employment with an employer on a temporary basis during a particular season.

Sec. E.401.4 21 V.S.A. § 1452 is amended to read:

§ 1452. CRITERIA FOR APPROVAL

An employer wishing to participate in an STC program shall submit a department of labor electronic application or a signed written short-time compensation plan to the commissioner for approval. The commissioner may approve an STC plan only if the following criteria are met:

\* \* \*

(3) the plan ~~specifies any impact on~~ outlines to the commissioner the extent to which fringe benefits, including health insurance, of employees participating in the plan may be reduced, which shall be factored into the evaluation of the business plan for resolving the conditions that lead to the need for the STC plan;

\* \* \*

(6) the plan certifies that the STC employer will notify the department within 24 hours after any layoff of an employee, at which time the commissioner shall have the right to terminate the STC plan;

(7) the identified workweek reduction is applied consistently throughout the duration of the plan unless otherwise approved by the department;

~~(6)~~(8) the plan applies to at least 10 percent of the employees in the affected unit, and when applicable determined to be applicable by the commissioner applies to all affected employees of the unit equally;

~~(7)~~(9) the plan will not subsidize seasonal employers during the off-season, nor subsidize employers who have traditionally used part-time employees or intermittent employment;

~~(8)~~(10) the employer agrees to maintain records relative to the plan for a period of three years and furnish reports relating to the proper conduct of the plan and agrees to allow the commissioner or his or her authorized representatives access to all records necessary to verify the plan prior to approval and, after approval, to monitor and evaluate application of the plan;

~~(9)~~(11) the plan certifies that the collective bargaining agent or agents for the employees, if any, have agreed to participate in the program. If there is no bargaining unit, the employer specifies how he or she will notify the employees in the affected group and work with them to implement the program once the plan is approved; and

~~(10)~~(12) in addition to subdivisions (1) through ~~(9)~~(11) of this section, the commissioner shall take into account any other factors which may be pertinent to the approval and proper implementation of the plan.

Sec. E.401.5 21 V.S.A. § 1453 is amended to read:

§ 1453. APPROVAL OR REJECTION; RESUBMISSION

The commissioner shall approve or reject a plan in writing within 30 days of its receipt, and in the case of rejection shall state the reasons therefor. The reasons for rejection shall be final and nonappealable, but the employer shall

be allowed to submit another plan for approval, that addresses the reasons that led to the rejection of the original plan.

Sec. E.401.6 21 V.S.A. § 1454 is amended to read:

§ 1454. EFFECTIVE DATE; DURATION

A plan shall be effective on the date specified in the plan or on a date mutually agreed upon by the employer and the commissioner. It shall expire at the end of the sixth full calendar month after its effective date or on the date specified in the plan if such date is earlier; provided, that the plan is not previously revoked by the commissioner; or on the effective date of any transfer of ownership of the legal business entity. If a plan is revoked or terminated by the commissioner, it shall terminate on the date specified in the commissioner's written order of revocation. No employer shall be eligible for a short-time compensation plan that results in an employee receiving benefits in excess of 26 times the amount of regular unemployment benefits payable to such individual for a week of total unemployment.

Sec. E.401.7 21 V.S.A. § 1458 is amended to read:

§ 1458. SHORT-TIME COMPENSATION BENEFITS

\* \* \*

(f)(1) If an individual works in the same week for both the short-time employer and another employer and his or her combined hours of work for both employers are equal to or greater than 81 percent of the usual hours of

work with the short-time employer, he or she shall not be entitled to benefits under these short-time provisions or the unemployment compensation provisions.

(2) If an individual works in the same week for both the short-time employer and another employer and his or her combined hours of work for both employers are equal to or less than 80 percent of the usual hours of work for the short-time employer, the benefit amount payable for that week shall be the weekly unemployment compensation amount reduced by the same percentage that the combined hours are of the usual hours of work. A week for which benefits are paid under this provision shall count as a week of short-time compensation.

(3) An individual who does not work during a week for the short-time employer, and is otherwise eligible, shall be paid his or her full weekly unemployment compensation benefit amount under the provisions of the regular unemployment compensation program. Such a week shall not be counted as a week for which short-time compensation benefits were received.

(4) An individual who does not work the short-time employer's identified workweek reduction hours as certified by the application due to the use of paid vacation or personal time shall be paid benefits for the week under the partial unemployment compensation provisions of the regular unemployment compensation program.

~~(4)~~(5) An individual who does not work for the short-time employer during a week but works for another employer and is otherwise eligible, shall be paid benefits for that week under the partial unemployment compensation provisions of the regular UI program. Such a week shall not be counted as a week with respect to which STC benefits were received.

Sec. E.401.8 COMPLIANCE WITH UNITED STATES DEPARTMENT OF  
LABOR

(a) In the event that the United States secretary of labor determines that any provision of the short-time compensation program (21 V.S.A. chapter 19, subchapter 3) is not in conformance with 26 U.S.C. § 3306(v) as added by the federal Layoff Prevention Act of 2012, the provision shall be unenforceable.

Sec. E.401.9 SHORT-TIME COMPENSATION FUNDING

(a) The commissioner of labor is hereby authorized to pursue federal funding for Vermont's short-time compensation program, if after an analysis of the eligibility requirements for receiving such funding, he or she concludes that doing so would be in the best interest of the state of Vermont.

Sec. E.401.10 33 V.S.A. § 4110 is amended to read:

§ 4110. EMPLOYER OBLIGATIONS

\* \* \*

(c) As used in this section:

(1) "Employee" means:

(A) means an individual who is an employee within the meaning of chapter 24 of the Internal Revenue Code of 1986; and

(B) does not include an employee of a federal or state agency performing intelligence or counterintelligence functions, if the head of such agency has determined that reporting pursuant to this section with respect to the employee could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission.

(2) “Employer” has the meaning given such term in Section 3401(d) of the Internal Revenue Code of 1986 and includes any governmental entity and any labor organization.

(3) “First date of employment” is the first day services are performed for compensation as a new hire.

(4) “New hire” means an employee ~~for whom a W-4 filing is required and whose wages have not been reported by the filing employer to the department of labor during the last reporting quarter~~ who:

(A) has not previously been employed by the employer; or

(B) was previously employed by the employer but has been separated from that employment for at least 60 consecutive days.

Sec. E.401.11 21 V.S.A. § 1301a is amended to read:

§ 1301a. DEPARTMENT OF LABOR; COMPOSITION

The department of labor, created by ~~section 3~~ V.S.A. § 212 of Title 3, shall consist of a commissioner of labor, the Vermont employment security board, the Vermont workforce development division, the economic and labor market information division, the workforce development council, the unemployment insurance and wages division, and the workers' compensation and safety division. The chair of the employment security board shall be the commissioner of labor ex officio. The deputy commissioner of labor or a designee chosen by the commissioner may serve as chair in the absence of the commissioner as the commissioner's designee.

\* \* \* K-12 EDUCATION \* \* \*

Sec. E.500 Education – finance and administration

(a) The Global Commitment funds appropriated in this section for school health services, including school nurses, shall be used for the purpose of funding certain health-care-related projects. It is the goal of these projects to reduce the rate of uninsured or underinsured persons or both in Vermont and to increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

## Sec. E.502 Education – special education: formula grants

(a) Of the appropriation authorized in this section, and notwithstanding any other provision of law, an amount not to exceed \$3,400,654 shall be used by the department of education in fiscal year 2013 as funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the commissioner shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d). In addition to funding for 16 V.S.A. § 2967(b)(2)–(6), up to \$172,611 may be used by the department of education for its participation in the higher education partnership plan.

## Sec. E.503 Education – state-placed students

(a) The independence place program of the Lund Family Center shall be considered a 24-hour residential program for the purposes of reimbursement of education costs.

## Sec. E.504 Education – adult education and literacy

(a) Of this appropriation, \$4,000,000 from the education fund shall be distributed to school districts for reimbursement of high school completion services pursuant to 16 V.S.A. § 1049a(c).

## Sec. E.505 Education – adjusted education payment

(a) Notwithstanding any other provision of law, up to \$50,000 of the education funds appropriated in this section may be used to reimburse districts for excess homestead tax amounts collected in previous fiscal years that the

department has verified were the result of error in data or calculation. Any sums reimbursed shall be used solely as an additional revenue source to the receiving district for the current or next fiscal year.

Sec. E.512 Education – Act 117 cost containment

(a) Notwithstanding any other provision of law, expenditures made from this section shall be counted under 16 V.S.A. § 2967(b) as part of the state’s 60 percent of the statewide total special education expenditures of funds which are not derived from federal sources.

Sec E.513 [DELETED]

Sec. E.514 State teachers’ retirement system

(a) The annual contribution to the Vermont state teachers’ retirement system shall be \$64,932,755, of which \$60,182,755 shall be contributed in accordance with 16 V.S.A. § 1944(g)(2) and an additional \$4,750,000 in general funds.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$10,303,147 is the “normal contribution,” and \$49,879,608 is the “accrued liability contribution.”

(c) A combination of \$63,613,130 in general funds and an estimated \$1,319,625 of Medicare Part D reimbursement funds is utilized to achieve funding at \$4,750,000 above the actuarially recommended level of \$60,182,755.

## \* \* \* HIGHER EDUCATION \* \* \*

## Sec. E.600 University of Vermont

(a) The commissioner of finance and management shall issue warrants to pay one-twelfth of this appropriation to the University of Vermont on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$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.

(c) If Global Commitment fund monies are unavailable, the total grant funding for the University of Vermont shall be maintained through the general fund or other state funding sources.

(d) The University of Vermont will use the Global Commitment funds appropriated in this section to support Vermont physician training. The University of Vermont prepares students, both Vermonters and out-of-state, and awards approximately 100 medical degrees annually. Graduates of this program, currently representing a significant number of physicians practicing in Vermont, deliver high-quality health care services to Medicaid beneficiaries and to the uninsured or underinsured persons or both in Vermont and across the nation.

Sec. E.602 Vermont state colleges

(a) The commissioner of finance and management shall issue warrants to pay one-twelfth of this appropriation to the Vermont State Colleges on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$427,898 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. E.603 Vermont state colleges – allied health

(a) If Global Commitment fund monies are unavailable, the total grant funding for the Vermont State Colleges shall be maintained through the general fund or other state funding sources.

(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in this section to support the dental hygiene, respiratory therapy, and nursing programs which graduate approximately 250 health care providers annually. These graduates deliver direct, high-quality health care services to Medicaid beneficiaries and uninsured or underinsured persons or both.

Sec. E.605 Vermont student assistance corporation

(a) Of this appropriation, \$25,000 is appropriated from the general fund to the Vermont Student Assistance Corporation to be deposited into the trust fund established in 16 V.S.A. § 2845.

(b) Except as provided in subsection (a) of this section, not less than 93 percent of grants shall be used for direct student aid.

(c) Funds available to the Vermont Student Assistance Corporation pursuant to Sec. E.215(a) of this act shall be used for the purposes of 16 V.S.A. § 2856. Any unexpended funds from this allocation shall carry forward for this purpose.

\* \* \* NATURAL RESOURCES \* \* \*

Sec. E.700 3 V.S.A. § 2805 is amended to read:

§ 2805. ENVIRONMENTAL PERMIT FUND

(a) There is hereby established a special fund to be known as the environmental permit fund for the purpose of implementing the programs specified under the provisions of subsections 2822(i) and (j) of this title. Revenues to the fund shall be those. Within the fund, there shall be two accounts: the environmental permit account and the air pollution control account. Unless otherwise specified, fees collected in accordance with subsections 2822(i) and (j) of this title, and 10 V.S.A. § 2625 and gifts and appropriations shall be deposited in the environmental permit account. Fees collected in accordance with subsections 2822(j)(1), (k), (l), and (m) of this title shall be deposited in the air pollution control account. The environmental permit fund shall be used to implement the programs specified under section 2822 of this title. The secretary of natural resources shall be responsible for

the fund and shall account for the revenues and expenditures of the agency of natural resources. The environmental permit fund shall be subject to the provisions of 32 V.S.A. chapter 7, subchapter 5. The environmental permit fund shall be used to cover a portion of the costs of administering the environmental division established under 4 V.S.A. chapter 27. The amount of \$143,000.00 per fiscal year shall be disbursed for this purpose.

(b) Any fee required to be collected under subdivision 2822(j)(1) of this title shall be utilized solely to cover all reasonable (direct or indirect) costs required to support the operating permit program authorized under 10 V.S.A. chapter 23 of Title 10. Any fee required to be collected under ~~subsections~~ subsection 2822(k), (l), or (m) of this title for air pollution control permits or registrations or motor vehicle registrations shall be utilized solely to cover all reasonable (direct or indirect) costs required to support the programs authorized under 10 V.S.A. chapter 23 of Title 10. Fees collected pursuant to subsections 2822(k), (l), and (m) of this title shall be used by the secretary to fund activities related to the secretary's hazardous or toxic contaminant monitoring programs and motor vehicle-related programs. ~~The environmental permit fund shall be subject to the provisions of subchapter 5 of chapter 7 of Title 32, except that any unencumbered environmental permit fund balance in excess of those fees collected under subdivision 2822(j)(1) and subsections (k), (l), and (m) of this title, and in excess of \$350,000.00 from those fees collected~~

~~from environmental permit fund sources other than subdivision 2822(j)(1) and subsections (k), (l), and (m) at the close of a fiscal year shall revert to the general fund. The environmental permit fund shall be used to cover a portion of the costs of administering the environmental division established under chapter 27 of Title 4. The amount of \$143,000.00 per fiscal year shall be disbursed for this purpose.~~

Sec. E.704 Forests, parks and recreation - forestry

(a) This special fund appropriation shall be authorized, notwithstanding the provisions of 3 V.S.A. § 2807(c)(2).

Sec. E.709 10 V.S.A. § 1174 is amended to read:

§ 1174. ~~APPROPRIATION~~ EXPENDITURE FOR SUPPORT OF THE CONNECTICUT COMMISSION

~~The sum of \$1,500.00 annually, or so much thereof as may be necessary, is hereby appropriated out of any fund not otherwise appropriated; The~~  
department of environmental conservation shall make an expenditure for the purpose of carrying out the provisions of Article VII of the compact, section 1158 of this title, relating to payment by the state to the Connecticut commission of the proportionate share of the state in the expenses of said commission. This ~~appropriation~~ expenditure is conditioned upon payment by the other compacting states of their proportionate amounts.

Sec. E.709.1 10 V.S.A. § 1175(c) is added to read:

(c) Funds received pursuant to subsection (a) of this section shall be credited to a special fund, established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5, from which payments shall be made in accordance with section 1176 of this title.

\* \* \* COMMERCE AND COMMUNITY DEVELOPMENT \* \* \*

Sec. E.800 Agency of commerce and community development –  
administration

(a) The establishment of one (1) new classified position – Economic Research Analyst – is authorized in fiscal year 2013 to perform economic analysis including VEGI modeling within the agency of commerce and community development.

Sec. E.800.1 TROPICAL STORM IRENE RELIEF INITIATIVE

(a) The secretary of administration and the secretary of commerce and community development shall:

(1) Work to include nondesignated counties in the area targeted by the U.S. Department of Housing and Urban Development (HUD) for 80 percent of the pending community development block grant disaster recovery allocation to Vermont;

(2) Hold regional public hearings regarding unmet housing, economic recovery, and infrastructure needs in the county for inclusion in the agency's

disaster action plan for the use of community development block grant disaster recovery funding. Groups and organizations that have not been directly involved with the economic development strategy shall be included and allocated adequate presentation time;

(3) Ensure agency participation at a senior level with the southeastern Vermont economic development strategy board;

(4) Provide a single point of contact and serve as a resource for affected communities on tax credits and other funding to assist with recovery;

(5) Coordinate Federal Emergency Management Agency (FEMA) and state assistance to address housing needs.

(b) The secretary of administration and the secretary of commerce and community development shall find \$100,000 within funds appropriated to the agency of commerce and community development and its programs or other funds that come available for this purpose to provide grants for communities and/or regional organizations involved in Tropical Storm Irene recovery in non-HUD disaster recovery assistance designated counties. These funds may also be used as matching funds.

Sec. E.800.2 STUDY; AGENCY OF COMMERCE AND COMMUNITY  
DEVELOPMENT AND INTEGRATED ECONOMIC  
DEVELOPMENT ASSISTANCE

(a) On or before January 15, 2013, the agency of commerce and community development shall conduct a study and deliver a report of its findings and recommendations to the house and senate committees on appropriations, the house committee on commerce and economic development, and the senate committee on economic development, housing and general affairs, addressing the following:

(1) whether a separate department of economic development should be created within the agency;

(2) how the agency can most effectively build stronger connections and integrated service delivery at the regional level with and through the regional development corporations;

(3) the most effective model for a single portal, through which businesses and entrepreneurs can access all state, regional, and local economic development assistance;

(4) assess the ability of the regional development corporations to be a true partner in meeting the economic development needs of the state and assess the appropriate structure, state funding, and outcome measurement of these organizations.

(b) In conducting the study, the secretary of commerce and community development shall consult with individuals who have private sector marketing and business experience and may contract with a third party with government, economic development, and management expertise. The study shall specifically consider and update the policy and legislative recommendations adopted by the commission on the future of economic development.

Sec. E.800.3 REPEAL

(a) 10 V.S.A. § 2 (unified economic development budget) is repealed.

Sec. E.800.4 STUDY; EXPANSION OF PROPERTY-ASSESSED CLEAN  
ENERGY PROGRAM TO INCLUDE COMMERCIAL REAL  
ESTATE

(a) On or before January 15, 2013, the commissioner of public service, in collaboration with the department of financial regulation, the office of the treasurer, Housing Vermont, the Vermont housing and conservation board, the department of economic, housing and community development, the Vermont bankers' association, and other interested private sector stakeholders, shall conduct a study on the feasibility, benefits, and costs of expanding Vermont's property-assessed clean energy program to include commercial real estate, and shall submit its findings and recommendations to the house committee on commerce and economic development, the senate committee on economic development, housing and general affairs, and the house and senate

committees on natural resources and energy. The study shall specifically consider appropriate measures to ensure sufficient funding and adequate reserves are available to incorporate commercial real estate into the program.

Sec. E.800.5 VERMONT TRAINING PROGRAM

(a) Notwithstanding 10 V.S.A. § 531, the secretary may authorize up to ten percent of the funds allocated within the Vermont training program for employers that meet at least one but less than three of the criteria specified within 10 V.S.A. § 531(b) and (c)(3). The secretary shall report to the house committee on commerce and economic development and the senate committee on economic development, housing and general affairs by January 15, 2013 on the use or proposed use of funds under this provision.

(b) The secretary shall report to the house committee on commerce and economic development and the senate committee on economic development, housing and general affairs by January 15, 2013 on any funds used in fiscal year 2012 and used or proposed to be used in fiscal year 2013 for the purposes of 10 V.S.A. § 531(d)(2) and shall report with the commissioner of labor on the number of employers who have applied for and/or received workforce training funds from more than one state program within fiscal years 2012 and 2013.

Sec. E.800.6 [DELETED]

Sec. E.801 Economic, housing, and community development

(a) Of this appropriation \$25,000 is for a performance contract to develop the composite technology industry statewide.

Sec. E.801.1 REPEAL

(a) Sec. 10a(b) of No. 52 of the Acts of 2011 (Vermont training program, grant eligibility repeal) is repealed.

Sec. E.803 Community development block grants

(a) Community development block grants shall carry forward until expended.

Sec. E.805 Tourism and marketing

(a) Funds granted to the Shires of Vermont shall be made through a performance contract. One provision of the contract will ensure the marketing of businesses in the southeast corner of Vermont, not limited to those associated with the local chamber of commerce.

Sec. E.806 3 V.S.A. § 2473a is amended to read:

§ 2473a. VERMONT LIFE MAGAZINE

\* \* \*

(c) ~~A revolving~~ An enterprise fund for the operation of Vermont Life magazine is created, which shall consist of all revenues derived from the sale of Vermont Life magazine, advertising in Vermont life magazine, the sale of other products under the Vermont life label, digital and other emerging media.

advisory services, sponsorships, grants, events, promotions, competitions, partnerships, licensing, fundraisers, markups on retail sales of other parties' products, other commercial activities that are consistent with Vermont Life values and supportive of the Vermont brand and approved by the secretary with the consultation of the Vermont Life Advisory Board established in Executive Order #22-2, any interest earned by Vermont Life magazine, and all sums which are from time to time appropriated for the support of Vermont Life magazine and its operations.

(d) All expenses incurred in the production, publication, and sale of Vermont Life magazine, advertising, and other products under the Vermont Life label shall be paid from the ~~revolving~~ enterprise fund.

(e) The receipt and expenditure of moneys from the ~~revolving~~ enterprise fund shall be under the supervision of the business manager and at the direction of the publisher, subject to the provisions of this section. Vermont Life magazine shall maintain accurate and complete records of all receipts and expenditures by and from the fund, and shall make an annual report on the condition of the fund to the secretary of the agency, who shall in turn provide the report to the secretary of administration.

\* \* \* TRANSPORTATION \* \* \*

Sec. E.909 Transportation – central garage

(a) Of this appropriation, \$5,888,573 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. E.910 ALLOCATION OF SNOWMOBILE REGISTRATION

REVENUE

(a) Notwithstanding 23 V.S.A. § 3214(a), for the period July 1, 2009 to April 4, 2012, the full amount of revenue from the sale of resident and nonresident snowmobile registrations shall be allocated to the agency of natural resources for use by Vermont Association of Snow Travelers (VAST), and for the purposes described in that subsection.

Sec. E.915 Transportation – town highway aid program

(a) This appropriation is authorized notwithstanding the provisions of 19 V.S.A. § 306(a).

Sec. E.922 19 V.S.A. § 11a is amended to read:

§ 11a. TRANSPORTATION FUNDS APPROPRIATED FOR THE  
DEPARTMENT OF PUBLIC SAFETY

No transportation funds shall be appropriated for the support of government other than for the agency of transportation, the transportation board, transportation pay act funds, construction of transportation capital facilities

used by the agency of transportation, transportation debt service, the department of buildings and general services information centers, and the department of public safety. The amount of transportation funds appropriated to the department of public safety shall:

- (1) ~~in fiscal year 2010 not exceed \$30,850,000.00;~~
- (2) ~~in fiscal year 2011 not exceed \$28,350,000.00; and~~
- (3) ~~in fiscal year 2012 not exceed \$25,250,000.00.~~

Sec. E.1100 [DELETED]

Sec. F.100 EFFECTIVE DATES

(a) This section and Secs. C.100 (fiscal year 2012 budget adjustment, DVHA – administration), C.101 (fiscal year 2012 budget adjustment, DVHA – Medicaid program – Global Commitment), C.102 (fiscal year 2012 budget adjustment, human services function total), C.103 (fiscal year 2012 budget adjustment, general fund reversions), C.200 (immunization pilot program extension), C.201 (potential property valuation loss; current homeowners), C.202 (one-time appropriation for federal funds reduction), C.203 (fiscal year 2012 budget adjustment, human services caseload reserve expenditures), C.204 (workforce education and training fund carry forward), C.205 (fiscal year 2012 budget adjustment, general fund revenue estimate and balance), C.206 (contingent transfer of transportation or transportation infrastructure bond funds), C.207 (fiscal year 2012 general fund appropriation transfer), D.104

(tobacco litigation settlement fund balance), D.107 (transfer of national mortgage foreclosure settlement funds), E.307.10 (expedited rules for VHAP/Medicaid co-pays), E.307.11 (eligibility restoration), E.311 and E.311.1 (Vermont prescription monitoring system), E.313(e) (health – alcohol and drug abuse programs), E.801.1 (Vermont training program, grant eligibility repeal of repeal), and E.910 (allocation of snowmobile registration revenue) of this act shall take effect upon passage.

Approved: May 17, 2012