

House Calendar

Tuesday, February 14, 2012

43rd DAY OF THE ADJOURNED SESSION

House Convenes at 10:00 a.m.

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ACTION CALENDAR

Favorable with amendment

H. 39

An act relating to advance directives for service members

Rep. Andrews of Rutland City, for the Committee on **General, Housing and Military Affairs**, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 9715 is amended to read:

§ 9715. INTERPRETATION WITH OTHER LAWS

* * *

(d) Nothing in this chapter shall be construed to limit the effect of a DD Form 93 (Record of Emergency Data) properly executed by a current or former member of the armed forces of the United States described in 10 U.S.C. § 1481(a).

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

and by amending the title of the bill to read “An act relating to persons authorized to direct disposition of service members’ remains”

(**Committee Vote: 8-0-0**)

Senate Proposal of Amendment

H. 558

An act relating to fiscal year 2012 budget adjustment

The Senate proposes to the House to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. Sec. B.100 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	640,938	640,938
Operating expenses	<u>74,914</u>	<u>271,914</u>
Total	<u>715,852</u>	912,852
Source of funds		
General fund	<u>715,852</u>	<u>912,852</u>

Total	715,852	912,852
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Sec. 2. Sec. B.102 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	1,080,093	1,126,093
Operating expenses	<u>216,873</u>	<u>216,873</u>
Total	1,296,966	1,342,966
Source of funds		
General fund	1,053,132	1,099,132
Interdepartmental transfers	<u>243,834</u>	<u>243,834</u>
Total	1,296,966	1,342,966

Sec. 3. Sec. B.104 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.104 Human resources - operations

Personal services	5,454,543	5,454,543
Operating expenses	720,455	<u>701,837</u>
Total	6,174,998	6,156,380
Source of funds		
General fund	1,819,211	1,800,593
Special funds	280,835	280,835
Internal service funds	3,361,536	3,361,536
Interdepartmental transfers	<u>713,416</u>	<u>713,416</u>
Total	6,174,998	6,156,380

Sec. 4. Sec. B.137 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.137 Homeowner rebate

Grants	15,190,000	<u>14,190,000</u>
Total	15,190,000	14,190,000
Source of funds		
General fund	15,190,000	<u>14,190,000</u>
Total	15,190,000	14,190,000

Sec. 5. Sec. B.138 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.138 Renter rebate

Grants	8,300,000	<u>8,602,825</u>
Total	8,300,000	8,602,825
Source of funds		
General fund	2,500,000	2,802,825
Education fund	<u>5,800,000</u>	<u>5,800,000</u>
Total	8,300,000	8,602,825

Sec. 6. Sec. B.145 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.145 Total general government	196,680,589	196,207,796
Source of funds		
General fund	70,286,567	69,813,774
Special funds	10,097,322	10,097,322
Tobacco fund	58,000	58,000
Education fund	9,040,000	9,040,000
Federal funds	878,355	878,355
Internal service funds	59,092,893	59,092,893
Interdepartmental transfers	5,751,979	5,751,979
Enterprise funds	3,000,963	3,000,963
Pension trust funds	37,560,515	37,560,515
Private purpose trust funds	<u>913,995</u>	<u>913,995</u>
Total	196,680,589	196,207,796

Sec. 7. Sec. B.204 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.204 Judiciary		
Personal services	29,103,880	29,128,880
Operating expenses	10,175,038	10,300,038
Grants	<u>70,000</u>	<u>70,000</u>
Total	39,348,918	39,498,918
Source of funds		
General fund	31,331,211	31,481,211
Special funds	4,175,542	4,175,542
Tobacco fund	39,871	39,871
Federal funds	1,129,259	1,129,259
Interdepartmental transfers	<u>2,673,035</u>	<u>2,673,035</u>
Total	39,348,918	39,498,918

Sec. 8. Sec. B.205 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.205 State's attorneys		
Personal services	9,433,100	9,440,100
Operating expenses	<u>1,141,004</u>	<u>1,141,004</u>
Total	10,574,104	10,581,104
Source of funds		
General fund	8,297,085	8,297,085
Special funds	60,699	60,699
Federal funds	31,000	31,000
Interdepartmental transfers	<u>2,185,320</u>	<u>2,192,320</u>
Total	10,574,104	10,581,104

Sec. 9. Sec. B.209 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.209 Public safety - state police

Personal services	44,208,236	44,859,810
Operating expenses	7,046,296	7,046,296
Grants	<u>971,590</u>	<u>971,590</u>
Total	<u>52,226,122</u>	52,877,696
Source of funds		
General fund	21,233,922	21,885,496
Transportation fund	25,238,498	25,238,498
Special funds	1,003,612	1,003,612
Federal funds	3,401,866	3,401,866
ARRA funds	296,107	296,107
Interdepartmental transfers	<u>1,052,117</u>	<u>1,052,117</u>
Total	<u>52,226,122</u>	52,877,696

Sec. 10. Sec. B.210 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.210 Public safety - criminal justice services

Personal services	7,267,663	7,567,283
Operating expenses	2,565,979	2,565,979
Grants	<u>5,989,000</u>	<u>5,989,000</u>
Total	15,822,642	16,122,262
Source of funds		
General fund	6,124,932	6,424,552
Special funds	1,468,701	1,468,701
Federal funds	7,890,543	7,890,543
ARRA funds	<u>338,466</u>	<u>338,466</u>
Total	15,822,642	16,122,262

Sec. 11. Sec. B.215 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.215 Military - administration

Personal services	468,699	468,699
Operating expenses	376,507	1,117,764
Grants	<u>100,000</u>	<u>100,000</u>
Total	<u>945,206</u>	1,686,463
Source of funds		
General fund	<u>945,206</u>	<u>1,686,463</u>
Total	<u>945,206</u>	1,686,463

Sec. 12. Sec. B.240 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.240 Total protection to persons and property	294,212,516	296,061,967
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Source of funds		
General fund	105,736,367	107,578,818
Transportation fund	25,238,498	25,238,498
Special funds	70,577,645	70,577,645
Tobacco fund	956,816	956,816
Federal funds	58,629,823	58,629,823
ARRA funds	16,822,047	16,822,047
Global Commitment fund	1,989,102	1,989,102
Interdepartmental transfers	<u>9,215,074</u>	9,222,074
Enterprise funds	<u>5,047,144</u>	<u>5,047,144</u>
Total	294,212,516	296,061,967

Sec. 13. Sec. B.300 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	8,161,616	8,968,705
Operating expenses	3,097,481	2,821,996
Grants	<u>5,235,805</u>	<u>6,135,805</u>
Total	16,494,902	17,926,506

Source of funds

General fund	4,913,133	5,088,304
Special fund	7,517	7,517
Tobacco fund	290,330	287,997
Federal funds	7,752,402	9,979,972
Global Commitment fund	415,000	415,000
Interdepartmental transfers	<u>3,116,520</u>	<u>2,147,716</u>
Total	16,494,902	17,926,506

Sec. 14. Sec. B.301 of No. 63 of the Acts of 2011 is amended to read:

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

Grants	1,080,785,264	<u>1,084,179,866</u>
Total	1,080,785,264	1,084,179,866

Source of funds

General fund	139,267,121	125,548,225
Special funds	18,630,961	19,052,361
Tobacco fund	36,978,473	36,978,473
State health care resources fund	221,579,040	234,205,524
Catamount fund	23,948,700	25,226,979
Federal funds	639,692,834	642,480,169
Interdepartmental transfers	<u>688,135</u>	<u>688,135</u>
Total	1,080,785,264	1,084,179,866

Sec. 15. Sec. B.302 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.302 Rate setting		
Personal services	852,330	820,620
Operating expenses	<u>80,608</u>	<u>53,686</u>
Total	932,938	874,306
Source of funds		
Global Commitment fund	<u>932,938</u>	<u>874,306</u>
Total	932,938	874,306

Sec. 16. Sec. B.306 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.306 Department of Vermont health access - administration		
Personal services	85,804,852	86,056,056
Operating expenses	2,761,571	(1,759,604)
Grants	<u>7,625,573</u>	<u>7,604,073</u>
Total	96,191,996	91,900,525
Source of funds		
General fund	945,014	489,014
Special funds	1,579,123	1,579,123
Federal funds	43,169,600	39,064,279
ARRA funds	2,505,044	2,505,044
Global Commitment fund	43,916,098	44,185,948
Interdepartmental transfers	<u>4,077,117</u>	<u>4,077,117</u>
Total	96,191,996	91,900,525

Sec. 17. Sec. B.307 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.307 Department of Vermont health access - Medicaid program - global commitment		
Grants	<u>640,777,596</u>	<u>638,970,335</u>
Total	640,777,596	638,970,335
Source of funds		
Global Commitment fund	<u>640,777,596</u>	<u>638,970,335</u>
Total	640,777,596	638,970,335

Sec. 18. Sec. B.308 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.308 Department of Vermont health access - Medicaid program - long term care waiver		
Grants	<u>205,491,171</u>	<u>202,453,817</u>
Total	205,491,171	202,453,817
Source of funds		
General fund	86,593,979	83,843,969
Federal funds	<u>118,897,192</u>	<u>118,609,848</u>
Total	205,491,171	202,453,817

Sec. 19. Sec. B.309 of No. 63 of the Acts of 2011 is amended to read:

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

Grants	<u>26,979,994</u>	<u>26,616,777</u>
Total	<u>26,979,994</u>	<u>26,616,777</u>
Source of funds		
General fund	<u>25,896,529</u>	<u>25,466,728</u>
Global Commitment fund	<u>1,083,465</u>	<u>1,150,049</u>
Total	<u>26,979,994</u>	<u>26,616,777</u>

Sec. 20. Sec. B.310 of No. 63 of the Acts of 2011 is amended to read:

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

Grants	<u>42,553,092</u>	<u>43,863,618</u>
Total	<u>42,553,092</u>	<u>43,863,618</u>
Source of funds		
General fund	<u>17,931,272</u>	<u>17,837,604</u>
Federal funds	<u>24,621,820</u>	<u>26,026,014</u>
Total	<u>42,553,092</u>	<u>43,863,618</u>

Sec. 21. Sec. B.311 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.311 Health - administration and support

Personal services	<u>5,485,409</u>	<u>5,319,736</u>
Operating expenses	<u>1,932,004</u>	<u>1,932,004</u>
Grants	<u>2,781,190</u>	<u>3,181,190</u>
Total	<u>10,198,603</u>	<u>10,432,930</u>
Source of funds		
General fund	<u>1,059,487</u>	<u>1,043,859</u>
Special funds	<u>324,063</u>	<u>674,063</u>
Federal funds	<u>5,152,054</u>	<u>5,070,009</u>
ARRA funds	<u>81,815</u>	<u>81,815</u>
Global Commitment fund	<u>3,581,184</u>	<u>3,563,184</u>
Total	<u>10,198,603</u>	<u>10,432,930</u>

Sec. 22. Sec. B.312 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.312 Health - public health

Personal services	<u>33,496,002</u>	<u>33,353,719</u>
Operating expenses	<u>7,145,652</u>	<u>7,145,126</u>
Grants	<u>33,438,566</u>	<u>32,976,653</u>
Total	<u>74,080,220</u>	<u>73,475,498</u>

Source of funds		
General fund	7,262,449	7,262,449
Special funds	11,012,411	10,974,251
Tobacco fund	1,594,000	1,594,000
Federal funds	32,903,499	32,800,052
ARRA funds	460,165	460,165
Global Commitment fund	19,862,288	19,399,173
Interdepartmental transfers	975,408	975,408
Dedicated Trust funds	<u>10,000</u>	<u>10,000</u>
Total	74,080,220	73,475,498

Sec. 23. Sec. B.313 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	2,650,944	2,636,691
Operating expenses	371,158	371,158
Grants	25,881,381	26,293,294
Total	28,903,483	29,301,143
Source of funds		
General fund	3,211,543	3,211,543
Special funds	233,884	233,884
Tobacco fund	1,386,234	1,386,234
Federal funds	5,955,677	5,952,064
Global Commitment fund	17,766,145	18,167,418
Interdepartmental transfers	<u>350,000</u>	<u>350,000</u>
Total	28,903,483	29,301,143

Sec. 24. Sec. B.314 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.314 Mental health - mental health

Personal services	5,486,339	5,482,633
Operating expenses	1,117,984	1,040,984
Grants	124,369,250	128,344,044
Total	130,973,573	134,867,661
Source of funds		
General fund	811,295	811,295
Special funds	6,836	6,836
Federal funds	6,555,971	6,552,154
Global Commitment fund	123,579,471	127,477,376
Interdepartmental transfers	<u>20,000</u>	<u>20,000</u>
Total	130,973,573	134,867,661

Sec. 25. Sec. B.315 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.315 Mental health - Vermont state hospital

Personal services	20,479,188	20,479,188
Operating expenses	2,056,312	1,394,734
Grants	<u>82,335</u>	<u>82,335</u>
Total	22,617,835	21,956,257
Source of funds		
General fund	17,016,067	16,513,585
Special funds	835,486	810,816
Federal funds	213,564	213,564
Global Commitment fund	4,252,718	4,127,151
Interdepartmental transfers	<u>300,000</u>	<u>291,141</u>
Total	22,617,835	21,956,257

Sec. 26. Sec. B.316 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	38,009,556	37,135,535
Operating expenses	7,835,052	7,031,515
Grants	<u>1,206,996</u>	<u>1,206,996</u>
Total	47,051,604	45,374,046
Source of funds		
General fund	16,383,046	15,544,761
Federal funds	14,330,642	13,921,484
Global Commitment fund	16,125,416	15,695,301
Interdepartmental transfers	<u>212,500</u>	<u>212,500</u>
Total	47,051,604	45,374,046

Sec. 27. Sec. B.317 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	23,318,476	23,348,827
Operating expenses	3,408,618	3,303,950
Grants	<u>60,116,513</u>	<u>60,615,513</u>
Total	86,843,607	87,268,290
Source of funds		
General fund	20,908,063	20,693,747
Special funds	1,691,637	1,691,637
Tobacco fund	275,000	275,000
Federal funds	27,652,387	27,535,431
Global Commitment fund	36,216,520	36,972,475
Interdepartmental transfers	<u>100,000</u>	<u>100,000</u>
Total	86,843,607	87,268,290

Sec. 28. Sec. B.318 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	3,165,567	3,223,028
Operating expenses	520,809	416,597
Grants	<u>58,804,943</u>	<u>59,042,563</u>
Total	62,491,319	62,682,188
Source of funds		
General fund	23,492,835	25,315,367
Special funds	1,820,000	1,820,000
Federal funds	29,131,536	27,994,379
Global Commitment fund	7,907,441	7,412,935
Interdepartmental transfers	<u>139,507</u>	<u>139,507</u>
Total	62,491,319	62,682,188

Sec. 29. Sec. B.319 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	8,739,557	8,694,044
Operating expenses	<u>4,162,561</u>	<u>4,035,932</u>
Total	12,902,118	12,729,976
Source of funds		
General fund	2,638,576	3,009,614
Special funds	455,718	455,718
Federal funds	9,420,224	8,877,044
Interdepartmental transfers	<u>387,600</u>	<u>387,600</u>
Total	12,902,118	12,729,976

Sec. 30. Sec. B.320 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	1,827,113	1,827,113
Grants	<u>11,044,541</u>	<u>11,255,394</u>
Total	12,871,654	13,082,507
Source of funds		
General fund	9,121,654	9,332,507
Global Commitment fund	<u>3,750,000</u>	<u>3,750,000</u>
Total	12,871,654	13,082,507

Sec. 31. Sec. B.321 of No. 63 of the Acts of 2011 is amended to read:

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

Grants	<u>6,500,000</u>	<u>8,074,091</u>
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Total	6,500,000	8,074,091
Source of funds		
General fund	5,048,680	6,187,719
Federal funds	1,111,320	1,111,320
Global Commitment fund	<u>340,000</u>	<u>775,052</u>
Total	6,500,000	8,074,091

Sec. 32. Sec. B.322 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.322 Department for children and families - 3SquaresVT

Grants	<u>23,756,778</u>	<u>24,860,290</u>
Total	23,756,778	24,860,290
Source of funds		
Federal funds	<u>23,756,778</u>	<u>24,860,290</u>
Total	23,756,778	24,860,290

Sec. 33. Sec. B.323 of No. 63 of the Acts of 2011 is amended to read:

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

Grants	<u>49,155,572</u>	<u>48,919,251</u>
Total	49,155,572	48,919,251
Source of funds		
General fund	19,481,509	19,120,188
Special funds	19,916,856	20,041,856
Federal funds	7,882,807	7,882,807
Global Commitment fund	<u>1,874,400</u>	<u>1,874,400</u>
Total	49,155,572	48,919,251

Sec. 34. Sec. B.324 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	20,000	20,000
Operating expenses	90,000	90,000
Grants	<u>11,502,664</u>	<u>11,547,664</u>
Total	11,612,664	11,657,664
Source of funds		
Federal funds	<u>11,612,664</u>	<u>11,657,664</u>
Total	11,612,664	11,657,664

Sec. 35. Sec. B.325 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	<u>262,256</u>	260,866
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Operating expenses	80,518	70,468
Grants	<u>4,759,371</u>	<u>4,866,237</u>
Total	<u>5,102,145</u>	<u>5,197,571</u>
Source of funds		
General fund	1,251,040	1,251,040
Special funds	57,990	57,990
Federal funds	3,793,115	3,736,675
<u>Global Commitment fund</u>		<u>151,866</u>
Total	<u>5,102,145</u>	<u>5,197,571</u>

Sec. 36. Sec. B.327 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	3,691,894	3,476,048
Operating expenses	<u>590,115</u>	<u>590,115</u>
Total	<u>4,282,009</u>	<u>4,066,163</u>
Source of funds		
General fund	964,774	764,774
Global Commitment fund	3,262,343	3,246,497
Interdepartmental transfers	<u>54,892</u>	<u>54,892</u>
Total	<u>4,282,009</u>	<u>4,066,163</u>

Sec. 37. Sec. B.328 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.328 Department for children and families - disability determination services

Personal services	4,513,664	4,492,057
Operating expenses	<u>1,142,442</u>	<u>1,142,442</u>
Total	<u>5,656,106</u>	<u>5,634,499</u>
Source of funds		
Federal funds	5,409,589	5,387,982
Global Commitment fund	<u>246,517</u>	<u>246,517</u>
Total	<u>5,656,106</u>	<u>5,634,499</u>

Sec. 38. Sec. B.329 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	24,093,021	23,955,363
Operating expenses	<u>3,838,249</u>	<u>3,494,338</u>
Total	<u>27,931,270</u>	<u>27,449,701</u>
Source of funds		
General fund	7,126,532	7,054,548

Special funds	889,246	889,246
Federal funds	<u>11,194,950</u>	11,039,048
Global Commitment fund	6,230,760	5,996,588
Interdepartmental transfers	<u>2,489,782</u>	<u>2,470,271</u>
Total	<u>27,931,270</u>	27,449,701

Sec. 39. Sec. B.330 of No. 63 of the Acts of 2011 is amended to read:

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

Grants	<u>20,538,891</u>	<u>21,151,422</u>
Total	<u>20,538,891</u>	21,151,422
Source of funds		
General fund	<u>8,782,473</u>	8,456,650
Federal funds	7,645,317	7,645,317
Global Commitment fund	<u>3,473,601</u>	4,411,955
Interdepartmental transfers	<u>637,500</u>	<u>637,500</u>
Total	<u>20,538,891</u>	21,151,422

Sec. 40. Sec. B.333 of No. 63 of the Acts of 2011 is amended to read:

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

Grants	<u>152,288,227</u>	<u>151,538,227</u>
Total	<u>152,288,227</u>	151,538,227
Source of funds		
General fund	155,125	155,125
Special funds	15,463	15,463
Federal funds	359,857	359,857
Global Commitment fund	<u>151,757,782</u>	<u>151,007,782</u>
Total	<u>152,288,227</u>	151,538,227

Sec. 41. Sec. B.335 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.335 Corrections - administration

Personal services	<u>1,959,290</u>	1,877,803
Operating expenses	<u>194,525</u>	<u>194,525</u>
Total	<u>2,153,815</u>	2,072,328
Source of funds		
General fund	<u>2,153,815</u>	<u>2,072,328</u>
Total	<u>2,153,815</u>	2,072,328

Sec. 42. Sec. B.336 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.336 Corrections - parole board

Personal services	262,434	262,434
Operating expenses	<u>60,198</u>	<u>48,895</u>
Total	<u>322,632</u>	<u>311,329</u>
Source of funds		
General fund	<u>322,632</u>	<u>311,329</u>
Total	<u>322,632</u>	<u>311,329</u>

Sec. 43. Sec. B.337 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.337 Corrections - correctional education

Personal services	4,391,210	4,391,210
Operating expenses	<u>306,274</u>	<u>292,833</u>
Total	<u>4,697,484</u>	<u>4,684,043</u>
Source of funds		
Education fund	<u>4,321,425</u>	4,307,984
Interdepartmental transfers	<u>376,059</u>	<u>376,059</u>
Total	<u>4,697,484</u>	<u>4,684,043</u>

Sec. 44. Sec. B.338 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.338 Corrections - correctional services

Personal services	81,867,751	82,441,706
Operating expenses	34,909,316	33,838,300
Grants	<u>6,076,953</u>	<u>6,183,953</u>
Total	122,854,020	122,463,959
Source of funds		
General fund	118,621,136	117,444,094
Special funds	483,963	483,963
Tobacco fund	87,500	87,500
Federal funds	170,962	170,962
Global Commitment fund	3,094,144	3,881,125
Interdepartmental transfers	<u>396,315</u>	<u>396,315</u>
Total	122,854,020	122,463,959

Sec. 45. Sec. B.339 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	<u>8,249,395</u>	<u>11,434,060</u>
Total	<u>8,249,395</u>	<u>11,434,060</u>
Source of funds		
General fund	<u>8,249,395</u>	<u>11,434,060</u>
Total	<u>8,249,395</u>	<u>11,434,060</u>

Sec. 46. Sec. B.345 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.345 Total human services	3,095,921,720	3,099,150,587
Source of funds		
General fund	552,053,592	537,708,844
Special funds	76,643,259	77,476,829
Tobacco fund	40,611,537	40,609,204
State health care resources fund	221,579,040	234,205,524
Catamount fund	23,948,700	25,226,979
Education fund	4,321,425	4,307,984
Federal funds	1,052,142,881	1,052,684,505
ARRA funds	6,592,649	6,592,649
Global Commitment fund	1,096,854,182	1,100,160,788
Internal service funds	1,463,890	1,463,890
Interdepartmental transfers	19,700,565	18,703,391
Permanent trust funds	10,000	10,000
Total	3,095,921,720	3,099,150,587

Sec. 47. Sec. B.400 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.400 Labor		
Personal services	24,811,666	24,811,666
Operating expenses	5,662,677	5,662,677
Grants	975,000	<u>1,025,000</u>
Total	31,449,343	31,499,343
Source of funds		
General fund	2,400,316	2,852,309
Special funds	3,765,862	3,363,869
Federal funds	23,888,739	23,888,739
Interdepartmental transfers	1,394,426	<u>1,394,426</u>
Total	31,449,343	31,499,343

Sec. 48. Sec. B.402 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.402 Total labor	31,449,343	31,499,343
Source of funds		
General fund	2,400,316	2,852,309
Special funds	3,765,862	3,363,869
Federal funds	23,888,739	23,888,739
Interdepartmental transfers	1,394,426	<u>1,394,426</u>
Total	31,449,343	31,499,343

Sec. 49. Sec. B.700 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.700 Natural resources - agency of natural resources - administration		
Personal services	2,739,259	2,739,259

Operating expenses	1,141,374	1,001,265
Grants	<u>45,510</u>	<u>45,510</u>
Total	3,926,143	3,786,034
Source of funds		
General fund	3,720,213	3,580,104
Special funds	54,484	54,484
Federal funds	25,000	25,000
Interdepartmental transfers	<u>126,446</u>	<u>126,446</u>
Total	3,926,143	3,786,034

Sec. 50. Sec. B.702 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	12,718,176	12,718,176
Operating expenses	<u>5,253,194</u>	5,341,327
Grants	<u>904,333</u>	<u>904,333</u>
Total	18,875,703	18,963,836
Source of funds		
General fund	983,713	2,126,546
Special funds	20,000	20,000
Fish and wildlife fund	17,531,844	16,477,144
Interdepartmental transfers	<u>340,146</u>	<u>340,146</u>
Total	18,875,703	18,963,836

Sec. 51. Sec. B.703 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	980,517	980,517
Operating expenses	649,734	561,276
Grants	<u>1,815,492</u>	<u>1,815,492</u>
Total	3,445,743	3,357,285
Source of funds		
General fund	1,174,865	1,086,407
Special funds	1,307,878	1,307,878
Federal funds	<u>963,000</u>	<u>963,000</u>
Total	3,445,743	3,357,285

Sec. 52. Sec. B.704 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	4,377,380	4,409,933
Operating expenses	495,362	495,362
Grants	<u>501,000</u>	<u>501,000</u>
Total	5,373,742	5,406,295

Source of funds		
General fund	3,008,767	3,041,320
Special funds	975,069	975,069
Federal funds	1,259,906	1,259,906
Interdepartmental transfers	<u>130,000</u>	<u>130,000</u>
Total	<u>5,373,742</u>	5,406,295

Sec. 53. Sec. B.709 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	3,958,930	3,958,930
Operating expenses	<u>994,994</u>	767,787
Grants	<u>109,800</u>	<u>109,800</u>
Total	<u>5,063,724</u>	4,836,517
Source of funds		
General fund	1,217,592	1,157,911
Special funds	1,695,813	1,654,500
Federal funds	1,400,917	1,359,810
ARRA funds	230,000	230,000
Interdepartmental transfers	<u>519,402</u>	434,296
Total	<u>5,063,724</u>	4,836,517

Sec. 54. Sec. B.710 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	9,579,425	9,579,425
Operating expenses	6,851,818	8,428,405
Grants	<u>2,184,487</u>	<u>2,184,487</u>
Total	<u>18,615,730</u>	20,192,317
Source of funds		
General fund	413,960	396,908
Special funds	<u>13,739,808</u>	15,405,916
Federal funds	<u>3,778,578</u>	3,710,067
ARRA funds	378,384	378,384
Interdepartmental transfers	<u>305,000</u>	<u>301,042</u>
Total	<u>18,615,730</u>	20,192,317

Sec. 55. Sec. B.711 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	13,597,174	13,597,174
Operating expenses	<u>2,208,956</u>	1,848,341
Grants	<u>2,672,351</u>	<u>2,672,351</u>
Total	<u>18,478,481</u>	18,117,866

Source of funds		
General fund	5,620,885	5,484,472
Special funds	4,915,687	4,820,133
Federal funds	7,224,982	7,106,230
ARRA funds	90,302	90,302
Interdepartmental transfers	<u>626,625</u>	<u>616,729</u>
Total	18,478,481	18,117,866

Sec. 56. Sec. B.714 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.714 Total natural resources	88,854,316	89,735,200
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Source of funds		
General fund	19,453,909	20,187,582
Special funds	32,609,375	34,138,616
Fish and wildlife fund	17,531,844	16,477,144
Federal funds	15,796,383	15,568,013
ARRA funds	698,686	698,686
Interdepartmental transfers	<u>2,764,119</u>	<u>2,665,159</u>
Total	88,854,316	89,735,200

Sec. 57. Sec. B.801 of No. 63 of the Acts of 2011 is amended to read:

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

Personal services	7,892,289	7,892,289
Operating expenses	1,294,316	1,294,316
Grants	<u>12,127,703</u>	<u>12,242,903</u>
Total	21,314,308	21,429,508

Source of funds		
General fund	5,875,933	5,991,133
Special funds	3,948,699	3,948,699
Federal funds	11,337,260	11,337,260
ARRA funds	52,416	52,416
Interdepartmental transfers	<u>100,000</u>	<u>100,000</u>
Total	21,314,308	21,429,508

Sec. 58. Sec. B.805 of No. 63 of the Acts of 2011 is amended to read:

 Sec. B.805 Tourism and marketing

Personal services	1,313,796	1,334,096
Operating expenses	1,613,714	1,659,414
Grants	<u>143,500</u>	<u>143,500</u>
Total	3,071,010	3,137,010

Source of funds		
General fund	3,021,010	3,087,010

Interdepartmental transfers	<u>50,000</u>	<u>50,000</u>
Total	<u>3,071,010</u>	<u>3,137,010</u>

Sec. 59. Sec. B.812 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.812 Total commerce and community development	<u>60,652,486</u>	<u>60,833,686</u>
Source of funds		
General fund	<u>13,189,010</u>	<u>13,370,210</u>
Special funds	<u>13,118,165</u>	<u>13,118,165</u>
Federal funds	<u>32,424,206</u>	<u>32,424,206</u>
ARRA funds	<u>1,002,416</u>	<u>1,002,416</u>
Interdepartmental transfers	<u>206,000</u>	<u>206,000</u>
Enterprise funds	<u>712,689</u>	<u>712,689</u>
Total	<u>60,652,486</u>	<u>60,833,686</u>

Sec. 60. Sec. B.901 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.901 Transportation - aviation		
Personal services	<u>2,578,742</u>	<u>2,578,742</u>
Operating expenses	<u>5,005,242</u>	<u>3,755,242</u>
Grants	<u>160,000</u>	<u>160,000</u>
Total	<u>7,743,984</u>	<u>6,493,984</u>
Source of funds		
Transportation fund	<u>3,396,984</u>	<u>3,271,984</u>
Federal funds	<u>4,347,000</u>	<u>3,222,000</u>
Total	<u>7,743,984</u>	<u>6,493,984</u>

Sec. 61. Sec. B.903 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.903 Transportation - program development		
Personal services	<u>36,255,937</u>	<u>36,255,937</u>
Operating expenses	<u>199,450,849</u>	<u>198,466,149</u>
Grants	<u>30,093,679</u>	<u>30,093,679</u>
Total	<u>265,800,465</u>	<u>264,815,765</u>
Source of funds		
Transportation fund	<u>29,381,520</u>	<u>28,381,520</u>
TIB fund	<u>13,516,260</u>	<u>15,331,560</u>
Federal funds	<u>210,051,644</u>	<u>208,251,644</u>
ARRA funds	<u>5,328,993</u>	<u>5,328,993</u>
Interdepartmental transfers	<u>4,993,195</u>	<u>4,993,195</u>
Local match	<u>2,528,853</u>	<u>2,528,853</u>
Total	<u>265,800,465</u>	<u>264,815,765</u>

Sec. 62. Sec. B.905 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.905 Transportation - maintenance state system

Personal services	35,559,722	35,559,722
Operating expenses	31,657,070	33,682,070
Grants	<u>50,000</u>	<u>50,000</u>
Total	<u>67,266,792</u>	69,291,792
Source of funds		
Transportation fund	65,611,298	67,636,298
Federal funds	1,555,494	1,555,494
Interdepartmental transfers	<u>100,000</u>	<u>100,000</u>
Total	<u>67,266,792</u>	69,291,792

Sec. 63. Sec. B.910 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.910 Department of motor vehicles

Personal services	16,488,866	15,188,866
Operating expenses	8,873,827	8,873,827
Grants	<u>50,000</u>	<u>50,000</u>
Total	25,412,693	24,112,693
Source of funds		
Transportation fund	22,643,786	21,343,786
Federal funds	<u>2,768,907</u>	<u>2,768,907</u>
Total	25,412,693	24,112,693

Sec. 64. Sec. B.917 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.917 Transportation - town highway emergency fund

Grants	750,000	<u>850,000</u>
Total	750,000	850,000
Source of funds		
Transportation fund	750,000	<u>850,000</u>
Total	750,000	850,000

Sec. 65. Sec. B.921 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.921 Total transportation	553,635,290	552,225,590
Source of funds		
Transportation fund	191,665,076	191,365,076
TIB fund	19,009,937	20,825,237
Federal funds	276,191,518	273,266,518
ARRA funds	40,582,716	40,582,716
Internal service funds	17,286,915	17,286,915
Interdepartmental transfers	5,434,076	5,434,076
Local match	<u>3,465,052</u>	<u>3,465,052</u>
Total	553,635,290	552,225,590

Sec. 66. Sec. B.1104 of No. 63 of the Acts of 2011 is added to read:

Sec. B.1104 REPAY IRENE EMERGENCY BOARD TRANSFER

(a) The following is appropriated in fiscal year 2012 to the department of corrections - correctional services to reestablish spending authority transferred to the Emergency Relief and Assistance Fund (ERAF) for FEMA match and for the VEDA Tropical Storm Irene loan program authorized by the emergency board on September 13, 2011:

General fund \$5,800,000

Sec. 67. FUND TRANSFERS

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

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

<u>21110 Employee Leasing Companies</u>	<u>33,020.85</u>
<u>21405 Fidelity interest earnings</u>	<u>approx. 31,000.00</u>
<u>21886 Treas-Refunding Bond Issue</u>	<u>36,425.69</u>
<u>21991 Clean Energy Development Fund</u>	<u>1,298,422.00</u>
<u>22005 AHS Central Office earned federal receipts</u>	<u>13,087,120.00</u>
<u>50300 Liquor Control</u>	<u>840,066.00</u>
<u>62100 Unclaimed Property</u>	<u>2,486,162.00</u>
<u>63101 AOT Escrow-Milton</u>	<u>15,009.52</u>
<u>21270 State Forests Parks Fund</u>	<u>212,000.00</u>
<u>21550 Land and Facilities Trust Fund</u>	<u>161,000.00</u>
<u>Caledonia Fair</u>	<u>5,000.00</u>
<u>North Country Hospital Loan</u>	<u>24,250.00</u>

(2) All or a portion of the unencumbered balances in the insurance regulatory and supervision fund (Fund Number 21075), the captive insurance regulatory and supervision fund (Fund Number 21085), and the securities regulatory and supervision fund (Fund Number 21080), expected to be approximately \$6,578,178, shall be transferred to the general fund, provided that on or before July 1, 2012, the commissioner of banking, insurance, securities, and health care administration certifies to the joint fiscal committee that the transfer of such balances, or any smaller portion deemed proper by the commissioner, will not impair the ability of the department in fiscal year 2013 to provide thorough, competent, fair, and effective regulatory services, or

maintain accreditation by the National Association of Insurance Commissioners; and that the joint fiscal committee does not reject such certification.

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

<u>21555 Emergency Relief and Assistance Fund (ERAF)</u>	<u>16,000,000.00</u>
<u>21911 Sarcoidosis Benefit Trust Fund</u>	<u>627,240.00</u>
<u>21260 Act 250 Permit Fund</u>	<u>1,139,849.00</u>
<u>21884 Emergency Personnel Survivors Benefit Special Fund</u>	<u>100,000.00</u>
<u>21255 Petroleum Cleanup Fund</u>	<u>1,700,000.00</u>
<u>50700 Federal Surplus Property</u>	<u>250,000.00</u>
<u>56200 State Insurance Liability Fund</u>	<u>3,000,000.00</u>
<u>58800 Facilities Operations Fund</u>	<u>2,974,383.00</u>

Sec. 67a. Sec. D.101 of No. 63 of the Acts of 2011 is amended to read:

Sec. D.101 FUND TRANSFERS AND RESERVES

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

* * *

(4) 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 2013 transportation infrastructure bond debt service: ~~\$990,063~~ \$1,758,486.

* * *

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:

<u>1110891109 Governor's Transition</u>	<u>11,180.04</u>
<u>1130030000 Department of Libraries</u>	<u>27,000.21</u>
<u>1140070000 Use Tax Reimbursement Program</u>	<u>136,890.60</u>
<u>1210891002 2009 NE Council of State Gov't</u>	<u>40,439.86</u>
<u>1240891101 Transition Expenses</u>	<u>425.00</u>

<u>1250010000 Auditor of Accounts</u>	<u>3,369.26</u>
<u>1260010000 Office of the Treasurer</u>	<u>230,728.00</u>
<u>2100002000 Court Diversion</u>	<u>798.66</u>
<u>2140890901 Rental Housing Safety Study</u>	<u>22,532.04</u>
<u>2170010000 Criminal Justice Training Council</u>	<u>82,861.24</u>
<u>2230891102 2010 Elections</u>	<u>120,053.66</u>
<u>4100500000 VT Department of Labor</u>	<u>26,317.00</u>

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

<u>1140060000 Grand List Assistance</u>	<u>5,249.65</u>
<u>5100040000 Special Education Formula</u>	<u>990,600.00</u>
<u>5100050000 State-Placed Students</u>	<u>1,022,937.27</u>
<u>5100070000 Education Services</u>	<u>24,751.37</u>
<u>5100110000 Small School Grant</u>	<u>1,989.00</u>
<u>5100120000 Debt Service Aid</u>	<u>29,652.00</u>
<u>5100190000 Essential Early Educ Grant</u>	<u>153,242.07</u>
<u>5100200000 Education-Technical Education</u>	<u>165,496.50</u>

Sec. 69. CARRY FORWARD AUTHORITY

(a) Notwithstanding any other provisions of law and subject to the approval of the secretary of administration, general, transportation, transportation infrastructure bond, and education fund appropriations remaining unexpended on June 30, 2012 in the executive branch of state government shall be carried forward and shall be designated for expenditure.

(b) Notwithstanding any other provisions of law, general fund appropriations remaining unexpended on June 30, 2012 in the legislative and judicial branches of state government shall be carried forward and shall be designated for expenditure.

(c) Funds appropriated to contract for database maintenance for the Sex Offender Consortium, funded in Sec. B.210 of No. 63 of the Acts of 2011, that are not fully spent in fiscal year 2012 shall carry forward into fiscal year 2013 for expenditure.

Sec. 70. GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER; REPORT

(a) In order to facilitate the end-of-year closeout for fiscal year 2012, the secretary of human services, with approval from the secretary of administration, may make transfers among the appropriations authorized for Medicaid and Medicaid-waiver program expenses, including Global Commitment appropriations outside the agency of human services. At least three business days prior to any transfer, the agency shall submit to the joint fiscal office a proposal of transfers to be made pursuant to this section. A final report on all transfers made under this section shall be made to the joint fiscal committee for review at the September 2012 meeting. The purpose of this section is to provide the agency with limited authority to modify the appropriations to comply with the terms and conditions of the Global Commitment for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

Sec. 71. STATE LIABILITY INSURANCE FUND; AUTHORITY TO TRANSFER FUNDS

(a) Notwithstanding any other provisions of law, in fiscal year 2012, the commissioner of finance and management is authorized to transfer from available funds up to \$1,000,000 to the state liability insurance fund for state costs that are the result of concluded or ongoing legal expenses.

Sec. 72. HUMAN SERVICES CASELOAD RESERVE EXPENDITURES

(a) In fiscal year 2012, expenditures pursuant to appropriations from the human services caseload reserve shall be notwithstanding 32 V.S.A. § 308b(a).

Sec. 72a. Sec. D.101(b) of No. 63 of the Acts of 2011 is amended to read:

(b) The amount of ~~\$29,500,000~~ \$38,953,264 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. 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, any additional unreserved and undesignated general fund 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. 74. TRANSPORTATION; SUPPLEMENTAL PAVING SPENDING AND MAINTENANCE OF EFFORT

(a) Notwithstanding 32 V.S.A. § 706 and the limits on program, project, or activity spending authority approved in the fiscal year 2012 transportation programs, the secretary of transportation, with the approval of the secretary of administration and subject to the provisions of subsection (b) of this section, may transfer transportation fund appropriations, other than appropriations for the town highway state aid, structures, and class 2 roadway programs, to the paving program in program development (8100001100), for the specific purpose of satisfying the federal maintenance of effort determination required by 23 U.S.C. § 120(j)(2) and improving the condition of selected state highways that have incurred damage caused by winter weather of 2011–2012.

(b) If a contemplated transfer of an appropriation would, by itself, have the effect of significantly delaying the planned work schedule of a project which formed the basis of the project's funding in the fiscal year of the contemplated transfer, the secretary of transportation shall submit the proposed transfer for approval by the house and senate committees on transportation when the general assembly is in session and, when the general assembly is not in session, by the joint transportation oversight committee. In all other cases, the secretary of transportation may execute the transfer, giving prompt notice of the transfer to the joint fiscal office and to the house and senate committees on transportation when the general assembly is in session and, when the general assembly is not in session, to the joint transportation oversight committee.

(c) This section shall expire on June 30, 2012.

Sec. 75. TRANSPORTATION; SUPPLEMENTAL TROPICAL STORM IRENE SPENDING

(a) Notwithstanding 32 V.S.A. § 706 and the limits on program, project, or activity spending authority approved in the fiscal year 2012 transportation programs, the secretary of transportation, with the approval of the secretary of administration and subject to the provisions of subsection (b) of this section, may transfer up to \$4,000,000 in transportation fund appropriations, other than appropriations for the town highway state aid, structures, and class 2 roadway programs, to the program development (8100001100) or to maintenance state system (8100002000) appropriations for the specific purpose of paying for costs associated with Tropical Storm Irene.

(b) If a contemplated transfer of an appropriation would, by itself, have the effect of significantly delaying the planned work schedule of a project which

formed the basis of the project's funding in the fiscal year of the contemplated transfer, the secretary of transportation shall submit the proposed transfer for approval by the house and senate committees on transportation when the general assembly is in session and, when the general assembly is not in session, by the joint transportation oversight committee. In all other cases, the secretary of transportation may execute the transfer, giving prompt notice of the transfer to the joint fiscal office and to the house and senate committees on transportation when the general assembly is in session and, when the general assembly is not in session, to the joint transportation oversight committee.

(c) This section shall expire on June 30, 2012.

Sec. 76. DEPARTMENT OF MOTOR VEHICLES; CERTIFICATES OF TITLE

(a) Notwithstanding the fee requirement of 23 V.S.A. § 2002(5), duplicate certificates of title may be issued without fee to the department of buildings and general services to replace those that were destroyed by Tropical Storm Irene.

Sec. 77. FEMA REIMBURSEMENT; TRANSFER TO GENERAL FUND

(a) If the department of environmental conservation is reimbursed by the Federal Emergency Management Agency (FEMA) for department expenditures for flood damage to underground or aboveground fuel storage tanks during Tropical Storm Irene or spring 2011 flooding, the reimbursement amount received from FEMA, up to \$1,700,000, shall be transferred from the petroleum cleanup fund to the general fund.

Sec. 77a. STATE MATCH FOR TROPICAL STORM IRENE OR SPRING FLOODING; FEMA PAYMENTS TO MUNICIPALITIES

(a) Notwithstanding 20 V.S.A. § 45(d), the secretary of administration may establish criteria and procedures governing payments from the emergency relief and assistance fund, as authorized by 20 V.S.A. § 45(a), in order to provide municipalities with up to the full state and local share of match required by Federal Emergency Management Agency (FEMA) public assistance grants for Tropical Storm Irene or spring 2011 flooding federal disaster relief. Criteria established by the secretary of administration shall reflect levels of damage, as approved by FEMA, and the ability of municipalities to provide matching funds that would otherwise be required.

(b) Payments from the emergency relief and assistance fund to municipalities to meet match requirements for FEMA public assistance grants for Tropical Storm Irene or spring 2011 flooding federal disaster relief shall be reported to the joint fiscal committee and the joint transportation oversight

committee for the preceding state fiscal year quarters, cumulatively, by April 15, 2012, July 15, 2012, October 15, 2012, and January 15, 2013, and quarterly on those dates thereafter, until such payments have been completed.

Sec. 78. REPEAL

(a) Sec. B.1101(b) of No. 156 of the Acts of the 2009 Adj. Sess. (2010) (savings associated with the consolidation of servers and other information technology changes) is repealed.

Sec. 79. REPEAL

(a) Sec. E.401(a) of No. 63 of the Acts of 2011 (allocation of funding to workforce investment boards) is repealed.

Sec. 80. REPEAL

(a) 3 V.S.A. § 634 (annual appropriation for group life insurance premiums for retired employees) is repealed.

Sec. 81. REPEAL

(a) 16 V.S.A. § 1385 (appropriation to state board of education for health programs) is repealed.

Sec. 82. REPEAL

(a) 33 V.S.A. § 1974(h) (report on the employer-sponsored insurance premium assistance program) is repealed.

Sec. 83. REPEAL

(a) 33 V.S.A. § 1986 (Catamount fund) is repealed.

Sec. 84. EXPEDITED RULES

(a) Notwithstanding any contrary provision in 3 V.S.A. chapter 25, and to implement the amendments to 8 V.S.A. § 4062 (insurance rate review) in No. 48 of the Acts of 2011 and to comply with 18 V.S.A. § 9375(b)(6)(A) requiring Green Mountain Care board approval beginning on January 1, 2012, the Green Mountain Care board 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 until January 1, 2013 or the board's final adoption of permanent rules to address the same subject matter, whichever is earlier.

(b) The Green Mountain Care board shall:

(1) File the proposed expedited rules with the secretary of state and the legislative committee on administrative rules as a final proposal under 3 V.S.A. § 841, after performing each of the following:

(A) Publication of the proposed expedited rules as provided for in 3 V.S.A. § 839. The publication shall also provide notice of the periods for comment on the proposed expedited rules under subdivisions (1)(B) and (C) of this subsection. The notice shall list the rules to be adopted pursuant to this section and state how a copy of the proposed rules may be obtained.

(B) Provision of a ten business day public comment period on the proposed expedited rules following publication.

(C) Provision of ten business days for formal responses to public comment filed under subdivision (1)(B) of this subsection.

(2) File the proposed expedited rules with the legislative committee on administrative rules no later than 25 business days after the effective date of this act.

(c) The legislative committee on administrative rules shall review, and may approve or object to, the proposed expedited rules under 3 V.S.A. § 842, except that its action shall be completed no later than 10 business days after the final proposed rules are filed with the committee.

(d) The Green Mountain Care board may finally adopt the expedited rules after the passage of 10 business days from the date of filing the proposed expedited rules with the legislative committee on administrative rules or after receiving notice of approval from the committee, provided the board:

(1) has not received a notice of objection from the legislative committee on administrative rules; or

(2) after having received a notice of objection from the committee, has responded pursuant to 3 V.S.A. § 842.

(e) Expedited rules finally adopted in accordance with this section shall be effective on filing with the secretary of state. Expedited rules filed by the Green Mountain Care board with the secretary of state pursuant to this section shall be deemed to comply with 3 V.S.A. § 843, and shall be accepted by the secretary of state if filed with a certification by the Green Mountain Care board that the rules are required to meet the purposes of this section.

Sec. 85. ADULT DAY ALLOCATION

(a) The fiscal year 2012 allocation for adult day services shall be increased by \$237,000 above the amount that was initially allocated within the funding appropriated in Sec. B.308 of No. 63 of the Acts of 2011.

Sec. 86. SUPPLEMENTAL CHILD CARE GRANTS

(a) From the funds appropriated in Sec. 28 of this act, \$200,000 shall be used to provide special supplemental grants to qualified strengthening families

child care providers located in areas where there is limited access to high-quality child care and where the commissioner has determined the grant will further the applicants' sustained operation, or will provide for an orderly transition of subsidized children to alternative service providers. The commissioner for children and families shall submit to the house and senate committees on appropriations on or before March 13, 2012 a general approach to address emergency funding for the future.

(b) From the funds appropriated in Sec. 28 of this act, \$100,000 shall be used for increasing quality in child care programs serving subsidized children in fiscal year 2012 and fiscal year 2013 by increasing the funding for bonuses for child care programs that improve program quality through the child care financial assistance program, "Vermont STARS." Use of the additional funds should be targeted to bonuses for programs with higher percentages of subsidized children and in high need areas. The commissioner shall submit to the house and senate committees on appropriations on or before March 13, 2012 recommendations that would increase access to higher education and advanced training for child care practitioners working directly with young children.

(c) The commissioner shall work with providers to carry out a thorough review and revision of child care regulations and processes, which shall be completed by January 2013. A plan for this initiative shall be submitted to the general assembly on or before March 13, 2012, with a report to be submitted to the general assembly on or before February 15, 2013.

Sec. 87. POSITION AUTHORIZATIONS

(a) The following positions are authorized to be transferred and converted from existing vacant positions in the executive branch of state government in fiscal year 2012:

(1) In the department of Vermont health access, seventeen (17) classified positions;

(2) In the department for children and families, nine (9) classified positions—social worker;

(A) The intent of the general assembly for these positions is to improve the department's ability to provide services to at-risk children and families and meet caseload standards; however, these positions are not intended to establish a specific caseload for an individual social worker. Such caseloads may vary based on the need levels of the cases any individual social worker is assigned.

(3) In the department of public safety, two (2) classified positions.

(b) It is understood that the department of human resources is in the process of accumulating vacant positions to accomplish the necessary transfers and conversions. It is the intent of the general assembly that these positions be available to the respective departments as soon as possible. For this reason, the commissioner is authorized to assign these new positions in anticipation of the conversions, provided the total of authorized positions in existence at the close of fiscal year 2012 does not exceed that of those positions authorized through the 2011 legislative session, as defined in Sec. A.108 of No. 63 of the Acts of 2011.

(c) On or before March 10, 2012, the commissioner of human resources shall submit a report to the house and senate committees on appropriations detailing the total permitted number of authorized positions as of June 30, 2012, as specified in Sec. A.108 of No. 63 of the Acts of 2011.

(d) On or before July 10, 2012, the commissioner of human resources shall submit a confirmation report to the house and senate committees on appropriations detailing the actual number of authorized state positions as of June 30, 2012, as defined in Sec. A.108 of No. 63 of the Acts of 2011 to confirm that the provisions of this section have been met.

(e) In the agency of transportation, twenty-one (21) new limited service classified positions related to the response to Tropical Storm Irene and Spring 2011 flooding are authorized to be established in fiscal year 2012. These positions shall terminate on June 30, 2014.

Sec. 88. Sec. 9 of No. 88 of the Acts of the 2009 Adj. Sess. (2010) is amended to read:

Sec. 9. IMPLEMENTATION

No later than ~~September 1, 2011~~ November 1, 2012, the secretary of human services or designee shall implement a payment system to pay fuel benefits to certified fuel suppliers after the fuel is delivered or, for metered fuel and regulated utilities, after the beneficiary's account has been billed.

Sec. 89. Sec. B.1103(a)(1)(A) of No. 156 of the Acts of the 2009 Adj. Sess. (2010), as amended by Sec. 56 of No. 3 of the Acts of 2011, is further amended to read:

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

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

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

(A) To the secretary of administration to be transferred to departments as the secretary may determine to be necessary. Of this general

fund appropriation, the amount of \$130,000 may be transferred and used for the renter rebate program:

General fund	\$8,350,954	\$7,084,784
Transportation fund		\$2,067,946

Sec. 90. Sec. 38 of No. 40 of the Acts of 2011 is amended to read:

Sec. 38. DEPARTMENT OF CORRECTIONS MASTER PLAN

(a) For the purpose of reducing the number of out-of-state beds at a cost savings to the state, the department of corrections shall:

* * *

(2) modify the Southeast State Correctional Facility into a ~~50-bed work camp and a 50-bed general population~~ hybrid facility which would include both work camp and general populations.

(b) As part of the transfer required by subdivision (a)(1) of this section, the department of corrections shall:

* * *

(3) ensure individuals are released in accordance with 28 V.S.A. ~~§ 808(a)~~ §§ 808(a) and 808a-808d for the purpose of facilitating furlough or outside programming.

* * *

Sec. 91. Sec. 22 of No. 52 of the Acts of 2011 is amended to read:

Sec. 22. EB-5 ~~ENTERPRISE~~ SPECIAL FUND REPORT

On or before January 15, 2012, the secretary of commerce and community development shall submit a memorandum to the house committee on ways and means and the senate committee on finance concerning the performance of the EB-5 ~~enterprise~~ special fund, including the number of projects and investors served, the amount of the charges imposed and collected, and recommendations concerning the EB-5 ~~enterprise~~ special fund.

Sec. 92. Sec. B.906 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.906 Transportation – ~~planning, outreach and community affairs policy and planning~~

* * *

Sec. 93. Sec. B.1101 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.1101 FISCAL YEAR 2012 BASE REDUCTIONS

(a) In fiscal year 2012, the secretary of administration is authorized to

reduce appropriations for labor savings due to unfilled vacant positions, voluntary reduced workweeks, modified health insurance plans for active and retired state employees, reduced state costs in supporting retirement plans, close management of personal services contracts, reduced overtime costs, and for any other management initiatives within the executive branch, excluding reductions to grants, that are necessary to realize the base reductions. The executive branch shall provide status reports to the joint fiscal committee on achievement of this base reduction at meetings in July, September and November of 2011. The commissioner of finance and management is authorized to transfer other funds saved as a result of these initiatives to the general fund in fiscal year 2012:

General fund	\$12,000,000	<u>\$8,163,552</u>
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Sec. 94. Sec. B.1102 of No. 63 of the Acts of 2011 is amended to read:

~~Sec. B.1102 FISCAL YEAR 2012 CONTRACT IMPLEMENTATION AND HEALTH INSURANCE CLAIMS ASSESSMENT~~

(a) There is appropriated to the secretary of administration for contract nonsalary items ~~and costs from health insurance claims assessments~~, to be transferred to departments as the secretary may determine to be necessary:

General fund	\$906,500	<u>\$556,500</u>
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Sec. 95. Sec. B.1103 of No. 63 of the Acts of 2011 is amended to read:

Sec. B.1103 FISCAL YEAR 2012 ONE-TIME APPROPRIATION

(a) In fiscal year 2012, there is appropriated to the department of tourism and marketing for the Vermont civil war sesquicentennial commission and for commemorating the War of 1812:

General fund		\$50,000
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Sec. 96. Sec. 50(b) of No. 3 of the Acts of 2011, as amended by Sec. C.110 of No. 63 of the Acts of 2011, is further amended to read:

(b) The next ~~\$3,600,000~~ \$3,229,596 of any unreserved and undesignated general fund balance is appropriated to the department of labor for unemployment insurance interest. In the event that federal action is taken that results in a payment of unemployment insurance interest not being required, this appropriation shall not be made. Any payment returned to the state due to it not being required shall be deposited into the general fund.

Sec. 97. [DELETED]

Sec. 97a. [DELETED]

Sec. 98. Sec. E.301(b) of No. 63 of the Acts of 2011 is amended to read:

(b) In addition to the state funds appropriated in this section, a total estimated sum of ~~\$27,726,784~~ \$28,671,145 is anticipated to be certified as state matching funds under the Global Commitment as follows:

* * *

(3) ~~\$2,290,874~~ \$2,804,572 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) ~~\$2,479,534~~ \$2,910,200 certified state match available via the University of Vermont's child health improvement program for quality improvement initiatives for the Medicaid program.

* * *

Sec. 99. Sec. E.309.2(a) of No. 63 of the Acts of 2011 is amended to read:

(a) Beginning ~~April~~ July 1, 2012, the commissioner of Vermont health access shall 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. 100. Sec. E.338(d) of No. 63 of the Acts of 2011 is added to read:

(d) In fiscal year 2012, the secretary of administration may, upon recommendation of the secretary of human services, transfer unexpended funds between the respective appropriations for correctional services and for correctional services – out-of-state beds. At least three days prior to any such transfer being made, the secretary of administration shall report the intended transfer to the joint fiscal office and shall report any completed transfers to the joint fiscal committee at its next scheduled meeting.

Sec. 101. Sec. E.339 of No. 63 of the Acts of 2011 is amended to read:

Sec. E.339 Correctional services – out-of-state beds

(a) The level of funding in this appropriation is contingent upon enactment of ~~separate legislation~~ Senate Bill No. 108 of the 2011 legislative session, related to reduced incarceration of specified nonviolent misdemeanants.

Sec. 102. 4 V.S.A. § 907 is amended to read:

§ 907. LICENSING AND RENEWAL FEES

The supreme court may by rule impose a fee on applicants for admission to the bar on motion and on applicants for admission to the bar by examination. The court may also impose an annual fee on lawyers admitted to the bar of the supreme court as a condition of being licensed to practice law. ~~All fees~~

~~received shall be transferred to the state treasurer for deposit in the general fund.~~

Sec. 103. 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 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 due by November 1, January 1, April 1, and June 1.

(2) On or before ~~September 1, 2009~~ October 1, 2011 and annually thereafter, the secretary of administration, in consultation with the commissioner of banking, insurance, securities, and health care administration, shall publish a list of health insurers subject to the fee imposed by this section, together with the paid claims amounts attributable to each health insurer for the previous fiscal year. The costs of the department of banking, insurance, securities, and health care administration in calculating the annual claims data shall be paid from the Vermont health IT fund.

* * *

Sec. 104. 8 V.S.A. § 4089l is amended to read:

§ 4089l. HEALTH CARE CLAIMS ASSESSMENT

(a)(1) Beginning October 1, 2011 and annually thereafter, 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, January 1, April 1, and June 1.

(2) On or before ~~September~~ October 1, 2011 and annually thereafter, the secretary of administration, in consultation with the commissioner of banking, insurance, securities, and health care administration, shall publish a list of health insurers subject to the fee imposed by this section together with the paid claims amounts attributable to each health insurer for the previous fiscal year. The costs of the department of banking, insurance, securities, and health care administration in calculating the annual claims data shall be paid from the state health care resources fund.

* * *

(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, 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.

* * *

Sec. 105. 10 V.S.A. § 21 is amended to read:

§ 21. EB-5 ~~ENTERPRISE~~ SPECIAL FUND

(a) An EB-5 ~~enterprise~~ special fund is created for the operation of the state of Vermont regional center for immigrant investment under the federal EB-5 program. The fund shall consist of revenues derived from administrative charges by the agency of commerce and community development pursuant to subsection (c) of this section, any interest earned by the fund, and all sums which are from time to time appropriated for the support of the regional center and its operations.

(b)(1) The receipt and expenditure of moneys from the ~~enterprise~~ special fund shall be under the supervision of the secretary of commerce and community development.

* * *

(3) Expenditures from the fund shall be used only to administer the EB-5 program. At the end of each fiscal year, the secretary of administration shall transfer from the EB-5 ~~enterprise~~ special fund to the general fund any amount that the secretary of administration determines, in his or her discretion, exceeds the funds necessary to administer the program.

* * *

Sec. 106. 21 V.S.A. § 2003(d) is amended to read:

(d) Revenues from the health care fund contributions collected shall be deposited into the ~~Catamount Fund~~ state health care resources fund established under 33 V.S.A. ~~§ 1984~~ § 1901d for the purpose of financing health care coverage under Catamount Health assistance, as provided under 33 V.S.A. chapter 19, subchapter 3a ~~of chapter 19 of Title 33.~~

Sec. 107. 27A V.S.A. § 1-204(a)(2) is amended to read:

(2) Unless excepted under section 1-203 of this title, the following sections apply to a common interest community created in this state before January 1, 1999: sections 1-206; 2-102, 2-117(h) and (i), 2-124, 3-103, 3-108, 3-110, and 3-124. The sections described in this subdivision apply only to events and circumstances occurring after December 31, ~~2010~~ 2011 and do not invalidate existing provisions of the declarations, bylaws, plats, or plans of those common interest communities.

Sec. 108. 32 V.S.A. § 305a(a) is amended to read:

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

Sec. 109. 32 V.S.A. § 7823 is amended to read:

§ 7823. DEPOSIT OF REVENUE

The revenue generated by the taxes imposed under this chapter shall be credited to the state health care resources fund established by 33 V.S.A. § 1901d ~~and the Catamount fund established by 33 V.S.A. § 1986.~~

Sec. 110. 33 V.S.A. § 1901d is amended to read:

§ 1901d. STATE HEALTH CARE RESOURCES FUND

(a) The state health care resources fund is established in the treasury as a special fund to be a source of financing health care coverage for beneficiaries of the state health care assistance programs under the Global Commitment to health waiver approved by the Centers for Medicare and Medicaid Services

under Section 1115 of the Social Security Act and for the Catamount Health assistance program under subchapter 3A of chapter 19 of this title.

(b) Into the fund shall be deposited:

(1) all revenue from the tobacco products tax and ~~85.5 percent of the revenue~~ from the cigarette tax levied pursuant to 32 V.S.A. chapter 205 of Title 32;

(2) revenue from health care provider assessments pursuant to subchapter 2 of chapter 19 of this title; and

(3) revenue from the employer health care premium contribution pursuant to 21 V.S.A. chapter 25;

(4) revenue from health care claims assessments pursuant to 8 V.S.A. § 4089I;

(5) premium amounts paid by individuals unless paid directly to the insurer;

(6) the proceeds from grants, donations, contributions, taxes, and any other sources of revenue as may be provided by statute, rule, or act of the general assembly; and

(7) Any remaining balance in the terminated Catamount fund as of June 30, 2012.

* * *

(d) All monies received by or generated to the fund shall be used only as allowed by appropriation of the general assembly for the administration and delivery of health care covered through state health care assistance programs administered by the agency under the Global Commitment for Health Medicaid Section 1115 waiver, the Catamount Health assistance program under subchapter 3A of chapter 19 of this title, employer-sponsored insurance premium assistance under § 1974 of this title, immunizations under 18 V.S.A. § 1130, and the development and implementation of the Blueprint for Health under 18 V.S.A. § 702.

Sec. 111. 33 V.S.A. § 1901f is added to read:

§ 1901f. MEDICAID PROGRAM ENROLLMENT AND EXPENDITURE REPORTS

By January 30, April 30, July 30, and October 30 of each year the commissioner of Vermont health access or designee shall submit to the general assembly a quarterly report on enrollment and total expenditures by Medicaid eligibility group for all programs paid for by the department of Vermont access

during the preceding calendar quarter and for the fiscal year to date. Total expenditures for Medicaid-related programs paid for by other departments within the agency of human services shall be included in this report by Medicaid eligibility group to the extent such information is available.

Sec. 112. 33 V.S.A. § 2604(a) is amended to read:

(a) Household income eligibility requirements. The secretary of human services or designee, by rule, shall establish household income eligibility requirements of beneficiaries in the seasonal fuel assistance program including the income of all residents of the household. The income eligibility requirements shall require that households have a gross household income no greater than 185 percent of the federal poverty level nor in excess of income maximums established by LIHEAP in order to be potentially eligible for benefits. To the extent allowed by federal law, the secretary of human services or designee shall establish by rule a calculation of gross income based on the same rules used in 3SquaresVT, except that the secretary or designee shall include additional deductions or exclusions from income required by LIHEAP.

Sec. 113. 33 V.S.A. § 2609 is amended to read:

§ 2609. CRISIS RESERVES

Annually, the secretary of human services or designee shall determine an appropriate amount of funds in the home heating fuel assistance fund to be set aside for expenditure for the crisis fuel assistance component of the home heating fuel program. The secretary or designee shall also adopt rules to define crisis situations for the expenditure of the home heating fuel crisis funds, and to establish the income and asset eligibility requirements of households for receipt of crisis home heating fuel assistance, provided that no household shall be eligible whose gross household income is greater than 200 percent of the federal poverty level or is in excess of income maximums established by LIHEAP based on the income of all persons residing in the household. To the extent allowed by federal law, the secretary or designee shall establish by rule a calculation of gross income based on the same rules used in 3SquaresVT, except that the secretary or designee shall include additional deductions or exclusions from income required by LIHEAP.

Sec. 113a. RESERVE AND SURPLUS POLICY REVIEW

(a) The general assembly recognizes that the use of general fund surpluses and the structure of general fund reserves is an area in need of review. This recognition is evidenced by proposals of the administration to increase stabilization reserves; the importance of reserves for several purposes, including the state response to Tropical Storm Irene and other emergencies; the

provision of LIHEAP funding; and the ability to mitigate the recent general fund revenue downgrade and cushion future federal funding reductions.

(b) The use of surpluses has also been raised with a house proposal of amendment to use possible fiscal year 2013 surpluses to increase the general fund transfer for K–12 education. The house proposal raises a range of complexities and concerns in understanding the impact on legislatively initiated efforts to reduce increases in education spending and expectations to direct use of savings in choices for care and justice reinvestment programs.

(c) The significance of these budget and policy issues with competing demands on any potential general fund surplus warrants a comprehensive review of the use of reserves and surpluses. It is the intent of the general assembly to formulate a policy response to address these competing interests during the fiscal year 2013 budget development process.

Sec. 114. ACCEPTANCE OF SETTLEMENT FUNDS

(a) In accordance with the settlement resulting from an assurance of discontinuance (AOD) between the State of Vermont/Office of the Attorney General and Pyrofax which was fully executed January 18, 2012, \$100,000 shall be deposited in the home heating fuel assistance fund established in 33 V.S.A. § 2603. These funds are appropriated for expenditure in addition to funds appropriated in Sec. B.324 of No. 63 of the Acts of 2011.

Sec. 115. 32 VSA § 313(a) is amended to read:

(a) Annually, beginning January 31, 2010, the department of finance and management shall publish on its website a report on all grants of federal monies made by each executive branch agency in the preceding ~~calendar~~ fiscal year. The report shall be formatted as a table and shall include, for each grant issued after October 1, 2008:

* * *

Sec. 116. 32 VSA § 314(a) is amended to read:

(a) Annually, beginning January 31, 2015, the department of finance and management shall publish on its website a report on all grants of federal and state monies made by each executive branch agency in the preceding ~~calendar~~ state fiscal year. The report shall be formatted as a table and shall include, for each grant:

* * *

Sec. 117. FISCAL YEAR 2012 SETOFF LIMIT

(a) Notwithstanding 32 V.S.A. § 5933, claimant agencies may submit debts of \$25.00 or more for collection of debt through setoff in fiscal year 2012.

Sec. 118. EFFECTIVE DATES

(a) This act shall take effect on passage.

(b) Secs. 83, 106, 108, 109, and 110 of this act shall take effect on July 1, 2012.

(c) The inclusion of coverage for dental services in Sec. 104 of this act as it amends 8 V.S.A. § 4089l(c)(1) shall apply as of January 1, 2012.

(d) Sec. 107 of this act (applicability of UCIOA amendments of 2012) shall take effect on passage and shall apply retroactively to January 1, 2012.

(e) The amendments to income eligibility requirements in Secs. 112 and 113 of this act, amending 33 V.S.A. §§ 2604(a) and 2609, respectively, shall apply retroactively to June 1, 2010.

(For text see House Journal 1/19/2012 and 1/20/2012)

Action Under Rule 52

J.R.S. 45

Joint resolution expressing sincere appreciation to Margaret Lucenti for her dedicated public service

(For text see House Journal 2/10/2012)

NOTICE CALENDAR

Favorable with Amendment

H. 577

An act relating to public water systems

Rep. Fagan of Rutland City, for the Committee on **Fish, Wildlife & Water Resources**, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 10 V.S.A. § 1624a is amended to read:

**§ 1624a. AWARDS FOR POLLUTION ABATEMENT PROJECTS
FOR COMBINED SEWER OVERFLOWS**

(a) When the department finds that a proposed water pollution abatement project not covered under section 1625 of this title is necessary, that the proposed type, kind, quality, size, and estimated cost of the project, including operation cost and sewage disposal charges, are suitable for abatement of pollution, and that the project or the prescribed project phases are necessary to meet the intent of the water quality classifications established by the board or by statute under chapter 47 of this title, the department may award state

financial assistance to the project. These projects may include ancillary work determined by the secretary to be necessary to attain the water quality goals.

(b) The assistance shall consist of:

(1) A grant of 25 percent of the eligible project cost.

(2) A loan from the Vermont environmental protection agency (EPA) pollution control revolving fund or the Vermont pollution control revolving fund of 50 percent of the eligible project cost. No interest shall be charged. In a certificate to the Vermont municipal bond bank, the secretary shall recommend the term, repayment schedule and other terms and conditions of the loan.

(c) Notwithstanding the percentages of assistance provided for in subsection (b) of this section, when a municipality is certified by the secretary of commerce and community development to be within a designated job development zone, the grant to the municipality shall be 50 percent of eligible project costs and the loan shall be 25 percent of eligible project costs.

(d) Grants and loans under this section may be made from state and federal sources, as determined by the secretary.

(e) A loan agreement may be entered into by action of the legislative body of the municipality, using procedures specified by applicable general or special enabling authority, following:

(1) authorization by the electorate of issuance of bonds in the amount of 25 percent of project costs, unless the municipality has determined to use some other method of financing its share of project cost; and

(2) authorization by the electorate of indebtedness in the amount of the loan under this section.

(f) A loan agreement may include provisions for deferred repayment if the electorate has authorized the future issuance of bonds to make a final repayment of the loan, and the authorization specifies whether the bond agreements will pledge the full faith and credit of the municipality or sufficient revenues from municipal sewage disposal charges.

(1) Except as provided in subdivision (2) ~~below of this subsection~~, loan repayments shall be according to the following schedule:

(A) 0.50 percent in the first year and increasing thereafter at 0.50 percent per year through the ninth year; and

(B) 5.0 percent in the 10th year through the 19th year; and

(C) the remainder in the 20th year.

(2) Notwithstanding subdivision ~~(f)~~(1) of this ~~section~~ subsection, a municipality shall be entitled to loan repayment under this subdivision if repayment would produce municipal sewer rates in the municipality which exceed 150 percent of the current state average rate for a family of four. For purposes of this calculation, the municipality's sewer rates shall be deemed to include operating costs, payments on the municipality's water pollution control debt, and repayment of five percent of the principal of the loan under this section. The following shall be minimum repayments under this subdivision:

(A) 0.25 percent per year in the first through the tenth year, dating from the issuance of the certification of completion of the project;

(B) 0.50 percent in the 11th year and increasing thereafter at 0.50 percent per year through the 19th year; and

(3) the remainder in the 20th year. When a loan is issued with deferred repayment provisions pursuant to authorization of the electorate under this section for the future issuance of bonds, upon maturity of the loan, if other sources of revenue are available, the legislative body of the municipality may elect not to issue bonds to make the final payment on the loan. The term of these bonds, if issued, shall not exceed 20 years. As authorized in the initial vote, these bonds may be secured by a pledge of the full faith and credit of the municipality or by sufficient revenues from municipal sewage disposal charges.

(g) State financial assistance under this section shall be made to the extent that funds are available and according to a system of priorities established by the secretary. In establishing this system, priority shall be given to pollution abatement and not to the support of demand growth, and to projects discharging into or near lakes on January 1, 1988.

(h) Notwithstanding subsection (b) of this section, a loan awarded from the Vermont environmental protection agency pollution control revolving loan fund for a combined sewer overflow abatement project that is included on a priority list and that is capitalized, in whole or in part, with a federal clean water state revolving fund grant that includes loan forgiveness provisions may be for up to 100 percent of the eligible project cost.

Sec. 2. 10 V.S.A. § 1675 is amended to read:

§ 1675. PERMITS; CONDITIONS; DURATION; SUSPENSION OF
REVOCATION

(a) Authority to issue, renew, or deny permit. The secretary may issue, renew, or deny a public water system permit required by this chapter. As part

of this authority, the secretary may issue general operating permits for the operation of transient noncommunity water systems.

* * *

~~(e) Duration of permit. An operating permit shall be valid for the period of time specified in the permit but not more than ten years.~~

(f) Suspension or revocation of permits.

(1) The secretary may, after notice and opportunity for hearing, revoke or suspend any permit issued pursuant to the authority under this title if the secretary finds that:

(A) the permit holder submitted materially false or inaccurate information;

(B) the permit holder has violated any material requirement, restriction or condition of this chapter, any rule promulgated thereunder, or any permit or certification issued pursuant to this chapter, or any assurance of discontinuance or order relating to the provisions of this chapter or the rules promulgated thereunder; or

(C) there is a change in any condition that requires either a temporary or permanent restriction, limitation or elimination of the permitted use.

(2) Revocation shall be effective upon actual notice thereof to the permit holder or permit holder's designated agent.

* * *

(i) Notwithstanding the requirements of this subsection, the secretary may issue an operating permit for an existing public water system that is unable to comply with the standards adopted under this chapter provided that:

(1) The operating permit contains a compliance schedule that is designed to achieve compliance with the applicable standards within a reasonable period of time based on the nature and extent of the applicable standards at issue;

(2) The secretary finds that the continued operation of the public water system pursuant to the compliance schedule and associated permit conditions shall not present an unacceptable risk to public health; and

(3) The person who owns the public water system shall be responsible for informing all persons using the system of the nature and extent of the noncompliance with the applicable standards.

Sec. 3. 10 V.S.A. § 1676 is amended to read:

~~§ 1676. TEMPORARY PERMITS~~

~~(a) The secretary may issue a temporary operation permit for public water system if such issuance will not unreasonably contribute to a public health risk, and the system is unable to comply with:~~

~~(1) any physical facility requirement established in the Vermont standards and requirements for water system design and construction;~~

~~(2) any operational requirement established by rules adopted under this chapter; or~~

~~(3) operator certification requirements.~~

~~(b) A temporary permit shall:~~

~~(1) contain a schedule which requires compliance with this chapter and the rules adopted under this chapter by a specified date;~~

~~(2) require the person who owns or operates the system to inform all persons using the system of the nature and extent of the noncompliance with this chapter or rules of this chapter;~~

~~(3) be valid for not more than three years. A temporary permit may be renewed.~~

~~(c) A temporary permit may contain any conditions, requirements, schedules, restrictions or monitoring and testing programs that the secretary deems necessary to prevent a public health risk.~~

~~(d) [Deleted.]~~

~~(e) A temporary permit may not be issued for a new public water source if there are agricultural lands in the area that are likely to affect the proposed new source.~~

Sec. 4. 24 V.S.A. § 4753a is amended to read:

§ 4753a. AWARDS FROM REVOLVING LOAN FUNDS

(a) Pollution control. The general assembly shall approve all categories of awards made from the special funds established by section 4753 of this title for water pollution control facility construction, in order to assure that such awards conform with state policy on water quality and pollution abatement, and with the state policy that, except as provided in subsection (c) of this section, municipal entities shall receive first priority in the award of public monies for such construction, including monies returned to the revolving funds from previous awards. To facilitate this legislative oversight, the secretary of

natural resources shall annually no later than January 15 report to the house and senate committees on institutions and on natural resources and energy on all awards made from the relevant special funds during the prior and current fiscal years, and shall report on and seek legislative approval of all the types of projects for which awards are proposed to be made from the relevant special funds during the current or any subsequent fiscal year. Where feasible, the specific projects shall be listed.

(b) Water supply. The secretary of natural resources shall no later than January 15, 2000 recommend to the house and senate committees on institutions and on natural resources and energy a procedure for reporting to and seeking the concurrence of the legislature with regard to the special funds established by section 4753 of this title for water supply facility construction.

(c) Failed wastewater and potable water supply system loans. Notwithstanding other priorities established in law, the secretary may award up to \$500,000.00 of the funds from the Vermont environmental protection agency control fund and the Vermont pollution control revolving fund, combined, to a state agency, the Vermont housing finance agency, or a municipality for the administration of loans to households with income equal to or less than 200 percent of the state average median household income for the repair or replacement of failed wastewater systems and failed potable water supplies, as those terms are defined in ~~section 10 V.S.A. § 1972 of Title 10.~~ Upon award of funds under this section, the state agency, Vermont housing finance agency, or municipality shall agree, pursuant to a memorandum of understanding with the secretary of natural resources, to repay the funds awarded to the special fund from which they were drawn.

(d) Loan forgiveness; pollution control. Notwithstanding any other provision of law regarding loan forgiveness, upon the award of a loan from the Vermont environmental protection agency pollution control revolving fund, the secretary of natural resources, in a manner that is consistent with federal grant provisions, may forgive up to 50 percent of a loan if the award is made for a project on a priority list capitalized, at least in part, from funds appropriated from a federal clean water state revolving fund (CWSRF) grant when the CWSRF grant includes provisions authorizing loan forgiveness. Such loan forgiveness shall apply to both state and federal funds used to capitalize loans.

(e) Loan forgiveness; drinking water. Notwithstanding any other provision of law regarding loan forgiveness, upon the award of a loan from the Vermont environmental protection agency drinking water state revolving fund, the secretary of natural resources, in a manner consistent with federal grant provisions, may forgive up to 100 percent of a loan if the award is made for a

project on the priority list and is capitalized, in whole or in part, from funds appropriated from a drinking water state revolving fund (DWSRF) grant when the DWSRF grant includes provisions authorizing loan forgiveness. Such loan forgiveness shall apply to both state and federal funds used to capitalize loans.

(f) Loan forgiveness standard. The secretary shall establish standards, policies, and procedures as necessary for implementing subsections (d) and (e) of this section for allocating the funds among projects and for revising standard priority lists in order to comply with requirements associated with federal capitalization grant agreements.

Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2012.

(Committee Vote: 9-0-0)

Public Hearings

February 22, 2012 - 9:00-11:00 AM - Tourism in Vermont - Committee on Commerce and Economic Development

PUBLIC HEARING

**Public Hearing on the Governor's proposed Fiscal Year 2013 state budget
For Advocates
House Committee on Appropriations**

Tuesday, February 14, 2012, 2:30 - 3:30 p.m. or Wednesday, February 15, 2012, 9:30 – 10:30 a.m. – The House Committee on Appropriations will hold a public hearing for advocates in room 10 of the State House on the Governor's proposed FY2013 state budget. Please sign up in advance, if possible, with Theresa Utton-Jerman at (802) 828-5767 or tutton@leg.state.vt.us or room 40.

The Governor's budget proposal can be viewed at the Department of Finance's website: http://finance.vermont.gov/state_budget/rec.

February 15, 2012 - 4:00-6:30 PM - Room 10 - Senate Reapportionment

Information Notice

Deadline for Introducing Bills

Pursuant to Rule 40(b) of the Rules and Orders of the Vermont House of Representatives, during the second year of the biennium, except with the prior consent of the Committee on Rules, no member may introduce a bill into the

House drafted in standard form after the last day of January. Bills may be introduced in Short Form until the second Friday after Town Meeting Day.

In order to meet this deadline all sign out sheets must be submitted to the Legislative Council no later than the close of business on Friday, January 27, 2012. Requests for short form bills may be made until Wednesday, February 15, 2012.

Pursuant to Rule 40(c) during the second year of the biennium, except with the prior consent of the Committee on Rules, no committee, except the Committees on Appropriations, Ways and Means or Government Operations, may introduce a bill drafted in standard form after the last day of March. The Committees on Appropriations, Ways and Means bills may be drafted in standard form at any time, and Government Operations bills, pertaining to city or town charter changes, may be drafted in standard form at any time.

Joint Assembly

NOTICE OF JOINT ASSEMBLY

Thursday, February 16, 2012 - 10:30 A.M. - Election of two (2) trustees for the Vermont State Colleges Corporation.

Candidates for the positions of trustee must notify the Secretary of State **in writing** not later than Thursday, February 9, 2012, by 5:00 P.M. pursuant to the provisions of 2 V.S.A. §12(b). Otherwise their names will not appear on the ballots for these positions.

The following rules shall apply to the conduct of these elections:

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.