

House Calendar

Friday, February 15, 2013

38th DAY OF THE BIENNIAL SESSION

House Convenes at 9:30 A.M.

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ORDERS OF THE DAY

ACTION CALENDAR

Third Reading

H. 39

An act relating to the Public Service Board and the Department of Public Service

H. 41

An act relating to civil forfeiture of retirement payments to public officials convicted of certain crimes

H. 57

An act relating to self-employment assistance

NOTICE CALENDAR

Favorable with Amendment

H. 99

An act relating to equal pay

Rep. Stevens of Waterbury, 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. FINDINGS

The General Assembly finds:

(1) Pay inequity has been illegal since President Kennedy signed the Equal Pay Act in 1963 and Vermont outlawed pay discrimination in the Fair Employment Act the same year. In 1965, President Johnson signed Executive Order 11246, which requires federal contractors to certify their compliance with federal nondiscrimination laws, including the Equal Pay Act.

(2) Notwithstanding these laws and notwithstanding the fact that women today make up nearly half of the workforce, pay inequity remains a persistent problem. Nationally, women earn roughly 78 percent of what their male counterparts earn. In Vermont, women fare only slightly better, earning roughly 84 cents per dollar earned by men, according to the National Partnership for Women and Families.

(3) Pay inequity affects all households. Nationally nearly 40 percent of mothers bring home the majority of their family's earnings, and nearly 63 percent of mothers bring home at least a quarter of their family's income.

(4) Research has shown that pay inequity may arise even if an employer does not specifically intend to discriminate against workers based on sex. For example, some employees may not have a fair opportunity to negotiate pay because they lack the opportunity to know what similarly situated employees earn. Other employees may avoid or be channeled into lower-paying assignments or career paths that are viewed as more compatible with family needs. Other employees may temporarily drop out of the workforce because there is insufficient workplace flexibility; when such employees do return to the workforce, they may be unable to catch up to employees performing the same work.

(5) A number of European countries, such as Great Britain, France, and Germany, have successfully implemented laws that grant employees the right to ask for flexible workplace arrangements without fear of retaliation and that require employers to consider such requests in good faith. Employers with flexible, family-friendly policies tend to have lower rates of absenteeism, lower rates of employee turnover, and higher worker productivity.

(6) Research has also shown that short paid parental leaves tend to keep women in the labor force longer and that women who take such leaves tend not to earn less than their male counterparts.

Sec. 2. 21 V.S.A. § 495 is amended to read:

§ 495. UNLAWFUL EMPLOYMENT PRACTICE

(a) It shall be unlawful employment practice, except where a bona fide occupational qualification requires persons of a particular race, color, religion, national origin, sex, sexual orientation, gender identity, ancestry, place of birth, age, or physical or mental condition:

* * *

~~(5) For any employer, employment agency, or labor organization to discharge or in any other manner discriminate against any employee because such employee has lodged a complaint of discriminatory acts or practices or has cooperated with the attorney general or a state's attorney in an investigation of such practices, or is about to lodge a complaint or cooperate in an investigation, or because such employer believes that such employee may lodge a complaint or cooperate with the attorney general or state's attorney in an investigation of discriminatory acts or practices;~~

~~(6)~~ For any employer, employment agency, labor organization, or person seeking employees to discriminate against, indicate a preference or limitation, refuse properly to classify or refer, or to limit or segregate membership, on the basis of a person's having a positive test result from an HIV-related blood test;

~~(7)~~(6) For any employer, employment agency, labor organization, or person seeking employees to request or require an applicant, prospective employee, employee, prospective member, or member to have an HIV-related blood test as a condition of employment or membership, classification, placement, or referral;

~~(8)~~(7) For any employer, employment agency, labor organization, or person seeking employees to discriminate between employees on the basis of sex by paying wages to employees of one sex at a rate less than the rate paid to employees of the other sex for equal work that requires equal skill, effort, and responsibility; and is performed under similar working conditions. An employer who is paying wages in violation of this section shall not reduce the wage rate of any other employee in order to comply with this subsection.

(A) An employer may pay different wage rates under this subsection when the differential wages are made pursuant to:

(i) A seniority system.

(ii) A merit system.

(iii) A system in which earnings are based on quantity or quality of production.

(iv) ~~Any factor other than sex~~ A bona fide factor other than sex. An employer asserting that differential wages are paid pursuant to this subdivision shall demonstrate that the factor does not perpetuate a sex-based differential in compensation, is job-related with respect to the position in question, and is based upon a legitimate business consideration.

(B) No employer may do any of the following:

(i) Require, as a condition of employment, that an employee refrain from disclosing the amount of his or her wages or from inquiring about or discussing the wages of other employees.

(ii) Require an employee to sign a waiver or other document that purports to deny the employee the right to disclose the amount of his or her wages or to inquire about or discuss the wages of other employees.

~~(iii) Discharge, formally discipline, or otherwise discriminate against an employee who discloses the amount of his or her wages.~~

(8) Retaliation prohibited. An employer, employment agency, or labor organization shall not discharge or in any other manner discriminate against any employee because the employee:

(A) has opposed any act or practice that is prohibited under this chapter;

(B) has lodged a complaint or has testified, assisted, or participated in any manner with the Attorney General, a state's attorney, the Department of Labor, or the Human Rights Commission in an investigation of prohibited acts or practices;

(C) is known by the employer to be about to lodge a complaint, testify, assist, or participate in any manner in an investigation of prohibited acts or practices;

(D) has disclosed his or her wages or has inquired about or discussed the wages of other employees; or

(E) is believed by the employer to have acted as described in subdivisions (A) through (D) of this subdivision.

* * *

Sec. 3. 3 V.S.A. § 345 is added to read:

§ 345. EQUAL PAY IN GOVERNMENT CONTRACTS; CERTIFICATION

(a) Notwithstanding any other provision of law, an agency may not enter into a contract for goods with a contractor who does not provide written certification of compliance with the equal pay provisions of 21 V.S.A. § 495(a)(7).

(b) A contractor subject to this section shall maintain and make available its books and records to the contracting agency and the Attorney General so that either may determine whether the contractor is in compliance with this section.

Sec. 4. 21 V.S.A. § 305 is amended to read:

§ 305. NURSING MOTHERS IN THE WORKPLACE

* * *

(c) An employer shall not retaliate or discriminate against an employee who exercises ~~the right~~ or attempts to exercise the rights provided under this section. The provisions against retaliation in subdivision 495(a)(8) of this title and the penalty and enforcement provisions of section 495b of this title shall apply to this section.

* * *

Sec. 5. 21 V.S.A. § 472b is amended to read:

§ 472b. TOWN MEETING LEAVE; EMPLOYEES; STUDENTS

(a) Subject to the essential operation of a business or entity of state or local government, which shall prevail in any instance of conflict, an employee shall have the right to take unpaid leave from employment under this section or subsection 472(b) of this title for the purpose of attending his or her annual town meeting, provided the employee notifies the employer at least seven days prior to the date of the town meeting. ~~An employer shall not discharge or in any other manner retaliate against an employee for exercising the right provided by this section.~~

* * *

Sec. 6. 21 V.S.A. § 309 is added to read:

§ 309. FLEXIBLE WORKING ARRANGEMENTS

(a) An employee may request a flexible working arrangement that meets the needs of the employer and employee. The employer shall consider a request using the procedures in subsections (c)-(e) of this section at least twice per calendar year.

(b) As used in this section, “flexible working arrangement” means intermediate or long-term changes in the employee’s regular working arrangements including changes in the number of days or hours worked, changes in the time the employee arrives at or departs from work, work from home, or job-sharing. “Flexible working arrangement” does not include vacation or another form of employee leave.

(c) Within 30 days of receiving a request for a flexible working arrangement, the employer shall discuss the request with the employee in good faith. The employer and employee may propose alternative arrangements during the discussion.

(d) Within 14 days of the discussion described in subsection (c) of this section, the employer shall notify the employee of the decision regarding the request. If the request was submitted in writing, the employer shall state any complete or partial denial of the request in writing.

(e) The employer shall grant the employee’s request for a flexible working arrangement unless doing so is inconsistent with its business operations or its legal or contractual obligations.

(f) As used in this section, “inconsistent with business operations” includes:

(1) the burden on an employer of additional costs;

(2) a detrimental effect on the ability of an employer to meet consumer demand;

(3) an inability to reorganize work among existing staff;

(4) an inability to recruit additional staff;

(5) a detrimental impact on business quality or business performance;

(6) an insufficiency of work during the periods the employee proposes to work; and

(7) planned structural changes to the business.

(g) This section shall not diminish any rights under this chapter or pursuant to a collective bargaining agreement. An employer may institute a flexible working arrangement policy that is more generous than is provided by this section.

(h) The Attorney General, a state's attorney, or the Human Rights Commission in the case of state employees may enforce subsections (c) through (f) of this section by restraining prohibited acts, conducting civil investigations, and obtaining assurances of discontinuance in accordance with the procedures established in subsection 495b(a) of this title. An employer subject to a complaint shall have the rights and remedies specified in section 495b(a) of this title. An investigation against an employer shall not be a prerequisite for bringing an action. The Civil Division of the Superior Court may award injunctive relief and court costs in any action.

(i) An employer shall not retaliate against an employee exercising his or her rights under this section. The provisions against retaliation in subdivision 495(a)(8) of this title and the penalty and enforcement provisions of section 495b of this title shall apply to this section.

Sec. 7. 21 V.S.A. § 473 is amended to read:

§ 473. RETALIATION PROHIBITED

An employer shall not discharge or in any other manner retaliate against an employee because:

~~(1) the employee lodged a complaint of a violation of a provision of this subchapter; or~~

~~(2) the employee has cooperated with the attorney general or a state's attorney in an investigation of a violation of a provision of this subchapter; or~~

~~(3) the employer believes that the employee may lodge a complaint or cooperate in an investigation of a violation of a provision of who exercises or attempts to exercise his or her rights under this subchapter. The provisions~~

against retaliation in subdivision 495(a)(8) of this title and the penalty and enforcement provisions of section 495b of this title shall apply to this subchapter.

Sec. 8. 21 V.S.A. § 474 is amended to read:

§ 474. PENALTIES AND ENFORCEMENT

~~(a) The attorney general or a state's attorney may enforce the provisions of this subchapter by bringing a civil action for temporary or permanent injunctive relief, economic damages, including prospective lost wages for a period not to exceed one year, and court costs. The attorney general or a state's attorney may conduct an investigation to obtain voluntary conciliation of an alleged violation. Such investigation shall not be a prerequisite to the bringing of a court action.~~

~~(b) As an alternative to subsection (a) of this section, an employee entitled to leave under this subchapter who is aggrieved by a violation of a provision of this subchapter may bring a civil action for temporary or permanent injunctive relief, economic damages, including prospective lost wages for a period not to exceed one year, attorney fees and court costs. The provisions against retaliation in subdivision 495(a)(8) of this title and the penalty and enforcement provisions of section 495b of this title shall apply to this subchapter.~~

~~(e)(b)~~ An employer may bring a civil action to recover compensation paid to the employee during leave, except payments made for accrued sick leave or vacation leave; and court costs to enforce the provisions of subsection 472(h) of this title.

Sec. 9. 21 V.S.A. § 710 is amended to read:

§ 710. UNLAWFUL DISCRIMINATION

* * *

(b) No person shall discharge or discriminate against an employee from employment because such employee asserted or attempted to assert a claim for benefits under this chapter or under the law of any state or under the United States.

* * *

(f) The provisions against retaliation in subdivision 495(a)(8) of this title and the penalty and enforcement provisions of section 495b of this title shall apply to this subchapter.

Sec. 10. 9 V.S.A. § 4502 is amended to read:

§ 4502. PUBLIC ACCOMMODATIONS

* * *

(c) No individual with a disability shall be excluded from participation in or be denied the benefit of the services, facilities, goods, privileges, advantages, benefits, or accommodations, or be subjected to discrimination by any place of public accommodation on the basis of his or her disability as follows:

* * *

~~(4) No public accommodation shall discriminate against any individual because that individual has opposed any act or practice made unlawful by this section or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this section. No public accommodation shall coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of or on account of his or her having exercised or enjoyed or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of any right granted or protected by this section. [Repealed.]~~

* * *

Sec. 11. 9 V.S.A. § 4503 is amended to read:

§ 4503. UNFAIR HOUSING PRACTICES

(a) It shall be unlawful for any person:

* * *

~~(5) To coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of any right granted or protected by this chapter or for having filed a charge, testified, or cooperated in any investigation or enforcement action pursuant to chapter 139 or 141 of this title. [Repealed.]~~

* * *

Sec. 12. 9 V.S.A. § 4506 is amended to read:

§ 4506. ENFORCEMENT; CIVIL ACTION; RETALIATION PROHIBITED

* * *

(e) Retaliation prohibited. A person shall not discriminate against any individual because that individual:

(1) has opposed any act or practice that is prohibited under sections 4502 or 4503 of this title;

(2) has lodged a complaint or has testified, assisted, or participated in any manner with the Human Rights Commission in an investigation of acts or practices prohibited by chapter 139 of this title;

(3) is known by the person to be about to lodge a complaint, testify, assist, or participate in any manner in an investigation of acts or practices prohibited by chapter 139 of this title; or

(4) is believed by the person to have acted as described in subdivisions (1) through (3) of this subsection.

Sec. 13. PAID FAMILY LEAVE STUDY COMMITTEE

(a) A Committee is established to study the issue of paid family leave in Vermont and to make recommendations regarding whether and how paid family leave may benefit Vermont citizens.

(b) The Committee shall examine:

(1) existing paid leave laws and proposed paid leave legislation in other states;

(2) which employees should be eligible for paid leave benefits;

(3) the appropriate level of wage replacement for eligible employees;

(4) the appropriate duration of paid leave benefits;

(5) mechanisms for funding paid leave through employee contributions;

(6) administration of paid leave benefits;

(7) transitioning to a funded paid leave program; and

(8) any other issues relevant to paid leave.

(c) The Committee shall make recommendations including proposed legislation to address paid family leave in Vermont.

(d) The Committee shall consist of the following members:

(1) two members of the House of Representatives chosen by the Speaker;

(2) two members of the Senate chosen by the Committee on Committees;

(3) four representatives from the business community, two appointed by the Speaker and two by the Committee on Committees;

(4) two representatives from labor organizations, one appointed by the Speaker and one by the Committee on Committees;

- (5) two representatives appointed by the Governor;
- (6) the Attorney General or designee;
- (7) the Commissioner of Labor or designee;
- (8) the Executive Director of the Vermont Commission on Women or designee;
- (9) the Executive Director of the Human Rights Commission or designee; and
- (10) one representative of the advocacy community appointed by the Vermont Commission on Women.

(e) The Committee shall convene its first meeting on or before September 1, 2013. The Commissioner of Labor or designee shall be designated Chair of the Committee and shall convene the first and subsequent meetings.

(f) The Committee shall report its findings and recommendations on or before January 15, 2014 to the House Committee on General, Housing and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs.

(g) The Committee shall cease to function upon transmitting its report.

Sec. 14. EFFECTIVE DATE

This act shall take effect on July 1, 2013.

(Committee Vote: 6-1-1)

H.R. 5

House resolution to amend Rule 25 of the Rules of the House of Representatives pertaining to the jurisdiction of the Committee on Government Operations.

Rep. Deen of Westminster, for the Committee on **Rules**, recommends that the resolution be amended by striking all after the list of sponsors and inserting in lieu thereof the following:

Resolved by the House of Representatives:

That this legislative body moves to amend Rule 25 of the Rules of the House of Representatives to read:

25. At the beginning of each regular session, standing committees shall be appointed having the following names, number of members, and duties:

<u>Committee</u>	<u>Members</u>	<u>To Consider Matters Relating to</u>
	* * *	
Government Operations	11	Organization, oversight and conduct of state government, compensation of state officials and employees, pensions, law enforcement, public safety, reapportionment, municipal corporations, suffrage, nominations, elections and the election of members; local, county, and regional governmental structures; relations between state and local governments; <u>open meeting issues; public records issues; and the state's information technology systems policies.</u>

* * *

(Committee Vote: 7-0-0)

(For Text of Resolution see House Journal 1/24/2013)

Senate Proposal of Amendment

H. 47

An act relating to fiscal year 2013 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.106 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.106 Libraries		
Personal services	1,887,486	1,887,486
Operating expenses	1,479,724	1,645,575
Grants	<u>69,118</u>	<u>69,118</u>
Total	3,436,328	3,602,179
Source of funds		
General fund	2,391,244	2,557,095

Special funds	126,425	126,425
Federal funds	815,264	815,264
Interdepartmental transfers	<u>103,395</u>	<u>103,395</u>
Total	3,436,328	3,602,179

Sec. 2. Sec. B.107 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.107 Tax - administration/collection		
Personal services	12,420,214	12,420,214
Operating expenses	3,056,262	<u>3,177,523</u>
Total	15,476,476	15,597,737
Source of funds		
General fund	13,973,154	14,094,415
Special funds	1,390,600	1,390,600
Interdepartmental transfers	<u>112,722</u>	<u>112,722</u>
Total	15,476,476	15,597,737

Sec. 3. Sec. B.130 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.130 Auditor of accounts		
Personal services	3,435,521	3,535,521
Operating expenses	<u>142,405</u>	<u>142,405</u>
Total	3,577,926	3,677,926
Source of funds		
General fund	379,580	479,580
Special funds	53,099	53,099
Internal service funds	<u>3,145,247</u>	<u>3,145,247</u>
Total	3,577,926	3,677,926

Sec. 4. Sec. B.137 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.137 Homeowner rebate		
Grants	14,545,808	<u>13,175,000</u>
Total	14,545,808	13,175,000
Source of funds		
General fund	14,545,808	<u>13,175,000</u>
Total	14,545,808	13,175,000

Sec. 5. Sec. B.138 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.138 Renter rebate		
Grants	9,623,000	<u>8,600,000</u>

Total	9,623,000	8,600,000
Source of funds		
General fund	2,886,900	2,580,000
Education fund	<u>6,736,100</u>	<u>6,020,000</u>
Total	9,623,000	8,600,000

Sec. 6. Sec. B.139 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.139 Tax department - reappraisal and listing payments		
Grants	<u>3,243,196</u>	<u>3,393,196</u>
Total	3,243,196	3,393,196
Source of funds		
Education fund	<u>3,243,196</u>	<u>3,393,196</u>
Total	3,243,196	3,393,196

Sec. 7. Sec. B.145 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.145 Total general government	199,135,983	197,279,287
Source of funds		
General fund	66,637,340	65,346,744
Transportation fund	3,638,110	3,638,110
Special funds	10,089,099	10,089,099
Education fund	9,979,296	9,413,196
Federal funds	815,264	815,264
Internal service funds	57,402,851	57,402,851
Interdepartmental transfers	6,303,947	6,303,947
Enterprise funds	3,129,401	3,129,401
Pension trust funds	40,108,954	40,108,954
Private purpose trust funds	<u>1,031,721</u>	<u>1,031,721</u>
Total	199,135,983	197,279,287

Sec. 8. Sec. B.200 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.200 Attorney general		
Personal services	7,518,981	7,660,981
Operating expenses	<u>977,285</u>	<u>977,285</u>
Total	8,496,266	8,638,266
Source of funds		
General fund	3,801,997	3,943,997
Special funds	1,278,455	1,278,455
Tobacco fund	459,000	459,000
Federal funds	745,364	745,364

Interdepartmental transfers	<u>2,211,450</u>	<u>2,211,450</u>
Total	<u>8,496,266</u>	<u>8,638,266</u>

Sec. 9. Sec. B.204 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.204 Judiciary		
Personal services	<u>28,807,441</u>	28,782,441
Operating expenses	<u>8,192,875</u>	10,192,875
Grants	<u>70,000</u>	<u>70,000</u>
Total	<u>37,070,316</u>	39,045,316
Source of funds		
General fund	<u>31,030,271</u>	33,030,271
Special funds	2,967,507	2,967,507
Tobacco fund	39,871	39,871
Federal funds	888,205	888,205
Interdepartmental transfers	<u>2,144,462</u>	<u>2,119,462</u>
Total	<u>37,070,316</u>	39,045,316

Sec. 10. Sec. B.205 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.205 State's attorneys		
Personal services	<u>9,365,417</u>	9,390,417
Operating expenses	<u>1,413,992</u>	<u>1,413,992</u>
Total	<u>10,779,409</u>	10,804,409
Source of funds		
General fund	<u>8,382,669</u>	8,407,669
Special funds	16,884	16,884
Federal funds	31,000	31,000
Interdepartmental transfers	<u>2,348,856</u>	<u>2,348,856</u>
Total	<u>10,779,409</u>	10,804,409

Sec. 11. Sec. B.209 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.209 Public safety - state police		
Personal services	44,109,260	44,109,260
Operating expenses		7,868,093
Grants	<u>6,860,000</u>	<u>6,860,000</u>
Total	<u>58,012,353</u>	58,837,353
Source of funds		
General fund	<u>20,087,245</u>	20,912,245
Transportation fund	25,238,498	25,238,498
Special funds	2,585,518	2,585,518

Federal funds	9,011,627	9,011,627
Interdepartmental transfers	<u>1,089,465</u>	<u>1,089,465</u>
Total	<u>58,012,353</u>	58,837,353

Sec. 12. Sec. B.219 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.219 Military – veterans’ affairs		
Personal services	501,009	513,714
Operating expenses	125,246	125,246
Grants	<u>205,000</u>	<u>205,000</u>
Total	<u>831,255</u>	843,960
Source of funds		
General fund	677,808	690,513
Special funds	71,041	71,041
Federal funds	<u>82,406</u>	<u>82,406</u>
Total	<u>831,255</u>	843,960

Sec. 12.1. Sec. B.220 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.220 Center for crime victims’ services		
Personal services	1,590,567	1,601,067
Operating expenses	321,278	321,278
Grants	<u>9,289,817</u>	<u>9,279,317</u>
Total	11,201,662	11,201,662
Source of funds		
General fund	1,164,892	1,164,892
Special funds	5,996,342	5,996,342
Federal funds	<u>4,040,428</u>	<u>4,040,428</u>
Total	11,201,662	11,201,662

Sec. 13. Sec. B.222 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.222 Agriculture, food and markets - administration		
Personal services	876,873	936,873
Operating expenses	378,386	390,886
Grants	<u>388,910</u>	<u>388,910</u>
Total	<u>1,644,169</u>	1,716,669
Source of funds		
General fund	1,130,085	1,202,585
Special funds	254,851	254,851
Federal funds	160,961	160,961
Global commitment fund	56,272	56,272

Interdepartmental transfers	<u>42,000</u>	<u>42,000</u>
Total	<u>1,644,169</u>	1,716,669

Sec. 14. Sec. B.225 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Personal services	3,114,267	3,114,267
Operating expenses	751,280	769,276
Grants	<u>933,674</u>	<u>933,674</u>
Total	4,799,221	4,817,217
Source of funds		
General fund	1,844,046	1,900,923
Special funds	1,947,242	1,947,242
Federal funds	754,469	754,469
Interdepartmental transfers	<u>253,464</u>	<u>214,583</u>
Total	4,799,221	4,817,217

Sec. 15. Sec. B.240 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.240 Total protection to persons and property

	279,853,984	282,924,185
Source of funds		
General fund	106,194,812	109,328,894
Transportation fund	25,238,498	25,238,498
Special funds	67,957,274	67,957,274
Tobacco fund	790,816	790,816
Federal funds	58,191,789	58,191,789
ARRA funds	5,160,681	5,160,681
Global commitment fund	1,138,944	1,138,944
Interdepartmental transfers	8,765,826	8,701,945
Enterprise funds	<u>6,415,344</u>	<u>6,415,344</u>
Total	279,853,984	282,924,185

Sec. 16. Sec. B.300 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Personal services	8,968,380	9,207,935
Operating expenses	3,216,136	2,716,815
Grants	<u>5,235,805</u>	<u>5,235,805</u>
Total	17,420,321	17,160,555
Source of funds		

General fund	5,048,148	5,057,818
Special funds	7,517	7,517
Tobacco fund	291,330	291,330
Federal funds	9,307,818	8,440,189
Global commitment fund	415,000	415,000
Interdepartmental transfers	<u>2,350,508</u>	<u>2,948,701</u>
Total	17,420,321	17,160,555

Sec. 17. Sec. B.301 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Grants	<u>1,170,904,293</u>	1,177,987,070
Total	1,170,904,293	1,177,987,070

Source of funds

General fund	176,116,234	175,314,567
Special funds	19,753,040	20,654,806
Tobacco fund	31,343,693	31,343,693
State health care resources fund	266,423,947	273,304,700
Federal funds	676,579,244	677,329,304
Interdepartmental transfers	<u>688,135</u>	<u>40,000</u>
Total	1,170,904,293	1,177,987,070

Sec. 18. Sec. B.306 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Personal services	104,339,779	105,564,779
Operating expenses	3,063,851	3,136,041
Grants	<u>24,260,263</u>	<u>24,260,263</u>
Total	131,663,893	132,961,083

Source of funds

General fund	941,059	941,059
Special funds	1,552,963	1,552,963
Federal funds	79,787,828	79,787,828
ARRA funds	76,790	76,790
Global commitment fund	45,228,136	46,525,326
Interdepartmental transfers	<u>4,077,117</u>	<u>4,077,117</u>
Total	131,663,893	132,961,083

Sec. 19. Sec. B.307 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Grants	<u>672,639,153</u>	<u>619,102,791</u>
Total	<u>672,639,153</u>	<u>619,102,791</u>
Source of funds		
Global commitment fund	<u>672,639,153</u>	<u>619,102,791</u>
Total	<u>672,639,153</u>	<u>619,102,791</u>

Sec. 20. Sec. B.308 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Grants	<u>201,240,298</u>	<u>202,394,858</u>
Total	<u>201,240,298</u>	<u>202,394,858</u>
Source of funds		
General fund	<u>87,683,279</u>	<u>86,302,669</u>
Federal funds	<u>113,557,019</u>	<u>116,092,189</u>
Total	<u>201,240,298</u>	<u>202,394,858</u>

Sec. 21. Sec. B.309 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Grants	<u>29,191,562</u>	<u>24,101,428</u>
Total	<u>29,191,562</u>	<u>24,101,428</u>
Source of funds		
General fund	<u>27,776,633</u>	<u>17,198,861</u>
Global commitment fund	<u>1,414,929</u>	<u>6,902,567</u>
Total	<u>29,191,562</u>	<u>24,101,428</u>

Sec. 22. Sec. B.310 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Grants	<u>44,440,781</u>	<u>43,201,507</u>
Total	<u>44,440,781</u>	<u>43,201,507</u>
Source of funds		
General fund	<u>18,573,485</u>	<u>18,453,598</u>
Federal funds	<u>25,867,296</u>	<u>24,747,909</u>
Total	<u>44,440,781</u>	<u>43,201,507</u>

Sec. 23. Sec. B.311 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.311 Health - administration and support

Personal services	5,668,858	5,668,858
Operating expenses	<u>1,946,031</u>	2,074,004
Grants	<u>3,370,200</u>	<u>3,370,200</u>
Total	<u>10,985,089</u>	11,113,062
Source of funds		
General fund	<u>1,039,062</u>	1,046,539
Special funds	579,063	579,063
Federal funds	<u>5,642,395</u>	5,473,351
ARRA funds	35,000	35,000
Global commitment fund	<u>3,689,569</u>	<u>3,979,109</u>
Total	<u>10,985,089</u>	11,113,062

Sec. 24. Sec. B.312 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.312 Health - public health		
Personal services	31,255,732	31,276,200
Operating expenses	<u>5,670,400</u>	5,785,900
Grants	<u>33,940,880</u>	<u>35,879,174</u>
Total	<u>70,867,012</u>	72,941,274
Source of funds		
General fund	<u>6,851,240</u>	6,908,311
Special funds	10,345,713	10,345,713
Tobacco fund	1,594,000	1,594,000
Federal funds	<u>34,079,848</u>	34,054,848
ARRA funds	110,000	110,000
Global commitment fund	<u>16,771,971</u>	18,814,162
Interdepartmental transfers	1,104,240	1,104,240
Dedicated trust funds	<u>10,000</u>	<u>10,000</u>
Total	<u>70,867,012</u>	72,941,274

Sec. 25. Sec. B.313 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.313 Health - alcohol and drug abuse programs		
Personal services	2,791,666	2,791,666
Operating expenses	327,258	327,258
Grants	<u>27,804,134</u>	<u>27,879,134</u>
Total	<u>30,923,058</u>	30,998,058
Source of funds		
General fund	<u>3,296,756</u>	3,271,756
Special funds	363,884	363,884
Tobacco fund	1,386,234	1,386,234
Federal funds	5,858,397	5,858,397

Global commitment fund	19,667,787	19,767,787
Interdepartmental transfers	<u>350,000</u>	<u>350,000</u>
Total	30,923,058	30,998,058

Sec. 26. Sec. B.314 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.314 Mental health - mental health		
Personal services	7,560,273	18,339,252
Operating expenses	1,028,785	2,044,907
Grants	<u>165,312,253</u>	<u>173,900,606</u>
Total	173,901,311	194,284,765
Source of funds		
General fund	1,477,732	3,408,498
Special funds	6,836	6,836
Federal funds	6,713,296	6,673,274
Global commitment fund	165,683,447	183,821,285
Interdepartmental transfers	<u>20,000</u>	<u>374,872</u>
Total	173,901,311	194,284,765

Sec. 27. Sec. B.316 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.316 Department for children and families - administration & support services		
Personal services	37,308,143	37,614,875
Operating expenses	6,637,625	7,046,181
Grants	<u>1,506,996</u>	<u>1,456,996</u>
Total	45,452,764	46,118,052
Source of funds		
General fund	15,331,675	15,464,633
Special funds	250,000	250,000
Federal funds	14,167,492	13,995,672
Global commitment fund	15,442,598	16,176,825
Interdepartmental transfers	<u>260,999</u>	<u>230,922</u>
Total	45,452,764	46,118,052

Sec. 28. Sec. B.317 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.317 Department for children and families - family services		
Personal services	23,343,490	23,343,490
Operating expenses	3,251,569	3,250,403
Grants	<u>60,440,303</u>	<u>61,818,760</u>
Total	87,035,362	88,412,653

Source of funds		
General fund	<u>21,282,433</u>	21,828,840
Special funds	1,691,637	1,691,637
Federal funds	<u>26,652,367</u>	27,213,953
Global commitment fund	37,244,871	37,515,335
Interdepartmental transfers	<u>164,054</u>	<u>162,888</u>
Total	<u>87,035,362</u>	88,412,653

Sec. 29. Sec. B.318 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.318 Department for children and families - child development		
Personal services	3,292,420	3,292,420
Operating expenses	367,946	367,946
Grants	<u>61,380,763</u>	<u>63,824,058</u>
Total	<u>65,041,129</u>	67,484,424
Source of funds		
General fund	<u>26,506,976</u>	29,741,540
Special funds	1,820,000	1,820,000
Federal funds	<u>27,902,282</u>	26,778,427
Global commitment fund	8,805,419	9,144,457
Interdepartmental transfers	<u>6,452</u>	<u>0</u>
Total	<u>65,041,129</u>	67,484,424

Sec. 30. Sec. B.320 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) 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>11,382,054</u>	<u>11,484,093</u>
Total	<u>13,209,167</u>	13,311,206
Source of funds		
General fund	<u>9,459,167</u>	9,561,206
Global commitment fund	<u>3,750,000</u>	<u>3,750,000</u>
Total	<u>13,209,167</u>	13,311,206

Sec. 31. Sec. B.321 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.321 Department for children and families - general assistance		
Grants	<u>6,649,371</u>	<u>8,815,504</u>
Total	<u>6,649,371</u>	8,815,504
Source of funds		
General fund	<u>4,845,580</u>	7,011,713

Federal funds	1,111,320	1,111,320
Global commitment fund	<u>692,471</u>	<u>692,471</u>
Total	<u>6,649,374</u>	8,815,504

Sec. 32. Sec. B.322 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.322 Department for children and families - 3SquaresVT		
Grants	<u>24,860,290</u>	26,813,146
Total	<u>24,860,290</u>	26,813,146
Source of funds		
Federal funds	<u>24,860,290</u>	26,813,146
Total	<u>24,860,290</u>	26,813,146

Sec. 33. Sec. B.323 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.323 Department for children and families - reach up		
Grants	<u>47,930,572</u>	52,859,436
Total	<u>47,930,572</u>	52,859,436
Source of funds		
General fund	<u>18,256,509</u>	22,935,373
Special funds	19,916,856	19,916,856
Federal funds	7,882,807	7,882,807
Global commitment fund	<u>1,874,400</u>	<u>2,124,400</u>
Total	<u>47,930,572</u>	52,859,436

Sec. 34. Sec. B.325 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.325 Department for children and families - office of economic opportunity		
Personal services	<u>268,987</u>	382,602
Operating expenses	66,265	66,265
Grants	<u>4,976,859</u>	<u>4,976,859</u>
Total	<u>5,312,111</u>	5,425,726
Source of funds		
General fund	<u>1,304,908</u>	1,418,523
Special funds	57,990	57,990
Federal funds	3,746,725	3,746,725
Global commitment fund	<u>202,488</u>	<u>202,488</u>
Total	<u>5,312,111</u>	5,425,726

Sec. 35. Sec. B.327 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Personal services	3,695,668	3,857,149
Operating expenses	<u>575,294</u>	<u>418,763</u>
Total	4,270,962	4,275,912
Source of funds		
General fund	791,852	677,402
Global commitment fund	3,424,218	3,550,173
Interdepartmental transfers	<u>54,892</u>	<u>48,337</u>
Total	4,270,962	4,275,912

Sec. 36. Sec. B.329 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Personal services	24,854,382	24,854,382
Operating expenses	<u>3,344,406</u>	<u>3,391,336</u>
Total	28,198,788	28,245,718
Source of funds		
General fund	6,808,267	6,835,401
Special funds	1,281,646	1,281,646
Federal funds	11,735,745	11,743,541
Global commitment fund	<u>5,887,278</u>	5,899,278
Interdepartmental transfers	<u>2,485,852</u>	<u>2,485,852</u>
Total	28,198,788	28,245,718

Sec. 37. Sec. B.330 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Grants	<u>21,051,422</u>	<u>22,023,584</u>
Total	21,051,422	22,023,584
Source of funds		
General fund	8,361,703	8,373,268
Federal funds	7,640,264	7,640,264
Global commitment fund	4,411,955	5,372,552
Interdepartmental transfers	<u>637,500</u>	<u>637,500</u>
Total	21,051,422	22,023,584

Sec. 38. Sec. B.333 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Grants	<u>157,203,376</u>	<u>160,979,130</u>
Total	<u>157,203,376</u>	<u>160,979,130</u>
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>156,672,931</u>	<u>160,448,685</u>
Total	<u>157,203,376</u>	<u>160,979,130</u>

Sec. 39. Sec. B.338 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.338 Corrections - correctional services		
Personal services	<u>98,971,228</u>	<u>99,871,228</u>
Operating expenses	<u>17,406,483</u>	<u>17,460,685</u>
Grants	<u>7,445,709</u>	<u>8,115,734</u>
Total	<u>123,823,420</u>	<u>125,447,647</u>
Source of funds		
General fund	<u>118,338,441</u>	<u>118,314,564</u>
Special funds	483,963	483,963
Federal funds	470,962	470,962
Global commitment fund	<u>4,133,739</u>	<u>5,781,843</u>
Interdepartmental transfers	<u>396,315</u>	<u>396,315</u>
Total	<u>123,823,420</u>	<u>125,447,647</u>

Sec. 40. Sec. B.346 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.346 Total human services	<u>3,285,777,614</u>	<u>3,278,020,698</u>
Source of funds		
General fund	<u>578,852,411</u>	<u>578,827,411</u>
Special funds	<u>78,645,386</u>	<u>79,547,152</u>
Tobacco fund	34,615,257	34,615,257
State health care resources fund	<u>266,423,947</u>	<u>273,304,700</u>
Education fund	4,337,051	4,337,051
Federal funds	<u>1,122,392,323</u>	<u>1,124,683,034</u>
ARRA funds	221,790	221,790
Global Commitment fund	<u>1,177,114,510</u>	<u>1,159,048,684</u>
Internal service funds	1,460,617	1,460,617
Interdepartmental transfers	<u>21,704,322</u>	<u>21,965,002</u>
Permanent trust funds	<u>10,000</u>	<u>10,000</u>
Total	<u>3,285,777,614</u>	<u>3,278,020,698</u>

Sec. 41. Sec. B.401 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.401 Labor - programs		
Personal services	24,050,596	24,125,596
Operating expenses	5,544,657	5,544,657
Grants	<u>1,873,000</u>	<u>1,873,000</u>
Total	<u>31,468,253</u>	31,543,253
Source of funds		
General fund	2,894,425	2,969,425
Special funds	3,363,869	3,363,869
Federal funds	23,751,533	23,751,533
Interdepartmental transfers	<u>1,458,426</u>	<u>1,458,426</u>
Total	<u>31,468,253</u>	31,543,253

Sec. 42. Sec. B.402 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.402 Total labor	31,468,253	31,543,253
Source of funds		
General fund	2,894,425	2,969,425
Special funds	3,363,869	3,363,869
Federal funds	23,751,533	23,751,533
Interdepartmental transfers	<u>1,458,426</u>	<u>1,458,426</u>
Total	<u>31,468,253</u>	31,543,253

Sec. 43. Sec. B.702 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.702 Fish and wildlife - support and field services		
Personal services	13,553,595	13,553,595
Operating expenses	5,095,830	5,524,412
Grants	<u>731,517</u>	<u>731,517</u>
Total	19,380,942	19,809,524
Source of funds		
General fund	2,301,129	2,729,711
Special funds	20,000	20,000
Fish and wildlife fund	16,877,322	16,877,322
Interdepartmental transfers	<u>182,491</u>	<u>182,491</u>
Total	19,380,942	19,809,524

Sec. 44. Sec. B.704 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.704 Forests, parks and recreation - forestry		
Personal services	4,550,319	4,550,319

Operating expenses	<u>562,277</u>	584,277
Grants	<u>501,000</u>	<u>501,000</u>
Total	<u>5,613,596</u>	5,635,596
Source of funds		
General fund	<u>3,096,073</u>	3,118,073
Special funds	975,069	975,069
Federal funds	1,412,454	1,412,454
Interdepartmental transfers	<u>130,000</u>	<u>130,000</u>
Total	<u>5,613,596</u>	5,635,596

Sec. 45. Sec. B.710 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.710 Environmental conservation - air and waste management		
Personal services	<u>9,671,663</u>	9,691,663
Operating expenses	6,666,655	6,666,655
Grants	<u>2,419,500</u>	<u>2,419,500</u>
Total	<u>18,757,818</u>	18,777,818
Source of funds		
General fund	646,287	646,287
Special funds	<u>14,493,478</u>	14,513,478
Federal funds	3,313,053	3,313,053
Interdepartmental transfers	<u>305,000</u>	<u>305,000</u>
Total	<u>18,757,818</u>	18,777,818

Sec. 46. Sec. B.711 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.711 Environmental conservation - office of water programs		
Personal services	<u>13,686,115</u>	13,726,115
Operating expenses	1,786,364	1,786,364
Grants	<u>2,637,546</u>	<u>2,637,546</u>
Total	<u>18,110,025</u>	18,150,025
Source of funds		
General fund	5,361,698	5,361,698
Special funds	<u>5,565,217</u>	5,605,217
Federal funds	6,518,985	6,518,985
Interdepartmental transfers	<u>664,125</u>	<u>664,125</u>
Total	<u>18,110,025</u>	18,150,025

Sec. 47. Sec. B.714 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.714 Total natural resources	<u>89,303,696</u>	89,814,278
Source of funds		

General fund	20,450,654	20,901,236
Special funds	34,355,116	34,415,116
Fish and wildlife fund	16,877,322	16,877,322
Federal funds	15,010,161	15,010,161
Interdepartmental transfers	<u>2,610,443</u>	<u>2,610,443</u>
Total	<u>89,303,696</u>	89,814,278

Sec. 48. Sec. B.800 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Personal services	1,952,092	1,952,092
Operating expenses	602,833	634,873
Grants	<u>1,404,570</u>	<u>1,404,570</u>
Total	<u>3,959,495</u>	3,991,535
Source of funds		
General fund	<u>2,834,495</u>	2,866,535
Federal funds	1,100,000	1,100,000
Interdepartmental transfers	<u>25,000</u>	<u>25,000</u>
Total	<u>3,959,495</u>	3,991,535

Sec. 49. Sec. B.801 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Personal services	7,994,679	8,394,679
Operating expenses	1,480,643	1,480,643
Grants	<u>6,994,833</u>	<u>7,144,833</u>
Total	<u>16,470,155</u>	17,020,155
Source of funds		
General fund	<u>6,046,558</u>	6,596,558
Special funds	3,971,206	3,971,206
Federal funds	6,422,391	6,422,391
Interdepartmental transfers	<u>30,000</u>	<u>30,000</u>
Total	<u>16,470,155</u>	17,020,155

Sec. 50. Sec. B.805 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.805 Tourism and marketing

Personal services	1,194,596	1,194,596
Operating expenses	1,657,545	1,837,545
Grants	<u>143,500</u>	<u>243,500</u>
Total	<u>2,995,641</u>	3,275,641

Source of funds		
General fund	<u>2,995,641</u>	<u>3,275,641</u>
Total	<u>2,995,641</u>	<u>3,275,641</u>

Sec. 51. Sec. B.812 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.812 Total commerce and community development	<u>65,814,829</u>	<u>66,676,869</u>
Source of funds		
General fund	<u>13,478,486</u>	<u>14,340,526</u>
Special funds	<u>18,361,760</u>	<u>18,361,760</u>
Federal funds	<u>33,146,530</u>	<u>33,146,530</u>
Interdepartmental transfers	<u>55,000</u>	<u>55,000</u>
Enterprise funds	<u>773,053</u>	<u>773,053</u>
Total	<u>65,814,829</u>	<u>66,676,869</u>

Sec. 51.1. Sec. B.903 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.903 Transportation - program development		
Personal services	<u>36,309,069</u>	<u>36,309,069</u>
Operating expenses	<u>247,244,191</u>	<u>247,904,463</u>
Grants	<u>37,369,326</u>	<u>37,369,326</u>
Total	<u>320,922,586</u>	<u>321,582,858</u>
Source of funds		
Transportation fund	<u>32,466,313</u>	<u>34,178,585</u>
TIB fund	<u>16,673,911</u>	<u>16,673,911</u>
Federal funds	<u>257,640,181</u>	<u>256,588,181</u>
Interdepartmental transfers	<u>3,770,000</u>	<u>3,770,000</u>
Transportation local fund	<u>1,372,181</u>	<u>1,372,181</u>
Total	<u>311,922,586</u>	<u>312,582,858</u>

Sec. 51.2. Sec. B.910 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.910 Department of motor vehicles		
Personal services	<u>16,717,817</u>	<u>16,717,817</u>
Operating expenses	<u>8,960,544</u>	<u>8,760,544</u>
Grants	<u>50,000</u>	<u>50,000</u>
Total	<u>25,728,361</u>	<u>25,528,361</u>
Source of funds		
Transportation fund	<u>22,630,649</u>	<u>22,430,649</u>
Federal funds	<u>3,097,712</u>	<u>3,097,712</u>
Total	<u>25,728,361</u>	<u>25,528,361</u>

Sec. 51.3. Sec. B.917 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

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

Grants	<u>1,150,000</u>	<u>708,000</u>
Total	<u>1,150,000</u>	<u>708,000</u>
Source of funds		
Transportation fund	<u>1,150,000</u>	<u>708,000</u>
Total	<u>1,150,000</u>	<u>708,000</u>

Sec. 51.4. Sec. B.921 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. B.921 Total transportation	<u>658,074,852</u>	658,093,124
Source of funds		
Transportation fund	200,555,081	201,625,353
TIB fund	21,291,382	21,291,382
Special funds	3,500,000	3,500,000
Federal funds	390,536,639	389,484,639
ARRA funds	6,301,953	6,301,953
Internal service funds	18,653,244	18,653,244
Interdepartmental transfers	4,317,197	4,317,197
Local match	2,919,356	2,919,356
TIB proceeds fund	<u>10,000,000</u>	<u>10,000,000</u>
Total	<u>658,074,852</u>	658,093,124

Sec. 52. FISCAL YEAR 2013 APPROPRIATION REDUCTIONS DUE TO BENEFIT PLAN PREMIUM ADJUSTMENTS

(a) To reflect adjustments to budgets due to benefit plan premium adjustments, the Secretary of Administration is authorized to reduce personal services appropriations by \$5,835,750 in General Funds.

Sec. 53. Sec. B.1108 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

Sec. B.1108 ONE-TIME VERMONT ELECTRIC ENERGY GENERATION TAX APPEAL LEGAL EXPENSES APPROPRIATIONS

(a) In fiscal year 2013, there is appropriated to the Attorney General for legal expenses incurred related to Entergy appeal of Vermont's electric energy generating tax:

<u>General fund</u>	<u>\$80,021</u>
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(b) In fiscal year 2013, there is appropriated to the Attorney General for estimated legal expenses related to Entergy appeal of Vermont's electric energy generating tax.

General fund \$110,000

Sec. 53.1. Sec. B.1109 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

Sec. B.1109 ONE-TIME VERMONT VETERANS' HOME MANAGEMENT REVIEW APPROPRIATION

(a) The Secretary of Administration shall contract for an independent review of the management and operations of the Vermont Veterans' Home established in accordance with 20 V.S.A chapter 87. The review shall be designed to develop and make recommendations in the following areas: projected medium- and long-term demand for services and the implications for the service mission of the Veterans' Home; fiscal management practices, appropriate levels of staffing, and alternative governance structures. The review shall be completed on or before October 30, 2013. The amount of \$20,000 in general funds is appropriated to the Secretary of Administration for this purpose. Upon completion, the Secretary of Administration shall submit the review to the Veterans' Home Board of Trustees, the Vermont State Employees' Association (VSEA), and the Joint Fiscal Committee.

Sec. 54. Sec. B.1200(a)(1)(A) of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

(A) General Fund. The amount of ~~\$11,729,056~~ \$12,187,945 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.

Sec. 55. FUND TRANSFERS

(a) Notwithstanding any other provisions of law, in fiscal year 2013:

(1) The following amounts shall be transferred to the General Fund from the funds indicated:

<u>21054 AG - Misc Fines & Penalties</u>	<u>500,000.00</u>
<u>21602 Vital Records</u>	<u>200,000.00</u>
<u>21634 AG - Consumer Fraud Restitution</u>	<u>324,116.00</u>
<u>21638 AG - Fees & Reimbursements - Court Order</u>	<u>4,725,555.00</u>
<u>21672 AF&M-Terminal Mkts Ship Inspection</u>	<u>5,024.55</u>

<u>21991 Vt Clean Energy Development Fund</u>	<u>2,356,439.00</u>
<u>22005 AHS Central Office earned federal receipts</u>	<u>11,386,209.00</u>
<u>50300 Liquor Control Fund</u>	<u>880,066.00</u>
<u>62100 Unclaimed Property Fund</u>	<u>3,124,737.00</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 \$17,027,770.93 shall be transferred to the General Fund, provided that on or before July 1, 2013, the Commissioner of Financial Regulation 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 2014 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>21884 Emergency Personnel Survivors Benefit Special Fund</u>	<u>102,000.00</u>
<u>21911 Sarcoidosis Benefit Trust Fund</u>	<u>92,224.72</u>
<u>21975 Armed Services Scholarship Fund</u>	<u>16,484.00</u>
<u>50700 Federal Surplus Property Fund</u>	<u>250,000.00</u>
<u>56200 State Liability Insurance Fund</u>	<u>1,069,973.00</u>
<u>20105 Transportation Fund</u>	<u>4,370,272.00</u>

(4) The following amount shall be transferred from the Liquor Control Enterprise Fund (50300) to the inter-unit transfers special fund:

<u>21500 Inter-Unit Transfers Fund- Liquor Control (business unit 02300)</u>	<u>215,750.70</u>
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Sec. 56. REVERSIONS

(a) Notwithstanding any other provisions of law, in fiscal year 2013:

(1) The following amounts shall revert to the General Fund from the accounts indicated:

<u>1105500000</u>	<u>Comm & Info Technology</u>	<u>20,802.00</u>
<u>1140040000</u>	<u>Homeowner Rebates</u>	<u>507,221.00</u>
<u>1140070000</u>	<u>Use Tax Reimbursement Program</u>	<u>57,759.00</u>
<u>1200010000</u>	<u>Governor's Office</u>	<u>56,450.00</u>
<u>1260010000</u>	<u>Office of the Treasurer</u>	<u>306,543.52</u>
<u>22000891001</u>	<u>Farm-to-School, Fairs, VACD</u>	<u>304.63</u>
<u>7110010000</u>	<u>Economic, Housing, and Community Development</u>	<u>9,500.00</u>

(2) The following amounts shall revert to the Education Fund from the accounts indicated:

<u>5100010000</u>	<u>Administration</u>	<u>31,928.00</u>
<u>5100040000</u>	<u>Special Education Formula</u>	<u>3,097,761.38</u>
<u>5100050000</u>	<u>State-Placed Students</u>	<u>723,119.52</u>
<u>5100090000</u>	<u>Education Grant</u>	<u>1,393,236.05</u>
<u>5100120000</u>	<u>Debt Service Aid</u>	<u>1,697.00</u>
<u>5100190000</u>	<u>Essential Early Educ Grant</u>	<u>44,327.51</u>
<u>5100200000</u>	<u>Education-Technical Education</u>	<u>108,158.27</u>

Sec. 57. 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, 2013 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, 2013 in the Legislative and Judicial Branches of state government shall be carried forward and shall be designated for expenditure.

Sec. 58. GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER; REPORT

(a) In order to facilitate the end-of-year closeout for fiscal year 2013, 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 2013 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. 59. HUMAN SERVICES CASELOAD RESERVE EXPENDITURES

(a) In fiscal year 2013, expenditures pursuant to appropriations from the Human Services Caseload Reserve shall be made notwithstanding 32 V.S.A. § 308b(a).

Sec. 60. Sec. D.109(a) of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

(a) The amount of ~~\$16,240,000~~ \$18,501,929.94 is unreserved and made available for expenditure in fiscal year 2013 from the human services caseload reserve created by 32 V.S.A. § 308b.

Sec. 61. GENERAL FUND BALANCE RESERVE; UNRESERVED FOR APPROPRIATION

(a) Amounts in the General Fund Balance Reserve, also known as the "Rainy Day Reserve," resulting from the transfers from the former Revenue Shortfall Reserve and from the Human Service Caseload Reserve are hereby unreserved and made available for appropriation in fiscal year 2013.

(b) After the appropriations made in 32 V.S.A. § 308c(a)(2) and (3), and after the appropriations made as a result of subsection (a) of this section, any remaining amount in the General Fund Balance Reserve, also known as the "Rainy Day Reserve," at the end of fiscal year 2013 is hereby unreserved and made available for appropriation in fiscal year 2013.

Sec. 62. LOCAL COMMUNITY IMPLEMENTATION FUND; USE OF BALANCE

(a) The balance remaining in the Local Community Implementation Fund (21772) is hereby available to the department of environmental conservation - office of water programs for the purpose of addressing stormwater runoff.

Sec. 63. 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 2013 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 USC § 120(j)(2) and improving the pavement conditions of selected state highways.

(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 may execute the transfer, giving prompt notice thereof 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, 2013.

Sec. 64. 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 2013 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 \$1,500,000.00 in Transportation Fund appropriations, other than appropriations for the town highway state aid, structures, and class 2 roadway programs, to the maintenance state system (8100002000) appropriation 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 thereof 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, 2013.

Sec. 65. Sec. 282 of No. 65 of the Acts of 2007, as amended by Sec. C.103 of No. 63 of the Acts of 2011, is further amended to read:

Sec. 282. TAX COMPUTER SYSTEM MODERNIZATION FUND

(a) Creation of fund.

* * *

(2) Balances in the fund shall be administered by the department of taxes and used for the exclusive purposes of funding : A) ancillary development of ~~the ETM system~~ information technology systems necessary for implementation and continued operation of the data warehouse project ~~and in preparation of the transfer of tax types from the current VIRCS system to the VIRCS/ETM system, including modernization of billing capability;~~ B) payments due to the vendor under the data warehouse project contract; C) enhanced compliance costs related to the data warehouse project; ~~and D) phase 1 of the transfer of five tax types, specifically income taxation of individuals, trusts and estates, withholding tax, sales and use tax, meals and rooms tax, and property tax adjustments, from the current VIRCS system to the VIRCS/ETM system~~ planning for an integrated tax system solution, including present-day analysis of business case and business requirements, requests for proposals and due diligence; and E) the next phase of implementation of tax types into the selected integrated tax system solution. All balances in the fund at the end of any fiscal year shall be carried forward and remain part of the fund. Interest earned by the fund shall be deposited into the fund. This fund is established in the state treasury pursuant to ~~subchapter 5 of chapter 7 of Title 32~~ 32 V.S.A. chapter 7, subchapter 5.

* * *

Sec. 66. Sec. C.103.1 of No. 63 of the Acts of 2011 is amended to read:

Sec. 103.1 SPECIAL FUND APPROPRIATION FOR TAX COMPUTER SYSTEMS

(a) \$7,500,000 is appropriated from the tax computer system modernization special fund established pursuant to Sec. 282 of No. 65 of the Acts of 2007, as amended in Sec. C.103 of this act. This appropriation shall carry forward through fiscal year ~~2013~~ 2018. The commissioner shall anticipate receipts in accordance with 32 V.S.A. § 588(4)(C).

Sec. 67. SPECIAL FUND APPROPRIATION FOR TAX COMPUTER SYSTEMS

(a) \$9,022,173 is appropriated from the Tax Computer System Modernization Special Fund established pursuant to Sec. 282 of No. 65 of the Acts of 2007, as amended in Sec. C.103 of No. 63 of the Acts of 2011, and as further amended in Sec. 65 of this act. This appropriation shall carry forward through fiscal year 2018. The Commissioner shall anticipate receipts in accordance with 32 V.S.A. § 588(4)(C).

Sec. 68. Sec. 1(c) of No. 134 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

(c) The general assembly appropriates \$20,000.00 in general funds in fiscal year 2013 to the Vermont Center for Justice Research to support this data collection, analysis, and report.

Sec. 69. Sec. 6 of No. 147 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

~~Sec. 6. DLS DIVERSION SPECIAL FUND~~

~~There is established the DLS diversion program special fund to be administered by the attorney general. The fund shall be used to fund the requirements of this act. Administrative fees collected pursuant to Sec. 2(h) of this act shall be deposited and credited to this fund. The fund shall be available to the attorney general to enter into memorandums of understanding with diversion programs to pay for contractual and operating expenses and project related staffing related to the implementation and continuing operations of the DLS diversion program.~~

The DLS diversion fund is hereby established in the state treasury. All fees collected pursuant to Sec. 2(h) of this act shall be recorded in the fund. Quarterly, the director of each court diversion program shall report to the attorney general in a manner as prescribed by the attorney general's office on all fees paid pursuant to Sec. 2(h) of this act. An independent audit that includes all state funding sources shall be required biennially.

Sec. 70. Sec. B.1106(a) of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

(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 transfer to the Vermont working lands enterprise special fund established in 6 V.S.A. § 4605 for expenditure by the working lands enterprise board established in 6 V.S.A. § 4606 for direct grants and investments in food and forest systems pursuant to 6 V.S.A. § 4607 and consistent with the funding priorities in Sec. 5 of No. 142

of the 2011 Adj. Sess. (2012), 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. 71. Sec. D.108 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

**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. 72. 22 V.S.A. § 901 is amended to read:

§ 901. DEPARTMENT OF INFORMATION AND INNOVATION

(a) 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:

* * *

(12) not later than July 1, 2013, to adopt rules requiring the auditing and updating of state websites; ~~and~~

(13) 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; and

(14) upon request from the general assembly or the judicial branch, to consult with or provide technical support and services to the general assembly or the judicial branch regarding information technology and information security.

(b) As used in this section, "state government" means the agencies of the executive branch of state government.

Sec. 73. 3 V.S.A. § 2222(a)(10) is amended to read:

~~(10) The ~~secretary~~ Secretary shall annually submit to the ~~general assembly~~ General Assembly a five-year information technology and information security plan which indicates the anticipated information technology activities of the ~~legislative, executive, and judicial branches~~ Executive Branch of state government. For purposes of this section, "information technology activities" shall mean:~~

* * *

Sec. 74. Sec. E.131 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

Sec. E.131 State treasurer

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

Sec. 75. Sec. E.139 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

Sec. E.139 Tax department – reappraisal and listing payments

(a) Of this appropriation, \$150,000 shall be transferred to the department of taxes, division of property valuation and review and used for payment of expenses associated with a reappraisal as of April 1, 2012 of the hydroelectric plants and other property owned by TransCanada Hydro Northeast, Inc. in the State of Vermont. Expenditures for this purpose shall be considered qualified expenditures under 16 V.S.A. § 4025(c).

Sec. 76. Sec. E.219 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

Sec. E.219 Military – veterans' affairs

* * *

(b) The establishment of one (1) new classified position – Veterans' Service Officer I – is authorized in fiscal year 2013.

Sec. 77. 3 V.S.A. § 117(k) is added to read:

(k) There is hereby created a public records special fund. The fund shall be administered as a special fund pursuant to 32 V.S.A. chapter 7, subchapter 5. The purpose of the fund is to support improved management of public records by state agencies. The fund shall consist of receipts from other government agencies for the provision of records management services by the Vermont state archives and records administration in the office of the secretary of state. The fund shall be available to the office of the secretary of state and shall be expended for the purposes of activities authorized by 3 V.S.A. § 117(g).

Sec. 78. 3 V.S.A. § 118 is added to read:

§ 118. COLLECTION AND DISPOSITION OF REVENUE

(a) There is hereby created a secretary of state services fund. The fund shall be used to provide appropriations for the operations of the office of the secretary of state, with the exception of those operations provided for in subchapter 3 of chapter 5 of this title. The fund shall be administered as a special fund pursuant to 32 V.S.A. chapter 7, subchapter 5. At the end of each fiscal year, the unobligated balance in this fund shall be transferred to the general fund.

(b) All revenues collected by the secretary of state shall be deposited into the secretary of state services fund except for the following revenues:

(1) any revenues collected by the office of professional regulation set forth in 3 V.S.A. chapter 5, subchapter 3; and

(2) any revenues collected pursuant to subsection 117(k) of this title.

Sec. 79. 3 V.S.A. § 839 is amended to read:

§ 839. PUBLICATION OF PROPOSED RULES

* * *

(c) The secretary of state shall arrange for one formal publication, in a consolidated advertisement in newspapers having general circulation in different parts of the state as newspapers of record approved by the secretary of state, of information relating to all proposed rules that includes the following information:

(1) the name of the agency and its Internet address;

(2) the title or subject and a concise summary of the rule; and

(3) the office name, office telephone number, and office mailing address of an agency official able to answer questions and receive comments on the proposal.

(d) The secretary of state shall be reimbursed by agencies making publication in accordance with subsection (c) of this section so that all costs are prorated among agencies publishing at the same time.

Sec. 80. 9 V.S.A. § 5613(b) is amended to read:

(b) There is hereby created a fund to be known as the securities regulation and supervision fund. The fund shall be used for the purpose of providing the commissioner the means to administer the provisions of this chapter, ~~and for the support of the corporate records division and other corporate regulatory activities of the office of the secretary of state.~~ All agent and investment adviser representative fees received pursuant to subsections 5410(b) and (d) of this title, and all examination fees and investigation expenses received pursuant to section 5614 of this title shall be transmitted to the state treasurer and credited to this fund. All payments from the securities regulatory and supervision fund for the maintenance of staff and associated expenses, including contractual services as necessary, shall be disbursed from the state treasury only upon warrants issued by the commissioner of finance and management, after receipt of proper documentation regarding services rendered and expenses incurred. The fund shall be administered pursuant to 32 V.S.A. chapter 7, subchapter 5.

Sec. 81. 11 V.S.A. § 1625 is amended to read:

§ 1625. FEES

(a) A person, copartnership, association, limited liability company, or corporation required by the provisions of this chapter to file a return, shall, at the time of filing as provided, pay a registration fee of \$50.00 to the secretary of state ~~for the benefit of the state.~~

(b) A person, copartnership, association, limited liability company, or corporation required by the provisions of this chapter to file a certificate of cessation or change of business status or an application to reserve a business name shall, at the time of filing, pay a fee of \$20.00 to the secretary of state ~~for the benefit of the state.~~

Sec. 82. 17 V.S.A. § 2702 is amended to read:

§ 2702. NOMINATING PETITION

The name of any person shall be printed upon the primary ballot as a candidate for nomination by any major political party if petitions signed by at least 1,000 voters in accordance with sections 2353, 2354, and 2358 of this title are filed with the secretary of state, together with the written consent of the person to the printing of the person's name on the ballot. Petitions shall be filed not later than 5:00 p.m. on the first Monday after the first Tuesday of

January preceding the primary election. The petition shall be in a form prescribed by the secretary of state. A person's name shall not be listed as a candidate on the primary ballot of more than one party in the same election. Each petition shall be accompanied by a filing fee of \$2,000.00 to be paid to the secretary of state ~~and deposited by the secretary of state into the general fund.~~ However, if the petition of a candidate is accompanied by the affidavit of the candidate, which shall be available for public inspection, that the candidate and the candidate's campaign committee are without sufficient funds to pay the filing fee, the secretary of state shall waive all but \$300.00 of the payment of the filing fee by that candidate.

Sec. 83. 17 V.S.A. § 2852(a) is amended to read:

(a) A candidate for the office of governor or lieutenant governor who intends to seek Vermont campaign finance grants from the ~~Vermont campaign secretary of state services~~ fund shall file a Vermont campaign finance affidavit on the date on or before which primary petitions must be filed, whether the candidate seeks to enter a party primary or is an independent candidate.

Sec. 84. 17 V.S.A. § 2853(b) is amended to read:

(b) A candidate who accepts Vermont campaign finance grants, shall:

* * *

(3) Not later than 40 days after the general election, deposit in the ~~Vermont campaign secretary of state services~~ fund, after all permissible expenditures have been paid, the balance of any amounts remaining in the account established under subdivision (2) of this subsection.

Sec. 85. 17 V.S.A. § 2855 is amended to read:

§ 2855. VERMONT CAMPAIGN FINANCE GRANTS; AMOUNTS; TIMING

(a) ~~To the extent funds are available, the~~ The secretary of state shall make grants from the ~~Vermont campaign secretary of state services~~ fund in separate grants for the primary and general election periods to candidates who have qualified for Vermont campaign finance grants under this subchapter.

* * *

(e) ~~If the Vermont campaign fund contains insufficient revenues to provide Vermont campaign finance grants to all candidates under this section, the available funds shall be distributed proportionately among all qualifying candidates. If grants are reduced under this subsection, a candidate may solicit and accept additional contributions equal to the amount of the difference between the amount of the Vermont campaign finance grants authorized and~~

~~the amount received under this section. Additional contributions authorized under this subsection shall be governed by the provisions of sections 2805 and 2853 of this title.~~

(f) Vermont campaign finance grants for a primary election period shall be paid to qualifying candidates within the first 10 business days of the primary election period. Vermont campaign finance grants for a general election period shall be paid to qualifying candidates during the first 10 business days of the general election period.

Sec. 86. 32 V.S.A. § 586 is amended to read:

§ 586. APPLICATION

The provisions of this subchapter shall not apply to funds established to account for proceeds from the sale of bonds, to the general fund, the transportation fund, the fish and wildlife fund, the tobacco litigation settlement fund, or to any federal revenue funds, trust funds, enterprise funds, internal service funds, or agency funds, or to public service enterprise funds established to implement provisions of ~~sections 30~~ V.S.A. §§ 211 and 212a through 212f of Title 30; the budget stabilization reserves created by sections 308 and 308a of this title; the low-level radioactive waste fund created by ~~section 10~~ V.S.A. § 7013 of Title 10; the Vermont campaign fund created by ~~section 2856 of Title 17~~; the lands and facilities trust fund created by ~~section 3~~ V.S.A. § 2807 of Title 3; the education fund created by ~~section 16~~ V.S.A. § 4025 of Title 16; or the Vermont housing and conservation trust fund created by ~~section 10~~ V.S.A. § 312 of Title 10.

Sec. 87. REPEALS

(a) 17 V.S.A. § 2856 (Vermont Campaign Fund) is repealed.

(b) Sec. F4 of No. 146 of the Acts of the 2009 Adj. Sess. (2010), as amended by Sec. 6 of No. 116 of the Acts of the 2011 Adj. Sess. (2012) (publication of proposed rules), is repealed.

Sec. 88. TERMINATION OF SPECIAL FUNDS; TRANSITION

(a) Balances in the Vermont Campaign Fund (21602), the Vital Records Fund (21602), and the Rulemaking Fund (21155) shall be transferred to the Secretary of State Services Fund on July 1, 2013.

Sec. 88.1. Sec. E.330 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

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

(a) The department of disabilities, aging, and independent living shall grant \$150,000 of the funds appropriated in Sec. B.330, as amended, to Advancing Excellence – Local Area Network for Excellence for an initiative to reduce the use of antipsychotic drugs in Vermont nursing homes. Performance measures for the initiative shall include:

(1) reduction in inappropriate antipsychotic drug use and reduction of Vermont overall rate of antipsychotic drug use;

(2) reduction in resident-on-resident altercations;

(3) increase in staff confidence and competence in caring for people with dementia.

Sec. 89. Sec. E.333 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

Sec. E.333 Disabilities, aging, and independent living – developmental services

(a) The department of disabilities, aging, and independent living shall manage the developmental services program within the amount appropriated in fiscal year 2013, as amended by acts of the 2013 session, and may take appropriate steps to modify the State System of Care Plan during fiscal year 2013 if the funding requests for individuals who meet the funding criteria set forth in the Plan exceed the appropriated amount. No less than 20 business days before implementing a modification pursuant to this section, the commissioner of disabilities, aging, and independent living shall submit the proposed modification to the advisory committee established pursuant to 18 V.S.A. § 8733 for advice and recommendations.

(b) Any modifications to the State System of Care Plan made pursuant to this section shall be consistent with 18 V.S.A. chapter 204A and shall remain in effect until October 1, 2013 or the date a new plan is adopted pursuant to 18 V.S.A. § 8725, whichever occurs first.

Sec. 90. Sec. E.338(b) of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

(b) In fiscal year 2013, 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. 91. Sec. E.513 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

Sec. E.513 Appropriation and transfer to education fund

(a) Pursuant to Sec. B.513, there is appropriated in fiscal year 2013 from the general fund for transfer to the education fund the amount of \$282,317,280.

Sec. 92. Sec. E.710 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

Sec. E.710 Environmental conservation – air and waste management

(a) The establishment of one (1) new classified position – Environmental Engineer IV – is authorized in fiscal year 2013.

Sec. 93. Sec. E.711 of No. 162 of the Acts of the 2011 Adj. Sess. (2012) is added to read:

Sec. E.711 Environmental conservation – office of water programs

(a) The establishment of two (2) new classified limited service positions - one (1) Environmental Scientist III and one (1) Environmental Analyst III - is authorized in fiscal year 2013.

Sec. 94. 21 V.S.A. § 496a is amended to read:

§ 496a. STATE FUNDS; UNION ORGANIZING

~~On an annual basis, an~~ An employer that is the recipient of a grant of state funds in a single grant of more than ~~\$1,001.00~~ \$1,000.00 shall certify to the state that none of the funds will be used to interfere with or restrain the exercise of an employee's rights with respect to unionization and upon request shall provide records to the secretary of administration which attest to such certification.

Sec. 95. 32 V.S.A. § 308c(a) is amended to read:

(a) There is hereby created within the general fund a general fund 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 shall be reserved in the general fund 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 reserve 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 in fiscal year 2013, 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.

Sec. 96. 32 V.S.A. § 309(a)(1) is amended to read:

(1) Activities proposed for funding by general obligation debt financing shall be restricted to tangible capital investments, but may include the planning ~~and~~ design, and engineering directly associated with a tangible capital investment.

Sec. 97. 32 V.S.A. § 309(a)(1) is amended to read:

(a)(1) Activities proposed for funding by general obligation debt financing shall be restricted to tangible capital investments, but may include the planning, and design,~~and engineering~~ directly associated with a tangible capital investment.

Sec. 98. 32 V.S.A. § 994(b)(5) is amended to read:

(5) On its own initiative, at the request of the governor or at the request of the emergency board, the committee may make recommendations to the governor or emergency board concerning assignments or reallocation of any unused portion of the ceiling subsequent to ~~the emergency board's initial~~ an allocation by the emergency board in a given year.

Sec. 99. IRENE RECOVERY SUPPORT; EMERGENCY RELIEF AND ASSISTANCE FUND

(a) Notwithstanding 20 V.S.A. § 45, there is appropriated in fiscal year 2013, \$255,200 from the Emergency Relief and Assistance Fund (ERAF) to the department for children and families, office of economic opportunity, to be granted to the Central Vermont Community Action Council (CVCAC). The

CVCAC will hire construction coordinators and volunteer coordinators to continue Irene recovery efforts that have been supported by a department of labor grant.

Sec. 99.1. [DELETED]

Sec. 100. EFFECTIVE DATES

(a) This act shall take effect on passage.

(b) Secs. 77–88 (secretary of state change of funding) shall take effect on July 1, 2013.

(c) Sec. 97 (general obligation debt financing) shall take effect on July 1, 2014.

(For text see House Journal 1/23/2013)

Consent Calendar
Concurrent Resolutions for Adoption Under Joint Rule 16a

The following concurrent resolutions have been introduced for approval by the Senate and House and will be adopted automatically unless a Senator or Representative requests floor consideration before today's adjournment. Requests for floor consideration in either chamber should be communicated to the Secretary's office and/or the House Clerk's office, respectively. For text of resolutions, see Addendum to House Calendar and Senate Calendar of 2/14/2013.

H.C.R. 30

House concurrent resolution commemorating the 20th anniversary of the federal Family and Medical Leave Act of 1993

H.C.R. 31

House concurrent resolution honoring Vermont State Police Sergeant Todd A. Protzman

H.C.R. 32

House concurrent resolution honoring the 2012 class of Vermont Boy Scouts awarded the rank of Eagle

H.C.R. 33

House concurrent resolution designating February 14 as One Billion Rising Day in Vermont

S.C.R. 16

Senate concurrent resolution congratulating Fabian Earth Moving, Inc. and Edward A. Fabian on the company's 75th anniversary

Public Hearings

February 26, 2013 - Room 11 - 7:00-8:30 PM - Judicial Retention, Retention of Judges

Public Hearing on the Governor's proposed Fiscal Year 2014 state budget

For Advocates

House Committee on Appropriations

Tuesday, February 26, 2013, 3:00 - 4:00 p.m. or Wednesday, February 27, 2013, 9:30 – 10:30 a.m. – The House Committee on Appropriations will hold a public hearing for advocates in room 11 of the State House on the Governor's proposed FY2014 state budget. Please sign up in advance, 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 & Management's website:

http://finance.vermont.gov/state_budget/rec.

Individual department budgets that have been made available can be viewed at the Joint Fiscal Office's website:

http://www.leg.state.vt.us/jfo/dept_budgets.aspx

Information Notice

CROSSOVER DEADLINES

The following bill reporting deadlines are established for the 2013 session:

(1) From the standing committee of last reference, excluding the Committees on Appropriations and Ways and Means, all House bills must be reported out of committee on or before March 15, 2013.

(2) House bills referred pursuant to House Rule 35a, must be reported out of the Committees on Appropriations and Ways and Means on or before March 22, 2013.

Joint Assembly

Thursday, February 21, 2013 – 10:30 A.M. – House Chamber – Election of a Sergeant at Arms, of an Adjutant and Inspector General, and of three (3) trustees for the University of Vermont, and Vermont and State Agricultural College.

Candidates for the positions of Sergeant at Arms and of Adjutant and Inspector General, and legislative candidates for UVM trustees must notify the Secretary of State **in writing** of their candidacies not later than Thursday,

February 14, 2013, 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.