

# Journal of the Senate

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WEDNESDAY, MAY 1, 2013

The Senate was called to order by the President.

## Devotional Exercises

A moment of silence was observed in lieu of devotions.

## Message from the House No. 54

A message was received from the House of Representatives by Ms. H. Gwynn Zakov, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has considered a bill originating in the Senate of the following title:

**S. 14.** An act relating to payment of fair-share fees.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

## Message from the Governor Appointments Referred

A message was received from the Governor, by Louis Porter, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

Perrin, Mark of Middlebury - Member of the Education, Board of, - from 4/18/2013, to 2/28/2019.

To the Committee on Education.

Gibbs, Jason of Duxbury - Member of the Community High School of Vermont Board, - from 4/18/2013, to 2/29/2016.

To the Committee on Natural Resources and Energy.

Fraser, Richard of South Ryegate - Member of the Community High School of Vermont Board, - from 4/18/2013, to 2/29/2016.

To the Committee on Education.

Marzec-Gerrior, Mary of Pittsford - Member of the Human Rights Commission, - from 4/18/2013, to 2/28/2018.

To the Committee on Judiciary.

**Bill Referred to Committee on Appropriations**

**H. 395.**

House bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to the establishment of the Vermont Clean Energy Loan Fund.

**Bill Ordered to Lie**

**S. 55.**

Senate bill entitled:

An act relating to increasing efficiency in state government finance and lending operations.

Was taken up.

Thereupon, pending the reading of the report of the Committee on Government Operations, on motion of Senator White, the bill was ordered to lie.

**House Proposal of Amendment Concurred In**

**S. 47.**

House proposal of amendment to Senate bill entitled:

An act relating to protection orders and second degree domestic assault.

Was taken up.

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

Sec. 1. 15 V.S.A. § 1105 is amended to read:

§ 1105. SERVICE

(a) A complaint or ex parte temporary order or final order issued under this chapter shall be served in accordance with the rules of civil procedure and may be served by any law enforcement officer.

(b) A defendant who attends a hearing held under section 1103 or 1104 of this title at which a temporary or final order under this chapter is issued and

who receives notice from the court on the record that the order has been issued shall be deemed to have been served. A defendant notified by the court on the record shall be required to adhere immediately to the provisions of the order.

(c) Abuse orders shall be served by the law enforcement agency at the earliest possible time and shall take precedence over other summonses and orders. Orders shall be served in a manner calculated to ~~insure~~ ensure the safety of the plaintiff. Methods of service which include advance notification to the defendant shall not be used. The person making service shall file a return of service with the court stating the date, time, and place at which the order was delivered personally to the defendant. ~~A defendant who attends a hearing held under section 1103 or 1104 of this title at which a temporary or final order under this chapter is issued, and who receives notice from the court on the record that the order has been issued, shall be deemed to have been served.~~

~~(b)~~(d) If service of a notice of hearing issued under section 1103 or 1104 of this title cannot be made before the scheduled hearing, the court shall continue the hearing and extend the terms of the order upon request of the plaintiff for such additional time as it deems necessary to achieve service on the defendant.

Sec. 2. 15 V.S.A. § 1105 is amended to read:

§ 1105. SERVICE

(a) A complaint or ex parte temporary order or final order issued under this chapter shall be served in accordance with the rules of civil procedure and may be served by any law enforcement officer. A court that issues an order under this chapter during court hours shall promptly transmit the order electronically or by other means to a law enforcement agency for service.

(b) A defendant who attends a hearing held under section 1103 or 1104 of this title at which a temporary or final order under this chapter is issued and who receives notice from the court on the record that the order has been issued shall be deemed to have been served. A defendant notified by the court on the record shall be required to adhere immediately to the provisions of the order. However, even when the court has previously notified the defendant of the order, the court shall transmit the order for additional service by a law enforcement agency.

(c) Abuse orders shall be served by the law enforcement agency at the earliest possible time and shall take precedence over other summonses and orders. Orders shall be served in a manner calculated to ensure the safety of the plaintiff. Methods of service which include advance notification to the defendant shall not be used. The person making service shall file a return of

service with the court stating the date, time, and place at which the order was delivered personally to the defendant.

(d) If service of a notice of hearing issued under section 1103 or 1104 of this title cannot be made before the scheduled hearing, the court shall continue the hearing and extend the terms of the order upon request of the plaintiff for such additional time as it deems necessary to achieve service on the defendant.

Sec. 3. 12 V.S.A. § 5135 is amended to read:

§ 5135. SERVICE

(a) A complaint or ex parte temporary order or final order issued under this chapter shall be served in accordance with the Vermont Rules of Civil Procedure and may be served by any law enforcement officer.

(b) A defendant who attends a hearing held under section 5133 or 5134 of this title at which a temporary or final order under this chapter is issued and who receives notice from the court on the record that the order has been issued shall be deemed to have been served. A defendant notified by the court on the record shall be required to adhere immediately to the provisions of the order.

(c) Orders against stalking or sexual assault shall be served by the law enforcement agency at the earliest possible time and shall take precedence over other summonses and orders, with the exception of abuse prevention orders issued pursuant to 15 V.S.A. chapter 21. Orders shall be served in a manner calculated to ensure the safety of the plaintiff. Methods of service which include advance notification to the defendant shall not be used. The person making service shall file a return of service with the court stating the date, time, and place that the order was delivered personally to the defendant.

~~(b)~~(d) If service of a notice of hearing issued under section 5133 or 5134 of this title cannot be made before the scheduled hearing, the court shall continue the hearing and extend the terms of the order upon request of the plaintiff for such additional time as it deems necessary to achieve service on the defendant.

Sec. 4. 12 V.S.A. § 5135 is amended to read:

§ 5135. SERVICE

(a) A complaint or ex parte temporary order or final order issued under this chapter shall be served in accordance with the Vermont Rules of Civil Procedure and may be served by any law enforcement officer. A court that issues an order under this chapter during court hours shall promptly transmit the order electronically or by other means to a law enforcement agency for service.

(b) A defendant who attends a hearing held under section 5133 or 5134 of this title at which a temporary or final order under this chapter is issued and who receives notice from the court on the record that the order has been issued shall be deemed to have been served. A defendant notified by the court on the record shall be required to adhere immediately to the provisions of the order. However, even when the court has previously notified the defendant of the order, the court shall transmit the order for additional service by a law enforcement agency.

(c) Orders against stalking or sexual assault shall be served by the law enforcement agency at the earliest possible time and shall take precedence over other summonses and orders, with the exception of abuse prevention orders issued pursuant to 15 V.S.A. chapter 21. Orders shall be served in a manner calculated to ensure the safety of the plaintiff. Methods of service which include advance notification to the defendant shall not be used. The person making service shall file a return of service with the court stating the date, time, and place that the order was delivered personally to the defendant.

(d) If service of a notice of hearing issued under section 5133 or 5134 of this title cannot be made before the scheduled hearing, the court shall continue the hearing and extend the terms of the order upon request of the plaintiff for such additional time as it deems necessary to achieve service on the defendant.

Sec. 5. 33 V.S.A. § 6937 is amended to read:

§ 6937. SERVICE

(a) A petition or ex parte temporary order or final order issued under this subchapter shall be served by any sheriff or constable or any municipal or state police officer in accordance with the Vermont Rules of Civil Procedure.

(b) A defendant who attends a hearing held under section 6935 of this title at which a temporary or final order under this chapter is issued and who receives notice from the court on the record that the order has been issued shall be deemed to have been served. A defendant notified by the court on the record shall be required to adhere immediately to the provisions of the order.

(c) The person making service shall file a return of service with the court stating the date, time and place at which the order was delivered personally to the defendant.

Sec. 6. 33 V.S.A. § 6937 is amended to read:

§ 6937. SERVICE

(a) A petition or ex parte temporary order or final order issued under this subchapter shall be served by any sheriff or constable or any municipal or state police officer in accordance with the Vermont Rules of Civil Procedure. A

court that issues an order under this chapter during court hours shall promptly transmit the order electronically or by other means to a law enforcement agency for service.

(b) A defendant who attends a hearing held under section 6935 of this title at which a temporary or final order under this chapter is issued and who receives notice from the court on the record that the order has been issued shall be deemed to have been served. A defendant notified by the court on the record shall be required to adhere immediately to the provisions of the order. However, even when the court has previously notified the defendant of the order, the court shall transmit the order for additional service by a law enforcement agency.

(c) The person making service shall file a return of service with the court stating the date, time and place at which the order was delivered personally to the defendant.

Sec. 7. 12 V.S.A. § 5136 is amended to read:

§ 5136. PROCEDURE

(a) Except as otherwise specified in this chapter, proceedings commenced under this chapter shall be in accordance with the Vermont Rules of Civil Procedure and shall be in addition to any other available civil or criminal remedies.

(b) The ~~court administrator~~ Court Administrator is authorized to contract with public or private agencies to assist plaintiffs to seek relief and to gain access to superior court. Law enforcement agencies shall assist in carrying out the intent of this section.

(c) The ~~office~~ Office of the ~~court administrator~~ Court Administrator shall ensure that the superior court has procedures in place so that the contents of orders and pendency of other proceedings can be known to all courts for cases in which an order against stalking or sexual assault proceeding is related to a criminal proceeding.

(d) Unless otherwise ordered by the court, an order issued pursuant to sections 5133 and 5134 of this title shall not be stayed pending an appeal.

Sec. 8. 15 V.S.A. § 1103 is amended to read:

§ 1103. REQUESTS FOR RELIEF

(a) Any family or household member may seek relief from abuse by another family or household member on behalf of him or herself or his or her children by filing a complaint under this chapter. The plaintiff shall submit an affidavit in support of the order.

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\* \* \*

(c)(1) The court shall make such orders as it deems necessary to protect the plaintiff or the children, or both, if the court finds that the defendant has abused the plaintiff, and:

\* \* \*

(2) The court order may include the following:

(A) an order that the defendant refrain from abusing the plaintiff, his or her children, or both and from interfering with their personal liberty, including restrictions on the defendant's ability to contact the plaintiff or the children in person, by phone, or by mail and restrictions prohibiting the defendant from coming within a fixed distance of the plaintiff, the children, the plaintiff's residence, or other designated locations where the plaintiff or children are likely to spend time;

(B) an order that the defendant immediately vacate the household and that the plaintiff be awarded sole possession of a residence;

(C) a temporary award of parental rights and responsibilities in accordance with the criteria in section 665 of this title;

(D) an order for parent-child contact under such conditions as are necessary to protect the child or the plaintiff, or both, from abuse. An order for parent-child contact may if necessary include conditions under which the plaintiff may deny parent-child contact pending further order of the court;

(E) if the court finds that the defendant has a duty to support the plaintiff, an order that the defendant pay the plaintiff's living expenses for a fixed period of time not to exceed three months;

(F) if the court finds that the defendant has a duty to support the child or children, a temporary order of child support pursuant to chapter 5 of this title, for a period not to exceed three months. A support order granted under this section may be extended if the relief from abuse proceeding is consolidated with an action for legal separation, divorce, or parentage;

(G) an order concerning the possession, care, and control of any animal owned, possessed, leased, kept, or held as a pet by either party or a minor child residing in the household-;

(H) an order that the defendant return any personal documentation in his or her possession, including immigration documentation, birth certificates, and identification cards:

(i) pertaining to the plaintiff; or

(ii) pertaining to the plaintiff's children if relief is sought for the children or for good cause shown.

\* \* \*

Sec. 9. 15 V.S.A. § 1104 is amended to read:

§ 1104. EMERGENCY RELIEF

(a) In accordance with the rules of civil procedure, temporary orders under this chapter may be issued ex parte, without notice to defendant, upon motion and findings by the court that defendant has abused plaintiff, his or her children, or both. The plaintiff shall submit an affidavit in support of the order. Relief under this section shall be limited as follows:

(1) ~~upon~~ Upon a finding that there is an immediate danger of further abuse, an order may be granted requiring the defendant:

(A) to refrain from abusing the plaintiff, his or her children, or both, or from cruelly treating as defined in 13 V.S.A. § 352 or 352a or killing any animal owned, possessed, leased, kept, or held as a pet by either party or a minor child residing in the household; ~~and~~

(B) to refrain from interfering with the plaintiff's personal liberty, the personal liberty of plaintiff's children, or both; and

(C) to refrain from coming within a fixed distance of the plaintiff, the plaintiff's children, the plaintiff's residence, or the plaintiff's place of employment.

(2) ~~upon~~ Upon a finding that the plaintiff, his or her children, or both have been forced from the household and will be without shelter unless the defendant is ordered to vacate the premises, the court may order the defendant to vacate immediately the household and may order sole possession of the premises to the plaintiff;

(3) ~~upon~~ Upon a finding that there is immediate danger of physical or emotional harm to minor children, the court may award temporary custody of these minor children to the plaintiff or to other persons.

\* \* \*

Sec. 10. 15 V.S.A. § 1152 is amended to read:

§ 1152. ADDRESS CONFIDENTIALITY PROGRAM; APPLICATION; CERTIFICATION

\* \* \*

(f) The Civil or Family Division of Washington County Superior Court shall have jurisdiction over petitions for protective orders filed by program



participants pursuant to 12 V.S.A. §§ 5133 and 5134, to sections 1103 and 1104 of this title, and to 33 V.S.A. § 6935. A program participant may file a petition for a protective order in the county in which he or she resides or in Washington County to protect the confidentiality of his or her address.

Sec. 11. 13 V.S.A. § 1044 is amended to read:

§ 1044. SECOND DEGREE AGGRAVATED DOMESTIC ASSAULT

(a) A person commits the crime of second degree aggravated domestic assault if the person:

(1) commits the crime of domestic assault and such conduct violates:

(A) specific conditions of a criminal court order in effect at the time of the offense imposed to protect that other person;

(B) a final abuse prevention order issued under ~~section 15~~ V.S.A. § 1103 of Title 15 or a similar order issued in another jurisdiction.

(C) ~~an a final~~ order against stalking or sexual assault issued under ~~chapter 178 of Title 12~~ V.S.A. § 5133 or a similar order issued in another jurisdiction; or

(D) ~~an a final~~ order against abuse of a vulnerable adult issued under ~~chapter 69 of Title 33~~ V.S.A. § 6935 or a similar order issued in another jurisdiction.

(2) commits the crime of domestic assault; and

(A) has a prior conviction within the last 10 years for violating an abuse prevention order issued under section 1030 of this title; or

(B) has a prior conviction for domestic assault under section 1042 of this title.

(3) For the purpose of this subsection, the term “issued in another jurisdiction” means issued by a court in any other state, in a federally recognized Indian tribe, territory, or possession of the United States, in the Commonwealth of Puerto Rico, or in the District of Columbia.

\* \* \*

Sec. 12. EFFECTIVE DATE

(a) Secs. 2, 4, and 6 of this act shall take effect on November 1, 2013.

(b) This section and all remaining sections of this act shall take effect on July 1, 2013.

Thereupon, the question, Shall the Senate concur in the House proposal of amendment?, was decided in the affirmative.

**Bill Passed****S. 37.**

Senate bill of the following title was read the third time and passed:

An act relating to the creation of a tax increment financing district.

**Bill Passed in Concurrence with Proposal of Amendment**

House bill of the following title was read the third time and passed in concurrence with proposal of amendment:

**H. 99.** An act relating to equal pay.

**Bill Passed in Concurrence with Proposal of Amendment**

House bill of the following title:

**H. 169.** An act relating to relieving employers' experience-rating records.

Was taken up.

Thereupon, the bill was read the third time and passed in concurrence with proposals of amendment on a roll call, Yeas 29, Nays 0.

Senator Galbraith having demanded the yeas and nays, they were taken and are as follows:

**Roll Call**

**Those Senators who voted in the affirmative were:** Ashe, Ayer, Baruth, Benning, Campbell, Collins, Cummings, Doyle, Flory, Fox, French, Galbraith, Hartwell, Kitchel, Lyons, MacDonald, Mazza, McAllister, McCormack, Mullin, Nitka, Pollina, Rodgers, Sears, Snelling, Starr, Westman, White, Zuckerman.

**Those Senators who voted in the negative were:** None.

**The Senator absent and not voting was:** Bray.

**Bill Passed in Concurrence with Proposal of Amendment**

House bill of the following title was read the third time and passed in concurrence with proposal of amendment:

**H. 178.** An act relating to anatomical gifts.

**Third Reading Ordered****H. 315.**

Senator Mullin, for the Committee on Finance, to which was referred House bill entitled:

An act relating to group health coverage for same-sex spouses.

Reported that the bill ought to pass in concurrence.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered on a roll call, Yeas 29, Nays 0.

Senator Campbell having demanded the yeas and nays, they were taken and are as follows:

### **Roll Call**

**Those Senators who voted in the affirmative were:** Ashe, Ayer, Baruth, Benning, Campbell, Collins, Cummings, Doyle, Flory, Fox, French, Galbraith, Hartwell, Kitchel, Lyons, MacDonald, Mazza, McAllister, McCormack, Mullin, Nitka, Pollina, Rodgers, Sears, Snelling, Starr, Westman, White, Zuckerman.

**Those Senators who voted in the negative were:** None.

**The Senator absent and not voting was:** Bray.

### **Proposals of Amendment; Third Reading Ordered**

#### **H. 50.**

Senator McAllister, for the Committee on Agriculture, to which was referred House bill entitled:

An act relating to the sale, transfer, or importation of pets.

Reported recommending that the Senate propose to the House to amend the bill as follows:

First: In Sec. 5, 20 V.S.A. § 3682, in subsection (c), by striking out “chapter 9” where it appears in the first and second sentences, and inserting in lieu thereof the following: chapter 8

Second: In Sec. 6, 20 V.S.A. chapter 194, in § 3901, by striking out subdivision (11) in its entirety and inserting in lieu thereof the following:

(11) “Pet shop” means a place ~~where animals are bought, sold, exchanged, or offered for~~ of retail or wholesale business, including a flea market, that is not part of a private dwelling, where cats, dogs, wolf-hybrids, rabbits, rodents, birds, fish, reptiles, or other vertebrates are maintained or displayed for the purpose of sale or exchange to the general public.

Senator Lyons, for the Committee on Finance, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposals of amendment as recommended by the Committee on Agriculture.

And that the bill ought to pass in concurrence with such proposals of amendment.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the proposals of amendment were collectively agreed to.

Thereupon, pending the question, Shall the bill be read a third time?, Senator Sears moved that the Senate propose to the House that the bill be amended by adding a new section to be numbered Sec. 47b to read as follows:

\* \* \* Barbers and Cosmetologists \* \* \*

**Sec. 47b. AMENDMENT TO RULES OF THE BOARD OF BARBERS AND COSMETOLOGISTS**

By March 31, 2014, the Board of Barbers and Cosmetologists (the "Board") shall amend Rule 12.3 of the Board to allow in a shop, including in an immediate work area of a shop, therapy animals, in addition to the service animals already permitted under that rule.

Thereupon, pending the question, Shall the Senate propose to the House to amend the bill as moved by Senator Sears?, Senator Sears requested and was granted leave to withdraw the proposal of amendment.

Thereupon, third reading of the bill was ordered.

**Proposals of Amendment; Third Reading Ordered**

**H. 101.**

Senator Rodgers, for the Committee on Natural Resources and Energy, to which was referred House bill entitled:

An act relating to hunting, fishing, and trapping.

Reported recommending that the Senate propose to the House to amend the bill as follows:

First: In Sec. 6, 10 V.S.A. § 4252, by striking out subdivisions (a)(9) and (10) in their entirety.

and in the first sentence of subdivision (a)(12), after "archery, muzzle loader," and before the period, by striking out the following: "turkey, second archery, and second muzzle loader" and inserting in lieu thereof the following: and turkey

and in the first sentence of subsection (b), by striking out the following: "second archery license, or" where it appears and inserting in lieu thereof the following: or a

Second: In Sec. 8, 10 V.S.A. § 4254b, by striking out subdivision (a)(4) in its entirety and inserting in lieu thereof the following:

(4) “Long-term care facility” means any facility required to be licensed under 33 V.S.A. chapter 71 or a mental hospital required to be licensed under 18 V.S.A. chapter 43.

Third: By striking out Sec. 9 in its entirety and inserting in lieu thereof the following:

Sec. 9. 10 V.S.A. § 4255 is amended to read:

§ 4255. LICENSE FEES

(a) Vermont residents may apply for licenses on forms provided by the ~~commissioner~~ Commissioner. Fees for each license shall be:

(1) Fishing license	\$25.00
(2) Hunting license	\$22.00
(3) Combination hunting and fishing license	\$38.00
(4) Big game licenses (all require a hunting license)	
(A) archery license	\$20.00
(B) muzzle loader license	\$20.00
(C) turkey license	\$23.00
(D) <del>second muzzle loader license</del> <u>[Deleted.]</u>	<del>\$17.00</del>
(E) <del>second archery license</del> <u>[Deleted.]</u>	<del>\$17.00</del>
(F) moose license	\$100.00
(G) <del>additional</del> <u>early season</u> bear tag	\$5.00
(5) Trapping license	\$20.00
(6) Hunting license for persons aged 17 or under	\$8.00
(7) Trapping license for persons aged 17 or under	\$10.00
(8) Fishing license for persons aged 15 through 17	\$8.00
(9) Super sport license	\$150.00
(10) Three-day fishing license	\$10.00
(11) Combination hunting and fishing license for persons aged 17 or under	\$12.00
(12) Mentored hunting license	\$10.00

(b) Nonresidents may apply for licenses on forms provided by the ~~commissioner~~ Commissioner. Fees for each license shall be:

(1) Fishing license	\$50.00
(2) One-day fishing license	\$20.00
(3) [Deleted.]	
(4) Hunting license	\$100.00
(5) Combination hunting and fishing license	\$135.00
(6) Big game licenses (all require a hunting license)	
(A) archery license	\$38.00
(B) muzzle loader license	\$40.00
(C) turkey license	\$38.00
(D) <del>second muzzle loader license</del> [Deleted]	\$25.00
(E) <del>second archery license</del> [Deleted.]	\$25.00
(F) moose license	\$350.00
(G) <del>additional early season</del> bear tag	\$15.00

\* \* \*

(j) If the ~~board~~ Board determines that a moose season will be held in accordance with the rules adopted under sections 4082 and 4084 of this title, the ~~commissioner~~ Commissioner annually may issue three no-cost moose licenses to a ~~child or young adult age 21 years or under~~ person who has a ~~life threatening~~ life-threatening disease or illness and who is sponsored by a qualified charitable organization, provided that at least one of the no-cost annual moose licenses awarded each year shall be awarded to a child or young adult age 21 years of age or under who has a life-threatening illness. The child or ~~young~~ adult ~~must~~ shall comply with all other requirements of this chapter and the rules of the ~~board~~ Board. Under this subsection, a person may receive only one no-cost moose license in his or her lifetime. The ~~commissioner~~ Commissioner shall adopt rules in accordance with 3 V.S.A. chapter 25 of Title 3 to implement this subsection. The rules shall define the child or ~~young~~ adult qualified to receive the no-cost license, shall define a qualified sponsoring charitable organization, and shall provide the application process and criteria for issuing the no-cost moose license.

\* \* \*

(m) The fee for a therapeutic group fishing license issued under section 4254b of this title shall be \$50.00 per year, provided that the Commissioner

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may waive the fee under this section if the applicant for a therapeutic group fishing license completes instructor certification under the Department's Let's Go Fishing Program. The Commissioner may, at his or her discretion, issue a free therapeutic fishing license to an applicant.

Fourth: In Sec. 20, 10 V.S.A. § 5201, in subdivision (a)(2), after “owner's name and a” and before “method by which to” by striking out the following: “legitimate” where it appears

Fifth: In Sec. 21 (Effective Dates), in subsection (b), by striking out the following: “Fish and Wildlife Board” where it appears and inserting in lieu thereof the following: Commissioner of Fish and Wildlife

And that the bill ought to pass in concurrence with such proposal of amendment.

Senator MacDonald, for the Committee on Finance, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Natural Resources and Energy.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the proposals of amendment were collectively agreed to, and third reading of the bill was ordered.

### **Bill Passed in Concurrence with Proposals of Amendment**

#### **H. 528.**

House bill entitled:

An act relating to revenue changes for fiscal year 2014 and fiscal year 2015.

Was taken up.

Thereupon, pending third reading of the bill, Senator Ashe, on behalf of the Committee on Finance, moved to amend the Senate proposal of amendment as follows:

First: In Sec. 3, in subsection (d), by striking out the following: “for the purpose of financing health care coverage under Catamount Health assistance, as provided under 33 V.S.A. chapter 19, subchapter 3a”

Second: In Sec. 8 (joint fiscal office), by striking out the words: “state return” and inserting in lieu thereof the word: state returns

Third: In Sec. 31, in subsection (a), by striking the word “agency” after the words “totality of”

Fourth: In Sec. 31, by striking subsection (b) in its entirety and inserting in lieu thereof the following:

(b) Membership. The Chair and Vice Chair of the Committee shall be legislative members selected by all the members of the Committee. The Committee on Workforce Barriers shall be composed of seven members as follows:

(1) the chairs of the Senate and House Committees on Appropriations or their designees;

(2) the chairs of the Senate Committee on Finance and the House Committee on Ways and Means or their designees;

(3) the chairs of the Senate Committee on Health and Welfare and the House Committee on Human Services or their designees;

(4) the chairs of the Senate Committee on Economic Development, Housing and General Affairs and the House Committee on Commerce and Economic Development or their designees;

(5) the Secretary of Administration or designee;

(6) the Secretary of Human Services or designee; and

(7) the Commissioner of Labor or designee.

Fifth: In Sec. 33, in subsection (b), by striking out the following: “17 (Vermont higher education tax credit),” and in subsection (f), by striking out the following: “Secs. 15 (definition of taxable income) and 16 (minimum payment)” and inserting in lieu thereof the following: Secs. 15 (definition of taxable income), 16 (minimum payment), and 17 (Vermont higher education tax credit)

Which was agreed to.

Thereupon, pending the question, Shall the bill be read third time?, Senator Pollina moved to amend the Senate proposal of amendment as follows:

First: By inserting two new sections to be numbered Sec. 15a and Sec. 15b to read as follows:

Sec. 15a. REPEAL

2009 Spec. Sess. Acts and Resolves No. 2, Sec. 20 is repealed.

Sec. 15b. TAX RATES

For tax year 2013 and after, the tax rates for the two highest income tax brackets in 32 V.S.A. § 5822(a)(1)–(5) are raised the rates of 8.80 percent and 8.95 percent to 9.8 percent and 10.45 percent respectively. The tax rates for the three lowest brackets shall remain the same as they were in tax year 2012: 3.55 percent, 6.80 percent, and 7.80 percent. The Office of Legislative



Council is authorized to alter the statutory chart in 32 V.S.A. § 5822(a)(1)–(5) to reflect these changes.

Second: In Sec. 33, in subsection (f), after the following: “Secs. 15 (definition of taxable income)” by inserting the following: 15a (income tax rate repeal), 15b (income tax rates),

Third: By striking out Sec. 22 (sales tax definitions) and Sec. 23 (sales tax exemptions), and inserting in lieu thereof the following:

Sec. 23. [Deleted.]

Sec. 24. [Deleted.]

And in Sec. 33, in subsection (b) by striking out the following: “22 (sales tax definitions), 23 (sales tax exemptions),”

Fourth: By striking out Secs. 24 (satellite programming tax), 25 (satellite tax rate for fiscal year 2015), 26 (satellite tax exemption), and 27 (satellite tax rate for fiscal year 2016), in their entirety and inserting in lieu thereof the following:

Sec. 24. [Deleted.]

Sec. 25. [Deleted.]

Sec. 26. [Deleted.]

Sec. 27. [Deleted.]

And in Sec. 33, in subsection (b), by striking the following “24 (satellite programming tax),” and by striking out subsections 33(h) and Sec. 33(i) in their entirety.

Which was disagreed to on a roll call, Yeas 7, Nays 22.

Senator Pollina having demanded the yeas and nays, they were taken and are as follows:

#### **Roll Call**

**Those Senators who voted in the affirmative were:** Cummings, Fox, French, McCormack, Pollina, White, Zuckerman.

**Those Senators who voted in the negative were:** Ashe, Ayer, Baruth, Benning, Campbell, Collins, Doyle, Flory, Galbraith, Hartwell, Kitchel, Lyons, MacDonald, Mazza, McAllister, Mullin, Nitka, Rodgers, Sears, Snelling, Starr, Westman.

**The Senator absent and not voting was:** Bray.

Senator Cummings moved that the Senate proposal of amendment be amended as follows:

First: By striking out Secs. 18, 19, and 20 in their entirety and inserting in lieu thereof the following:

Sec. 18. ESTATE TAX STUDY

The Department of Taxes shall report to the General Assembly on ways to make Vermont's estate tax more transparent and equitable. In conducting its study, the Department of Taxes shall consult with the Vermont Tax Advisory Board, the Joint Fiscal Office, and with attorneys, accountants, or other professionals who practice in this area. The report shall include analysis of Vermont's current estate tax rates, estate tax base, exemptions, and deductions. The report shall make recommendations aimed at making the administration and application of Vermont's estate tax simpler and fairer. The report of the Department of Tax shall be due on or before January 15, 2014.

Sec. 19. [Deleted.]

Sec. 20. [Deleted.]

Second: In Sec. 33, in subsection (b), after the following "17 (Vermont higher education tax credit)," by inserting the following: "18 (estate tax study)," and by striking out subsection (g) in its entirety

Which was agreed to on a roll call, Yeas 17, Nays 12.

Senator Ayer having demanded the yeas and nays, they were taken and are as follows:

**Roll Call**

**Those Senators who voted in the affirmative were:** Ayer, Benning, Collins, Cummings, Doyle, Flory, Fox, Kitchel, Mazza, McAllister, McCormack, Mullin, Nitka, Pollina, Snelling, Westman, White.

**Those Senators who voted in the negative were:** Ashe, Baruth, Campbell, French, Galbraith, Hartwell, Lyons, MacDonald, Rodgers, Sears, Starr, Zuckerman.

**The Senator absent and not voting was:** Bray.

Senator Lyons and Snelling moved that the Senate proposal of amendment be amended as follows:

First: By adding a new section to be numbered Sec. 23a to read as follows:

Sec. 23a. 2012 Acts and Resolves No. 143, Sec. 52 is amended to read:

**Sec. 52. TEMPORARY MORATORIUM ON ENFORCEMENT OF SALES TAX ON PREWRITTEN SOFTWARE ACCESSED REMOTELY**

Notwithstanding the imposition of sales and use tax on prewritten computer software by 32 V.S.A. chapter 233, the ~~department of taxes~~ Department of Taxes shall not assess tax on charges for remotely accessed software made after December 31, 2006 and before July 1, ~~2013~~ 2015, and taxes paid on such charges shall be refunded upon request if within the statute of limitations and documented to the satisfaction of the ~~commissioner~~ Commissioner. “Charges for remotely accessed software” means charges for the right to access and use prewritten software run on underlying infrastructure that is not managed or controlled by the consumer or a related company. Enforcement of the sales and use tax imposed on the purchase of specified digital products pursuant to 32 V.S.A. § 9771(8) is not affected by this section.

Second: By adding a new section to be numbered Sec. 23b to read as follows:

**Sec. 23b. CLOUD TAX IMPLEMENTATION**

The Department of Taxes shall report to the Senate Committee on Finance and House Committee on Ways and Means on how it plans to implement the sales and use tax on the sale of prewritten software accessed remotely under Vermont law. The report shall specify the types of transactions that would be taxable under current law and the types of transactions that would not be taxable. To the extent the report identifies any outstanding issues with implementing the tax, the report shall include specific recommendations for administrative or legislative action. The report shall be due on or before January 15, 2015.

Third: In Sec. 33, in subsection (b), after the following: “23 (sales tax exemptions),” by inserting the following: 23a (cloud moratorium), 23b (cloud implementation),

Fourth: By striking out Secs. 24 (satellite tax), 25 (satellite tax rate for FY 2015), 26 (satellite exemptions), and 27 (satellite tax rate for FY 2016) in their entirety, and inserting in lieu thereof the following:

Sec. 24. 32 V.S.A. chapter 242 is added to read:

**CHAPTER 242. TAX ON SATELLITE TELEVISION PROGRAMMING**

**§ 10401. DEFINITIONS**

As used in this chapter:

(1) "Commissioner" means the Commissioner of Taxes.

(2) "Distributor" means any person engaged in the business of making satellite programming available for purchase by subscribers.

(3) "Satellite programming" means radio and television audio and video programming services where the programming is distributed or broadcast by satellite directly to the subscriber's receiving equipment located at an end user subscribers' or end user customers' premises.

(4) "Subscriber" means a person who purchases programming taxable under this chapter.

#### § 10402. TAX IMPOSED

(a) There is imposed a tax on provision of satellite programming to a subscriber located in this State. The tax shall be at the rate of five percent of all gross receipts derived by the distributor from the provision of satellite programming in this State.

(b) The tax together with a return in a form prescribed by the Commissioner shall be paid to the Commissioner quarterly on or before the 25th day of the month following the last day of each quarter of the taxpayer's taxable year under the Internal Revenue Code. The Commissioner shall deposit the payments collected into the General Fund.

(c) To the extent they are not explicitly in conflict with the provisions of this chapter, the provisions of chapter 103 and subchapters 6, 7, 8, and 9 of chapter 151 of this title shall apply to the tax imposed by this section.

#### § 10403. EXEMPTIONS

(a) The following transactions are not covered by the tax in this chapter:

(1) transactions that are not within the taxing power of this State;

(2) the provision of satellite programming to a person for resale; and

(3) the first \$15.00 of monthly charges paid by each subscriber for the provision of satellite programming which shall not be counted as gross receipts.

(b) The following organizations are not covered by the tax in this chapter:

(1) the State of Vermont or any of its agencies, instrumentalities, public authorities, or political subdivisions; and

(2) the United States of America or any of its agencies and instrumentalities.

Sec. 25. 32 V.S.A. § 10403(a) is amended to read:

(a) The following transactions are not covered by the tax in this chapter:

- (1) transactions that are not within the taxing power of this State; and
- (2) the provision of satellite programming to a person for resale;
- ~~(3) the first \$15.00 of monthly charges paid by each subscriber for the provision of satellite programming shall not be counted as gross receipts.~~

Sec. 26. [Deleted.]

Sec. 27. [Deleted.]

Fifth: In Sec. 33 (effective dates), by striking out subsections (h) and (i) in their entirety and inserting a new subsection (h) to read as follows:

(h) Sec. 25 (satellite exemptions) shall take effect on July 1, 2014.

Thereupon, pending the question, Shall the Senate proposal of amendment be amended as recommended by Senator Lyons and Snelling, Senator Lyons requested and was granted leave to withdraw the proposal of amendment.

Senator Rodgers moved that the Senate proposal of amendment be amended as follows:

First: By inserting a new section to be numbered Sec. 8a above the reader assistance heading of "Property Taxes" to read as follows:

Sec. 8a. 32 V.S.A. § 3201(8) is added to read:

§ 3201. ADMINISTRATION OF TAXES

(a) In the administration of taxes, the ~~commissioner~~ Commissioner may:

\* \* \*

(9) When the Commissioner determines that a class of taxpayers has a common compliance problem or a common question about compliance with this title, the Commissioner shall exercise his or her discretion under this section to waive any past liability, penalty, or interest for taxpayers within that class. The Commissioner's decision to grant or deny relief under this subsection is final and not subject to subsequent review.

Second: In Sec. 33(b), after the following: "§ (joint fiscal office)." by inserting the following: 8a (administration of taxes).

Thereupon, pending the question, Shall the Senate proposal of amendment be amended as recommended by Senator Rodgers?, Senator Rodgers requested and was granted leave to withdraw the proposal of amendment.

Senators Rodgers and Starr moved that the Senate proposal of amendment be amended as follows:

First: By adding a new section to be numbered Sec. 17a to read as follows:

Sec. 17a. WOOD PRODUCTS MANUFACTURERS TAX CREDIT

2005 Spec. Sess. Acts and Resolves No. 2, Sec. 2, as amended by 2006 Acts and Resolves No. 212, Sec. 9 and 2008 Acts and Resolves No. 190, Sec. 29, and as further amended by 2011 Acts and Resolves No. 45, Sec. 17, is further amended to read:

Sec. 2. EFFECTIVE DATE; SUNSET

Sec. 1 of this act (wood products manufacture tax credit) shall apply to taxable years beginning on or after July 1, 2005. 32 V.S.A. § 5930y is repealed July 1, ~~2013~~ 2014, and no credit under that section shall be available for any taxable year beginning on or after July 1, ~~2013~~ 2014.

Second: In Sec. 33(b), after the following: "13 (blighted property)." by inserting the following: 17a (wood manufacturers tax credit).

Thereupon, pending the question, Shall the Senate proposal of amendment be amended as recommended by Senators Rodgers and Starr?, Senator Starr requested and was granted leave to withdraw the proposal of amendment.

Senator Ashe, on behalf of the Committee on Finance moved that the Senate proposal of amendment be amended as follows:

First: By adding a new section to be numbered Sec. 17a to read as follows:

Sec. 17a. WOOD PRODUCTS MANUFACTURERS TAX CREDIT

2005 Spec. Sess. Acts and Resolves No. 2, Sec. 2, as amended by 2006 Acts and Resolves No. 212, Sec. 9 and 2008 Acts and Resolves No. 190, Sec. 29, and as further amended by 2011 Acts and Resolves No. 45, Sec. 17, is further amended to read as follows:

Sec. 2. EFFECTIVE DATE; SUNSET

Sec. 1 of this act (wood products manufacture tax credit) shall apply to taxable years beginning on or after July 1, 2005. 32 V.S.A. § 5930y is repealed ~~July 1, 2013~~ January 1, 2014, and no credit under that section shall be available for any taxable year beginning on or after ~~July 1, 2013~~ January 1, 2014.

Second: By adding a new section to be numbered Sec. 17b to read as follows:

Sec. 17b. WOOD PRODUCTS MANUFACTURERS TAX CREDIT LIMITATION

For taxable year 2013, the total amount of credits available under 32 V.S.A. § 5930y shall not exceed \$75,000.00. The Department of Taxes shall allocate the credits for taxable year 2013 proportionally based on the claims received for the credit.

Third: In Sec. 33(b), after the following: “13 (blighted property).” by adding the following: 17a (wood manufacturers tax credit), 17b (wood manufacturers tax credit limitation).

Which was agreed to.

Senators Rodgers and Starr moved that the Senate proposal of amendment be amended as follows:

First: By striking out Secs. 24 (satellite programming tax), 25 (satellite tax rate for fiscal year 2015), 26 (satellite tax exemption), and 27 (satellite tax rate for fiscal year 2016), in their entirety and inserting in lieu thereof the following:

Sec. 24. [Deleted.]

Sec. 25. [Deleted.]

Sec. 26. [Deleted.]

Sec. 27. [Deleted.]

And in Sec. 33, in subsection (b), by striking out the following: “24 (satellite programming tax).” and by striking out subsections 33(h) and 33(i) in their entirety

Second: In Sec. 15, in subdivision 21(A)(iv), by striking out the following: “\$12,000.00” and inserting in lieu thereof the following: \$10,000.00

Which was disagreed to on a roll call, Yeas 8, Nays 21.

Senator Starr having demanded the yeas and nays, they were taken and are as follows:

**Roll Call**

**Those Senators who voted in the affirmative were:** Benning, Doyle, Galbraith, Kitchel, McAllister, Rodgers, Starr, Westman.

**Those Senators who voted in the negative were:** Ashe, Ayer, Baruth, Campbell, Collins, Cummings, Flory, Fox, French, Hartwell, Lyons, MacDonald, Mazza, McCormack, Mullin, Nitka, Pollina, Sears, Snelling, White, Zuckerman.

**The Senator absent and not voting was:** Bray.

Senators Westman, Campbell, Collins, Cummings, French, Pollina and White moved to amend the Senate proposal of amendment by striking out Sec. 17 (Vermont higher education tax credit) in its entirety and inserting in lieu thereof the following:

Sec. 17. [Deleted.]

And in Sec. 33(f) by striking out the following: "17 (Vermont higher education tax credit),"

Which was agreed to on a roll call, Yeas 24, Nays 5.

Senator Westman having demanded the yeas and nays, they were taken and are as follows:

#### **Roll Call**

**Those Senators who voted in the affirmative were:** Ayer, Baruth, Benning, Campbell, Collins, Cummings, Doyle, Flory, Fox, French, Hartwell, Kitchel, Lyons, Mazza, McAllister, McCormack, Nitka, Pollina, Rodgers, Snelling, Starr, Westman, White, Zuckerman.

**Those Senators who voted in the negative were:** Ashe, Galbraith, MacDonald, Mullin, Sears.

**The Senator absent and not voting was:** Bray.

Senator Sears moved that the Senate proposal of amendment be amended as follows:

First: By striking out Sec. 22 (sales tax definitions) and Sec. 23 (sales tax exemptions), and inserting in lieu thereof the following:

Sec. 22. [Deleted.]

Sec. 23. [Deleted.]

Second: In Sec. 33, in subsection (b) by striking out the following: "22 (sales tax definitions), 23 (sales tax exemptions),"

Which was disagreed to.

Thereupon, the bill was read the third time and passed in concurrence with proposals of amendment.

Thereupon, the bill was read the third time and passed in concurrence with proposals of amendment on a roll call, Yeas 24, Nays 5.

Senator Galbraith having demanded the yeas and nays, they were taken and are as follows:



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**Roll Call**

**Those Senators who voted in the affirmative were:** Ashe, Ayer, Baruth, Campbell, Collins, Cummings, Fox, French, Galbraith, Hartwell, Kitchel, Lyons, MacDonald, Mazza, McCormack, Mullin, Nitka, Rodgers, Sears, Snelling, Starr, Westman, White, Zuckerman.

**Those Senators who voted in the negative were:** Benning, Doyle, Flory, McAllister, Pollina.

**The Senator absent and not voting was:** Bray.

**Recess**

On motion of Senator Campbell the Senate recessed until two o'clock and thirty minutes in the afternoon.

**Called to Order**

The Senate was called to order by the President.

**Proposal of Amendment; Consideration Interrupted by Recess****H. 530.**

Senator Kitchel, for the Committee on Appropriations, to which was referred House bill entitled:

An act relating to making appropriations for the support of government.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

## Sec. A.100 SHORT TITLE

(a) This bill may be referred to as the BIG BILL – Fiscal Year 2014 Appropriations Act.

## Sec. A.101 PURPOSE

(a) The purpose of this act is to provide appropriations for the operations of state government during fiscal year 2014. It is the express intent of the General Assembly that activities of the various agencies, departments, divisions, boards, and commissions be limited to those which can be supported by funds appropriated in this act or other acts passed prior to June 30, 2013. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2014 so as to meet this condition unless otherwise directed by specific language in this act or other acts of the General Assembly.

## Sec. A.102 APPROPRIATIONS

(a) It is the intent of the General Assembly that this act serve as the primary source and reference for appropriations for fiscal year 2014.

(b) The sums herein stated are appropriated for the purposes specified in the following sections of this act. When no time is expressly stated during which any of the appropriations are to continue, the appropriations are single-year appropriations and only for the purpose indicated and shall be paid from funds shown as the source of funds. If in this act there is an error in either addition or subtraction, the totals shall be adjusted accordingly. Apparent errors in referring to section numbers of statutory titles within this act may be disregarded by the Commissioner of Finance and Management.

(c) Unless codified or otherwise specified, all narrative portions of this act apply only to the fiscal year ending June 30, 2014.

## Sec. A.103 DEFINITIONS

(a) For the purposes of this act:

(1) "Encumbrances" means a portion of an appropriation reserved for the subsequent payment of existing purchase orders or contracts. The Commissioner of Finance and Management shall make final decisions on the appropriateness of encumbrances.

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

(3) "Operating expenses" means property management, repair and maintenance, rental expenses, insurance, postage, travel, energy and utilities, office and other supplies, equipment, including motor vehicles, highway materials, and construction, expenditures for the purchase of land, and construction of new buildings and permanent improvements, and similar items.

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

## Sec. A.104 RELATIONSHIP TO EXISTING LAWS

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

## Sec. A.105 OFFSETTING APPROPRIATIONS

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

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**Sec. A.106 FEDERAL FUNDS**

(a) In fiscal year 2014, the Governor, with the approval of the Legislature or the Joint Fiscal Committee if the Legislature is not in session, may accept federal funds available to the State of Vermont, including block grants in lieu of or in addition to funds herein designated as federal. The Governor, with the approval of the Legislature or the Joint Fiscal Committee if the Legislature is not in session, may allocate all or any portion of such federal funds for any purpose consistent with the purposes for which the basic appropriations in this act have been made.

(b) If, during fiscal year 2014, federal funds available to the State of Vermont and designated as federal in this and other acts of the 2013 session of the Vermont General Assembly are converted into block grants or are abolished under their current title in federal law and reestablished under a new title in federal law, the Governor may continue to accept such federal funds for any purpose consistent with the purposes for which the federal funds were appropriated. The Governor may spend such funds for such purposes for no more than 45 days prior to legislative or Joint Fiscal Committee approval. Notice shall be given to the Joint Fiscal Committee without delay if the Governor intends to use the authority granted by this section, and the Joint Fiscal Committee shall meet in an expedited manner to review the Governor's request for approval.

**Sec. A.107 NEW POSITIONS**

(a) Notwithstanding any other provision of law, the total number of authorized state positions, both classified and exempt, excluding temporary positions as defined in 3 V.S.A. § 311(11), shall not be increased during fiscal year 2014 except for new positions authorized by the 2013 session. Limited service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to this restriction.

**Sec. A.108 LEGEND**

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

<u>B.100–B.199 and E.100–E.199</u>	<u>General Government</u>
<u>B.200–B.299 and E.200–E.299</u>	<u>Protection to Persons and Property</u>
<u>B.300–B.399 and E.300–E.399</u>	<u>Human Services</u>
<u>B.400–B.499 and E.400–E.499</u>	<u>Labor</u>

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<u>B.500–B.599 and E.500–E.599</u>	<u>General Education</u>
<u>B.600–B.699 and E.600–E.699</u>	<u>Higher Education</u>
<u>B.700–B.799 and E.700–E.799</u>	<u>Natural Resources</u>
<u>B.800–B.899 and E.800–E.899</u>	<u>Commerce and Community Development</u>
<u>B.900–B.999 and E.900–E.999</u>	<u>Transportation</u>
<u>B.1000–B.1099 and E.1000–E.1099</u>	<u>Debt Service</u>
<u>B.1100–B.1199 and E.1100–E.1199</u>	<u>One-time and other appropriation actions</u>

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

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

Personal services	844,340
Operating expenses	<u>129,219</u>
Total	973,559
Source of funds	
General fund	746,543
Interdepartmental transfers	<u>227,016</u>
Total	973,559

Sec. B.101 Secretary of administration - finance

Personal services	1,214,086
Operating expenses	<u>174,974</u>
Total	1,389,060
Source of funds	
Interdepartmental transfers	<u>1,389,060</u>
Total	1,389,060

Sec. B.102 Secretary of administration - workers' compensation insurance

Personal services	1,362,068
Operating expenses	<u>339,297</u>
Total	1,701,365
Source of funds	
Internal service funds	<u>1,701,365</u>
Total	1,701,365

Sec. B.103 Secretary of administration - general liability insurance

Personal services	282,457
Operating expenses	<u>63,401</u>
Total	345,858

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Source of funds	
Internal service funds	<u>345,858</u>
Total	345,858
Sec. B.104 Secretary of administration - all other insurance	
Personal services	24,398
Operating expenses	<u>22,065</u>
Total	46,463
Source of funds	
Internal service funds	<u>46,463</u>
Total	46,463
Sec. B.105 Information and innovation - communications and information technology	
Personal services	10,850,041
Operating expenses	9,583,673
Grants	<u>735,000</u>
Total	21,168,714
Source of funds	
Internal service funds	<u>21,168,714</u>
Total	21,168,714
Sec. B.106 Finance and management - budget and management	
Personal services	1,101,626
Operating expenses	<u>241,073</u>
Total	1,342,699
Source of funds	
General fund	1,099,521
Interdepartmental transfers	<u>243,178</u>
Total	1,342,699
Sec. B.107 Finance and management - financial operations	
Personal services	2,878,757
Operating expenses	<u>327,711</u>
Total	3,206,468
Source of funds	
Internal service funds	<u>3,206,468</u>
Total	3,206,468
Sec. B.108 Human resources - operations	
Personal services	6,837,121
Operating expenses	<u>949,416</u>
Total	7,786,537

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Source of funds	
General fund	1,721,503
Special funds	244,912
Internal service funds	5,150,473
Interdepartmental transfers	<u>669,649</u>
Total	7,786,537
Sec. B.109 Human resources - employee benefits & wellness	
Personal services	1,080,565
Operating expenses	<u>818,530</u>
Total	1,899,095
Source of funds	
Internal service funds	1,884,796
Interdepartmental transfers	<u>14,299</u>
Total	1,899,095
Sec. B.110 Libraries	
Personal services	2,094,320
Operating expenses	1,670,470
Grants	<u>67,163</u>
Total	3,831,953
Source of funds	
General fund	2,644,496
Special funds	127,019
Federal funds	963,293
Interdepartmental transfers	<u>97,145</u>
Total	3,831,953
Sec. B.111 Tax - administration/collection	
Personal services	13,452,030
Operating expenses	<u>3,606,359</u>
Total	17,058,389
Source of funds	
General fund	15,513,545
Special funds	1,299,400
Interdepartmental transfers	<u>245,444</u>
Total	17,058,389
Sec. B.112 Buildings and general services - administration	
Personal services	718,740
Operating expenses	<u>61,999</u>
Total	780,739
Source of funds	

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Interdepartmental transfers	<u>780,739</u>
Total	780,739
Sec. B.113 Buildings and general services - engineering	
Personal services	2,327,797
Operating expenses	<u>474,850</u>
Total	2,802,647
Source of funds	
Interdepartmental transfers	<u>2,802,647</u>
Total	2,802,647
Sec. B.114 Buildings and general services - information centers	
Personal services	3,254,150
Operating expenses	1,399,962
Grants	<u>33,000</u>
Total	4,687,112
Source of funds	
General fund	678,129
Transportation fund	3,930,356
Special funds	<u>78,627</u>
Total	4,687,112
Sec. B.115 Buildings and general services - purchasing	
Personal services	990,356
Operating expenses	<u>190,439</u>
Total	1,180,795
Source of funds	
General fund	<u>1,180,795</u>
Total	1,180,795
Sec. B.116 Buildings and general services - postal services	
Personal services	640,226
Operating expenses	<u>133,400</u>
Total	773,626
Source of funds	
General fund	79,157
Internal service funds	<u>694,469</u>
Total	773,626
Sec. B.117 Buildings and general services - copy center	
Personal services	719,383
Operating expenses	<u>153,027</u>
Total	872,410

Source of funds	
Internal service funds	<u>872,410</u>
Total	872,410
Sec. B.118 Buildings and general services - fleet management services	
Personal services	598,336
Operating expenses	<u>164,579</u>
Total	762,915
Source of funds	
Internal service funds	<u>762,915</u>
Total	762,915
Sec. B.119 Buildings and general services - federal surplus property	
Personal services	31,036
Operating expenses	<u>13,891</u>
Total	44,927
Source of funds	
Enterprise funds	<u>44,927</u>
Total	44,927
Sec. B.120 Buildings and general services - state surplus property	
Personal services	143,737
Operating expenses	<u>107,035</u>
Total	250,772
Source of funds	
Internal service funds	<u>250,772</u>
Total	250,772
Sec. B.121 Buildings and general services - property management	
Personal services	1,306,056
Operating expenses	<u>1,191,640</u>
Total	2,497,696
Source of funds	
Internal service funds	<u>2,497,696</u>
Total	2,497,696
Sec. B.122 Buildings and general services - fee for space	
Personal services	12,619,641
Operating expenses	<u>14,837,602</u>
Total	27,457,243
Source of funds	
Internal service funds	<u>27,457,243</u>
Total	27,457,243



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Sec. B.123 Geographic information system	
Grants	<u>378,700</u>
Total	378,700
Source of funds	
Special funds	<u>378,700</u>
Total	378,700
Sec. B.124 Executive office - governor's office	
Personal services	1,200,333
Operating expenses	<u>437,916</u>
Total	1,638,249
Source of funds	
General fund	1,451,749
Interdepartmental transfers	<u>186,500</u>
Total	1,638,249
Sec. B.125 Legislative council	
Personal services	3,042,428
Operating expenses	<u>724,016</u>
Total	3,766,444
Source of funds	
General fund	<u>3,766,444</u>
Total	3,766,444
Sec. B.126 Legislature	
Personal services	3,467,973
Operating expenses	<u>3,412,007</u>
Total	6,879,980
Source of funds	
General fund	<u>6,879,980</u>
Total	6,879,980
Sec. B.127 Joint fiscal committee	
Personal services	1,314,830
Operating expenses	<u>125,858</u>
Total	1,440,688
Source of funds	
General fund	<u>1,440,688</u>
Total	1,440,688
Sec. B.128 Sergeant at arms	
Personal services	514,458

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Operating expenses	<u>70,127</u>
Total	584,585
Source of funds	
General fund	<u>584,585</u>
Total	584,585
Sec. B.129 Lieutenant governor	
Personal services	146,082
Operating expenses	<u>28,963</u>
Total	175,045
Source of funds	
General fund	<u>175,045</u>
Total	175,045
Sec. B.130 Auditor of accounts	
Personal services	3,378,241
Operating expenses	<u>155,467</u>
Total	3,533,708
Source of funds	
General fund	396,784
Special funds	53,145
Internal service funds	<u>3,083,779</u>
Total	3,533,708
Sec. B.131 State treasurer	
Personal services	2,907,173
Operating expenses	<u>297,164</u>
Total	3,204,337
Source of funds	
General fund	976,216
Special funds	2,123,541
Interdepartmental transfers	<u>104,580</u>
Total	3,204,337
Sec. B.132 State treasurer - unclaimed property	
Personal services	886,715
Operating expenses	<u>251,413</u>
Total	1,138,128
Source of funds	
Private purpose trust funds	<u>1,138,128</u>
Total	1,138,128

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 Sec. B.133 Vermont state retirement system

Personal services	6,557,649
Operating expenses	<u>30,370,108</u>
Total	36,927,757
Source of funds	
Pension trust funds	<u>36,927,757</u>
Total	36,927,757

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

Personal services	2,138,185
Operating expenses	<u>537,207</u>
Total	2,675,392
Source of funds	
Pension trust funds	<u>2,675,392</u>
Total	2,675,392

## Sec. B.135 State labor relations board

Personal services	181,889
Operating expenses	<u>43,272</u>
Total	225,161
Source of funds	
General fund	206,051
Special funds	6,788
Interdepartmental transfers	<u>12,322</u>
Total	225,161

## Sec. B.136 VOSHA review board

Personal services	25,288
Operating expenses	<u>20,026</u>
Total	45,314
Source of funds	
General fund	22,657
Interdepartmental transfers	<u>22,657</u>
Total	45,314

## Sec. B.137 Homeowner rebate

Grants	<u>13,967,000</u>
Total	13,967,000
Source of funds	
General fund	<u>13,967,000</u>
Total	13,967,000

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Sec. B.138 Renter rebate	
Grants	<u>8,838,400</u>
Total	8,838,400
Source of funds	
General fund	2,651,500
Education fund	<u>6,186,900</u>
Total	8,838,400
Sec. B.139 Tax department - reappraisal and listing payments	
Grants	<u>3,293,196</u>
Total	3,293,196
Source of funds	
Education fund	<u>3,293,196</u>
Total	3,293,196
Sec. B.140 Municipal current use	
Grants	<u>13,475,000</u>
Total	13,475,000
Source of funds	
General fund	<u>13,475,000</u>
Total	13,475,000
Sec. B.141 Lottery commission	
Personal services	1,757,229
Operating expenses	1,280,936
Grants	<u>150,000</u>
Total	3,188,165
Source of funds	
Enterprise funds	<u>3,188,165</u>
Total	3,188,165
Sec. B.142 Payments in lieu of taxes	
Grants	<u>5,800,000</u>
Total	5,800,000
Source of funds	
Special funds	<u>5,800,000</u>
Total	5,800,000
Sec. B.143 Payments in lieu of taxes - Montpelier	
Grants	<u>184,000</u>
Total	184,000
Source of funds	

Special funds	<u>184,000</u>
Total	184,000
Sec. B.144 Payments in lieu of taxes - correctional facilities	
Grants	<u>40,000</u>
Total	40,000
Source of funds	
Special funds	<u>40,000</u>
Total	40,000
Sec. B.145 Total general government	
Source of funds	
General fund	69,657,388
Transportation fund	3,930,356
Special funds	10,336,132
Education fund	9,480,096
Federal funds	963,293
Internal service funds	69,123,421
Interdepartmental transfers	6,795,236
Enterprise funds	3,233,092
Pension trust funds	39,603,149
Private purpose trust funds	<u>1,138,128</u>
Total	214,260,291
Sec. B.200 Attorney general	
Personal services	7,633,012
Operating expenses	<u>1,084,151</u>
Total	8,717,163
Source of funds	
General fund	4,269,409
Special funds	1,253,751
Tobacco fund	348,000
Federal funds	798,366
Interdepartmental transfers	<u>2,047,637</u>
Total	8,717,163
Sec. B.201 Vermont court diversion	
Grants	<u>1,916,483</u>
Total	1,916,483
Source of funds	
General fund	1,396,486
Special funds	<u>519,997</u>
Total	1,916,483

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 Sec. B.202 Defender general - public defense

Personal services	8,930,535
Operating expenses	<u>947,591</u>
Total	9,878,126
Source of funds	
General fund	9,364,838
Special funds	<u>513,288</u>
Total	9,878,126

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

Personal services	3,945,930
Operating expenses	<u>49,819</u>
Total	3,995,749
Source of funds	
General fund	3,870,485
Special funds	<u>125,264</u>
Total	3,995,749

## Sec. B.204 Judiciary

Personal services	32,510,309
Operating expenses	8,671,701
Grants	<u>70,000</u>
Total	41,252,010
Source of funds	
General fund	35,067,633
Special funds	3,835,319
Tobacco fund	39,871
Federal funds	714,176
Interdepartmental transfers	<u>1,595,011</u>
Total	41,252,010

## Sec. B.205 State's attorneys

Personal services	9,856,733
Operating expenses	<u>1,539,920</u>
Total	11,396,653
Source of funds	
General fund	8,990,262
Special funds	9,982
Federal funds	31,000
Interdepartmental transfers	<u>2,365,409</u>
Total	11,396,653

Sec. B.206 Special investigative unit	
Personal services	99,676
Operating expenses	162
Grants	<u>1,420,000</u>
Total	1,519,838
Source of funds	
General fund	<u>1,519,838</u>
Total	1,519,838
Sec. B.207 Sheriffs	
Personal services	3,493,064
Operating expenses	<u>335,464</u>
Total	3,828,528
Source of funds	
General fund	<u>3,828,528</u>
Total	3,828,528
Sec. B.208 Public safety - administration	
Personal services	2,098,413
Operating expenses	<u>1,584,079</u>
Total	3,682,492
Source of funds	
General fund	2,773,807
Federal funds	<u>908,685</u>
Total	3,682,492
Sec. B.209 Public safety - state police	
Personal services	48,640,226
Operating expenses	7,532,421
Grants	<u>7,645,120</u>
Total	63,817,767
Source of funds	
General fund	24,925,517
Transportation fund	25,238,498
Special funds	2,536,320
Federal funds	10,057,432
Interdepartmental transfers	<u>1,060,000</u>
Total	63,817,767
Sec. B.210 Public safety - criminal justice services	
Personal services	7,158,220
Operating expenses	<u>2,410,980</u>

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Total	9,569,200
Source of funds	
General fund	7,026,613
Special funds	1,684,945
Federal funds	525,967
ARRA funds	<u>331,675</u>
Total	9,569,200
Sec. B.211 Public safety - emergency management	
Personal services	2,064,284
Operating expenses	547,084
Grants	<u>13,137,210</u>
Total	15,748,578
Source of funds	
General fund	719,580
Federal funds	<u>15,028,998</u>
Total	15,748,578
Sec. B.212 Public safety - fire safety	
Personal services	5,368,821
Operating expenses	1,548,070
Grants	<u>157,000</u>
Total	7,073,891
Source of funds	
General fund	646,809
Special funds	5,981,178
Federal funds	400,904
Interdepartmental transfers	<u>45,000</u>
Total	7,073,891
Sec. B.213 Public safety - homeland security	
Personal services	5,100,032
Operating expenses	265,297
Grants	<u>3,997,535</u>
Total	9,362,864
Source of funds	
General fund	169,950
Federal funds	<u>9,192,914</u>
Total	9,362,864
Sec. B.214 Radiological emergency response plan	
Personal services	685,174
Operating expenses	331,379



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Grants	<u>1,568,062</u>
Total	2,584,615
Source of funds	
Special funds	<u>2,584,615</u>
Total	2,584,615
Sec. B.215 Military - administration	
Personal services	493,465
Operating expenses	392,436
Grants	<u>100,000</u>
Total	985,901
Source of funds	
General fund	<u>985,901</u>
Total	985,901
Sec. B.216 Military - air service contract	
Personal services	5,119,918
Operating expenses	<u>1,118,130</u>
Total	6,238,048
Source of funds	
General fund	471,703
Federal funds	<u>5,766,345</u>
Total	6,238,048
Sec. B.217 Military - army service contract	
Personal services	3,905,112
Operating expenses	<u>9,138,297</u>
Total	13,043,409
Source of funds	
General fund	125,876
Federal funds	<u>12,917,533</u>
Total	13,043,409
Sec. B.218 Military - building maintenance	
Personal services	986,686
Operating expenses	<u>464,967</u>
Total	1,451,653
Source of funds	
General fund	1,402,437
Federal funds	<u>49,216</u>
Total	1,451,653

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 Sec. B.219 Military - veterans' affairs

Personal services	524,453
Operating expenses	115,841
Grants	<u>223,984</u>
Total	864,278
Source of funds	
General fund	735,457
Special funds	65,000
Federal funds	<u>63,821</u>
Total	864,278

## Sec. B.220 Center for crime victims' services

Personal services	1,662,830
Operating expenses	297,792
Grants	<u>8,987,173</u>
Total	10,947,795
Source of funds	
General fund	1,164,554
Special funds	6,284,237
Federal funds	<u>3,499,004</u>
Total	10,947,795

## Sec. B.221 Criminal justice training council

Personal services	1,345,876
Operating expenses	<u>1,296,267</u>
Total	2,642,143
Source of funds	
General fund	2,347,571
Interdepartmental transfers	<u>294,572</u>
Total	2,642,143

## Sec. B.222 Agriculture, food and markets - administration

Personal services	1,281,364
Operating expenses	614,401
Grants	<u>344,410</u>
Total	2,240,175
Source of funds	
General fund	1,126,129
Special funds	963,797
Federal funds	<u>150,249</u>
Total	2,240,175

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 Sec. B.223 Agriculture, food and markets - food safety and consumer protection

Personal services	2,942,103
Operating expenses	664,900
Grants	<u>2,400,000</u>
Total	6,007,003
Source of funds	
General fund	2,142,097
Special funds	3,142,064
Federal funds	682,544
Global Commitment fund	34,006
Interdepartmental transfers	<u>6,292</u>
Total	6,007,003

## Sec. B.224 Agriculture, food and markets - agricultural development

Personal services	1,028,318
Operating expenses	658,717
Grants	<u>2,802,474</u>
Total	4,489,509
Source of funds	
General fund	871,062
Special funds	3,063,352
Federal funds	444,844
Interdepartmental transfers	<u>110,251</u>
Total	4,489,509

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

Personal services	3,538,132
Operating expenses	563,711
Grants	<u>1,340,475</u>
Total	5,442,318
Source of funds	
General fund	2,383,659
Special funds	1,911,422
Federal funds	794,341
Global Commitment fund	56,272
Interdepartmental transfers	<u>296,624</u>
Total	5,442,318

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Sec. B.226 Financial regulation - administration	
Personal services	1,649,226
Operating expenses	<u>191,025</u>
Total	1,840,251
Source of funds	
Special funds	<u>1,840,251</u>
Total	1,840,251
Sec. B.227 Financial regulation - banking	
Personal services	1,411,547
Operating expenses	<u>262,123</u>
Total	1,673,670
Source of funds	
Special funds	<u>1,673,670</u>
Total	1,673,670
Sec. B.228 Financial regulation - insurance	
Personal services	6,203,711
Operating expenses	<u>482,988</u>
Total	6,686,699
Source of funds	
Special funds	4,590,443
Federal funds	1,504,283
Global Commitment fund	165,946
Interdepartmental transfers	<u>426,027</u>
Total	6,686,699
Sec. B.229 Financial regulation - captive insurance	
Personal services	3,822,779
Operating expenses	<u>455,696</u>
Total	4,278,475
Source of funds	
Special funds	<u>4,278,475</u>
Total	4,278,475
Sec. B.230 Financial regulation - securities	
Personal services	548,649
Operating expenses	<u>165,856</u>
Total	714,505
Source of funds	
Special funds	<u>714,505</u>
Total	714,505

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

Personal services	127,672
Operating expenses	<u>4,500</u>
Total	132,172
Source of funds	
Special funds	<u>132,172</u>
Total	132,172

**Sec. B.232 Secretary of state**

Personal services	6,994,156
Operating expenses	1,981,411
Grants	<u>812,715</u>
Total	9,788,282
Source of funds	
Special funds	7,713,282
Federal funds	2,000,000
Interdepartmental transfers	<u>75,000</u>
Total	9,788,282

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

Personal services	8,115,051
Operating expenses	830,251
Grants	<u>5,336,427</u>
Total	14,281,729
Source of funds	
Special funds	12,367,430
Federal funds	802,249
ARRA funds	1,074,354
Enterprise funds	<u>37,696</u>
Total	14,281,729

**Sec. B.234 Public service board**

Personal services	2,736,114
Operating expenses	<u>428,852</u>
Total	3,164,966
Source of funds	
Special funds	3,091,566
ARRA funds	<u>73,400</u>
Total	3,164,966

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

Personal services	3,386,718
Operating expenses	516,908
Grants	<u>885,000</u>
Total	4,788,626
Source of funds	
Special funds	<u>4,788,626</u>
Total	4,788,626

## Sec. B.236 Human rights commission

Personal services	432,141
Operating expenses	<u>74,532</u>
Total	506,673
Source of funds	
General fund	422,882
Federal funds	<u>83,791</u>
Total	506,673

## Sec. B.237 Liquor control - administration

Personal services	2,002,914
Operating expenses	<u>647,264</u>
Total	2,650,178
Source of funds	
Enterprise funds	<u>2,650,178</u>
Total	2,650,178

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

Personal services	2,153,635
Operating expenses	<u>445,222</u>
Total	2,598,857
Source of funds	
Special funds	25,000
Tobacco fund	218,444
Federal funds	254,841
Interdepartmental transfers	5,000
Enterprise funds	<u>2,095,572</u>
Total	2,598,857

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

Personal services	859,469
Operating expenses	<u>436,065</u>
Total	1,295,534

Source of funds	
Enterprise funds	<u>1,295,534</u>
Total	1,295,534
Sec. B.240 Total protection to persons and property	
Source of funds	
General fund	118,749,083
Transportation fund	25,238,498
Special funds	75,689,951
Tobacco fund	606,315
Federal funds	66,671,503
ARRA funds	1,479,429
Global Commitment fund	256,224
Interdepartmental transfers	8,326,823
Enterprise funds	<u>6,078,980</u>
Total	303,096,806
Sec. B.300 Human services - agency of human services - secretary's office	
Personal services	10,337,270
Operating expenses	3,232,916
Grants	<u>5,503,998</u>
Total	19,074,184
Source of funds	
General fund	5,165,482
Special funds	91,017
Tobacco fund	291,127
Federal funds	9,843,546
Global Commitment fund	415,000
Interdepartmental transfers	<u>3,268,012</u>
Total	19,074,184
Sec. B.301 Secretary's office - global commitment	
Grants	<u>1,208,745,075</u>
Total	1,208,745,075
Source of funds	
General fund	158,881,045
Special funds	20,795,259
Tobacco fund	35,743,693
State health care resources fund	267,531,579
Federal funds	725,753,499
Interdepartmental transfers	<u>40,000</u>
Total	1,208,745,075

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Sec. B.302 Rate setting	
Personal services	840,348
Operating expenses	<u>82,162</u>
Total	922,510
Source of funds	
Global Commitment fund	<u>922,510</u>
Total	922,510
Sec. B.303 Developmental disabilities council	
Personal services	223,211
Operating expenses	58,633
Grants	<u>248,388</u>
Total	530,232
Source of funds	
Federal funds	<u>530,232</u>
Total	530,232
Sec. B.304 Human services board	
Personal services	309,988
Operating expenses	<u>47,907</u>
Total	357,895
Source of funds	
General fund	117,962
Federal funds	153,851
Interdepartmental transfers	<u>86,082</u>
Total	357,895
Sec. B.305 AHS - administrative fund	
Personal services	350,000
Operating expenses	<u>4,650,000</u>
Total	5,000,000
Source of funds	
Interdepartmental transfers	<u>5,000,000</u>
Total	5,000,000
Sec. B.306 Department of Vermont health access - administration	
Personal services	122,057,685
Operating expenses	3,809,070
Grants	<u>26,367,955</u>
Total	152,234,710
Source of funds	
General fund	1,700,505



Special funds	3,625,432
Federal funds	90,687,335
Global Commitment fund	51,144,321
Interdepartmental transfers	<u>5,077,117</u>
Total	152,234,710
Sec. B.307 Department of Vermont health access - Medicaid program - global commitment	
Grants	<u>658,195,658</u>
Total	658,195,658
Source of funds	
Global Commitment fund	<u>658,195,658</u>
Total	658,195,658
Sec. B.308 Department of Vermont health access - Medicaid program - long term care waiver	
Grants	<u>201,375,033</u>
Total	201,375,033
Source of funds	
General fund	87,690,448
Federal funds	<u>113,684,585</u>
Total	201,375,033
Sec. B.309 Department of Vermont health access - Medicaid program - state only	
Grants	<u>36,118,235</u>
Total	36,118,235
Source of funds	
General fund	29,000,408
Global Commitment fund	<u>7,117,827</u>
Total	36,118,235
Sec. B.310 Department of Vermont health access - Medicaid non-waiver matched	
Grants	<u>43,923,308</u>
Total	43,923,308
Source of funds	
General fund	18,960,907
Federal funds	<u>24,962,401</u>
Total	43,923,308

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 Sec. B.311 Health - administration and support

Personal services	6,012,508
Operating expenses	2,750,348
Grants	<u>3,465,000</u>
Total	12,227,856
Source of funds	
General fund	1,947,664
Special funds	1,019,232
Federal funds	5,259,091
Global Commitment fund	<u>4,001,869</u>
Total	12,227,856

## Sec. B.312 Health - public health

Personal services	33,615,712
Operating expenses	6,305,676
Grants	<u>36,843,272</u>
Total	76,764,660
Source of funds	
General fund	7,342,870
Special funds	10,931,733
Tobacco fund	2,393,377
Federal funds	36,266,649
Global Commitment fund	18,800,791
Interdepartmental transfers	1,004,240
Permanent trust funds	<u>25,000</u>
Total	76,764,660

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

Personal services	2,967,468
Operating expenses	391,758
Grants	<u>28,742,481</u>
Total	32,101,707
Source of funds	
General fund	3,022,339
Special funds	442,829
Tobacco fund	1,386,234
Federal funds	6,539,025
Global Commitment fund	20,361,280
Interdepartmental transfers	<u>350,000</u>
Total	32,101,707

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 Sec. B.314 Mental health - mental health

Personal services	22,230,696
Operating expenses	1,633,320
Grants	<u>175,623,941</u>
Total	199,487,957
Source of funds	
General fund	1,048,819
Special funds	6,836
Federal funds	6,093,289
Global Commitment fund	192,319,013
Interdepartmental transfers	<u>20,000</u>
Total	199,487,957

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

Personal services	40,229,665
Operating expenses	8,271,811
Grants	<u>1,242,519</u>
Total	49,743,995
Source of funds	
General fund	16,482,195
Special funds	633,798
Federal funds	15,366,271
Global Commitment fund	17,049,231
Interdepartmental transfers	<u>212,500</u>
Total	49,743,995

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

Personal services	24,364,141
Operating expenses	3,285,261
Grants	<u>63,842,469</u>
Total	91,491,871
Source of funds	
General fund	21,918,167
Special funds	1,691,637
Federal funds	26,974,257
Global Commitment fund	40,743,756
Interdepartmental transfers	<u>164,054</u>
Total	91,491,871

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

Personal services	3,518,830
Operating expenses	370,166
Grants	<u>68,147,170</u>
Total	72,036,166
Source of funds	
General fund	33,255,661
Special funds	1,820,000
Federal funds	26,781,519
Global Commitment fund	<u>10,178,986</u>
Total	72,036,166

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

Personal services	9,170,808
Operating expenses	<u>4,022,077</u>
Total	13,192,885
Source of funds	
General fund	3,135,551
Special funds	455,718
Federal funds	9,214,016
Interdepartmental transfers	<u>387,600</u>
Total	13,192,885

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

Personal services	1,870,826
Grants	<u>11,445,414</u>
Total	13,316,240
Source of funds	
General fund	9,566,240
Global Commitment fund	<u>3,750,000</u>
Total	13,316,240

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

Grants	<u>8,290,504</u>
Total	8,290,504
Source of funds	
General fund	6,486,713
Federal funds	1,111,320
Global Commitment fund	<u>692,471</u>
Total	8,290,504

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

Grants	<u>26,813,146</u>
Total	26,813,146
Source of funds	
Federal funds	<u>26,813,146</u>
Total	26,813,146

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

Operating expenses	253,242
Grants	<u>50,866,723</u>
Total	51,119,965
Source of funds	
General fund	21,195,902
Special funds	19,916,856
Federal funds	7,882,807
Global Commitment fund	<u>2,124,400</u>
Total	51,119,965

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

Grants	<u>19,557,664</u>
Total	19,557,664
Source of funds	
General fund	7,900,000
Federal funds	<u>11,657,664</u>
Total	19,557,664

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

Personal services	484,606
Operating expenses	67,957
Grants	<u>5,213,713</u>
Total	5,766,276
Source of funds	
General fund	1,458,486
Special funds	57,990
Federal funds	4,047,312
Global Commitment fund	<u>202,488</u>
Total	5,766,276

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

Personal services	241,413
Operating expenses	131,692
Grants	<u>11,613,465</u>
Total	11,986,570
Source of funds	
Special funds	<u>11,986,570</u>
Total	11,986,570

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

Personal services	4,092,905
Operating expenses	<u>632,294</u>
Total	4,725,199
Source of funds	
General fund	891,786
Global Commitment fund	3,778,521
Interdepartmental transfers	<u>54,892</u>
Total	4,725,199

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

Personal services	4,493,121
Operating expenses	<u>1,138,949</u>
Total	5,632,070
Source of funds	
Federal funds	5,385,553
Global Commitment fund	<u>246,517</u>
Total	5,632,070

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

Personal services	26,187,084
Operating expenses	<u>3,871,829</u>
Total	30,058,913
Source of funds	
General fund	7,785,111
Special funds	1,390,457
Federal funds	12,027,023
Global Commitment fund	6,322,467

Interdepartmental transfers	<u>2,533,855</u>
Total	30,058,913
Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants	
Grants	<u>21,512,026</u>
Total	21,512,026
Source of funds	
General fund	8,277,315
Federal funds	7,640,264
Global Commitment fund	5,438,822
Interdepartmental transfers	<u>155,625</u>
Total	21,512,026
Sec. B.331 Disabilities, aging, and independent living - blind and visually impaired	
Grants	<u>1,481,457</u>
Total	1,481,457
Source of funds	
General fund	364,064
Special funds	223,450
Federal funds	648,943
Global Commitment fund	<u>245,000</u>
Total	1,481,457
Sec. B.332 Disabilities, aging, and independent living - vocational rehabilitation	
Grants	<u>9,095,971</u>
Total	9,095,971
Source of funds	
General fund	1,535,695
Special funds	70,000
Federal funds	4,062,389
Global Commitment fund	7,500
Interdepartmental transfers	<u>3,420,387</u>
Total	9,095,971
Sec. B.333 Disabilities, aging, and independent living - developmental services	
Grants	<u>170,247,699</u>
Total	170,247,699
Source of funds	
General fund	155,125
Special funds	15,463

Federal funds	359,857
Global Commitment fund	169,659,254
Interdepartmental transfers	<u>58,000</u>
Total	170,247,699
Sec. B.334 Disabilities, aging, and independent living - TBI home and community based waiver	
Grants	<u>4,873,029</u>
Total	4,873,029
Source of funds	
Global Commitment fund	<u>4,873,029</u>
Total	4,873,029
Sec. B.335 Corrections - administration	
Personal services	2,097,495
Operating expenses	<u>226,070</u>
Total	2,323,565
Source of funds	
General fund	<u>2,323,565</u>
Total	2,323,565
Sec. B.336 Corrections - parole board	
Personal services	257,161
Operating expenses	<u>70,819</u>
Total	327,980
Source of funds	
General fund	<u>327,980</u>
Total	327,980
Sec. B.337 Corrections - correctional education	
Personal services	3,794,353
Operating expenses	<u>530,774</u>
Total	4,325,127
Source of funds	
Education fund	3,929,242
Interdepartmental transfers	<u>395,885</u>
Total	4,325,127
Sec. B.338 Corrections - correctional services	
Personal services	103,240,653
Operating expenses	19,147,376
Grants	<u>8,706,735</u>
Total	131,094,764



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Source of funds	
General fund	123,930,845
Special funds	483,963
Federal funds	470,962
Global Commitment fund	5,812,679
Interdepartmental transfers	<u>396,315</u>
Total	131,094,764
Sec. B.339 Corrections - Correctional services-out of state beds	
Personal services	<u>10,507,763</u>
Total	10,507,763
Source of funds	
General fund	<u>10,507,763</u>
Total	10,507,763
Sec. B.340 Corrections - correctional facilities - recreation	
Personal services	466,118
Operating expenses	<u>345,501</u>
Total	811,619
Source of funds	
Special funds	<u>811,619</u>
Total	811,619
Sec. B.341 Corrections - Vermont offender work program	
Personal services	954,670
Operating expenses	<u>548,231</u>
Total	1,502,901
Source of funds	
Internal service funds	<u>1,502,901</u>
Total	1,502,901
Sec. B.342 Vermont veterans' home - care and support services	
Personal services	16,395,081
Operating expenses	<u>5,107,960</u>
Total	21,503,041
Source of funds	
General fund	1,344,225
Special funds	12,145,964
Federal funds	7,601,866
Global Commitment fund	<u>410,986</u>
Total	21,503,041

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 Sec. B.343 Commission on women

Personal services	287,700
Operating expenses	<u>71,135</u>
Total	358,835
Source of funds	
General fund	353,835
Special funds	<u>5,000</u>
Total	358,835

## Sec. B.344 Retired senior volunteer program

Grants	<u>151,096</u>
Total	151,096
Source of funds	
General fund	<u>151,096</u>
Total	151,096

## Sec. B.345 Green Mountain Care Board

Personal services	6,608,296
Operating expenses	<u>289,175</u>
Total	6,897,471
Source of funds	
General fund	473,118
Special funds	1,010,428
Global Commitment fund	2,360,462
Interdepartmental transfers	<u>3,053,463</u>
Total	6,897,471

## Sec. B.346 Total human services

Source of funds	
General fund	594,698,887
Special funds	89,631,251
Tobacco fund	39,814,431
State health care resources fund	267,531,579
Education fund	3,929,242
Federal funds	1,187,818,672
Global Commitment fund	1,227,174,838
Internal service funds	1,502,901
Interdepartmental transfers	25,678,027
Permanent trust funds	<u>25,000</u>
Total	3,437,804,828

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**Sec. B.400 Labor - programs**

Personal services	24,553,334
Operating expenses	5,293,630
Grants	<u>1,781,436</u>
Total	31,628,400
Source of funds	
General fund	3,054,572
Special funds	3,363,869
Federal funds	23,846,533
Interdepartmental transfers	<u>1,363,426</u>
Total	31,628,400

**Sec. B.401 Total labor**

Source of funds	
General fund	3,054,572
Special funds	3,363,869
Federal funds	23,846,533
Interdepartmental transfers	<u>1,363,426</u>
Total	31,628,400

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

Personal services	7,072,845
Operating expenses	2,019,419
Grants	<u>12,591,200</u>
Total	21,683,464
Source of funds	
General fund	3,007,875
Special funds	13,293,157
Education fund	892,795
Federal funds	3,624,185
Global Commitment fund	<u>865,452</u>
Total	21,683,464

**Sec. B.501 Education - education services**

Personal services	12,643,713
Operating expenses	1,434,792
Grants	<u>124,242,308</u>
Total	138,320,813
Source of funds	
General fund	6,203,344
Special funds	2,578,228

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Federal funds	<u>129,539,241</u>
Total	138,320,813
Sec. B.502 Education - special education: formula grants	
Grants	<u>163,454,037</u>
Total	163,454,037
Source of funds	
Education fund	<u>163,454,037</u>
Total	163,454,037
Sec. B.503 Education - state-placed students	
Grants	<u>15,100,000</u>
Total	15,100,000
Source of funds	
Education fund	<u>15,100,000</u>
Total	15,100,000
Sec. B.504 Education - adult education and literacy	
Grants	<u>7,351,468</u>
Total	7,351,468
Source of funds	
General fund	787,995
Education fund	5,800,000
Federal funds	<u>763,473</u>
Total	7,351,468
Sec. B.505 Education - adjusted education payment	
Grants	<u>1,223,114,508</u>
Total	1,223,114,508
Source of funds	
Education fund	<u>1,223,114,508</u>
Total	1,223,114,508
Sec. B.506 Education - transportation	
Grants	<u>16,726,497</u>
Total	16,726,497
Source of funds	
Education fund	<u>16,726,497</u>
Total	16,726,497
Sec. B.507 Education - small school grants	
Grants	<u>7,491,286</u>
Total	7,491,286

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Source of funds	
Education fund	<u>7,491,286</u>
Total	7,491,286
Sec. B.508 Education - capital debt service aid	
Grants	<u>130,000</u>
Total	130,000
Source of funds	
Education fund	<u>130,000</u>
Total	130,000
Sec. B.509 Education - tobacco litigation	
Personal services	145,029
Operating expenses	45,378
Grants	<u>576,134</u>
Total	766,541
Source of funds	
Tobacco fund	<u>766,541</u>
Total	766,541
Sec. B.510 Education - essential early education grant	
Grants	<u>6,141,155</u>
Total	6,141,155
Source of funds	
Education fund	<u>6,141,155</u>
Total	6,141,155
Sec. B.511 Education - technical education	
Grants	<u>13,018,754</u>
Total	13,018,754
Source of funds	
Education fund	<u>13,018,754</u>
Total	13,018,754
Sec. B.512 Education - Act 117 cost containment	
Personal services	1,080,553
Operating expenses	154,437
Grants	<u>91,000</u>
Total	1,325,990
Source of funds	
Special funds	<u>1,325,990</u>
Total	1,325,990

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 Sec. B.513 Appropriation and transfer to education fund

Grants	<u>288,921,564</u>
Total	288,921,564
Source of funds	
General fund	<u>288,921,564</u>
Total	288,921,564

## Sec. B.514 State teachers' retirement system

Personal services	7,277,783
Operating expenses	27,671,276
Grants	<u>71,783,200</u>
Total	106,732,259
Source of funds	
General fund	71,783,200
Pension trust funds	<u>34,949,059</u>
Total	106,732,259

## Sec. B.515 Total general education

Source of funds	
General fund	370,703,978
Special funds	17,197,375
Tobacco fund	766,541
Education fund	1,451,869,032
Federal funds	133,926,899
Global Commitment fund	865,452
Pension trust funds	<u>34,949,059</u>
Total	2,010,278,336

## Sec. B.600 University of Vermont

Grants	<u>42,469,032</u>
Total	42,469,032
Source of funds	
General fund	38,462,876
Global Commitment fund	<u>4,006,156</u>
Total	42,469,032

## Sec. B.601 Vermont Public Television

Grants	<u>547,683</u>
Total	547,683
Source of funds	
General fund	<u>547,683</u>
Total	547,683

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 Sec. B.602 Vermont state colleges

Grants	<u>24,300,464</u>
Total	24,300,464
Source of funds	
General fund	<u>24,300,464</u>
Total	24,300,464

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

Grants	<u>1,149,998</u>
Total	1,149,998
Source of funds	
General fund	744,591
Global Commitment fund	<u>405,407</u>
Total	1,149,998

## Sec. B.604 Vermont interactive technology

Grants	<u>809,249</u>
Total	809,249
Source of funds	
General fund	<u>809,249</u>
Total	809,249

## Sec. B.605 Vermont student assistance corporation

Grants	<u>19,414,515</u>
Total	19,414,515
Source of funds	
General fund	<u>19,414,515</u>
Total	19,414,515

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

Grants	<u>84,000</u>
Total	84,000
Source of funds	
General fund	<u>84,000</u>
Total	84,000

## Sec. B.607 University of Vermont - Morgan Horse Farm

Grants	<u>1</u>
Total	1
Source of funds	
General fund	<u>1</u>
Total	1

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 Sec. B.608 Total higher education

Source of funds	
General fund	84,363,379
Global Commitment fund	<u>4,411,563</u>
Total	88,774,942

## Sec. B.700 Natural resources - agency of natural resources - administration

Personal services	3,176,914
Operating expenses	799,518
Grants	<u>45,510</u>
Total	4,021,942

## Source of funds

General fund	3,739,109
Special funds	55,343
Federal funds	30,000
Interdepartmental transfers	<u>197,490</u>
Total	4,021,942

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

Operating expenses	<u>2,153,733</u>
Total	2,153,733

## Source of funds

General fund	1,732,233
Interdepartmental transfers	<u>421,500</u>
Total	2,153,733

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

Personal services	14,603,485
Operating expenses	4,946,802
Grants	<u>650,000</u>
Total	20,200,287

## Source of funds

General fund	4,328,935
Special funds	20,000
Fish and wildlife fund	8,914,102
Federal funds	6,742,250
Interdepartmental transfers	<u>195,000</u>
Total	20,200,287

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

Personal services	1,266,011
Operating expenses	550,951



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Grants	<u>1,806,971</u>
Total	3,623,933
Source of funds	
General fund	1,057,402
Special funds	1,307,878
Federal funds	1,169,535
Interdepartmental transfers	<u>89,118</u>
Total	3,623,933
Sec. B.704 Forests, parks and recreation - forestry	
Personal services	4,947,666
Operating expenses	649,757
Grants	<u>521,500</u>
Total	6,118,923
Source of funds	
General fund	3,514,173
Special funds	975,000
Federal funds	1,500,000
Interdepartmental transfers	<u>129,750</u>
Total	6,118,923
Sec. B.705 Forests, parks and recreation - state parks	
Personal services	6,251,094
Operating expenses	<u>2,299,709</u>
Total	8,550,803
Source of funds	
General fund	805,451
Special funds	<u>7,745,352</u>
Total	8,550,803
Sec. B.706 Forests, parks and recreation - lands administration	
Personal services	449,568
Operating expenses	<u>1,213,158</u>
Total	1,662,726
Source of funds	
General fund	403,521
Special funds	179,205
Federal funds	1,050,000
Interdepartmental transfers	<u>30,000</u>
Total	1,662,726

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

Grants	<u>522,702</u>
Total	522,702
Source of funds	
General fund	50,320
Special funds	188,382
Federal funds	94,000
Interdepartmental transfers	<u>190,000</u>
Total	522,702

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

Personal services	95,000
Operating expenses	<u>84,925</u>
Total	179,925
Source of funds	
General fund	<u>179,925</u>
Total	179,925

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

Personal services	4,745,461
Operating expenses	1,256,590
Grants	<u>113,780</u>
Total	6,115,831
Source of funds	
General fund	1,070,011
Special funds	167,258
Federal funds	192,691
Interdepartmental transfers	<u>4,685,871</u>
Total	6,115,831

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

Personal services	10,067,224
Operating expenses	8,246,278
Grants	<u>2,131,238</u>
Total	20,444,740
Source of funds	
General fund	683,446
Special funds	16,330,510
Federal funds	3,230,784
Interdepartmental transfers	<u>200,000</u>
Total	20,444,740

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

Personal services	14,753,079
Operating expenses	4,695,933
Grants	<u>1,929,702</u>
Total	21,378,714
Source of funds	
General fund	7,674,248
Special funds	6,028,489
Federal funds	6,828,349
Interdepartmental transfers	<u>847,628</u>
Total	21,378,714

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

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

## Sec. B.713 Natural resources board

Personal services	2,431,059
Operating expenses	<u>364,618</u>
Total	2,795,677
Source of funds	
General fund	829,791
Special funds	<u>1,965,886</u>
Total	2,795,677

## Sec. B.714 Total natural resources

Source of funds	
General fund	26,072,035
Special funds	34,994,533
Fish and wildlife fund	8,914,102
Federal funds	20,837,609
Interdepartmental transfers	<u>6,986,357</u>
Total	97,804,636

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

Personal services	2,095,805
Operating expenses	656,454
Grants	<u>1,404,570</u>
Total	4,156,829
Source of funds	
General fund	2,986,829
Federal funds	1,100,000
Interdepartmental transfers	<u>70,000</u>
Total	4,156,829

## Sec. B.801 Economic development

Personal services	2,908,179
Operating expenses	801,097
Grants	<u>2,108,179</u>
Total	5,817,455
Source of funds	
General fund	4,456,655
Special funds	605,350
Federal funds	751,550
Interdepartmental transfers	<u>3,900</u>
Total	5,817,455

## Sec. B.802 Housing &amp; community development

Personal services	6,288,668
Operating expenses	772,325
Grants	<u>2,454,341</u>
Total	9,515,334
Source of funds	
General fund	2,266,663
Special funds	3,754,534
Federal funds	3,435,337
Interdepartmental transfers	<u>58,800</u>
Total	9,515,334

## Sec. B.803 Historic sites - special improvements

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

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**Sec. B.804 Community development block grants**

Grants	<u>25,524,135</u>
Total	25,524,135
Source of funds	
Federal funds	<u>25,524,135</u>
Total	25,524,135

**Sec. B.805 Downtown transportation and capital improvement fund**

Personal services	86,884
Grants	<u>297,082</u>
Total	383,966
Source of funds	
Special funds	<u>383,966</u>
Total	383,966

**Sec. B.806 Tourism and marketing**

Personal services	1,079,788
Operating expenses	1,909,597
Grants	<u>238,500</u>
Total	3,227,885
Source of funds	
General fund	3,137,885
Interdepartmental transfers	<u>90,000</u>
Total	3,227,885

**Sec. B.807 Vermont life**

Personal services	761,087
Operating expenses	<u>65,916</u>
Total	827,003
Source of funds	
Enterprise funds	<u>827,003</u>
Total	827,003

**Sec. B.808 Vermont council on the arts**

Grants	<u>641,607</u>
Total	641,607
Source of funds	
General fund	<u>641,607</u>
Total	641,607

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Sec. B.809 Vermont symphony orchestra	
Grants	<u>141,214</u>
Total	141,214
Source of funds	
General fund	<u>141,214</u>
Total	141,214
Sec. B.810 Vermont historical society	
Grants	<u>912,219</u>
Total	912,219
Source of funds	
General fund	<u>912,219</u>
Total	912,219
Sec. B.811 Vermont housing and conservation board	
Grants	<u>28,203,945</u>
Total	28,203,945
Source of funds	
Special funds	14,180,600
Federal funds	<u>14,023,345</u>
Total	28,203,945
Sec. B.812 Vermont humanities council	
Grants	<u>217,959</u>
Total	217,959
Source of funds	
General fund	<u>217,959</u>
Total	217,959
Sec. B.813 Total commerce and community development	
Source of funds	
General fund	14,761,031
Special funds	18,937,450
Federal funds	44,834,367
Interdepartmental transfers	222,700
Enterprise funds	<u>827,003</u>
Total	79,582,551
Sec. B.900 Transportation - finance and administration	
Personal services	9,952,251
Operating expenses	1,973,579
Grants	<u>245,000</u>

Total	12,170,830
Source of funds	
Transportation fund	11,246,130
Federal funds	<u>924,700</u>
Total	12,170,830
Sec. B.901 Transportation - aviation	
Personal services	3,628,764
Operating expenses	8,158,027
Grants	<u>185,000</u>
Total	11,971,791
Source of funds	
Transportation fund	4,542,791
Federal funds	<u>7,429,000</u>
Total	11,971,791
Sec. B.902 Transportation - buildings	
Operating expenses	<u>2,873,000</u>
Total	2,873,000
Source of funds	
Transportation fund	993,000
TIB fund	<u>1,880,000</u>
Total	2,873,000
Sec. B.903 Transportation - program development	
Personal services	38,955,555
Operating expenses	261,265,552
Grants	<u>23,579,529</u>
Total	323,800,636
Source of funds	
Transportation fund	35,403,238
TIB fund	15,162,888
Federal funds	257,658,307
Interdepartmental transfers	4,019,000
Local match	1,169,703
TIB proceeds fund	<u>10,387,500</u>
Total	323,800,636
Sec. B.904 Transportation - rest areas construction	
Personal services	170,000
Operating expenses	<u>1,275,753</u>
Total	1,445,753
Source of funds	

Transportation fund	50,000
TIB fund	174,476
Federal funds	<u>1,221,277</u>
Total	1,445,753
Sec. B.905 Transportation - maintenance state system	
Personal services	39,744,134
Operating expenses	48,877,536
Grants	<u>75,000</u>
Total	88,696,670
Source of funds	
Transportation fund	78,151,670
Federal funds	10,445,000
Interdepartmental transfers	<u>100,000</u>
Total	88,696,670
Sec. B.906 Transportation - policy and planning	
Personal services	4,179,113
Operating expenses	1,610,228
Grants	<u>4,969,497</u>
Total	10,758,838
Source of funds	
Transportation fund	2,057,947
Federal funds	8,387,344
Interdepartmental transfers	<u>313,547</u>
Total	10,758,838
Sec. B.907 Transportation - rail	
Personal services	4,883,127
Operating expenses	28,446,710
Grants	<u>1,600,000</u>
Total	34,929,837
Source of funds	
Transportation fund	12,432,950
TIB fund	2,970,667
Federal funds	<u>19,526,220</u>
Total	34,929,837
Sec. B.908 Transportation - public transit	
Personal services	1,148,922
Operating expenses	125,062
Grants	<u>27,296,244</u>
Total	28,570,228



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Source of funds	
Transportation fund	7,528,574
Federal funds	<u>21,041,654</u>
Total	28,570,228
Sec. B.909 Transportation - central garage	
Personal services	3,931,872
Operating expenses	<u>16,388,084</u>
Total	20,319,956
Source of funds	
Internal service funds	<u>20,319,956</u>
Total	20,319,956
Sec. B.910 Department of motor vehicles	
Personal services	15,927,083
Operating expenses	9,035,884
Grants	<u>158,000</u>
Total	25,120,967
Source of funds	
Transportation fund	23,085,000
Federal funds	<u>2,035,967</u>
Total	25,120,967
Sec. B.911 Transportation - town highway structures	
Grants	<u>6,333,500</u>
Total	6,333,500
Source of funds	
Transportation fund	<u>6,333,500</u>
Total	6,333,500
Sec. B.912 Transportation - town highway Vermont local roads	
Grants	<u>400,000</u>
Total	400,000
Source of funds	
Transportation fund	235,000
Federal funds	<u>165,000</u>
Total	400,000
Sec. B.913 Transportation - town highway class 2 roadway	
Grants	<u>7,248,750</u>
Total	7,248,750
Source of funds	

Transportation fund	<u>7,248,750</u>
Total	7,248,750
Sec. B.914 Transportation - town highway bridges	
Personal services	3,800,000
Operating expenses	12,127,597
Grants	<u>639,000</u>
Total	16,566,597
Source of funds	
Transportation fund	1,123,394
TIB fund	933,963
Federal funds	13,495,630
Local match	<u>1,013,610</u>
Total	16,566,597
Sec. B.915 Transportation - town highway aid program	
Grants	<u>25,982,744</u>
Total	25,982,744
Source of funds	
Transportation fund	<u>25,982,744</u>
Total	25,982,744
Sec. B.916 Transportation - town highway class 1 supplemental grants	
Grants	<u>128,750</u>
Total	128,750
Source of funds	
Transportation fund	<u>128,750</u>
Total	128,750
Sec. B.917 Transportation - town highway: state aid for nonfederal disasters	
Grants	<u>1,150,000</u>
Total	1,150,000
Source of funds	
Transportation fund	<u>1,150,000</u>
Total	1,150,000
Sec. B.918 Transportation - town highway: state aid for federal disasters	
Grants	<u>3,600,000</u>
Total	3,600,000
Source of funds	
Transportation fund	400,000
Federal funds	<u>3,200,000</u>
Total	3,600,000

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Sec. B.919 Transportation - municipal mitigation grant program	
Grants	<u>1,551,000</u>
Total	1,551,000
Source of funds	
Transportation fund	440,000
Federal funds	<u>1,111,000</u>
Total	1,551,000
Sec. B.920 Transportation - public assistance grant program	
Grants	<u>29,235,250</u>
Total	29,235,250
Source of funds	
Special funds	2,235,250
Federal funds	<u>27,000,000</u>
Total	29,235,250
Sec. B.921 Transportation board	
Personal services	181,114
Operating expenses	<u>18,886</u>
Total	200,000
Source of funds	
Transportation fund	<u>200,000</u>
Total	200,000
Sec. B.922 Total transportation	
Source of funds	
Transportation fund	218,733,438
TIB fund	21,121,994
Special funds	2,235,250
Federal funds	373,641,099
Internal service funds	20,319,956
Interdepartmental transfers	4,432,547
Local match	2,183,313
TIB proceeds fund	<u>10,387,500</u>
Total	653,055,097
Sec. B.1000 Debt service	
Operating expenses	<u>77,216,569</u>
Total	77,216,569
Source of funds	
General fund	70,521,584
Transportation fund	2,414,979

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TIB debt service fund	2,397,816
Special funds	628,910
ARRA funds	<u>1,253,280</u>
Total	77,216,569

## Sec. B.1001 Total debt service

Source of funds	
General fund	70,521,584
Transportation fund	2,414,979
TIB debt service fund	2,397,816
Special funds	628,910
ARRA funds	<u>1,253,280</u>
Total	77,216,569

## Sec. B.1100 NEXT GENERATION; APPROPRIATIONS AND TRANSFERS

(a) In fiscal year 2014, \$3,293,000 is appropriated or transferred from the Next Generation Initiative Fund created in 16 V.S.A. § 2887 as prescribed below:

(1) Workforce development. The amount of \$1,377,500 as follows:

(A) Workforce Education and Training Fund (WETF). The amount of \$817,500 is transferred to the Vermont Workforce Education and Training Fund created in 10 V.S.A. § 543 and subsequently appropriated to the Department of Labor for workforce development. Up to seven percent of the funds may be used for administration of the program. Of this amount, \$350,000 shall be allocated for the Vermont Career Internship Program pursuant to 10 V.S.A. § 544.

(B) Adult Technical Education Programs. The amount of \$360,000 is appropriated to the Department of Labor working with the Workforce Development Council. This appropriation is for the purpose of awarding grants to regional technical centers and comprehensive high schools to provide adult technical education, as that term is defined in 16 V.S.A. § 1522, to unemployed and underemployed Vermont adults.

(C) The amount of \$200,000 is appropriated to the Agency of Commerce and Community Development to issue performance grants to the University of Vermont and the Vermont Center for Emerging Technologies for patent development and commercialization of technology and to enhance the development of high technology businesses and Next Generation employment opportunities throughout Vermont.

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

(A) Health care loan repayment. The amount of \$300,000 is appropriated to the Agency of Human Services – Global Commitment for the Department of Health to use for health care loan repayment. The department shall use these funds for a grant to the Area Health Education Centers (AHEC) for repayment of commercial or governmental loans for postsecondary health-care-related education or training owed by persons living and working in Vermont in the health care field.

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

(3) Scholarships and grants. The amount of \$1,444,500 as follows:

(A) Nondegree VSAC grants. The amount of \$494,500 is appropriated to the Vermont Student Assistance Corporation. These funds shall be for the purpose of providing nondegree grants to Vermonters to improve job skills and increase overall employability, enabling them to enroll in a postsecondary education or training program, including adult technical education that is not part of a degree or accredited certificate program. A portion of these funds shall be used for grants for indirect educational expenses to students enrolled in training programs. The grants shall not exceed \$3,000 per student. None of these funds shall be used for administrative overhead.

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

(C) Dual enrollment programs. The amount of \$800,000 is appropriated to the Vermont State Colleges for dual enrollment programs. The State Colleges shall develop a voucher program that will allow Vermont students to attend programs at a postsecondary institution other than the state college system when programs at the other institutions are better academically or geographically suited to student need.

(4) Science Technology Engineering and Math (STEM) Incentive. The amount of \$141,000 is appropriated to the Agency of Commerce and Community Development for an incentive payment pursuant to 2011 Acts and Resolves No. 52, Sec. 6.

Sec. B.1100.1 DEPARTMENT OF LABOR RECOMMENDATION FOR FISCAL YEAR 2015 NEXT GENERATION FUND DISTRIBUTION

(a) The Department of Labor, in coordination with the Agency of Commerce and Community Development, the Agency of Human Services, and

the Agency of Education, and in consultation with the Workforce Development Council, shall recommend to the Governor no later than November 1, 2013 how \$3,293,000 from the Next Generation Fund should be allocated or appropriated in fiscal year 2015 to provide maximum benefit to workforce development, participation in postsecondary education by underrepresented groups, and support for promising economic sectors in Vermont. The Department of Labor shall actively and publically promote the availability of these funds to eligible entities that have not previously been funded.

Sec. B.1101 UNEMPLOYMENT INSURANCE INTEREST

(a) The amount of \$428,009 in general funds is appropriated in fiscal year 2014 to the Department of Labor for unemployment insurance interest payments to the federal government.

Sec. B.1102 WORKING LANDSCAPE APPROPRIATION

(a) The amount of \$1,175,000 in General Funds is appropriated in fiscal year 2014 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 2012 Acts and Resolves No. 142, Sec. 5, including grants that enable farmers' markets to accept electronic benefit transfer funds, and to continue to fund two (2) limited service working landscape staff positions in the Agency.

Sec. B.1103 DEPOSIT OF MORTGAGE PROCESSING SERVICES SETTLEMENT; APPROPRIATIONS TO THE DEPARTMENT OF FINANCIAL REGULATION

(a) The amount of \$371,000 received from Lender Processing Services, Inc., et al., relating to improperly executed mortgage loan documents and deposited into the Fees and Reimbursement Special Fund (#21638) in the Office of the Attorney General, shall be transferred to the General Fund in fiscal year 2014.

(b) The amount of \$125,000 in General Funds is appropriated in fiscal year 2014 to the Department of Financial Regulation – Banking Division for grants providing continued support of the Home Ownership Centers, which provide foreclosure intervention, homeowner counseling, assistance to mobile home owners, and similar services.

(c) The amount of \$75,000 in General Funds is appropriated in fiscal year 2014 to the Department of Financial Regulation – Banking Division for a grant to Vermont Legal Aid to fund legal services for homeowners facing foreclosure.

Sec. B.1104 [DELETED]

Sec. B.1201 GENERAL FUND REDUCTION; AUTHORIZED POSITION COUNT

(a) The Secretary of Administration shall reduce general fund appropriations by the amount of \$200,000 within the executive branch of state government as a result of budgeted positions not being authorized in fiscal year 2014.

Sec. C.100 2012 Acts and Resolves, No. 162, Sec. B.1101 is amended to read:

Sec. B.1101 ONE-TIME ELECTIONS ~~EXPENSE APPROPRIATION AND AUTOMATED BUSINESS REGISTRATION SYSTEM EXPENSES APPROPRIATIONS~~

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

General fund		\$135,000
Special fund	\$375,000	\$240,000

(b) In fiscal year 2013, notwithstanding 17 V.S.A. § 2856(a), there is appropriated to the Secretary of State from the Vermont Campaign Fund for expenses related to automating its business registration system:

Special fund		\$135,000
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Sec. C.100.1 SECRETARY OF STATE; VERMONT CAMPAIGN FUND DEPOSIT; EXPENDITURES

(a) The amount of \$30,000 in civil penalties received by the Attorney General from the Republican Governors Association and \$10,000 in other receipts from the parties pursuant to a settlement with the Attorney General during 2013 shall be deposited into the Vermont Campaign Fund.

(b) The Secretary of State is authorized to expend up to \$50,000 from the Vermont Campaign Fund during fiscal year 2013 for development costs for campaign finance system development expenditures.

Sec. C.101 2012 Acts and Resolves No. 162, Sec. B.200, as amended by 2013 Acts and Resolves No. 1, Sec. 8, is further amended to read:

Sec. B.200 Attorney general		
Personal services	7,660,981	7,660,981
Operating expenses	<u>977,285</u>	<u>977,285</u>
Total	8,638,266	8,638,266
Source of funds		

General fund	3,943,997	3,943,997
Special funds	<del>1,278,455</del>	1,389,455
Tobacco fund	<del>459,000</del>	348,000
Federal funds	745,364	745,364
Interdepartmental transfers	<u>2,211,450</u>	<u>2,211,450</u>
Total	8,638,266	8,638,266

Sec. C.102 2012 Acts and Resolves No. 162, Sec. B.240, as amended by 2013 Acts and Resolves No. 1, Sec. 15, is further amended to read:

Sec. B.240 Total protection to persons and property

	282,833,185	282,833,185
Source of funds		
General fund	109,237,894	109,237,894
Transportation fund	25,238,498	25,238,498
Special funds	<del>67,957,274</del>	68,068,274
Tobacco fund	<del>790,816</del>	679,816
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	8,701,945	8,701,945
Enterprise funds	<u>6,415,344</u>	<u>6,415,344</u>
Total	282,833,185	282,833,185

Sec. C.103 2012 Acts and Resolves No. 162, Sec. B.903 as amended by 2013 Acts and Resolves No. 1, Sec. 51.1, is further amended to read:

Sec. B.903 Transportation - program development

Personal services	36,309,069	36,309,069
Operating expenses	247,904,463	247,904,463
Grants	<u>37,369,326</u>	<u>37,369,326</u>
Total	321,582,858	321,582,858
Source of funds		
Transportation fund	34,178,585	34,178,585
TIB fund	16,673,911	16,673,911
Federal funds	256,588,181	256,588,181
Interdepartmental transfers	3,770,000	3,770,000
Transportation local fund	1,372,181	1,372,181
<u>TIB proceeds fund</u>		<u>9,000,000</u>
Total	<del>312,582,858</del>	321,582,858

Sec. C.104 2012 Acts and Resolves No. 162, Sec. D.101(a)(3) is amended to read:

(3) from the transportation infrastructure bond fund established by 19 V.S.A. § 11f to the transportation infrastructure bonds debt service fund for



the purpose of funding fiscal year 2014 transportation infrastructure bonds debt service: ~~\$1,764,213~~ \$1,702,378.

Sec. C.105 2012 Acts and Resolves No. 162, Secs. B.1000 and B.1001 are amended to read:

Sec. B.1000 Debt service		
Operating expenses	<del>72,111,263</del>	71,962,178
Total	<del>72,111,263</del>	71,962,178
Source of funds		
General fund	63,667,340	63,667,340
General obligation bonds debt service fund	2,321,565	2,321,565
Transportation fund	2,482,442	2,482,442
TIB debt service fund	<del>1,758,486</del>	1,609,401
Special funds	628,150	628,150
ARRA funds	<u>1,253,280</u>	<u>1,253,280</u>
Total	<del>72,111,263</del>	71,962,178

Sec. B.1001 Total debt service		
Source of funds		
General fund	63,667,340	63,667,340
General obligation bonds debt service fund	2,321,565	2,321,565
Transportation fund	2,482,442	2,482,442
TIB debt service fund	<del>1,758,486</del>	1,609,401
Special funds	628,150	628,150
ARRA funds	<u>1,253,280</u>	<u>1,253,280</u>
Total	<del>72,111,263</del>	71,962,178

Sec. C.106 ADMINISTRATION OF IRENE RECOVERY CDBG GRANT; LIMITED SERVICE POSITION

(a) The establishment of one (1) new classified limited service position – Grants Specialist – is authorized in fiscal year 2013 in the Agency of Commerce and Community Development.

Sec. C.107 CARRY FORWARD REALLOCATION

(a) The Vermont Information Centers Division of the Department of Buildings and General Services shall transfer the amount of \$50,000 in fiscal year 2013 to the Department of Tourism and Marketing for a grant to the Lake Champlain Maritime Museum.

Sec. C.108 CRISIS FUEL TRANSFER AUTHORITY

(a) Notwithstanding any other law to the contrary, the Commissioner of Finance shall have the authority to transfer funds from the Energy and

Regulation Fund (#21698) of the Public Service Department to meet fiscal year 2013 LIHEAP crisis fuel needs.

Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

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

(1) The sum of \$518,000 is appropriated from the Property Valuation and Review Administration Special Fund to the Department of Taxes for administration of the Use Tax Reimbursement Program. Notwithstanding 32 V.S.A. § 9610(c), amounts above \$518,000 from the property transfer tax that are deposited into the Property Valuation and Review Administration Special Fund shall be transferred into the General Fund.

(2) The sum of \$13,889,000 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Trust Board. Notwithstanding 10 V.S.A. § 312, amounts above \$13,889,000 from the property transfer tax that are deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.

(3) The sum of \$3,587,154 is appropriated from the Municipal and Regional Planning Fund. Notwithstanding 24 V.S.A. § 4306(a), amounts above \$3,587,154 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$3,587,154 shall be allocated as follows:

(A) \$2,758,884 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

(B) \$449,570 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b);

(C) \$378,700 to the Vermont Center for Geographic Information.

Sec. D.101 FUND TRANSFERS AND RESERVES

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

(1) from the General Fund to the:

(A) Communications and Information Technology Internal Service Fund established by 22 V.S.A. § 902a: \$735,000.

(B) Next Generation Initiative Fund established by 16 V.S.A. § 2887: \$3,293,000.

(C) Facilities Operations Fund established in 29 V.S.A. § 160a: \$1,862,785.

(D) Clean Energy Development Fund established in 30 V.S.A. § 8015: \$150,000.

(2) from the Transportation Fund to the Downtown Transportation and Related Capital Improvement Fund established by 24 V.S.A. § 2796 to be used by the Vermont Downtown Development Board for the purposes of the fund: \$383,966.

(3) from the Transportation Infrastructure Bond Fund established by 19 V.S.A. § 11f to the Transportation Infrastructure Bonds Debt Service Fund for the purpose of funding transportation infrastructure bonds debt service for a new bond issue in fiscal year 2014 and to fund fiscal year 2015 transportation infrastructure bonds debt service: \$2,450,788.

(4) from the Emergency Relief and Assistance Fund established in 20 V.S.A. § 45 to the General Fund: \$6,500,000.

#### Sec. D.102 TOBACCO LITIGATION SETTLEMENT FUND BALANCE

(a) Notwithstanding 18 V.S.A. § 9502(b), the actual balances at the end of fiscal year 2013 in the Tobacco Litigation Settlement Fund shall remain for appropriation in fiscal year 2014.

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

(a) Notwithstanding 18 V.S.A. § 9502(a)(3) and (4), the actual amount of investment earnings of the Tobacco Trust Fund at the end of fiscal year 2014 and any additional amount necessary to ensure the balance in the Tobacco Litigation Settlement Fund at the close of fiscal year 2014 is not negative shall be transferred from the Tobacco Trust Fund to the Tobacco Litigation Settlement Fund in fiscal year 2014.

#### Sec. D.104 DEPOSIT OF WITHHELD TOBACCO SETTLEMENT FUNDS

(a) Notwithstanding any other provision of law, any payments to the State of Vermont, including principal and interest, that have been withheld beginning in fiscal year 2003, by the tobacco manufacturing companies pursuant to the Master Tobacco Settlement, shall be deposited in the Tobacco Trust Fund for the purpose of sustaining the Vermont Tobacco Prevention and Control Programs.

Sec. D.105 AMERICAN ELECTRIC POWER (AEP) SETTLEMENT TO THE CLEAN ENERGY DEVELOPMENT FUND

(a) Any funds recovered by the Attorney General as a result of the American Electric Power Service Corporation settlement shall be deposited into the Clean Energy Development Fund established by 30 V.S.A. § 8015.

Sec. D.106 [DELETED]

Sec. D.107 CLARIFICATION OF FISCAL YEAR 2014 REQUIRED TRANSFERS

(a) 32 V.S.A. § 6075(b) requires a calculation of the increase in the amount of General Fund forecasted for fiscal year 2014 comparing the last official forecast to the forecast made in July 2013. Any increase in the forecasted available general fund under this calculation shall further be reduced by revenue growth attributable to changes in federal tax law such as contemplated under the Marketplace Fairness Act of 2013.

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

Sec. E.100 EXECUTIVE BRANCH – POSITIONS AUTHORIZED IN FISCAL YEAR 2014

(a) The establishment of the following new classified positions is authorized in fiscal year 2014 as follows:

(1) In the Department of Information and Innovation – one (1) Enterprise Architect position – for work on the Judiciary’s information technology project.

(2) In the Treasurer’s Office – one (1) Financial Specialist.

(3) In the Department of Mental Health – seventeen (17) positions – for work at the new state hospital anticipated to be operational by April 2014. The specific position titles are to be established by the Department with approval by the Commissioner of Human Resources.

(4) In the Department for Children and Families – fourteen (14) Benefits Program Specialist.

(5) Nineteen (19) positions are established in the position pool of the executive branch. The Secretary of Administration in consultation with the Commissioner of Human Resources may assign pool positions to executive branch entities provided the requesting entities demonstrate both need for the position and the fiscal capacity to fund the requested positions. The administration may convert one of these positions to an exempt position if needed.

(b) The establishment of the following new limited service positions is authorized in fiscal year 2014 as follows:

(1) In the Department of Buildings and General Services – two (2) classified positions – for engineering-related work. The specific position titles are to be established by the Department with approval by the Commissioner of Human Resources.

(2) In the Department of Public Safety – two (2) classified positions and one (1) exempt position – for grant management and public assistance. The specific position titles are to be established by the Department with approval by the Commissioner of Human Resources.

(3) In the Department of Environmental Conservation – three (3) classified positions – relating to the Department reengineering initiative. The specific position titles are to be established by the Department with approval by the Commissioner of Human Resources.

(c) The Secretary of Administration and the Commissioner of Human Resources shall provide a written report to the Joint Fiscal Committee at its November 2013 meeting on the status of positions authorized in this section and existing pool positions that have been assigned to date.

#### Sec. E.100.1 FEDERAL EMERGENCY MANAGEMENT AGENCY REPORTING AND OVERSIGHT

(a) The Secretary of Administration shall report to the Joint Fiscal Committee at each of its scheduled meetings in fiscal year 2014 on funding received from the Federal Emergency Management Agency (FEMA) Public Assistance Program and associated emergency relief and assistance funds match for the damages due to Tropical Storm Irene. The report shall include:

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

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

(3) information on any audit findings that may result in financial impacts to the State; and

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

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

Sec. E.100.2 3 V.S.A. § 2222 is amended to read:

§ 2222. POWERS AND DUTIES; BUDGET AND REPORT

\* \* \*

(g)(1) ~~The secretary of administration~~ Secretary of Administration shall obtain independent expert review of any recommendation for any information technology activity initiated after July 1, 1996, as information technology activity is defined by subdivision (a)(10) of this section, when its total cost is ~~\$500,000.00~~ \$1,000,000.00 or greater or when required by the ~~state chief information officer~~ State Chief Information Officer. Documentation of this independent review shall be included when plans are submitted for review pursuant to subdivisions (a)(9) and (10) of this section. The independent review shall include:

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

(F) an impact analysis on net operating costs for the agency carrying out the activity.

\* \* \*

Sec. E.101 29 V.S.A. § 1401 is amended to read:

§ 1401. PURCHASE OF INSURANCE

The ~~commissioner of buildings and general services~~ Secretary of Administration shall secure insurance coverage for the benefit of the ~~state~~ State and its employees while performing official duties, in fire and casualty companies authorized to do business in this ~~state~~ State in such amounts and such coverages as deemed for the best interests of the ~~state~~ State. Insurance policies covering the ~~state~~ State shall provide that loss, if any, shall be payable to the ~~state~~ State. All policies shall be filed and kept in the office of the ~~commissioner of buildings and general services~~ Secretary of Administration. The cost of all insurance purchased and the cost of managing such purchases shall be borne by the department or board for whose benefit it is purchased.

Sec. E.101.1 29 V.S.A. § 1402 is amended to read:

§ 1402. PREFERENCE TO VERMONT COMPANIES, AGENTS

In the purchase of such insurance as authorized in section 1401 of this title, the ~~commissioner of buildings and general services~~ Secretary of Administration shall give preference to Vermont-domiciled companies and independent agents licensed in and resident in Vermont when consistent as to coverages, services, and the best interests of the ~~state~~ State. Nothing contained herein shall be considered or construed as meaning or intending to be more than a legislative declaration of intent and policy, and in effecting the intent and policy herein expressed, the decisions and actions of the ~~department~~ Secretary shall not be subject to judicial challenge.

Sec. E.101.2 29 V.S.A. § 1405 is amended to read:

§ 1405. INVENTORIES OF STATE PROPERTY

State departments, institutions, and agencies having property belonging to the ~~state~~ State or in their charge on or before February 1 in each ~~even numbered~~ even-numbered year shall render an inventory to the ~~commissioner of buildings and general services~~ Secretary of Administration of all such property, and its value, on hand on January 1 preceding, on such forms and in such detail as the ~~commissioner of buildings and general services~~ Secretary of Administration may require.

Sec. E.101.3 29 V.S.A. § 1406 is amended to read:

§ 1406. LIABILITY INSURANCE

(a) The ~~commissioner of buildings and general services~~ Secretary of Administration, on behalf of the ~~state~~ State, may contract or enter into agreements with any insurance company or companies or insurance corporation or corporations licensed to do business within the ~~state~~ State for the purpose of insuring the ~~state~~ State against liability or may ~~self-insure~~ self-insure against liability.

(b) The ~~commissioner of buildings and general services~~ Secretary of Administration is directed to charge back against individual departmental appropriations in all funds the proper amounts necessary to pay the cost of the insurance or ~~self-insurance~~ self-insurance referred to in subsection (a) of this section.

(c) The ~~state liability self-insurance fund~~ State Liability Self-Insurance Fund is created to provide a program of ~~self-insuring~~ self-insuring liability coverages for all state agencies, legislature, departments, state colleges, judiciary, quasi-state agencies, boards, commissions, and employees, as defined in 3 V.S.A. § 1101. All covered entities shall participate in the

program and shall contribute to the ~~fund~~ Fund. The ~~fund~~ Fund shall be administered by the ~~commissioner of buildings and general services~~ Secretary of Administration to adjust claims, to pay judgments, and to reimburse contractors and state agencies for services rendered.

\* \* \*

Sec. E.101.4 29 V.S.A. § 1408 is amended to read:

§ 1408. WORKERS' COMPENSATION INSURANCE

(a) The ~~state employees' workers' compensation fund~~ State Employees' Workers' Compensation Fund is created to provide a program for self-insurance coverage for all officers and state employees, as defined in ~~section 3 V.S.A. § 1101 of Title 3~~, of all state agencies, departments, boards, and commissions pursuant to ~~chapters 21 V.S.A. chapter 9 and 11 of Title 21~~. All state agencies, departments, boards, and commissions shall participate in the program and contribute to the ~~fund~~ Fund. The ~~fund~~ Fund shall be administered by the ~~commissioner of buildings and general services~~ Secretary of Administration who:

(1) shall authorize payments from the ~~fund~~ Fund in accordance with the provisions of this section and ~~chapters 21 V.S.A. chapter 9 and 11 of Title 21~~;

\* \* \*

(c) ~~On February 1, 1990, the commissioner shall assess each program participant an amount to be deposited in the fund. The assessment shall be the greater of:~~

~~(1) 115 percent of the yearly average workers' compensation losses suffered by the program participant during the preceding four years, or during the years, not to exceed four, which are documented in the insurance section of the department of buildings and general service; or~~

~~(2) 50 percent of the standard workers' compensation premium based on the National Council on Compensation Insurance rate classifications for Vermont in effect on the first day of the preceding fiscal year for that program participant. [Repealed.]~~

(d) ~~In subsequent years, the commissioner~~ The Secretary shall annually assess each program participant an amount to be deposited in the ~~state employees' workers' compensation fund~~ State Employees' Workers' Compensation Fund. The ~~commissioner~~ Secretary may adjust the annual assessment to assure that the debts and obligations of the program are adequately funded.

\* \* \*



Sec. E.101.5 23 V.S.A. § 3214 is amended to read:

§ 3214. ALLOCATION OF FEES AND PENALTIES; LIABILITY INSURANCE; AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT SERVICES

\* \* \*

(b) VAST shall purchase a trails' liability insurance policy in the amount of \$1,000,000.00. The ~~state~~ State of Vermont shall be named an additional insured. The policy shall extend to all VAST affiliated snowmobile clubs and their respective employees and agents to provide for trails' liability coverage for development and maintenance of the statewide snowmobile trails program including groomer use and operation. The ~~department of buildings and general services~~ Office of the Secretary of Administration shall assist VAST with the procurement of trails liability and other related insurance.

\* \* \*

Sec. E.101.6 23 V.S.A. § 3217 is amended to read:

§ 3217. LIABILITY INSURANCE; TRAIL MAINTENANCE

The ~~state~~ State may extend coverage of its liability insurance to parties under contract with the ~~department of forests, parks and recreation~~ Department of Forests, Parks and Recreation for development and maintenance of the snowmobile trail system. Insurance coverage shall match the ~~state's~~ State's current financial liability limits and shall be limited to those activities defined by the development and maintenance contract. The ~~department of buildings and general services~~ Secretary of Administration shall pay for this extended coverage with funds from snowmobile registration receipts.

Sec. E.101.7 23 V.S.A. § 3513 is amended to read:

§ 3513. LIABILITY INSURANCE; AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT SERVICES

\* \* \*

(b) The ~~department of buildings and general services~~ Office of the Secretary of Administration shall assist VASA with the procurement of trail liability and other related insurance.

\* \* \*

Sec. E.101.8 29 V.S.A. § 1902 is amended to read:

§ 1902. DUTIES OF COMMISSIONER OF BUILDINGS AND GENERAL SERVICES

\* \* \*

~~(b) The commissioner of buildings and general services shall purchase state insurance as provided in chapter 55 of this title.~~

\* \* \*

Sec. E.105 Information and innovation – communications and information technology

(a) Of this appropriation, \$735,000 is for a grant to the Vermont Telecommunications Authority established in 30 V.S.A. § 8061.

Sec. E.105.1 22 V.S.A. § 901 is amended to read:

§ 901. DEPARTMENT OF INFORMATION AND INNOVATION

\* \* \*

~~(C) to review and approve in accordance with agency of administration~~ Agency of Administration policies the assignment of appropriate project managers for information technology activities within state government with a cost in excess of ~~\$100,000.00~~ \$1,000,000.00; and

\* \* \*

Sec. E.106 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~~ Emergency Board or the ~~governor~~ Governor deems proper, the ~~joint fiscal office~~ Joint Fiscal Office and the ~~secretary of administration~~ Secretary of Administration shall provide to the ~~emergency board~~ Emergency Board their respective estimates of state revenues in the general, transportation, transportation infrastructure bond, education, 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. E.111 Tax – administration/collection

(a) Of this appropriation, \$30,000 is from the Current Use Application Fee Special Fund and shall be appropriated for programming changes to the CAPTAP software used by municipalities for establishing property values and administering their grand lists.

(b) The Tax Commissioner shall provide a report to the House and Senate Committees on Appropriations, the House Committee on Ways and Means, and the Senate Committee on Finance on or before January 15, 2014 on

compliance program revenue targets, collection trends, and program activities. The report shall include program outcomes and measures to evaluate program activity.

Sec. E.113 Buildings and general services – engineering

(a) The \$2,802,647 interdepartmental transfer in this appropriation shall be from the General Bond Fund appropriation in the Capital Appropriations Act of the 2013 session.

Sec. E.118 2010 Acts and Resolves No. 156, Sec. E.114(a), as amended by 2011 Acts and Resolves No. 3, Sec. 60 is further amended to read:

(a) The ~~commissioner of the department of buildings and general services~~ Commissioner of Buildings and General Services shall submit a report to the ~~house and senate committees on appropriations~~ House and Senate Committees on Appropriations by January 15th of each year ~~through fiscal year 2015~~ detailing the number of state employees, by department, that exceeded a ~~\$14,000~~ 14,000 mileage reimbursement amount for use of their private vehicle during the previous fiscal year.

Sec. E.118.1 Buildings and general services - fleet management services

(a) Any state employee that uses the standard mileage reimbursement rate for use of their private vehicle shall be required to use a state-owned or -leased vehicle if the mileage that is submitted for reimbursement exceeds 11,400 on a fiscal year basis. Exceptions may be made if the employee receives approval from his or her agency secretary or department head to exceed the 11,400 limit on mileage that is eligible for reimbursement for use of a private vehicle.

Sec. E.123 Geographic information system

(a) No transfer of functions of the Geographic Information System (GIS) program shall occur in fiscal year 2014 without legislative approval. The Executive Director of the GIS program shall report on or before November 30, 2013 to the Joint Fiscal Committee on potential options for administrative and business office functions to be supported by an appropriate state entity and any other recommendations for long-term financial sustainability of the program.

Sec. E.125 Legislative council

(a) Notwithstanding any other provision of law, from fiscal year 2013 funds appropriated to the Legislative Council and carried forward into fiscal year 2014, the amount of \$25,000 shall revert to the General Fund.

## Sec. E.126 Legislature

(a) Notwithstanding any other provision of law, from fiscal year 2013 funds appropriated to the Legislature and carried forward into fiscal year 2014, the amount of \$375,000 shall revert to the General Fund.

(b) It is the intent of the General Assembly that funding for the Legislature in fiscal year 2015 be included at a level sufficient to support an 18-week legislative session.

(c) Legislative members appointed to serve on study committees included in H.528, an act relating to revenue changes for fiscal year 2014 and fiscal year 2015, during adjournment of the General Assembly, shall be entitled to compensation and reimbursement for expenses as provided in 2 V.S.A. § 406.

(d) Other members appointed to serve on study committees included in H.528 who are not employees of the State of Vermont shall be reimbursed at the per diem rate set in 32 V.S.A. § 1010. The funds to pay the per diems for these committee members shall be paid from the lead agency's appropriation.

## Sec. E.126.1 LAKE SHORELAND PROTECTION COMMISSION

(a) There is created a Lake Shoreland Protection Commission to:

(1) provide information regarding current laws or regulations in place to protect the waters of the State that are held in trust for the public.

(2) take testimony regarding the regulation of disturbance, clearing and creation of impervious surfaces in the shorelands of lakes; and

(b) The Commission shall be composed of the current members of the Senate Committee on Natural Resources and Energy and two members from the House appointed by the Speaker of the House.

(c) The Commission may conduct five public meetings in the State to provide information and collect public input regarding the proposed regulation of activities in the shorelands of lakes. The Commission shall collaborate with regional and municipal planning organizations. The Commission shall hold four of the five meetings in different regions of the State. The fifth meeting shall be held in Montpelier.

(d) The Commission, with the assistance of the Agency of Natural Resources, shall:

(1) summarize the scope and requirements of existing regulation of activities that preserve and improve water quality and avoid degradation, including a summary of the proposed rules to implement the antidegradation policy and the programs and requirements the State may need to implement in order to meet the Total Maximum Daily Load plan for Lake Champlain;

(2) summarize the findings of the Agency of Natural Resources' State Water Quality Remediation, Implementation, and Funding Report of 2012, as required by 2012 Acts and Resolves No. 148, Sec. 19, including how Vermont ranks in relation to other states with regard to clean water protection;

(3) summarize the need for regulation in the shorelands of lakes as part of an integrated policy to preserve and protect clean water in the State;

(4) summarize how other states regulate activities in shoreland areas of lakes, including:

(A) what activities are regulated;

(B) how development, construction, or creation of nonvegetated surface in shoreland areas of lakes is regulated;

(C) whether activities in shoreland areas of lakes are regulated by the state, a local authority, or some combination of state and local authority;

(D) whether a buffer or other area of vegetated surface is required within a specified distance of a lake; and

(E) what activities in shoreland areas of lakes are exempt from regulation; and

(5) provide educational materials regarding shoreland protection, including copies of the Agency of Natural Resources' draft standards for the regulation of the shorelands of lakes and vegetation management.

(6) The Commission shall solicit and hear input and proposals from the public regarding, in response to the information provided under subdivisions (1)-(5) of this subsection, how the State of Vermont should protect water quality, aquatic habitat, and shoreland habitat while also preserving reasonable use of the property.

(e) For purposes of fulfilling its charge under this section, the Commission shall have technical services of the Agency of Natural Resources. The Office of Legislative Council shall provide legal and administrative services to the Commission. The Commission may request financial services from the Joint Fiscal Office.

(f) The Commission shall consider the public input and proposals provided under subsection (d) of this section and shall publish a report of the Commission's recommendations for legislative action for the protection of the shorelands of the lakes of the State. The Commission may make recommendations for consideration by the General Assembly. The report of the Commission shall be posted to the website of the General Assembly on or before January 15, 2014.

(g) In addition to the public meetings required under subsection (c) of this section, the Commission may meet no more than three times, and shall cease to exist on July 1, 2014.

(h) For attendance at meetings during adjournment of the General Assembly, legislative members of the Commission shall be entitled to compensation and reimbursement for expenses as provided in 2 V.S.A. § 406.

Sec. E.126.2 32 V.S.A. § 1053 is amended to read:

§ 1053. OFFICERS OF THE GENERAL ASSEMBLY

~~For each week of each session, the~~ The clerk of the house, the first assistant clerk of the house, the second assistant clerk of the house, the secretary of the senate and the assistant secretary of the senate shall be entitled to their necessary expenses and salaries as determined by the rules committee of the house or senate, as the case may be.

Sec. E.127 Joint fiscal committee

(a) Notwithstanding any other provision of law, from fiscal year 2013 funds appropriated to the Joint Fiscal Committee and carried forward into fiscal year 2014, the amount of \$75,000 shall revert to the General Fund.

(b) Up to \$85,000 may be transferred from the legislative budget in fiscal year 2013 to help fund expected costs for a contract for evaluation of the health care exchange proposal, financial analysis for a Health Care Advisory group, and increased Fiscal Office revenue analysis staff capacity.

Sec. E.130 AUDITOR RECOMMENDATION ON SPECIAL EDUCATION PERFORMANCE AUDIT

(a) The State Auditor shall review the feasibility of conducting a performance audit of special education in Vermont. The Office of the State Auditor shall consider whether a performance audit could:

(1) identify differences and causes thereof, in special education services provided among Vermont school districts and other jurisdictions;

(2) identify opportunities to improve special education planning, budgeting and financial controls;

(3) evaluate educational outcomes for special education students;

(4) provide strategies for delivery of cost-effective special education services without compromising service quality.

(b) The State Auditor shall report to the Joint Fiscal Committee at its September 2013 meeting on the items identified in subsection (a) of this

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section and define a scope and plan that could be used to guide the performance audit process if one is determined to be feasible.

Sec. E.131 [DELETED]

Sec. E.131.1 VERMONT COMMUNITY LOAN FUND INVESTMENT

(a) Notwithstanding 32 V.S.A. § 433, the State Treasurer is authorized to invest up to \$500,000 of short-term operating or restricted funds in the Vermont Community Loan Fund on terms acceptable to the Treasurer and consistent with 32 V.S.A. § 433(b).

Sec. E.131.2 24 V.S.A. § 1759(a) is amended to read:

(a) Any bond issued under this subchapter shall draw interest at a rate not to exceed the rate approved by the voters of the municipal corporation in accordance with section 1758 of this title, or if no rate is specified in the vote under that section, at a rate approved by the legislative branch of the municipal corporation, such interest to be payable semiannually. Such bonds or bond shall be payable serially, the first payment to be deferred not later than from one to five years after the issuance of the bonds and subsequent payments to be continued annually in equal or diminishing amounts so that the entire debt will be paid in not more than 20 years from the date of issue. In the case of bonds issued for the purchase or development of a municipal forest, the first payment may be deferred not more than 30 years from the date of issuance thereof. Thereafter such bonds or bond shall be payable annually in equal or diminishing amounts so that the entire debt will be paid in not more than 60 years from the date of issue. In the case of bonds issued for ~~improvements on public highways~~ any capital project that ~~have~~ has a useful life of at least 30 years ~~and that involve bridge construction or roadway reconstruction, including a bridge component,~~ the entire debt will be paid in not more than 30 years from the date of issue.

Sec. E.133 Vermont state retirement system

(a) Notwithstanding 3 V.S.A. § 473(d), in fiscal year 2014, investment fees shall be paid from the corpus of the fund.

Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

(a) The towns currently engaged in litigation regarding grand list appeals of the assessment of TransCanada hydroelectric property may submit to the Attorney General legal expenditures made by those towns as a result of this litigation, as those values were established by reference to information from the Department of Taxes, Division of Property Valuation and Review. The Attorney General shall review the submitted bills and, if reasonable, approve reimbursement up to the amount transferred in subsection (b) of this section.

(b) As the litigation may have a substantial impact on the education grand list, \$50,000 of the appropriation in Sec. B.139 of this act shall be transferred to the Attorney General and reserved for payment of expenses incurred by towns in defense of grand list appeals as provided herein. Expenditures for this purpose shall be considered qualified expenditures under 16 V.S.A. § 4025(c).

Sec. E.141 Lottery commission

(a) Of this appropriation, the Lottery Commission shall transfer \$150,000 to the Department of Health, Office of Alcohol and Drug Abuse Programs, to support the gambling addiction program.

(b) The Vermont State Lottery shall provide assistance and work with the Vermont Council on Problem Gambling on systems and program development.

(c) The Executive Director of the Vermont State Lottery Commission shall report to the Joint Fiscal Committee at its November 2013 meeting on the operational, fiscal, and public policy issues of allowing Keno games in Vermont.

Sec. E.142 Payments in lieu of taxes

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

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

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

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

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

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

Sec. E.200 Attorney general

(a) Notwithstanding any other provisions of law, the Office of the Attorney General, Medicaid Fraud and Residential Abuse Unit, is authorized to retain, subject to appropriation, one-half of the state share of any recoveries from Medicaid fraud settlements, excluding interest, that exceed the state share of restitution to the Medicaid Program. All such designated additional recoveries retained shall be used to finance Medicaid Fraud and Residential Abuse Unit activities.



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

Sec. E.204 4 V.S.A. § 28(e) is added to read:

(e) Upon completion of the agreements authorized by this section, the remaining balance in the Fund shall be deposited in the Court Technology Special Fund pursuant to section 27 of this title.

Sec. E.207 32 V.S.A. § 1591 is amended to read:

§ 1591. SHERIFFS AND OTHER OFFICERS

\* \* \*

(2)(A) For necessary assistance in arresting or transporting prisoners, juveniles, or persons with mental illness the sum of ~~\$15.40~~ \$18.00 per hour for each deputy sheriff or assistant so required if the sheriff or constable makes oath that the deputy sheriff, assistant, or assistants were required giving the name of the assistant or assistants if there were more than one; provided, however, a full-time law enforcement officer shall not receive compensation under this subsection if otherwise compensated for the hours during which such transportation is performed. In addition to the rate established in this section, the sheriffs' department shall be reimbursed for the costs of the employers' contribution to Social Security and workers' compensation insurance attributable to services provided under this section. Reimbursement shall be calculated on an hourly basis; the sheriff's department shall also be reimbursed for the costs of employer contributions for unemployment compensation, when a claim is filed and the percentage owed from the sheriff's department to the ~~state~~ State can be accounted for under this section;

\* \* \*

Sec. E.208 Public safety – administration

(a) The Commissioner of Public Safety is authorized to enter into a performance-based contract with Essex County Sheriff's Department to provide law enforcement service activities agreed upon by both the Commissioner of Public Safety and the Sheriff.

Sec. E.209 Public safety – state police

(a) Of this appropriation, \$35,000 in Special Funds shall be available for snowmobile law enforcement activities and \$35,000 in General Funds shall be available to the Southern Vermont Wilderness Search and Rescue Team, which comprises State Police, the Department of Fish and Wildlife, county sheriffs, and local law enforcement personnel in Bennington, Windham, and Windsor Counties, for snowmobile enforcement.

(b) \$405,000 is allocated for grants in support of the Drug Task Force and the Gang Task Force. \$190,000 of this amount shall be used by the Vermont Drug Task Force to fund three town task force officers. These town task force officers shall be dedicated to enforcement efforts with respect to both regulated drugs as defined in 18 V.S.A. § 4201(29) and the diversion of legal prescription drugs. Any unobligated funds may be allocated by the Commissioner to fund the work of the Drug Task Force and to support the efforts of the Mobile Enforcement Team (Gang Task Force), or carried forward.

Sec. E.211 [DELETED]

Sec. E.212 Public safety – fire safety

(a) Of this General Fund appropriation, \$55,000 shall be granted to the Vermont Rural Fire Protection Task Force for the purpose of designing dry hydrants.

Sec. E.214 Radiological emergency response plan

(a) Of the funds appropriated in Sec. B.214 of this act, \$200,000 is for the American Red Cross as a sub-grantee of the Radiological Emergency Response Program Special Fund in order to enhance sheltering capacity in response to any potential future incident involving Vermont Yankee Nuclear Power Plant. This is the first in a four-year plan to assess a total of \$770,000 for this purpose. Regardless of the operational or ownership status of the Vermont Yankee Nuclear Power Plant, the assessment over the next three years shall include \$250,000 in fiscal year 2015, \$175,000 in fiscal year 2016, and \$145,000 in fiscal year 2017 respectively for this purpose.

Sec. E.215 Military – administration

(a) The amount of \$250,000 shall be disbursed to the Vermont Student Assistance Corporation for the National Guard Educational Assistance Program established in 16 V.S.A. § 2856. Of this amount, \$100,000 shall be General Funds from this appropriation, and \$150,000 shall be Next Generation Special Funds, as appropriated in Sec. B.1100(a)(3)(B) of this act.

Sec. E.219 Military – veterans' affairs

(a) Of this appropriation, \$5,000 shall be used for continuation of the Vermont Medal Program, \$4,800 shall be used for the expenses of the Governor's Veterans' Advisory Council, \$7,500 shall be used for the Veterans' Day parade, \$5,000 shall be granted to the Vermont State Council of the Vietnam Veterans of America to fund the Service Officer Program, and \$5,000 shall be used for the Military, Family, and Community Network.

(b) Of this General Fund appropriation, \$16,484 shall be deposited into the Armed Services Scholarship Fund established in 16 V.S.A. § 2541.

Sec. E.219.1 16 V.S.A. § 2538 is amended to read:

§ 2538. AMOUNT, DURATION, ~~RESIDENCE~~

(a) ~~An~~ Subject to subsection (c) of this section, an armed services scholarship shall pay tuition for an approved program academic credit at a Vermont postsecondary institution eligible for student assistance funds under Title IV of the Higher Education Act of 1965 and leading to a an undergraduate certificate or degree other than a postgraduate degree as follows:

(1) at a Vermont university, college, or technical institute supported in whole or in part by public funds appropriated from the state treasury; or If the person attends the University of Vermont, the scholarship shall pay an amount equal to the actual tuition charged by the University to the person.

(2) tuition expenses at a Vermont postsecondary institution up to an amount equal to the in state tuition fee for that year at the Vermont state colleges If the person attends a Vermont State College, the scholarship shall pay an amount equal to the actual tuition charged by the institution to the person.

(3) If the person attends any other postsecondary institution located in Vermont, the scholarship shall pay an amount equal to the actual tuition charged by the institution to the person, or an amount equal to that which the scholarship would have paid if the person attended the University of Vermont pursuant to subdivision (1) of this subsection, whichever is less.

(b) An armed services scholarship shall be tenable may be used for a maximum of 130 academic credits or less as may be necessary to complete requirements for graduation an undergraduate certificate or degree.

(c) A person eligible and applying for an armed forces scholarship shall apply for a Federal Pell Grant. The amount of the armed services scholarship awarded shall be the remaining tuition costs to be paid pursuant to subsection (a) of this section, following receipt of a Pell Grant.

(d) A person who has obtained a bachelor's degree is not eligible for an armed services scholarship.

Sec. E.219.2 16 V.S.A. § 2539(b) and (c) are amended to read:

(b) On being notified of ~~the~~ an eligible applicant's matriculation at an institution as specified in subsection 2538(a) of this title, the ~~adjutant general or office of veterans' affairs shall certify eligibility to the commissioner of~~

~~finance and management who~~ Adjutant General or the Office of Veterans' Affairs shall provide funds from the special fund established in section 2541 of this title to the Vermont Student Assistance Corporation, which, upon verifying enrollment, shall disburse the scholarship award to the institution ~~from the armed services scholarship fund established in section 2541 of this title.~~

(c) Application for renewal of an armed services scholarship shall be made annually with written endorsement by the proper officer of the institution attended that the holder of the scholarship has maintained satisfactory scholastic standing. On receipt of this certification, the ~~adjutant general or office of veterans' affairs shall forward it to the commissioner of finance and management who~~ Adjutant General or the Office of Veterans' Affairs shall provide funds from the special fund established in section 2541 of this title to the Vermont Student Assistance Corporation, which, upon verifying enrollment, shall disburse the scholarship award to the institution ~~from the armed services scholarship fund established in section 2541 of this title.~~

Sec. E.219.3 16 V.S.A. § 2541 is amended to read:

§ 2541. ARMED SERVICES SCHOLARSHIP FUND

(a) ~~An armed services scholarship fund~~ Armed Services Scholarship Fund is established ~~in the office of the state treasurer~~ to comprise appropriations made by the ~~general assembly~~ General Assembly. The fund shall be managed pursuant to 32 V.S.A. chapter 7, subchapter 5, and shall be available to the Military Department for the armed services scholarships established in section 2537 of this title.

(b) ~~The state treasurer may invest the monies in the fund.~~

(c) ~~Monies in the fund shall be used to fund armed services scholarships established in section 2537 of this title.~~

(d) All balances in the ~~fund~~ Fund at the end of any fiscal year shall be carried forward and used only for the purposes set forth in this section. Earnings of the ~~fund~~ Fund which are not withdrawn pursuant to this section shall remain in the ~~fund~~ Fund.

Sec. E.219.4 20 V.S.A. § 1548 is amended to read:

§ 1548. VERMONT VETERANS' FUND

(a) There is created a special fund to be known as the Vermont ~~veterans' fund~~ Veterans' Fund. This ~~fund~~ Fund shall be administered by the ~~state treasurer~~ Military Department and shall be paid out in grants on the recommendations of a nine-member committee comprising:

- (1) The ~~adjutant general~~ Adjutant General or designee;
- (2) The Vermont ~~veterans home administrator~~ Veterans' Home Administrator or designee;
- (3) The ~~commissioner of the department of labor~~ Commissioner of Labor or designee;
- (4) The ~~secretary of the agency of human resources~~ Secretary of Human Services or designee;
- (5) The ~~director~~ Director of the White River Junction VA medical center or designee;
- (6) The ~~director~~ Director of the White River Junction VA benefits office, or designee; and
- (7) Three members of the ~~governor's veterans' council~~ Governor's Veterans' Council to be appointed by that ~~council~~ Council.

(b) The purpose of this ~~fund~~ Fund shall be to provide grants or other support to individuals and organizations:

- (1) For the long-term care of veterans.
- (2) To aid homeless veterans.
- (3) For transportation services for veterans.
- (4) To fund veterans' service programs.
- (5) To recognize veterans.

(c) The Vermont ~~veterans' fund~~ Veterans' Fund shall consist of revenues paid into it from the Vermont ~~veterans' fund~~ Veterans' Fund checkoff established in 32 V.S.A. § 5862e and from any other source. The Fund shall be managed pursuant to 32 V.S.A. chapter 7, subchapter 5, and shall be available to the Military Department for the purposes in subsection (b) of this section.

(d) For purposes of this section, "veteran" means a resident of Vermont who served on active duty in the United States ~~armed forces~~ Armed Forces or the Vermont ~~national guard~~ National Guard or Vermont ~~air national guard~~ Air National Guard and who received an honorable discharge.

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

(a) Of the funds appropriated in Sec. B.220 of this act, \$30,000 is from the Domestic and Sexual Violence Special Fund created in 13 V.S.A. § 5360 to be used as a grant from the Center for Crime Victims Services to the Vermont

Network Against Domestic and Sexual Violence for the acquisition of a data collection system.

Sec. E.220.1 STUDY COMMITTEE ON FUTURE FUNDING FOR THE VERMONT CENTER FOR CRIME VICTIMS SERVICES

(a) There is created a Study Committee on Future Funding for the Vermont Center for Crime Victims Services (CCVS). The purpose of the Committee is to address an anticipated decrease in available revenue for CCVS and to develop a financial plan of action that will ensure that CCVS will be able to continue to provide the services that victims of crime need in order to recover from the physical, emotional, and financial aftermath of criminal victimization.

(b) The Committee shall be composed of:

(1) One Representative from each of the House Committees on Appropriations, on Judiciary, and on Ways and Means appointed by the Speaker of the House.

(2) One Senator from each of the Senate Committees on Appropriations, on Judiciary, and on Finance appointed by the Committee on Committees.

(3) One representative from the Agency of Administration, appointed by the Secretary of Administration.

(4) The Executive Director of the Vermont Center for Crime Victims Services.

(c) The members of the Committee shall elect a Chair, who shall convene meetings and set meeting agendas.

(d) The Committee shall:

(1) analyze the factors that affect the revenue generated by 13 V.S.A. § 7282 and deposited into the Victims' Compensation Fund and the Crime Victims' Restitution Fund;

(2) assess the trends that are affecting the revenue of these funds, and develop revenue projections for fiscal year 2015 and beyond, based on these trends;

(3) identify strategies the State can engage in that will maximize revenue from these funding sources;

(4) identify alternative or new funding sources, including the State's General Fund;

(5) review how other states fund victim services;

(6) review federal grant programs, identify impending cuts to federal funding, and develop a plan of action for implementing these cuts; and

(7) analyze victim service programs mandated by state statute and funded with state special funds and make recommendations that contain costs and achieve greater efficiencies.

(e) For purposes of its study of these issues, the Committee shall have the assistance of the Office of Legislative Council, the Joint Fiscal Office, the Department of Finance and Management, and the Center for Crime Victims Services.

(f) By January 15, 2014, the Committee shall report to the House Committees on Appropriations, on Judiciary and on Ways and Means and Senate Committees on Appropriations, on Judiciary and on Finance on its findings and any legislative or administrative recommendations.

(g) The Committee shall meet no more than six times, and shall cease to exist upon filing its report. For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee shall be entitled to compensation and reimbursement for expenses under 2 V.S.A. § 406.

Sec. E.221 Criminal justice training council

(a) Notwithstanding any other provision of law, from the fiscal year 2013 funds appropriated to the Criminal Justice Training Council and carried forward into fiscal year 2014, the amount of \$40,000 shall revert to the General Fund.

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

(a) The Agency of Agriculture, Food and Markets shall use the Global Commitment Funds appropriated in this section for the Administration Division to provide public health approaches and other innovative programs to improve the health outcomes, health status, and quality of life for uninsured, underinsured, and Medicaid-eligible individuals in Vermont.

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

(a) The Agency of Agriculture, Food and Markets shall use the Global Commitment Funds appropriated in this section for the Food Safety and Consumer Protection Division to provide public health approaches and other innovative programs to improve the health outcomes, health status, and quality of life for uninsured, underinsured, and Medicaid-eligible individuals in Vermont.

Sec. E.228 Financial regulation – insurance

(a) The Department of Financial Regulation shall use the Global Commitment Funds appropriated in this section for the Insurance Division for the purpose of funding certain health-care-insurance-related Department of

Financial Regulation programs, projects, and activities to increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.233 PUBLIC SERVICE DEPARTMENT; ELECTRIC GENERATION SITING; REPORT

(a) On or before November 15, 2013, the Department of Public Service shall submit a written report and recommendations, with proposed legislation, on each of the following:

(1) establishing a comprehensive planning process for the siting of electric generation plants that integrates state energy planning with local and regional land use planning and strengthens the role of local and regional plans in the siting review process;

(2) increasing the accessibility of the siting review process for electric generation plants to local and regional governments and concerned citizens;

(3) funding intervenors participating in the siting review process for electric generation plants; and

(4) establishing specific standards applicable to wind generation plants to address their impacts on public health, the environment, and land use, including noise limits and setback requirements.

(b) In performing its tasks under this section, the Department shall use the information and data collected by and consider the report and recommendations of the Governor's Energy Siting Policy Commission created by Executive Order No. 10-12 dated October 2, 2012.

(c) In performing its tasks under this section, the Department shall have the assistance of the Agency of Commerce and Community Development, the Agency of Natural Resources, the Department of Health, and regional planning commissions created under 24 V.S.A. chapter 117.

(d)(1) The Department shall give widespread public notice of the assessment and report required by this section and shall maintain on its website a prominent page concerning this process that provides notice of all public meetings held and posts relevant information and documents.

(2) In performing the assessment and developing the report required by this section, the Department shall provide an opportunity for local legislative bodies, local planning commissions, affected businesses and organizations, and members of the public to submit relevant factual information, analysis, and comment.



(e) The Department shall submit the report, recommendations, and proposed legislation required by this section to the House and Senate Committees on Natural Resources and Energy, the Senate Committee on Finance, the House Committee on Commerce and Economic Development, and the Joint Energy Committee under 2 V.S.A. chapter 17.

(f) During adjournment between the 2013 and 2014 sessions, the Joint Energy Committee shall meet no more than six times to review the conduct and content of the report required by this section and the report and recommendations of the Siting Policy Commission and to discuss potential legislation on any issue relating to the development, siting, and operation of electric generation plants. To this end, the Joint Energy Committee may require the Department to provide progress reports and call as witnesses personnel from the Department and the other entities listed in subsection (c) of this section, members of the Siting Policy Commission, and such other persons as it may direct.

Sec. E.235 Enhanced 9-1-1 Board

(a) Up to \$75,000 of the funds appropriated in Sec. B 235 of this act shall be used to ensure that on or before January 15, 2014, the Enhanced 911 Board, in coordination with the Secretary of Education, shall provide technical assistance and guidance to school districts to comply with the requirement in 30 V.S.A. § 7057 that accurate location information is associated with each landline telephone installed in a school. The General Assembly anticipates the Board will seek a budget adjustment if insufficient funds are available within this appropriation.

Sec. E.236 9 V.S.A. § 4504 is amended to read:

§ 4504. RENTAL OF HOUSING; EXEMPTIONS

\* \* \*

(2) if the dwelling unit is in a building with three or fewer units and the owner or a member of the owner's immediate family resides in one of the units, provided any notice, statement, or advertisement with respect to the unit complies with subdivision 4503(a)(3) of this title;

\* \* \*

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

Sec. E.300 HOUSING SUBSIDY; AGENCY EVALUATION; REPORT

(a) Agency of Human Services spending, represented in the Agency's Housing Inventory, initiated in 2011 contains 193 discrete funding lines. It is

in the interest of the State to systematically review the State's spending on all State housing subsidies funded in whole or in part by the General Fund.

(b) The Agency of Human Services shall continue its work on the Housing Inventory. As part of the review, the Secretary shall evaluate the eligibility criteria, duration of the subsidy, expected outcomes for those receiving financial support, and the possible overlaps in the programs.

(c) On or before November 15, 2013, the Secretary shall report findings to the Joint Fiscal Committee, the House Committee on Human Services, and the Senate Committee on Health and Welfare accompanied with recommendations to maximize the State's investment of funds and other supports that enhance the ability of Vermonters to achieve stability and independence in their living arrangements.

Sec. E.300.1 AGENCY OF HUMAN SERVICES PROGRAMS AND SUBSTANCE ABUSE CONTINUUM OF SERVICES; REVIEW AND RECOMMENDATION

(a) In recognition of the fact that most, if not all, of the Agency programs serve persons with substance abuse and many persons with co-occurring substance abuse, medical, and mental health conditions, the Secretary of Human Services shall report on the capacity of the system, including outpatient, inpatient, residential treatment, and recovery substance abuse, medical, and mental health services to address these needs. In addition to the resources of the Agency, the Secretary may seek the advice and consultation of independent persons with clinical case management and public policy expertise to assess current policies and resources available within the Agency and make recommendations to change current policies, change the allocations of resources, restructure payment systems, and prioritize future additional resources. The Secretary of Education, the Commissioner of Labor, the Administrative Judge in the Judiciary, and leaders in the State's law enforcement agencies are expected to be available as needed for consultation in this effort. The Secretary of Human Services shall report to the General Assembly with this assessment and recommendations by January 15, 2014.

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

(a) The Agency of Human Services shall use the funds appropriated in this section for payment of the actuarially certified premium required under the intergovernmental agreement between the Agency of Human Services and the managed care entity, the Department of Vermont Health Access, as provided for in the Global Commitment for Health Waiver ("Global Commitment") approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

(b) In addition to the state funds appropriated in this section, a total estimated sum of \$27,761,422 is anticipated to be certified as state matching funds under the Global Commitment as follows:

(1) \$17,641,800 certified state match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with \$22,858,200 of Federal Funds appropriated in Sec. B.301 of this act equals a total estimated expenditure of \$40,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) \$3,901,341 certified state match available from local education agencies for direct school-based health services, including school nurse services, that increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

(3) \$2,179,180 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) \$1,852,303 certified state match available via the University of Vermont's Child Health Improvement Program for quality improvement initiatives for the Medicaid program.

(5) \$2,186,798 certified state match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

Sec. E.301.1 2011 Acts and Resolves No. 60, Sec. 3 is amended to read:

### Sec. 3. REQUEST FOR A WAIVER

By no later than July 1, 2012, the ~~agency of human services~~ Agency of Human Services shall include as a part of its application request for a demonstration project from the Centers for Medicare and Medicaid Services to integrate care for dual eligible individuals the additional proposal of allowing the ~~state~~ State to provide for an "enhanced hospice access" benefit, whereby the definition of "terminal illness" is expanded from six months' life expectancy to that of 12 months and participants may access hospice without being required to first discontinue curative therapy. Also, by no later than July 1, 2013, the ~~agency of human services~~ Agency of Human Services shall submit a Global Commitment Medicaid waiver ~~amendment~~ renewal application to provide funding for the same enhanced hospice access benefit.

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

(a) Notwithstanding any other provision of law, for the first quarter of state fiscal year 2014, the Division of Rate Setting shall calculate payment rates for private nonmedical institutions (PNMI) providing residential child care services as 100 percent of each program's final per diem rate in effect on June 30, 2013.

(1) For programs whose final per diem rate as of June 30, 2013 includes an approved rate adjustment, the per diem rate for the first quarter of state fiscal year 2014 will include provisions from the Division of Rate Setting's rate adjustment order.

(2) For programs whose final per diem rate as of June 30, 2013 is categorized as a start-up rate, the per diem rate for the first quarter of state fiscal year 2014 will include provisions from the Division of Rate Setting's final order on the start-up rate.

(b) The Division of Rate Setting shall propose a rule to set rates effective October 1, 2013 for PNMI facilities providing residential child care services based on actual historical costs in a base year.

Sec. E.306 32 V.S.A. § 305a(c) is amended to read:

(c) The January estimates shall include estimated caseloads and estimated per member per month per-member per-month expenditures for the current and next succeeding fiscal years for each Medicaid enrollment group as defined by the ~~agency~~ Agency and the ~~joint fiscal office~~ Joint Fiscal Office for state health care assistance programs or premium assistance programs supported by the state health care resources and Global Commitment funds, ~~for VermontRx~~, and for the programs under ~~the Choices for Care~~ any Medicaid Section 1115 waiver. For Board consideration, there shall be provided two versions of the next succeeding fiscal year's estimated per-member per-month expenditures, one shall include an increase in Medicaid provider reimbursements in order to ensure that the expenditure estimates reflect amounts attributable to health care inflation as required by subdivisions 307(d)(5) and (d)(6) of this title and one shall be without the inflationary adjustment. For VPharm, the January estimates shall include estimated caseloads and estimated per-member per-month expenditures for the current and next succeeding fiscal years by income category. The January estimates shall include the expenditures for the current and next succeeding fiscal years for the Medicare Part D phased-down state contribution payment and for the disproportionate share hospital payments. In July, the ~~administration~~ Administration and the ~~joint fiscal office~~ Joint Fiscal Office shall make a report to the ~~emergency board~~ Emergency Board on the most recently ended fiscal year for all Medicaid and Medicaid-related

programs, including caseload and expenditure information for each Medicaid eligibility group. Based on this report, the ~~emergency board~~ Emergency Board may adopt revised estimates for the current fiscal year and estimates for the next succeeding fiscal year.

Sec. E.306.1 32 V.S.A. § 307(d) is amended to read:

(d) The ~~governor's~~ Governor's budget shall include his or her recommendations for an annual budget for Medicaid and all other health care assistance programs administered by the ~~agency of human services~~ Agency of Human Services. The ~~governor's~~ Governor's proposed Medicaid budget shall include a proposed annual financial plan, and a proposed five-year financial plan, with the following information and analysis:

\* \* \*

(5) health care inflation trends consistent with provider reimbursements approved under 18 V.S.A. § 9376 and hospital budgets approved by the Green Mountain Care Board under 18 V.S.A. chapter 221, subchapter 7;

(6) recommendations for funding provider reimbursement at levels sufficient to ensure reasonable access to care, and at levels at least equal to Medicare reimbursement;

\* \* \*

Sec. E.307 33 V.S.A. § 1802(9) is added to read:

(9) "Modified adjusted gross income" shall have the same meaning as in 26 U.S.C. § 36B(d)(2)(B).

Sec. E.307.1 33 V.S.A. § 1812 is added to read:

§ 1812. FINANCIAL ASSISTANCE TO INDIVIDUALS

(a)(1) An individual or family eligible for federal premium tax credits under 26 U.S.C. § 36B with income less than or equal to 300 percent of federal poverty level shall be eligible for premium assistance from the State of Vermont.

(2) The Department of Vermont Health Access shall establish a premium schedule on a sliding scale based on modified adjusted gross income for the individuals and families described in subdivision (1) of this subsection. The Department shall reduce the premium contribution for these individuals and families by 1.5 percent below the premium amount established in 26 U.S.C. § 36B.

(3) Premium assistance shall be available for the same qualified health benefit plans for which federal premium tax credits are available.

(b)(1) An individual or family with income at or below 300 percent of the federal poverty guideline shall be eligible for cost-sharing assistance, including a reduction in the out-of-pocket maximums established under Section 1402 of the Affordable Care Act.

(2) The Department of Vermont Health Access shall establish cost-sharing assistance on a sliding scale based on modified adjusted gross income for the individuals and families described in subdivision (1) of this subsection. Cost-sharing assistance shall be established as follows:

(A) for households with income at or below 150 percent of the federal poverty level (FPL): 94 percent actuarial value;

(B) for households with income above 150 percent FPL and at or below 200 percent FPL: 87 percent actuarial value;

(C) for households with income above 200 percent FPL and at or below 250 percent FPL: 77 percent actuarial value;

(D) for households with income above 250 percent FPL and at or below 300 percent FPL: 73 percent actuarial value.

(3) Cost-sharing assistance shall be available for the same qualified health benefit plans for which federal cost-sharing assistance is available and administered using the same methods as set forth in Section 1402 of the Affordable Care Act.

(c) To the extent feasible, the Department shall use the same mechanisms provided in the Affordable Care Act to establish financial assistance under this section in order to minimize confusion and complication for individuals, families, and health insurers.

#### Sec. E.307.2 REDUCTION IN MEDICAID COST-SHIFT

(a) Beginning October 1, 2013, the Agency of Human Services shall increase Medicaid reimbursements to participating providers for services provided by an amount equal to three percent of fiscal year 2012 expenditures for those services.

(b) It is the intent of the General Assembly that the Agency of Human Services increase Medicaid reimbursement methodologies in fiscal year 2014 across all programs and services, except as follows:

(1) providers with an existing process for rate inflation, such as nursing homes and private nonmedical institutions (PNMI), should not receive an additional increase;

(2) managed care organization (MCO) investments will be reviewed individually by the appropriate Department within the Agency of Human Services; and

(3) the Department of Vermont Health Access will not implement increases to primary care case management payments until the Department creates a new attribution model that more accurately identifies which providers should receive these payments.

(c) The Department of Vermont Health Access shall establish a mechanism that connects increases to payments for inpatient and outpatient hospital services with achieving high-quality outcomes.

(d) The Agency of Human Services shall allocate inflation increases to Medicaid reimbursement rates for fiscal years after 2014 in a manner that is consistent with Vermont's payment reform strategic plan.

(e) The Department of Vermont Health Access shall implement a new attribution model for primary care case management payments to ensure that providers seeing Medicaid patients for primary care receive those payments.

#### Sec. E.307.3 ANALYSIS OF METHODS TO HELP HIGH OUT-OF-POCKET COST SUBSCRIBERS

(a) It is the intent of the General Assembly to ensure that low- and middle-income individuals purchasing health insurance through the Vermont Health Benefit Exchange (Exchange) have financial protection from large out-of-pocket costs. The State of Vermont should analyze the potential enhanced cost-sharing subsidies available in the Exchange if federal financial participation is available by funding the subsidies as a managed-care entity investment through the Global Commitment to Health Section 1115 Medicaid waiver. The Department shall specifically estimate the fiscal potential to modify the cost-sharing subsidy established in 33 V.S.A. § 1812(b) as follows:

(1) Cost-sharing assistance established in 18 V.S.A. § 1812(b)(2)(C) for households with income above 200 percent of the federal poverty level (FPL) and at or below 250 percent FPL shall be increased from 77 percent to 83 percent actuarial value.

(2) Cost-sharing assistance established in 18 V.S.A. § 1812(b)(2)(D) for households with income above 250 percent FPL and at or below 300 percent FPL shall be increased from 73 percent to 77 percent actuarial value.

(3) Cost-sharing assistance shall be established for households with income above 300 percent FPL and at or below 350 percent FPL at 73 percent actuarial value.

(b) The analysis above shall be compared to the cost analysis, financial, and administrative potential to establish a high-risk pool or acquisition of secondary insurance to address the financial hardship of high out-of-pocket subscribers.

(c) The Department shall also report on the financial impact of low- and middle-income individuals purchasing health insurance through the Exchange who transition to Medicare coverage and recommendations for how these impacts, if burdensome, might be addressed.

(d) The Department shall report to the Joint Fiscal Committee at its next scheduled meeting after notice from the Commissioner of Vermont Health Access of approval from the Centers For Medicare and Medicaid Services (CMS) and the Commissioner's assessment of the State's financial capacity for new investments and comparative analysis. The Committee shall review the relevant information to determine whether the CMS approval to consolidate the waivers did create sufficient financial capacity to include the subsidy as an investment and shall review the comparative analysis for establishing a high-risk pool or secondary insurance.

Sec. E.307.4 33 V.S.A. § 1901d is amended to read:

§ 1901d. STATE HEALTH CARE RESOURCES FUND

(a) ~~The state health care resources fund~~ State Health Care Resources Fund is established in the ~~treasury~~ 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~~ 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~~ and a source of financing for the Vermont Health Benefit Exchange established in chapter 18, subchapter 1 of this title.

\* \* \*

(d) All monies received by or generated to the ~~fund~~ Fund shall be used only as allowed by appropriation of the ~~general assembly~~ General Assembly for the administration and delivery of health care covered through state health care assistance programs administered by the ~~agency~~ 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 section 1974 of this title, the Vermont Health Benefit Exchange established in chapter 18, subchapter 1 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. E.307.5 NOTIFICATIONS TO PHARMACY PROGRAM BENEFICIARIES

(a) The Department shall ensure that at least once a year a notification is included in a written correspondence to beneficiaries of pharmacy programs to inform the beneficiary that it may be advisable to consult with local community service organizations or state program eligibility officials to review the financial advisability of continuing enrollment in the program. The Department shall submit the notification for review to the Health Care Oversight Committee and the Joint Fiscal Committee not later than November 1, 2013.

Sec. E.308 Department of Vermont health access – Medicaid program - long term care

(a) Choices for Care is the program administered by the Department of Disabilities, Aging, and Independent Living through a long-term care Medicaid Section 1115 waiver that offers participants a choice of settings for long-term services and supports. The rules for operation of the program under this Section 1115 waiver include criteria and standards for eligibility, levels of assistance, assessments, reviews, and the appeal and fair hearing process.

(b) The state has applied for and anticipates combining the Choices for Care waiver into the Global Commitment or its successor broader Medicaid waiver. The state shall continue to operate and administer the program in a manner that is the same or similar as is federally allowed to current practice. Funding for the Choices for Care program shall continue to be appropriated distinctly from the broader Medicaid waiver and the Department shall continue to report monthly on actual expenditures of the program compared to budgeted expenditure expectations.

(c) Savings in the Choices for Care program means the difference between the annual amount of funds appropriated for the program and the sum of expended and obligated funds remaining at the conclusion of the fiscal year. Any funds appropriated for the program shall be used for long-term services and supports to recipients. In using these funds, the Department shall give priority to services to individuals assessed as having high and highest needs and meeting the terms and conditions of the waiver as approved by the Centers for Medicare and Medicaid Services. Any savings in the program at the close of a fiscal year may be used for other long-term services and supports and shall be allocated and spent in ways that are sustainable into the future and that do not create an unsustainable base budget or shall be spent as one-time reinvestments that do not require continued funding into the future. Excluding appropriations allocated for the provision of acute services, any unexpended and unobligated state General or Special Fund

appropriation at the close of a fiscal year shall be carried over to the next fiscal year. The Department shall not obligate funds for the purpose of reducing the calculation of savings in any fiscal year or to reduce the base funding needed in a subsequent fiscal year.

(d) Caseload and utilization for Choices for Care shall be included in the analysis conducted under the provisions of 32 V.S.A. § 305a.

Sec. E.312 Health – public health

(a) AIDS/HIV funding:

(1) In fiscal year 2014 and as provided in this section, the Department of Health shall provide grants in the amount of \$475,000, of which \$135,000 is state General Funds and \$340,000 is AIDS Medication Rebates Special Funds to the Vermont AIDS service and peer-support organizations for client-based support services. It is the intent of the General Assembly that if the AIDS Medication Rebates Special Funds appropriated in this subsection are unavailable, the funding for Vermont AIDS service and peer-support organizations for client-based support services shall be maintained through the General Fund or other state-funding sources. The Department of Health AIDS Program shall meet at least quarterly with the Community Advisory Group (CAG) with current information and data relating to service initiatives. The funds shall be allocated as follows:

(A) AIDS Project of Southern Vermont, \$120,281;

(B) HIV/HCV Resource Center, \$38,063;

(C) VT CARES, \$219,246;

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

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

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

(3)(A) The Secretary of Human Services shall immediately notify the Joint Fiscal Committee if at any time there are insufficient funds in VMAP to assist all eligible individuals. The Secretary shall work in collaboration with persons living with HIV/AIDS to develop a plan to continue access to VMAP medications until such time as the General Assembly can take action.

(B) As provided in this section, the Secretary of Human Services shall work in collaboration with the VMAP Advisory Committee, which shall be composed of no less than 50 percent of members who are living with

HIV/AIDS. If a modification to the program's eligibility requirements or benefit coverage is considered, the Committee shall make recommendations regarding the program's formulary of approved medication, related laboratory testing, nutritional supplements, and eligibility for the program.

(4) In fiscal year 2014, the Department of Health shall provide grants in the amount of \$100,000 in General Funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for community-based HIV prevention programs and services. These funds shall be used for HIV/AIDS prevention purposes, including improving the availability of confidential and anonymous HIV testing; prevention work with at-risk groups such as women, intravenous drug users, and people of color; and anti-stigma campaigns. No more than 15 percent of the funds may be used for the administration of such services by the recipients of these funds. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health and the Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers.

(b) Funding for the tobacco programs in fiscal year 2014 shall consist of the \$2,393,377 in Tobacco Funds and \$302,507 in Global Commitment Funds appropriated in Sec. B.312 of this act. The Tobacco Evaluation and Review Board shall determine how these funds are allocated to tobacco cessation, community-based, media, public education, surveillance, and evaluation activities. This allocation shall include funding for tobacco cessation programs that serve pregnant women.

Sec. E.312.1 33 V.S.A. § 2004 is amended to read:

§ 2004. MANUFACTURER FEE

\* \* \*

(b) Fees collected under this section shall fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633, analysis of prescription drug data needed by the ~~attorney general's office~~ Office of the Attorney General for enforcement activities, the Vermont prescription monitoring system established in 18 V.S.A. chapter 84A, ~~and the evidence-based~~ evidence-based education program established in 18 V.S.A. chapter 91, subchapter 2, and any opioid-antagonist education and training program operated by the Department of Health or its agents. The fees shall be collected in the evidence-based education and advertising fund established in section 2004a of this title.

Sec. E.312.2 33 V.S.A. § 2004a is amended to read:

§ 2004a. EVIDENCE-BASED EDUCATION AND ADVERTISING FUND

(a) The ~~evidence-based education and advertising fund~~ Evidence-Based Education and Advertising Fund is established in the ~~treasury~~ State Treasury as a special fund to be a source of financing for activities relating to fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633, for analysis of prescription drug data needed by the attorney general's office Office of the Attorney General for enforcement activities, for the Vermont prescription monitoring system established in 18 V.S.A. chapter 84A, and for the evidence-based education program established in 18 V.S.A. chapter 91, subchapter 2, and for the support of any opioid-antagonist education and training program operated by the Department of Health or its agents. Monies deposited into the ~~fund~~ Fund shall be used for the purposes described in this section.

Sec. E.312.3 18 V.S.A. § 9708 is amended to read:

§ 9708. AUTHORITY AND OBLIGATIONS OF HEALTH CARE PROVIDERS, HEALTH CARE FACILITIES, AND RESIDENTIAL CARE FACILITIES REGARDING DO-NOT-RESUSCITATE ORDERS AND CLINICIAN ORDERS FOR LIFE SUSTAINING TREATMENT

\* \* \*

(f) The ~~department of health~~ Department of Health shall adopt by rule no later than ~~March 1, 2013~~ July 1, 2014, criteria for individuals who are not the patient, agent, or guardian, but who are giving informed consent for a DNR/COLST order. The rules shall include the following:

\* \* \*

(h) A clinician who issues a DNR order shall authorize issuance of a DNR identification to the patient. Uniform minimum requirements for DNR identification shall be determined by rule by the ~~department of health~~ Department of Health no later than ~~March 1, 2012~~ July 1, 2014.

\* \* \*

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

(a) For the purpose of meeting the need for outpatient substance abuse services when the preferred provider system has a waiting list of five days or more or there is a lack of qualified clinicians to provide services in a region of the State, a state-qualified alcohol and drug abuse counselor may apply to the Department of Health, Division of Alcohol and Drug Abuse Programs, for

time-limited authorization to participate as a Medicaid provider to deliver clinical and case coordination services, as authorized.

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

(A) The program is able to provide the quality, quantity, and levels of care required under the Division's standards, licensure standards, and accreditation standards established by the Commission on Accreditation of Rehabilitation Facilities, the Joint Commission on Accreditation of Health Care Organizations, or the Commission on Accreditation for Family Services.

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

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

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

(c) The Department of Health shall compile and maintain a waitlist containing the unduplicated number of individuals in the State who are in need of substance abuse treatment.

(d) Of the funds appropriated in Sec. B.313 of this act, \$100,000 in General Funds is intended for increasing the capacity across the continuum of substance abuse prevention and treatment services. The use of these funds shall be determined by the Secretary of Human Services subsequent to the report required in Sec. E.300.1 (Substance Abuse Continuum) of this act. The proposed use of these funds shall be included with the fiscal year 2014 budget adjustment proposal made by the Agency.

Sec. E.314 [DELETED]

Sec. E.314.1 [DELETED]

Sec. E.314.2 LEVEL 1 PSYCHIATRIC CARE EVALUATION

(a)(1) The Mental Health Oversight Committee and the Health Care Oversight Committee shall hold a joint meeting in November 2013 for the purpose of evaluating the capacity needed to treat patients in the care and custody of the Commissioner of Mental Health, specifically regarding the

capacity needed within the Level 1 system of care as established in 2012 Acts and Resolves No. 79. The evaluation shall include:

(A) an assessment of the census trends for the Level 1 system of care during the last fiscal year;

(B) the status of the census capacity at Rutland Regional Medical Center and Brattleboro Retreat's Level 1 unit;

(C) the status of the construction at the state-owned and -operated psychiatric hospital in Berlin;

(D) the status of the census capacity at the intensive and secure residential recovery programs; and

(E) an assessment of whether the budget provides adequate capacity for Level 1 treatment through the end of the 2014 fiscal year and the estimated budget need for the duration of the 2015 fiscal year.

(2) The evaluation shall include a projection of the daily census need for Level 1 inpatient care in excess of the six beds projected to operate at the Rutland Regional Medical Center and the 14 beds projected to operate at the Brattleboro Retreat as of April 1, 2014. The Committees shall solicit input from those hospitals providing Level 1 care that will be discontinued once the state-owned and -operated hospital is opened. The Committees' evaluation shall be submitted to the House and Senate Committees on Appropriations on or before December 15, 2013.

(3) The evaluation shall assess the number and type of personnel necessary to staff the state-owned and -operated hospital in Berlin as of April 1, 2014. On or before December 15, 2013, the Mental Health Oversight Committee and the Health Care Oversight Committee shall make a recommendation to the Joint Fiscal Committee as to the number and type of personnel needed to operate the state-owned and -operated hospital on April 1, 2014.

(4) It is the intent of the General Assembly that the 2015 fiscal year budget provide adequate resources to fund fully the community programs as funded in fiscal year 2014 and inpatient capacity established in 2012 Acts and Resolves No. 79, including the 25 beds at the state-owned and -operated hospital in Berlin. If the Mental Health Oversight Committee and the Health Care Oversight Committee in their evaluation and recommendation to the Joint Fiscal Committee find that less need exists than anticipated, the Joint Fiscal Committee may recommend reconsideration by the General Assembly.

(b) Each month between June and December 2013, the Department of Mental Health shall provide the following information to the Mental Health Oversight Committee and the Health Care Oversight Committee:

(1) The number of Level 1 patients receiving acute inpatient care in a hospital setting other than the renovated unit at Rutland Regional Medical Center, the renovated unit at the Brattleboro Retreat, and the Green Mountain Psychiatric Center in Morrisville, including the number of individuals treated in each setting and the single combined one-day highest number each month;

(2) The number of individuals waiting for admission to a Level 1 psychiatric inpatient unit after the determination of need for admission to emergency departments, correctional facilities, or any other identified settings is made and the number of days individuals are waiting;

(3) The total census capacity and average daily census of new intensive recovery residence beds opened in accordance with 2012 Acts and Resolves No. 79, and the annual daily census of the secure residential recovery facility in Middlesex. The census capacity shall not include a duplicate count for beds that replace those currently in operation elsewhere.

#### Sec. E.314.3 SUICIDE PREVENTION

(a) The funds appropriated to the Department of Mental Health for suicide prevention shall be used in accordance with best practices to enhance coordination in youth and adult suicide prevention programs, including the creation of a unified grant process for a single entity with prior experience implementing statewide prevention initiatives.

#### Sec. E.314.4 STANDARDIZED LEVEL OF CARE

(a) Contracts with designated hospitals participating in the no refusal system, as defined in 18 V.S.A. § 7101, for the treatment of Level 1 patients shall include standards of care equivalent to those developed and provided at the state-owned and -operated hospital.

#### Sec. E.314.5 RATE INCREASE

(a) Revenue generated from the Medicaid rate increases in this act shall be used by Designated and Specialized Service Agencies to provide a commensurate increase in compensation for direct care workers. Each Designated Agency will report to the Agency of Human Services how they complied with this provision.

Sec. E.316 [DELETED]

Sec. E.317 [DELETED]

Sec. E.321 HOUSING ASSISTANCE BENEFITS; FLEXIBILITY PROGRAM

(a) For state fiscal year 2014, the Agency of Human Services may continue a housing assistance program within the General Assistance program to create flexibility to provide these General Assistance benefits. The purpose of the program is to mitigate poverty and serve applicants more effectively than they are currently being served with the same amount of General Assistance funds. The program shall operate in a consistent manner within existing statutes and rules and new policies to be effective on July 1, 2013 and may create programs and provide services consistent with these policies. Eligible activities shall include, among others, the provision of shelter, overflow shelter, case management, transitional housing, deposits, down payments, rental assistance, upstream prevention, and related services that ensure that all Vermonters have access to shelter, housing, and the services they need to become safely housed. The assistance provided under this section is not an entitlement and may be discontinued when the appropriation has been fully spent.

(b) The program may operate in up to 12 districts designated by the Secretary of Human Services. The Agency shall establish outcomes and procedures for evaluating the program overall, and for each district in which the Agency operates the program, it shall establish procedures for evaluating the district program and its effects.

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

Sec. E.321.1 GENERAL ASSISTANCE EMERGENCY HOUSING

(a) Not more than \$1,000,000 of the funds appropriated to the Agency of Human Services in the General Assistance program in fiscal year 2014 may be used for emergency housing in catastrophic situations. Up to \$500,000 of the funds appropriated for General Assistance may, with supervisory approval, be used for emergency housing for vulnerable populations as defined in subsection (c) of this section.

(b) Except as described in subsections (c) and (d) of this section, the Agency may only provide General Assistance emergency housing benefits in catastrophic situations as defined in rules adopted pursuant to 3 V.S.A. chapter 25. All emergency and temporary housing policies and guidelines issued by the Agency in effect as of June 30, 2013 shall be rescinded, except that the cold weather exemption issued by the Economic Services Division dated October 25, 2012, and any succeeding amendments to it, shall remain in effect.



(c) The Department shall adopt emergency rules pursuant to 3 V.S.A. § 844 to take effect July 1, 2013 regarding the provision of emergency housing, subject to available funds and supervisory review and approval, for vulnerable populations without a catastrophic need. Vulnerable populations are defined as:

(1) households with a member who is 65 years of age or older,

(2) living with a disability as determined by the Social Security Administration for Social Security or Supplemental Security Income;

(3) a child under the age of 6 years,

(4) persons in the third trimester of pregnancy.

(d) During fiscal year 2014, the Agency, in consultation with interested stakeholders, including both statewide organizations and local agencies, shall adopt rules pursuant to 3 V.S.A. chapter 25 to clarify eligibility for General Assistance housing, including rules defining when the Agency may provide emergency housing subject to available funds to vulnerable populations as defined in subsection (c) of this section without a catastrophic need.

#### Sec. E.321.2 EMERGENCY HOUSING; REPORTS

(a) The Agency of Human Services shall develop the following systems with respect to General Assistance emergency housing services:

(1) an intake system for individuals and families receiving emergency housing services, including collecting basic statistical information about the clients served;

(2) a system to track payments to motels; and

(3) a system for ensuring the safety and health of clients who are housed in motels.

(b) On or before January 15, 2014, the Agency of Human Services shall report to the House Committee on General, Housing and Military Affairs, the Senate Committee on Economic Development, Housing and General Affairs, and the House and Senate Committees on Appropriations regarding the development and implementation of the systems required by subsection (a) of this section.

(c) On or before January 15 and July 15 of each year beginning in 2014, the Agency of Human Services shall report statewide statistics related to the use of emergency housing vouchers during the preceding calendar quarter, including demographic information, deidentified client data, shelter and motel usage rates, clients' primary stated cause of homelessness, average lengths of stay in emergency housing by demographic group and by type of housing, and such

other relevant data as the Secretary deems appropriate. When the General Assembly is in session, the Agency shall provide its report to the House Committee on General, Housing and Military Affairs, the Senate Committee on Economic Development, Housing and General Affairs, and the House and Senate Committees on Appropriations. When the General Assembly is not in session, the Agency shall provide its report to the Joint Fiscal Committee.

Sec. E.323 33 V.S.A. § 1107 is amended to read:

§ 1107. CASE MANAGEMENT; FAMILY DEVELOPMENT PLANS;  
COORDINATED SERVICES

(a)(1) ~~The commissioner~~ Commissioner shall provide all Reach Up services to participating families through a case management model informed by knowledge of the family's home, community, employment, and available resources. Services may be delivered in the district office, the family's home, or community in a way that facilitates progress toward accomplishment of the family development plan. Case management may be provided to other eligible families. The case manager, with the full involvement of the family, shall recommend, and the ~~commissioner~~ Commissioner shall modify as necessary a family development plan established under the Reach First or Reach Up program for each participating family, with a right of appeal as provided by section 1132 of this title. A case manager shall be assigned to each participating family as soon as the family begins to receive financial assistance. If administratively feasible and appropriate, the case manager shall be the same case manager the family was assigned in the Reach First program. The applicant for or recipient of financial assistance, under this chapter, shall have the burden of demonstrating the existence of his or her condition.

(2) In addition to periodic reviews by a case manager pursuant to subsection (b) of this section, the Commissioner shall provide for a mandatory case review for each participating family with a district director or the district director's designee when the family reaches 18 and 36 months of enrollment in the Reach Up Program to assess whether the participating family:

(A) is in compliance with a family development plan or work requirement;

(B) is properly claiming a deferment, if applicable; and

(C) has any unaddressed barriers to self-sufficiency and, if so, how those barriers may be better addressed by the Department for Children and Families or other state programs.

\* \* \*

Sec. E.323.1 33 V.S.A. § 1108 is amended to read:

§ 1108. ~~OBLIGATION TO ASSIST ELIGIBLE FAMILIES WITH DEPENDENT CHILDREN~~ LIMITS ON FAMILY FINANCIAL ASSISTANCE

~~Except as specifically authorized herein, the commissioner shall not adopt any rule that would result in the termination of financial assistance to a participating family, including a dependent child, on the basis of an adult family member's having received TANF-funded financial assistance, as an adult, for 60 or more months in his or her lifetime. This provision shall not prevent the commissioner from adopting rules that impose limitations on how many months that families, including a parent who has received an associate or bachelor's degree while receiving support from the postsecondary education program authorized by section 1121 of this chapter, may receive financial assistance authorized by this chapter in the five-year period immediately following the receipt of such associate or bachelor's degree.~~

(a) Except for grants to children in the care of persons other than their parents, only participating families who have received fewer than 60 cumulative months of financial assistance, including those months in which any type of cash assistance funded by a TANF block grant was received in other states or territories of the United States, shall be eligible for benefits under the Reach Up Program.

(b) Deferment granted for the following reasons shall not count toward the Reach Up Program's cumulative 60-month lifetime eligibility period:

(1) The participant is not able-to-work.

(2) The participant is a parent or caretaker who is caring for a child pursuant to subdivision 1114(b)(3) of this chapter.

(3) The participant is affected by domestic violence pursuant to subdivision 1114(b)(9) of this chapter.

(c) The cumulative 60-month lifetime eligibility period shall not begin to toll until the parent or parents of a participating family have reached the age of 18.

(d) Notwithstanding subsection (a) of this section, the Commissioner may extend to a participating family that does not have a qualifying deferment under section 1114 of this title and that has exceeded the cumulative 60-month lifetime eligibility period set forth in subsection (a) of this section:

(1) the opportunity to participate in community service employment for a wage equivalent to that of the participating family's cash benefit under the Reach Up Program; or

(2) supplemental benefits to the participating family's wages if the work requirement is otherwise being met.

Sec. E.323.2 33 V.S.A. § 1114 is amended to read:

§ 1114. DEFERMENTS, MODIFICATIONS, AND REFERRAL

\* \* \*

(b) The work requirements shall be either modified or deferred for:

\* \* \*

(3) A primary caretaker parent in a two-parent family in which one parent is able-to-work-part-time or unable-to-work, a single parent, or a caretaker who is caring for a child who has not attained ~~24 months~~ one year of age for no more than ~~24~~ 12 months of the parent's or caretaker's lifetime receipt of financial assistance. To qualify for such deferment, a parent or caretaker of a child older than the age of six months but younger than ~~24 months~~ one year shall cooperate in the development of and participate in a family development plan.

(4) An individual who has exhausted the ~~24~~ 12 months of deferment provided for in subdivision (3) of this subsection and who is caring for a child who is not yet 13 weeks of age or a primary caretaker parent in a family with two parents who are able-to-work if the primary caretaker is caring for a child under 13 weeks of age and is otherwise subject to a work requirement because the other parent in the family is being sanctioned in accordance with section 1116 of this title.

\* \* \*

(d) Absent an apparent condition or claimed physical, emotional, or mental condition, participants are presumed to be able-to-work. A participant shall have the burden of demonstrating the existence of the ~~circumstances or~~ condition asserted as the basis for a deferral or modification of the work requirement. A deferral or modification of the work requirement exceeding 60 days due to the existence of conditions rendering the participant unable-to-work shall be confirmed by the independent medical review of one or more physicians designated by the Secretary of Human Services prior to receipt of continued financial assistance under the Reach Up Program.

\* \* \*

Sec. E.323.3 INTERIM REACH UP CASE MANAGEMENT

(a) During the interim between passage of this act and the implementation of the cumulative 60-month lifetime eligibility period pursuant to

section E.323 of this act on May 1, 2014, the Commissioner for Children and Families shall:

(1) ensure that each participating family has a designated case manager who is primarily accountable for the family's progress in the Reach Up Program; and

(2) conduct a case review of each participating family that has reached the cumulative 60-month lifetime eligibility period pursuant to section E.323 of this act, beginning with families under sanction, to understand better the profile of families receiving long-term assistance.

(b) On or before January 15, 2014, the Commissioner shall submit a written report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare regarding:

(1) the Department's preparedness to implement the cumulative 60-month lifetime eligibility period pursuant to Sec. E.323 of this act;

(2) the aggregated profile of participating families receiving long-term assistance from the Reach Up Program pursuant to subdivision (a)(2) of this section, including any common barriers that prevent participating families from moving to self-sufficiency;

(3) the anticipated impact on participating families reaching the cumulative 60-month lifetime eligibility period pursuant to section E.323 of this act; and

(4) the fiscal impact of changes made to the Reach Up Program in accordance with this act.

Sec. E.323.4 33 V.S.A. § 1116(e) is amended to read:

~~(e) Any family that has received 60 or more cumulative months of financial assistance that also has one or more adult participants who have been sanctioned for 12 or more cumulative months, and who are currently being sanctioned shall have their grant reduced by \$225.00 per month for each adult sanctioned under this subsection. [Repealed.]~~

Sec. E.323.5 REACH UP POLICY WORK GROUP

(a) It is the policy of the State of Vermont that:

(1) parents and guardians take primary responsibility for the care and financial support of their children;

(2) parents and guardians model self-sufficient behavior and personal responsibility for their children by availing themselves of employment and educational opportunities when possible; and

(3) the system of aid and services to needy families with children shall recognize clearly defined reciprocal responsibilities and obligations on the part of both parents and government.

(b) The Commissioner for Children and Families shall convene a work group to examine public policy options for restructuring the Reach Up Program in a manner that emphasizes participant responsibility for receipt of benefits. The Work Group shall:

(1) identify programmatic strengths or weaknesses in the Reach Up Program, including a review of and recommendations pertaining to the State's existing sanction policies, work requirements for two-parent families, and deferment standards to ensure statewide consistency in application;

(2) assess the efficacy of case management services provided to Reach Up participants;

(3) examine the Reach Up Program's alignment with the Agency of Human Services' Integrated Family Services initiative;

(4) survey successful models used by other states' Temporary Assistance for Needy Families (TANF) programs that emphasize participant responsibility;

(5) consider the feasibility and effectiveness of incorporating restorative justice principles into the Reach Up Program through the involvement of Vermont's community justice centers; and

(6) evaluate the coordination between the Reach Up Program and other state and community services that provide assistance pertaining to housing, employment, transportation, or mental health and substance abuse.

(c)(1) The Commissioner, who shall serve as Chair, shall select individuals with policy expertise related to TANF, child welfare, substance abuse, and workforce development issues from within the Department for Children and Families to serve on the Work Group, as well as a current or former participating parent of the Reach Up Program. The Commissioner may also select national consultants or experts to serve on or assist the Work Group. The Work Group shall seek input from Vermont advocates for children and families prior to finalizing its findings and recommendations.

(2) The Commissioner shall convene the first meeting of the Work Group on or before July 15, 2013.

(d) On or before November 1, 2013, the Work Group shall submit a written report to the General Assembly containing its findings and recommendations on each of the issues identified in subsection (b) of this section. The report shall also contain a proposal for restructuring the Reach Up Program in a

manner that is cost-effective, consistent with federal law, and empowers participants to attain self-sustaining employment. Thereafter, the Work Group shall cease to exist.

(e) Members of the Work Group who are not state employees and who are not otherwise compensated by their employment or association for their participation shall be entitled to per diem compensation as provided in 32 V.S.A. § 1010.

Sec. E.323.6 REACH UP; REALLOCATION OF RESOURCES

(a) Up to \$150,000 of funds currently budgeted within the Reach Up program for transfer to Vocation Rehabilitation and then subsequently to the Department of Labor may be reallocated by the Commissioner for Children and Families to address substance abuse treatment and prevention needs of Reach Up participants. The Department may seek further reallocation of these resources in the budget adjustment process if such reallocation comports with the recommendations required by Sec. E.300.1 (Substance Abuse Continuum) and Sec. E.323.5 (Reach Up Policy Work Group) of this act.

Sec. E.324 HOME HEATING FUEL ASSISTANCE/LIHEAP

(a) For the purpose of a crisis set-aside, for seasonal home heating fuel assistance through December 31, 2013, and for program administration, the Commissioner of Finance and Management shall transfer \$2,550,000 from the Home Weatherization Assistance Trust Fund to the Home Heating Fuel Assistance Fund to the extent that federal LIHEAP or similar federal funds are not available. An equivalent amount shall be returned to the Home Weatherization Trust Fund from the Home Heating Fuel Assistance Fund to the extent that federal LIHEAP or similar federal funds are received. Should a transfer of funds from the Home Weatherization Assistance Trust Fund be necessary for the 2013–2014 crisis set-aside and for seasonal home heating fuel assistance through December 31, 2013 and if LIHEAP funds awarded as of December 31, 2013 for fiscal year 2014 do not exceed \$2,550,000, subsequent payments under the Home Heating Fuel Assistance Program shall not be made prior to January 30, 2014. Notwithstanding any other provision of law, payments authorized by the Office of Home Heating Fuel Assistance shall not exceed funds available, except that for fuel assistance payments made through December 31, 2013, the Commissioner of Finance and Management may anticipate receipts into the Home Weatherization Assistance Trust Fund.

(b) In addition to funds transferred in subsection (a) of this section, unless precluded by a maintenance of effort agreement, and notwithstanding any other provisions of law, up to an additional \$1,000,000 of fiscal year 2014 weatherization funds shall be transferred to allow the fiscal year 2014 LIHEAP benefit to be substantially similar to the fiscal year 2013 level. The

Commissioner of Finance and Management may anticipate receipts into the home weatherization assistance trust fund to enable this transfer to be made.

Sec. E.324.1 33 V.S.A. § 2502(d) is amended to read:

(d) ~~Amounts raised by the gross receipts tax on retail sales of fuel imposed~~ Subject to budgetary approval by the General Assembly, or approval by the Emergency Board, amounts in the Home Weatherization Assistance Trust Fund created by section ~~2503~~ 2501 of this title may be transferred to the Home Heating Fuel Assistance Trust Fund created by section 2603 of this title, and used for energy assistance to low income persons, provided that such transfer does not reduce the fiscal capacity of the ~~state office of economic opportunity~~ State Office of Economic Opportunity to meet the budgetary obligations of the weatherization program as set forth in this chapter, and that in the event of approval by the Emergency Board, the Emergency Board so certifies.

Sec. E.324.2 REPEAL

(a) 33 V.S.A. § 2502(e) (use of amounts raised by the gross receipts tax, for home heating fuel assistance) is repealed.

Sec. E.324.3 REDESIGNATION BY LEGISLATIVE COUNCIL

(a) The Legislative Council is directed to remove the word “trust” from the name “home weatherization assistance trust fund” and from the name “home heating fuel assistance trust fund” wherever it appears in the Vermont Statutes Annotated.

Sec. E.324.4 33 V.S.A. § 2602 is amended to read:

§ 2602. ADMINISTRATION

\* \* \*

(d) The Secretary shall require that an applicant to the Home Heating Fuel Assistance Program submit the approximate number of square feet of the household’s dwelling unit. For those households that receive a Home Heating Fuel Assistance benefit, the Secretary shall provide the dwelling unit bedroom count and each household’s heating fuel consumption for the previous year to the Administrator of the Home Weatherization Assistance Program established under chapter 25 of this title.

Sec. E.324.5 33 V.S.A. § 2604 is amended to read:

§ 2604. ELIGIBLE BENEFICIARIES; REQUIREMENTS

\* \* \*

(b) Fuel cost requirements. The ~~secretary of human services~~ Secretary of Human Services or designee shall by procedure establish a table that contains



amounts that will function as a proxy for applicant households' annual heating fuel cost for the previous year. The seasonal fuel expenditure estimates contained within such table shall closely approximate the actual home heating costs experienced by participants in the ~~home heating fuel assistance program~~ Home Heating Fuel Assistance Program. Data on actual heating costs collected pursuant to subsection 2602(d) of this title shall be used in lieu of the proxy table when available. Such table shall be revised no less frequently than every three years based on data supplied by certified fuel suppliers, the ~~department of public service~~ Department of Public Service, and other industry sources to the office of home heating fuel assistance. The ~~secretary~~ Secretary or designee shall provide a draft of the table to the ~~home energy assistance task force~~ Home Energy Assistance Task Force established pursuant to subsection 2501a(c) of this title and solicit input from the task force prior to finalizing the table.

\* \* \*

Sec. E.324.6 33 V.S.A. § 2605 is amended to read:

§ 2605. BENEFIT AMOUNTS

(a) The ~~secretary of human services~~ Secretary of Human Services or designee shall by rule establish a table that specifies maximum percentages of applicant households' annual heating fuel costs, based on the proxy table established pursuant to subsection 2604(b) of this title and, when available, the data collected pursuant to subsection 2602(d) of this title, that can be authorized for payment as annual home heating fuel assistance benefits for the following year. The maximum percentages contained within this table shall vary by household size and annual household income. In no instance shall the percentage exceed 90 percent.

\* \* \*

Sec. E.324.7 33 V.S.A. § 2608 is amended to read:

§ 2608. WEATHERIZATION PROGRAM AGREEMENTS

The ~~director~~ Director of the ~~home energy assistance program~~ Home Energy Assistance Program shall inform the ~~administrator~~ Administrator of the ~~home weatherization assistance program~~ Home Weatherization Assistance Program, established under chapter 25 of this title, of all participants in the ~~home heating fuel assistance program~~ Home Heating Fuel Assistance Program and of the information required by subsection 2602(d) of this chapter. The ~~agency of human services~~ Agency of Human Services shall provide all participants in the ~~home heating fuel assistance program~~ Home Heating Fuel Assistance Program with information regarding the efficiency utility established under 30 V.S.A. § 209. All participants in the ~~home heating fuel assistance program~~ Home

Heating Fuel Assistance Program shall be deemed to comply with any income requirements of the ~~home weatherization program~~ Home Weatherization Program, but to receive weatherization services, recipients shall be required to meet any other eligibility requirements of the ~~weatherization program~~ Home Weatherization Program. As a condition of receipt of benefits under the ~~home heating fuel assistance program~~ Home Heating Fuel Assistance Program, a recipient shall consent to receive services of the ~~home weatherization assistance program~~ Home Weatherization Assistance Program. The Home Weatherization Assistance Program shall use the information required by subsection 2602(d) of this chapter to determine the number of British thermal units (Btus) needed to heat a square foot of space for each participant in the Home Energy Assistance Program. ~~The home weatherization assistance program~~ The Home Weatherization Assistance Program shall give the highest priority to providing services to participants ~~with high energy consumption within the Home Heating Fuel Assistance Program~~ and, among those participants, to those who require the most Btus to heat a square foot of space.

Sec. E.324.8 FUEL PURCHASING; HOME HEATING FUEL ASSISTANCE

(a) Under 33 V.S.A. chapter 26 (home heating fuel assistance), a system of fuel purchasing shall be developed that ensures that the recipients of such assistance are offered the lowest possible fuel prices.

(b) On or before August 1, 2013, the Secretary of Human Services shall adopt a revised system of fuel purchasing under 33 V.S.A. chapter 26 that meets the standard set forth in subsection (a) of this section.

Sec. E.324.9 33 V.S.A. § 2609 is amended to read:

§ 2609. CRISIS RESERVES; ELIGIBILITY AND ASSISTANCE

(a) Annually, the ~~secretary of human services~~ 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~~ 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~~ Secretary or designee shall establish by rule a calculation of gross income based on the same rules used in 3SquaresVT,

except that the ~~secretary~~ Secretary or designee shall include additional deductions or exclusions from income required by LIHEAP.

(b) Crisis fuel grants shall be limited per winter heating season to one grant for households that are income-eligible and have received a seasonal fuel assistance grant and meet all eligibility requirements for crisis fuel assistance, or to two grants for households that are not income-eligible for seasonal fuel assistance and meet all eligibility requirements for crisis fuel assistance.

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

(a) Of the General Fund appropriation in Sec. B.325 of this act, \$792,000 shall be granted to community agencies for homeless assistance by preserving existing services, increasing services, or increasing resources available statewide. These funds may be granted alone or in conjunction with federal McKinney Emergency Shelter Funds. Grant decisions shall be made with assistance from the Vermont Coalition to End Homelessness.

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

(a) Of the Special Fund appropriation in Sec. B.326 of this act, \$750,000 is for the replacement and repair of home heating equipment.

Sec. E.326.1 33 V.S.A. § 2502 is amended to read:

§ 2502. HOME WEATHERIZATION ASSISTANCE PROGRAM

(a) The ~~director~~ Director of the ~~state office of economic opportunity~~ State Office of Economic Opportunity shall administer a ~~home weatherization assistance program~~ Home Weatherization Assistance Program under such rules, regulations, funding, and funding requirements as may be imposed by federal law.

(b) In addition, the ~~director~~ Director shall supplement, or supplant, any federal program with a ~~state home weatherization assistance program~~ State Home Weatherization Assistance Program.

(1) The state program shall provide an enhanced weatherization assistance amount exceeding the federal per unit limit allowing amounts up to an average of ~~\$6,000.00~~ \$8,000.00 per unit allocated on a cost-effective basis. In units where costs exceed the allowable average by more than 25 percent, prior approval of the ~~director~~ Director of the ~~state economic opportunity office~~ State Economic Opportunity Office shall be required before work commences. This amount shall be adjusted annually by increasing the last year's amount by the percentage increase in the Consumer Price Index for the previous year.

(2) The state program shall provide amounts for ~~low-income~~ low-income customers utilizing any high operating cost fuel, to convert to another fuel source under rules adopted by the ~~director~~ Director based on the cost effectiveness of the converted facility over the life cycle of the equipment.

(3) The ~~director~~ Director, in collaboration with the weatherization service providers and other stakeholders, shall develop the state program so that it will include:

(A) Facilitating the development and implementation of a statewide common energy-audit tool or tools that work well on all Vermont housing, including multi-family buildings.

(B) With regard to multi-family buildings, requiring either of the following requirements to be met:

(i) at least 25 percent or more of the tenants in the building are eligible for the ~~weatherization program~~ Program; or

(ii) at least 50 percent of the units are weatherization affordable, and at least one tenant of the building has applied for the ~~weatherization program~~ Program and has been determined to be eligible. For purposes of this subdivision, "weatherization affordable" means a unit having a rent that is established at less than 30 percent of the income level established by computing ~~60 80~~ percent of the area median income level or ~~60 80~~ percent of the ~~state~~ State median income level, whichever is higher, for the relevant household size. Relevant household size means the number of bedrooms in the unit, plus one.

(C) Establishing ~~program~~ Program eligibility levels at ~~60 80~~ percent of the area median income, or ~~60 80~~ percent of the ~~state~~ State median income, whichever is higher. Subject to the priority under section 2608 of this title given to participants in the Home Heating Fuel Assistance Program, the state program shall, when weighing factors to assign priority to buildings or units eligible for weatherization assistance, assign the greatest weight to those buildings and units that require the most Btus to heat a square foot of space.

\* \* \*

(G) With respect to multi-family buildings housing recipients of home heating fuel assistance under chapter 26 of this title, targeted outreach efforts to ensure the highest weatherization participation rates by owners of such buildings.

\* \* \*

Sec. E.328 [DELETED]

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

(a) The Agency of Human Services shall not include the bed count at the Vermont Veterans' Home when recommending and implementing policies that are based on or intended to impact regional nursing home bed capacity in the State.

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

(a) There is created a Developmental Services Task Force comprised of the following seven members:

(1) the Secretary of Human Services or designee, who shall be chair:

(2) the Commissioner of Disabilities, Aging, and Independent Living or designee;

(3) The Director of Developmental Services, or designee

(4) two members appointed by the Vermont Council of Developmental and Mental Health Services;

(5) two members appointed the Developmental Disabilities Council who may be any combination of a parent of, a family member of, or a person living with a disability.

(b) The members of the Task Force shall be appointed as soon as is practicable following the effective date of this section.

(c) Members of the Task Force who are not employees of the State of Vermont and who are not otherwise compensated by their employer or association for their participation in the Work Group shall be reimbursed at the per diem rate set forth in 32 V.S.A. § 1010.

(d) The Task Force shall identify and review an appropriate random sample of identity protected individual developmental services case files from each of the designated service providers to assess whether the methods of case planning and oversight should be revised and whether alternate practices could be identified resulting in more cost effective utilization of the resources available for developmental services.

(e) The Task Force shall report to the General Assembly on its findings and recommendations following this review by September 30, 2013.

(f) It is the expectation of the General Assembly that the Department and developmental service providers will work to manage the service needs within the appropriated funds, this may include changes that result in more cost effective program administration, however no modifications to the system of

care plan or rescissions can be applied before 60 days after September 30, 2013, or after the conclusion of the work of the Task Force if completed prior to September, 30, 2103.

(g) The Department, the Agency of Human Services, the Department of Finance and Management, and the Joint Fiscal Office shall review the methodology for forecasting both the caseload and utilization for the development disabilities programs and shall report any recommendations for changing this methodology to the Joint Fiscal Committee at its September 2013 meeting. This same group shall recommend a consensus estimate for the Developmental Disabilities fiscal year 2015 caseload, utilization and budget to the Joint Fiscal Committee at its November 2013 meeting.

Sec. E.335 JOINT CORRECTIONS OVERSIGHT COMMITTEE; HOME DETENTION; HOME CONFINEMENT

(a) The Joint Committee on Corrections Oversight, in consultation with the Commissioner of Corrections and other stakeholders, shall develop a proposal to increase the use of home detention and home confinement in lieu of incarceration in a correctional facility. The Committee shall consider the following:

(1) establishment of a unit that provides 24-hour electronic monitoring of detainees and offenders, the costs associated with such a unit, including any costs to communities, and whether services could be contracted with another state or entity currently operating a similar program;

(2) revisions to the statutes concerning bail and conditions of release;  
and

(3) alternatives to detention or incarceration for persons charged with nonviolent misdemeanors.

(b) The Committee shall report its recommendations to the Joint Fiscal Committee prior to its regularly scheduled November meeting for consideration for inclusion in the Budget Adjustment Act.

Sec. E.335.1 DEPARTMENT OF CORRECTIONS; FISCAL YEAR 2013 CARRYFORWARD APPROPRIATIONS REPORT

(a) The Department shall report to the Joint Committee on Corrections Oversight in September 2013 on the amount of General Fund appropriations that have been carried forward from fiscal year 2013 into fiscal year 2014. The Department shall identify the amount of these funds that are unobligated, and of that unobligated amount, the amount of funds that could be available for ongoing justice reinvestment initiatives and the amount of funds that could be available for one-time expenditures. If such funds are available for ongoing or

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one-time investment, the Committee shall include its recommendations for such expenditure in the fiscal year 2014 budget adjustment process and or in the fiscal year 2015 budget process.

Sec. E.338 Corrections – correctional services

(a) The Steering Committee of the Vermont Community Justice Network and the Association of Vermont Court Diversion Programs, in consultation with their funders, stakeholders, and other providers of community-based restorative justice, shall report to the Joint Committee on Corrections Oversight by October 15, 2013, on the work they are doing to strengthen the coordination of and access to the community-based restorative justice delivery system.

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

(a) The Vermont Veterans' Home will use the Global Commitment Funds appropriated in this section for the purpose of increasing the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.345 Green mountain care board

(a) The Green Mountain Care Board shall use the Global Commitment Funds appropriated in this section to encourage the formation and maintenance of public-private partnerships in health care, including initiatives to support and improve the health care delivery system.

Sec. E.345.1 COST SHIFT ACCOUNTABILITY

(a) As part of the fiscal year 2014 budget proposal, \$16,000,000, which will be annualized at \$20,000,000, is being appropriated in the Global Commitment and Choices for Care waivers to reduce the State cost shift to private insurers. The Administration shall develop consistent reportable measures to be accountable for the results of this and subsequent cost shift reduction investments. Specifically:

(1) The Green Mountain Care Board (GMCB) shall maintain and report as part of its "GMCB's Vermont Health Dashboard of Key Indicators":

(A) a comparison of the difference between Medicaid and Medicare provider reimbursement rates;

(B) Additional measures as determined to create standard transparent measurement of a reduced costs shift.

(2) The Green Mountain Care Board shall submit to the General Assembly on or before January 15, 2014 a report on how this investment in

fiscal year 2014 is projected to influence current or future rate setting and how it will be incorporated into the rate review process.

(3) The Department of Vermont Health Access shall use its developing information system capacity with the “Blueprint” system and other initiatives to develop and prepare annual reports on the impacts of these and other investments on the cost shift. As part of the fiscal year 2015 budget submission, measurement methodologies and baseline information shall be in place and be part of that submission.

\* \* \* K-12 EDUCATION \* \* \*

Sec. E.500 Education – finance and administration

(a) The Global Commitment Funds appropriated in this section for school health services, including school nurses, shall be used for the purpose of funding certain health-care-related projects. It is the goal of these projects to reduce the rate of uninsured or underinsured persons, or both, in Vermont and to increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.501 Education - education services

(a) Notwithstanding 16 V.S.A. § 4014(f), in fiscal year 2014, the Secretary may use up to \$100,000 of the early education grant appropriation for grants to increase the capacity of districts to start early education programs that do not currently have them.

Sec. E.501.1 16 V.S.A. § 1262a is amended to read:

§ 1262a. AWARD OF GRANTS

(a)(1) The ~~state board of education~~ State Board may, from funds appropriated for this subsection to the ~~department of education~~ Agency, award grants to:

(A) supervisory unions for the use of member school boards that establish and operate food programs;

(B) independent school boards that establish and operate food programs; and

(C) approved education programs, as defined in subdivision 11(a)(34) of this title and operating under private nonprofit ownership as defined in the National School Lunch Act, that establish and operate food programs for students engaged in a teen parent education program or students enrolled in a Vermont public school.



(2) The amount of any grant awarded under this subsection shall not be more than the amount necessary, in addition to ~~the charge made for the meal~~ and any reimbursement from federal funds, to pay the actual cost of the meal.

(b) ~~The state board~~ State Board may, from funds available to the ~~department of education~~ Agency for this subsection, award grants to supervisory unions consisting of one or more school districts that need to initiate or expand food programs in order to meet the requirements of section 1264 of this title and that seek assistance in meeting the cost of initiation or expansion. The amount of the grants shall be limited to 75 percent of the cost deemed necessary by the ~~commissioner~~ Secretary to construct, renovate, or acquire additional facilities and equipment to provide lunches to all ~~pupils~~ students, and shall be reduced by the amount of funds available from federal or other sources, including those funds available under section 3448 of this title. ~~The state board~~ State Board, upon recommendation of the ~~commissioner~~ Secretary, shall direct supervisory unions seeking grants under this section to share facilities and equipment within the supervisory union and with other supervisory unions for the provision of lunches wherever more efficient and effective operation of food programs can be expected to result.

(c) On a quarterly basis, from state funds appropriated to the ~~department of education~~ Agency for this subsection, the ~~state board~~ State Board shall award to each supervisory union, independent school board, and approved education program as described in subsection (a) of this section a sum equal to the amount that would have been the student share of the cost of all breakfasts and lunches actually provided in the district during the previous quarter to students eligible for a ~~reduced-price~~ reduced-price breakfast under the federal school breakfast program and students eligible for a reduced-price lunch under the federal school lunch program.

Sec. E.501.2. 16 V.S.A. § 1264(c) is amended to read:

(c) The state shall be responsible for the student share of the cost of breakfasts provided to all students eligible for a ~~reduced-price~~ reduced-price breakfast under the federal school breakfast program and for the student share of the cost of lunches provided to all students eligible for a reduced-price lunch under the federal school lunch program.

Sec. E.502 Education – special education: formula grants

(a) Of the appropriation authorized in this section, and notwithstanding any other provision of law, an amount not to exceed \$3,447,584 shall be used by the Agency of Education in fiscal year 2014 as funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the Secretary shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d). In addition to funding for 16 V.S.A. § 2967(b)(2)–(6), up to \$176,840 may be used by the

Agency of Education for its participation in the higher education partnership plan.

Sec. E.503 Education – state-placed students

(a) The Independence Place Program of the Lund Family Center shall be considered a 24-hour residential program for the purposes of reimbursement of education costs.

Sec. E.504 Education – adult education and literacy

(a) Of this appropriation, \$4,000,000 from the Education Fund shall be distributed to school districts for reimbursement of high school completion services pursuant to 16 V.S.A. § 1049a(c).

Sec. E.512 Education – Act 117 cost containment

(a) Notwithstanding any other provision of law, expenditures made from this section shall be counted under 16 V.S.A. § 2967(b) as part of the State’s 60 percent of the statewide total special education expenditures of funds which are not derived from federal sources.

Sec. E.513 Appropriation and transfer to education fund

(a) Pursuant to Sec. B.513, there is appropriated in fiscal year 2014 from the General Fund for transfer to the Education Fund the amount of \$288,921,564.

Sec. E.514 State teachers’ retirement system

(a) The annual contribution to the Vermont State Teachers’ Retirement System shall be \$73,102,825, of which \$68,352,825 shall be contributed in accordance with 16 V.S.A. § 1944(g)(2) and an additional \$4,750,000 in General Funds.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$11,259,501 is the “normal contribution,” and \$57,093,324 is the “accrued liability contribution.”

(c) A combination of \$71,783,200 in General Funds and an estimated \$1,319,625 of Medicare Part D reimbursement funds is used to achieve funding at \$4,750,000 above the actuarially recommended level of \$68,352,825.

\* \* \* HIGHER EDUCATION \* \* \*

Sec. E.600 University of Vermont

(a) The Commissioner of Finance and Management shall issue warrants to pay one-twelfth of this appropriation to the University of Vermont on or about the 15th day of each calendar month of the year.

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

(c) If Global Commitment Fund monies are unavailable, the total grant funding for the University of Vermont shall be maintained through the General Fund or other state funding sources.

(d) The University of Vermont will use the Global Commitment Funds appropriated in this section to support Vermont physician training. The University of Vermont prepares students, both Vermonters and out-of-state, and awards approximately 100 medical degrees annually. Graduates of this program, currently representing a significant number of physicians practicing in Vermont, deliver high-quality health care services to Medicaid beneficiaries and to the uninsured or underinsured persons, or both, in Vermont and across the nation.

Sec. E.600.1 UNIVERSITY OF VERMONT AND VERMONT STATE COLLEGES – INCREASE TO BASE APPROPRIATIONS

(a) The General Fund increase from fiscal year 2013 to fiscal year 2014 to the base appropriations for University of Vermont and the Vermont State Colleges shall be used for Vermont students.

Sec. E.602 Vermont state colleges

(a) The Commissioner of Finance and Management shall issue warrants to pay one-twelfth of this appropriation to the Vermont State Colleges on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$427,898 shall be transferred to the Vermont Manufacturing Extension Center for the purpose of complying with state matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. E.603 Vermont state colleges – allied health

(a) If Global Commitment fund monies are unavailable, the total grant funding for the Vermont State Colleges shall be maintained through the General Fund or other state funding sources.

(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in this section to support the dental hygiene, respiratory therapy, and nursing programs which graduate approximately 250 health care providers annually. These graduates deliver direct, high-quality health care services to Medicaid beneficiaries and uninsured or underinsured persons, or both.

## Sec. E.605 Vermont student assistance corporation

(a) Of this appropriation, \$25,000 is appropriated from the General Fund to the Vermont Student Assistance Corporation to be deposited into the trust fund established in 16 V.S.A. § 2845.

(b) Except as provided in subsection (a) of this section, not less than 93 percent of grants shall be used for direct student aid.

(c) Funds available to the Vermont Student Assistance Corporation pursuant to Sec. E.215(a) of this act shall be used for the purposes of 16 V.S.A. § 2856. Any unexpended funds from this allocation shall carry forward for this purpose.

\* \* \* NATURAL RESOURCES \* \* \*

## Sec. E.700 30 V.S.A. § 255 is amended to read:

§ 255. REGIONAL COORDINATION TO REDUCE GREENHOUSE GASES

\* \* \*

## (c) Allocation of tradable carbon credits.

(1) ~~The secretary of natural resources~~ Secretary of Natural Resources, by rule, shall establish a set of annual carbon budgets for emissions associated with the electric power sector in Vermont that are consistent with the 2005 RGGI MOU, including any amendments to that MOU and any reduced carbon cap resulting from a subsequent program review by RGGI, and that are on a reciprocal basis with the other states participating in the RGGI process.

\* \* \*

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

(a) This Special Fund appropriation shall be authorized, notwithstanding the provisions of 3 V.S.A. § 2807(c)(2).

## Sec. E.706 Forests, parks and recreation – lands administration

(a) This special fund appropriation shall be authorized, notwithstanding the provisions of 3 V.S.A. § 2807(c)(2).

Sec. E.709 [DELETED]

Sec. E.711 [DELETED]

\*\*\* COMMERCE AND COMMUNITY DEVELOPMENT \*\*\*

Sec. E.800 VERMONT TRAINING PROGRAM

(a) Notwithstanding 10 V.S.A. § 531, the Secretary may authorize up to ten percent of the funds allocated within the Vermont Training Program for employers that meet at least one but fewer than three of the criteria specified within 10 V.S.A. § 531(b) and (c)(3). The Secretary shall report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs by January 15, 2014 on the use or proposed use of funds under this provision.

Sec. E.801 [DELETED]

Sec. E.802 [DELETED]

Sec. E.802.1 32 V.S.A. § 1003(b)(1) is amended to read:

(1) Heads of the following departments and agencies:

Base Salary as of July 1, 2012

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(J) ~~Economic housing, and community development~~ Economic Development 76,953

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(Q) ~~Repealed~~ Housing and Community Development 76,953

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Sec. E.804 Community development block grants

(a) Community Development Block Grants shall carry forward until expended.

\*\*\* TRANSPORTATION \*\*\*

Sec. E.909 Transportation – central garage

(a) Of this appropriation, \$6,688,735 is appropriated from the Transportation Equipment Replacement Account within the Central Garage Fund for the purchase of equipment as authorized in 19 V.S.A. § 13(b).

Sec. E.915 Transportation – town highway aid program

(a) This appropriation is authorized, notwithstanding the provisions of 19 V.S.A. § 306(a).

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Sec. F.100 EFFECTIVE DATES

(a) This section and Secs. C.100 (fiscal year 2013 budget adjustment, Secretary of State), C.100.1 (RGA settlement; Secretary of State), C.101 (fiscal year 2013 budget adjustment, Attorney General), C.102 (fiscal year 2013 budget adjustment, protection function total), C.103 (fiscal year 2013 budget adjustment, Transportation – program development), C.104 (fiscal year 2013 budget adjustment, Transportation Infrastructure Bonds Debt Service), C.105 (fiscal year 2013 budget adjustment, Debt service and Debt service function total), C.106 (limited service position, ACCD), C. 107 (carry forward reallocation), C.108 (crisis fuel transfer authority), D.102 (tobacco litigation settlement fund balance) , E.127(b) (Legislative fund transfer to Joint Fiscal), E.126.2 (Officers of General Assembly), E.233 (Public Service Department-Electric Generation Siting; Report), E.321.1(b)and (c) (General Assistance emergency housing), E.323 (interim Reach Up case management), E.323.5 (Reach Up Policy Work Group), and E.333 (DAIL-developmental services) of this act shall take effect upon passage.

(b) Sec. E.802.1 shall take effect upon passage and shall apply as of the effective date of Executive Order No. 01-13.

(c) Secs. E.307 (modified adjusted gross income) and E.307.1 (exchange financial assistance) of this act shall take effect on October 1, 2013 to allow for their application to insurance plans with coverage beginning on January 1, 2014.

(d) Sec. E.307.2 (reduction in Medicaid cost-shift) shall take effect on July 1, 2013, except that subsection (e) of that section shall take effect on passage.

(e) Sec. E.323.1 (Reach Up limits on family financial assistance) and E.323.3 (Reach Up sanctions) shall take effect on May 1, 2014.

And that the bill ought to pass in concurrence with such proposal of amendment.

Thereupon, the bill was read the second time by title only pursuant to Rule 43.

Thereupon, Senator Campbell moved that the Senate recess until four o'clock and forty-five minutes.

**Called to Order**

The Senate was called to order by the President.

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**Consideration Resumed; Bill Amended; Third Reading Ordered****H. 530.**

Consideration was resumed on House bill entitled:

An act relating to making appropriations for the support of government.

Thereupon, the pending question, Shall the Senate propose to the House to amend the bill as proposed by the Committee on Appropriations?, was decided in the affirmative.

Thereupon, third reading of the bill was ordered.

**Rules Suspended; Bill Messaged**

On motion of Senator Campbell, the rules were suspended, and the following bill was ordered messaged to the House forthwith:

**H. 528.****Rules Suspended; Bill Committed****H. 403.**

Pending entry on the Calendar for notice, on motion of Senator Fox, the rules were suspended and House bill entitled:

An act relating to community supports for persons with serious functional impairments.

Was taken up for immediate consideration.

Thereupon, pending the reading of the report of the Committee on Health and Welfare, Senator Fox moved that Senate Rule 49 be suspended in order to commit the bill to the Committee on Appropriations with the report of the Committee on Health and Welfare *intact*,

Which was agreed to.

**S. 1.**

An act relating to consideration of financial cost of criminal sentencing options.

Was taken up. Pursuant to the request of the Senate, the President announced the appointment of

Senator Ashe  
Senator Sears  
Senator Benning

as members of the Committee of Conference on the part of the Senate to consider the disagreeing votes of the two Houses.

**Message from the House No. 55**

A message was received from the House of Representatives by Ms. H. Gwynn Zakov, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

**H. 483.** An act relating to adopting revisions to Article 9 of the Uniform Commercial Code.

In the passage of which the concurrence of the Senate is requested.

**Message from the House No. 56**

A message was received from the House of Representatives by Ms. H. Gwynn Zakov, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has considered a bill originating in the Senate of the following title:

**S. 30.** An act relating to siting of electric generation plants.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

The House has adopted joint resolution of the following title:

**J.R.H. 9.** Joint resolution authorizing the 2013 Green Mountain Boys' State educational program to use the State House.

In the adoption of which the concurrence of the Senate is requested.

The House has considered joint resolution originating in the Senate of the following title:

**J.R.S. 29.** Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

The House has considered Senate proposal of amendment to House bill entitled:

**H. 39.** An act relating to the Public Service Board and the Department of Public Service.

And has refused to concur therein and asks for a Committee of Conference upon the disagreeing votes of the two Houses;



The Speaker appointed as members of such Committee on the part of the House:

Rep. Botzow of Pownal  
Rep. Marcotte of Coventry  
Rep. Klein of East Montpelier.

**Adjournment**

On motion of Senator Campbell, the Senate adjourned until nine o'clock and thirty minutes in the morning.