

# Journal of the Senate

MONDAY, APRIL 28, 2014

The Senate was called to order by the President.

## **Devotional Exercises**

A moment of silence was observed in lieu of devotions.

## **Pledge of Allegiance**

The President then led the members of the Senate in the pledge of allegiance.

## **Joint Senate Resolution Adopted on the Part of the Senate**

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senators Baruth and Benning,

**J.R.S. 57.** Joint resolution relating to weekend adjournment.

### ***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, May 2, 2014, it be to meet again no later than Tuesday, May 6, 2014.

## **Joint Resolution Referred**

### **J.R.H. 21.**

Joint resolution originating in the House of the following title was read the first time and is as follows:

Joint resolution urging Congress to enact the Blue Water Navy Vietnam Veterans Act of 2013.

Whereas, during the Vietnam War, the U.S. military sprayed millions of gallons of Agent Orange and other herbicides over combat areas to reduce the forest and crop covers that shielded enemy forces, and

Whereas, these herbicides contained dioxin, now identified as carcinogenic, linked to disabling illnesses affecting thousands of veterans, and

Whereas, Congress enacted the Agent Orange Act of 1991 to address the plight of Vietnam veterans exposed to these herbicides, and this act has provided the legal authority for federal compensation based on a presumption that herbicide exposure caused these veterans' illnesses, and

Whereas, in 2002, the U.S. Department of Veterans Affairs directed that Agent Orange Act compensation be limited to Vietnam Veterans who can document on-the-ground military service or having been stationed on a ship operating on the country's inland waterways, and

Whereas, these service criteria exclude U.S. Navy personnel who only served on the ocean waters (blue water) off the Vietnamese coast, except if they are diagnosed with non-Hodgkin lymphoma, and

Whereas, an Australian study found the possible presence of dioxin in the distilled water of Royal Australian Naval vessels that served in coastal Vietnamese waters, and the Australian Navy Vietnam Veterans are covered under a government policy similar to the Agent Orange Act of 1991, and

Whereas, U.S. Representative Chris Gibson of New York introduced the Blue Water Navy Vietnam Veterans Act of 2013 (H.R. 543) to provide full Agent Orange Act of 1991 compensation benefits to Blue Water Navy Vietnam Veterans, with over 180 cosponsors, including U.S. Representative Peter Welch, and with the support of many veterans service organizations, and

Whereas, Congress should reaffirm its commitment to the well-being of all our nation's veterans, especially those exposed to carcinogenic herbicides during the Vietnam War, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges Congress to enact the Blue Water Navy Vietnam Veterans Act of 2013, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Blue Water Navy Vietnam Veterans Association, the Department of Vermont Veterans of Foreign Wars, the Vermont Office of Veterans Affairs, and the Vermont Congressional Delegation.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was treated as a bill and referred to the Committee on Government Operations.

**Rules Suspended; Proposal of Amendment; Third Reading Ordered**

**H. 885.**

Appearing on the Calendar for notice, on motion of Senator Campbell, the rules were suspended and House bill entitled:

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

Was taken up for immediate consideration.

**Senator Campbell Assumed the Chair**

Senator Kitchel, for the Committee on Appropriations, to which the bill was referred, 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 2015 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 2015. 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, 2014. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2015 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 2015.

(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 on June 30, 2015.

Sec. A.103 DEFINITIONS

(a) As used in this act:

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

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

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

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

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

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

#### Sec. A.105 OFFSETTING APPROPRIATIONS

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

#### Sec. A.106 FEDERAL FUNDS

(a) In fiscal year 2015, 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 2015, federal funds available to the State of Vermont and designated as federal in this and other acts of the 2014 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 2015 except for new positions authorized by the 2014 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 appropriations 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>
<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	3,609,604
Operating expenses	<u>224,103</u>

Total	3,833,707
Source of funds	
General fund	1,734,799
Interdepartmental transfers	<u>2,098,908</u>
Total	3,833,707
Sec. B.101 Secretary of administration - finance	
Personal services	1,258,484
Operating expenses	<u>131,517</u>
Total	1,390,001
Source of funds	
Interdepartmental transfers	<u>1,390,001</u>
Total	1,390,001
Sec. B.102 Secretary of administration - workers' compensation insurance	
Personal services	1,200,543
Operating expenses	<u>273,822</u>
Total	1,474,365
Source of funds	
Internal service funds	<u>1,474,365</u>
Total	1,474,365
Sec. B.103 Secretary of administration - general liability insurance	
Personal services	284,607
Operating expenses	<u>53,572</u>
Total	338,179
Source of funds	
Internal service funds	<u>338,179</u>
Total	338,179
Sec. B.104 Secretary of administration - all other insurance	
Personal services	24,311
Operating expenses	<u>8,623</u>
Total	32,934
Source of funds	
Internal service funds	<u>32,934</u>
Total	32,934
Sec. B.105 Information and innovation - communications and information technology	
Personal services	12,441,174
Operating expenses	8,928,143
Grants	<u>635,000</u>

Total	22,004,317
Source of funds	
Internal service funds	<u>22,004,317</u>
Total	22,004,317
Sec. B.106 Finance and management - budget and management	
Personal services	1,236,647
Operating expenses	<u>231,947</u>
Total	1,468,594
Source of funds	
General fund	1,076,522
Interdepartmental transfers	<u>392,072</u>
Total	1,468,594
Sec. B.107 Finance and management - financial operations	
Personal services	2,923,085
Operating expenses	<u>874,046</u>
Total	3,797,131
Source of funds	
Internal service funds	<u>3,797,131</u>
Total	3,797,131
Sec. B.108 Human resources - operations	
Personal services	7,154,790
Operating expenses	<u>1,337,564</u>
Total	8,492,354
Source of funds	
General fund	1,690,943
Special funds	244,912
Internal service funds	5,815,478
Interdepartmental transfers	<u>741,021</u>
Total	8,492,354
Sec. B.109 Human resources - employee benefits & wellness	
Personal services	1,141,734
Operating expenses	<u>690,761</u>
Total	1,832,495
Source of funds	
Internal service funds	1,818,084
Interdepartmental transfers	<u>14,411</u>
Total	1,832,495

## Sec. B.110 Libraries

Personal services	2,163,447
Operating expenses	1,674,388
Grants	<u>61,336</u>
Total	3,899,171
Source of funds	
General fund	2,746,649
Special funds	127,021
Federal funds	926,413
Interdepartmental transfers	<u>99,088</u>
Total	3,899,171

## Sec. B.111 Tax - administration/collection

Personal services	13,319,740
Operating expenses	<u>3,821,985</u>
Total	17,141,725
Source of funds	
General fund	15,628,271
Special funds	1,370,888
Interdepartmental transfers	<u>142,566</u>
Total	17,141,725

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

Personal services	641,951
Operating expenses	<u>113,569</u>
Total	755,520
Source of funds	
Interdepartmental transfers	<u>755,520</u>
Total	755,520

## Sec. B.113 Buildings and general services - engineering

Personal services	2,445,531
Operating expenses	<u>750,632</u>
Total	3,196,163
Source of funds	
Interdepartmental transfers	<u>3,196,163</u>
Total	3,196,163

## Sec. B.114 Buildings and general services - information centers

Personal services	3,268,518
Operating expenses	1,439,275
Grants	<u>33,000</u>



Total	4,740,793
Source of funds	
General fund	678,129
Transportation fund	3,983,398
Special funds	<u>79,266</u>
Total	4,740,793
Sec. B.115 Buildings and general services - purchasing	
Personal services	976,157
Operating expenses	<u>182,954</u>
Total	1,159,111
Source of funds	
General fund	<u>1,159,111</u>
Total	1,159,111
Sec. B.116 Buildings and general services - postal services	
Personal services	650,215
Operating expenses	<u>137,100</u>
Total	787,315
Source of funds	
General fund	79,157
Internal service funds	<u>708,158</u>
Total	787,315
Sec. B.117 Buildings and general services - copy center	
Personal services	690,354
Operating expenses	<u>141,619</u>
Total	831,973
Source of funds	
Internal service funds	<u>831,973</u>
Total	831,973
Sec. B.118 Buildings and general services - fleet management services	
Personal services	611,901
Operating expenses	<u>177,943</u>
Total	789,844
Source of funds	
Internal service funds	<u>789,844</u>
Total	789,844
Sec. B.119 Buildings and general services - federal surplus property	
Personal services	28,409
Operating expenses	<u>8,386</u>

Total	36,795
Source of funds	
Enterprise funds	<u>36,795</u>
Total	36,795
Sec. B.120 Buildings and general services - state surplus property	
Personal services	132,060
Operating expenses	<u>121,675</u>
Total	253,735
Source of funds	
Internal service funds	<u>253,735</u>
Total	253,735
Sec. B.121 Buildings and general services - property management	
Personal services	1,344,303
Operating expenses	<u>1,157,330</u>
Total	2,501,633
Source of funds	
Internal service funds	<u>2,501,633</u>
Total	2,501,633
Sec. B.122 Buildings and general services - fee for space	
Personal services	13,301,458
Operating expenses	<u>15,759,443</u>
Total	29,060,901
Source of funds	
Internal service funds	<u>29,060,901</u>
Total	29,060,901
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	1,265,598
Operating expenses	<u>445,038</u>
Total	1,710,636
Source of funds	
General fund	1,524,136

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Interdepartmental transfers	<u>186,500</u>
Total	1,710,636
Sec. B.125 Legislative council	
Personal services	3,146,214
Operating expenses	<u>745,924</u>
Total	3,892,138
Source of funds	
General fund	<u>3,892,138</u>
Total	3,892,138
Sec. B.126 Legislature	
Personal services	3,630,491
Operating expenses	<u>3,414,026</u>
Total	7,044,517
Source of funds	
General fund	<u>7,044,517</u>
Total	7,044,517
Sec. B.127 Joint fiscal committee	
Personal services	1,412,776
Operating expenses	<u>117,381</u>
Total	1,530,157
Source of funds	
General fund	<u>1,530,157</u>
Total	1,530,157
Sec. B.128 Sergeant at arms	
Personal services	504,248
Operating expenses	<u>68,299</u>
Total	572,547
Source of funds	
General fund	<u>572,547</u>
Total	572,547
Sec. B.129 Lieutenant governor	
Personal services	151,116
Operating expenses	<u>29,854</u>
Total	180,970
Source of funds	
General fund	<u>180,970</u>
Total	180,970

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Sec. B.130 Auditor of accounts	
Personal services	3,415,428
Operating expenses	<u>159,153</u>
Total	3,574,581
Source of funds	
General fund	396,846
Special funds	53,145
Internal service funds	<u>3,124,590</u>
Total	3,574,581
Sec. B.131 State treasurer	
Personal services	3,019,207
Operating expenses	<u>299,503</u>
Total	3,318,710
Source of funds	
General fund	993,468
Special funds	2,216,919
Interdepartmental transfers	<u>108,323</u>
Total	3,318,710
Sec. B.132 State treasurer - unclaimed property	
Personal services	878,109
Operating expenses	<u>261,084</u>
Total	1,139,193
Source of funds	
Private purpose trust funds	<u>1,139,193</u>
Total	1,139,193
Sec. B.133 Vermont state retirement system	
Personal services	7,964,390
Operating expenses	<u>30,191,072</u>
Total	38,155,462
Source of funds	
Pension trust funds	<u>38,155,462</u>
Total	38,155,462
Sec. B.134 Municipal employees' retirement system	
Personal services	2,596,930
Operating expenses	<u>577,701</u>
Total	3,174,631

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Source of funds	
Pension trust funds	<u>3,174,631</u>
Total	3,174,631
Sec. B.135 State labor relations board	
Personal services	184,811
Operating expenses	<u>43,512</u>
Total	228,323
Source of funds	
General fund	218,747
Special funds	6,788
Interdepartmental transfers	<u>2,788</u>
Total	228,323
Sec. B.136 VOSHA review board	
Personal services	37,200
Operating expenses	<u>12,010</u>
Total	49,210
Source of funds	
General fund	24,605
Interdepartmental transfers	<u>24,605</u>
Total	49,210
Sec. B.137 Homeowner rebate	
Grants	<u>15,917,000</u>
Total	15,917,000
Source of funds	
General fund	<u>15,917,000</u>
Total	15,917,000
Sec. B.138 Renter rebate	
Grants	<u>6,900,000</u>
Total	6,900,000
Source of funds	
General fund	2,070,000
Education fund	<u>4,830,000</u>
Total	6,900,000
Sec. B.139 Tax department - reappraisal and listing payments	
Grants	<u>3,275,000</u>
Total	3,275,000
Source of funds	

Education fund	<u>3,275,000</u>
Total	3,275,000
Sec. B.140 Municipal current use	
Grants	<u>14,000,000</u>
Total	14,000,000
Source of funds	
General fund	<u>14,000,000</u>
Total	14,000,000
Sec. B.141 Lottery commission	
Personal services	1,876,533
Operating expenses	1,292,910
Grants	<u>150,000</u>
Total	3,319,443
Source of funds	
Enterprise funds	<u>3,319,443</u>
Total	3,319,443
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	73,158,712

Transportation fund	3,983,398
Special funds	10,501,639
Education fund	8,105,000
Federal funds	926,413
Internal service funds	72,551,322
Interdepartmental transfers	9,151,966
Enterprise funds	3,356,238
Pension trust funds	41,330,093
Private purpose trust funds	<u>1,139,193</u>
Total	224,203,974
Sec. B.200 Attorney general	
Personal services	7,963,181
Operating expenses	<u>1,242,623</u>
Total	9,205,804
Source of funds	
General fund	4,332,106
Special funds	1,533,948
Tobacco fund	348,000
Federal funds	816,644
Interdepartmental transfers	<u>2,175,106</u>
Total	9,205,804
Sec. B.201 Vermont court diversion	
Grants	<u>1,931,483</u>
Total	1,931,483
Source of funds	
General fund	1,411,486
Special funds	<u>519,997</u>
Total	1,931,483
Sec. B.202 Defender general - public defense	
Personal services	9,172,266
Operating expenses	<u>1,013,318</u>
Total	10,185,584
Source of funds	
General fund	9,570,516
Special funds	<u>615,068</u>
Total	10,185,584
Sec. B.203 Defender general - assigned counsel	
Personal services	4,161,963
Operating expenses	<u>49,819</u>

Total	4,211,782
Source of funds	
General fund	4,188,298
Special funds	<u>23,484</u>
Total	4,211,782
Sec. B.204 Judiciary	
Personal services	33,471,779
Operating expenses	8,728,658
Grants	<u>70,000</u>
Total	42,270,437
Source of funds	
General fund	36,391,687
Special funds	2,598,672
Tobacco fund	39,871
Federal funds	858,811
Interdepartmental transfers	<u>2,381,396</u>
Total	42,270,437
Sec. B.205 State's attorneys	
Personal services	10,327,677
Operating expenses	<u>1,830,089</u>
Total	12,157,766
Source of funds	
General fund	9,638,628
Special funds	75,363
Federal funds	31,000
Interdepartmental transfers	<u>2,412,775</u>
Total	12,157,766
Sec. B.206 Special investigative unit	
Personal services	85,676
Grants	<u>1,589,162</u>
Total	1,674,838
Source of funds	
General fund	<u>1,674,838</u>
Total	1,674,838
Sec. B.207 Sheriffs	
Personal services	3,517,732
Operating expenses	<u>371,525</u>
Total	3,889,257
Source of funds	



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General fund	<u>3,889,257</u>
Total	3,889,257
Sec. B.208 Public safety - administration	
Personal services	3,548,125
Operating expenses	2,457,095
Grants	<u>1,900,000</u>
Total	7,905,220
Source of funds	
General fund	2,986,248
Federal funds	3,877,825
Interdepartmental transfers	<u>1,041,147</u>
Total	7,905,220
Sec. B.209 Public safety - state police	
Personal services	49,824,602
Operating expenses	8,279,942
Grants	<u>820,000</u>
Total	58,924,544
Source of funds	
General fund	29,666,838
Transportation fund	22,750,000
Special funds	2,745,998
Federal funds	2,675,986
Interdepartmental transfers	<u>1,085,722</u>
Total	58,924,544
Sec. B.210 Public safety - criminal justice services	
Personal services	6,879,112
Operating expenses	<u>1,610,302</u>
Total	8,489,414
Source of funds	
General fund	6,091,507
Special funds	1,749,302
Federal funds	564,858
Interdepartmental transfers	<u>83,747</u>
Total	8,489,414
Sec. B.211 Public safety - emergency management and homeland security	
Personal services	3,582,129
Operating expenses	888,766
Grants	<u>15,137,210</u>
Total	19,608,105

Source of funds	
General fund	687,101
Federal funds	18,859,172
Interdepartmental transfers	<u>61,832</u>
Total	19,608,105
Sec. B.212 Public safety - fire safety	
Personal services	5,796,205
Operating expenses	1,916,612
Grants	<u>107,000</u>
Total	7,819,817
Source of funds	
General fund	672,618
Special funds	6,758,427
Federal funds	343,772
Interdepartmental transfers	<u>45,000</u>
Total	7,819,817
Sec. B.214 Radiological emergency response plan	
Personal services	571,875
Operating expenses	276,108
Grants	<u>1,256,649</u>
Total	2,104,632
Source of funds	
Special funds	<u>2,104,632</u>
Total	2,104,632
Sec. B.215 Military - administration	
Personal services	698,615
Operating expenses	360,393
Grants	<u>100,000</u>
Total	1,159,008
Source of funds	
General fund	<u>1,159,008</u>
Total	1,159,008
Sec. B.216 Military - air service contract	
Personal services	4,909,339
Operating expenses	<u>1,088,600</u>
Total	5,997,939
Source of funds	
General fund	463,123

Federal funds	<u>5,534,816</u>
Total	5,997,939
Sec. B.217 Military - army service contract	
Personal services	4,041,859
Operating expenses	<u>9,141,931</u>
Total	13,183,790
Source of funds	
General fund	144,854
Federal funds	<u>13,038,936</u>
Total	13,183,790
Sec. B.218 Military - building maintenance	
Personal services	966,804
Operating expenses	<u>464,405</u>
Total	1,431,209
Source of funds	
General fund	1,380,277
Federal funds	<u>50,932</u>
Total	1,431,209
Sec. B.219 Military - veterans' affairs	
Personal services	586,009
Operating expenses	126,009
Grants	<u>154,984</u>
Total	867,002
Source of funds	
General fund	754,984
Special funds	65,000
Federal funds	<u>47,018</u>
Total	867,002
Sec. B.220 Center for crime victim services	
Personal services	1,426,583
Operating expenses	278,836
Grants	<u>8,205,733</u>
Total	9,911,152
Source of funds	
General fund	1,163,747
Special funds	4,875,409
Federal funds	<u>3,871,996</u>
Total	9,911,152

## Sec. B.221 Criminal justice training council

Personal services	1,366,969
Operating expenses	<u>1,239,853</u>
Total	2,606,822
Source of funds	
General fund	2,365,241
Interdepartmental transfers	<u>241,581</u>
Total	2,606,822

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

Personal services	1,238,029
Operating expenses	248,162
Grants	<u>305,034</u>
Total	1,791,225
Source of funds	
General fund	1,040,127
Special funds	466,399
Federal funds	<u>284,699</u>
Total	1,791,225

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

Personal services	3,180,467
Operating expenses	755,482
Grants	<u>2,600,000</u>
Total	6,535,949
Source of funds	
General fund	2,289,170
Special funds	3,374,114
Federal funds	831,737
Global Commitment fund	34,006
Interdepartmental transfers	<u>6,922</u>
Total	6,535,949

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

Personal services	1,095,075
Operating expenses	678,620
Grants	<u>2,170,275</u>
Total	3,943,970
Source of funds	
General fund	2,499,902
Special funds	915,846

Federal funds	415,587
Interdepartmental transfers	<u>112,635</u>
Total	3,943,970
Sec. B.225 Agriculture, food and markets - laboratories, agricultural resource management and environmental stewardship	
Personal services	4,220,329
Operating expenses	927,514
Grants	<u>1,238,231</u>
Total	6,386,074
Source of funds	
General fund	2,472,419
Special funds	2,358,755
Federal funds	1,142,878
Global Commitment fund	56,272
Interdepartmental transfers	<u>355,750</u>
Total	6,386,074
Sec. B.226 Financial regulation - administration	
Personal services	1,794,130
Operating expenses	<u>163,454</u>
Total	1,957,584
Source of funds	
Special funds	<u>1,957,584</u>
Total	1,957,584
Sec. B.227 Financial regulation - banking	
Personal services	1,502,310
Operating expenses	<u>304,782</u>
Total	1,807,092
Source of funds	
Special funds	<u>1,807,092</u>
Total	1,807,092
Sec. B.228 Financial regulation - insurance	
Personal services	6,360,027
Operating expenses	<u>526,831</u>
Total	6,886,858
Source of funds	
Special funds	5,196,858
Federal funds	1,369,989
Interdepartmental transfers	<u>320,011</u>
Total	6,886,858

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Sec. B.229 Financial regulation - captive insurance	
Personal services	3,831,831
Operating expenses	<u>479,808</u>
Total	4,311,639
Source of funds	
Special funds	<u>4,311,639</u>
Total	4,311,639
Sec. B.230 Financial regulation - securities	
Personal services	500,118
Operating expenses	<u>170,924</u>
Total	671,042
Source of funds	
Special funds	<u>671,042</u>
Total	671,042
Sec. B.232 Secretary of state	
Personal services	8,171,691
Operating expenses	2,089,440
Grants	<u>20,000</u>
Total	10,281,131
Source of funds	
Special funds	7,895,931
Federal funds	2,310,200
Interdepartmental transfers	<u>75,000</u>
Total	10,281,131
Sec. B.233 Public service - regulation and energy	
Personal services	12,834,281
Operating expenses	943,498
Grants	<u>5,895,202</u>
Total	19,672,981
Source of funds	
Special funds	18,684,328
Federal funds	712,951
ARRA funds	238,000
Enterprise funds	<u>37,702</u>
Total	19,672,981
Sec. B.234 Public service board	
Personal services	2,941,140
Operating expenses	<u>457,936</u>

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Total	3,399,076
Source of funds	
Special funds	<u>3,399,076</u>
Total	3,399,076
Sec. B.235 Enhanced 9-1-1 Board	
Personal services	3,435,547
Operating expenses	284,283
Grants	<u>885,000</u>
Total	4,604,830
Source of funds	
Special funds	<u>4,604,830</u>
Total	4,604,830
Sec. B.236 Human rights commission	
Personal services	413,945
Operating expenses	<u>85,870</u>
Total	499,815
Source of funds	
General fund	426,510
Federal funds	<u>73,305</u>
Total	499,815
Sec. B.237 Liquor control - administration	
Personal services	3,408,532
Operating expenses	<u>641,367</u>
Total	4,049,899
Source of funds	
Enterprise funds	<u>4,049,899</u>
Total	4,049,899
Sec. B.238 Liquor control - enforcement and licensing	
Personal services	2,229,505
Operating expenses	<u>488,303</u>
Total	2,717,808
Source of funds	
Special funds	28,225
Tobacco fund	218,444
Federal funds	254,841
Interdepartmental transfers	88,000
Enterprise funds	<u>2,128,298</u>
Total	2,717,808

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 Sec. B.239 Liquor control - warehousing and distribution

Personal services	917,474
Operating expenses	<u>456,047</u>
Total	1,373,521
Source of funds	
Enterprise funds	<u>1,373,521</u>
Total	1,373,521

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

Source of funds	
General fund	127,360,490
Transportation fund	22,750,000
Special funds	79,337,019
Tobacco fund	606,315
Federal funds	57,967,953
ARRA funds	238,000
Global Commitment fund	90,278
Interdepartmental transfers	10,486,624
Enterprise funds	<u>7,589,420</u>
Total	306,426,099

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

Personal services	10,644,482
Operating expenses	3,796,083
Grants	<u>5,259,658</u>
Total	19,700,223
Source of funds	
General fund	5,597,772
Special funds	91,017
Tobacco fund	224,698
Federal funds	10,077,015
Global Commitment fund	415,000
Interdepartmental transfers	<u>3,294,721</u>
Total	19,700,223

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

Operating expenses	5,340,670
Grants	<u>1,329,202,174</u>
Total	1,334,542,844
Source of funds	
General fund	194,246,297
Special funds	24,058,084



Tobacco fund	33,031,032
State health care resources fund	269,982,898
Federal funds	813,184,533
Interdepartmental transfers	40,000
Total	1,334,542,844
Sec. B.302 Rate setting	
Personal services	879,023
Operating expenses	<u>98,596</u>
Total	977,619
Source of funds	
Global Commitment fund	<u>977,619</u>
Total	977,619
Sec. B.303 Developmental disabilities council	
Personal services	225,453
Operating expenses	67,012
Grants	<u>248,388</u>
Total	540,853
Source of funds	
Federal funds	<u>540,853</u>
Total	540,853
Sec. B.304 Human services board	
Personal services	740,493
Operating expenses	<u>89,986</u>
Total	830,479
Source of funds	
General fund	126,534
Federal funds	388,686
Interdepartmental transfers	<u>315,259</u>
Total	830,479
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

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

Personal services	145,615,180
Operating expenses	4,210,327
Grants	<u>21,143,239</u>
Total	170,968,746
Source of funds	
General fund	1,330,489
Special funds	3,626,895
Federal funds	95,548,406
Global Commitment fund	60,314,826
Interdepartmental transfers	<u>10,148,130</u>
Total	170,968,746

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

Grants	<u>652,863,611</u>
Total	652,863,611
Source of funds	
Global Commitment fund	<u>652,863,611</u>
Total	652,863,611

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

Grants	<u>207,120,217</u>
Total	207,120,217
Source of funds	
General fund	90,190,991
Federal funds	<u>116,929,226</u>
Total	207,120,217

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

Grants	<u>45,216,298</u>
Total	45,216,298
Source of funds	
General fund	32,906,898
Global Commitment fund	<u>12,309,400</u>
Total	45,216,298

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

Grants	<u>45,795,681</u>
Total	45,795,681
Source of funds	
General fund	19,348,700
Federal funds	<u>26,446,981</u>
Total	45,795,681

## Sec. B.311 Health - administration and support

Personal services	6,429,497
Operating expenses	3,086,498
Grants	<u>3,465,000</u>
Total	12,980,995
Source of funds	
General fund	2,267,507
Special funds	1,019,232
Federal funds	5,420,656
Global Commitment fund	<u>4,273,600</u>
Total	12,980,995

## Sec. B.312 Health - public health

Personal services	35,272,377
Operating expenses	7,190,703
Grants	<u>38,938,938</u>
Total	81,402,018
Source of funds	
General fund	8,276,959
Special funds	13,028,733
Tobacco fund	2,461,377
Federal funds	36,996,383
Global Commitment fund	19,511,210
Interdepartmental transfers	1,102,356
Permanent trust funds	<u>25,000</u>
Total	81,402,018

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

Personal services	3,614,712
Operating expenses	391,758
Grants	<u>32,629,070</u>
Total	36,635,540
Source of funds	

General fund	3,110,943
Special funds	442,829
Tobacco fund	1,386,234
Federal funds	8,736,090
Global Commitment fund	22,609,444
Interdepartmental transfers	<u>350,000</u>
Total	36,635,540
Sec. B.314 Mental health - mental health	
Personal services	28,187,222
Operating expenses	3,426,492
Grants	<u>186,354,903</u>
Total	217,968,617
Source of funds	
General fund	1,835,478
Special funds	429,904
Federal funds	5,137,194
Global Commitment fund	210,546,041
Interdepartmental transfers	<u>20,000</u>
Total	217,968,617
Sec. B.316 Department for children and families - administration & support services	
Personal services	42,102,235
Operating expenses	10,054,038
Grants	<u>1,322,998</u>
Total	53,479,271
Source of funds	
General fund	19,615,093
Special funds	638,986
Federal funds	16,162,050
Global Commitment fund	16,495,072
Interdepartmental transfers	<u>568,070</u>
Total	53,479,271
Sec. B.317 Department for children and families - family services	
Personal services	24,160,528
Operating expenses	3,521,433
Grants	<u>65,435,139</u>
Total	93,117,100
Source of funds	
General fund	23,015,020
Special funds	1,691,637

Federal funds	26,286,550
Global Commitment fund	41,957,839
Interdepartmental transfers	<u>166,054</u>
Total	93,117,100
Sec. B.318 Department for children and families - child development	
Personal services	3,540,292
Operating expenses	435,820
Grants	<u>70,353,010</u>
Total	74,329,122
Source of funds	
General fund	34,431,403
Special funds	1,820,000
Federal funds	26,781,807
Global Commitment fund	<u>11,295,912</u>
Total	74,329,122
Sec. B.319 Department for children and families - office of child support	
Personal services	9,479,790
Operating expenses	<u>4,080,498</u>
Total	13,560,288
Source of funds	
General fund	3,371,006
Special funds	455,718
Federal funds	9,345,964
Interdepartmental transfers	<u>387,600</u>
Total	13,560,288
Sec. B.320 Department for children and families - aid to aged, blind and disabled	
Personal services	1,915,532
Grants	<u>11,477,094</u>
Total	13,392,626
Source of funds	
General fund	9,642,626
Global Commitment fund	<u>3,750,000</u>
Total	13,392,626
Sec. B.321 Department for children and families - general assistance	
Grants	<u>10,283,816</u>
Total	10,283,816
Source of funds	
General fund	8,480,025

Federal funds	1,111,320
Global Commitment fund	<u>692,471</u>
Total	10,283,816
Sec. B.322 Department for children and families - 3SquaresVT	
Grants	<u>27,575,722</u>
Total	27,575,722
Source of funds	
Federal funds	<u>27,575,722</u>
Total	27,575,722
Sec. B.323 Department for children and families - reach up	
Operating expenses	226,675
Grants	<u>49,091,105</u>
Total	49,317,780
Source of funds	
General fund	19,143,717
Special funds	22,096,676
Federal funds	5,702,987
Global Commitment fund	<u>2,374,400</u>
Total	49,317,780
Sec. B.324 Department for children and families - home heating fuel assistance/LIHEAP	
Grants	<u>23,351,664</u>
Total	23,351,664
Source of funds	
General fund	6,000,000
Federal funds	<u>17,351,664</u>
Total	23,351,664
Sec. B.325 Department for children and families - office of economic opportunity	
Personal services	276,378
Operating expenses	29,421
Grants	<u>5,331,989</u>
Total	5,637,788
Source of funds	
General fund	1,723,191
Special funds	57,990
Federal funds	3,652,465
Global Commitment fund	<u>204,142</u>
Total	5,637,788

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

Personal services	255,552
Operating expenses	52,098
Grants	<u>10,629,344</u>
Total	10,936,994
Source of funds	
Special funds	9,936,994
Federal funds	<u>1,000,000</u>
Total	10,936,994

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

Personal services	3,876,220
Operating expenses	<u>692,591</u>
Total	4,568,811
Source of funds	
General fund	863,579
Global Commitment fund	3,650,340
Interdepartmental transfers	<u>54,892</u>
Total	4,568,811

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

Personal services	4,887,459
Operating expenses	<u>494,927</u>
Total	5,382,386
Source of funds	
Federal funds	5,151,322
Global Commitment fund	<u>231,064</u>
Total	5,382,386

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

Personal services	27,463,293
Operating expenses	<u>4,438,345</u>
Total	31,901,638
Source of funds	
General fund	8,869,530
Special funds	1,390,457
Federal funds	12,337,350
Global Commitment fund	6,712,988

Interdepartmental transfers	<u>2,591,313</u>
Total	31,901,638
Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants	
Grants	<u>21,574,139</u>
Total	21,574,139
Source of funds	
General fund	8,306,069
Federal funds	7,640,264
Global Commitment fund	5,472,181
Interdepartmental transfers	<u>155,625</u>
Total	21,574,139
Sec. B.331 Disabilities, aging, and independent living - blind and visually impaired	
Grants	<u>1,481,457</u>
Total	1,481,457
Source of funds	
General fund	364,064
Special funds	223,450
Federal funds	648,943
Global Commitment fund	<u>245,000</u>
Total	1,481,457
Sec. B.332 Disabilities, aging, and independent living - vocational rehabilitation	
Grants	<u>8,795,971</u>
Total	8,795,971
Source of funds	
General fund	1,535,695
Special funds	70,000
Federal funds	4,062,389
Global Commitment fund	7,500
Interdepartmental transfers	<u>3,120,387</u>
Total	8,795,971
Sec. B.333 Disabilities, aging, and independent living - developmental services	
Grants	<u>180,931,930</u>
Total	180,931,930
Source of funds	
General fund	155,125
Special funds	15,463



Federal funds	359,857
Global Commitment fund	180,343,485
Interdepartmental transfers	<u>58,000</u>
Total	180,931,930
Sec. B.334 Disabilities, aging, and independent living - TBI home and community based waiver	
Grants	<u>5,074,988</u>
Total	5,074,988
Source of funds	
Global Commitment fund	<u>5,074,988</u>
Total	5,074,988
Sec. B.335 Corrections - administration	
Personal services	2,127,142
Operating expenses	<u>226,070</u>
Total	2,353,212
Source of funds	
General fund	<u>2,353,212</u>
Total	2,353,212
Sec. B.336 Corrections - parole board	
Personal services	238,111
Operating expenses	<u>80,803</u>
Total	318,914
Source of funds	
General fund	<u>318,914</u>
Total	318,914
Sec. B.337 Corrections - correctional education	
Personal services	3,809,009
Operating expenses	<u>530,774</u>
Total	4,339,783
Source of funds	
Education fund	3,804,425
Interdepartmental transfers	<u>535,358</u>
Total	4,339,783
Sec. B.338 Corrections - correctional services	
Personal services	98,146,904
Operating expenses	20,761,932
Grants	<u>9,510,834</u>
Total	128,419,670

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Source of funds	
General fund	121,181,652
Special funds	483,963
Federal funds	470,962
Global Commitment fund	5,886,778
Interdepartmental transfers	<u>396,315</u>
Total	128,419,670
Sec. B.339 Corrections - Correctional services-out of state beds	
Personal services	<u>12,553,629</u>
Total	12,553,629
Source of funds	
General fund	<u>12,553,629</u>
Total	12,553,629
Sec. B.340 Corrections - correctional facilities - recreation	
Personal services	510,933
Operating expenses	<u>345,501</u>
Total	856,434
Source of funds	
Special funds	<u>856,434</u>
Total	856,434
Sec. B.341 Corrections - Vermont offender work program	
Personal services	1,170,139
Operating expenses	<u>548,231</u>
Total	1,718,370
Source of funds	
Internal service funds	<u>1,718,370</u>
Total	1,718,370
Sec. B.342 Vermont veterans' home - care and support services	
Personal services	16,592,891
Operating expenses	<u>4,910,682</u>
Total	21,503,573
Source of funds	
General fund	2,817,331
Special funds	10,360,890
Federal funds	7,914,366
Global Commitment fund	<u>410,986</u>
Total	21,503,573

## Sec. B.343 Commission on women

Personal services	258,272
Operating expenses	<u>90,702</u>
Total	348,974
Source of funds	
General fund	343,974
Special funds	<u>5,000</u>
Total	348,974

## 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	7,454,787
Operating expenses	369,860
Grants	<u>477,000</u>
Total	8,301,647
Source of funds	
General fund	635,193
Special funds	1,557,079
Global Commitment fund	2,626,782
Interdepartmental transfers	<u>3,482,593</u>
Total	8,301,647

## Sec. B.346 Total human services

Source of funds	
General fund	645,109,712
Special funds	94,357,431
Tobacco fund	37,103,341
State health care resources fund	269,982,898
Education fund	3,804,425
Federal funds	1,292,962,005
Global Commitment fund	1,271,252,679
Internal service funds	1,718,370
Interdepartmental transfers	31,786,673
Permanent trust funds	<u>25,000</u>
Total	3,648,102,534

## Sec. B.400 Labor - programs

Personal services	24,664,021
Operating expenses	4,921,135
Grants	<u>1,781,435</u>
Total	31,366,591

## Source of funds

General fund	3,036,896
Special funds	3,363,869
Federal funds	23,902,400
Interdepartmental transfers	<u>1,063,426</u>
Total	31,366,591

## Sec. B.401 Total labor

## Source of funds

General fund	3,036,896
Special funds	3,363,869
Federal funds	23,902,400
Interdepartmental transfers	<u>1,063,426</u>
Total	31,366,591

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

Personal services	7,220,192
Operating expenses	2,467,828
Grants	<u>12,591,200</u>
Total	22,279,220

## Source of funds

General fund	3,134,289
Special funds	13,415,247
Education fund	1,163,360
Federal funds	3,674,129
Global Commitment fund	<u>892,195</u>
Total	22,279,220

## Sec. B.501 Education - education services

Personal services	14,147,448
Operating expenses	1,780,412
Grants	<u>123,918,147</u>
Total	139,846,007

## Source of funds

General fund	5,967,798
Special funds	3,463,696
Federal funds	130,390,263

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Interdepartmental transfers	<u>24,250</u>
Total	139,846,007
Sec. B.502 Education - special education: formula grants	
Grants	<u>173,292,153</u>
Total	173,292,153
Source of funds	
Education fund	<u>173,292,153</u>
Total	173,292,153
Sec. B.503 Education - state-placed students	
Grants	<u>16,900,000</u>
Total	16,900,000
Source of funds	
Education fund	<u>16,900,000</u>
Total	16,900,000
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>1,258,535,630</u>
Total	1,258,535,630
Source of funds	
Education fund	<u>1,258,535,630</u>
Total	1,258,535,630
Sec. B.506 Education - transportation	
Grants	<u>17,163,059</u>
Total	17,163,059
Source of funds	
Education fund	<u>17,163,059</u>
Total	17,163,059
Sec. B.507 Education - small school grants	
Grants	<u>7,650,000</u>
Total	7,650,000

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Source of funds	
Education fund	<u>7,650,000</u>
Total	7,650,000
Sec. B.508 Education - capital debt service aid	
Grants	<u>126,000</u>
Total	126,000
Source of funds	
Education fund	<u>126,000</u>
Total	126,000
Sec. B.509 Education - tobacco litigation	
Personal services	109,523
Operating expenses	32,599
Grants	<u>624,419</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>6,296,479</u>
Total	6,296,479
Source of funds	
Education fund	<u>6,296,479</u>
Total	6,296,479
Sec. B.511 Education - technical education	
Grants	<u>13,708,162</u>
Total	13,708,162
Source of funds	
Education fund	<u>13,708,162</u>
Total	13,708,162
Sec. B.512 Education - Act 117 cost containment	
Personal services	1,090,293
Operating expenses	144,697
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>295,816,793</u>
Total	295,816,793
Source of funds	
General fund	<u>295,816,793</u>
Total	295,816,793

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

Personal services	8,461,967
Operating expenses	1,250,497
Grants	<u>72,857,163</u>
Total	82,569,627
Source of funds	
General fund	72,857,163
Pension trust funds	<u>9,712,464</u>
Total	82,569,627

## Sec. B.515 Retired teachers' health care and medical benefits

Operating expenses	<u>28,600,000</u>
Total	28,600,000
Source of funds	
General fund	8,252,007
Special funds	2,500,000
Permanent trust funds	<u>17,847,993</u>
Total	28,600,000

## Sec. B.516 Total general education

Source of funds	
General fund	386,816,045
Special funds	20,704,933
Tobacco fund	766,541
Education fund	1,500,634,843
Federal funds	134,827,865
Global Commitment fund	892,195
Interdepartmental transfers	24,250
Permanent trust funds	17,847,993
Pension trust funds	<u>9,712,464</u>
Total	2,072,227,129

## Sec. B.600 University of Vermont

Grants	<u>42,509,093</u>
Total	42,509,093

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Source of funds	
General fund	38,462,876
Global Commitment fund	<u>4,046,217</u>
Total	42,509,093
Sec. B.601 Vermont Public Television	
Grants	<u>553,160</u>
Total	553,160
Source of funds	
General fund	<u>553,160</u>
Total	553,160
Sec. B.602 Vermont state colleges	
Grants	<u>24,300,463</u>
Total	24,300,463
Source of funds	
General fund	<u>24,300,463</u>
Total	24,300,463
Sec. B.603 Vermont state colleges - allied health	
Grants	<u>1,157,775</u>
Total	1,157,775
Source of funds	
General fund	748,314
Global Commitment fund	<u>409,461</u>
Total	1,157,775
Sec. B.604 Vermont interactive technology	
Grants	<u>817,341</u>
Total	817,341
Source of funds	
General fund	<u>817,341</u>
Total	817,341
Sec. B.605 Vermont student assistance corporation	
Grants	<u>19,825,404</u>
Total	19,825,404
Source of funds	
General fund	<u>19,825,404</u>
Total	19,825,404



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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
Sec. B.608 Total higher education	
Source of funds	
General fund	84,791,559
Global Commitment fund	<u>4,455,678</u>
Total	89,247,237
Sec. B.700 Natural resources - agency of natural resources - administration	
Personal services	3,214,228
Operating expenses	2,021,823
Grants	<u>45,510</u>
Total	5,281,561
Source of funds	
General fund	5,038,028
Special funds	19,395
Federal funds	20,000
Interdepartmental transfers	<u>204,138</u>
Total	5,281,561
Sec. B.701 Natural resources - state land local property tax assessment	
Operating expenses	<u>2,351,821</u>
Total	2,351,821
Source of funds	
General fund	1,930,321
Interdepartmental transfers	<u>421,500</u>
Total	2,351,821

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

Personal services	14,971,049
Operating expenses	4,972,074
Grants	<u>1,038,000</u>
Total	20,981,123
Source of funds	
General fund	4,982,851
Special funds	30,000
Fish and wildlife fund	8,531,727
Federal funds	7,251,045
Interdepartmental transfers	184,000
Permanent trust funds	<u>1,500</u>
Total	20,981,123

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

Personal services	1,228,919
Operating expenses	621,465
Grants	<u>1,777,791</u>
Total	3,628,175
Source of funds	
General fund	1,150,762
Special funds	1,307,878
Federal funds	<u>1,169,535</u>
Total	3,628,175

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

Personal services	5,008,653
Operating expenses	662,242
Grants	<u>500,700</u>
Total	6,171,595
Source of funds	
General fund	3,839,095
Special funds	975,000
Federal funds	1,200,000
Interdepartmental transfers	<u>157,500</u>
Total	6,171,595

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

Personal services	6,622,664
Operating expenses	<u>2,385,995</u>
Total	9,008,659
Source of funds	

General fund	651,211
Special funds	<u>8,357,448</u>
Total	9,008,659
Sec. B.706 Forests, parks and recreation - lands administration	
Personal services	459,738
Operating expenses	<u>1,203,292</u>
Total	1,663,030
Source of funds	
General fund	415,075
Special funds	179,205
Federal funds	1,050,000
Interdepartmental transfers	<u>18,750</u>
Total	1,663,030
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	94,000
Operating expenses	<u>85,925</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	5,232,473
Operating expenses	1,145,813
Grants	<u>111,280</u>
Total	6,489,566
Source of funds	
General fund	770,576
Special funds	536,222
Federal funds	448,450

Interdepartmental transfers	<u>4,734,318</u>
Total	6,489,566
Sec. B.710 Environmental conservation - air and waste management	
Personal services	9,672,744
Operating expenses	8,317,152
Grants	<u>2,095,254</u>
Total	20,085,150
Source of funds	
General fund	405,741
Special funds	16,173,706
Federal funds	3,412,703
Interdepartmental transfers	<u>93,000</u>
Total	20,085,150
Sec. B.711 Environmental conservation - office of water programs	
Personal services	15,704,693
Operating expenses	4,934,124
Grants	<u>2,144,694</u>
Total	22,783,511
Source of funds	
General fund	8,203,517
Special funds	6,540,910
Federal funds	6,985,254
Interdepartmental transfers	<u>1,053,830</u>
Total	22,783,511
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	2,454,016
Operating expenses	<u>390,742</u>
Total	2,844,758
Source of funds	
General fund	827,770

Special funds	<u>2,016,988</u>
Total	2,844,758
Sec. B.714 Total natural resources	
Source of funds	
General fund	28,448,662
Special funds	36,356,364
Fish and wildlife fund	8,531,727
Federal funds	21,630,987
Interdepartmental transfers	7,057,036
Permanent trust funds	<u>1,500</u>
Total	102,026,276
Sec. B.800 Commerce and community development - agency of commerce and community development - administration	
Personal services	2,103,508
Operating expenses	637,521
Grants	<u>3,204,570</u>
Total	5,945,599
Source of funds	
General fund	3,075,599
Special funds	2,000,000
Federal funds	800,000
Interdepartmental transfers	<u>70,000</u>
Total	5,945,599
Sec. B.801 Economic development	
Personal services	3,291,085
Operating expenses	708,712
Grants	<u>2,092,203</u>
Total	6,092,000
Source of funds	
General fund	4,700,650
Special funds	730,350
Federal funds	<u>661,000</u>
Total	6,092,000
Sec. B.802 Housing & community development	
Personal services	6,813,123
Operating expenses	833,582
Grants	<u>2,224,174</u>
Total	9,870,879
Source of funds	

General fund	2,374,468
Special funds	4,975,188
Federal funds	2,256,223
Interdepartmental transfers	<u>265,000</u>
Total	9,870,879
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
Sec. B.804 Community development block grants	
Grants	<u>14,974,489</u>
Total	14,974,489
Source of funds	
Federal funds	<u>14,974,489</u>
Total	14,974,489
Sec. B.805 Downtown transportation and capital improvement fund	
Personal services	87,746
Grants	<u>296,220</u>
Total	383,966
Source of funds	
Special funds	<u>383,966</u>
Total	383,966
Sec. B.806 Tourism and marketing	
Personal services	1,178,755
Operating expenses	1,900,439
Grants	<u>221,500</u>
Total	3,300,694
Source of funds	
General fund	3,200,694
Interdepartmental transfers	<u>100,000</u>
Total	3,300,694
Sec. B.807 Vermont life	
Personal services	762,108
Operating expenses	<u>68,585</u>
Total	830,693
Source of funds	

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Enterprise funds	<u>830,693</u>
Total	830,693
Sec. B.808 Vermont council on the arts	
Grants	<u>651,723</u>
Total	651,723
Source of funds	
General fund	<u>651,723</u>
Total	651,723
Sec. B.809 Vermont symphony orchestra	
Grants	<u>142,626</u>
Total	142,626
Source of funds	
General fund	<u>142,626</u>
Total	142,626
Sec. B.810 Vermont historical society	
Grants	<u>919,184</u>
Total	919,184
Source of funds	
General fund	<u>919,184</u>
Total	919,184
Sec. B.811 Vermont housing and conservation board	
Grants	<u>29,341,812</u>
Total	29,341,812
Source of funds	
Special funds	16,050,936
Federal funds	<u>13,290,876</u>
Total	29,341,812
Sec. B.812 Vermont humanities council	
Grants	<u>220,138</u>
Total	220,138
Source of funds	
General fund	<u>220,138</u>
Total	220,138
Sec. B.813 Total commerce and community development	
Source of funds	
General fund	15,285,082
Special funds	24,153,440

Federal funds	31,982,588
Interdepartmental transfers	435,000
Enterprise funds	<u>830,693</u>
Total	72,686,803
Sec. B.900 Transportation - finance and administration	
Personal services	10,044,881
Operating expenses	2,273,283
Grants	<u>275,000</u>
Total	12,593,164
Source of funds	
Transportation fund	11,570,784
Federal funds	<u>1,022,380</u>
Total	12,593,164
Sec. B.901 Transportation - aviation	
Personal services	3,481,513
Operating expenses	16,290,006
Grants	<u>177,000</u>
Total	19,948,519
Source of funds	
Transportation fund	5,192,205
Federal funds	<u>14,756,314</u>
Total	19,948,519
Sec. B.902 Transportation - buildings	
Operating expenses	<u>2,760,000</u>
Total	2,760,000
Source of funds	
Transportation fund	1,060,000
TIB fund	<u>1,700,000</u>
Total	2,760,000
Sec. B.903 Transportation - program development	
Personal services	42,916,407
Operating expenses	270,586,371
Grants	<u>23,125,586</u>
Total	336,628,364
Source of funds	
Transportation fund	40,704,471
TIB fund	14,897,087
Federal funds	277,542,839
Interdepartmental transfers	1,817,041



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Local match	<u>1,666,926</u>
Total	336,628,364
Sec. B.904 Transportation - rest areas construction	
Operating expenses	<u>850,000</u>
Total	850,000
Source of funds	
Transportation fund	355,000
Federal funds	<u>495,000</u>
Total	850,000
Sec. B.905 Transportation - maintenance state system	
Personal services	39,757,772
Operating expenses	40,317,145
Grants	<u>120,000</u>
Total	80,194,917
Source of funds	
Transportation fund	78,792,117
Federal funds	1,302,800
Interdepartmental transfers	<u>100,000</u>
Total	80,194,917
Sec. B.906 Transportation - policy and planning	
Personal services	4,297,708
Operating expenses	1,603,439
Grants	<u>5,197,417</u>
Total	11,098,564
Source of funds	
Transportation fund	2,121,421
Federal funds	8,726,143
Interdepartmental transfers	<u>251,000</u>
Total	11,098,564
Sec. B.907 Transportation - rail	
Personal services	5,127,808
Operating expenses	31,852,434
Grants	<u>357,029</u>
Total	37,337,271
Source of funds	
Transportation fund	14,088,993
TIB fund	2,720,000
Federal funds	<u>20,528,278</u>
Total	37,337,271

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Sec. B.908 Transportation - public transit	
Personal services	1,055,679
Operating expenses	111,413
Grants	<u>28,679,829</u>
Total	29,846,921
Source of funds	
Transportation fund	8,473,293
Federal funds	<u>21,373,628</u>
Total	29,846,921
Sec. B.909 Transportation - central garage	
Personal services	4,384,259
Operating expenses	<u>15,815,967</u>
Total	20,200,226
Source of funds	
Internal service funds	<u>20,200,226</u>
Total	20,200,226
Sec. B.910 Department of motor vehicles	
Personal services	16,104,305
Operating expenses	<u>9,316,770</u>
Total	25,421,075
Source of funds	
Transportation fund	23,985,937
Federal funds	<u>1,435,138</u>
Total	25,421,075
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 local technical assistance program	
Grants	<u>400,000</u>
Total	400,000
Source of funds	
Transportation fund	235,000
Federal funds	<u>165,000</u>
Total	400,000

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 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	4,250,000
Operating expenses	12,032,361
Grants	<u>200,000</u>
Total	16,482,361
Source of funds	
Transportation fund	1,663,224
TIB fund	578,000
Federal funds	13,315,652
Local match	<u>925,485</u>
Total	16,482,361

## 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>1,440,000</u>
Total	1,440,000
Source of funds	
Transportation fund	160,000
Federal funds	<u>1,280,000</u>
Total	1,440,000
Sec. B.919 Transportation - municipal mitigation grant program	
Grants	<u>871,500</u>
Total	871,500
Source of funds	
Transportation fund	440,000
Federal funds	204,500
Interdepartmental transfers	<u>227,000</u>
Total	871,500
Sec. B.920 Transportation - public assistance grant program	
Grants	<u>48,630,222</u>
Total	48,630,222
Source of funds	
Special funds	3,630,222
Federal funds	<u>45,000,000</u>
Total	48,630,222
Sec. B.921 Transportation board	
Personal services	185,248
Operating expenses	<u>31,652</u>
Total	216,900
Source of funds	
Transportation fund	<u>216,900</u>
Total	216,900
Sec. B.922 Total transportation	
Source of funds	
Transportation fund	229,903,089
TIB fund	19,895,087
Special funds	3,630,222
Federal funds	407,147,672
Internal service funds	20,200,226
Interdepartmental transfers	2,395,041

Local match	<u>2,592,411</u>
Total	685,763,748
Sec. B.1000 Debt service	
Operating expenses	<u>71,791,440</u>
Total	71,791,440
Source of funds	
General fund	65,401,531
Transportation fund	2,094,555
TIB debt service fund	2,502,313
Special funds	632,940
ARRA funds	<u>1,160,101</u>
Total	71,791,440
Sec. B.1001 Total debt service	
Source of funds	
General fund	65,401,531
Transportation fund	2,094,555
TIB debt service fund	2,502,313
Special funds	632,940
ARRA funds	<u>1,160,101</u>
Total	71,791,440
Sec. B.1100 NEXT GENERATION; APPROPRIATIONS AND TRANSFERS	

(a) In fiscal year 2015, \$3,293,000 is appropriated or transferred from the Next Generation Initiative Fund created in 16 V.S.A. § 2887 as prescribed:

(1) Workforce education and training. 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 education and training. Up to seven percent of the funds may be used for administration of the program. Of this amount, \$350,000 shall be allocated for competitive grants for internships through 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 in consultation with the State Workforce Investment Board. This appropriation is for the purpose of awarding competitive grants to regional technical centers and 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 consistent with 2013 Acts and Resolves No. 77. 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 the student will be better served at a non-State college or when available programs are not 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 2016 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 State Workforce Investment Board, shall recommend to the Governor no later than November 1, 2014 how \$3,293,000 from the Next Generation Fund should be allocated or appropriated in fiscal year 2016 to provide maximum benefit to workforce education and training, participation in secondary or postsecondary education by underrepresented groups, and support for promising economic sectors in Vermont. The Department of Labor shall promote actively and publicly the availability of these funds to eligible entities that have not previously been funded.

Sec. B.1101 ONE-TIME ELECTIONS EXPENSE APPROPRIATION

(a) In fiscal year 2015, there is appropriated to the Secretary of State for 2014 primary and general elections:

<u>General Fund</u>	<u>\$400,000</u>
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Sec. B.1102 FISCAL YEAR 2015 APPROPRIATION REDUCTION DUE TO DII ASSESSMENT REDUCTION

(a) To reflect adjustments to budgets due to DII assessment adjustments, the Secretary of Administration is authorized to reduce operating expense appropriations by \$103,000 in general funds.

Sec. C.100 FISCAL YEAR 2014 FUND TRANSFERS

(a) Notwithstanding any provision of law to the contrary, in fiscal year 2014, the following amounts shall be transferred to the General Fund from the funds indicated:

<u>(1) Fire Prevention Building Inspection Fund #21901</u>	<u>3,200,000</u>
<u>(2) Act 250 Permit Fund #21260</u>	<u>100,000</u>

Sec. C.101 REVERSIONS

(a) Notwithstanding any provision of law to the contrary, in fiscal year 2014, \$30,000 shall revert to the General Fund from the Sergeant at Arms (#1230001000).

Sec. C.102 LEGAL AID HOMEOWNER ASSISTANCE ALLOCATION

(a) Of the funds appropriated to the Secretary of Administration in fiscal year 2013 under the provision of 32 V.S.A. § 308c(a)(3), \$50,000 shall be granted to Vermont Legal Aid to fund legal services for homeowners facing foreclosure.

Sec. C.103 2013 Acts and Resolves No. 50, Sec. C.100.1(b) is amended to read:

(b) The Secretary of State is authorized to expend up to \$50,000 from the Vermont Campaign Fund Secretary of State Services Fund during fiscal year 2013 2014 for development costs for campaign finance system development expenditures. The Secretary of State shall report to the Joint Fiscal Committee at its September 2013 meeting on the use of these funds.

Sec. C.104 [DELETED]

Sec. C.105 COST ALLOCATION; SECRETARY OF COMMERCE AND COMMUNITY DEVELOPMENT

(a) The Department of Health Access shall ensure the appropriate funds are transferred to the Agency of Commerce and Community Development for Agency costs related to the time and expense of the Secretary allocated to his work for the Department in fiscal year 2014.

(b) At the close of fiscal year 2014, the Agency of Commerce and Community Development shall transfer \$50,000 to the Agency of Human Services – Global Commitment for the time and expenses allocated in subsection (a) of this section.

Sec. C.106 FISCAL YEAR 2014 SUPPLEMENTAL ONE-TIME APPROPRIATIONS

(a) The following appropriations are made from the General Fund in 2014:

(1) To the Treasurer for deposit in fiscal year 2015 in the Vermont Retired Teachers' Health and Medical Benefits Fund: \$300,000

(2) To the Department of Public Safety for the replacement of vehicles: \$1,400,000

(3) To Vermont Crime Victims Services to be carried forward for fiscal year 2015 funding needs: \$697,397

(4) To the Joint Fiscal Office for analysis of the transition of the health care system: \$600,000

(5) To the Agency of Human Services – Global Commitment for traumatic brain injury program analysis: \$22,000



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(6) To the Department of Public Safety for information technology, software, and equipment expenses: \$572,000

(7) To the Department of Corrections to be carried forward to fiscal year 2015 for correctional services funding needs: \$8,300,000

(8) To the Treasurer for the expense related to the cost of a Public Retirement Plan Study as defined in Sec. C.108 of this act: \$5,000

(9) To the Legislature for training and expenses related to data-based information to be used by the General Assembly to determine how well State government is working toward achieving the population-level outcomes that have been put in place to measure Vermont's quality of life. This work will be done in conjunction with the activities of the State Chief Performance Officer: \$10,000

(10) To the Legislature for per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 and for legal and other support services for the Committee on Child Protection established in Sec. C.109 of this act: \$25,000

(11) To the Department of State's Attorneys and Sheriffs – Special Investigation Units for enhanced funding to three county child advocacy centers: \$45,000

(12) To the Agency of Agriculture, Food and Markets for New England regional milk pricing activities: \$20,000

(13) To the Agency of Natural Resource to provide one-time pro-rated payments in fiscal year 2015 to towns with lands owned by the Agency. The payments and formula shall be determined by the Agency and made to towns with parcels for which the development status of the land has changed as determined by the Agency: \$35,000

(14) To the Department of Tourism and Marketing for a grant to the Lake Champlain Maritime Museum: \$25,000

#### Sec. C.106.1 FLOOD-RELATED PAYMENT

(a) Appropriated from the General Fund to the Agency of Commerce and Community Development for a grant to Latchis Arts Inc. This grant is for payment for qualified expenditures resulting from damage caused by a federally declared disaster in Vermont in 2011 as defined in 32 V.S.A. § 5930bb(d) that would be awarded as a tax credit to an individual:

\$88,000

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Sec. C.106.2 CONTINGENT FISCAL YEAR 2014 APPROPRIATION

(a) After satisfying the requirements of 32 V.S.A. § 308, and after other reserve requirements have been met and prior to any funds reserved pursuant to 32 V.S.A. § 308c, any remaining unreserved and undesignated end of fiscal year General Fund surplus up to \$5,000,000 shall be appropriated to the extent available, in the following order:

(1) \$500,000 to the Vermont Economic Development Authority for loan loss reserves within the Vermont Entrepreneurial Lending Program for the purposes specified in 10 V.S.A. § 280bb as amended by S.220 of 2014;

(2) \$4,500,000 to the Vermont Enterprise Fund for the purposes specified in Sec. E.100.5 of this act.

Sec. C.107 [DELETED]

Sec. C.108 INTERIM STUDY ON THE FEASIBILITY OF ESTABLISHING A PUBLIC RETIREMENT PLAN

(a) Creation of Committee. There is created a Public Retirement Plan Study Committee to evaluate the feasibility of establishing a public retirement plan.

(b) Membership. The Public Retirement Plan Study Committee shall be composed of seven members as follows:

(1) the State Treasurer or designee;

(2) the Commissioner of Labor or designee;

(3) the Commissioner of Disabilities, Aging, and Independent Living or designee;

(4) an individual with private sector experience in the area of providing retirement products and financial services to small businesses, to be appointed by the Speaker;

(5) an individual with experience or expertise in the area of the financial needs of an aging population, to be appointed by the Committee on Committees;

(6) a representative of employers, to be appointed by the Speaker; and

(7) a representative of employees who currently lack access to employer-sponsored retirement plans, to be appointed by the Committee on Committees.

(c) Powers and duties.

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(1)(A) The Committee shall study the feasibility of establishing a public retirement plan, including the following:

(i) the access Vermont residents currently have to employer-sponsored retirement plans and the types of employer-sponsored retirement plans;

(ii) data and estimates on the amount of savings and resources Vermont residents will need for a financially secure retirement;

(iii) data and estimates on the actual amount of savings and resources Vermont residents will have for retirement, and whether those savings and resources will be sufficient for a financially secure retirement;

(iv) current incentives to encourage retirement savings, and the effectiveness of those incentives;

(v) whether other states have created a public retirement plan and the experience of those states;

(vi) whether there is a need for a public retirement plan in Vermont;

(vii) whether a public retirement plan would be feasible and effective in providing for a financially secure retirement for Vermont residents;

(viii) other programs or incentives the State could pursue in combination with a public retirement plan or, instead of such a plan, in order to encourage residents to save and prepare for retirement; and

(B) If the Committee determines that a public retirement plan is necessary, feasible, and effective, the Committee shall study:

(i) potential models for the structure, management, organization, administration, and funding of such a plan;

(ii) how to ensure that the plan is available to private sector employees who are not covered by an alternative retirement plan;

(iii) how to build enrollment to a level that enrollee costs can be lowered;

(iv) whether such a plan should impose any obligation or liability upon private sector employers; and

(v) any other issue the Committee deems relevant.

(2) The Committee shall have the assistance of the staff of the Office of the Treasurer, the Department of Labor, and the Department of Disabilities, Aging, and Independent Living.

(d) Report. By January 15, 2015, the Committee shall report to the General Assembly its findings and any recommendations for legislative action. In its report, the Committee shall state its findings as to every factor set forth in subdivision (c)(1)(A) of this section, whether it recommends that a public retirement plan be created, and the reasons for that recommendation. If the Committee recommends that a public retirement plan be created, the Committee's report shall include specific recommendations as to the factors listed in subdivision (c)(1)(B) of this section.

(e) Meetings; term of Committee; chair. The Committee may meet no more than six times and shall cease to exist on January 15, 2015. The State Treasurer shall serve as Chair of the Committee and shall call the first meeting.

(f) Reimbursement. For attendance at meetings, members of the Committee who are not employees of the State of Vermont shall be reimbursed at the per diem rate set in 32 V.S.A. § 1010 and shall be reimbursed for mileage and travel expenses.

#### Sec. C.109 COMMITTEE ON CHILD PROTECTION

(a) There is created a Committee on Child Protection. The Committee shall be composed of seven members of the Senate, not all from the same political party, who shall be appointed by the Committee on Committees. The Committee on Committees shall designate two Senators to serve as Co-Chairs of the Committee.

(b) The Committee shall investigate and evaluate Vermont's current system of child protection, including:

(1) examining Vermont's laws, policies, and procedures and evaluating whether those laws, policies, and procedures are effective in protecting children;

(2) comparing Vermont's laws, policies, and procedures to those in other jurisdictions and to best practices in the area of child protection;

(3) understanding how federal requirements shape Vermont's laws, policies, and procedures and the child protection system;

(4) examining whether the departments, agencies, branches, and entities that are responsible for child protection cooperate and are effectively fulfilling their role in the child protection system;

(5) examining whether specific crimes or incidents reveal shortcomings in current laws, policies, and procedures and how the current system operates. In doing so, the Committee shall not interfere in any ongoing investigations;

(6) examining how the child protection system operates in different parts of the State and whether similar cases or allegations are handled differently. If the Committee determines that similar cases or allegations are handled differently, the Committee shall examine the reasons for, and results of, those differences;

(7) determining whether legislative or other changes are necessary to improve the child protection system.

(c) The Committee may conduct hearings and may administer oaths to, and examine under oath, any person. The Committee shall have the power, by a majority vote of the Committee, to issue subpoenas to compel the attendance and testimony of witnesses, and the production of books, papers, records, and documents.

(d) Notwithstanding any other provision of law to the contrary, the Committee may receive records that are confidential, privileged, or the release of which is restricted under Vermont law. All State agencies and departments may provide such records to the Committee upon request. Any such records obtained by the Committee shall be exempt from public inspection and copying, shall be kept confidential by the Committee, and shall not be disclosed.

(e) No person who is an employee of the State of Vermont, or of any State, local, county, and municipal department, agency, or entity involved in child protection, and who testifies before, supplies information to, or cooperates with the Committee's investigation shall be subject to retaliation by his or her employer. Retaliation shall include job termination, demotion in rank, reduction in pay, alteration in duties and responsibilities, transfer, or a negative job performance evaluation based on the person's having testified before, supplied information to, or cooperated with the Committee.

(f) The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Council. The Committee may retain additional legal and other services as necessary.

(g) On or before January 6, 2015, the Committee shall report to the General Assembly its findings and any recommendations for legislative action.

(h) The Committee may meet no more than ten times, unless additional meetings are determined to be necessary by the Co-Chairs and approved by the President Pro Tempore of the Senate and Speaker of the House. The Co-Chairs shall call the first meeting of the Committee, and the Committee may hold hearings at whatever locations the Co-Chairs determine to be appropriate. A majority of the members of the Committee shall be physically present at the same location to constitute a quorum. A member may vote only

if physically present at the meeting and action shall be taken only if there is both a quorum and a majority vote of all members of the Committee members physically present and voting.

(i) The Committee shall cease to exist on January 6, 2015.

(j) For attendance at meetings during adjournment of the General Assembly, members of the Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406.

#### 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 \$15,454,840 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board. Notwithstanding 10 V.S.A. § 312, amounts above \$15,454,840 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 \$3,779,661 is appropriated from the Municipal and Regional Planning Fund. Notwithstanding 24 V.S.A. § 4306(a), amounts above \$3,779,661 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$3,779,661 shall be allocated as follows:

(A) \$2,924,417 for disbursement to regional planning commissions in a manner consistent with 24 V.S.A. § 4306(b);

(B) \$476,544 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:

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(A) Communications and Information Technology Internal Service Fund established by 22 V.S.A. § 902a: \$635,000.

(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: \$1,693,408.

(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 to fund fiscal year 2016 transportation infrastructure bonds debt service: \$2,504,913.

#### 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 2014 in the Tobacco Litigation Settlement Fund shall remain for appropriation in fiscal year 2015.

#### 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 2015 and any additional amount necessary to ensure the balance in the Tobacco Litigation Settlement Fund at the close of fiscal year 2015 is not negative shall be transferred from the Tobacco Trust Fund to the Tobacco Litigation Settlement Fund in fiscal year 2015.

Sec. D.104 32 V.S.A. § 308c is amended to read:

#### § 308c. GENERAL FUND AND TRANSPORTATION FUND BALANCE RESERVES

(a) There is hereby created within the General Fund a General Fund Balance Reserve, also known as the “rainy day reserve.” After satisfying the requirements of section 308 of this title, and after other reserve requirements have been met, any remaining unreserved and undesignated end of fiscal year General Fund surplus shall be reserved in the General Fund Balance Reserve. The General Fund Balance Reserve shall not exceed five percent of the appropriations from the General Fund for the prior fiscal year without

legislative authorization. ~~Monies from this Reserve shall be available for appropriation by the General Assembly.~~

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

~~(2) Of the amount added to the General Fund Balance Reserve in fiscal year 2013, to the extent available, one half of the amount identified in subdivision (1) of this subsection is hereby appropriated in the fiscal year just concluded for deposit in the Supplemental Property Tax Relief Fund established by section 6075 of this title. If the amount added to the General Fund Balance Reserve is insufficient to support both the appropriation in this subdivision and the appropriation in subdivision (3) of this subsection, the appropriation in this subdivision shall take precedence.~~

~~(3) Of the amount added to the General Fund Balance Reserve in fiscal year 2013, to the extent available, one quarter of the amount identified in subdivision (1) of this subsection is hereby appropriated in the fiscal year just concluded to the Secretary of Administration to be used only upon Emergency Board action to transfer these funds to appropriations to offset reduced federal funding.~~

Of the funds which would otherwise be reserved in the General Fund Balance Reserve under this subsection, 50 percent of any such funds shall be transferred to the Retired Teachers' Health and Medical Benefits Fund established by 16 V.S.A. § 1944(b) to reduce any outstanding balance of any interfund loan authorized by the State Treasurer from the General Fund. Upon joint determination by the Commissioner of Finance and Management and the State Treasurer that there is no longer any outstanding balance, no further transfers in accordance with this subdivision shall occur.

(b) Use of General Fund Balance Reserve:

(1) The General Assembly may specifically appropriate the use of up to 50 percent of the amounts added in the prior fiscal year from the General Fund Balance Reserve to fund unforeseen or emergency needs.

(2) If the official State revenue estimates of the Emergency Board for the General Fund, the Transportation Fund, or federal funds determined under section 305a of this title have been reduced by two percent or more from the estimates determined and assumed for purposes of the general appropriations act or budget adjustment act, funds in the General Fund Balance Reserve may be appropriated to compensate for a reduction of revenues.



(c) There is hereby created within the Transportation Fund a Transportation Fund Balance Reserve. After satisfying the requirements of section 308a of this title, and after other reserve requirements have been met, any remaining unreserved and undesignated end of fiscal year Transportation Fund surplus shall be reserved in the Transportation Fund Balance Reserve. Monies from this Reserve shall be available for appropriation by the General Assembly.

~~(e) In any fiscal year, if the General Assembly determines there are insufficient revenues to fund expenditures for the operation of State government at a level the General Assembly finds prudent and required, it may specifically appropriate the use of the General Fund and Transportation Fund Balance Reserves to compensate for a reduction of revenues or fund such unforeseen or emergency needs as the General Assembly may determine.~~

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#### Sec. D.105 REPEALS

(a) 2012 Acts and Resolves No. 162, Secs. D.103.1(a) (calculation, appropriation, and deposit in the supplemental property tax relief fund repeal effective on June 30, 2014) and D.103(b) (supplemental property tax relief fund repeal effective on June 30, 2014) are repealed.

(b) 32 V.S.A. § 6075 (supplemental property tax relief fund) is repealed on July 1, 2017.

(c) 2013 Acts and Resolves No. 50, Sec B.1104 (Fiscal Year 2014 Surplus) is repealed.

#### Sec. D.106 [DELETED]

#### Sec. D.107 DEPOSIT OF SETTLEMENT RECEIPTS

(a) Any funds received by the State in fiscal year 2014 from settlement with the R.J. Reynolds Tobacco Co. regarding deceptive advertising shall be deposited into the General Fund in fiscal year 2014.

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

#### Sec. E.100 EXECUTIVE BRANCH – POSITION AUTHORIZATIONS

(a) The establishment of the following new permanent positions is authorized in fiscal year 2015 as follows:

(1) In the Department of Information and Innovation – three (3) classified positions – one (1) IT Contract Specialist and two (2) Enterprise Architect.

(2) In the Department of State’s Attorneys and Sheriffs – four (4) exempt positions – Deputy State’s Attorney.

(3) In the Department of Public Safety – three (3) classified positions – one (1) Marijuana Registry Administrator, one (1) Fire Prevention Safety Officer, and one (1) Electrical Inspector.

(4) In the Agency of Agriculture, Food and Markets – two (2) classified positions – Food Safety Specialist.

(5) In the Department of Financial Regulation – one (1) classified position – Financial Examiner II.

(6) In the Department of Health – one (1) classified position – Public Health Dental Hygienist.

(7) In the Department for Children and Families – one (1) classified position – Financial Specialist III.

(8) In the Department of Environmental Conservation – one (1) classified position – Environmental Engineer VI.

(9) In the Department of Economic Development – one (1) classified position – Economic Development Director.

(b) The establishment of the following new classified limited service positions is authorized in fiscal year 2015 as follows:

(1) In the Department of Environmental Conservation – one (1) Solid Waste Analyst, one (1) Environmental Analyst III, and one (1) Wetland Ecologist.

(2) In the Department of Liquor Control – one (1) Tobacco Compliance Officer.

(c) The conversion of classified limited service positions to classified permanent status is authorized in fiscal year 2015 as follows:

(1) In the Agency of Agriculture, Food and Markets – two (2) working lands staff positions - Agricultural Development Coordinator and Grants Program Specialist II.

(d) Position Pilot Program. A position pilot is hereby created to assist participating departments in more effectively managing costs of overtime, compensatory time, temporary employees, and contractual work by removing the position cap with the goal of maximizing resources to the greatest benefit of Vermont taxpayers.

(1) The Agency of Transportation, the Department for Children and Families, and the Department of Environmental Conservation shall not be subject to the cap on positions for the duration of the pilot.

(2) Any new positions created under the pilot shall be authorized by the Secretary of Administration and funded within existing appropriations.

(3) Any new positions created under the pilot shall not be transferrable outside the agency or department of the pilot.

(4) At least 15 days prior to the establishment of pilot positions, the Joint Fiscal Committee and the Government Accountability Committee shall be provided a written description from the pilot entity and the Commissioner of Human Resources of the method for evaluating the cost-effectiveness of the positions.

(5) As part of their annual budget testimony, participating departments shall report on the number and type of positions created under the pilot and the source of funds used to support the positions.

(6) By November 2014, the Commissioner of Human Resources shall provide the Joint Fiscal Committee a report of any employee impacts such as reduction in force rights that may arise from the implementation of the pilot.

(7) This pilot shall sunset on July 1, 2017, unless extended or modified by the General Assembly.

Sec. E.100.1 FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND STATE MATCH PAYMENTS FOR TROPICAL STORM IRENE AND SPRING 2011 FLOODING

(a) The Secretary of Administration shall report to the Joint Fiscal Committee at its September 2014 and September 2015 meetings on cumulative expenditures in the prior fiscal year in the Public Assistance Program (810005500) of Federal Emergency Management Agency (FEMA) funds and associated emergency relief and assistance funds match for the damages due to Tropical Storm Irene and Spring 2011 flooding, including to the extent possible, details about the expended funds by State agency or municipality. The report shall also include, if applicable, information on any audit findings that may result in financial impacts to the State.

(b) Reports shall be posted on the Legislative and Administration websites after submission.

(c) 2012 Acts and Resolves No. 75, Sec. 77a(b) (quarterly reports on payments from the emergency relief and assistance fund) is repealed.

Sec. E.100.2 VERMONT VETERANS' HOME; FUNDING REVIEW

(a) The Secretary of Administration shall carry out a review of the revenue and budget options for the Vermont Veterans' Home and develop a business plan with the following goals:

(1) creation of a revenue and budget approach that does not present a long-term structural deficit for the Vermont State budget; and

(2) development of a strategy that eliminates the need for ongoing General Fund subsidies by fiscal year 2018.

(b) This review shall be submitted to the Joint Fiscal Committee before November 15, 2014.

#### Sec. E.100.3 REVERSION

(a) Of the General Funds appropriated to the Secretary of Administration in fiscal year 2013 under the provision of 32 V.S.A. § 308c(a)(3), \$1,910,000 shall revert to the General Fund in fiscal year 2015.

#### Sec. E.100.4 VTHR UNIT; TRANSFER AUTHORITY

(a) The Commissioner of Finance and Management, with the approval of the Secretary of Administration, may make transfers of appropriations within the Financial Management Fund, Medical Insurance Fund, Dental Insurance Fund, and Life Insurance Fund for fiscal year 2015, provided the total fiscal year 2015 appropriations from these funds do not exceed the total amount authorized in the fiscal year 2015 Appropriations Act.

#### Sec. E.100.5 VERMONT ENTERPRISE FUND

(a) There is created a Vermont Enterprise Fund, the sums of which may be used by the Governor, with the approval of the Emergency Board, for the purpose of making economic and financial resources available to businesses facing circumstances that necessitate State government support and response more rapidly than would otherwise be available from, or that would be in addition to, other economic incentives.

(b)(1) The Fund shall be administered by the Commissioner of Finance and Management as a special fund under the provisions of chapter 7, subchapter 5 of this title.

(2) The Fund shall contain any amounts transferred or appropriated to it by the General Assembly.

(3) Interest earned on the Fund and any balance remaining at the end of the fiscal year shall remain in the Fund.

(4) The Commissioner shall maintain records that indicate the amount of money in the Fund at any given time.

(c) The Governor is authorized to use amounts available in the Fund to offer economic and financial resources to an eligible business pursuant to this section, subject to approval by the Emergency Board as provided in subsection (e) of this section.

(d) To be eligible for an investment through the Fund, the Governor shall determine that a business:

(1) adequately demonstrates:

(A) a substantial statewide or regional economic or employment impact; or

(B) approval or eligibility for other economic development incentives and programs offered by the State of Vermont; and

(2) is experiencing one or more of the following circumstances:

(A) a merger or acquisition may cause the closing of all or a portion of a Vermont business, or closure or relocation outside Vermont will cause the loss of employment in Vermont;

(B) a prospective purchaser is considering the acquisition of an existing business in Vermont;

(C) an existing employer in Vermont, which is a division or subsidiary of a multistate or multinational company, may be closed or have its employment significantly reduced; or

(D) is considering Vermont for relocation or expansion.

(e)(1) Any economic and financial resources offered by the Governor under this section must be approved by the Emergency Board before an eligible business may receive assistance from the Fund.

(2) The Board shall invite the Chair of the Senate Committee on Economic Development, Housing and General Affairs and the Chair of the House Committee on Commerce and Economic Development to participate in Board deliberations under this section in an advisory capacity.

(3) The Governor or designee, shall present to the Emergency Board for its approval:

(A) information on the company;

(B) the circumstances supporting the offer of economic and financial resources;

(C) a summary of the economic activity proposed or that would be forgone;

(D) other State incentives and programs offered or involved;

(E) the economic and financial resources offered by the Governor requiring use of monies from the Fund;

(F) employment, investment, and economic impact of Fund support on the employer, including a fiscal cost-benefit analysis; and

(G) terms and conditions of the economic and financial resources offered, including:

(i) the total dollar amount and form of the economic and financial resources offered;

(ii) employment creation, employment retention, and capital investment performance requirements; and

(iii) disallowance and recapture provisions.

(f)(1) Proprietary business information and materials or other confidential financial information submitted by a business to the State, or submitted by the Governor to the Emergency Board, for the purpose of negotiating or approving economic and financial resources under this section shall not be subject to public disclosure under the State's public records law in 1 V.S.A. chapter 5, but shall be available to the Joint Fiscal Office or its agent upon authorization of the Chair of the Joint Fiscal Committee, and shall also be available to the Auditor of Accounts in connection with the performance of duties under section 163 of this title; provided, however, that the Joint Fiscal Office or its agent, and the Auditor of Accounts, shall not disclose, directly or indirectly, to any person any proprietary business or other confidential information or any information which would identify a business except in accordance with a judicial order or as otherwise specifically provided by law.

(2) Nothing in this subsection shall be construed to prohibit the publication of statistical information, rulings, determinations, reports, opinions, policies, or other information so long as the data are disclosed in a form that cannot identify or be associated with a particular business.

(g) On or before January 15 of each year following a year in which economic and financial resources were made available pursuant to this section, the Secretary of Commerce and Community Development shall submit to the House Committees on Commerce and Economic Development and on Ways and Means and to the Senate Committees on Finance and on Economic Development, Housing and General Affairs a report on the resources made available pursuant to this section, including:

(1) the name of the recipient;

(2) the amount and type of the resources;

(3) the aggregate number of jobs created or retained as a result of the resources;

(4) a statement of costs and benefits to the State; and

(5) whether any offer of resources was disallowed or recaptured.

(h) This section shall sunset on June 30, 2016 and any remaining balance in the Fund shall be transferred to the General Fund.

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

(a) Of this appropriation, \$635,000 is for a grant to the Vermont Telecommunications Authority established in 30 V.S.A. § 8061.

Sec. E.106 [DELETED]

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.

Sec. E.112 USE OF STATE SPACE; CLARIFICATION

(a) Notwithstanding 29 V.S.A. § 165(h) the Commissioner of Buildings and General Services shall extend through June 30, 2015 the lease for space for the Chittenden Unit for Special Investigations at current payment rates. For fiscal year 2016 and beyond, the Commissioner shall consult with the Director of States' Attorneys and Sheriffs and the Director of the Chittenden Unit for Special Investigations and develop a long-term lease or fee-for-space arrangement. In the event such arrangements include a payment below prevailing market prices, it shall be presented to the Joint Fiscal Committee as required by 29 V.S.A. § 165(h) for approval at a regularly scheduled Joint Fiscal Committee meeting after September 1, 2014.

Sec. E.113 Buildings and general services – engineering

(a) The \$3,196,163 interdepartmental transfer in this appropriation shall be from the fiscal year 2015 General Bond Fund appropriation in 2013 Acts and Resolves No. 51, Sec. 2(c)(5), as amended in the 2014 legislative session.

Sec. E.113.1 2013 Acts and Resolves No.1, Sec. 100(c) is amended to read:

(c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1, 2014~~ July 1, 2015.

Sec. E.113.2 DEPARTMENT OF BUILDINGS AND GENERAL SERVICES; ALLOCATION OF ENGINEERING COSTS

(a) The Commissioner of Buildings and General Services shall implement the following recommendations from the report required by 2013 Acts and

Resolves No. 51, Sec. 39, relating to accounting standards for engineering costs:

(1) initiate a process to track engineering costs to specific projects through the VTHR payroll system; and

(2) once engineering costs are tracked to specific projects, allocate these known capital costs to expenses paid from general obligation debt financing and allocate noncapital costs to expenses paid from the General Fund.

(b) The Secretary of Administration shall work with the Commissioner of Buildings and General Services to implement a project tracking procedure through the VTHR payroll system described in subdivision (a)(1) of this section.

(c) On or before January 15, 2015, the Commissioner of Buildings and General Services shall update the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the implementation of the recommendations described in subsection (a) of this section.

Sec. E.118 Buildings and general services - fleet management services

(a) Any State employee that uses the standard mileage reimbursement rate for use of his or her private vehicle shall be required to use a State-owned or -leased vehicle if the mileage that is submitted for reimbursement exceeds 12,400 miles 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 12,400 limit on mileage that is eligible for reimbursement for use of a private vehicle.

Sec. E.118.1 2010 Acts and Resolves No. 156, Sec. E.114(a), as amended by 2011 Acts and Resolves No. 3, Sec. 60, and 2013 Acts and Resolves No. 50, Sec. E.118, is further amended to read:

(a) The Commissioner of Buildings and General Services shall submit a report to the House and Senate Committees on Appropriations by January 15th of each year ~~through fiscal year 2015~~ detailing the number of ~~state~~ State employees, by department, that during the previous fiscal year exceeded a 11,400 mileage amount for use of their private vehicle during the previous fiscal year the “mileage breakeven point,” the point at which employee mileage reimbursement becomes more expensive than use of State-owned or -leased vehicles, as calculated as part of this report.

Sec. E.125 Legislative council

(a) Notwithstanding any other provision of law, from fiscal year 2014 funds appropriated to the Legislative Council and carried forward into fiscal year 2015, the amount of \$25,000 shall revert to the General Fund.



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Sec. E.126 Legislature

(a) Notwithstanding any other provision of law, from fiscal year 2014 funds appropriated to the Legislature and carried forward into fiscal year 2015, the amount of \$80,000 shall revert to the General Fund.

(b) It is the intent of the General Assembly that funding for the Legislature in fiscal year 2016 be included at a level sufficient to support an 18-week legislative session.

(c) The appropriation in Sec. B.126 of this act includes \$10,000 to support costs associated with obtaining data-based information to be used by the General Assembly to determine how well State government is working toward achieving the population-level outcomes that have been put in place to measure Vermont's quality of life. This data will also assist the General Assembly in determining how best to invest taxpayer dollars.

Sec. E.127 Joint fiscal committee

(a) Notwithstanding any other provision of law, from fiscal year 2014 funds appropriated to the Joint Fiscal Committee and carried forward into fiscal year 2015, the amount of \$10,000 shall revert to the General Fund.

Sec. E.127.1 [DELETED]

Sec. E.128 Sergeant at Arms

(a) Notwithstanding any other provision of law, from fiscal year 2014 funds appropriated to the Sergeant at Arms and carried forward into fiscal year 2015, the amount of \$10,000 shall revert to the General Fund.

Sec. E.130 STATE AUDITOR; EXCHANGE STUDY

(a) Prior to initiating a performance audit of the health care exchange, the State Auditor shall present an audit plan for review and approval to the Joint Fiscal Committee with the specific areas to be audited and an estimate of the charges which would be incurred by other agencies for the expenses of such an audit.

Sec. E.131 VERMONT COMMUNITY LOAN FUND

(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). The provisions of Sec. A.102(c) of this act shall not apply to this subsection.

(b) 2004 Acts and Resolves No. 80, Sec. 6a (authority to invest up to \$200,000.00) is repealed.

## Sec. E.133 Vermont state retirement system

(a) Notwithstanding 3 V.S.A. § 473(d), in fiscal year 2015, investment fees shall be paid from the corpus of the Fund.

## Sec. E.133.1 3V.S.A. § 479a(b)(1) is amended to read:

(1) All assets remitted to the state as a subsidy on behalf of the members of the Vermont state employees' retirement system for employer-sponsored qualified prescription drug plans pursuant to the Medicare Prescription Drug Improvement and Modernization Act of 2003, except that any subsidy received from an Employer Group Waiver program is not subject to this requirement.

Sec. E.139 2013 Acts and Resolves No. 50, Sec. E.139, as amended by 2014 Acts and Resolves No. 95, Sec. 73a is further amended to read:

## 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.

\* \* \*

## 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 will continue to provide financial support and recommendations for addressing problem gambling among Vermont's citizens, to include marketing, event sponsorships, and printed material.

## Sec. E.141.1 REPORT; TRANSITION OF COUNCIL ON PROBLEM GAMBLING

(a) The Executive Director of the Vermont Lottery Commission and the Commissioner of Health shall provide a written update to the Joint Fiscal Committee in July 2014 on how the gambling addiction program will be operated in fiscal year 2015 and how the funds allocated in this act for gambling addiction programs will be used.

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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 JUDICIARY; REPORT ON TRAFFIC TICKETS

(a) On or before December 1, 2014, the Court Administrator shall report to the House and Senate Committees on Appropriations and on Judiciary on the trends and data for traffic tickets filed with the Judicial Bureau. The report shall:

(1) compare the number of tickets filed with the number of tickets for which fines were collected; and

(2) provide information about the reasons tickets were dismissed by the Judicial Bureau during the three-year period, to the extent that such reports can be produced by query to the Judicial Bureau's case management software.

Sec. E.204.1 JUDICIARY; SECURITY AND TRANSPORT REPORT

(a) The Court Administrator shall submit a report to the House and Senate Committees on Judiciary and on Appropriations by January 15, 2015 with findings on the current operation and costs of providing security in all the

State's courts and shall make recommendations to restructure such operations to result in financial savings without increasing security risk to the Judiciary. The Court Administrator shall consult with third party experts which may include national organizations to examine these issues. Specifically, the report shall address:

(1) options to reduce costs when any court is not in session; and

(2) options to reduce costs through shared security arraignments with other co-located state agencies.

(b) The Court Administration and the Department of State's Attorneys and Sheriffs shall by January 15, 2015 present a plan to maximize the cost-effectiveness of secure transports, including the transfer to the Judiciary of funding for and payment of State-paid deputies.

#### Sec. E.205 STATE'S ATTORNEYS; "CALL-OUT" COMPENSATION

(a) The amount of \$50,000 is appropriated to the State's Attorneys for the purpose of providing compensation for Deputy State's Attorneys who provide "call-out duties, including search warrants, juvenile emergencies, and traveling to potential homicide scenes.

(b) The Executive Director of the Department of State's Attorneys and Sheriffs shall provide a written report to the Joint Fiscal Committee in July 2014 regarding the conditions under which these funds can be accessed and the procedures put in place to ensure that the use of these funds comport with the conditions identified.

#### Sec. E.206 SPECIAL INVESTIGATIONS UNIT FUNDING STUDY COMMITTEE

(a) Creation. There is created a Special Investigations Unit Funding Study Committee for the purpose of identifying and recommending equitable and sustainable funding options for specialized investigative units.

(b) Membership, interested parties.

(1) The Committee shall be composed of the following 6 members:

(A) three current members of the House of Representatives, one of whom is a member of the Joint Fiscal Committee, appointed by the Speaker of the House;

(B) three current members of the Senate, one of whom is a member of the Joint Fiscal Committee, appointed by the Committee on Committees;

(2) The Committee shall consult with any interested parties, including the Attorney General, the Commissioner of Taxes, the Executive Director of State's Attorneys and Sheriffs, the Administrator of the Specialized

Investigative Units Grants Board, the Vermont League of Cities and Towns, the Vermont Children's Alliance, and the directors of the Specialized Investigative Units.

(c) Powers and duties. The Study Committee shall identify all possible funding sources for specialized investigative units and shall consider the sustainability and equitability of each possible source on local, county, and State levels.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Joint Fiscal Office and the Office of Legislative Council.

(e) Report. On or before December 15, 2014, the Committee shall submit a report to the House Committees on Ways and Means and on Judiciary and the Senate Committees on Finance and on Judiciary with its findings and any recommendations for legislative action.

(f) Meetings.

(1) A Senate member shall be the Chair and shall call the first meeting of the Committee to occur on the same date as a meeting of the Joint Fiscal Committee.

(2)(A) A majority of the members of the Committee shall be physically present at the same location to constitute a quorum.

(B) A member may vote only if physically present at the meeting location.

(C) Action shall be taken only if there is both a quorum and a majority vote of all members of the Committee.

(3) The Committee shall cease to exist on January 1, 2015.

(g) Reimbursement. For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for no more than four meetings.

Sec. E.208 Public safety – administration

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

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**Sec. E.208.1 FIREARM STORAGE SPECIAL FUND; APPROPRIATION**

(a) The sum of \$75,000 is appropriated to the Department of Public Safety from the Firearm Storage Special Fund, which is hereby created, to be managed pursuant to 32 V.S.A. chapter 7, subchapter 5, for the purpose of assisting law enforcement agencies and court-approved federally licensed firearm dealers to create facilities for the storage of firearms and other weapons pursuant to Sec. 20 of H.735 of 2014 [fee bill] (to be codified as 20 V.S.A. § 2307). The Department is authorized to administer this appropriation in its discretion in the form of interest-free loans to law enforcement agencies and court-approved federally licensed firearm dealers that apply to and are deemed eligible by the Department. Successful applicants shall enter into a repayment agreement with the Department and shall repay the loan using fees or other proceeds collected as a result of the implementation of Sec. 20 of H.735 of 2014 [fee bill] (to be codified as 20 V.S.A. § 2307). Repayments received by the Department shall be deposited into the Firearm Storage Special Fund. The Department is authorized to prepare and execute on behalf of the State any documents necessary to make and secure such loans. Notwithstanding Sec. A.102(c) of this act, this appropriation shall carry forward until expended.

**Sec. E.209 Public safety – state police**

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

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

**Sec. E.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.

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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, \$2,500 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; \$5,000 shall be used for the Military, Family, and Community Network; and \$10,000 shall be granted to the American Legion for the Boys’ State and Girls’ State programs.

(b) Of this General Fund appropriation, \$39,484 shall be deposited into the Armed Services Scholarship Fund established in 16 V.S.A. § 2541.

Sec. E. 220 Center for crime victims services

(a) Notwithstanding 20 V.S.A. § 2365(c), the Vermont Center for Crime Victims Services shall transfer \$51,574 from the Domestic and Sexual Violence Special Fund established in 13 V.S.A. § 5360 to the Criminal Justice Training Council for the purpose of funding one-half the costs of the Domestic Violence Trainer position. The other half of the position will be funded with an appropriation to the Criminal Justice Training Council.

Sec. E.221 [DELETED]

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.224 Agriculture, food and markets – agricultural development

(a) Of the funds appropriated in Sec. B.224 of this act, the amount of \$1,486,500 in general funds is appropriated 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 and \$75,000 of these funds shall be used to support the Domestic Export Program established in Sec. 6 of S.220 of 2014.

(b) Of the funds appropriated in Sec. B.224 of this act, the amount of \$13,500 in General Funds shall be used to fund grants that enable farmers' markets to accept electronic benefit transfer funds.

Sec. E.224.1 2012 Acts and Resolves No. 142, Sec. 5 is amended to read:

Sec. 5. FUNDING PRIORITIES

(a) The amounts appropriated from the ~~general fund to the Vermont working lands enterprise fund established in 6 V.S.A. § 4605~~ shall be used ~~General Fund for use~~ by the ~~working lands enterprise board~~ Working Lands Enterprise Board shall be used for the following purposes:

\* \* \*

Sec. E.225 Agriculture, food and markets – laboratories, agricultural resource management and environmental stewardship

(a) The Agency of Agriculture, Food and Markets shall use the Global Commitment funds appropriated in this section 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.225.1 AGRICULTURE, FOOD AND MARKETS; MOSQUITO CONTROL

(a) The Secretary of Agriculture, Food and Markets may use any unexpended or unobligated funds in the budget of the laboratories, agricultural resource management and environmental stewardship program for grants to eligible mosquito control districts:

(1) for larvicide applications approved by the Secretary of Agriculture, Food and Markets to control nuisance species; or

(2) to implement management or control measures approved by the Secretary of Agriculture, Food and Markets to address a public health hazard declared under 18 V.S.A. § 2 due to an outbreak of West Nile virus, eastern equine encephalitis, or other mosquito-borne illness.

Sec. E.228 8 V.S.A. § 7116(c) is amended to read

(c) All fees and payments received by the Department under subsection (a) of this section and 10 percent of the transfer tax under subsection (b) of this section shall be credited to the ~~insurance regulatory and supervision fund~~



Insurance Regulatory and Supervision Fund under section 80 of this title. The remaining 90 percent of the transfer tax shall be deposited directly into the general fund General fund and reserved in the General Fund Balance Reserve established under 32 V.S.A. § 308c.

Sec. E.234 18 V.S.A. chapter 34 is amended to read:

CHAPTER 34. NUCLEAR DECOMMISSIONING CITIZENS ADVISORY  
PANEL

§ 1700. CREATION; MEMBERSHIP; OFFICERS; QUORUM

(a) There is created a ~~nuclear advisory panel~~ Nuclear Decommissioning Citizens Advisory Panel which shall consist of the following:

(1) the ~~secretary of human services~~ Secretary of Human Services, ex officio, or designee;

(2) the ~~secretary of natural resources~~ Secretary of Natural Resources, ex officio, or designee;

(3) the ~~commissioner of public service~~ Commissioner of Public Service, ex officio, or his or her designee;

(4) the Secretary of Commerce and Community Development, ex officio, or designee;

(5) one member of ~~an energy committee of the Vermont house of representatives~~ the House Committee on Natural Resources and Energy, chosen by the speaker Speaker of the house House;

~~(5)(6)~~ one member of ~~an energy committee of the Vermont senate~~ the Senate Committee on Natural Resources and Energy, chosen by the committee Committee on committees Committees; and

(7) one representative of the Town of Vernon or designee, selected by the legislative body of that town;

~~(6)(8)~~ two six members of the public, two each selected by the ~~governor~~ Governor, the Speaker of the House, and the President Pro Tempore of the Senate. Under this subdivision, each appointing authority initially shall appoint a member for a three-year term and a member for a four-year term. Subsequent appointments under this subdivision shall be for terms of four years;

(9) two representatives of the Vermont Yankee Nuclear Power Station (VYNPS or Station) selected by the owner of the Station;

(10) a representative of the International Brotherhood of Electric Workers (IBEW) selected by the IBEW who shall be a present or former employee at the VYNPS;

(11) one member who will represent collectively the Towns of Chesterfield, Hinsdale, Richmond, Swanzey, and Winchester, New Hampshire, when selected by the Governor of New Hampshire at the invitation of the Commissioner of Public Service; and

(12) one member who will represent collectively the Towns of Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts, when selected by the Governor of Massachusetts at the invitation of the Commissioner of Public Service.

(b) Ex officio members shall serve for the duration of their time in office or until a successor has been appointed. Members of the ~~general assembly~~ General Assembly shall be appointed for two years or until their successors are appointed, beginning on or before January 15 in the first year of the biennium. Representatives designated by ex officio members shall serve at the direction of the designating authority.

(c) ~~The commissioner of public service~~ Commissioner of Public Service shall serve as ~~chairperson~~ the Chair until the Panel elects a Chair or Co-Chairs under subsection (d) of this section.

(d) The Panel annually shall elect a Chair or Co-Chairs, and a Vice Chair, for one-year terms commencing with its first meeting following the effective date of this section.

(e) A majority of the Panel's members ~~of the panel~~ shall constitute a quorum. The ~~panel~~ Panel shall act only by vote of a majority of its entire membership and only at meetings called by the ~~chairperson~~ Chair or a Co-Chair or by any ~~three~~ five of the members. The person or persons calling the meeting shall provide adequate notice to all its members.

~~(e)(f)~~ (f) Members of the panel, except for who are not ex officio members and except for legislative members while the general assembly is in session, employees of the State of Vermont, representatives of the VYNPS, or members representing towns outside Vermont, and who are not otherwise compensated or reimbursed for their attendance shall be entitled to \$30.00 \$50.00 per diem and their necessary and actual expenses. Funds for this purpose shall come from the monies collected under 30 V.S.A. § 22 for the purpose of maintaining the public service board Department of Public Service. Legislative members shall not be entitled to a per diem under this section for meetings while the General Assembly is in session.

~~(f)~~(g) The ~~department of public service~~ Commissioner of Public Service shall:

(1) manage the provision of administrative support to the Panel, including scheduling meetings and securing meeting locations, providing public notice of meetings, producing minutes of meetings, and assisting in the compilation and production of the Panel's annual report described in section 1701 of this title;

(2) keep the ~~panel~~ Panel informed of the status of matters within the jurisdiction of the ~~panel~~ Panel;

~~(2)~~(3) notify members of the ~~panel~~ Panel in a timely manner upon receipt of information relating to matters within the jurisdiction of the ~~panel~~ Panel; and

~~(3)~~(4) upon request, provide to all members of the ~~panel~~ Panel all relevant information within the ~~department's~~ control of the Department of Public Service relating to subjects within the scope of the duties of the ~~panel~~ Panel;

(5) provide workshops or training for Panel members as may be appropriate; and

(6) hire experts, contract for services, and provide for materials and other reasonable and necessary expenses of the Panel as the Commissioner may consider appropriate on request of the Panel from time to time. Funds for this purpose shall come from the monies collected under 30 V.S.A. § 22 for the purpose of maintaining the Department of Public Service and such other sources as may be or become available.

#### § 1701. DUTIES

The Panel shall serve in an advisory capacity only and shall not have authority to direct decommissioning of the VYNPS. The duties of the ~~panel~~ Panel shall be:

(1) To hold a minimum of ~~three~~ four public meetings each year for the purpose of discussing issues relating to the ~~present and future use of nuclear power and to decommissioning of the VYNPS. The Panel may hold additional meetings.~~

(2) To advise the ~~governor~~ Governor, the ~~general assembly~~ General Assembly, and the agencies of the ~~state thereon~~ State, and the public on issues related to the decommissioning of the VYNPS, with a written report being provided annually to the ~~governor~~ Governor and to the energy committees of the ~~general assembly~~; General Assembly. The provisions of 2 V.S.A. § 20(d) (expiration of reports) shall not apply to this report.

~~(2) To define the responsibilities of state agencies for assuring the safety and health of the public as the result of the operation of a fixed nuclear facility and to assess the ability of state and local governments to meet this responsibility in terms of both technical expertise and financial support;~~

~~(3) To discuss proposed changes in operations or specific problems that arise in the operation of a fixed nuclear facility, and to prepare and present technical data to serve as a basis for establishing the state's position on such changes or problems; To serve as a conduit for public information and education on and to encourage community involvement in matters related to the decommissioning of the VYNPS and to receive written reports and presentations on the decommissioning of the Station at its regular meetings.~~

~~(4) To maintain communications with the operators of any fixed nuclear facility, including the receipt of written reports and presentations to the panel at its regular meetings; To periodically receive reports on the Decommissioning Trust Fund and other funds associated with decommissioning of or site restoration at the VYNPS, including fund balances, expenditures made, and reimbursements received.~~

~~(5) To develop awareness in the state and in the state government of the potential liabilities, benefits, or repercussions of nuclear power generation in the state in comparison to other electrical energy sources; and To receive reports regarding the decommissioning plans for the VYNPS, including any site assessments and post-shutdown decommissioning assessment reports; provide a forum for receiving public comment on these plans and reports; and to provide comment on these plans and reports as the Panel may consider appropriate to State agencies and the owner of the VYNPS and in the annual report described in subdivision (2) of this section~~

~~(6) To review the current status of state relations with the Nuclear Regulatory Commission and to seek some agreement on federal and state regulatory efforts.~~

#### § 1702. ASSISTANCE

~~Staff services for the committee shall be furnished by the department of public service, the agency of human services, the agency of environmental conservation, and the office of the attorney general The Department of Public Service, the Agency of Human Services, and the Agency of Natural Resources shall furnish administrative support to the Panel, with assistance from the owners of the VYNPS as the Commissioner of Public Service may consider appropriate.~~

Sec. E.234.1 DECOMMISSIONING ADVISORY PANEL; ASSESSMENT OF CHARGE

(a) After providing an opportunity for public comment, the Nuclear Decommissioning Citizens Advisory Panel created under 18 V.S.A. chapter 34 shall assess whether further changes to the Panel's membership or duties as amended by this act are appropriate and shall include recommendations on such further changes in the annual report to the Governor and energy committees of the General Assembly under 18 V.S.A. § 1701(2) to be filed on or before January 15, 2015.

Sec. E.238 [DELETED]

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

Sec. E.300 DEPOSIT AND USE OF MASTER SETTLEMENT FUND

(a) Deposit of Master Tobacco Settlement receipts and appropriations of Tobacco Settlement funds in fiscal year 2015 are made, notwithstanding 2013 Acts and Resolves No. 50, Sec. D.104.

Sec. E.300.1 APPROPRIATION ADJUSTMENT AUTHORITY FOR COMBINED WAIVER

(a) In the event that the Centers for Medicare and Medicaid Services approves combining the two Section 1115 waivers during State fiscal year 2015, the Secretary of Administration with the approval of the Joint Fiscal Committee, may make net neutral adjustments among Agency of Human Services appropriations as appropriate, to reflect the necessary changes in fund accounting. This authority does not allow the transfer of programs among departments.

Sec. E.300.2 REVIEW; ADAP RESIDENTIAL SUBSTANCE ABUSE TREATMENT

(a) The Agency of Human Services in consultation with the Department of Vermont Health Access, the Department of Health, the Department of Finance and Management, and the Joint Fiscal Office shall review the fiscal impact of increasing the number of preapproved residential substance treatment days from the current 15 days for adult Medicaid recipients. The review shall consider the following:

(1) the American Society for Addiction Medicine Patient Placements Criteria;

(2) third-party payers processes for determination of length of stay;

(3) the process for extending the number of days of residential treatment beyond 15; and

(4) the relationship between the number of days in residence and patient outcomes.

(b) The review shall be submitted to the House Committees on Appropriations and on Human Services and the Senate Committees on Appropriations and on Health and Welfare by December 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 \$28,065,597 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) \$17,621,550 certified State match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with \$22,878,450 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) \$3,896,863 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) \$2,176,679 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) \$1,848,540 certified State match available via the University of Vermont's Child Health Improvement Program for quality improvement initiatives for the Medicaid program.

(5) \$2,521,965 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

Sec. E.304 3 V.S.A. § 3090(e) is added to read:

(e) On or before January 15 of each year, the Board shall report to the House Committees on Appropriations, on Human Services, and on Health Care and the Senate Committees on Appropriations, on Health and Welfare, and on Finance regarding the fair hearings conducted by the Board during the three preceding calendar years, including:

(1) the total number of fair hearings conducted over the three-year period and per year;

(2) the number of hearings per year involving appeals of decisions by the Agency itself and each department within the Agency, with the appeals and decisions relating to health insurance through the Vermont Health Connect exchange reported distinctly from other programs;

(3) the number of hearings per year based on appeals of decisions regarding:

(A) eligibility;

(B) benefits;

(C) coverage;

(D) financial assistance;

(E) child support; and

(F) other categories of appeals;

(4) the number of hearings per year based on appeals of decisions regarding each State program over which the Board has jurisdiction;

(5) the number of decisions per year made in favor of the appellant; and

(6) the number of decisions per year made in favor of the department or the Agency.

Sec. E. 306 32 V.S.A. § 307(d) is amended to read:

(d) The 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. The 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~~ expenditure trends reported under 18 V.S.A. § 9375a;

\* \* \*

#### Sec. E. 306.1 EMERGENCY RULES

(a) The Agency of Human Services shall adopt rules pursuant to 3 V.S.A. chapter 25 prior to June 30, 2015 to conform Vermont's rules regarding operation of the Vermont Health Benefit Exchange to federal guidance and regulations implementing the provisions of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152. The rules shall be adopted to achieve timely compliance with federal laws and guidance and shall be deemed to meet the standard for the adoption of emergency rules required pursuant to 3 V.S.A. § 844(a).

#### Sec. E.306.2 OFFICE OF ALCOHOL AND DRUG ABUSE PROGRAMS; TRANSFER

(a) The Secretary of Administration and the Chief of Health Care Reform are authorized in fiscal year 2015 to transfer the Office of Alcohol and Drug Abuse Programs from the Department of Health to the Department of Vermont Health Access, except that the Secretary and the Chief shall ensure that positions in the Office of Alcohol and Drug Abuse Programs that serve public health functions remain in the Department of Health and may transfer the positions and associated State and federal funding to the Division of Public Health within that Department. The transfer shall be completed by June 30, 2015.

(b) If the Secretary and the Chief are confident that increased expenditures through the Care Alliance for Opioid Addiction will result in identifiable savings to DVHA or other State programs, they may transfer Global Commitment funds from the Department of Vermont Health Access to the Office of Alcohol and Drug Abuse Programs for that purpose.

(1) To the extent possible within the savings identified as a result of the increased expenditures through the Care Alliance for Opioid Addiction, up to \$30,000 of existing funds may be utilized for needle exchange programs.

(c) The Secretary and the Chief shall report to the Joint Fiscal Committee at its September meeting and to the Health Care Oversight Committee on or before October 1, 2014 on the progress of the transfer of the direct service delivery functions of the Office of Alcohol and Drug Abuse Programs to the Department of Vermont Health Access, including the transfer of funds for



increasing the Care Alliance for Opioid Addiction and the corresponding savings to DVHA programs, residential treatment programs, and other programs. The report shall include the impact on capacity and sustainability of residential substance abuse treatment facilities in the State within the context of all aspects of the State's public and private substance abuse treatment system.

Sec. E.306.3 2 V.S.A. chapter 20 is added to read:

CHAPTER 20. OVERSIGHT COMMITTEE ON HEALTH CARE REFORM

§ 691. COMMITTEE CREATION

There is created a legislative Oversight Committee on Health Care Reform. The Committee shall be composed of the following eight members:

- (1) the Chair of the House Committee on Appropriations;
- (2) the Chair of the Senate Committee on Appropriations;
- (3) the Chair of the House Committee on Ways and Means;
- (4) the Chair of the Senate Committee on Finance;
- (5) the Chair of the House Committee on Health Care;
- (6) the Chair of the Senate Committee on Health and Welfare;
- (7) the Chair of the House Committee on Commerce and Economic Development; and
- (8) the Chair of the Senate Committee on Economic Development, Housing and General Affairs.

§ 692. POWERS AND DUTIES

(a) When the General Assembly is adjourned, the Committee shall provide legislative oversight and review of revenue collection, expenditures, and planning related to health care reform efforts in Vermont.

(b) When the General Assembly is adjourned, the Commissioner of Vermont Health Access shall provide quarterly updates regarding Vermont Health Benefit Exchange operations, enrollment data, coverage status, customer support, and Exchange website functionality.

(c) Effective January 1, 2105, all reports previously submitted to the Health Care Oversight Committee shall be submitted to the Oversight Committee on Health Care Reform.

§ 693. ASSISTANCE

(a) The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Council and the Joint Fiscal Office.

(b)(1) The Secretary of Administration and other members of the Executive Branch shall report to the Committee upon request.

(2) If applicable, the Secretary shall submit an electronic report to the Joint Fiscal Office for distribution to members of the Committee that summarizes any plans or actions taken by the Executive Branch to delay health care reform project schedules as a result of:

(A) increased costs exceeding official estimates;

(B) changes in the consensus revenue forecast of the Health Care Resources Fund;

(C) changes in the availability of federal funding; or

(D) any other changes related to the planning for and implementation of health care reform as directed by 2011 Acts and Resolves No. 48.

§ 694. MEETINGS

(a) The Chair of the House Committee on Appropriations shall call the first meeting of the Committee to occur on or before October 1 each year.

(b) The Committee shall select a chair from among its members at the first meeting of each biennium.

(c) Meetings shall be convened by the Chair and when practicable shall be held in conjunction with meetings of the Joint Fiscal Committee.

(d)(1) A majority of the members of the Committee shall be physically present at the same location to constitute a quorum.

(2) A member may vote only if physically present at the meeting location.

(3) Action shall be taken only if there is both a quorum and a majority vote of the members physically present and voting.

§ 695. REIMBURSEMENT

For attendance at meetings during adjournment of the General Assembly, members of the Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to section 406 of this title for no more than six meetings.

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Sec. E.306.4 REPEALS

(a) 2 V.S.A. chapter 24 (Health Care Oversight Committee) is repealed on January 1, 2015.

(b) 2004 Acts and Resolves No. 122, Sec. 141c (Mental Health Oversight Committee), as amended by 2006 Acts and Resolves No.215, Sec. 293a and 2007 Acts and Resolves No. 65, Sec. 124b, is repealed on January 1, 2015.

Sec. E.306.5 MEDICAID PRIMARY CARE RATES

(a) The State shall continue its efforts to bring the Medicaid reimbursement rates for providers of primary care closer to Medicare levels.

Sec. E.307 2013 Acts and Resolves No. 79, Sec. 53(d) is amended to read:

(d) Secs. 31 (Healthy Vermonters) and 32 (VPharm) shall take effect on January 1, 2014, except that the Department of Vermont Health Access may continue to calculate household income under the rules of the Vermont Health Access Plan after that date if the system for calculating modified adjusted gross income for the Healthy Vermonters and VPharm programs is not operational by that date, but no later than December 31, ~~2014~~ 2015.

Sec. E.308 CHOICES FOR CARE; SAVINGS, REINVESTMENTS, AND SYSTEM ASSESSMENT

(a) In the Choices for Care program, “savings” means the difference remaining at the conclusion of the fiscal year between the annual amount of funds appropriated for Choices for Care, excluding allocations for the provision of acute care services, and the sum of expended and obligated funds. Savings shall be calculated by the Department of Disabilities, Aging, and Independent Living and reported to the Joint Fiscal Office.

(1) It is the intent of the General Assembly that the Department of Disabilities, Aging, and Independent Living only obligate funds for expenditures approved under current law.

(b)(1) Any funds appropriated for long-term care under the Choices for Care program shall be used for long-term services and supports to recipients. In using these funds, the Department of Disabilities, Aging, and Independent Living shall give priority for services to individuals assessed as having high and highest needs and meeting the terms and conditions of the Choices for Care waiver.

(2)(A) First priority for the use of any savings from the long-term care appropriation after the needs of all individuals meeting the terms and conditions of the waiver have been met shall be given to home- and community-based services. Savings may also be used for quality improvement

purposes in nursing homes but shall not be used to increase nursing home rates under 33 V.S.A. § 905.

(B) Savings either shall be one-time investments or shall be used in ways that are sustainable into the future. Excluding appropriations allocated for acute services, any unexpended and unobligated State General Fund or Special Fund appropriation remaining at the close of a fiscal year shall be carried over to the next fiscal year.

(C) The Department of Disabilities, Aging, and Independent Living shall not reduce the base funding needed in a subsequent fiscal year prior to calculating savings for the current fiscal year.

(c) The Department, in collaboration with Choices for Care participants, participants' families, and long-term care providers, shall conduct an annual assessment of the adequacy of the provider system for delivery of home- and community-based services and nursing home services. On or before October 1 of each year, the Department of Disabilities, Aging, and Independent Living shall report the results of this assessment to the House Committees on Appropriations and on Human Services and the Senate Committees on Appropriations and on Health and Welfare in order to inform the reinvestment of savings during the budget adjustment process.

(d) On or before January 15 of each year, the Department of Disabilities, Aging, and Independent Living shall propose reinvestment of the savings calculated pursuant to this section to the General Assembly as part of the Department's proposed budget adjustment presentation.

(e) Concurrent with the procedures set forth in 32 V.S.A. § 305a, the Joint Fiscal Office and the Secretary of Administration shall provide to the Emergency Board their respective estimates of caseloads and expenditures for programs under the Choices for Care Medicaid Section 1115 waiver.

(f) 2013 Acts and Resolves No. 50, Sec. E.308 shall be repealed effective on passage of this act.

Sec. E.312 Health – public health

(a) AIDS/HIV funding:

(1) In fiscal year 2015 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 2015, 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 2015 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 18 V.S.A. § 1130 is amended to read:

§ 1130. IMMUNIZATION ~~PILOT PROGRAM~~ FUNDING

(a) As used in this section:

(1) “Health care facility” shall have the same meaning as in section 9402 of this title.

(2) “Health care professional” means an individual, partnership, corporation, facility, or institution licensed or certified or authorized by law to provide professional health care services.

(3) “Health insurer” shall have the same meaning as in section 9402 of this title, but does not apply to insurers providing coverage only for a specified disease or other limited benefit coverage.

(4) “Immunizations” means vaccines and the application of the vaccines as recommended by the practice guidelines for children and adults established by the Advisory Committee on Immunization Practices (ACIP) to the Centers for Disease Control and Prevention (CDC).

(5) “State health care programs” ~~shall include Medicaid, Dr. Dynasaur, and any other~~ means any health care program providing immunizations with funds available through the Global Commitment for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act ~~State and federal sources.~~

(6) “Covered lives” means the number of Vermont residents covered under a health insurance plan provided or administered by a health insurer.

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

(2) The Department shall solicit, facilitate, and supervise the participation of health care professionals, health care facilities, and health insurers in the immunization ~~pilot~~ program in order to accomplish the State's goal of universal access to immunizations at the lowest practicable cost to individuals, insurers, and state State health care programs.

(3) The ~~department~~ Department shall gather and analyze data regarding the immunization ~~pilot~~ program for the purpose of ensuring its quality and maximizing protection of Vermonters against diseases preventable by vaccination.

(c) The immunization ~~pilot~~ program shall ~~include a bulk purchasing pool to maximize the discounts, rebates, or negotiated price of all vaccines for children and certain recommended vaccines for adults~~ purchase vaccines from the federal Centers for Disease Control and Prevention at the lowest available cost. The Department shall determine annually which vaccines for adults shall be purchased under the program. ~~The Department may join a multi state purchasing pool or contract with a wholesale distributor to negotiate prices for the vaccines provided through the program.~~

(d) The immunization ~~pilot~~ program shall provide for distribution of the vaccines to health care professionals and health care facilities for administration to patients.

(e) Health insurers shall reimburse remit to the Department ~~for the actual cost of vaccines provided to their subscribers and for the administration surcharge established in subsection (f) of this section, as established by the Commissioner of Health based on the recommendation of the Immunization Funding Advisory Committee established in subsection (g) of this section.~~

(f) The Department shall charge each health insurer a surcharge for the costs and administration of the immunization ~~pilot~~ program. The surcharge shall be deposited into an existing special fund and used solely for the purpose of administering the ~~pilot~~ program.

(g)(1) ~~No later than July 1, 2009, the Commissioner shall convene an advisory committee to provide recommendations regarding the immunization pilot program, including:~~

~~(A) the vaccines to be included in the pilot program;~~

~~(B) the pilot program's target patient utilization goal for each vaccine selected for inclusion in the pilot program;~~

~~(C) the purchase price of vaccines;~~

~~(D) the administrative surcharge established pursuant to subsection (f) of this section; and~~

~~(E) the design of the evaluation for the immunization pilot program.~~

~~(2) The advisory committee shall include representatives from the three largest health insurers licensed to do business in Vermont and the Department of Vermont Health Access and shall be chaired by the Chief of the Immunization Program for the Department of Health.~~

~~(3) The advisory committee shall meet throughout the term of the pilot program.~~

The Immunization Funding Advisory Committee is established to provide the Commissioner of Health with an annual per-member per-month cost for vaccines for the pediatric population, an annual per-member per-month cost for vaccines for the adult population, and a recommendation for the amount of the yearly vaccine assessment. The Committee shall comprise the following nine members:

(A) the Executive Officer of the Board of Pharmacy;

(B) the Executive Director of the Green Mountain Care Board;

(C) a representative of the Vermont Blueprint for Health, nominated by the Director of the Blueprint and appointed by the Commissioner of Health;

(D) three representatives of health insurers, one from each of the State's largest private health insurers, as determined by the number of covered lives, appointed by the Commissioner of Health;

(E) a representative of the American Academy of Pediatrics, Vermont chapter, appointed by the Commissioner of Health;

(F) a representative of the American Academy of Family Medicine, Vermont chapter, appointed by the Commissioner of Health; and

(G) a representative of employers that self-insure for health coverage, appointed by the Commissioner of Health.

(2) The Committee shall select a chair from among its members at the first meeting of each calendar year. The Committee shall receive administrative support from the Department of Health.

(3) By January 1 of each year, the Committee shall provide to the Commissioner the annual fiscal assessment and the per-member per-month cost for pediatric vaccines based on the total number of pediatric covered lives reported by health insurers and the per-member per-month cost for adult vaccines based on the total number of adult covered lives reported by health insurers.

~~(h) The Department of Health shall develop, with input from the advisory committee established pursuant to subsection (g) of this section, an evaluation~~



~~methodology to determine the costs and effectiveness of the pilot program, including whether the total cost to health insurers of participation in the pilot program is less than or equal to their estimated costs had they not participated in the program. If federal purchase requirements do not further the goal of ensuring universal access to vaccines for all, the Commissioner may, following consultation with the Immunization Funding Advisory Committee, discontinue the program with six months' advance notice to all health care professionals and to all health insurers with Vermont covered lives.~~

(i) The Department may adopt rules under 3 V.S.A. chapter 25 ~~if necessary~~ to implement this section.

#### 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.

Sec. E.313.1 [DELETED]

Sec. E.314 [DELETED]

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Sec. E.314.1 MENTAL HEALTH BUDGET PRESENTATION

(a) In order for the General Assembly to evaluate whether the State is meeting the goals in 2012 Acts and Resolves No. 79 of increasing community supports, decreasing inpatient care, and moving toward a less coercive system and to evaluate the outcomes of the systemwide investments made as the result of Act 79, the Departments of Mental Health and of Vermont Health Access shall in consultation with the State's Chief Performance Officer, as designee of the Secretary of Administration, provide a longitudinal capacity, caseload, expenditure, and utilization analysis with the fiscal year 2016 budget presentation for:

(1) Inpatient Services by the following funding categories:

(A) Level 1 inpatient psychiatric services;

(B) Other involuntary inpatient psychiatric services;

(C) Inpatient services for community rehabilitation and treatment clients;

(D) Inpatient services for other Medicaid patients; and

(E) Emergency department wait times for an acute inpatient psychiatric bed for minors and adults.

(2) Residential Services by categories of service, including:

(A) Intensive Recovery;

(B) Crisis Residential and Hospital Diversion;

(C) Group Homes;

(D) Supported Independent Living; and

(E) Secure Residential.

(3) Community Mental Services by categories of service, including:

(A) Community Rehabilitation and Treatment;

(B) Crisis Programs;

(C) Outpatient Clinics; and

(D) Peer Support Programs.

(4) Other Mental Health Support Services and Administration.

Sec. E.314.2 [DELETED]

Sec. E.314.3 [DELETED]

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**Sec. E.314.4 PSYCHIATRIC HOSPITAL STAFFING**

(a) By July 1, 2014, the Department of Mental Health shall establish criteria by which to determine the appropriate staffing level at the Vermont Psychiatric Care Hospital. The criteria shall consider the need to provide sufficient direct care and administrative and support staff consistent with the requirement to provide effective treatment services in an environment that monitors patient care, and the safety needs of patients, and aligns with the guidelines of the federal Centers for Medicare and Medicaid Services.

(b) The Department shall provide a written report to the Joint Fiscal Committee and the Joint Mental Health Oversight Committee in July 2014 regarding the staffing plan for the Vermont Psychiatric Care Hospital. The report shall justify and demonstrate the need for each of the administrative and support staff included in the plan, with the goal of limiting positions to those that are essential to meet the needs of operating the hospital. The Department shall hold three non-direct care positions vacant until legislative approval is granted.

(c) By July 1, 2014, the Department of Mental Health, in consultation with the State's Chief Performance Officer, as designee of the Secretary of Administration, shall identify desired outcomes, performance measures, and data requirements required to measure whether the hospital is achieving the stated outcomes for reflect patient care, and the effectiveness of treatment services, patient monitoring, and safety requirements at the Vermont Psychiatric Care Hospital and shall provide a written report to the Joint Fiscal Committee and the Joint Mental Health Oversight Committee in July, 2014.

**Sec. E.314.5 RATE INCREASE**

(a) Designated agencies and specialized service agencies shall provide an increase in compensation for direct care workers that is in proportion to the Medicaid rate increase. Each designated and specialized service agency shall report to the Agency of Human Services how it has complied with this provision.

Sec. E.316 33 V.S.A. § 1702 is added to read:

**§ 1702. PAYMENT ERROR RATE REPORT**

On or before January 1 of the year following any federal fiscal year in which the State of Vermont receives a federal sanction for a payment error rate greater than the federal threshold in the Supplemental Nutrition Assistance Program (SNAP), the Department for Children and Families shall 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 number of households that received SNAP benefits and were discovered to have an overpayment or underpayment in the sanction year due to agency error, including the average amount of the overpayments and underpayments and the total amount of each; and

(2) the Department's specific plans for sanction reinvestment to improve its error rate for the next federal fiscal year and prevent sanction in the future.

Sec. E.318 33 V.S.A. § 3504 is added to read:

§ 3504. SUPPLEMENTAL CHILD CARE GRANTS

In instances in which Extraordinary Financial Relief will not maintain ongoing access to high quality child care, the Department for Children and Families may provide additional support to ensure access to high-quality, comprehensive child care that meets the needs of working parents in high-poverty areas of Vermont. Licensed child care centers may be considered for this additional financial support to help ensure ongoing access to high-quality child care in areas of the State where none exists, as determined by the Commissioner. Financial assistance may be granted, at the discretion of the Commissioner, if the child care center meets the following criteria:

(1) provides full-day day care year-round;

(2) serves infants and toddlers;

(3) is located in a high-poverty area without access to public transportation, as determined by the Commissioner;

(4) maintains a 5 star rating in the SStep Ahead Recognition System (STARS) program;

(5) maintains a caseload in which at least 80 percent of enrollees receive a 100 percent child care subsidy; and

(6) receives child care subsidies as its primary source of program revenue.

Sec. E.321 HOUSING ASSISTANCE BENEFITS; FLEXIBILITY PROGRAM

(a) For State fiscal year 2015, 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 General Assistance funds. The program shall operate in a consistent manner within existing statutes and rules and policies effective on July 1, 2013, and any succeeding amendments thereto, 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) Funds appropriated to the Agency of Human Services in the General Assistance program in fiscal year 2015 may be used for emergency housing in catastrophic situations, for the cold weather exemption, and, with supervisory approval, for vulnerable populations without a catastrophic need as defined in emergency rules adopted by the Agency after July 1, 2013, except in instances when:

(1) appropriate shelter space, as defined in rules adopted by the Agency pursuant to subsection (c) of this section, is available; or

(2) the applicant household has caused its own loss of housing, as defined in rules adopted by the Agency pursuant to subsection (c) of this section.

(b) Except as described in subsection (a) of this section, the Agency may only provide General Assistance emergency housing benefits in catastrophic situations as defined in rules. The cold weather exemption issued by the Department for Children and Families' Economic Services Division dated October 25, 2012, and any succeeding amendments to it, shall remain in effect.

(c) The Agency shall adopt permanent rules pursuant to 3 V.S.A. chapter 25 that implement the eligibility system for emergency housing to vulnerable populations that do not have a catastrophic need established by emergency rules adopted after July 1, 2013. Until the Agency adopts permanent rules incorporating the eligibility system for emergency housing to vulnerable populations described in this section, the Agency shall continue to

adopt emergency rules pursuant to 3 V.S.A. § 844, implementing such an eligibility system. Eligibility for vulnerable populations shall be limited to 28 calendar days and subject to available funds, supervisory review, and approval.

Sec. E.321.2 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:

\* \* \*

(5) A participant who is needed in the home on a full or part-time basis in order to care for an ill or disabled parent, spouse, or child. In granting deferments, the Department shall fully consider the participant's preference as to the number of hours the participant is able to leave home to participate in work activities. A deferral or modification of the work requirement exceeding 60 days due to the existence of illness or disability pursuant to this subdivision shall be confirmed by the independent medical review of one or more physicians, physician assistants, advanced practice registered nurses, or other health care providers designated by the Secretary of Human Services prior to receipt of continued financial assistance under the Reach Up program.

\* \* \*

(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 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, physician assistants, advanced practice registered nurses, or other health care providers designated by the Secretary of Human Services prior to receipt of continued financial assistance under the Reach Up program.

\* \* \*

(f) As used in this section, "health care provider" means a person, partnership, or corporation, other than a facility or institution, licensed or certified or authorized by law to provide professional health care service in this State to an individual during that individual's medical care, treatment, or confinement.

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**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, 2014, 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 2014–2015 crisis set-aside and for seasonal home heating fuel assistance through December 31, 2014 and if LIHEAP funds awarded as of December 31, 2014 for fiscal year 2015 do not exceed \$2,550,000, subsequent payments under the Home Heating Fuel Assistance Program shall not be made prior to January 30, 2015. 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, 2014, the Commissioner of Finance and Management may anticipate receipts into the Home Weatherization Assistance Trust Fund.

Sec. E.324.1 33 V.S.A. § 2605 is amended to read:

**§ 2605. BENEFIT AMOUNTS**

\* \* \*

(f) Households that make undesignated payments for energy for home heat in the form of rent and are participating in a public, subsidized, or Section 8 housing program shall be eligible for a nominal annual home heating fuel assistance benefit of ~~\$5.00~~ \$21.00.

(g) Residents of the dwelling unit who make reasonable compensation in the form of room rent and who are not members of the same household shall be eligible for an annual home heating fuel assistance benefit in the amount of ~~\$50.00~~ \$21.00.

(h) Households receiving benefits from 3SquaresVT whose head of household is not otherwise eligible for a fuel benefit under this section shall be eligible for a nominal annual home heating fuel assistance benefit of ~~\$3.00~~ \$21.00.

**Sec. E 324.2 EXPEDITED CRISIS FUEL ASSISTANCE**

(a) The Commissioner of the Department for Children and Families or designee may authorize crisis fuel assistance to those income-eligible households who have applied for an expedited seasonal fuel benefit but have

not yet received it, if the benefit cannot be executed in time to prevent them from running out of fuel.

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, \$1,092,000 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 Emergency Solutions Grants 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 WEATHERIZATION PROGRAM

(a) The Department and the Office of Economic Opportunity shall examine the feasibility as well as programmatic and fiscal impacts of having a cost-sharing component in the weatherization program and shall include as part of its fiscal year 2016 budget proposal recommendations resulting from this examination.

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.330 Disabilities, aging, and independent living – advocacy and independent living

(a) Prior to the certification of any new adult day program, the Department shall require a demonstration that the new program is filling an unmet need for adult day services in a given geographic region.

Sec. E.330.1 [DELETED]

Sec. E.337 COMMUNITY HIGH SCHOOL OF VERMONT

(a) On or before July 15, 2014, the Commissioner of Corrections, in consultation with the Community High School of Vermont Board, shall prepare and submit a report to the Joint Legislative Corrections Oversight Committee on the current trends relating to the student population at the Community High School of Vermont. The report shall include the following:



(1) a detailed description of the School's programs, curriculum, and outcomes;

(2) data and projections on the student population, including the total number of students enrolled at the School, the number of students who are currently incarcerated, student ages, and the current cost per student;

(3) a comparison of the School's current cost per student with statewide education spending per student; and

(4) an analysis of the use of more efficient delivery systems, including technology.

(b) On or before January 1, 2015, the Joint Legislative Corrections Oversight Committee shall prepare and submit recommendations to the General Assembly based on the report submitted in subsection (a) of this section for a plan to fund programs and curriculum at the Community High School of Vermont. The Committee shall include recommendations whether the School may enroll students who are not in the custody of the Commissioner and who have not completed secondary education if space is available and no budget increase would be required. In making such recommendation, the Committee shall consider the current programs and capacity available through adult basic education.

Sec. E.338 2008 Acts and Resolves No. 179, Sec. 22(a), as amended by 2010 Acts and Resolves No. 157, Sec. 14, as further amended by 2012 Acts and Resolves No. 104, Sec. 38 and by 2013 Acts and Resolves No. 41, Sec. 1a, is amended to read:

(a) Secs. 11 and 12 of this act shall take effect on ~~July 1, 2014~~ July 1, 2016.

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

(a) Of the funds appropriated in Sec. B.339 of this act, \$202,000 shall be used to fund the Windham County Electronic Monitoring Pilot Program as follows:

(1) \$147,200 shall be used to reimburse the State's Attorneys and Sheriffs for costs incurred by the WCSO for operation of the Windham County Electronic Monitoring Pilot Project.

(2) \$54,800 shall be used to reimburse the Joint Fiscal Office for a contract with the Crime Research Group for evaluation of the pilot project.

Sec. E.339.1 13 V.S.A. § 7554c is added to read:

§ 7554c. WINDHAM COUNTY ELECTRONIC MONITORING PILOT PROGRAM

(a)(1) The Windham County Sheriff's Office (WCSO) shall establish and manage a two-year electronic monitoring pilot program in Windham County for the purpose of supervising persons ordered to be under electronic monitoring as a condition of release pursuant to section 7554 of this title, to home detention pursuant to section 7554b of this title, and home confinement furlough pursuant to 28 V.S.A. § 808b. The program shall be a part of an integrated community incarceration program and shall provide 24-hours-a-day, seven-days-a-week electronic monitoring with supervision and immediate response.

(2) For purposes of this program:

(A) if electronic monitoring is ordered by the Court pursuant to section 7554 of this title, the Court shall use the criteria in section 7554b for determining whether home detention is appropriate and the person shall be released into the custody of the WCSO;

(B) the seven-day waiting period under 7554b of this title shall not apply; and

(C) for persons who are under the custody of the Department of Corrections pursuant to section 7554b of this title and 28 V.S.A. § 808b, the WCSO shall notify the Department of any violations.

(b) The goal of the pilot program is to assist policymakers in determining whether electronically monitored home detention and home confinement can be utilized for pretrial detention and as a post-adjudication option to reduce recidivism, to improve public safety, and to save valuable bed space for detainees and inmates who should be lodged in a correctional facility. Additional benefits may include reducing transportation costs, increasing detainee access to services, reducing case resolution time and determining if the program can be replicated statewide.

(c) The WCSO shall work with the Crime Research Group (CRG) for design and evaluation assistance. The program shall be evaluated by CRG to determine if the stated goals have been attained, the cost and savings of the program, identifying what goals or objective were not met and if not, what could be changed to meet the goals and objectives to ensure program success. The Joint Fiscal Office shall contract with the CRG to provide design and evaluation services.

(d) The pilot program shall be in effect from July 1, 2014, through June 30, 2016.

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.342.1 20 V.S.A. § 1713 is amended to read:

§ 1713. VERMONT VETERANS' HOME BOARD OF TRUSTEES

(a) The Vermont ~~veterans' home~~ Veterans' Home is governed by the Vermont ~~veterans' home board of trustees~~ Veterans' Home Board of Trustees.

(b) The ~~board~~ Board shall consist of ~~20~~ 21 members, ~~15 of whom shall be veterans who have been honorably discharged from any branch of the United States armed services, to:~~

(1) Twenty members shall be appointed by the ~~governor~~ Governor for staggered terms of three years, at least 15 of whom shall be veterans who have been honorably discharged from any branch of the U.S. Armed Forces. Each appointed trustee shall serve until a successor has been appointed. In the event a ~~an~~ appointed trustee vacates the ~~board~~ Board, is unable to serve, or is removed by the Governor for cause, the ~~governor~~ Governor shall appoint another trustee to serve the unexpired term of the departing trustee.

(2)(A) One member of the Board shall be a classified employee who has at least five years of service at the Home. This trustee shall be elected by a secret ballot administered by the Board and cast by the classified employees of the Home. This trustee shall not vote in case of a real or apparent conflict of interest, shall serve a term of three years and until a successor is elected, and may be removed by the Governor for cause.

(B) The Board shall give notice of a vacancy of this trustee position and hold an election no more than 30 days from the notice date. In the event this trustee vacates the Board, is unable to serve, or is removed by the Governor for cause, the classified employees of the Home shall elect another classified employee of the Home to serve the remainder of the unexpired term.

(c) The ~~board~~ Board shall ~~annually~~ elect ~~annually~~ a ~~president~~ President, a ~~vice president~~ Vice President, and a ~~secretary~~ Secretary from among its members. Eleven members shall constitute a quorum at all meetings; provided, however, if there is a vacancy on the ~~board~~ Board, the number of trustees constituting a quorum shall be one more than one-half the number of ~~appointed~~ the remaining trustees.

(d) Pursuant to 32 V.S.A. § 1010, trustees who are not ~~state~~ State employees shall be entitled to per diem and reimbursement for actual and necessary expenses incurred in connection with performing their duties under this chapter.

Sec. E.342.2 REPEAL

(a) On July 1, 2017, 20 V.S.A. § 1713(b)(2)A)-(B) (creating the classified employee position on the Vermont Veterans' Home Board of Trustees) is repealed and the requirement for a classified employee position on the Board shall cease.

Sec. E.342.3 20 V.S.A. § 1714 is amended to read:

§ 1714. POWERS AND DUTIES OF THE BOARD OF TRUSTEES

Except as otherwise provided in this chapter, the Board shall have all powers necessary and convenient for governing the Home, providing services to veterans and other residents, and otherwise performing its duties under this chapter, including the authority to:

(1) Adopt policies, procedures, and bylaws regarding the operation of the Board and the operation and management of the Home.

(2) Receive, hold, accept, manage, and convey any interest in real or personal property acquired by the Home by gift, grant, purchase, devise, or otherwise for the purpose of managing the Home and providing services to veterans and such members of their families as the Board deems proper, under such conditions and regulations as the Board may from time to time prescribe. Included within the powers granted by this subdivision, and notwithstanding any other contrary provision of law, is the authority to apply and administer the real or personal property to further the purposes of the Home in accordance with the terms specified by gift, grant, or devise; provided that in the absence of specified terms, the ~~board~~ Board shall have the authority to apply and administer the property in the manner and for the purposes the Board deems appropriate. Also included within the powers granted in this subdivision is the authority to hold title to the real property originally conveyed to the Trustees of the Soldiers Home in Vermont by the Trenor W. Park Home for Destitute Children and Women by quitclaim deed dated January 15, 1887, which shall be administered in the manner provided by the gift.

(3) By written procedure, establish, revise, and collect charges for residential room and board. Charges collected under this subdivision shall be credited to special funds, established and administered pursuant to 32 V.S.A. chapter 7, subchapter 5, and shall be available to the Home to offset the cost of providing services.

(4) Recommend for appointment by the Governor a licensed nursing home administrator to serve as the ~~Commandant~~ Chief Executive Officer of the Home. The ~~Commandant~~ Chief Executive Officer shall be appointed for an indefinite term and shall be subject to removal, after consultation with the Governor, upon a majority vote of the ~~board~~ Board. The ~~Commandant~~ Chief Executive Officer shall be exempt from the State's classified service.

(5) Contract for professional services necessary and appropriate ~~for accounting and managing gifts, grants, or devises acquired by the Home~~ in a manner consistent with 3 V.S.A. chapter 14.

(6) Contract for managerial and administrative services, provided the contract is reviewed and either renewed or renegotiated each year by the Board in a manner consistent with 3 V.S.A. chapter 14.

(7) Contract with the federal Department of Veterans Affairs for services related to the purpose of the Home.

(8) ~~Contract for the services of a medical director.~~ [Repealed.]

(9) ~~Contract for chaplain services.~~ [Repealed.]

(10) Establish committees of the Board as necessary for the efficient and effective operation of the Home.

(11) Adopt rules in accordance with 3 V.S.A. chapter 25 for the purpose of administering the provisions of this chapter.

(12) Admit and care for veterans and other residents whose admission does not interfere with the Board's ability to serve its core mission of caring for veterans. No resident shall be admitted whose admission precludes federal funding or otherwise violates federal law or regulation governing the Vermont Veterans' Home.

Sec. E.342.4 20 V.S.A. § 1716 is amended to read:

§ 1716. ~~COMMANDANT~~ CHIEF EXECUTIVE OFFICER

The ~~commandant~~ Chief Executive Officer shall be the chief administrative officer of the ~~home~~ Home and shall exercise general supervision over the business and affairs of the ~~home~~ Home. In addition to other duties, the ~~commandant~~ Chief Executive Officer shall:

(1) Attend meetings of the ~~board~~ Board and act as its treasurer.

(2) Make reports concerning the ~~home~~ Home to the ~~board~~ Board at such times and in such detail as the ~~board~~ Board directs, together with recommendations the ~~commandant~~ Chief Executive Officer deems appropriate for the welfare and care of the residents of the ~~home~~ Home.

(3) Report annually to the ~~general assembly~~ legislative standing committees of jurisdiction regarding the ~~home's~~ Home's budget.

(4) Subject to approval of the ~~board~~ Board, appoint a deputy or an executive assistant, ~~and~~ a private secretary, ~~both~~ a Marketing and Admissions Coordinator, a Financial Director, an Environmental Services Manager, and a Nursing Services Director, all of whom shall be appointed for an indefinite term and shall be subject to removal upon a majority vote of the ~~board~~ Board. These positions shall be exempt from the ~~state's~~ State's classified service.

(5) ~~Subject to approval of the board, appoint a director of nursing services, a personnel manager, a finance manager, a facilities manager, and~~ Appoint all other staff employees necessary for the efficient management of the ~~home~~ Home, all of whom shall be classified ~~state~~ State employees subject to the provisions of Vermont statutes.

(6) Supervise and direct all employees of the ~~home~~ Home and prescribe their duties not otherwise established by the ~~board~~ Board or by ~~state~~ State or federal law.

(7) Ensure that all laws, rules, regulations, and policies pertaining to the ~~home~~ Home are observed.

(8) Prepare policies related to operation of the ~~home~~ Home, subject to approval by the ~~board~~ Board.

(9) Collect all sums due and payable to the ~~home~~ Home and transfer the same to the ~~state treasurer~~ State Treasurer when received.

(10) Perform such other duties as may be directed by the ~~board~~ Board to carry out the purposes of this chapter.

(11) Report annually on or before July 1 to the Secretary of Administration, the House Committees on Appropriations, on General, Housing and Military Affairs, and on Government Operations, the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Government Operations on the number of employees who work at the Vermont Veterans' Home for 16 hours or fewer per week.

Sec. E.342.5 20 V.S.A. § 1717 is amended to read:

#### § 1717. MANAGEMENT OF FUNDS

(a) Notwithstanding the provisions of subdivision 1714(2) of this chapter, all funds of the ~~home not already managed in accordance with subchapter 1 of chapter 7 of Title 32~~ Home, except residents' funds as described in subsection (e) of this section, shall be ~~transferred to~~ held by the ~~state treasurer to be~~ State

Treasurer and credited to appropriate accounts established in compliance with subsection (b) of this section and 32 V.S.A. § 401(a).

(b) There are created one or more ~~special and permanent~~ funds to be held in trust ~~and administered pursuant to subchapter 5 of chapter 7 of Title 32.~~ To these funds shall be credited ~~those~~ donations and endowments ~~transferred to the state treasurer in subsection (a) of this section and any future donations and endowments~~ to the ~~home~~ Home with and without specific restrictions on their use. Interest and earnings ~~both prospectively and retrospectively earned on accruing~~ to the funds created by this subsection shall be credited to the respective fund. The funds deposited pursuant to this subsection shall not be considered funds of the ~~state~~ State and shall be used solely for the purposes of this chapter, subject to the terms and conditions of the gift and to the terms and conditions of the donation or endowment. Upon deposit with the State Treasurer's Office, the Home may request from the State Treasurer's Office and may retain locally up to \$10,000.00 of donations and endowments, which may be expended consistent with their applicable terms and conditions, for supporting residents of the home. The funds shall be maintained in an account pursuant to 32 V.S.A. § 431. The Chief Executive Officer shall make a report at each scheduled Board meeting of the locally retained donations and endowments. The report shall include any amounts requested by the Home from the State Treasurer's Office, the nature of the funds, the account balance, and any expenditures.

(c) Monies from the funds established by this section may be expended by the ~~home~~ Home upon submission of vouchers, submitted at the direction and with the approval of the ~~board~~ Board, to the ~~commissioner of finance and management~~ Commissioner of Finance and Management in compliance with 32 V.S.A. § 463, and issuance of warrants pursuant to 32 V.S.A. §§ 461 and 465. The ~~commissioner~~ Commissioner shall approve expeditiously any request for a release of funds if the request is in conformance with all applicable ~~state~~ State law.

(d) On no less than a quarterly basis, the ~~treasurer~~ Chief Executive Officer of the Home shall provide a statement of account activity and fund balances to the ~~board~~ Board.

(e) Notwithstanding ~~subchapter 1 of chapter 7 of Title 32~~ the provisions of 32 V.S.A. chapter 7, subchapter 1, the ~~home~~ Home is authorized to retain ~~those~~ funds when acting in a trustee capacity for individual residents of the ~~home~~ Home. Establishment and maintenance of accounts for this purpose shall be pursuant to 32 V.S.A. § 431 and any other relevant provisions of law.

(f) Notwithstanding ~~32 V.S.A. § 5(a)(3)~~, the \$1,000.00 limit for reporting pursuant to ~~that subdivision~~ shall be \$10,000.00 as applied to the ~~home~~ Grants.

gifts, donations, loans, or other things of value may be accepted pursuant to the provisions of 32 V.S.A. § 5.

Sec. E.342.6 20 V.S.A. § 1719 is amended to read:

§ 1719. LEGAL ACTIONS

(a) Except for purposes of collecting charges due under subdivision ~~1714(a)(3)~~ 1714(3) of this ~~title~~ chapter, the ~~board~~ Board shall have no independent authority to sue, be sued, complain, or defend in its own name or on behalf of the ~~home~~ Home. The ~~attorney general~~ Attorney General shall represent the ~~board~~ Board and the ~~home~~ Home in all civil actions as provided by law. Outside legal counsel may be obtained with the concurrence of the ~~attorney general~~ Attorney General.

\* \* \*

Sec. E.342.7 32 V.S.A. § 5 is amended to read:

§ 5. ACCEPTANCE OF GRANTS

(a) No original of any grant, gift, loan, or any sum of money or thing of value may be accepted by any agency, department, commission, board, or other part of State government except as follows:

\* \* \*

(3)(A) This section shall not apply to the following items, provided that the acceptance of those items will not incur additional expense to the State or create an ongoing requirement for funds, services, or facilities:

(i) the acceptance of grants, gifts, donations, loans, or other things of value with a value of \$5,000.00 or less, ~~or to~~;

(ii) the acceptance by the Department of Forests, Parks and Recreation of grants, gifts, donations, loans, or other things of value with a value of \$15,000.00 or less, ~~provided that such acceptance will not incur additional expense to the State or create an ongoing requirement for funds, services, or facilities; or~~

(iii) the acceptance by the Vermont Veterans' Home of grants, gifts, donations, loans, or other things of value with a value of \$10,000.00 or less.

(B) The Secretary of Administration and Joint Fiscal Office shall be promptly notified of the source, value, and purpose of any items received under this subdivision. The Joint Fiscal Office shall report all such items to the Joint Fiscal Committee quarterly.

\* \* \*



Sec. E.342.8 3 V.S.A. § 3002(b) is amended to read:

(b) The following units are attached to the ~~agency~~ Agency for administrative support:

(1) ~~Vermont veterans' home.~~ [Repealed.]

(2) ~~Governor's committee on children and youth.~~ [Repealed.]

(3) ~~Interdepartmental council on aging.~~ [Repealed.]

(4)-(17) [Repealed.]

(18) ~~Governor's committee on employment of the handicapped~~ Committee on Employment of Persons with Disabilities.

(19) [Repealed.]

(20) [Repealed.]

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 [DELETED]

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

Sec. E.400 21 V.S.A. § 1314(c) is amended to read:

(c) If an employing unit fails to comply adequately with the provisions of subsection (b) of this section and section 1314a of this title, the Commissioner shall determine the benefit rights of a claimant upon such information as is available. Prompt notice in writing of the determination shall be given to the employing unit. The determination shall be final with respect to a noncomplying employer as to any charges against its experience-rating record for benefits paid to the claimant before the week following the receipt of the employing unit's reply. The employing unit's experience rating record shall not be relieved of these charges, notwithstanding any other provision of this chapter, ~~unless the amount of benefits is recovered from the claimant, or unless the Commissioner determines that failure to comply was due to unavoidable accident or mistake.~~

Sec. E.400.1 21 V.S.A. § 1347(c) is amended to read:

(c) The person liable under this section shall repay such amount to the Commissioner for the ~~fund~~ Fund. In addition to the repayment, if the Commissioner finds that a person intentionally misrepresented or failed to

disclose a material fact with respect to his or her claim for benefits, the person shall pay an additional penalty of 15 percent of the amount of the overpaid benefits. Any additional penalty amount collected shall be deposited in the Fund. Such amount may be collectible by civil action in a Vermont ~~district or superior court~~ District or Superior Court, in the name of the Commissioner.

\* \* \* K-12 EDUCATION \* \* \*

Sec. E.500 Education – finance and administration

(a) The Global Commitment funds appropriated in this section for school health services, including school nurses, shall be used for the purpose of funding certain health-care-related projects. It is the goal of these projects to reduce the rate of uninsured or underinsured persons, or both, in Vermont and to increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.502 Education – special education: formula grants

(a) Of the appropriation authorized in this section, and notwithstanding any other provision of law, an amount not to exceed \$3,537,222 shall be used by the Agency of Education in fiscal year 2015 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 \$181,438 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, \$3,250,000 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), \$650,000 to pay college providers of the dual enrollment program on behalf of school districts, and \$100,000 to support the Vermont Virtual Learning Collaborative at the River Valley Regional Technical Center School District.

Sec. E.505 ADJUSTMENTS TO EDUCATION PAYMENTS

(a) For fiscal years 2014 and 2015 only, the Secretary of Education is authorized upon the request of a district to adjustment any payment authorized

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under 16 V.S.A. § 4011 or 4028, if the Secretary determines that the following conditions have been met:

(1) The district requesting the adjustment has documented the request to the satisfaction of the Secretary.

(2) The request for an adjustment was made with the Agency within one year of the circumstance necessitating the adjustment.

(3) The adjustment request is not the result of knowing or willful misfeasance on the part of the district or its employees.

(4) The district has conducted regular audits of its operations.

(b) Any decision of the Secretary under this section shall be final.

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 2015 from the General Fund for transfer to the Education Fund the amount of \$295,816,793.

Sec. E.513.1 16 V.S.A. § 4025(a)(2) is amended to read:

(2) For each fiscal year, the amount of the general funds appropriated or transferred to the ~~education fund~~ Education Fund shall be ~~\$276,240,000.00~~ \$277,400,000.00 increased by the most recent New England economic project cumulative price index, as of November 15, for state and local government purchases of goods and services from fiscal year 2012 through the fiscal year for which the payment is being determined, plus an additional one-tenth of one percent.

Sec. E.514 State teachers’ retirement system

(a) In accordance with 16 V.S.A. § 1944(g)(2), the annual contribution to the State Teachers’ Retirement System (STRS) shall be \$72,857,163.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$10,129,837 is the “normal contribution,” and \$62,727,326 is the “accrued liability contribution.”

Sec. E.514.1 16 V.S.A. § 1944b is added to read:

§ 1944b. RETIRED TEACHERS' HEALTH AND MEDICAL BENEFITS FUND

(a) There is established a Retired Teachers' Health and Medical Benefits Fund (Benefits Fund) to pay retired teacher health and medical benefits, including prescription drug benefits, when due in accordance with the terms established by the Board of Trustees of the State Teachers' Retirement System of Vermont pursuant to subsection 1942(p) and subdivision 1944(c)(12) of this title. The Benefits Fund shall be administered by the Treasurer.

(b) The Benefits Fund shall consist of:

(1) all monies remitted to the State on behalf of the members of the State Teachers' Retirement System of Vermont for prescription drug plans pursuant to the Employer Group Waiver Plan with Wrap pursuant to the Medicare Prescription Drug Improvement and Modernization Act of 2003;

(2) any monies appropriated by the General Assembly for the purpose of paying the health and medical benefits for retired members and their dependents provided by subsection 1942(p) and subdivision 1944(c)(12) of this title;

(3) any monies pursuant to subsection (e) of this section;

(4) any monies the General Assembly transfers from the Supplemental Property Tax Relief Fund pursuant to 32 V.S.A. § 6075; and

(5) any monies pursuant to section 1944d of this title.

(c) No employee contributions shall be deposited in the Benefits Fund.

(d) Interest earned shall remain in the Benefits Fund, and all balances remaining at the end of a fiscal year shall be carried over to the following year; provided, however, that any amounts received in repayment of interfund loans established under subsection (e) of this section may be reinvested by the State Treasurer.

(e) Notwithstanding any provision to the contrary, the State Treasurer is authorized to use interfund loans from the General Fund for payment into the Benefits Fund, which monies shall be identified exclusively for the purposes of payments of retired teacher health and medical benefits pursuant to this section. Any monies borrowed through an interfund loan pursuant to this section shall be paid from monies in the Benefits Fund or from other funds legally available for this purpose. It is the intent of the General Assembly to appropriate sufficient General Fund revenue, after consideration of all other revenue and disbursements, such that the interfund loan may be paid in full on

or before June 30, 2023. The Governor shall include in the annual budget request an amount sufficient to repay any interfund borrowing according to a schedule developed by the State Treasurer. The State Treasurer shall pay the interest and principal as due in accordance with authority granted under 32 V.S.A. § 902(b). The State Treasurer shall assess a rate of interest on the outstanding balance of the interfund loan comparable to the rate paid by private depositories of the State's monies, or to the yield available on investments made pursuant to 32 V.S.A. § 433. No interfund loans made under this authority shall, in the aggregate, exceed \$30,000,000.00.

(f) It is the intent of the General Assembly to appropriate the required contributions necessary to pay retired teacher health and medical benefits by combining annual increases in base spending and surplus revenues as they become available, so that the full cost of retired teacher health and medical benefits payments may be met in base appropriations by fiscal year 2024. To the extent that other revenue sources are identified, the General Fund obligation may be reduced, but only after all annual disbursements to repay the interfund loan in subsection (e) of this section are satisfied.

Sec. E.514.2 16 V.S.A. § 1944 is amended to read:

§ 1944. VERMONT TEACHERS' RETIREMENT FUND

(a) Fund. All of the assets of the system shall be credited to the ~~Vermont teachers' retirement fund~~ Vermont Teachers' Retirement Fund.

(b) Member contributions.

(1) Contributions deducted from the compensation of members shall be accumulated in the ~~fund~~ Fund and separately recorded for each member.

(2) The proper authority or officer responsible for making up each employer payroll shall cause to be deducted from the compensation of each group A member five and one-half percent of the member's earnable compensation ~~and~~; from each group C member with at least five years of membership service as of July 1, 2014, five percent of the member's earnable compensation; and from each group C member with less than five years of membership service as of July 1, 2014, six percent of the member's earnable compensation, including compensation paid for absence as provided by subsection 1933(d) of this title. In determining the amount earnable by a member in a payroll period, the ~~board~~ Board may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period, and it may omit deduction from compensation for any period less than a full payroll period if a teacher was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an

amount as shall not exceed one-tenth of one percent of the annual earnable compensation upon the basis of which such deduction is made. The actuary shall make annual valuations of the reduction to the recommended State contribution attributable to the increase from five to six percent, and the Board shall include the amount of this reduction in its written report pursuant to subsection 1942(r) of this title.

\* \* \*

Sec. E.514.3 16 V.S.A. § 1944c is added to read:

§ 1944c. EMPLOYER CHARGES FOR FEDERAL GRANTS OR REIMBURSEMENTS

(a) Notwithstanding any provision of law to the contrary, effective July 1, 2016, the employer retirement costs and administrative operating expenses related to the retirement plans applicable to those teachers whose funding is provided from federal grants or through federal reimbursement shall be paid by local school systems or educational entities that participate in the Vermont Teachers' Retirement Fund from those federal monies.

(b) The percentage rates to be applied shall be determined by an actuary approved by the Board of Trustees of the State Teachers' Retirement System of Vermont and shall be applied to the total earnable compensation of members prepared by the actuary in compliance with subsection 1942(r) of this title. The Secretary of Education shall annually provide an accounting of federal grants and federal reimbursements, by school system, upon which payment by the participating schools shall be determined.

(c) The State Treasurer and the Secretary of Education shall establish procedures for the collection and deposit of those monies in the State Teachers' Retirement System of Vermont. The Secretary of Education may delay implementation upon review of the federal grant program to permit timely and accurate claims for reimbursement of retirement expenses under a particular federal program in order to receive funding under that program. The Secretary of Education shall provide an annual report to the House and Senate Committees on Appropriations and on Education regarding progress in implementation of this section.

Sec. E.514.4 16 V.S.A. § 1944d is added to read:

§ 1944d. EMPLOYER ANNUAL CHARGE FOR TEACHER HEALTH CARE

The employer of teachers who become members of the State Teachers' Retirement System of Vermont on or after July 1, 2015 shall pay an annual assessment for those teachers' health and medical benefits. The assessment

shall be the value, as approved annually by the Board of Trustees based on the actuary's recommendation, of the portion of future retired teachers' health and medical benefits attributable to those teachers for each year of service in the State Teachers' Retirement System of Vermont. For the year starting on July 1, 2015, the assessment for each teacher becoming a member of the State Teachers' Retirement System of Vermont as of or after that date shall be \$1,072.00, which is based on the June 30, 2013 actuarial valuation.

Sec. E.514.5 16 V.S.A. § 4001(6)(B)(ix) is added to read:

(ix) The assessment paid by the employer of teachers who become members of the State Teachers' Retirement System of Vermont on or after July 1, 2015, pursuant to section 1944d of this title.

Sec. E.514.6 RETIRED TEACHERS' HEALTH AND MEDICAL BENEFITS TRANSITION COMMITTEE

(a) There is established a Retired Teachers' Health and Medical Benefits Transition Committee to develop recommendations regarding how retired teachers' health and medical benefits will make the transition when the State implements Green Mountain Care. The Committee shall consist of:

- (1) the State Treasurer or designee;
- (2) the Governor or designee;
- (3) the Secretary of Education or designee;
- (4) the Attorney General or designee;
- (5) a representative of the Vermont Retired Teachers' Association;
- (6) a representative of the Vermont School Boards Association; and
- (7) a representative of the Vermont-National Education Association.

\* \* \* HIGHER EDUCATION \* \* \*

Sec. E.600 University of Vermont

(a) The Commissioner of Finance and Management shall issue warrants to pay one-twelfth of this appropriation to the University of Vermont on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$380,326 shall be transferred to EPSCoR (Experimental Program to Stimulate Competitive Research) for the purpose of complying with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

(c) If Global Commitment Fund monies are unavailable, the total grant funding for the University of Vermont shall be maintained through the General Fund or other State funding sources.

(d) The University of Vermont will use the Global Commitment Funds appropriated in this section to support Vermont physician training. The University of Vermont prepares students, both Vermonters and out-of-state, and awards approximately 100 medical degrees annually. Graduates of this program, currently representing a significant number of physicians practicing in Vermont, deliver high-quality health care services to Medicaid beneficiaries and to the uninsured or underinsured persons, or both, in Vermont and across the nation.

Sec. E.602 Vermont state colleges

(a) The Commissioner of Finance and Management shall issue warrants to pay one-twelfth of this appropriation to the Vermont State Colleges on or about the 15th day of each calendar month of the year.

(b) Of this appropriation, \$427,898 shall be transferred to the Vermont Manufacturing Extension Center for the purpose of complying with State matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. E.603 Vermont state colleges – allied health

(a) If Global Commitment fund monies are unavailable, the total grant funding for the Vermont State Colleges shall be maintained through the General Fund or other State funding sources.

(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in this section to support the dental hygiene, respiratory therapy, and nursing programs which graduate approximately 315 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 (b) 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.

Sec. E. 605.1 VERMONT STUDENT ASSISTANCE CORPORATION  
COLLEGE ASPIRATION PILOT PROPOSAL

(a) Of the funds appropriated in Sec. B.605 of this act, the Vermont Student Assistance Corporation (VSAC) shall use \$300,000 to establish a College Aspiration Pilot Initiative in consultation with the Vermont States Colleges and the University of Vermont. The initiative shall select up to three public secondary schools to participate in the initiative that:

(1) are located in a county in which there is a significant difference between the college aspiration rates of secondary school graduates whose parents have a four-year postsecondary degree and graduates whose parents do not; and

(2) are not currently receiving VSAC GEAR UP (Gaining Early Awareness and Readiness for Undergraduate Programs) program services for a cohort of the school's students whose parents do not have a postsecondary degree.

(b) VSAC shall report on the progress of the initiative to the legislative committees of jurisdiction by January 15, 2015.

Sec. E. 605.2 NEED-BASED STIPEND FOR DUAL ENROLLMENT AND  
EARLY COLLEGE STUDENTS

(a) Of the funds appropriated in Sec. B.605 of this act, \$110,891 shall be used to fund a flat-rate stipend or voucher program for financially needy students enrolled in a dual enrollment course or in early college to be used for the purchase of books, transportation costs, and payment of fees. The Vermont Student Assistance Corporation shall establish the criteria for program eligibility. Funds shall be granted to eligible students on a first-come, first-served basis funds are depleted.

(b) VSAC shall report on the program to the legislative committees of jurisdiction by January 15, 2015.

\* \* \* NATURAL RESOURCES \* \* \*

Sec. E. 701 AGENCY OF NATURAL RESOURCES PAYMENT IN LIEU  
OF TAXES

(a) Appraisal moratorium. For the purpose of payments in lieu of taxes to municipalities in fiscal year 2015, lands held by the Agency of Natural

Resources (ANR) and subject to the provisions of 32 V.S.A. § 3708(a)(1) shall be appraised at the fair market value of the land in fiscal year 2014, as certified by the Director of Property Valuation and Review, provided that in fiscal year 2015, such lands held by ANR shall be appraised at 102 percent of the fair market value of the land in fiscal year 2014. For lands held by ANR and subject to the provisions of 32 V.S.A. § 3708(a)(2), payments in lieu of taxes to municipalities in fiscal year 2015 shall be made as specified in 32 V.S.A. § 3708(a)(2).

(b) Appeals of appraisal. During the moratorium established under subsection (a) of this section, there shall be no right, in fiscal year 2015, for a municipality to appeal the appraised values of ANR lands certified by the Director of Property Valuation and Review in fiscal year 2014.

(c) Report to General Assembly. On or before November 15, 2014, the Division of Property Valuation and Review (PVR), the Agency of Natural Resources, and the Joint Fiscal Office in consultation with the Vermont League of Cities and Towns, shall submit to the House and Senate Committees on Natural Resources and Energy, the House Committee on Ways and Means, and the Senate Committee on Finance a report regarding the formula used by PVR to calculate ANR's annual payment in lieu of taxes. The report shall include:

(1) recommendations as to the formulas to be used for valuation of ANR lands and ANR PILOT payments in the future, including whether ANR lands should be assessed at full appraised value and not contingent on the current use value;

(2) if a change is recommended to the formula under subdivision (1) of this subsection, a proposal for implementing the new formula, including a schedule for transition to the new formula.

(d) Repeal. Subsections (a) and (b) of this section shall be repealed on July 1, 2015.

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).

\* \* \* 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).

Sec. E. 800.1 10 V.S.A. § 122 is amended to read:

§ 122. VERMONT CENTER FOR GEOGRAPHIC INFORMATION;  
INCORPORATED; ESTABLISHMENT

(a) The ~~state~~ State of Vermont shall support a comprehensive strategy for the development and use of a geographic information system including:

\* \* \*

(9) ~~Financing considerations.~~ [Repealed.]

\* \* \*

(b) In order to develop and implement that strategy, and to ensure that all data gathered by state agencies that is relevant to the VGIS shall be in a form that is compatible with, useful to, and shared with that geographic information system, there is hereby established ~~a nonprofit public corporation to be known as the Vermont center for geographic information, hereinafter called "the center," as a body corporate and politic and a public instrumentality of the state as a division under the Agency of Commerce and Community Development~~ the Vermont Center for Geographic Information (the Center).

~~(c) The center shall be a nonprofit corporation and shall not have authority to issue any capital stock. The property of the center shall be used solely to promote its purposes as herein defined. The center shall assume title to property other than the data acquired by the state for the support of a geographic information system, but shall return title to such property to the state if the property is not used to promote the center's purposes as herein defined or upon any dissolution of the corporation. No part of the activities of the center shall consist of participating in or intervening in, including the publishing or distribution of statements, any political campaign on behalf of any candidate for public office. Upon any dissolution of the corporation, any assets remaining after payment of or provision for its debts and liabilities shall be distributed according to applicable provisions of state law. No part of the net assets or net earnings of the center shall inure to the benefit of or be paid or distributed to any officer, director, or employee of the center, or to any donor to the center. The state reserves the right at any time to alter, amend, repeal or otherwise change the structure, organization, programs or activities of the~~

~~center, including the power to terminate the corporation, subject to any limitation on the impairment of the obligations of any contract or contracts entered into by the center. [Repealed.]~~

Sec. E. 800.2 10 V.S.A. § 123 is amended to read:

§ 123. POWERS AND DUTIES

~~(a) The center shall have all the general powers conferred by 11B V.S.A. § 3.02 [chapter 19 of Title 11] and all amendments thereto, and all other powers necessary, desirable, or incidental fully to effectuate its corporate purposes except where otherwise limited by statute. [Repealed.]~~

\* \* \*

~~(e) The center shall be subject to the provisions of 1 V.S.A. §§ 312-314 with respect to the right of the public to receive notice of and attend meetings, 1 V.S.A. §§ 315-320 with respect to the access of the public to its records and documents, and 1 V.S.A. § 172 regarding joint authority of the board. [Repealed.]~~

Sec. E. 800.3 3 V.S.A. § 2402 is amended to read:

§ 2402. CREATION OF AGENCY

~~(a) An agency of commerce and community development Agency of Commerce and Community Development is created consisting of the following:~~

\* \* \*

~~(6) The Vermont Center for Geographic Information.~~

\* \* \*

Sec. E. 800.4 3 V.S.A. § 2475 is added to read:

§ 2475. VERMONT CENTER FOR GEOGRAPHIC INFORMATION

The Vermont Center for Geographic Information is created as a division within the Agency of Commerce and Community Development and shall be administered and have the duties as set forth in 10 V.S.A. chapter 8 (geographic information).

Sec. E. 800.5 TRANSITIONAL PROVISIONS

(a) Funding. Funds appropriated in Sec. B.123 of this act shall be transferred as appropriate to the Agency of Commerce and Community Development to effectuate the transfer of the Vermont Center for Geographic Information, Incorporated to a division of the Agency as set forth in

Sec. E.800.4 of this act, 3 V.S.A. § 2475. The fiscal year 2016 budget submission shall reflect the completed transfer to the Agency.

(b) Position creation and transfer.

(1) The following five classified positions are established within the Agency of Commerce and Community Development's Vermont Center for Geographic Information (VCGI) created under Sec. E.800.4 of this act, 3 V.S.A. § 2475:

- (A) one (1) IT Systems Administrator;
- (B) one (1) Internet Website Specialist;
- (C) two (2) Information Technology Analyst III; and
- (D) one (1) Senior Information Technologist.

(2) The following exempt position is established within the Agency of Commerce and Community Development's Vermont Center for Geographic Information (VCGI) created under Sec. E.800.4 of this act, 3 V.S.A. § 2475:

- (A) one (1) Director of Center for Geographic Information.

(3) Existing employees of the nonprofit Vermont Center for Geographic Information who hold the six positions similar to those set forth in subdivisions (1) and (2) of this subsection shall be permitted to transfer to the positions within the VCGI established under subdivisions (1) and (2) of this subsection upon the effective date of this section.

(c) Personnel location. The Secretary of Commerce and Community Development shall determine where the offices of the VCGI shall be housed.

(d) Assets and liabilities. The assets and liabilities of the VCGI shall become the assets and liabilities of the Agency of Commerce and Community Development.

(e) Legal and contractual obligations. The Executive Director of the VCGI, in consultation with the Secretary of Commerce and Community Development, shall identify all grants and contracts of the VCGI and create a plan to redesignate the Agency of Commerce and Community Development as the responsible entity. The plan shall ensure that all existing grantors, grantees, and contractors are notified of the redesignation.

Sec. E. 800.6 REPEAL

(a) 10 V.S.A. §§ 124 (Board of Directors), 125 (Officers), and 126 (Audit) are repealed.

Sec. E.801 8 V.S.A. § 6017(a)(1) is amended to read:

(a)(1) There is hereby created a fund to be known as the Captive Insurance Regulatory and Supervision Fund for the purpose of providing the financial means for the Commissioner of Financial Regulation to administer this chapter, chapter 142, and chapter 142A of this title and for reasonable expenses incurred in promoting the captive insurance industry in Vermont. The transfer of 11 percent of the premium tax under subsection 6014(h) of this title, and all fees and assessments received by the Department pursuant to the administration of these chapters shall be credited to this Fund. Of this amount, not more than ~~two~~ three percent of the premium tax under section 6014 may be ~~transferred to~~ expended by the Agency of Commerce and Community Development, with approval of the Secretary of Administration, for promotional expenses. All fees received by the Department from reinsurers who assume risk solely from captive insurance companies and are subject to the provisions of subsections 3634a(a) through (f) of this title, shall be deposited into the Captive Insurance Regulatory and Supervision Fund. All fines and administrative penalties, however, shall be deposited directly into the General Fund.

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, \$7,218,200 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).

Sec. F.100 EFFECTIVE DATES

(a) This section and Secs. C.100 (fiscal year 2014 fund transfers), C.101 (fiscal year 2014 reversions), C.102 (Legal Aid homeowner assistance allocation), C.103 (Secretary of State campaign finance system development), C.105 (ACCD Secretary cost allocation), C.106 (fiscal year 2014 supplemental one-time appropriations), C.106.1 (flood-related payment), C.106.2 (contingent fiscal year 2014 appropriation), C.108 (public retirement plan study), C.109 (committee on child protection), D.102 (tobacco litigation settlement fund balance), D.104 (General Fund and Transportation Fund

Balance reserves), D.105 (supplemental property tax relief fund repeals; fiscal year 2014 surplus), D.106 (supplemental property tax relief fund), D.107 (deposit of settlement receipts), E.100.5 (Vermont Enterprise Fund), E.308 (choices for care savings, reinvestments, and assessment), E.234 (Decommissioning Advisory Panel), and E.505 (adjustments to education payments) of this act shall take effect on passage.

(b) Sec. E.118.1 (mileage reimbursement report) shall take effect on passage and shall apply to the report due by January 15, 2014.

(c) Sec. E.228 (LIMA fees/transfer tax in General Fund balance reserve) shall take effect on passage and shall apply as of February 19, 2014.

(d) Sec. E.308 shall take effect on passage and shall apply to fiscal year 2014 and fiscal year 2105.

(e) Sec. E. 701 (ANR pilot appraisal) shall take effect on passage and shall apply as of April 1, 2014.

(f) Sec. E.800.1 (10 V.S.A. § 122, GIS establishment), Sec. E 800.2 (10 V.S.A. § 123, GIS powers and duties), and Sec. E. 00.6 (repeal) shall take effect on March 30, 2015.

(g) All remaining sections shall take effect on July 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, and the proposal of amendment of the Committee on Appropriations was agreed to.

Thereupon, pending the question, Shall the bill be read a third time?, Senator Mullin moved to amend the Senate proposal of amendment in Sec. E.100.5, in subsection (e), by adding a subdivision (4) to read as follows:

(4) The Emergency Board shall have the authority to approve, disapprove, or modify an offer of economic and financial resources in its discretion, including consideration of the following:

(A) whether the business has presented sufficient documentation to demonstrate compliance with subsection (d) of this section;

(B) whether the Governor has presented sufficient information to the Board under subdivision (3) of this subsection;

(C) whether the business has received other State resources and incentives, and if so, the type and amount; and

(D) whether the business and the Governor have made available to the Board sufficient information and documentation for the Auditor of Accounts to perform an adequate performance audit of the program, including the extent to which necessary information or documentation is or will be withheld under a claim that it is confidential, proprietary, or subject to executive privilege.

Which was agreed to.

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

First: In Sec. C. 106.2(a), by striking out all after the following: “\$5,000,000 appropriated to” and inserting in lieu thereof the following: “to the Department of Children and Families for weatherization programs.”

Second: By striking out Sec. E.100.5 (enterprise fund) in its entirety.

Thereupon, pending the question, Shall the Senate propose to the House to amend the bill as moved by Senator Pollina? During the remarks of Senator Galbraith, Senator Flory raised a *point of order* under Sec. 402 of Mason’s Manual of Legislative Procedure on the grounds that the remarks offered by Senator Galbraith were *not germane* to the bill and therefore could not be considered by the Senate.

The President *overruled* the point of order.

Thereupon, the question, Shall the Senate proposal of amendment be amended as recommended by Senator Pollina?, was disagreed to on a roll call, Yeas 4, Nays 23.

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:** Galbraith, Hartwell, McCormack, Pollina.

**Those Senators who voted in the negative were:** Ashe, Ayer, Benning, Bray, Collins, Cummings, Doyle, Flory, French, Kitchel, Lyons, MacDonald, Mazza, McAllister, Mullin, Nitka, Rodgers, Sears, Sirotkin, Snelling, Starr, Westman, White.



**Those Senators absent or not voting were:** Baruth, Campbell (presiding), Zuckerman.

**Senator Mazza Assumes the Chair**

**Senator Campbell Assumes the Chair**

Thereupon, the recurring question, Shall the bill be read the third time?, was decided in the affirmative on a roll call, Yeas 24, Nays 3.

Senator Sears 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, Bray, Collins, Cummings, Doyle, French, Galbraith, Hartwell, Kitchel, Lyons, MacDonald, Mazza, McCormack, Mullin, Nitka, Pollina, Rodgers, Sears, Sirotkin, Snelling, Starr, Westman, White.

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

**Those Senators absent or not voting were:** Baruth, Campbell (presiding), Zuckerman.

**Proposal of Amendment; Consideration Postponed**

**H. 297.**

House bill entitled:

An act relating to duties and functions of the Department of Public Service.

Was taken up.

Thereupon, pending third reading of the bill, Senators Bray, Cummings, Nitka, and Sirotkin moved to amend the Senate proposal of amendment by striking out Sec. 21 in its entirety and by inserting in lieu thereof a new Sec. 21 to read as follows:

Sec. 21. 30 V.S.A. § 8060a is added to read:

§ 8060a. PERIOD OF DORMANCY

On July 1, 2015, the Division for Connectivity established under 3 V.S.A. § 2225 shall become the successor in interest to and the continuation of the Vermont Telecommunications Authority, and the Authority shall cease all operations and shall not resume its duties as specified under this chapter or under any other Vermont law unless directed to do so by enactment of the General Assembly or, if the General Assembly is not in session, by order of the Joint Fiscal Committee. The Joint Fiscal Committee shall issue such order

only upon finding that, due to an unforeseen change in circumstances, implementation of the Authority's capacity to issue revenue bonds would be the most effective means of furthering the State's telecommunications goals and policies. Upon the effective date of such enactment or order, the duties of the Executive Director and the Board of Directors of the Authority shall resume in accordance with 30 V.S.A. chapter 91 and the Director for Connectivity shall be the acting Executive Director of the Authority, until the position is filled pursuant to 30 V.S.A. § 8061(e).

Which was agreed to.

Thereupon, pending third reading of the bill, Senator Rodgers moved that the Senate proposal of amendment be amended as follows:

First: After Sec. 24, by inserting a reader guide and a new Sec. 25 to read as follows:

\* \* \* Wind Generation; Radar Controlled Lights \* \* \*

Sec. 25. 30 V.S.A. § 248(r) is added to read:

(r)(1) The Board shall require any in-state wind electric generation facility receiving a certificate of public good to install radar-controlled obstruction lights on all wind turbines for which the Federal Aviation Administration (FAA) requires obstruction lights, provided the FAA allows the use of radar-controlled lighting technology. Nothing in this subdivision shall allow the Board to approve obstruction lights that do not meet FAA standards.

(2) The purpose of this subsection is to reduce the visual impact of wind turbine obstruction lights on the environment and nearby properties. The General Assembly finds that wind turbine obstruction lights that remain illuminated through the night create light pollution, and may attract birds and bats. Radar-controlled obstruction lights are only illuminated when aircraft are detected in the area, and therefore the use of these lights will reduce the negative environmental impacts of obstruction lights.

(3) Notwithstanding 1 V.S.A. §§ 213 and 214, subdivision (1) of this subsection shall apply to petitions for certificates pending as of the effective date of this subsection, and to facilities for which certificates have been issued on or before the effective date of this subsection. After a hearing, the Board may relieve the holder of a certificate for a wind electric generation facility issued on or before the effective date of this subsection from the requirement to comply with this subsection if the Board finds that requiring compliance would impose harsh or oppressive effects on the holder.

And by renumbering the remaining sections to be numerically correct.

Second: In Sec. 26 (renumbered Sec. 25 regarding statutory revision authority), by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) The staff of the Office of the Legislative Council in its statutory revision capacity is authorized and directed to amend the Vermont Statutes Annotated as follows:

(1) deleting all references to “by the end of the year 2013” in 30 V.S.A. chapter 91;

(2) replacing the phrase “effective date of this subsection” wherever it appears in Sec. 9b, 30 V.S.A. § 248(r)(3) with the actual effective date of the subsection; and

(3) during the interim of the 2015 biennium of the General Assembly, in 30 V.S.A. § 227e, replacing every instance of the words “Secretary of Administration” and “Secretary” with the words “Director for Connectivity” and “Director,” respectively.

Thereupon, pending the question, Shall the Senate propose to the House to amend the bill as moved by Senator Rodgers? Senator Sears raised a *point of order* under Sec. 402 of Mason’s Manual of Legislative Procedure on the grounds that the proposal of amendment offered by Senator Rodgers was *not germane* to the bill and therefore could not be considered by the Senate.

The President *overruled* the point of order and ruled that the proposals of amendment were *germane* in that they related to the subject matter of the original bill.

Thereupon, pending the question, Shall the bill be amended as recommended by Senator Rodgers?, on motion of Senator Mazza consideration of the bill be postponed until the next legislative day.

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

House bills of the following titles were severally read the third time and passed in concurrence with proposals of amendment:

**H. 325.** An act relating to a bill of rights for children of arrested and incarcerated parents.

**H. 350.** An act relating to the posting of medical unprofessional conduct decisions and to investigators of alleged unprofessional conduct.

**H. 690.** An act relating to the definition of serious functional impairment.

**H. 699.** An act relating to temporary housing.

**H. 795.** An act relating to victim's compensation and restitution procedures.

**Third Reading Ordered**

**H. 881.**

Senator Pollina, for the Committee on Government Operations, to which was referred House bill entitled:

An act relating to approval of the adoption and the codification of the charter of the Town of Westford.

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.

**Proposals of Amendment; Third Reading Ordered**

**H. 217.**

Senator Lyons, for the Committee on Health and Welfare, to which was referred House bill entitled:

An act relating to smoking in lodging establishments, hospitals, and child care facilities, and on State lands.

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

First: In Sec. 2, 18 V.S.A. § 1741, by striking out subdivision (2)(R) in its entirety and relettering the remaining subdivisions to be alphabetically correct.

Second: In Sec. 3, 18 V.S.A. § 1742, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) The possession of lighted tobacco products in any form is prohibited in:

(1) the common areas of all enclosed indoor places of public access and publicly owned buildings and offices;

(2) all enclosed indoor places in lodging establishments used for transient traveling or public vacationing, such as resorts, hotels, and motels, including sleeping quarters and adjoining rooms rented to guests;

(3) designated smoke-free areas of property or grounds owned by or leased to the State; and

(4) any other area within 25 feet of State-owned buildings and offices, except that to the extent that any portion of the 25-foot zone is not on State property, smoking is prohibited only in that portion of the zone that is on State

property unless the owner of the adjoining property chooses to designate his or her property smoke-free.

Third: By striking out Sec. 4, 16 V.S.A. § 140, in its entirety and inserting in lieu thereof a new Sec. 4 to read as follows:

Sec. 4. 16 V.S.A. § 140 is amended to read:

§ 140. TOBACCO USE PROHIBITED ON PUBLIC SCHOOL GROUNDS

No person shall be permitted to use tobacco or tobacco substitutes as defined in 7 V.S.A. § 1001 on public school grounds and no student shall be permitted to use tobacco or at public school sponsored functions. ~~Each public school board shall adopt policies prohibiting the possession and use of tobacco products by students at all times while under the supervision of school staff. These policies shall~~ Public school boards may adopt policies that include confiscation and appropriate referrals to law enforcement authorities.

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, the proposals of amendment were collectively agreed to, and third reading of the bill was ordered.

**House Proposal of Amendment; Senate Proposal of Amendment to House Proposal of Amendment; Consideration Postponed**

**S. 299.**

House proposal of amendment to Senate bill entitled:

An act relating to sampler flights.

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. PURPOSE

The purpose of this act is to allow wholesale dealers to offer tastings of malt or vinous beverages to the management and staff of businesses who have applied for first- or second-class licenses but have yet to receive the license from the Department of Liquor Control, provided that the local control commission has approved the liquor license. This will enable the management of new businesses to taste and choose malt or vinous beverages and to print their menus and otherwise make the start-up of their businesses easier.

Sec. 2. 7 V.S.A. § 67 is amended to read:

§ 67. ALCOHOLIC BEVERAGE TASTINGS; PERMIT; PENALTIES

\* \* \*

(d) Promotional alcoholic beverage tasting:

\* \* \*

(4) Upon receipt of a first- or second-class application by the Department, a holder of a wholesale dealer's license may dispense malt or vinous beverages for promotional purposes without charge to invited management and staff of a business that has applied for a first- or second-class license, provided they are of legal drinking age. The event shall be held on the premises of the first- or second-class applicant. The first- or second-class applicant shall be responsible for complying with all applicable laws under this title. No malt or vinous beverages shall be left behind. No permit is required under this subdivision, but the wholesale dealer shall provide written notice of the event to the Department at least five days prior to the date of the tasting. The Department shall post notice of the pending application on its website.

\* \* \*

Sec. 3. 7 V.S.A. § 2 is amended to read:

§ 2. DEFINITIONS

The following words as used in this title, unless a contrary meaning is required by the context, shall have the following meaning:

\* \* \*

(37) "Sampler flight" means a flight, ski, paddle, or any similar device by design or name intended to hold alcoholic beverage samples for the purpose of comparison.

Sec. 4. 7 V.S.A. § 222 is amended to read:

§ 222. ~~FIRST AND SECOND CLASS~~ FIRST- AND SECOND-CLASS LICENSES, GRANTING OF; SALE TO MINORS; CONTRACTING FOR FOOD SERVICE

With the approval of the Liquor Control Board, the Control Commissioners may grant to a retail dealer for the premises where the dealer carries on business the following:

\* \* \*

(5)(A) The holder of a first-class license may serve a sampler flight of up to 32 ounces in the aggregate of malt beverages to a single customer at one time;

(B) The holder of a first-class license may serve a sampler flight of up to 12 ounces in the aggregate of vinous beverages to a single customer at one time; and

(C) The holder of a third-class license may serve a sampler flight of up to four ounces in the aggregate of spirituous liquors to a single customer at one time.

Sec. 5. 7 V.S.A. § 66 is amended to read:

§ 66. MALT AND VINOUS BEVERAGE SHIPPING LICENSE; IN STATE; OUT OF STATE; PROHIBITIONS; PENALTIES

\* \* \*

(c) A manufacturer or rectifier of vinous beverages that is licensed in-state or out-of-state and holds valid ~~state~~ State and federal permits and operates a winery in the United States, may apply for a retail shipping license by filing with the Department of Liquor Control an application in a form required by the Department accompanied by a copy of its in-state or out-of-state license and the fee as required by subdivision 231(a)(7)(C) of this title. The retail shipping license may be renewed annually by filing the renewal fee as required by subdivision 231(a)(7)(C) of this title accompanied by the licensee's current in-state or out-of-state manufacturer's license. This license permits the holder, which includes the holder's affiliates, franchises, and subsidiaries, to sell up to 5,000 gallons of vinous beverages a year directly to ~~first~~ first- or ~~second-class~~ second-class licensees and deliver the beverages by common carrier ~~or,~~ the manufacturer's or rectifier's own ~~vehicles~~ vehicle, or the vehicle of an employee of a manufacturer or rectifier, provided that the beverages are sold on invoice, and no more than 100 gallons per month are sold to any single ~~first~~ first- or ~~second-class~~ second-class licensee. The retail shipping license holder shall report to the Department documentation of the annual and monthly number of gallons sold. Vinous beverages under this section may be delivered by the vehicle of a second-class license holder if the second-class licensee cannot obtain the vinous beverages from a wholesale dealer.

\* \* \*

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment?, Senator Mullin moved that the Senate concur in the House proposal of amendment with an amendment as follows:

By striking out Sec. 6 in its entirety and inserting in lieu thereof three new sections to be numbered Secs. 6, 7 and 8 to read as follows:

Sec. 6. DEPARTMENT OF LIQUOR CONTROL REPORT

On or before January 15, 2015, the Commissioner of Liquor Control, in consultation with the Department of Health, shall submit a report to the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on General, Housing and Military Affairs, the Senate Committee on Judiciary, and the House Committee on Judiciary regarding the risks associated with powdered alcohol products.

Sec. 7. 7 V.S.A. § 69 is added to read:

§ 69. POWDERED ALCOHOL PRODUCTS

(a) No person shall possess or sell a powdered alcohol product. A person who violates this section shall be imprisoned not more than six months or fined not more than \$5,000.00, or both.

(b) As used in this section, “powered alcohol product” means any alcoholic powder that can be added to water or food.

Sec. 8. EFFECTIVE DATES

(a) This Sec. and Secs. 3–7 shall take effect on passage.

(b) Secs. 1 and 2 shall take effect on July 1, 2014.

Thereupon, pending the question, Shall the House proposal of amendment be amended as recommended by Senator Mullin?, Senator Galbraith proposed to amend the proposal of amendment of Senator Mullin in Sec. 7, 7 V.S.A. § 69(a) by striking out the words “possess or”

Thereupon, pending the question Shall the proposal of amendment of Senator Mullin be amended as recommended by Senator Galbraith, on motion of Senator Mullin consideration of the House proposal of amendment was postponed until the next legislative day.

**Bill Referred to Committee on Finance**

**H. 869.**

House bill of the following title, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule was referred to the Committee on Finance:

An act relating to miscellaneous agricultural subjects.



**Adjournment**

On motion of Senator Mazza, the Senate adjourned until nine o'clock and thirty minutes in the morning.