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H.895

Introduced by Committee on Government Operations

Date:

Subject: Government operations; reports; reports repeal

Statement of purpose of bill as introduced: This bill proposes to amend  
statutes relating to legislatively enacted reports by:

- (1) repealing certain reports the General Assembly no longer deems  
necessary;
- (2) exempting certain reports from the required statutory review; and
- (3) postponing certain reports until the next reports review.

An act relating to legislative review of certain report requirements

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

\* \* \* Report Requirements Repealed \* \* \*

Sec. 1. 10 V.S.A. § 4082 is amended to read:

§ 4082. VERMONT FISH AND WILDLIFE REGULATIONS

\* \* \*

(b)(1) Except as provided for under subdivision (2) of this subsection, the  
Board annually may adopt rules relating to the management of migratory game  
birds, and shall follow the procedures for rulemaking contained in 3 V.S.A.

1 chapter 25. For each such rule, the Board shall conduct a hearing but, when  
2 necessary, may schedule the hearing for a day before the terms of the rule are  
3 expected to be determined.

4 (2) Beginning with the 2015 hunting season, the Board may set by  
5 procedure the daily bag and possession limits of migratory game birds that  
6 may be harvested in each Waterfowl Hunting Zone annually without following  
7 the procedures for rulemaking contained in 3 V.S.A. chapter 25. The annual  
8 daily bag and possession limits of migratory game birds shall be consistent  
9 with federal requirements. Prior to setting the migratory game bird daily bag  
10 and possession limits, the Board shall provide a period of not less than 30 days  
11 of public notice and shall conduct at least two public informational hearings.  
12 The final migratory game bird daily bag and possession limits shall be  
13 enforceable by the Department under its enforcement authority in part 4 of this  
14 title. ~~Annually, on or before January 15, the Department shall submit the final~~  
15 ~~migratory game bird daily bag and possession limits to the House Committee~~  
16 ~~on Fish, Wildlife and Water Resources and the Senate Committee on Natural~~  
17 ~~Resources and Energy.~~

18 \* \* \*

19 Sec. 2. 16 V.S.A. § 2888 is amended to read:

20 § 2888. VERMONT STRONG SCHOLARS INITIATIVE

21 \* \* \*

22 (b) Vermont Strong Loan Forgiveness Program.

1 (1) Occupations; projections.

2 \* \* \*

3 (B) ~~Based upon the identified occupations and the number of~~  
4 ~~students anticipated to qualify for loan forgiveness under this section, the~~  
5 ~~Secretary of Commerce and Community Development shall annually provide~~  
6 ~~the General Assembly with the estimated cost of the Vermont Student~~  
7 ~~Assistance Corporation's loan forgiveness awards under the Loan Forgiveness~~  
8 ~~Program during the then-current fiscal year and each of the four following~~  
9 ~~fiscal years. [Repealed.]~~

10 \* \* \*

11 Sec. 3. 18 V.S.A. § 9375 is amended to read:

12 § 9375. DUTIES

13 \* \* \*

14 (c) The Board shall have the following duties related to Green  
15 Mountain Care:

16 \* \* \*

17 (3) Prior to implementing Green Mountain Care and annually after  
18 implementation, recommend to the General Assembly and the Governor a  
19 three-year Green Mountain Care budget pursuant to 32 V.S.A. chapter 5, to be  
20 adjusted annually in response to realized revenues and expenditures, that  
21 reflects any modifications to the benefit package and includes recommended

1 appropriations, revenue estimates, and necessary modifications to tax rates and  
2 other assessments.

3 \* \* \*

4 Sec. 4. 2013 Acts and Resolves No. 79, Sec. 37c is amended to read:

5 Sec. 37c. ~~BILL-BACK REPORT~~

6 ~~(a) Annually on or before September 15, the Green Mountain Care Board~~  
7 ~~and the Department of Financial Regulation shall report to the House~~  
8 ~~Committee on Health Care, the Senate Committees on Health and Welfare and~~  
9 ~~on Finance, and the House and Senate Committees on Appropriations the total~~  
10 ~~amount of all expenses eligible for allocation pursuant to 18 V.S.A. §§ 9374(h)~~  
11 ~~and 9415 during the preceding state fiscal year and the total amount actually~~  
12 ~~billed back to the regulated entities during the same period.~~

13 ~~(b) The Board and the Department shall also present the information~~  
14 ~~required by subsection (a) of this section to the Joint Fiscal Committee~~  
15 ~~annually at its September meeting. [Repealed.]~~

16 Sec. 5. 2013 Acts and Resolves No. 79, Sec. 42a is amended to read:

17 Sec. 42a. ~~EXCHANGE IMPACT REPORT~~

18 ~~On or before March 15, 2015 and every three years thereafter, the Agency~~  
19 ~~of Administration shall report to the House Committee on Health Care and the~~  
20 ~~Senate Committees on Health and Welfare and on Finance regarding the~~  
21 ~~impact of the Vermont Health Benefit Exchange and the federal individual~~

1 responsibility requirement on:

2 ~~(1) the number of uninsured and underinsured Vermonters;~~

3 ~~(2) the amount of uncompensated care and bad debt in Vermont; and~~

4 ~~(3) the cost shift. [Repealed.]~~

5 \* \* \*

6 \* \* \* Reports Expiration Extension \* \* \*

7 Sec. 6. REPORTS REPEAL DELAYED

8 The reports set forth in this section shall not be subject to review under the  
9 provisions of 2 V.S.A. § 20(d) (expiration of required reports) until  
10 July 1, 2022:

11 (1) 3 V.S.A. § 331(c)(1) (report on temporary employees in State  
12 government);

13 (2) 3 V.S.A. § 2222(a)(10) (report on State's five-year IT and  
14 information security plan);

15 (3) 3 V.S.A. § 2313(b) (report on rate of performance accountability  
16 requirements in State contracts);

17 (4) 3 V.S.A. § 3090(e) (report on prior three years of fair hearings  
18 conducted by Human Services Board);

19 (5) 20 V.S.A. § 1716(11) (report on the number of employees who work  
20 at the Vermont Veterans' Home for 16 hours or fewer per week);

21 (6) 32 V.S.A. § 310 (report on 10-year State capital program plan);

1           (7) 32 V.S.A. § 3481(1)(C) (report on appraised value of owner-  
2           occupied housing that is subject to a housing subsidy covenant);  
3           (8) 33 V.S.A. § 1702 (report on SNAP payment error rate);  
4           (9) 2010 Acts and Resolves No. 156, Sec. E.114(a) (report on number  
5           of State employees exceeding \$14,000.00 reimbursement for mileage use on  
6           private vehicle); 2013 Acts and Resolves No. 68, Sec. 3 (on the incidences of  
7           concussions sustained by student athletes in Vermont); 2014 Acts and Resolves  
8           No. 163, Sec. 3(b) (report on number of temporary employees employed by  
9           the Department of Corrections); 2014 Acts and Resolves No. 180, Sec. 2(c)  
10           (report from Criminal Justice Training Council on incidents involving the use  
11           of an electronic control device); 2014 Acts and Resolves No. 188, Sec. 3  
12           (concerning implementation, administration, and financing by the Department  
13           of Health of the requirements of 18 V.S.A. chapter 38A); 2014 Acts and  
14           Resolves No. 195, Sec. 3(f) (report on system to evaluate goals and  
15           performance of the pretrial services); 2014 Acts and Resolves No. 195,  
16           Sec. 4(b) (report on county alternative justice programs, protocols for the  
17           programs, and number served by program).

18                   \* \* \* Designating Recipients of Certain Reports \* \* \*

19           Sec. 7. 3 V.S.A. § 331 is amended to read:

20           § 331. TEMPORARY EMPLOYEES

21                   \* \* \*

1 (c)(1) The Commissioner may authorize the continued employment of a  
2 person in a temporary capacity for more than 1,280 hours in any one calendar  
3 year if the Commissioner determines, in writing, that a bona fide emergency  
4 exists for the appointing authority that requires such continued employment.  
5 Annually, on or before January 15, the Commissioner shall submit a report to  
6 the ~~General Assembly~~ House Committee on General, Housing, and Military  
7 Affairs and the House and Senate Committees on Government Operations:

8 \* \* \*

9 ~~Sec. 8. 3 V.S.A. § 3090 is amended to read:~~

10 ~~§ 3090. HUMAN SERVICES BOARD~~

11 \* \* \*

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

17 ~~Sec. 8. 3 V.S.A. § 3090 is amended to read:~~

~~§ 3090. HUMAN SERVICES BOARD~~

\* \* \*

~~(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, and on Health and Welfare, ~~and on Finance~~ regarding the fair hearings conducted by the Board during the three preceding calendar years, including:*

\* \* \*

1 Sec. 9. 20 V.S.A. § 1716 is amended to read:

2 § 1716. CHIEF EXECUTIVE OFFICER

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

6 \* \* \*

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

14 Sec. 10. 32 V.S.A. § 3481 is amended to read:

15 § 3481. DEFINITIONS

16 The following definitions shall apply in this Part and chapter 101 of this



1 title, pertaining to the listing of property for taxation:

2 (1)(A) "Appraisal value" shall mean, with respect to property enrolled  
3 in a use value appraisal program, the use value appraisal as defined in  
4 subdivision 3752(12) of this title, multiplied by the common level of appraisal,  
5 and with respect to all other property, except for owner-occupied housing  
6 identified in subdivision (C) of this subdivision (1), the estimated fair market  
7 value. The estimated fair market value of a property is the price that the  
8 property will bring in the market when offered for sale and purchased by  
9 another, taking into consideration all the elements of the availability of the  
10 property, its use both potential and prospective, any functional deficiencies,  
11 and all other elements such as age and condition ~~which~~ that combine to give  
12 property a market value. Those elements shall include the effect of any State  
13 or local law or regulation affecting the use of land, including 10 V.S.A. chapter  
14 151 or any land capability plan established in furtherance or implementation  
15 thereof, rules adopted by the State Board of Health, and any local or regional  
16 zoning ordinances or development plans. In determining estimated fair market  
17 value, the sale price of the property in question is one element to consider, but  
18 is not solely determinative.

19 \* \* \*

20 (C) For owner-occupied housing that is subject to a housing subsidy  
21 covenant, as defined in 27 V.S.A. § 610, imposed by a governmental, quasi-

1 governmental, or public purpose entity, that limits the price for which the  
2 property may be sold, the housing subsidy covenant shall be deemed to cause a  
3 material decrease in the value of the owner-occupied housing, and the  
4 appraisal value means not less than 60 and not more than 70 percent of what  
5 the fair market value of the property would be if it were not subject to the  
6 housing subsidy covenant. Every five years, starting in 2019, the  
7 Commissioner of Taxes, in consultation with the Vermont Housing  
8 Conservation Board, shall report to the ~~General Assembly~~ House Committee  
9 on Ways and Means on whether the percentage of appraised valued used in this  
10 subdivision should be altered, and the reasons for his or her determination.

11 \* \* \*

12 Sec. 11. 33 V.S.A. § 1702 is amended to read:

13 § 1702. PAYMENT ERROR RATE REPORT

14 On or before January 1 of the year following any federal fiscal year in  
15 which the State of Vermont receives a federal sanction for a payment error rate  
16 greater than the federal threshold in the Supplemental Nutrition Assistance  
17 Program (SNAP), the Department for Children and Families shall report to the  
18 ~~House Committees on Appropriations and on Human Services and to the~~  
19 ~~Senate Committees on Appropriations and on Health and Welfare~~ Senate  
20 Committee on Appropriations regarding:

21 \* \* \*

1 Sec. 12. 2010 Acts and Resolves No. 156, Sec. E.114 is amended to read:

2 Sec. E.114 Buildings and general services – fleet management services

3 (a) The commissioner of the department of buildings and general services

4 shall submit a report to the house ~~and senate committees~~ committee on

5 appropriations by January 15th of each year detailing the number of state

6 employees, by department, that exceed a \$14,000 mileage reimbursement

7 amount for use of their private vehicle.

8 \* \* \*

9 Sec. 13. 2013 Acts and Resolves No. 68, Sec. 3 is amended to read:

10 Sec. 3. REPORT

11 To the extent permitted by applicable state and federal law, the Vermont  
12 Traumatic Brain Injury Advisory Board (the Board) shall obtain information  
13 necessary to create an annual report on the incidences of concussions sustained  
14 by student athletes in Vermont in the previous school year. To the extent such  
15 information is available, the report shall include the number of concussions  
16 sustained by student athletes in Vermont, the sport the student athlete was  
17 playing when he or she sustained the concussion, the number of Vermont  
18 student athletes treated in emergency rooms for concussions received while  
19 participating in school athletics, and who made the decision that a student  
20 athlete was able to return to play. For purposes of the report, the Board shall  
21 consult with the Vermont Principals' Association and the Vermont Association

1 of Athletic Trainers. If the Board obtains information sufficient to create the  
2 report, it shall report on or before December 15 of each year starting in 2014  
3 to the Senate and House Committees on Judiciary ~~and on Education.~~

4 Sec. 14. 2014 Acts and Resolves No. 163, Sec. 3 is amended to read:

5 Sec. 3. DEPARTMENT OF CORRECTIONS STAFFING STUDY

6 \* \* \*

7 (b) The Department of Corrections shall report ~~quarterly~~ annually to the  
8 ~~General Assembly~~ Senate Committees on Appropriations and on Government  
9 Operations the number of temporary employees employed by the Department  
10 of Corrections, the date of hire for each, and the hours worked by each  
11 temporary employee in the calendar year.

12 \* \* \*

13 Sec. 15. 2014 Acts and Resolves No. 188, Sec. 3 is amended to read:

14 Sec. 3. REPORT TO GENERAL ASSEMBLY; CHEMICALS OF HIGH  
15 CONCERN TO CHILDREN

16 On or before January 15, 2015, and biennially thereafter, the Commissioner  
17 of Health, after consultation with the Secretary of Natural Resources, shall  
18 submit to ~~the Senate Committee on Health and Welfare,~~ the House Committee  
19 on Human Services, ~~the House Committee on Ways and Means,~~ the Senate  
20 Committee on Finance, and the Senate and House Committees on  
21 Appropriations, a report concerning implementation, administration, and

1 financing by the Department of Health of the requirements of 18 V.S.A.  
2 chapter 38A regarding the chemicals of high concern to children. The report  
3 shall include:

4 \* \* \*

5 Sec. 16. 2014 Acts and Resolves No. 195, Sec. 3 is amended to read:

6 Sec. 3. RISK ASSESSMENT AND NEEDS SCREENING TOOLS AND  
7 SERVICES

8 \* \* \*

9 (f)(1) The Department, in consultation with the Judiciary and the Crime  
10 Research Group, shall develop and implement a system to evaluate goals and  
11 performance of the pretrial services described in this section and report to the  
12 General Assembly House Committee on Corrections and Institutions and  
13 the House and Senate Committees on Judiciary annually on or before  
14 December 15.

15 \* \* \*

16 Sec. 17. 2014 Acts and Resolves No. 195, Sec. 4 is amended to read:

17 Sec. 4. PROSECUTOR PRECHARGE PROGRAM GUIDELINES AND  
18 REPORTING

19 \* \* \*

20 (b) On or before October 1, 2014, and annually thereafter, the Executive  
21 Director of the Department of State's Attorneys and Sheriffs shall report to the

1 ~~General Assembly~~ House Committee on Corrections and Institutions and the  
2 House and Senate Committees on Judiciary detailing the alternative justice  
3 programs that exist in each county together with the protocols for each  
4 program, the annual number of persons served by the program, and a plan for  
5 how a sequential intercept model can be employed in the county. The report  
6 shall be prepared in cooperation with the Director of Court Diversion, a co-  
7 chair of the Community Justice Network of Vermont, and State, municipal,  
8 and county law enforcement officials.

9 \* \* \*

10 \* \* \* Reports Exempt from 2 V.S.A. § 20(d) \* \* \*

11 Sec. 18. 3 V.S.A. § 2312 is amended to read:

12 § 2312. PERFORMANCE ACCOUNTABILITY LIAISONS TO THE  
13 GENERAL ASSEMBLY

14 \* \* \*

15 (c) Annually, on or before July 30 and as part of any other report  
16 requirement to the General Assembly set forth in this subchapter, the Chief  
17 Performance Officer shall report to the ~~General Assembly~~ House Committee  
18 on Appropriations and the House and Senate Committees on Government  
19 Operations on his or her analysis of the actions taken by the performance  
20 accountability liaisons under this section. The provisions of 2 V.S.A. § 20(d)  
21 (expiration of required reports) shall not apply to the report to be made under

1 this subsection.

2 Sec. 19. 10 V.S.A. § 540 is amended to read:

3 § 540. WORKFORCE EDUCATION AND TRAINING LEADER

4 The Commissioner of Labor shall be the leader of workforce education and  
5 training in the State, and shall have the authority and responsibility for the  
6 coordination of workforce education and training within State government,  
7 including the following duties:

8 \* \* \*

9 (4) Issue an annual report to the Governor ~~and the General Assembly,~~  
10 the House Committees on Appropriations and on Commerce and Economic  
11 Development, and the Senate Committees on Appropriations and on Economic  
12 Development, Housing and General Affairs on or before December 1 that  
13 includes a systematic evaluation of the accomplishments of the State  
14 workforce investment system and the performance of participating agencies  
15 and institutions. The provisions of 2 V.S.A. § 20(d) (expiration of required  
16 reports) shall not apply to the report to be made under this subdivision.

17 \* \* \*

18 Sec. 20. 10 V.S.A. § 1386 is amended to read:

19 § 1386. IMPLEMENTATION PLAN FOR THE LAKE CHAMPLAIN

20 TOTAL MAXIMUM DAILY LOAD

21 \* \* \*

22 (e) Beginning on February 1, 2016, and annually thereafter, the Secretary,

1 after consultation with the Secretary of Agriculture, Food and Markets and the  
2 Secretary of Transportation, shall submit to the House Committee on Natural  
3 Resources, Fish, and Wildlife, ~~the Senate Committee on Natural Resources and~~  
4 ~~Energy, the House Committee on Agriculture and Forestry, and the Senate~~  
5 ~~Committee on Agriculture~~ a summary of activities and measures of progress of  
6 water quality ecosystem restoration programs. The provisions of 2 V.S.A.  
7 § 20(d) (expiration of required reports) shall not apply to the report to be made  
8 under this subsection.

9 Sec. 21. 10 V.S.A. § 4082 is amended to read:

10 § 4082. VERMONT FISH AND WILDLIFE REGULATIONS

11 \* \* \*

12 (c) The Board may set by procedure the annual number of antlerless deer  
13 that can be harvested in each Wildlife Management Unit and the annual  
14 number of moose that can be harvested in each Wildlife Management Unit  
15 without following the procedures for rulemaking contained in 3 V.S.A.  
16 chapter 25. The annual numbers of antlerless deer and moose that can be  
17 harvested shall be supported by investigation and research conducted by the  
18 Department on behalf of the Board. Prior to setting the antlerless deer and  
19 moose permit numbers, the Board shall provide a period of not less than  
20 30 days of public notice and shall conduct at least three public informational  
21 hearings. The public informational hearings may be conducted simultaneously



1 with the regional antlerless deer meetings required by 10 V.S.A. App. § 2b.  
2 The final annual antlerless deer and moose harvest permit numbers shall be  
3 enforceable by the Department under its enforcement authority in part 4 of this  
4 title. The final annual antlerless deer and moose harvest permit numbers shall  
5 be reported to the House Committee on ~~Fish, Wildlife and Water Resources~~  
6 ~~and the Senate Committee on Natural Resources and Energy~~ Natural  
7 Resources, Fish, and Wildlife as part of the annual deer report required under  
8 section 4084 of this title. The provisions of 2 V.S.A. § 20(d) (expiration of  
9 required reports) shall not apply to the report to be made under this subsection.

10 Sec. 22. 16 V.S.A. § 1944c is amended to read:

11 § 1944c. EMPLOYER CHARGES FOR FEDERAL GRANTS OR  
12 REIMBURSEMENTS

13 \* \* \*

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

1 Committee on Education regarding progress in implementation of this section.

2 The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not  
3 apply to the report to be made under this subsection.

4 Sec. 23. 18 V.S.A. § 9374 is amended to read:

5 § 9374. BOARD MEMBERSHIP; AUTHORITY

6 \* \* \*

7 (h)(1) Except as otherwise provided in subdivision (2) of this subsection,  
8 expenses incurred to obtain information, analyze expenditures, review hospital  
9 budgets, and for any other contracts authorized by the Board shall be borne as  
10 follows:

11 \* \* \*

12 (4)(A) Annually on or before September 15, the Board and the  
13 Department of Financial Regulation shall report to the House and Senate  
14 Committees on Appropriations the total amount of all expenses eligible for  
15 allocation pursuant to this subsection (h) during the preceding State fiscal year  
16 and the total amount actually billed back to the regulated entities during the  
17 same period. The provisions of 2 V.S.A. § 20(d) (expiration of required  
18 reports) shall not apply to the report to be made under this subdivision.

19 (B) The Board and the Department shall also present the information  
20 required by subsection (a) of this section to the Joint Fiscal Committee  
21 annually at its September meeting.

1 \* \* \*

2 Sec. 24. 18 V.S.A. § 9603 is amended to read:

3 § 9603. DUTIES AND AUTHORITY

4 (a) The Office of the Health Care Advocate shall:

5 \* \* \*

6 (11) ~~Submit to the General Assembly and the Governor, the House~~  
7 Committee on Ways and Means, and the House and Senate Committees on  
8 Appropriations on or before January 1 of each year a report on the activities,  
9 performance, and fiscal accounts of the Office during the preceding calendar  
10 year.

11 \* \* \*

12 Sec. 25. 20 V.S.A. § 1716 is amended to read:

13 § 1716. CHIEF EXECUTIVE OFFICER

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

17 \* \* \*

18 (3) Report annually to the ~~legislative standing committees of~~  
19 jurisdiction Senate Committee on Economic Development, Housing and  
20 General Affairs and the House and Senate Committees on Appropriations  
21 regarding the Home's budget. The provisions of 2 V.S.A. § 20(d) (expiration

1 of required reports) shall not apply to the report to be made under this  
2 subdivision.

3 \* \* \*

4 Sec. 26. 20 V.S.A. § 2307 is amended to read:

5 § 2307. FIREARMS RELINQUISHED PURSUANT TO RELIEF FROM  
6 ABUSE ORDER; STORAGE; FEES; RETURN

7 \* \* \*

8 (i) The Department of Public Safety shall be responsible for the  
9 implementation and establishment of standards and guidelines to carry out this  
10 section. To carry out this responsibility, the Department shall:

11 \* \* \*

12 (4) Report on January 15, 2015 and annually thereafter to the House and  
13 Senate Committees on Judiciary on the status of the program. The provisions  
14 of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report  
15 to be made under this subdivision.

16 Sec. 27. 21 V.S.A. § 632 is amended to read:

17 § 632. COMPENSATION TO DEPENDENTS; BURIAL AND FUNERAL  
18 EXPENSES

19 If death results from the injury, the employer shall pay to the persons  
20 entitled to compensation or, if there is are none, then to the personal  
21 representative of the deceased employee, the actual burial and funeral expenses

1 not to exceed \$10,000.00 and the actual expenses for out-of-state  
2 transportation of the decedent to the place of burial not to exceed \$5,000.00.  
3 Every two years, the Commissioner of Labor shall evaluate the average burial  
4 and funeral expenses in the State and make a recommendation to the House  
5 Committee on Commerce and Economic Development ~~and the Senate~~  
6 ~~Committee on Finance~~ as to whether an adjustment in compensation is  
7 warranted. The provisions of 2 V.S.A. § 20(d) (expiration of required reports)  
8 shall not apply to the report to be made under this section. The employer shall  
9 also pay to or for the benefit of the following persons, for the periods  
10 prescribed in section 635 of this title, a weekly compensation equal to the  
11 following percentages of the deceased employee's average weekly wages. The  
12 weekly compensation payment herein allowed shall not exceed the maximum  
13 weekly compensation or be lower than the minimum weekly compensation:

14 \* \* \*

15 Sec. 28. 21 V.S.A. § 639 is amended to read:

16 § 639. DEATH, PAYMENT TO DEPENDENTS

17 In cases of the death of a person from any cause other than the accident  
18 during the period of payments for disability or for the permanent injury, the  
19 remaining payments for disability then due or for the permanent injury shall be  
20 made to the person's dependents according to the provisions of sections 635  
21 and 636 of this title, or if there are none, the remaining amount due, but ~~no~~ not

1 more than the actual burial and funeral expenses not to exceed \$10,000.00 and  
2 the actual expenses for out-of-state transportation of the decedent to the place  
3 of burial not to exceed \$5,000.00, shall be paid in a lump sum to the proper  
4 person. Every two years, the Commissioner of Labor shall evaluate the  
5 average burial and funeral expenses in the State and make a recommendation  
6 to the House Committee on Commerce and Economic Development ~~and the~~  
7 ~~Senate Committee on Finance~~ as to whether an adjustment in compensation is  
8 warranted. The provisions of 2 V.S.A. § 20(d) (expiration of required reports)  
9 shall not apply to the report to be made under this section.

10 Sec. 29. 29 V.S.A. § 152 is amended to read:

11 § 152. DUTIES OF COMMISSIONER

12 (a) The Commissioner of Buildings and General Services, in addition to  
13 the duties expressly set forth elsewhere by law, shall have the authority to:

14 \* \* \*

15 (23) With the approval of the Secretary of Administration, transfer  
16 during any fiscal year to the Department of Buildings and General Services for  
17 use only for major maintenance within the Capitol Complex in Montpelier,  
18 any unexpended balances of funds appropriated in any capital construction act  
19 for any Executive or Judicial Branch project, excluding any appropriations for  
20 State grant-in-aid programs, which is completed or substantially completed as  
21 determined by the Commissioner. On or before January 15 of each year, the

1 Commissioner shall report to the House Committee on Corrections and  
2 Institutions ~~and the Senate Committee on Institutions~~ regarding all transfers  
3 and expenditures made pursuant to this subdivision ~~(23)~~. The provisions of  
4 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to  
5 be made under this subdivision.

6 \* \* \*

7 Sec. 30. 29 V.S.A. § 168 is amended to read:

8 § 168. STATE ENERGY MANAGEMENT PROGRAM; REVOLVING  
9 FUNDS

10 \* \* \*

11 (f) Beginning on or before January 15, 2015 and annually thereafter, the  
12 Department of Buildings and General Services shall report to ~~the Senate~~  
13 ~~Committee on Institutions~~ and the House Committee on Corrections and  
14 Institutions on the expenditure of funds from the State Resource Management  
15 Revolving Fund for resource conservation measures and the Energy Revolving  
16 Fund for energy efficiency improvements and the use of renewable resources.  
17 For each fiscal year, the report shall include a summary of each project  
18 receiving funding and the State's expected savings. The provisions of 2 V.S.A.  
19 § 20(d) (expiration of required reports) shall not apply to the report to be made  
20 under this subsection.

21 Sec. 31. 32 V.S.A. § 305a is amended to read:

1 § 305a. OFFICIAL STATE REVENUE ESTIMATE

2 \* \* \*

3 (c) The January estimates shall include estimated caseloads and estimated  
4 per-member per-month expenditures for the current and next succeeding fiscal  
5 years for each Medicaid enrollment group as defined by the Agency and the  
6 Joint Fiscal Office for State Health Care Assistance Programs or premium  
7 assistance programs supported by the State Health Care Resources and Global  
8 Commitment Funds, and for the ~~Programs~~ programs under any Medicaid  
9 Section 1115 waiver. For Board consideration, there shall be provided two  
10 versions of the next succeeding fiscal year's estimated per-member per-month  
11 expenditures: one shall include an increase in Medicaid provider  
12 reimbursements in order to ensure that the expenditure estimates reflect  
13 amounts attributable to health care inflation as required by subdivisions  
14 307(d)(5) and (d)(6) of this title and one shall be without the inflationary  
15 adjustment. For VPharm, the January estimates shall include estimated  
16 caseloads and estimated per-member per-month expenditures for the current  
17 and next succeeding fiscal years by income category. The January estimates  
18 shall include the expenditures for the current and next succeeding fiscal years  
19 for the Medicare Part D phased-down State contribution payment and for the  
20 disproportionate share hospital payments. In July, the Administration and the  
21 Joint Fiscal Office shall make a report to the Emergency Board on the most



1 recently ended fiscal year for all Medicaid and Medicaid-related programs,  
2 including caseload and expenditure information for each Medicaid eligibility  
3 group. Based on this report, the Emergency Board may adopt revised  
4 estimates for the current fiscal year and estimates for the next succeeding fiscal  
5 year. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall  
6 not apply to the report to be made under this subsection.

7 Sec. 32. 32 V.S.A. § 701a is amended to read:

8 § 701a. CAPITAL CONSTRUCTION BILL

9 \* \* \*

10 (c) The spending authority authorized by a capital construction act shall  
11 carry forward until expended, unless otherwise provided. All unexpended  
12 funds remaining for projects authorized by capital construction acts enacted in  
13 a legislative session that was two or more years prior to the current legislative  
14 session shall be reported to the General Assembly and may be reallocated in  
15 future capital construction acts.

16 (d) On or before January 15, each entity to which spending authority has  
17 been authorized by a capital construction act enacted in a legislative session  
18 that was two or more years prior to the current legislative session shall submit  
19 to the House Committee on Corrections and Institutions and the Senate  
20 Committee on Institutions a report on the current fund balances of each  
21 authorized project with unexpended funds.

1       (e) The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall  
2       not apply to the reports to be made under subsections (c) and (d) of this  
3       section.

4       Sec. 33. 32 V.S.A. § 5404a is amended to read:

5       § 5404a. TAX STABILIZATION AGREEMENTS; TAX INCREMENT  
6                    FINANCING DISTRICTS

7   \* \* \*

8       (i) The Vermont Economic Progress Council and the Department of Taxes  
9       shall make an annual report to the Senate ~~Committees~~ Committee on  
10       Economic Development, Housing and General Affairs ~~and on Finance~~ and the  
11       House Committees on Commerce and Economic Development and on Ways  
12       and Means ~~of the General Assembly~~ on or before April 1. The report shall  
13       include, in regard to each existing tax increment financing district, the date of  
14       creation, a profile of the district, a map of the district, the original taxable  
15       value, the scope and value of projected and actual improvements and  
16       developments, projected and actual incremental revenue amounts and division  
17       of the increment revenue between district debt, the Education Fund, the special  
18       account required by 24 V.S.A. § 1896 and the municipal General Fund,  
19       projected and actual financing, and a set of performance measures developed  
20       by the Vermont Economic Progress Council, which shall include the number  
21       of jobs created in the district, what sectors experienced job growth, and the

1 amount of infrastructure work performed by Vermont firms. The provisions of  
2 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to  
3 be made under this subsection.

4 \* \* \*

5 Sec. 34. 2014 Acts and Resolves No. 179, Sec. E.308 is amended to read:

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

8 \* \* \*

9 (c) The Department, in collaboration with Choices for Care participants,  
10 participants' families, and long-term care providers, shall conduct an annual  
11 assessment of the adequacy of the provider system for delivery of home- and  
12 community-based services and nursing home services. On or before October 1  
13 of each year, the Department of Disabilities, Aging, and Independent Living  
14 shall report the results of this assessment to the House Committees on  
15 Appropriations and on Human Services ~~and the Senate Committees on~~  
16 ~~Appropriations and on Health and Welfare~~ in order to inform the reinvestment  
17 of savings during the budget adjustment process. The provisions of 2 V.S.A.  
18 § 20(d) (expiration of required reports) shall not apply to the report to be made  
19 under this subsection.

20 (d) On or before January 15 of each year, the Department of Disabilities,  
21 Aging, and Independent Living shall propose reinvestment of the savings

1 calculated pursuant to this section to the ~~General Assembly~~ House Committees  
2 on Appropriations and on Human Services as part of the Department's  
3 proposed budget adjustment presentation.

4 \* \* \*

5 \* \* \* Effective Date \* \* \*

6 Sec. 35. EFFECTIVE DATE

7 This act shall take effect on passage.