

Journal of the House

Friday, March 22, 2019

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rev. Mark Pitton, Sharon Congregational Church, Sharon, VT.

Message from the Senate No. 27

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

S. 12. An act relating to the State Energy Management Program.

S. 83. An act relating to prohibiting agreements that prevent an employee from working for the employer following the settlement of a discrimination claim.

S. 108. An act relating to employee misclassification.

S. 154. An act relating to miscellaneous banking provisions.

In the passage of which the concurrence of the House is requested.

The Senate has considered House proposal of amendment to Joint Senate Resolution of the following title:

J.R.S. 17. Joint resolution providing for a Joint Assembly to vote on the retention of eight Superior Judges and one Magistrate.

And has concurred therein.

Senate Bill Referred

S. 12

Senate bill, entitled

An act relating to the State Energy Management Program

Was read and referred to the committee on Energy and Technology.

Senate Bill Referred**S. 83**

Senate bill, entitled

An act relating to prohibiting agreements that prevent an employee from working for the employer following the settlement of a discrimination claim

Was read and referred to the committee on General, Housing, and Military Affairs.

Senate Bill Referred**S. 108**

Senate bill, entitled

An act relating to employee misclassification

Was read and referred to the committee on Commerce and Economic Development.

Senate Bill Referred**S. 154**

Senate bill, entitled

An act relating to miscellaneous banking provisions

Was read and referred to the committee on Commerce and Economic Development.

**Legislative Advisory Committee
On The State House Appointed**

Pursuant to 2 V.S.A. § 651, the Chair hereby appoints the following members to the Legislative Advisory Committee on the State House:

Rep. Bartholomew of Hartland

Rep. Burke of Brattleboro

Rep. Strong of Albany

Third Reading; Bill Passed**H. 460**

House bill, entitled

An act relating to sealing and expungement of criminal history records

Was taken up and read the third time.

Pending the question, Shall the bill pass? **Rep. McCoy of Poultney** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill pass? was decided in the affirmative. Yeas, 105. Nays, 32.

Those who voted in the affirmative are:

Ancel of Calais	Fegard of Berkshire	O'Brien of Tunbridge
Anthony of Barre City	Forguites of Springfield	Ode of Burlington
Austin of Colchester	Gannon of Wilmington	Pajala of Londonderry
Bartholomew of Hartland	Giambatista of Essex	Partridge of Windham
Bates of Bennington	Goslant of Northfield	Patt of Worcester
Beck of St. Johnsbury	Haas of Rochester	Potter of Clarendon
Birong of Vergennes	Hashim of Dummerston	Pugh of South Burlington
Bock of Chester	Hill of Wolcott	Rachelson of Burlington *
Briglin of Thetford	Hooper of Montpelier	Ralph of Hartland
Brownell of Pownal	Hooper of Randolph	Redmond of Essex
Brumsted of Shelburne	Hooper of Burlington	Rogers of Waterville
Burditt of West Rutland *	Houghton of Essex	Scheu of Middlebury
Burke of Brattleboro	Howard of Rutland City	Scheuermann of Stowe
Campbell of St. Johnsbury	James of Manchester	Seymour of Sutton
Canfield of Fair Haven	Jerome of Brandon	Sheldon of Middlebury
Carroll of Bennington	Jessup of Middlesex	Sibilia of Dover
Chase of Colchester	Jickling of Randolph	Squirrell of Underhill
Chesnut-Tangerman of Middletown Springs	Killacky of South Burlington	Stevens of Waterbury
Christensen of Weathersfield	Kimbell of Woodstock	Sullivan of Dorset
Cina of Burlington	Kitzmiller of Montpelier	Sullivan of Burlington
Coffey of Guilford	Kornheiser of Brattleboro	Szott of Barnard
Colburn of Burlington	Krowinski of Burlington	Taylor of Colchester
Colston of Winooski	LaLonde of South Burlington	Till of Jericho
Conlon of Cornwall	Lanpher of Vergennes	Toleno of Brattleboro
Conquest of Newbury	Lefebvre of Newark	Toll of Danville
Copeland-Hanzas of Bradford	Long of Newfane	Townsend of South Burlington
Corcoran of Bennington	Macaig of Williston	Trieber of Rockingham
Cordes of Lincoln	Masland of Thetford	Troiano of Stannard
Demrow of Corinth	McCarthy of St. Albans City	Walz of Barre City
Dolan of Waitsfield	McCormack of Burlington	Webb of Shelburne
Donovan of Burlington	McCullough of Williston	White of Hartford
Durfee of Shaftsbury	Morgan of Milton	Wood of Waterbury
Elder of Starksboro	Mrowicki of Putney	Yacovone of Morristown
Emmons of Springfield	Nicoll of Ludlow	Yantachka of Charlotte
	Notte of Rutland City	Young of Greensboro
	Noyes of Wolcott	

Those who voted in the negative are:

Bancroft of Westford	Graham of Williamstown	Morrissey of Bennington *
Batchelor of Derby	Gregoire of Fairfield	Murphy of Fairfax
Brennan of Colchester	Hango of Berkshire	Myers of Essex
Browning of Arlington	Harrison of Chittenden	Norris of Shoreham

Cupoli of Rutland City	Helm of Fair Haven	Page of Newport City
Dickinson of St. Albans Town	Higley of Lowell	Palasik of Milton
Donahue of Northfield *	LaClair of Barre Town	Quimby of Concord
Fagan of Rutland City	Martel of Waterford	Rosenquist of Georgia
Feltus of Lyndon	Mattos of Milton	Savage of Swanton
Gamache of Swanton	McCoy of Poultney	Smith of Derby *
	McFaun of Barre Town	Toof of St. Albans Town

Those members absent with leave of the House and not voting are:

Christie of Hartford	Leffler of Enosburgh	Shaw of Pittsford
Gardner of Richmond	Lippert of Hinesburg	Smith of New Haven
Gonzalez of Winooski	Marcotte of Coventry	Strong of Albany
Grad of Moretown	O'Sullivan of Burlington	Terenzini of Rutland Town

Rep. Burditt of West Rutland explained his vote as follows:

“Madam Speaker:

Quite simply I voted yes on H.460 because I do believe in giving people a second chance.”

Rep. Donahue of Northfield explained her vote as follows:

“Madam Speaker:

My vote does not reflect a question about new offenses covered under this bill. It reflects my ongoing opposition to a statute that allows full expungement after too brief a period of time after conviction and sentencing.”

Rep. Morrissey of Bennington explained her vote as follows:

“Madam Speaker:

Let’s not be told that the Senate will fix our legislation when we had the opportunity to fix it ourselves. I do hope that the Senate will fix it so that I will be able to vote yes, as I had wanted to today.”

Rep. Rachelson of Burlington explained her vote as follows:

“Madam Speaker:

People with criminal records who have remained crime free for 4-7 years are no more likely to commit a new crime than the general public. H.466 helps give people a chance to live their lives without being jobless, homeless, and stigmatized after they have served their sentence. Without tools like expungement, we continue the practice of making a criminal record a life sentence to poverty. Expungements are a win for families, communities, and the economy.”

Rep. Smith of Derby explained his vote as follows:

“Madam Speaker:

I do agree with an expungement bill. However, voting to expunge a cocaine conviction and NOT a DUI conviction is not the right way to do this!”

Third Reading; Bill Passed

H. 525

House bill, entitled

An act relating to miscellaneous agricultural subjects

Was taken up, read the third time and passed.

Third Reading; Bill Passed

H. 527

House bill, entitled

An act relating to Executive Branch and Judicial Branch fees

Was taken up, read the third time and passed.

Third Reading; Bill Passed

H. 528

House bill, entitled

An act relating to the Rural Health Services Task Force

Was taken up, read the third time and passed.

Second Reading; Bill Amended; Third Reading Ordered

H. 82

Rep. Bock of Chester, for the committee on Agriculture and Forestry, to which had been referred House bill entitled,

An act relating to the taxation of timber harvesting equipment

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following::

Sec. 1. 32 V.S.A. § 9741 is amended to read:

§ 9741. SALES NOT COVERED

Retail sales and use of the following shall be exempt from the tax on retail sales imposed under section 9771 of this title and the use tax imposed under section 9773 of this title.

* * *

(51) The following machinery, including repair parts, used for timber cutting, timber removal, and processing of timber or other solid wood forest products intended to be sold ultimately at retail: skidders with grapple and cable; feller bunchers; cut-to-length processors; forwarders; delimiters; loader slashers; log loaders; whole-tree chippers; stationary screening systems; and firewood processors, elevators, and screens; and when sold for use on any machinery listed under this subdivision, traction enhancement accessories, tire chains, track systems, and winch cables. The Department of Taxes shall publish guidance relating to the application of this exemption.

* * *

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Browning of Arlington, for the committee on Ways and Means, recommended the bill ought to pass when amended by the committee on Agriculture and Forestry.

The bill, having appeared on the Calendar one day for notice, was taken up, read second time, the report of the committees on Agriculture and Forestry and Ways and Means agreed to and third reading was ordered.

Bill Amended; Read Third Time; Bill Passed

H. 532

House bill, entitled

An act relating to limited adjustments to the fiscal year 2019 budget

Was taken up and pending third reading of the bill, **Rep. Toll of Danville** moved to amend the bill as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.204 is amended to read:

Sec. B.204 Judiciary

Personal services	40,424,989	40,624,989
Operating expenses	9,550,786	10,120,786
Grants	<u>76,030</u>	<u>76,030</u>
Total	50,051,805	50,821,805

Source of funds

General fund	43,911,694	44,681,694
Special funds	3,174,315	3,174,315
Federal funds	640,524	640,524
Interdepartmental transfers	<u>2,325,272</u>	<u>2,325,272</u>
Total	50,051,805	50,821,805

Sec. 2. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.209 is amended to read:

Sec. B.209 Public safety - state police

Personal services	54,187,733	57,629,144
Operating expenses	10,167,293	10,167,293
Grants	<u>1,356,805</u>	<u>1,356,805</u>
Total	65,711,831	69,153,242

Source of funds

General fund	36,604,914	40,046,325
Transportation fund	20,250,000	20,250,000
Special funds	2,984,667	2,984,667
Federal funds	3,798,422	3,798,422
Interdepartmental transfers	<u>2,073,828</u>	<u>2,073,828</u>
Total	65,711,831	69,153,242

Sec. 3. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.221 is amended to read:

Sec. B.221 Criminal justice training council

Personal services	1,193,040	1,332,687
Operating expenses	<u>1,283,697</u>	<u>1,283,697</u>
Total	2,476,737	2,616,384

Source of funds

General fund	2,355,582	2,495,229
Interdepartmental transfers	<u>121,155</u>	<u>121,155</u>
Total	2,476,737	2,616,384

Sec. 4. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.240 is amended to read:

Sec. B.240 Total protection to persons and property

Source of funds

General fund	152,235,965	156,587,023
Transportation fund	20,250,000	20,250,000
Special funds	86,673,285	86,673,285
Tobacco fund	561,843	561,843
Federal funds	54,930,811	54,930,811
ARRA funds	1,010,000	1,010,000
Interdepartmental transfers	14,681,856	14,681,856
Enterprise funds	<u>10,408,556</u>	<u>10,408,556</u>
Total	340,752,316	345,103,374

Sec. 5. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.300 is amended to read:

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

Personal services	8,771,938	8,521,445
Operating expenses	11,443,486	5,646,282
Grants	<u>4,983,315</u>	<u>6,978,181</u>
Total	25,198,739	21,145,908

Source of funds

General fund	7,387,754	7,996,653
Special funds	91,017	135,517
Federal funds	16,056,135	11,581,340
Global Commitment fund	453,000	453,000
Interdepartmental transfers	<u>1,210,833</u>	<u>979,398</u>
Total	25,198,739	21,145,908

Sec. 6. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.301 is amended to read:

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

Operating expenses	3,156,749	3,156,749
Grants	<u>1,585,123,038</u>	<u>1,605,380,121</u>
Total	<u>1,588,279,787</u>	<u>1,608,536,870</u>
Source of funds		
General fund	<u>283,423,430</u>	547,692,210
Special funds	<u>27,902,465</u>	34,179,290
Tobacco fund	<u>20,299,373</u>	20,299,373
State health care resources fund	<u>284,480,725</u>	18,546,502
Federal funds	<u>955,341,512</u>	972,451,716
Interdepartmental transfers	<u>16,832,282</u>	<u>15,367,779</u>
Total	<u>1,588,279,787</u>	<u>1,608,536,870</u>
Sec. 7. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.302 is amended to read:		
Sec. B.302 Rate setting		
Personal services	<u>916,668</u>	513,890
Operating expenses	<u>96,744</u>	<u>23,906</u>
Total	<u>1,013,412</u>	537,796
Source of funds		
General fund	<u>506,706</u>	268,898
Federal funds	<u>506,706</u>	<u>268,898</u>
Total	<u>1,013,412</u>	537,796
Sec. 8. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.303 is amended to read:		
Sec. B.303 Developmental disabilities council		
Personal services	402,333	402,333
Operating expenses	<u>71,003</u>	83,003
Grants	<u>150,000</u>	<u>150,000</u>
Total	<u>623,336</u>	635,336
Source of funds		
Special funds	0	12,000

Federal funds	<u>623,336</u>	<u>623,336</u>
Total	<u>623,336</u>	635,336

Sec. 9. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.306 is amended to read:

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

Personal services	150,000,858	155,647,085
Operating expenses	<u>5,878,419</u>	9,166,151
Grants	<u>7,314,742</u>	<u>7,314,742</u>
Total	<u>163,194,019</u>	172,127,978

Source of funds

General fund	26,674,061	29,303,802
Special funds	<u>3,522,585</u>	4,180,049
Federal funds	118,955,295	122,595,258
Global Commitment fund	<u>6,795,089</u>	8,420,089
Interdepartmental transfers	<u>7,246,989</u>	<u>7,628,780</u>
Total	<u>163,194,019</u>	172,127,978

Sec. 10. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.307 is amended to read:

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

Grants	<u>730,388,202</u>	<u>731,836,651</u>
Total	<u>730,388,202</u>	731,836,651

Source of funds

Global Commitment fund	<u>730,388,202</u>	<u>731,836,651</u>
Total	<u>730,388,202</u>	731,836,651

Sec. 11. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.308 is amended to read:

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

Grants	<u>204,515,915</u>	<u>209,074,560</u>
Total	<u>204,515,915</u>	209,074,560

Source of funds

Global Commitment fund	<u>204,515,915</u>	<u>209,074,560</u>
Total	204,515,915	209,074,560

Sec. 12. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.309 is amended to read:

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

Grants	<u>47,955,940</u>	<u>52,546,833</u>
Total	47,955,940	52,546,833

Source of funds

General fund	<u>39,074,163</u>	<u>40,951,636</u>
Global Commitment fund	<u>8,881,777</u>	<u>11,595,197</u>
Total	47,955,940	52,546,833

Sec. 13. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.310 is amended to read:

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

Grants	<u>31,345,248</u>	<u>32,446,297</u>
Total	31,345,248	32,446,297

Source of funds

General fund	<u>11,400,406</u>	<u>11,406,688</u>
Federal funds	<u>19,944,842</u>	<u>21,039,609</u>
Total	31,345,248	32,446,297

Sec. 14. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.311 is amended to read:

Sec. B.311 Health - administration and support

Personal services	5,369,099	5,369,099
Operating expenses	5,125,954	5,637,439
Grants	<u>4,065,000</u>	<u>4,040,917</u>
Total	14,560,053	15,047,455

Source of funds

General fund	2,756,570	2,846,866
Special funds	1,737,815	1,758,275
Federal funds	6,577,531	6,904,918
Global Commitment fund	3,443,137	3,492,396
Interdepartmental transfers	<u>45,000</u>	<u>45,000</u>
Total	14,560,053	15,047,455

Sec. 15. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.312 is amended to read:

Sec. B.312 Health - public health

Personal services	42,670,151	42,670,151
Operating expenses	8,262,008	8,262,008
Grants	<u>36,443,759</u>	<u>36,419,345</u>
Total	87,375,918	87,351,504

Source of funds

General fund	9,483,976	9,459,562
Special funds	17,368,655	17,368,655
Tobacco fund	1,088,918	1,088,918
Federal funds	45,853,114	45,853,114
Global Commitment fund	12,436,255	12,436,255
Interdepartmental transfers	1,120,000	1,120,000
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	87,375,918	87,351,504

Sec. 16. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.313 is amended to read:

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

Personal services	4,228,751	4,228,751
Operating expenses	255,634	255,634
Grants	<u>49,572,962</u>	<u>49,199,356</u>
Total	54,057,347	53,683,741

Source of funds

General fund	<u>2,468,452</u>	2,350,373
Special funds	1,163,962	1,163,962
Tobacco fund	949,917	949,917
Federal funds	14,495,543	14,495,543
Global Commitment fund	<u>34,979,473</u>	<u>34,723,946</u>
Total	54,057,347	53,683,741

Sec. 17. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.314 is amended to read:

Sec. B.314 Mental health - mental health

Personal services	<u>30,983,975</u>	31,803,025
Operating expenses	3,754,146	3,754,146
Grants	<u>208,515,176</u>	<u>228,916,900</u>
Total	<u>243,253,297</u>	264,474,071

Source of funds

General fund	<u>6,131,693</u>	6,401,117
Special funds	434,904	1,184,904
Federal funds	<u>8,782,053</u>	9,485,683
Global Commitment fund	<u>227,884,647</u>	247,085,743
Interdepartmental transfers	<u>20,000</u>	<u>316,624</u>
Total	<u>243,253,297</u>	264,474,071

Sec. 18. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.316 is amended to read:

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

Personal services	<u>39,883,238</u>	41,316,060
Operating expenses	<u>11,312,882</u>	11,089,597
Grants	<u>3,019,141</u>	<u>2,920,622</u>
Total	<u>54,215,261</u>	55,326,279

Source of funds

General fund	<u>26,574,313</u>	26,425,308
--------------	-------------------	------------

Special funds	<u>2,591,557</u>	2,531,557
Federal funds	<u>22,956,549</u>	24,228,031
Global Commitment fund	1,875,508	1,924,049
Interdepartmental transfers	<u>217,334</u>	<u>217,334</u>
Total	<u>54,215,261</u>	55,326,279

Sec. 19. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.317 is amended to read:

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

Personal services	33,519,525	34,621,892
Operating expenses	4,951,233	5,099,978
Grants	<u>75,193,282</u>	<u>77,367,914</u>
Total	<u>113,664,040</u>	117,089,784

Source of funds

General fund	36,682,377	40,287,702
Special funds	967,587	877,587
Federal funds	27,125,458	27,457,860
Global Commitment fund	48,754,229	48,354,746
Interdepartmental transfers	<u>134,389</u>	<u>111,889</u>
Total	<u>113,664,040</u>	117,089,784

Sec. 20. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.318 is amended to read:

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

Personal services	4,373,097	4,591,300
Operating expenses	666,405	701,709
Grants	<u>78,641,229</u>	<u>78,352,587</u>
Total	<u>83,680,731</u>	83,645,596

Source of funds

General fund	33,309,452	33,047,380
Special funds	1,820,000	1,820,000
Federal funds	37,067,384	37,067,384

Global Commitment fund	11,483,895	11,688,332
Interdepartmental transfers	<u>0</u>	<u>22,500</u>
Total	83,680,731	83,645,596

Sec. 21. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.319 is amended to read:

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

Personal services	10,358,904	10,358,904
Operating expenses	<u>3,664,980</u>	<u>3,707,369</u>
Total	14,023,884	14,066,273

Source of funds

General fund	3,811,164	4,141,089
Special funds	455,719	455,719
Federal funds	9,369,401	9,081,865
Interdepartmental transfers	<u>387,600</u>	<u>387,600</u>
Total	14,023,884	14,066,273

Sec. 22. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.320 is amended to read:

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

Personal services	2,252,206	2,252,206
Grants	<u>11,298,023</u>	<u>10,498,023</u>
Total	13,550,229	12,750,229

Source of funds

General fund	9,649,899	8,849,899
Global Commitment fund	<u>3,900,330</u>	<u>3,900,330</u>
Total	13,550,229	12,750,229

Sec. 23. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.321 is amended to read:

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

Personal services	15,000	15,000
Grants	<u>6,912,360</u>	<u>6,992,083</u>

Total	6,927,360	7,007,083
Source of funds		
General fund	6,530,025	6,609,748
Federal funds	111,320	111,320
Global Commitment fund	<u>286,015</u>	<u>286,015</u>
Total	6,927,360	7,007,083

Sec. 24. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.323 is amended to read:

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

Operating expenses	51,519	51,519
Grants	<u>32,420,849</u>	<u>32,160,502</u>
Total	32,472,368	32,212,021

Source of funds

General fund	6,423,546	5,822,579
Special funds	21,024,984	21,177,984
Federal funds	2,342,220	2,529,840
Global Commitment fund	<u>2,681,618</u>	<u>2,681,618</u>
Total	32,472,368	32,212,021

Sec. 25. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.324 is amended to read:

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

Grants	<u>15,019,953</u>	<u>16,375,827</u>
Total	15,019,953	16,375,827

Source of funds

Special funds	1,434,217	1,790,091
Federal funds	<u>13,585,736</u>	<u>14,585,736</u>
Total	15,019,953	16,375,827

Sec. 26. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.325 is amended to read:

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

Personal services	496,450	496,450
Operating expenses	43,133	43,458
Grants	<u>9,610,253</u>	<u>10,089,823</u>
Total	<u>10,149,836</u>	10,629,731

Source of funds

General fund	4,767,340	4,962,665
Special funds	57,990	57,990
Federal funds	4,494,818	4,707,843
Global Commitment fund	829,688	829,688
Interdepartmental transfers	<u>0</u>	<u>71,545</u>
Total	<u>10,149,836</u>	10,629,731

Sec. 27. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.326 is amended to read:

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

Personal services	321,661	321,661
Operating expenses	43,448	43,448
Grants	<u>10,554,220</u>	<u>12,641,596</u>
Total	<u>10,919,329</u>	13,006,705

Source of funds

Special funds	<u>6,325,418</u>	8,412,794
Federal funds	<u>4,593,911</u>	<u>4,593,911</u>
Total	<u>10,919,329</u>	13,006,705

Sec. 28. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.327 is amended to read:

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

Personal services	5,478,901	5,478,901
Operating expenses	<u>717,907</u>	<u>717,998</u>

Total	6,196,808	6,196,899
Source of funds		
General fund	1,134,164	6,099,899
Global Commitment fund	4,965,644	0
Interdepartmental transfers	<u>97,000</u>	<u>97,000</u>
Total	6,196,808	6,196,899

Sec. 29. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.328 is amended to read:

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

Personal services	5,978,035	6,428,035
Operating expenses	<u>411,111</u>	<u>411,111</u>
Total	6,389,146	6,839,146
Source of funds		
General fund	103,081	103,081
Federal funds	<u>6,286,065</u>	<u>6,736,065</u>
Total	6,389,146	6,839,146

Sec. 30. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.329 is amended to read:

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

Personal services	31,585,910	31,585,910
Operating expenses	<u>5,477,387</u>	<u>5,594,492</u>
Total	37,063,297	37,180,402
Source of funds		
General fund	16,304,973	16,379,241
Special funds	1,390,457	1,390,457
Federal funds	18,301,583	18,344,420
Interdepartmental transfers	<u>1,066,284</u>	<u>1,066,284</u>
Total	37,063,297	37,180,402

Sec. 31. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.330 is amended to read:

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

Grants	<u>20,067,904</u>	<u>20,133,204</u>
Total	20,067,904	20,133,204

Source of funds

General fund	7,553,375	7,553,375
Federal funds	7,148,466	7,148,466
Global Commitment fund	<u>5,366,063</u>	<u>5,431,363</u>
Total	20,067,904	20,133,204

Sec. 32. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.331 is amended to read:

Sec. B.331 Disabilities, aging, and independent living - blind and visually impaired

Grants	<u>1,451,457</u>	<u>1,661,457</u>
Total	1,451,457	1,661,457

Source of funds

General fund	389,154	389,154
Special funds	223,450	223,450
Federal funds	593,853	743,853
Global Commitment fund	<u>245,000</u>	<u>305,000</u>
Total	1,451,457	1,661,457

Sec. 33. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.332 is amended to read:

Sec. B.332 Disabilities, aging, and independent living - vocational rehabilitation

Grants	<u>7,174,368</u>	<u>7,024,368</u>
Total	7,174,368	7,024,368

Source of funds

General fund	1,371,845	1,371,845
--------------	-----------	-----------

Federal funds	4,552,523	4,402,523
Interdepartmental transfers	<u>1,250,000</u>	<u>1,250,000</u>
Total	7,174,368	7,024,368

Sec. 34. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.333 is amended to read:

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

Grants	<u>221,097,985</u>	<u>221,124,954</u>
Total	221,097,985	221,124,954

Source of funds

General fund	155,125	155,125
Special funds	15,463	15,463
Federal funds	359,857	359,857
Global Commitment fund	220,522,540	220,549,509
Interdepartmental transfers	<u>45,000</u>	<u>45,000</u>
Total	221,097,985	221,124,954

Sec. 35. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.338 is amended to read:

Sec. B.338 Corrections - correctional services

Personal services	109,065,960	111,056,476
Operating expenses	21,128,473	21,379,399
Grants	<u>9,163,138</u>	<u>8,893,128</u>
Total	139,357,571	141,329,003

Source of funds

General fund	132,472,462	134,443,894
Special funds	629,963	629,963
Federal funds	470,962	470,962
Global Commitment fund	5,387,869	5,387,869
Interdepartmental transfers	<u>396,315</u>	<u>396,315</u>
Total	139,357,571	141,329,003

Sec. 36. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.342 is amended to read:

Sec. B.342 Vermont veterans' home - care and support services

Personal services	18,756,245	18,756,245
Operating expenses	<u>4,949,905</u>	<u>6,007,954</u>
Total	23,706,150	24,764,199

Source of funds

General fund	3,998,789	3,089,840
Special funds	11,281,346	13,248,344
Federal funds	<u>8,426,015</u>	<u>8,426,015</u>
Total	23,706,150	24,764,199

Sec. 37. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.346 is amended to read:

Sec. B.346 Total human services

Source of funds

General fund	697,716,468	975,587,802
Special funds	104,751,216	116,925,713
Tobacco fund	22,338,208	22,338,208
State health care resources fund	284,480,725	18,546,502
Federal funds	1,385,140,068	1,406,513,246
Global Commitment fund	1,544,576,637	1,568,957,099
Internal service funds	1,973,584	1,973,584
Interdepartmental transfers	40,759,391	39,813,413
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	4,081,761,297	4,150,680,567

Sec. 38. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.500 is amended to read:

Sec. B.500 Education - finance and administration

Personal services	7,569,932	7,569,932
Operating expenses	<u>3,575,080</u>	3,581,330

Grants	<u>15,540,935</u>	<u>15,540,935</u>
Total	<u>26,685,947</u>	26,692,197
Source of funds		
General fund	3,795,807	3,802,057
Special funds	16,280,409	16,280,409
Education fund	995,597	995,597
Federal funds	2,396,087	2,396,087
Global Commitment fund	260,000	260,000
Interdepartmental transfers	<u>2,958,047</u>	<u>2,958,047</u>
Total	<u>26,685,947</u>	26,692,197

Sec. 39. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.505 is amended to read:

Sec. B.505 Education - adjusted education payment

Grants	<u>1,371,075,706</u>	<u>1,372,931,462</u>
Total	<u>1,371,075,706</u>	1,372,931,462
Source of funds		
Education fund	<u>1,371,075,706</u>	<u>1,372,931,462</u>
Total	<u>1,371,075,706</u>	1,372,931,462

Sec. 40. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.516 is amended to read:

Sec. B.516 Total general education

Source of funds		
General fund	136,962,560	136,968,810
Special funds	19,483,091	19,483,091
Tobacco fund	750,388	750,388
Education fund	1,648,663,578	1,650,519,334
Federal funds	138,281,079	138,281,079
Global Commitment fund	260,000	260,000
Interdepartmental transfers	4,204,714	4,204,714
Pension trust funds	<u>7,781,379</u>	<u>7,781,379</u>

Total	1,956,386,789	1,958,248,795
-------	--------------------------	---------------

Sec. 41. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.702 is amended to read:

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

Personal services	17,559,395	17,674,395
Operating expenses	5,511,383	5,511,383
Grants	<u>1,078,000</u>	<u>1,078,000</u>
Total	24,148,778	24,263,778

Source of funds

General fund	5,652,621	5,767,621
Special funds	196,212	196,212
Fish and wildlife fund	9,505,629	9,505,629
Federal funds	8,691,203	8,691,203
Interdepartmental transfers	93,102	93,102
Permanent trust funds	<u>10,011</u>	<u>10,011</u>
Total	24,148,778	24,263,778

Sec. 42. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.704 is amended to read:

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

Personal services	5,587,322	5,587,322
Operating expenses	761,503	794,103
Grants	<u>500,000</u>	<u>500,000</u>
Total	6,848,825	6,881,425

Source of funds

General fund	4,610,156	4,642,756
Special funds	412,999	412,999
Federal funds	1,487,097	1,487,097
Interdepartmental transfers	<u>338,573</u>	<u>338,573</u>
Total	6,848,825	6,881,425

Sec. 43. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.709 is amended to read:

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

Personal services	6,288,392	6,340,265
Operating expenses	3,391,844	3,391,844
Grants	<u>150,000</u>	<u>150,000</u>
Total	<u>9,830,236</u>	9,882,109

Source of funds

General fund	1,074,364	1,126,237
Special funds	457,591	457,591
Federal funds	744,676	744,676
Interdepartmental transfers	<u>7,553,605</u>	<u>7,553,605</u>
Total	<u>9,830,236</u>	9,882,109

Sec. 44. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.711 is amended to read:

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

Personal services	18,292,585	18,292,585
Operating expenses	6,676,548	6,676,548
Grants	<u>23,754,400</u>	<u>23,804,400</u>
Total	<u>48,723,533</u>	48,773,533

Source of funds

General fund	7,815,563	7,815,563
Special funds	10,333,268	10,383,268
Federal funds	29,486,364	29,486,364
Interdepartmental transfers	<u>1,088,338</u>	<u>1,088,338</u>
Total	<u>48,723,533</u>	48,773,533

Sec. 45. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.714 is amended to read:

Sec. B.714 Total natural resources

Source of funds

General fund	28,086,224	28,285,697
Special funds	48,971,225	49,021,225
Fish and wildlife fund	9,505,629	9,505,629
Federal funds	46,401,814	46,401,814
Interdepartmental transfers	9,907,827	9,907,827
Permanent trust funds	<u>10,011</u>	<u>10,011</u>
Total	142,882,730	143,132,203

Sec. 46. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.800 is amended to read:

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

Personal services	1,717,913	1,817,913
Operating expenses	1,373,839	1,373,839
Grants	452,627	<u>352,627</u>
Total	3,544,379	3,544,379

Source of funds

General fund	3,524,379	3,524,379
Interdepartmental transfers	<u>20,000</u>	<u>20,000</u>
Total	3,544,379	3,544,379

Sec. 47. [Deleted.]

Sec. 48. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.810 is amended to read:

Sec. B.810 Vermont historical society

Grants	961,426	<u>991,426</u>
Total	961,426	991,426

Source of funds

General fund	<u>961,426</u>	<u>991,426</u>
Total	961,426	991,426

Sec. 49. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.813 is amended to read:

Sec. B.813 Total commerce and community development

Source of funds

General fund	15,902,584	15,932,584
Special funds	18,557,328	18,557,328
Federal funds	25,950,869	25,950,869
Interdepartmental transfers	110,751	110,751
Enterprise funds	<u>650,605</u>	<u>650,605</u>
Total	61,172,137	61,202,137

Sec. 50. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.903 is amended to read:

Sec. B.903 Transportation - program development

Personal services	50,457,603	50,457,603
Operating expenses	216,263,480	218,063,480
Grants	<u>34,168,390</u>	<u>34,168,390</u>
Total	300,889,473	302,689,473

Source of funds

Transportation fund	42,549,882	43,723,252
TIB fund	11,894,706	12,521,336
Federal funds	244,766,072	244,766,072
Interdepartmental transfers	239,345	239,345
Local match	<u>1,439,468</u>	<u>1,439,468</u>
Total	300,889,473	302,689,473

Sec. 51. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.905 is amended to read:

Sec. B.905 Transportation - maintenance state system

Personal services	43,007,903	43,007,903
Operating expenses	44,516,596	47,370,246
Grants	<u>371,780</u>	<u>371,780</u>
Total	87,896,279	90,749,929

Source of funds

Transportation fund	85,018,492	87,872,142
---------------------	-----------------------	------------

Federal funds	2,777,787	2,777,787
Interdepartmental transfers	<u>100,000</u>	<u>100,000</u>
Total	87,896,279	90,749,929

Sec. 52. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.907 is amended to read:

Sec. B.907 Transportation - rail

Personal services	5,511,324	5,511,324
Operating expenses	<u>24,087,727</u>	<u>24,549,401</u>
Total	29,599,051	30,060,725

Source of funds

Transportation fund	18,675,520	19,137,194
TIB fund	760,000	760,000
Federal funds	<u>10,163,531</u>	<u>10,163,531</u>
Total	29,599,051	30,060,725

Sec. 53. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.910 is amended to read:

Sec. B.910 Department of motor vehicles

Personal services	19,894,921	21,499,266
Operating expenses	<u>11,465,811</u>	<u>11,465,811</u>
Total	31,360,732	32,965,077

Source of funds

Transportation fund	29,760,414	31,364,759
Federal funds	1,458,768	1,458,768
Interdepartmental transfers	<u>141,550</u>	<u>141,550</u>
Total	31,360,732	32,965,077

Sec. 54. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.919 is amended to read:

Sec. B.919 Transportation - municipal mitigation assistance program

Operating expenses	200,000	200,000
Grants	<u>8,882,342</u>	<u>6,482,342</u>

Total	9,082,342	6,682,342
Source of funds		
Transportation fund	1,240,000	1,240,000
Special funds	2,400,000	0
Federal funds	<u>5,442,342</u>	<u>5,442,342</u>
Total	9,082,342	6,682,342

Sec. 55. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.922 is amended to read:

Sec. B.922 Total transportation

Source of funds		
Transportation fund	251,072,742	257,165,781
TIB fund	13,202,337	13,828,967
Special funds	3,819,457	1,419,457
Federal funds	318,917,135	318,917,135
Internal service funds	20,684,524	20,684,524
Interdepartmental transfers	1,053,100	1,053,100
Local match	<u>2,131,800</u>	<u>2,131,800</u>
Total	610,881,095	615,200,764

Sec. 56. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. D.101 is amended to read:

Sec. D.101 FUND TRANSFERS, REVERSIONS, 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 Next Generation Initiative Fund established by 16 V.S.A. § 2887: ~~\$3,055,900~~ \$3,453,807.

* * *

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2019:

* * *

(2) The following estimated amounts, which may be all or a portion of unencumbered fund balances, shall be transferred from the following funds to the General Fund in fiscal year 2019. The Commissioner of Finance and

Management shall report to the Joint Fiscal Committee at its July meeting the final amounts transferred from each fund and certify that such transfers will not impair the agency, office, or department reliant upon each fund from meeting its statutory requirements.

21638	AG-Fees & Reimbursements-Court Order	2,000,000.00
21928	Secretary of State Services Fund	2,607,923.00
62100	Unclaimed Property Fund	<u>3,415,143.00</u> <u>2,978,680.00</u>

* * *

(3) In fiscal year 2019, notwithstanding 2016 Acts and Resolves No. 172, Sec. E.228, ~~\$30,014,057~~ \$30,657,910 of the unencumbered balances in the Insurance Regulatory and Supervision Fund (Fund Number 21075), the Captive Insurance Regulatory and Supervision Fund (Fund Number 21085), and the Securities Regulatory and Supervision Fund (Fund Number 21080) shall be transferred to the General Fund.

* * *

(c) Notwithstanding any provisions of law to the contrary, in fiscal year 2019:

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

<u>1130010000</u>	<u>Department of Libraries</u>	<u>234,209.00</u>
<u>1130030000</u>	<u>Department of Libraries</u>	<u>490,361.98</u>
<u>1120020000</u>	<u>Tuition Assistance Program</u>	<u>9,953.72</u>
<u>1120030000</u>	<u>Dependent Care Program</u>	<u>376.83</u>
<u>1150891701</u>	<u>SESCF Reuse</u>	<u>200,000.00</u>
<u>1210001000</u>	<u>Legislative Council</u>	<u>113,000.00</u>
<u>1210002000</u>	<u>Legislature</u>	<u>175,000.00</u>
<u>1220000000</u>	<u>Joint Fiscal Office</u>	<u>30,000.00</u>
<u>1240001000</u>	<u>Lieutenant Governor</u>	<u>1,063.83</u>
<u>1250010000</u>	<u>Auditor of Accounts</u>	<u>2,576.48</u>
<u>1260010000</u>	<u>Treasurer</u>	<u>35,000.00</u>
<u>2130100000</u>	<u>State's Attorneys</u>	<u>194,650.59</u>
<u>2130200000</u>	<u>Sheriffs</u>	<u>74,871.99</u>
<u>2200040000</u>	<u>Ag Resource Management</u>	<u>70,000.00</u>

<u>3330010000</u>	<u>Green Mountain Care Board</u>	<u>167,740.73</u>
<u>5100010000</u>	<u>Agency of Education – Administration</u>	<u>32,191.80</u>

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

<u>1140330000</u>	<u>Renter Rebates</u>	<u>1,382,973.79</u>
<u>5100210000</u>	<u>Ed-Flexible Pathways</u>	<u>637,262.50</u>
<u>5100090000</u>	<u>Education Grant</u>	<u>8,443,806.00</u>
<u>5100100000</u>	<u>Transportation</u>	<u>97,030.00</u>
<u>5100110000</u>	<u>Small School Grant</u>	<u>109,928.00</u>
<u>5100120000</u>	<u>Debt Service Aid</u>	<u>25,000.00</u>
<u>5100190000</u>	<u>Essential Early Educ Grant</u>	<u>89,450.88</u>
<u>5100200000</u>	<u>Education-Technical Education</u>	<u>160,914.23</u>

* * *

(e) The following General Fund amount shall be reserved for appropriation or transfer in the fiscal year 2020 budget: \$9,815,000.

Sec. 57. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.1100 is amended to read:

Sec. B.1100 NEXT GENERATION; APPROPRIATIONS AND
TRANSFERS

(a) In fiscal year 2019, ~~\$3,055,900~~ \$3,453,807 is appropriated or transferred from the Next Generation Initiative Fund created in 16 V.S.A. § 2887 as prescribed:

* * *

(3) Scholarships and grants. The amount of ~~\$1,420,500~~ \$1,818,407 as follows:

* * *

(C) Dual enrollment programs and need-based stipend. The amount of ~~\$740,000~~ \$1,137,907 is appropriated to the Agency of Education for dual enrollment programs and \$36,000 is appropriated to the Agency of Education to be transferred to the Vermont Student Assistance Corporation for need-based stipends pursuant to Sec. E.605.1 of this act.

Sec. 58. EXPANDING SUBSTANCE USE DISORDER AND MENTAL
HEALTH WORKFORCE PLAN – PLAN APPROVAL

POSTPONEMENT

(a) Release of funds in fiscal year 2019 under the provisions of 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.106.1 (b)(1) shall be pursuant to plan review and approval upon passage in the fiscal year 2020 budget bill.

Sec. 59. GENERAL FUND TRANSFER TO THE 27/53 RESERVE

(a) The amount of \$1,880,000 in General Funds shall be transferred and reserved in the 27/53 Reserve in fiscal year 2019. This action is the fiscal year 2020 contribution to the 27th payroll reserve as required by 32 V.S.A. § 308e.

Sec. 60. INSTITUTIONS FOR MENTAL DISEASE; GLOBAL

COMMITMENT WAIVER AMENDMENT

(a) It is the public policy of the State of Vermont to move to a continuum of mental health care that is fully integrated within the health care system. In recognition that Institutions for Mental Disease (IMDs) are an essential part of the current continuum of care, the Secretary of Human Services may seek approval from the Centers for Medicare and Medicaid Services to amend Vermont's Global Commitment to Health Section 1115 waiver as it relates to receiving expenditure authority for the treatment of serious mental illness provided to Medicaid beneficiaries.

Sec. 61. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.301 is amended to read:

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

(a) The Agency of Human Services shall use the funds appropriated in Sec. ~~B.103~~ B.301 of this act 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 ~~\$26,413,016~~ \$26,394,678 is anticipated to be certified as State matching funds under the Global Commitment as follows:

* * *

(2) ~~\$3,076,966~~ \$3,058,628 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

Sec. 62. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.318 is amended to read:

Sec. E.318 EARLY CARE AND CHILD DEVELOPMENT PROGRAM
GRANT; ADDITIONAL CHILD CARE EXPENDITURES

* * *

(d) The Department for Children and Families Child Development Division shall allocate funds appropriated in fiscal year 2019 for the following one-time purposes:

(1) \$800,000 to be carried forward into fiscal year 2020 to fund the estimated program cost related to changes to the Federal Poverty Rate calculations; and

(2) \$1,400,000 to create one-time grants to new or existing licensed child care programs, at a minimum to maintain capacity, particularly for vulnerable children and underserved areas of the State.

Sec. 63. CONTINGENCY FUNDING FOR THE ACO CLAIMS TAIL

(a) To the extent that the Agency of Human Services and the Department of Finance and Management find the budgeted amount in the Global Commitment appropriations in fiscal year 2019 are not sufficient to cover the one-time costs incurred during fiscal year 2019 specifically attributable to the overlapping timing of Medicaid claims incurred prior to January 1, 2019 and prospective payments made to an Accountable Care Organization (ACO) for approximately 32,000 Medicaid beneficiaries newly attributed to an ACO on or after January 1, 2019, up to \$7,840,000 is unreserved from the Human Services Caseload Reserve and appropriated to the Agency of Human Services' Global Commitment appropriation as State matching General Funds in 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.301 as amended by Sec. 6 of this act. There shall be a corresponding appropriation for Federal Funds in 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.301 as amended by Sec. 6 of this act, as required by the concurrent Federal Medical Assistance Percentage rate. The commensurate gross Global Commitment spending authority shall be appropriated as needed to respective departments and may be effectuated among the adjustments to Global Commitment appropriations pursuant to 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.301.2. The Agency and the Department shall provide a report on the findings and the amount appropriated pursuant to this provision to the Joint Fiscal Office and as part of the fiscal year 2019 close out to the Joint Fiscal Committee.

Sec. 64. TRANSITION OF STATE HEALTH CARE RESOURCES FUND
REVENUES TO THE GENERAL FUND

(a) The Department of Finance and Management shall report upon request the total statewide revenues received from each of the following revenue sources both historically and prospectively and compare those amounts to the total amount of State fund sources appropriated in 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.301, as amended by this act:

(1) all revenue from cigarette and tobacco products taxes levied pursuant to 32 V.S.A. chapter 205;

(2) all revenue from health care provider assessments pursuant to 33 V.S.A. chapter 19, subchapter 2;

(3) all revenue from the employer health care premium contribution pursuant to 32 V.S.A. chapter 245; and

(4) all revenue from health care claims assessments pursuant to 32 V.S.A. § 10402.

(b) The State agency or department to which the revenue is remitted shall maintain the same level of accounting detail for each of the revenue sources listed in subdivisions (a)(1)–(4) of this section as was maintained prior to July 1, 2019.

Sec. 65. 33 V.S.A. § 1901d is amended to read:

§ 1901d. STATE HEALTH CARE RESOURCES FUND

(a) The State Health Care Resources Fund is established in the State Treasury as a special fund to be a source of financing for health care coverage for beneficiaries of the State health care assistance programs under the Global Commitment to Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act ~~and a source of financing for the Vermont Health Benefit Exchange established in chapter 18, subchapter 1 of this title.~~

(b) Into the Fund shall be deposited:

~~(1) all revenue from the tobacco products tax and from the cigarette tax levied pursuant to 32 V.S.A. chapter 205; [Repealed.]~~

~~(2) revenue from health care provider assessments pursuant to subchapter 2 of chapter 19 of this title; [Repealed.]~~

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

~~(4) revenue from health care claims assessments pursuant to 32 V.S.A. § 10402; [Repealed.]~~

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

(6) the proceeds from grants, donations, contributions, taxes, recoveries, and any other sources of revenue as may be provided by statute, rule, agreement, or act of the General Assembly; and.

(7) any remaining balance in the terminated Catamount Fund as of June 30, 2012. [Repealed.]

* * *

(d) All monies received by or generated to the Fund shall be used only as allowed by appropriation of the General Assembly for the administration and delivery of health care covered through State health care assistance programs administered by the Agency under the Global Commitment for Health Medicaid Section 1115 waiver, the Vermont Health Benefit Exchange established in chapter 18, subchapter 1 of this title, immunizations under 18 V.S.A. § 1130, and the development and implementation of the Blueprint for Health under 18 V.S.A. § 702.

Sec. 66. 2 V.S.A. § 693(b) is amended to read:

* * *

(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:

* * *

(B) changes in the consensus revenue forecast of the Health Care Resources Fund; [Repealed.]

* * *

Sec. 67. 8 V.S.A. § 4518 is amended to read:

§ 4518. TAX EXEMPTION

A hospital service corporation shall be exempt from all forms of taxation except the health care claims tax assessed pursuant to 32 V.S.A. § 10402.

Sec. 68. 8 V.S.A. § 4590 is amended to read:

§ 4590. TAX EXEMPTION

A medical service corporation shall be exempt from all forms of taxation except the health care claims tax assessed pursuant to 32 V.S.A. § 10402.

Sec. 69. 32 V.S.A. § 305a is amended to read:

§ 305a. OFFICIAL STATE REVENUE ESTIMATE

(a) On or about January 15 and again by July 31 of each year, and at such other times as the Emergency Board or the Governor deems proper, the Joint Fiscal Office and the Secretary of Administration shall provide to the Emergency Board their respective estimates of State revenues in the General, Transportation, Transportation Infrastructure Bond, and Education, ~~and State Health Care Resources Funds~~. The January revenue estimate shall be for the current and next two succeeding fiscal years, and the July revenue estimate shall be for the current and immediately succeeding fiscal years. Federal fund estimates shall be provided at the same times for the current fiscal year. ~~Global Commitment Fund estimates shall be provided in January for the current and immediately succeeding fiscal year and in July for the current fiscal year.~~

* * *

(c)(1)(A) The January estimates shall include estimated caseloads and estimated per-member per-month expenditures for the current and next succeeding fiscal years for each Medicaid enrollment group as defined by the Agency and the Joint Fiscal Office for State Health Care Assistance Programs or premium assistance programs supported by the ~~State Health Care Resources and Global Commitment Funds~~, Fund and for the programs under any Medicaid Section 1115 waiver.

* * *

Sec. 70. 32 V.S.A. § 7823 is amended to read:

§ 7823. DEPOSIT OF REVENUE

The revenue generated by the taxes imposed under this chapter shall be credited to the ~~State Health Care Resources Fund established by 33 V.S.A. § 1901d~~ General Fund.

Sec. 71. 32 V.S.A. § 9533(e) is amended to read:

(e) Upon the receipt of the full amount of the tax, the Commissioner shall deposit receipts from the transferor tax ~~in~~ into the ~~Health Care Resources Fund established pursuant to 33 V.S.A. § 1901d~~ General Fund.

Sec. 72. 32 V.S.A. § 10402 is amended to read:

§ 10402. HEALTH CARE CLAIMS TAX

* * *

(b) Revenues paid and collected under this chapter shall be deposited as follows:

(1) 0.199 of one percent of all health insurance claims into the Health IT-Fund established in section 10301 of this title; and

(2) 0.8 of one percent of all health insurance claims into the ~~State Health Care Resources Fund established in 33 V.S.A. § 1901d~~ General Fund.

(c) The annual cost to obtain Vermont Healthcare Claims Uniform Reporting and Evaluation System (VHCURES) data, pursuant to 18 V.S.A. § 9410, for use by the Department of Taxes shall be paid from the Vermont Health IT-Fund and the ~~State Health Care Resources~~ General Fund in the same proportion as revenues are deposited into those Funds.

* * *

Sec. 73. 32 V.S.A. § 10402 is amended to read:

§ 10402. HEALTH CARE CLAIMS TAX

(a) There is imposed on every health insurer an annual tax in an amount equal to ~~0.999~~ 0.8 of one percent of all health insurance claims paid by the health insurer for its Vermont members in the previous fiscal year ending June 30. The annual fee shall be paid to the Commissioner of Taxes in one installment due by on or before January 1.

(b) Revenues paid and collected under this chapter shall be deposited as follows: into the General Fund.

~~(1) 0.199 of one percent of all health insurance claims into the Health IT-Fund established in section 10301 of this title; and~~

~~(2) 0.8 of one percent of all health insurance claims into the General Fund.~~

(c) The annual cost to obtain Vermont Healthcare Claims Uniform Reporting and Evaluation System (VHCURES) data, pursuant to 18 V.S.A. § 9410, for use by the Department of Taxes shall be paid from ~~the Vermont Health IT-Fund and the General Fund in the same proportion as revenues are deposited into those Funds.~~

* * *

Sec. 74. 32 V.S.A. § 10503 is amended to read:

§ 10503. HEALTH CARE FUND CONTRIBUTION ASSESSMENT

(a) The Commissioner of Taxes shall assess and an employer shall pay a quarterly Health Care Fund contribution for each full-time equivalent uncovered employee employed during that quarter in excess of four full-time equivalent employees.

(b) The amount of the contribution shall be \$158.77 for each full-time equivalent employee in excess of four. Starting in calendar year 2018, the amount of the contribution shall be adjusted annually by a percentage equal to any percentage change in premiums for the second lowest-cost of all silver-level ~~plan~~ health benefit plans, whether offered in or outside the Vermont Health Benefit Exchange.

* * *

(d) Revenues from the Health Care Fund contributions collected shall be deposited into the ~~State Health Care Resources Fund established under 33 V.S.A. § 1901d~~ General Fund.

* * *

Sec. 75. 33 V.S.A. § 1951 is amended to read:

§ 1951. DEFINITIONS

As used in this subchapter:

* * *

(4) ~~“Fund” means the State Health Care Resources Fund consisting in part of assessments from health care providers under this subchapter. [Repealed.]~~

* * *

Sec. 76. 33 V.S.A. § 1956 is amended to read:

§ 1956. PROCEEDS FROM ASSESSMENTS

All assessments, including late-payment assessments, from health care providers under this subchapter shall be deposited in the ~~State Health Care Resources Fund established in section 1901d of this title~~ General Fund. No provision of this subchapter shall permit the State to reduce the level of State funds expended on the nursing home Medicaid program in any fiscal year below the level expended in fiscal year 1991 from the General Fund for the nursing home Medicaid program.

Sec. 77. VERMONT VETERANS' HOME

(a) Prior to expending funds for the security upgrade and the biomass project, the Vermont Veterans' Home shall present a plan on or before March 15, 2019 to the House and Senate Committees on Appropriations, the House Committee on Corrections and Institutions, and the Senate Committee on Institutions that details the total cost of the projects, the timeline for completion, and the funding source over the term of the projects.

Sec. 78. REIMBURSEMENT FOR WINDSOR SOUTHEAST

SUPERVISORY UNION

(a) Notwithstanding any other provision of law, the Agency of Education shall pay \$13,205 from the adjusted education payment in 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.505, as amended by Sec. 39 of this act, in addition to other education payments to the Windsor Southeast Supervisory Union for fiscal year 2019, to compensate them for Act 46 of 2015 merger activities that resulted in a voluntary merger, for payments that were not received due to timing issues.

Sec. 79. CARRY FORWARD AUTHORITY

(a) Notwithstanding any other provisions of law and subject to the approval of the Secretary of Administration, General, Transportation, Transportation Infrastructure Bond, Education Fund, Clean Water Fund (Fund 21932), and Agricultural Water Quality Fund (Fund 21933) appropriations remaining unexpended on June 30, 2019 in the Executive Branch of State government shall be carried forward and shall be designated for expenditure.

(b) Notwithstanding any other provisions of law, General Fund appropriations remaining unexpended on June 30, 2019 in the Legislative and Judicial branches of State government shall be carried forward and shall be designated for expenditure.

Sec. 80. SUPPLEMENTAL MAINTENANCE SPENDING

(a) Notwithstanding 32 V.S.A. § 706 and the limits on program, project, or activity spending authority approved in the fiscal year 2019 Transportation Program, the Secretary of Transportation, with the approval of the Secretary of Administration and subject to the provisions of subsection (b) of this section, may transfer up to \$2,500,000 in Transportation Fund appropriations, other than appropriations for the Town Highway State Aid, Structures, and Class 2 roadway programs, to the Transportation – Maintenance State System (8100002000) appropriation, for the specific purpose of addressing the overall cost of highway maintenance during fiscal year 2019.

(b)(1) If a contemplated transfer of an appropriation would not significantly delay the planned work schedule of a project, the Secretary may execute the transfer and shall give prompt notice thereof to the Joint Fiscal Office and to the House and Senate Committees on Transportation when the General Assembly is in session and, when the General Assembly is not in session, to the Joint Fiscal Office and the Joint Transportation Oversight Committee.

(2) If a contemplated transfer of an appropriation would, by itself, significantly delay the planned work schedule of a project, the Secretary:

(A) when the General Assembly is in session, may execute the transfer, but shall give the House and Senate Committees on Transportation advance notice of at least 10 business days prior to executing the transfer; or

(B) when the General Assembly is not in session, may execute the transfer, but shall give prompt notice of the transfer to the Joint Fiscal Office and the Joint Transportation Oversight Committee.

(c) In July 2019, the Secretary of Administration shall report all appropriations reductions made under the authority of this section to the Joint Fiscal Office, the Joint Fiscal Committee, and the Joint Transportation Oversight Committee.

Sec. 81. 2018 Acts and Resolves No. 201, Sec. 20 is amended to read:

Sec. 20. FUNDING

~~To the extent the~~ The sum of \$200,000.00 is appropriated in fiscal year 2019 from the ~~General Tobacco Litigation Settlement~~ Fund to the Department for Children and Families, pursuant to 2018 (Sp. Sess.) Act and Resolves No. 11, Sec. C.105.1(a)(10). Accordingly, the Department shall prepare for the expansion of services to juvenile offenders 18 and 19 years of age pursuant to 33 V.S.A. chapters 52 and 52A beginning in fiscal year 2021, and shall carry forward any unexpended funds.

Sec. 82. 2018 Acts and Resolves No. 194, Sec. 26a(b) is amended to read:

~~(b) In fiscal years 2019 and 2020, the Clean Energy Development Fund shall transfer from the Clean Energy Development Fund to the General Education Fund the amount of the tax expenditure resulting from the sales tax exemption under 32 V.S.A. § 9741(52) on advanced wood boilers up to a maximum of \$200,000.00 for both fiscal years combined. The Department of Taxes shall deposit 64 percent of the monies transferred from the Clean Energy Development Fund into the General Fund under 32 V.S.A. § 435 and 36 percent of the monies in the Education Fund under 16 V.S.A. § 4025.~~

Sec. 83. 16 V.S.A. § 4026(e) is amended to read:

(e) The enactment of this chapter and other provisions of the Equal Educational Opportunity Act of which it is a part have been premised upon estimates of balances of revenues to be raised and expenditures to be made under the act for such purposes as adjusted education payments, categorical State support grants, provisions for property tax income sensitivity, payments in lieu of taxes, current use value appraisals, tax stabilization agreements, the stabilization reserve established by this section and for other purposes. If the stabilization reserve established under this section should in any fiscal year be less than ~~3.5~~ 5.0 percent of the prior fiscal year's appropriations from the

Education Fund, as defined in subsection (b) of this section, the Joint Fiscal Committee shall review the information provided pursuant to 32 V.S.A. § 5402b and provide the General Assembly its recommendations for change necessary to restore the stabilization reserve to the statutory level provided in subsection (b) of this section.

Sec. 84. HOLD HARMLESS; PREKINDERGARTEN EQUALIZED PUPIL COUNT

(a) The Agency of Education shall adjust the long-term membership of a school district under 16 V.S.A. § 4010, which is used in determining the district's equalized pupil count, for a school district that:

(1) in school year 2017–2018 erroneously paid public dollars to a prekindergarten program that was ineligible under 16 V.S.A. § 829 to receive public funds and as a result overreported its average daily membership prekindergarten count for that year to the Agency of Education; and

(2) corrected for this overreporting by correspondingly decreasing its 2017–2018 school year average daily membership prekindergarten count in a subsequent report to the Agency of Education.

(b) The Agency of Education shall adjust the long-term membership of a school district that qualifies under subsection (a) of this section by increasing its average daily membership prekindergarten count for the 2017–2018 school year by the amount it overreported for the 2017–2018 school year.

Sec. 85. 16 V.S.A. § 2857 is amended to read:

§ 2857. VERMONT NATIONAL GUARD TUITION BENEFIT PROGRAM

* * *

(c) Eligibility. To be eligible for the Program, an individual, whether a resident or nonresident, shall satisfy all of the following requirements:

* * *

(6) have ~~exhausted any~~ used available post-September 11, 2001 tuition benefits and other federally funded military tuition assistance; provided, however, that this subdivision shall not apply to:

(A) tuition benefits and other federally funded military tuition assistance for which the individual has not yet earned the full amount of the benefit or tuition;

(B) Montgomery GI Bill benefits;

(C) post-September 11, 2001 educational program housing allowances;

- (D) federal educational entitlements;^{5,2}
- (E) National Guard scholarship grants;^{5,2}
- (F) loans under section 2856 of this title;^{5,2} and
- (G) other nontuition benefits; and

* * *

Sec. 86. 32 V.S.A. § 6066 is amended to read:

§ 6066. COMPUTATION OF ADJUSTMENT

(a) An eligible claimant who owned the homestead on April 1 of the year in which the claim is filed shall be entitled to an adjustment amount determined as follows:

* * *

(5) In no event shall the credit provided for in subdivision (3) or (4) of this subsection exceed the amount of the reduced property tax. The adjustments under ~~subdivisions (3) and~~ subdivision (4) of this subsection shall be calculated considering only the tax due on the first \$400,000.00 in equalized housesite value.

* * *

Sec. 87. FEDERAL SHUTDOWN IMPACT; RECOMMENDATIONS

(a) The General Assembly is concerned about the risks of further federal shutdowns that could impact the health, safety, nutrition, and housing needs of Vermonters; and the risk of federal funding for State and local governmental activities.

(b) The State Treasurer and the Secretary of Administration shall monitor such impacts on Vermonters and on federally funded programs and identify any direct or indirect impacts. They shall further develop joint recommendations to the House and Senate Committees on Appropriations on or before March 7, 2019 with strategies to minimize these impacts.

Sec. 88. FISCAL YEAR 2019 ONE-TIME APPROPRIATIONS AND
TRANSFERS FROM THE GENERAL FUND

(a) The following appropriations are made from the General Fund in fiscal year 2019:

(1) To the Agency of Digital Services: \$1,800,000 to be apportioned as follows:

- (A) \$1,300,000 for firewalls;

(B) \$500,000 to invest in hardware for the data storage of State devices.

(2) To the Department of Health: \$2,400,000 to fund testing for lead in drinking water and additional support in schools and child care facilities consistent with the program established in S.40 of 2019. These funds are allocated as follows:

(A) \$125,000 to fund the limited service program position established in S.40 of 2019.

(B) \$150,000 to fund program start-up and data management costs for the program.

(C) \$2,125,000 to fund the initial testing and retesting costs and to apply to tap remediation costs.

(3) To the Department of Environmental Conservation: \$125,000 to fund the limited service remediation position established in S.40 of 2019.

(4) To the Attorney General: \$22,662 for the increased diversion and pre-trial services caseload increases in fiscal year 2019.

(5) To Department of Public Safety: \$196,812 for the cost of replacement holsters, sidearm lighting, communications equipment, and less lethal weapons.

(6) To the Joint Fiscal Office: \$275,000 to be allocated as follows for studies that will be comprehensively defined in the fiscal year 2020 budget process:

(A) \$250,000 to be reserved to fund contracted services for research and findings to identify and examine the factors contributing to Vermont's high rate of children entering the custody of the State. Such research shall study the preventive and upstream services and interventions provided to families and the extent to which these supports to families have demonstrated effectiveness in allowing children to remain with their families. Policy recommendations resulting from this research are intended to inform funding decisions regarding these services to ensure the safety of Vermont's vulnerable children and to enhance the long-term stability and well-being of these families.

(B) \$25,000 to be reserved to fund contracted services for research and findings related to the detention population of the Department of Corrections (DOC) and policy recommendations to reduce this population and/or reduce the need for DOC in-state bed capacity for this population. The report shall be submitted to the General Assembly on or before December 15, 2019.

(b) The following transfers are made from the General Fund in fiscal year 2019:

(1) State Treasurer: \$22,200,000 from the General Fund to the Retired Teachers' Health and Medical Benefits Fund to repay-in-full in fiscal year 2019 the interfund loan obligation authorized by 16 V.S.A. § 1944b(e). This transfer shall be recognized as an additional contribution to the Retired Teachers' Health and Medical Benefits Fund in fiscal year 2019.

(2) State Treasurer: \$3,293,817 from the General Fund to the Vermont Teachers' Retirement Fund, established pursuant to 16 V.S.A. § 1944. This amount reflects an additional contribution above the actuarily determined employer contribution and the VSTRS Board of Trustees' request for fiscal year 2020. This amount shall be transferred in fiscal year 2019.

Sec. 89. 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.

* * *

~~(3) Of the funds that would otherwise be reserved in the General Fund Balance Reserve under this subsection, 50 percent of any such funds shall be reserved as necessary and transferred from the General Fund to the Retired Teachers' Health and Medical Benefits Fund established by 16 V.S.A. § 1944b 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 Vermont State Employees' Postemployment Benefits Trust Fund established by 3 V.S.A. § 479a.~~

* * *

Sec. 90. 16 V.S.A. § 1944b is amended to read:

§ 1944b. RETIRED TEACHERS' HEALTH AND MEDICAL 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)(1) 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 shall 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 \$28,500,000.00.~~

~~(2) For the purposes of this chapter, calculation of the interfund loan limit shall include long-term receivables and payables but shall not include accruals for federal reimbursement of employer group waiver plan receivables pursuant to subdivision 1944b(b)(1) of this title, receivables due from local school systems pursuant to section 1944d of this title, or any short-term accruals. [Repealed.]~~

~~(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 appropriations, but not from the Education Fund, and surplus revenues as they become available, so that the full cost of retired teacher health and medical benefits payments shall be met in base appropriations by fiscal year 2023. To the extent that other revenue sources are identified, the General Fund obligation shall not be reduced, until all annual disbursements to repay the interfund loan in subsection (e) of this section are satisfied. Contributions to the Benefits Fund shall be irrevocable~~

and it shall be impossible at any time prior to the satisfaction of all liabilities, with respect to employees and their beneficiaries, for any part of the corpus or income of the Benefits Fund to be used for, or diverted to, purposes other than the payment of retiree postemployment benefits to members and their beneficiaries and reasonable expenses of administering the Benefits Fund and related benefit plans.

~~(g) The Treasurer shall report on the status of the interfund loan balance allowed under this section as part of the annual budget presentation to the General Assembly. [Repealed.]~~

Sec. 91. 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.106 is amended to read:

Sec. C.106 CHINS CASES SYSTEM-WIDE REFORM

(a) The sum of \$7,000,000 is appropriated from the Tobacco Litigation Settlement Fund to the Judiciary in fiscal year 2018 and shall carry forward for the uses and based on the allocations set forth in subsections (b) and (c) of this section. The purpose of the funds is to make strategic investments to transform the adjudication of CHINS cases in Vermont.

(b) The sum appropriated from the Tobacco Litigation Settlement Fund in subsection (a) of this section shall be allocated as follows:

~~(1) \$1,250,000 for use in fiscal year 2019, which shall not be distributed until the group defined in subsection (c) of this section provides proposed expenditures as part of its fiscal year 2019 budget adjustment request. or to be carried forward as follows:~~

(A) \$125,000 in fiscal year 2019 for the Judiciary, in consultation with the CHINS workgroup to contract with an entity with expertise in justice reform to review and propose changes to the systems by which CHINS cases are processed and adjudicated. Models used in other countries, states, or cities shall be considered and a proposal to provide holistic reform, procedural justice, and strategies to reduce the need for intervention by DCF and the courts shall be submitted to the General Assembly. In developing the proposal, the consultant shall seek input from community members, service providers, and people involved in family court proceedings. The proposal shall recommend a budget and evaluation system and a specific evaluation methodology for determining the long-term continuation of the judicial master pilot programs funded in subdivision (1)(C) of this subsection.

(B) \$25,000 in fiscal year 2019 for the Department for Children and Families, in consultation with the CHINS workgroup to engage a consultant of to evaluate existing home visiting models, including a review of programs currently offered in Vermont and those offered in other states and countries,

particularly those that focus on public health and the social welfare of the whole family, including housing, employment, mental health and substance use disorders. The consultant shall recommend model pilots in two or more districts for testing the proposal. The proposal shall include a two-year budget and a proposal for evaluation, for funding in fiscal year 2020.

(C) \$400,000 in fiscal year 2019 to the Judiciary for a multi-unit judicial master pilot to encourage parents to follow case plans and to remain engaged in treatment. The judicial master in this pilot may conduct proceedings including, but not limited to, parent-child contact; status conferences; screening cases for mediation or restorative processes such as family group conferencing, and preliminary hearings.

(D) \$700,000 allocated in fiscal year 2019 and carried forward to fiscal year 2020 pending submission of a proposal. The CHINS workgroup shall continue its evaluation of strategic reforms to the CHINS system and may submit a proposal to the General Assembly for approval. The proposal shall have a budget and proposed method of evaluation.

(2) \$2,500,000 for fiscal year 2020, for which the group shall provide proposed expenditures as part of its fiscal year 2020 budget request or budget adjustment request, or both;

(3) \$2,500,000 for fiscal year 2021, for which the group shall provide proposed expenditures as part of its fiscal year 2021 budget request or budget adjustment request, or both; and

(4) \$750,000 in fiscal year 2022 or after as needed.

* * *

Sec. 92. ESTABLISHMENT OF COMPLEX LITIGATION SPECIAL FUND; EFFECTIVE DATE

(a) Notwithstanding 1 V.S.A. § 214 or any provision of 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. G.100 to the contrary, the Complex Litigation Special Fund established in 3 V.S.A. § 167a by 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.200.1 shall be treated, for purposes of receiving the funds appropriated by 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.105(a)(3), as though it had taken effect on June 30, 2018.

Sec. 93. VIDEO RECORDS RETENTION POLICY RECOMMENDATIONS

(a) On or before March 15, 2019, the Commissioner of Public Safety shall report to the House and Senate Committees on Judiciary and on Appropriations on the status of record schedules, as defined in 3 V.S.A.

§ 117(a)(6), that have been approved by the State Archivist and on the status of internal proposed video records management retention policies for the Vermont State Police and Vermont law enforcement agencies that apply to dash-mounted or body-mounted camera video. The report shall include any proposed changes to the record schedules and policies, including recommendations for whether policies should be adopted or changed with respect to:

(1) the retention period for storage of such video;

(2) the process for determining when a particular case or incident warrants retaining video records for longer than the standard schedule;

(3) the manner in which the public shall be notified and kept informed about record schedules; and

(4) the budget and estimated costs for the storage of video records with a cloud-based service, including a comparison of the costs of cloud-based storage and the existing on-site physical storage, and whether cloud-based storage creates greater efficiencies in the overall management of video records.

(b) The Commissioner shall consult with the Vermont State Archives and Records Administration (VSARA) and the Agency of Digital Services for purposes of making the proposals required by subsection (a) of this section.

(c) On or before April 15, 2019, the Commissioner of Public Safety shall report the final proposed record schedules and management policies to the House and Senate Committees on Judiciary and on Appropriations.

Sec. 94. WOODSIDE TRANSITION PLAN

(a) Given the loss of federal matching funds for the Woodside facility, on or before April 15, 2019 the Secretary of Human Services and the Commissioner for Children and Families, in consultation with the Joint Fiscal Office, shall submit a plan to the House and Senate Committees on Judiciary and on Appropriations related to the continuation of operations beyond July 1, 2019 limited only to short-term placements of delinquent youths. Any plan should be consistent with legislative intent related to loss of federal funding expressed in 2017 Acts and Resolves No. 85, Sec. E.327. Any plan should also consider the role of Woodside in the system of care and evaluate the current need and other treatment options for youths in Vermont and out-of-state.

(b) Long-term planning to meet the needs for serving delinquent youth in State shall be informed by the work of the CHINS workgroup convened pursuant to 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.106 and any

research or study regarding families of children who are placed in the custody of the Commissioner for Children and Families.

Sec. 95. 2014 Acts and Resolves No.179, Sec E.500.1(b) and (c), as amended by 2015 Acts and Resolves No. 58, Sec. E.500.1 is further amended to read:

Sec. E.500.1 UNIFORM CHART OF ACCOUNTS COMPLETION,
TRANSITION, TRAINING AND SUPPORT

* * *

(b) The Agency of Education shall hire a contractor or contractors through the State's procurement process to assist them in the establishment and completion of the requirements of subsection (a) of this section. Contract deliverables shall include:

- (1) a comprehensive accounting manual, with related business rules;
- (2) specifications for school financial software;

(3) a detailed transition and support plan that ensures local reporting entities required to record and report information consistent with requirements of subsection (a) of this section can fully comply on or before July 1, 2019 2020.

(c) the requirements of the subsection (a) of this section shall be in effect by July 1, 2019 2020.

Sec. 96. 18 V.S.A. § 4808 is amended as follows:

§ 4808. ~~TREATMENT AND SERVICES~~

~~(a) When a law enforcement officer encounters a person who, in the judgment of the officer, is intoxicated as defined in section 4802 of this title, the officer may assist the person, if he or she consents, to his or her home, to an approved substance abuse treatment program, or to some other mutually agreeable location.~~

~~(b) When a law enforcement officer encounters a person who, in the judgment of the officer, is incapacitated as defined in section 4802 of this title, the person shall be taken into protective custody by the officer. The officer shall transport the incapacitated person directly to an approved substance abuse treatment program with detoxification capabilities or to the emergency room of a licensed general hospital for treatment, except that if a substance abuse crisis team or a designated substance abuse counselor exists in the vicinity and is available, the person may be released to the team or counselor at any location mutually agreeable between the officer and the team or counselor. The period of protective custody shall end when the person is released to a~~

~~substance abuse crisis team, a designated substance abuse counselor, a clinical staff person of an approved substance abuse treatment program with detoxification capabilities, or a professional medical staff person at a licensed general hospital emergency room. The person may be released to his or her own devices if, at any time, the officer judges him or her to be no longer incapacitated. Protective custody shall in no event exceed 24 hours.~~

~~(c) If an incapacitated person is taken to an approved substance abuse treatment program with detoxification capabilities and the program is at capacity, the person shall be taken to the nearest licensed general hospital emergency room for treatment.~~

~~(d) A person judged by a law enforcement officer to be incapacitated and who has not been charged with a crime may be lodged in protective custody in a secure facility not operated by the Department of Corrections for up to 24 hours or until judged by the person in charge of the facility to be no longer incapacitated, if and only if:~~

~~(1) the person refuses to be transported to an appropriate facility for treatment or, if once there, refuses treatment or leaves the facility before he or she is considered by the responsible staff of that facility to be no longer incapacitated; or~~

~~(2) no approved substance abuse treatment program with detoxification capabilities and no staff physician or other medical professional at the nearest licensed general hospital can be found who will accept the person for treatment.~~

~~(e) No person shall be lodged in a secure facility under subsection (d) of this section without first being evaluated and found to be indeed incapacitated by a substance abuse crisis team, a designated substance abuse counselor, a clinical staff person of an approved substance abuse treatment program with detoxification capabilities, or a professional medical staff person at a licensed general hospital emergency room.~~

~~(f) A lockup not operated by the Department of Corrections shall not refuse to admit an incapacitated person in protective custody whose admission is requested by a law enforcement officer, in compliance with the conditions of this section.~~

~~(g) Notwithstanding subsection (d) of this section, a person under 18 years of age who is judged by a law enforcement officer to be incapacitated and who has not been charged with a crime shall not be held at a lockup or community correctional center. If needed treatment is not readily available, the person shall be released to his or her parent or guardian. If the person has no parent or guardian in the area, arrangements shall be made to house him or her~~

~~according to the provisions of 33 V.S.A. chapter 53. The official in charge of an adult jail or lockup shall notify the Director of the Office of Drug and Alcohol Abuse Programs of any person under 18 years of age brought to an adult jail or lockup pursuant to this chapter.~~

~~(h) If an incapacitated person in protective custody is lodged in a secure facility, his or her family or next of kin shall be notified as promptly as possible. If the person is an adult and requests that there be no notification, his or her request shall be respected.~~

~~(i) A taking into protective custody under this section is not an arrest.~~

~~(j) Law enforcement officers, persons responsible for supervision in a secure facility, members of a substance abuse crisis team, and designated substance abuse counselors who act under the authority of this section are acting in the course of their official duty and are not criminally or civilly liable therefor, unless for gross negligence or willful or wanton injury. [Repealed.]~~

Sec. 97. 18 V.S.A. § 4809 is amended to read:

§ 4809. INCARCERATION FOR INEBRIATION PROHIBITED

~~A person who has not been charged with a crime shall not be incarcerated in a facility operated by the Department of Corrections on account of the person's inebriation. [Repealed.]~~

Sec. 98. 18 V.S.A. § 4810 is added to read:

§ 4810. TREATMENT AND SERVICES

(a) When a law enforcement officer encounters a person who, in the judgment of the officer, is intoxicated as defined in section 4802 of this title, the officer may assist the person, if he or she consents, to his or her home, to an approved substance abuse treatment program, or to some other mutually agreeable location.

(b) When a law enforcement officer encounters a person who, in the judgment of the officer, is incapacitated as defined in section 4802 of this title, the person shall be taken into protective custody by the officer. The officer shall transport the incapacitated person directly to an approved substance abuse treatment program with detoxification capabilities or to the emergency room of a licensed general hospital for treatment, except that if a substance abuse crisis team or a designated substance abuse counselor exists in the vicinity and is available, the person may be released to the team or counselor at any location mutually agreeable between the officer and the team or counselor. The period of protective custody shall end when the person is released to a substance abuse crisis team, a designated substance abuse counselor, a clinical staff person of an approved substance abuse treatment program with

detoxification capabilities, or a professional medical staff person at a licensed general hospital emergency room. The person may be released to his or her own devices if, at any time, the officer judges him or her to be no longer incapacitated. Protective custody shall in no event exceed 24 hours.

(c) If an incapacitated person is taken to an approved substance abuse treatment program with detoxification capabilities and the program is at capacity, the person shall be taken to the nearest licensed general hospital emergency room for treatment.

(d) A person judged by a law enforcement officer to be incapacitated and who has not been charged with a crime may be lodged in protective custody in a lockup or community correctional center for up to 24 hours or until judged by the person in charge of the facility to be no longer incapacitated, if and only if:

(1) the person refuses to be transported to an appropriate facility for treatment or, if once there, refuses treatment or leaves the facility before he or she is considered by the responsible staff of that facility to be no longer incapacitated; or

(2) no approved substance abuse treatment program with detoxification capabilities and no staff physician or other medical professional at the nearest licensed general hospital can be found who will accept the person for treatment.

(e) No person shall be lodged in a lockup or community correctional center under subsection (d) of this section without first being evaluated and found to be indeed incapacitated by a substance abuse crisis team, a designated substance abuse counselor, a clinical staff person of an approved substance abuse treatment program with detoxification capabilities, or a professional medical staff person at a licensed general hospital emergency room.

(f) No lockup or community correctional center shall refuse to admit an incapacitated person in protective custody whose admission is requested by a law enforcement officer, in compliance with the conditions of this section.

(g) Notwithstanding subsection (d) of this section, a person under 18 years of age who is judged by a law enforcement officer to be incapacitated and who has not been charged with a crime shall not be held at a lockup or community correctional center. If needed treatment is not readily available, the person shall be released to his or her parent or guardian. If the person has no parent or guardian in the area, arrangements shall be made to house him or her according to the provisions of 33 V.S.A. chapter 53. The official in charge of an adult jail or lockup shall notify the Director of the Office of Drug and

Alcohol Abuse Programs of any person under 18 years of age brought to an adult jail or lockup pursuant to this chapter.

(h) If an incapacitated person in protective custody is lodged in a lockup or community correctional center, his or her family or next of kin shall be notified as promptly as possible. If the person is an adult and requests that there be no notification, his or her request shall be respected.

(i) A taking into protective custody under this section is not an arrest.

(j) Law enforcement officers or persons responsible for supervision in a lockup or community correctional center or members of a substance abuse crisis team or designated substance abuse counselors who act under the authority of this section are acting in the course of their official duty and are not criminally or civilly liable therefor, unless for gross negligence or willful or wanton injury.

Sec. 99. 18 V.S.A. § 4810 is amended to read:

§ 4810. TREATMENT AND SERVICES

* * *

(d) A person judged by a law enforcement officer to be incapacitated and who has not been charged with a crime may be lodged in protective custody in ~~a lockup or community correctional center~~ secure facility not operated by the Department of Corrections for up to 24 hours or until judged by the person in charge of the facility to be no longer incapacitated, if and only if:

(1) the person refuses to be transported to an appropriate facility for treatment or, if once there, refuses treatment or leaves the facility before he or she is considered by the responsible staff of that facility to be no longer incapacitated; or

(2) no approved substance abuse treatment program with detoxification capabilities and no staff physician or other medical professional at the nearest licensed general hospital can be found who will accept the person for treatment.

(e) No person shall be lodged in a ~~lockup or community correctional center~~ secure facility under subsection (d) of this section without first being evaluated and found to be indeed incapacitated by a substance abuse crisis team, a designated substance abuse counselor, a clinical staff person of an approved substance abuse treatment program with detoxification capabilities, or a professional medical staff person at a licensed general hospital emergency room.

(f) ~~No lockup or community correctional center shall~~ A secure facility not operated by the Department of Corrections shall not refuse to admit an incapacitated person in protective custody whose admission is requested by a law enforcement officer, in compliance with the conditions of this section.

(g) Notwithstanding subsection (d) of this section, a person under 18 years of age who is judged by a law enforcement officer to be incapacitated and who has not been charged with a crime shall not be held at a lockup or community correctional center. If needed treatment is not readily available, the person shall be released to his or her parent or guardian. If the person has no parent or guardian in the area, arrangements shall be made to house him or her according to the provisions of 33 V.S.A. chapter 53. The official in charge of an adult jail or lockup shall notify the Director of the Office of Drug and Alcohol Abuse Programs of any person under 18 years of age brought to an adult jail or lockup pursuant to this chapter.

(h) If an incapacitated person in protective custody is lodged in a ~~lockup or community correctional center~~ secure facility, his or her family or next of kin shall be notified as promptly as possible. If the person is an adult and requests that there be no notification, his or her request shall be respected.

(i) A taking into protective custody under this section is not an arrest.

(j) Law enforcement officers ~~or~~ persons responsible for supervision in a ~~lockup or community correctional center or secure facility~~, members of a substance abuse crisis team ~~or~~ and designated substance abuse counselors who act under the authority of this section are acting in the course of their official duty and are not criminally or civilly liable therefor, unless for gross negligence or willful or wanton injury.

Sec. 100. 18 V.S.A. § 4811 is added to read:

§ 4811. INCARCERATION FOR INTOXICATION PROHIBITED

A person who has not been charged with a crime shall not be incarcerated in a secure facility operated by the Department of Corrections on account of the person's intoxication.

Sec. 101. [Deleted.]

Sec. 102. 2007 Acts and Resolves No. 65, Sec. 282, as amended by 2011 Acts and Resolves No. 63, Sec. C.103, as amended by 2013 Acts and Resolves No. 1, Sec. 65, as amended by 2014 Acts and Resolves No. 95, Sec. 62, as amended by 2018 Acts and Resolves No. 87, Sec. 47, as amended by 2018 (Sp. Sess.) Acts and Resolves No. 11 Sec. E.111.1 is further amended to read:

Sec. 282. TAX COMPUTER SYSTEM MODERNIZATION FUND

(a) Creation of fund.

(1) There is established the Tax Computer System Modernization Special Fund to consist of:

* * *

(C) ~~The~~ Thirty percent of the incremental tax receipts received as a direct result of the implementation of the integrated tax system beginning in calendar year 2014, including any additional data warehouse modules. The Commissioner of Finance and Management shall approve baseline tax receipts in order to measure the increment from the new integrated tax system.

(2) Balances in the Fund shall be administered by the Department of Taxes and used for the exclusive purposes of funding: A) ancillary development of information technology systems necessary for implementation and continued operation of the data warehouse project; B) payments due to the vendor under the data warehouse project contract; C) enhanced compliance costs related to the data warehouse project; D) planning for an integrated tax system solution, including present-day analysis of business case and business requirements, requests for proposals and due diligence; E) implementation of tax types, including new tax types, and any additional data warehouse modules into the selected integrated tax system solution; F) a micro-simulation model for use by the Department of Taxes and the Joint Fiscal Office, and the data maintenance costs related to the model; ~~and~~ G) implementation of an ancillary scanning system to enhance the operation of tax types incorporated into the integrated tax system solution; and H) planning for and implementation of education property tax grand list management software, including present-day analysis of business case and business requirements, requests for proposals and due diligence. All balances in the Fund at the end of any fiscal year shall be carried forward and remain part of the Fund. Interest earned by the Fund shall be deposited into the Fund. This Fund is established in the State Treasury pursuant to 32 V.S.A. chapter 7, subchapter 5.

* * *

(c) ~~Transfer.~~

~~(1) Twenty percent of the tax receipts received pursuant to subdivision (a)(1)(A) of this section after payment to the vendor under the data warehouse contract shall be transferred to the General Fund annually for the duration of that contract. Thereafter, 20 percent of the tax receipts received pursuant to subdivision (a)(1)(A) shall be transferred to the Fund which would receive the underlying tax receipts annually until the expiration of the Tax Computer System Modernization Fund.~~

~~(2) Twenty percent of the incremental tax receipts calculated pursuant to subdivision (a)(1)(C) shall be transferred to the Fund which would receive the underlying tax receipts annually until the expiration of the Tax Computer Modernization Fund. [Repealed.]~~

* * *

Sec. 103. SUPERVISION IN EMERGENCY DEPARTMENTS

(a) The Department of Mental Health shall explore solutions to improve therapeutic care and supports for patients in emergency departments that includes the study of security protocols in emergency departments to ensure the safety of patients and hospital staff and compliance with federal regulations in consultation with:

- (1) the Vermont Association of Hospitals and Health Systems;
- (2) DAIL – Licensing and Protection;
- (3) Vermont Care Partners;
- (4) the Department of State’s Attorneys and Sheriffs; and

(5) an individual who provides peer support services in an emergency department, appointed by Vermont Psychiatric Survivors.

(b) On or before April 1, 2019, the Department of Mental Health shall submit its findings and recommendations to the House Committees on Appropriations and on Health Care and to the Senate Committees on Appropriations and on Health and Welfare.

Sec. 104. JUDICIARY; FEDERAL TITLE IV-D FUNDS

(a) Any general funds added to the Judiciary to compensate for errors in billing for eligible federal Title IV-D funds that are greater than the actual lost funds resulting from the errors shall be carried forward to offset Title IV-D funding impacts in the fiscal year 2020 Judiciary budget.

Sec. 105. EFFECTIVE DATES

(a) Notwithstanding 1 V.S.A. § 214 or any other act or provision, Secs. 64–72 (State Health Care Resources Fund), 74 (32 V.S.A. § 10503), 75 (33 V.S.A. § 1951), and 76 (33 V.S.A. § 1956) and Sec. 85 amending 16 V.S.A. § 2857 shall take effect on passage and apply retroactively to July 1, 2018.

(b) Sec. 73 (further amending 32 V.S.A. § 10402) shall take effect on July 1, 2019.

(c) Secs. 99 and 100 (amending 18 V.S.A. §§ 4910 and 4811) shall take effect on July 1, 2025.

(d) Notwithstanding 1 V.S.A. § 214 or any other act or provision, Sec. 102 (Tax Computer System Modernization Fund) shall take effect on passage and apply retroactively to January 1, 2019.

(e) This section and all remaining sections shall take effect on passage.

And by renumbering all of the sections of the bill to be numerically correct (including internal references) and adjusting all of the totals to be arithmetically correct and after passage, the title of the bill is to be amended to read:

An act relating to fiscal year 2019 budget adjustments.

Which was agreed to. Thereupon, the bill was read the third time and passed.

Bill Ordered to Lie

H. 97

House bill, entitled

An act relating to fiscal year 2019 budget adjustments

Having appeared on the Calendar one day for notice, was taken up and pending the consideration of the Senate proposal of amendment to House proposal of amendment to Senate proposal of amendment, on motion of **Rep. Toll of Danville** the bill was ordered to lie.

Second Reading; Bill Amended; Third Reading Ordered

H. 249

Rep. Redmond of Essex for the committee on Human Services, to which had been referred House bill entitled,

An act relating to additional Reach Up Program benefits

Reported in favor of its passage when amended as follows:

First: In Sec. 2 (32 V.S.A. § 8911) before “a participant in the Reach Up Program”, by inserting “the Department for Children and Families for” and by striking out “benefit” and inserting in lieu thereof “support service”

Second: By adding a new section to be Sec. 2a to read:

Sec. 2a. 32 V.S.A. § 8900(g) is added to read:

(g) The statutory purpose of the exemption for participants in the Reach Up Program who are provided with a pleasure car by the Department for Children and Families in subdivision 8911(6) of this title is to remove every cost to a

qualifying participant in the Reach Up Program who is provided with a pleasure car by the Department for Children and Families.

Third: In Sec. 3 (23 V.S.A. § 361), in the second sentence, before “a participant in the Reach Up Program”, by inserting “the Department for Children and Families for” and by striking out “benefit” and inserting in lieu thereof “support service”

Fourth: and that after passage the title of the bill be amended to read: “An act relating to additional Reach Up Program support services”

Rep. Trieber of Rockingham, for the committee on Appropriations, recommended that the bill ought to pass when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. REACH UP AND REACH AHEAD PILOT PROGRAM

In fiscal year 2020, the Department for Children and Families shall provide the Good News Garage with an additional \$434.00, beyond the \$6,000.00 purchase price, for each personal car purchased by the Department for a participant in the Reach Up or Reach Ahead programs. The \$434.00 shall be transferred by the Good News Garage to the participant in the Reach Up or Reach Ahead program for whom the Department purchased the personal car to cover the costs of the motor vehicle sales and use tax pursuant to 32 V.S.A. § 8903 and the registration fee for the first year pursuant to 23 V.S.A. § 361.

Sec. 2. REACH UP AND REACH AHEAD PILOT PROGRAM REPORT

The Department for Children and Families, in consultation with the Good News Garage and the Departments of Motor Vehicles and of Taxes, shall file a written report on the pilot program established in Sec. 1 of this act with the House Committee on Human Services and the Senate Committee on Health and Welfare on or before March 1, 2020. The report shall address the number of personal cars purchased by the Department for Children and Families for participants in the Reach Up and Reach Ahead programs in fiscal year 2020 through January 31, 2020, the number of those personal cars subsequently registered with the Department of Motor Vehicles, whether the sales and use tax was paid on each of those personal cars, any difficulties or successes with the implementation of the pilot program, and anything else the Department for Children and Families wishes to address.

Sec. 3. SPENDING AUTHORITY

The Department for Children and Families is authorized to spend \$26,040.00 from any vacancy savings associated with bringing on new employees in the Family Services Division in fiscal year 2020 for the purpose of implementing the pilot program established in Sec. 1 of this act.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: “An act relating to the Reach Up and Reach Ahead pilot program”

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, the report of the committee on Human Services was amended as recommended by the committee on Appropriations. Report of the committee on Human Services, as amended was agreed to and third reading ordered.

Action on Bill Postponed**H. 439**

House bill, entitled

An act relating to the Home Weatherization Assistance Program

Was taken up and pending the reading of the report of the committee on Ways and Means, on motion of **Rep. Masland of Thetford**, action on the bill was postponed until March 26, 2019.

**Committee Bill; Second Reading;
Bill Amended; Third Reading Ordered****H. 529**

Rep. McCormack of Burlington spoke for the committee on Transportation.

House bill entitled

An act relating to the Transportation Program and miscellaneous changes to laws related to transportation

Rep. Helm of Fair Haven for the committee on Appropriations, recommended that the bill ought to pass.

Rep. Brennan of Colchester for the committee on Ways and Means recommended that the bill ought to pass when amended as follows:

By striking out Secs. 29 (electric vehicle charging station fees) and 30 (electric vehicle charging station fees repeal) in their entirety and inserting in lieu thereof new Secs. 29 and 30 to read as follows:

Sec. 29. 32 V.S.A. § 604 is added to read:

§ 604. ELECTRIC VEHICLE CHARGING STATION FEES

Notwithstanding any other provision of this subchapter, any agency or department may establish, set, and adjust fees for the use of electric vehicle charging stations owned or controlled by the State. The agency or department may establish fees for electric vehicle charging at less than its costs, to cover its costs, or at the existing regional market rate. Electric vehicle charging stations owned or controlled by the State shall be subject to the same laws specifically governing electric vehicle charging stations owned or controlled by private parties. Fees collected under this section shall be credited to special funds established and managed pursuant to subchapter 5 of chapter 7 of this title and shall be available to the agencies and departments that collect fees for electric vehicle charging to offset the costs of providing the service.

Sec. 30. 32 V.S.A. § 604 is amended to read:

§ 604. ~~ELECTRIC VEHICLE CHARGING STATION FEES~~

~~Notwithstanding any other provision of this subchapter, any agency or department may establish, set, and adjust fees for the use of electric vehicle charging stations owned or controlled by the State. The agency or department may establish fees for electric vehicle charging at less than its costs, to cover its costs, or at the existing regional market rate. Electric vehicle charging stations owned or controlled by the State shall be subject to the same laws specifically governing electric vehicle charging stations owned or controlled by private parties. Fees collected under this section shall be credited to special funds established and managed pursuant to subchapter 5 of chapter 7 of this title and shall be available to the agencies and departments that collect fees for electric vehicle charging to offset the costs of providing the service.~~
[Repealed.]

Having appeared on the Calendar one day for notice, was taken up, read the second time, the report of the committee on Ways and Means and Appropriations was agreed to.

Pending the question shall the bill be read a third time? **Rep. McCormack of Burlington** moved to amend the bill as follows:

First: In Sec. 4 (spending in the Town Highway Aid Program) by striking out “\$1,090,326.00” and inserting in lieu thereof “\$995,416.00”

Second: In Sec. 27 (electric vehicle incentive program) by striking out subsection (f) (annual evaluation) in its entirety and inserting in lieu thereof a new subsection (f) to read as follows:

(f) The PSD shall annually evaluate the Electric Vehicle Incentive Program to gauge its effectiveness and submit a written report on the effectiveness of the program to the House and Senate Committees on Transportation, the House Committee on Energy and Technology, and the Senate Committee on

Finance on or before the 31st day of December in each year that an incentive is provided through the program.

Third: In Sec. 34 (technical analysis of commuter rail service) by striking out the word “study” and inserting in lieu thereof the words “technical analysis”

Which was agreed to. Thereupon, third reading was ordered.

**Committee Bill; Second Reading;
Bill Amended; Third Reading Ordered**

H. 530

Rep. Stevens of Waterbury spoke for the committee on General, Housing, and Military Affairs.

House bill entitled

An act relating to the qualifications and election of the Adjutant and Inspector General

Rep. Helm of Fair Haven for the committee on Appropriations recommended that the bill ought to pass when amended as follows:

In Sec. 3, 20 V.S.A. § 370, by striking out subsection (c) in its entirety and inserting in lieu thereof a new subsection (c) to read as follows:

(c) Legislative members of the Board shall be entitled to per diem compensation and reimbursement for expenses in accordance with 2 V.S.A. § 406 for not more than four meetings per biennium. Members of the Board who are not otherwise compensated by their employer shall be entitled to per diem compensation and reimbursement for expenses for not more than four meetings per biennium in the same manner as board members are compensated under 32 V.S.A. § 1010. The compensation and reimbursement for the six members appointed by the House and Senate shall be paid from the legislative appropriation. The compensation and reimbursement for the three members appointed by the Governor’s Veterans Advisory Council shall be paid from the appropriation for the Military Department.

Having appeared on the Calendar one day for notice, was taken up, read the second time, the report of the committee on Appropriations agreed to.

Pending the question, Shall the bill be read a third time? **Rep. Fagan of Rutland City** moved to amend the bill as follows:

In Sec. 7, 20 V.S.A. § 363, by striking out subdivision (c)(1) in its entirety and inserting in lieu thereof a new subdivision (c)(1) to read as follows:

(c)(1) The Adjutant General may appoint a ~~deputy~~ Deputy with appropriate rank, the approval of the Governor. The Adjutant General may also appoint an Assistant Adjutant General for Army, an Assistant Adjutant General for Air, an Assistant Adjutant General for Joint Operations, a Sergeant Major, and a Chief Master Sergeant, without pay, with the approval of the Governor.

Which was agreed to.

Pending the question, Shall the bill be read a third time? **Rep. Stevens of Waterbury** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be read a third time? was decided in the affirmative. Yeas, 123. Nays, 15.

Those who voted in the affirmative are:

Ancel of Calais	Forguites of Springfield	Nicoll of Ludlow
Anthony of Barre City	Gannon of Wilmington	Norris of Shoreham
Austin of Colchester	Giambatista of Essex	Notte of Rutland City
Bancroft of Westford	Goslant of Northfield	Noyes of Wolcott
Bartholomew of Hartland	Haas of Rochester	O'Brien of Tunbridge
Batchelor of Derby	Hango of Berkshire	Ode of Burlington
Bates of Bennington	Harrison of Chittenden	Page of Newport City
Birong of Vergennes	Hashim of Dummerston	Pajala of Londonderry
Bock of Chester	Helm of Fair Haven	Palasik of Milton
Briglin of Thetford	Hill of Wolcott	Partridge of Windham
Browning of Arlington	Hooper of Montpelier	Patt of Worcester
Brumsted of Shelburne	Hooper of Randolph	Potter of Clarendon
Burditt of West Rutland	Hooper of Burlington	Pugh of South Burlington
Burke of Brattleboro	Houghton of Essex	Rachelson of Burlington
Campbell of St. Johnsbury	Howard of Rutland City	Redmond of Essex
Canfield of Fair Haven	James of Manchester	Rogers of Waterville
Carroll of Bennington	Jerome of Brandon	Rosenquist of Georgia
Chase of Colchester	Jessup of Middlesex	Scheu of Middlebury
Chesnut-Tangerman of Middletown Springs	Jickling of Randolph	Scheuermann of Stowe
Christensen of Weathersfield	Killacky of South Burlington	Shaw of Pittsford
Christie of Hartford	Kimbell of Woodstock	Sheldon of Middlebury
Cina of Burlington	Kitzmiller of Montpelier	Sibilia of Dover *
Coffey of Guilford	Kornheiser of Brattleboro	Squirrell of Underhill
Colburn of Burlington	Krowinski of Burlington	Stevens of Waterbury
Colston of Winooski	LaClair of Barre Town	Sullivan of Dorset
Conlon of Cornwall	LaLonde of South Burlington	Sullivan of Burlington
Conquest of Newbury	Lanpher of Vergennes	Szott of Barnard
Copeland-Hanzas of Bradford	Lefebvre of Newark	Taylor of Colchester
Corcoran of Bennington	Leffler of Enosburgh	Till of Jericho
Cordes of Lincoln	Lippert of Hinesburg	Toleno of Brattleboro
Demrow of Corinth	Long of Newfane	Toll of Danville
Dolan of Waitsfield	Macaig of Williston	Townsend of South Burlington
	Marcotte of Coventry	Trieber of Rockingham

Donahue of Northfield	Masland of Thetford	Troiano of Stannard
Donovan of Burlington	Mattos of Milton	Walz of Barre City
Durfee of Shaftsbury	McCarthy of St. Albans City	Webb of Shelburne
Elder of Starksboro	McCormack of Burlington	White of Hartford
Emmons of Springfield	McCullough of Williston	Wood of Waterbury
Fagan of Rutland City	McFaun of Barre Town	Yacovone of Morristown
Fegard of Berkshire	Morrissey of Bennington	Yantachka of Charlotte
Feltus of Lyndon	Mrowicki of Putney	Young of Greensboro
	Murphy of Fairfax	

Those who voted in the negative are:

Beck of St. Johnsbury	Graham of Williamstown	Quimby of Concord
Brennan of Colchester	Gregoire of Fairfield	Savage of Swanton
Cupoli of Rutland City	Martel of Waterford	Seymour of Sutton
Dickinson of St. Albans Town	McCoy of Poultney *	Toof of St. Albans Town
Gamache of Swanton *	Morgan of Milton	
	Myers of Essex	

Those members absent with leave of the House and not voting are:

Brownell of Pownal	Higley of Lowell	Smith of New Haven
Gardner of Richmond	O'Sullivan of Burlington	Strong of Albany
Gonzalez of Winooski	Ralph of Hartland	Terenzini of Rutland Town
Grad of Moretown	Smith of Derby	

Rep. Gamache of Swanton explained her vote as follows:

“Madam Speaker:

I agree with the new standards and vetting board for selection of Adjutant General, but strongly disagree with the legislature continuing to elect the Adjutant General. I believe since the governor is commander-in-chief, it is the governor who should appoint the Adjutant General.”

Rep. McCoy of Poultney explained her vote as follows:

“Madam Speaker:

I thank the committee for their work on this bill as this statute needs to be updated. As the wife of a retired Brigadier General of the Vermont Army National Guard, who retired as the Assistant Adjutant General after 38 Years of service, I firmly believe the Adjutant General should be a gubernatorial appointment.”

Rep. Sibilia of Dover explained her vote as follows:

“Madam Speaker:

I vote yes. While I originally opposed continuing the process of this body electing the Adjutant General, I have since heard from a number of rank and

file guardsmen who support maintaining this important connection between them and the Vermont legislature.”

**Favorable Report; Second Reading;
Third Reading Ordered**

S. 109

Rep. Kornheiser of Brattleboro, for the committee on Commerce and Economic Development, to which had been referred Senate bill, entitled

An act relating to captive insurance companies and risk retention groups

Reported in favor of its passage in concurrence

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, and third reading ordered.

Rules Suspended; Bill Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

H. 532

House bill, entitled

An act relating to fiscal year 2019 budget adjustments

Adjournment

At twelve o'clock and twenty-one minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, March 26, 2019, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 19.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

H.C.R. 83

House concurrent resolution honoring Poultney civic leader and esteemed educator Francis Fressie;

H.C.R. 84

House concurrent resolution honoring pharmacist, entrepreneur, and community leader Frank Buonincontro of Bristol;

H.C.R. 85

House concurrent resolution honoring Weybridge's creative volunteer Michael A. Newkirk;

H.C.R. 86

House concurrent resolution recognizing March 2019 as National Social Work Month in Vermont;

H.C.R. 87

House concurrent resolution designating Friday, March 29, 2019 as Alzheimer's Awareness Day at the State House;

H.C.R. 88

House concurrent resolution in memory of Lyndon Justice of the Peace Edith Bell-Brown;

H.C.R. 89

House concurrent resolution honoring Vermont Economic Development Authority Chief Executive Officer Rosalea Bradley for her dynamic and innovative leadership;

H.C.R. 90

House concurrent resolution congratulating the 2019 Vermont Prudential Spirit of Community Awards Honorees and Distinguished Finalists;

H.C.R. 91

House concurrent resolution congratulating Richard E. Prentiss on 50 years of dedicated firefighting service in the Town of Bennington;

H.C.R. 92

House concurrent resolution congratulating William Kinney on 50 years of outstanding firefighting service in the Town of Bennington;

H.C.R. 93

House concurrent resolution congratulating the 2019 Mt. Anthony Union High School Patriots on winning their historic 31st consecutive State wrestling championship and 100th school victory;

H.C.R. 94

House concurrent resolution congratulating Charles Harvey on 50 years of exemplary firefighting service in the Town of Bennington;

H.C.R. 95

House concurrent resolution congratulating the 2019 Mt. Anthony Union High School Patriots Division I boys' Nordic skiing championship team;

H.C.R. 96

House concurrent resolution in memory of former Representative Sylvia Rita Kennedy of Chelsea;

H.C.R. 97

House concurrent resolution in memory of Ken Tohinaka;

H.C.R. 98

House concurrent resolution congratulating Outright Vermont on its 30th anniversary;

S.C.R. 7

Senate concurrent resolution congratulating Bag Balm on its 120th anniversary;

S.C.R. 8

Senate concurrent resolution congratulating Alice Johnson Blair on her 100th birthday.;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2019, seventy-fifth Biennial session.]